

Planning (Regulatory) Committee

Date: **Friday 5 June 2020**

Time: **11am**

Venue: **Online - Teams Live Virtual Meeting.**

To view the meeting online, please follow this link: [Public Link to view live meeting](#)

Members of the Committee and other attendees: **DO NOT** follow this link, you will be sent a separate link to join the meeting.

Persons attending the meeting are requested to turn off mobile phones

Membership

Cllr C Foulger (Chairman)

Cllr B Long (Vice-Chairman)

Cllr S Askew

Cllr W Richmond

Cllr R Brame

Cllr M Sands

Cllr M Castle

Cllr E Seward

Cllr D Collis

Cllr M Storey

Cllr D Douglas

Cllr T White

Cllr B Iles

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 [Appendix 28 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 by contacting committees@norfolk.gov.uk, or (by using the appropriate reference number) on the County Council's website: <http://eplanning.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 meeting of 24 January 2020;
- the Extraordinary Planning (Regulatory) Committee meeting held on 21 February 2020

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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 Chairman decides should be considered as a matter of urgency

5. FUL/2019/0001 and FUL/2019/0002: Beeston Regis Quarry, Britons Lane, Beeston Regis, Sheringham, NR26 8TP

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Report by the Executive Director of Community and Environmental Services

**6. FUL/2020/0005: Land off A140/A1270 northern junction, Cromer Road,
Norwich**

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Report by the Executive Director of Community and Environmental Services

**Tom McCabe
Head of Paid Services**

County Hall
Martineau Lane
Norwich
NR1 2DH

Date Agenda Published: 28 May 2020



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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 Friday 24 January 2020
at 11am in the Edwards Room, County Hall**

Present:

Cllr Colin Foulger (Chairman)
Cllr Brian Long (Vice Chairman)

Cllr Mick Castle
Cllr David Collis
Cllr Danny Douglas
Cllr Brian Iles

Cllr William Richmond
Cllr Martin Storey
Cllr Tony White

Officers Present

Jon Hanner
Nick Johnson
Angelina Lambert

Engineer - Highways Development Manager
Head of Planning
Principal Planning Officer

1 Apologies and Substitutions

- 1.1 Apologies were received from Cllr Eric Seward
- 1.2 Also absent were Cllr Stephen Askew, Cllr Roy Brame and Cllr Mike Sands

2 Minutes

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on 11 October 2019 were agreed as an accurate record and signed by the Chairman

3 Declarations of Interest

No interests were declared

4 Urgent Business

There was no urgent business.

Applications referred to the Committee for determination.

- 5 FUL/2019/0053: Land adjacent to West Hall Farm, Springvale, Gayton, Norfolk, PE32 1QZ**
- 5.1.1 Members received the report asking them to consider whether to arrange a planned site visit to view the site and its surroundings to obtain information relevant to determination of the application for full planning permission for the erection of a new 210 place (1 form entry) pupil school and the erection of a 56 place nursery, car parking and associated works to replace the existing school currently located on Lynn Road, Gayton. Due to the age, condition and cost of Maintenance, the existing school was no longer fit for purpose.
- 5.1.2 Angelina Lambert introduced the report and gave a presentation to the Committee
- 5.1.2 Letters of objection, support and comment had been received on the application; additional comments had been received since the agenda was published from King's Lynn and West Norfolk Borough Council's Environmental Quality Team who had not raised any concerns, Norfolk Fire and Rescue Service who had stated the need for fire hydrants on the site, and King's Lynn and West Norfolk Borough Council who were due to present the application to their planning committee on 3 February 2020, recommending no objections subject to any recommendations received from the Borough Council's Environmental Health Teams.
- 5.1.3 One letter in support of the application had been received from a local resident, asking for mitigations against concerns raised about the application by others
- 5.2 The Committee were asked to discuss whether they would like to hold a site visit prior to the application being brought to them at a future meeting for determination:
- A Member noted that no comment had been received from the Local Member and no objections from Highways or flooding agencies, which he felt indicated there was no evidence at that time for the Committee to carry out a site visit
 - The Vice-Chairman discussed that the previous site had issues relating to flood risk and objectors felt that other sites in the vicinity would be more appropriate. The applicant had looked at other sites and therefore had eliminated a lot of the issues raised when the development was put forward for consideration on a different site. Therefore, the Vice-Chairman was not in favour of a site visit
 - Other Councillors also expressed that they were not in favour of a site visit for these reasons, noting that the information in the application was sufficient at that time
 - One Member of the Committee noted that concerns raised by the Parish Council related to access, green space, highways, footways and parking and felt a site visit could be beneficial to understand these further
 - Cllr Collis had visited the site in question and from his observations he did not feel that any objections raised so far amounted to a serious objection
- 5.3 With 1 vote for, 7 against and 1 abstention, the Committee decided there was **NOT** a need to undertake a site visit before the determination of the current submitted

planning application.

The meeting ended at 11.23

Chairman



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**Planning Regulatory Committee
Minutes of the Extraordinary Meeting Held on
Friday 21 February 2020
at 11am in the Edwards Room, County Hall**

Present:

Cllr Colin Foulger (Chairman)
Cllr Brian Long (Vice Chairman)

Cllr S Askew
Cllr Roy Brame
Cllr Mick Castle
Cllr Danny Douglas

Cllr William Richmond
Cllr Mike Sands
Cllr Martin Storey
Cllr Tony White

Substitute Members Present

Cllr Bev Spratt for Cllr Brian Iles

Officers Present

Nick Johnson
Jane Linley
Neil Campbell
Jon Hanner

Head of Planning
Team Lead (Planning & Environment), nplaw
Principal Planner
Engineer (Highways Development Management)

Also Present

Cllr Alistair Beales
Isabel Horner
Rachael Greenhalgh
Keith Bates
Cllr Graham Middleton

Gayton Parish Council
Children's Services
Headteacher, Gayton School
Headteacher, Alderman Swindell School
Member for Gayton and Nar Valley

1 Apologies and Substitutions

1.1 Apologies were received from Cllr Iles (Cllr Bev Spratt substituting) and Cllr Seward

2 Declarations of Interest

2.1 None declared

3 Urgent Business

3.1 There was no urgent business.

Applications referred to the Committee for determination.

4 FUL/2019/0053 – Land adjacent to West Hall Farm, Springvale, Gayton, Norfolk, PE32 1QZ

4.1.1 The Committee received the report setting out the application for change of use of agricultural land to school and nursery use and the erection of a 210-pupil primary school and 56 place nursery, access, associated car parking, playing fields and landscaping to provide a new Primary School to replace the existing Gayton Church of England Primary School.

4.2.1 The Head of Planning introduced the report and gave a presentation to the Committee. The proposal, despite being outside the development boundary, accorded with the development plan. Planning officers recommended that the application be approved

4.2.2 The Committee asked questions on the presentation:

- The Engineer (Highways Development Management) confirmed that coaches would not be allowed onto the proposed site however the turning head had been designed to accommodate coaches on occasions where this was required; it was proposed to put keep-clear markings on the turning head
- It was confirmed that the main catchment area for the existing school was Gayton village and the surrounding area. Most children who attended were in walking or cycling distance, therefore there was no regular transport contract to Gayton school
- Upcoming housing developments were queried; the Head of Planning confirmed that there were housing developments on the Local Plan. It was possible to include an access to the south of the proposed site if required.
- The Engineer (Highways Development Management) confirmed that it was proposed there would be a Traffic Regulation Order for the school keep clear and double yellow lines so they could be enforced.
- A flat roof had been proposed for the school hall to reduce the impact on the surrounding area; there were specifications in place to ensure longevity of the roof and it would be built to national standards
- A Member queried the possibility of developing footpath access to the site from more parts of the village to encourage children to walk or cycle to school

4.3.1 The Head teacher of Gayton Primary School, Mrs Greenhalgh, spoke to the Committee:

- Mrs Greenhalgh gave background to Gayton School, including the current building, good teaching quality, environment and ethos
- There had been plans since 2012 for a new school; there were now over 140 pupils at the existing school which was designed for 60 pupils. To accommodate the extra students there were temporary buildings on the site
- Mrs Greenhalgh spoke about the benefits that the proposed new school would have for the school, the children and the teachers. The playground was not big enough on the current site resulting in a muddy playing field and the hall at the existing site was not big enough to invite parents in for celebrations. A bigger, purpose-built school would provide better facilities, including toilets for each key

stage; at that time, toilets were shared between children from ages 4-11.

4.3.2 The Committee asked questions of the Headteacher:

- Members queried the 210-pupil figure on the proposed site. Mrs Greenhalgh confirmed that the figure of 210 children had been calculated by the Local Education Authority by looking at projected housing growth in the village and developments in progress
- Members asked for more detail on the school's travel plan; Mrs Greenhalgh reported that the proposed site would provide the opportunity for a more proactive travel plan. The current school site was in an area where it was difficult to cross the road and walk to and from school due to the entrance being on a junction and the road leading to the school having narrow or no pavement. She reported that the school would actively encourage walking, cycling and scootering
- Mrs Greenhalgh reported that the turning head would be staffed to ensure proper use.

4.4.1 Cllr Beales spoke to the Committee on behalf of Gayton Parish Council:

- Gayton Parish Council discussed the application at its meeting of 8 January 2020 and were in support of the application but with some concerns raised at the meeting
- The Parish Council hoped that Norfolk County Council would ensure construction traffic was managed properly during the build
- The single access was queried, and why an in/out access had not been proposed
- There were concerns that the turning circle could result in traffic congestion
- It had been noted coaches could not enter and park and this had been raised as a potential issue of safety for children embarking and disembarking
- Carparking congestion outside of the school at pick up and drop off time and during large school event was a concern raised; a walking bus and onsite parking for events was suggested as mitigation
- A large amount of green space would be lost during the proposed construction and the Parish Council hoped that landscaping would be provided for example a forest schools area, and suggested that the area to the north of the site owned by Norfolk County Council could be given to the village in mitigation
- The Parish Council asked for consideration to be given to lowering the speed limit around the Winch Road and Springvale junction during school areas
- To encourage walking and cycling to school, the Parish Council hoped that the footpath would be upgraded and maintained and the surface piece of carrstone at the entrance to Vicarage Lane would be relocated and maintained
- Overall, the Parish Council were in support of the application, acknowledging that this was the best of the sites considered for the school and all consultees were supportive. Cllr Beales noted the existing school was not big enough for the number of children and there were temporary classrooms on site to accommodate the students. The proposed site would have educational advantages and improved facilities for the children and the community.

4.4.2 The Committee asked questions of Cllr Beales:

- In response to a query about footpath access, Cllr Beales confirmed that an agreed housing development in the village would include extra footpath provision

included which could potentially be used to access the school.

- The Vice-Chairman noted the concerns raised by the Parish Council.

4.5 Isabel Horner spoke on behalf of the applicant, Children's Services:

- Calculations showed that there was a need for the additional school places in the village through looking at potential population growth based on proposed and approved plans for housing developments in the village and surrounding area
- There had been work with the highways authority to ensure appropriate footpath access for the site
- In and out access to the proposed site had been investigated however the 'out' relied on a third-party agreement and this was found to be not possible.

4.6 Cllr Graham Middleton, Local member for Gayton and Nar Valley, spoke to the Committee:

- The village understood the need for the new school and a number of sites had been looked at. This site although outside the development boundary, was in the heart of the village and allowed for better pedestrian access than the current school site
- Cllr Middleton noted the quality teaching provided by staff and positive outcomes at the school, but that the proposed site would allow outcomes to be improved further.

4.7.1 The Committee moved to debate on the application:

4.7.2 The Team Lead (Planning & Environment), nplaw drew to the attention of the Committee the amended and additional conditions, which had been previously circulated to the Committee, as set out below;

4.7.3 Amended condition 13.2: The development must be carried out in strict accordance with the application form and the following plans and documents:

- Drawing No. NPS-00-00-DR-A-(00)-001 Rev P1 - Site Location Plan dated 14th November 2019;
- Drawing No. NPS-DR-A-002 Rev P2 - Existing Site Plan dated 12th February 2020;
- Drawing No. NPS-DR-A-003 Rev P2 - Proposed Site Plan dated 12th February 2019;
- Drawing No. NPS-00-00-DR-A-(00)-004 Rev P2 - Construction Site Traffic Management Plan dated 19th February 2020;
- Drawing No. NPS-DR-A-031 Rev P1 - Proposed GA Floor Plan 1-100 dated 25th October 2019;
- Drawing No. 033 Rev P1 - East & West Elevations dated 24th June 2019;
- Drawing No. 034 Rev P1 - North & South Elevations dated 24th June 2019;
- Drawing No. NPS-DR-A-035 Rev P1 - GA Roof Plan 1-100 dated 25th October 2019;
- Drawing No. NPS-DR-A-(00)-041 Rev P1 - Nursery Block Proposed GA Floor Plan dated 25th October 2019;
- Drawing No. NPS-DR-A-(00)-044 Rev P1 - Proposed GA Nursery Roof Plan dated 25th October 2019;
- Drawing No. NPS-DR-A-100 Rev P1 - Cross Sections A-A & B-B 1-50 Section A

- and B dated 25th October 2019;
- Drawing No. NPS-DR-A-101 Rev P1 - Cross Sections C-C & D-D 1-50 Section C and D dated 25th October 2019;
 - Drawing No. NPS-DR-A-102 Rev P1 - Longitudinal Section E-E 1-50 Section E dated 25th October 2019;
 - Drawing No. NPS-DR-A-103 Rev P1 - Longitudinal Section F-F 1-50 Section F dated 25th October 2019;
 - Drawing No. NPS-DR-A-104 Rev P1 - Longitudinal Section F-F 1-50 Section G dated 25th October 2019;
 - Drawing No. NPS-DR-A-(00)-110 Rev P1 - Nursery Block Proposed GA Sections Section A-A Section B-B dated 25th October 2019;
 - Drawing No. NPS-DR-A-(00)-111 Rev P1 - Nursery Block Proposed GA Sections Section C-C Section D-D dated 25th October 2019;
 - Drawing No. NPS-DR-A-130 Rev P2 - Proposed Elevations 1-100 Elevations dated 21st November 2019;
 - Drawing No. NPS-DR-C-(00)-201 Rev P6 - Highway Access dated 10th February 2020;
 - Drawing No. NPS-DR-C-(00)-600 Rev P6 - Drainage Strategy dated 19th February 2020;
 - Drawing No. NPS-DR-E-(60)-005 Rev P2 - External Lighting Plan dated 19th February 2020;
 - Drawing No. HBS-DR-L-800 Rev P5 - Proposed Landscape General Arrangement dated 12th February 2020;
 - Drawing No. VES - 1704 - After Clearance Survey dated October 2019;
 - Drawing No. NPS-DR-M-(50)-001 Rev P4 - Proposed School and Nursery Site Plan Mechanical Services dated 19th February 2020;
 - Drawing No. EDS 07-3102.01 Version A, Unit or Padmount Substation in GRP Enclosure dated 9th August 2017;
 - Drawing No. EDS 07-3102.RE Version A, Typical Earth Ring Arrangements for Secondary Substations dated 9th August 2017;
 - Drawing No. EDS 07-3102.GP Small Power & Lighting Arrangement for Single Transformer Substation dated 9th August 2017;
 - Gayton - Land adj. West Hall Farm, Springvale, Planning Statement, Statement in support of full planning application for a replacement one form entry Primary School, 52-place nursery and associated works, NPS Group, dated November 2019 (V4);
 - West Hall Farm, Gayton: 1FE Primary School, Design and Access Statement, (RIBA Stage 3), New 1FE (210 Roll) Primary School and Nursery, West Hall Farm, Gayton, for Norfolk County Council Children's Services, NPS Group, Revision: P3, dated 19th February 2020;
 - Gayton - Land adj. West Hall Farm, Springvale, Transport Statement, Transport Statement in support of full planning application for a replacement one-form entry Primary School, 52-place nursery and associated works, NPS Group, updated February 2020 (V6);
 - Construction Consideration Statement, Project: - 19 - 1 - 1044 – Gayton Primary School, Gayton, Norfolk, Project Proposal: New 210 pupil place primary school and 56 place nursery building, with associated car parking and landscaping, NPS Group, dated 15th January 2020 (Revision: P3);

- Gayton New Primary School & Nursery for Norfolk County Council, Sustainability Statement, NPS Group, dated 26th June 2019 (Version 3.0);
- Gayton West Hall Farm New School, Gayton, Flood Risk Assessment and Drainage Strategy on behalf of Norfolk County Council Children's Services, Report 19-1-1044/FRA Rev B, NPS Group, dated November 2019;
- Gayton New Primary School, Proposed New Primary School and Nursery Block for Norfolk County Council, Ventilation and Noise Assessment, NPS Group, dated 26th June 2019 (Version 2.0);
- Gayton West Hall Farm, Gayton Preliminary Land Contamination and Geotechnical Risk Assessment, on behalf of NPS Property Consultants, Report 23-24-19-1-1015/DSR1, Hamson, Barron Smith, dated October 2018;
- Gayton West Hall Farm New Primary School, Electrical Services Planning Assessment, Lighting Assessment, NPS Group, dated 8th November 2019;
- Ecological Report, West Hall Farm, Gayton, Norfolk, Norfolk Wildlife Services, Final Version Updated, dated 4th November 2019;
- Letter dated 21st March 2019 Ref. 2018.134.2 from Norfolk Wildlife Services to NPS Property Consultants, headed RE: Aerial Bat Scoping Survey - Gayton West Hall Farm;
- Tree Survey and Report, BS5837:2012: West Hall Farm, Gayton, Norfolk Wildlife Services, (update) dated 4th November 2019;
- Tree Survey and Report, BS5837:2012 - Arboricultural Method Statement and Tree Protection Plan for West Hall Farm, Gayton, Norfolk Wildlife Services, (updated) dated November 2019;
- Land at West Hall Farm, Vicarage Lane, Gayton, Norfolk, Archaeological Desk-based Assessment, NPS Archaeology, NPS Group, dated November 2018;
- Westhall Farm, Gayton, Norfolk, Archaeological Pre-Application Evaluation by Trial-Trenching Report, Oxford Archaeology, Version 1, No: 2396, dated December 2019;
- West Hall Farm, Gayton, Norfolk, Earthwork Survey Report, Oxford Archaeology, Ref. OAE Report, Version 1, No: 2326, dated October 2019.

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

- 4.7.4 Amended condition 13.18: The development hereby permitted shall not be occupied until the drainage works have been carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy (Report 19-1-1044/FRA Rev B, NPS Group, dated November 2019) and shall thereafter be managed and maintained in accordance with the approved Flood Risk Assessment and Drainage Strategy for the lifetime of the development.

Reason: To prevent any increased risk of flooding in accordance with the King's Lynn & West Norfolk Borough Council Local Development Framework - Core Strategy (Adopted Version July 2011), Policy CS08 and Chapter 14 of the NPPF (2019).

- 4.7.5 Additional condition 13.31: Within 12 months of first occupation of the development hereby permitted, the applicant shall instruct the Highway Authority to undertake a Traffic Management review within the vicinity of the site to identify if any further reasonable measures (including waiting restrictions and verge protection) are

required to manage traffic associated with the development. Any such measure(s) identified shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority, in consultation with the Highway Authority.

Reason: In the interests of highway safety and amenity, in accordance with the King's Lynn & West Norfolk Borough Council Local Development Framework - Core Strategy (Adopted Version July 2011), Policy CS11, the King's Lynn and West Norfolk Borough Council Site Allocations and Development Management Policies Plan (Adopted September 2016), Policy DM15 and Chapter 9 of the NPPF (2019).

4.7.6 A Member of the Committee asked if resurfacing of Vicarage Lane footpath could be added as a condition; the Chairman stated that highways improvements could not be included as a condition.

4.8 The Committee **RESOLVED** that the Executive Director of Community and Environmental Services be authorised to:

- I. Grant planning permission subject to the conditions outlined in section 13 of the officers' report and the amended and additional conditions circulated to Committee members and set out in the paragraphs 4.7.3 to 4.7.5 of the minutes.
- II. Discharge conditions where those detailed require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

4.9 The Committee took a break from 11.55 until 12:00

5. FUL/2019/0047 Alderman Swindell Primary School, Beresford Road, Great Yarmouth, Norfolk NR30 4AB

5.1 The Committee received the report setting out the application for partial demolition of existing school buildings and the provision and operation of a 96 place Social, Emotional, & Mental Health (SEMH) Special Educational Needs (SEN) School providing Primary and Secondary age range educational provision (for pupils up to year 11), including three residential dormitory blocks (to accommodate up to 36 pupils educated at the school during term time weekdays only), external areas (including grass sports pitch, enclosed hard PE games area, hard and soft informal and social areas), plus new accesses to new staff car park, secure on-site pupil drop off and collection with one way in / out vehicle movements, and 2.4 – 3.0 metre fencing.

5.2.1 The Principal Planner introduced the report and gave a presentation to the Committee. There would be space for 25 taxis to drop off and pick up at the same time; no objections had been received from the Highways Agency. The school had agreed to stagger drop off and pick up time to reduce highway obstructions.

5.2.2 It was confirmed that the nearest bus stops were on Beatty Road to the east of the site and on the A149.

- 5.3.1 Keith Bates, Head Teacher of Eaton Hall Special Academy, and Don Edmunds, the Chief Executive of the Boudicca Schools Trust, spoke to the Committee:
- The Boudicca Schools Trust had won the bid to run the school, and planned to run the proposed school in a similar model to the Eaton Hall school, which was also a residential school for boys with social and emotional health needs
 - At present, pupils from Great Yarmouth with such needs were required to travel to Norwich to the Eaton Hall school, which could be a pressure on pupils
 - The Boudicca Trust planned to engage with and involve the local community during construction and development of the school.
- 5.3.2 The Committee asked questions of Mr Bates and Mr Edmunds
- Mr Bates confirmed that the proposed school at the Alderman Swindell site would be a boys only school for children with identified social, emotional and mental health needs, many of which would be referred from a mainstream school
 - The children would primarily be from the Great Yarmouth Borough area, however children from further afield would be accepted if they were waiting for a space and there was a space available; at the time of the meeting the closest school for these children was Eaton Hall School
 - Intake of children into the School was queried; Mr Bates clarified that there was a growth plan in place for the school, which would consist of taking 50 children in the first year and the remainder in the second year. The intake of children would be phased across the year.
- 5.3.3 Isabel Horner spoke on behalf of the applicant, Children's Services:
- The planned opening date, if approved, was September 2021
 - She was confident in the ability of the trust to work with local residents as the Eaton School was also based in a residential area therefore, they were familiar with the issues which concerned residents
 - there was a growth plan in place to ensure children had a transition into the school and children would be taught in smaller classes
 - There was an aim to provide school provision for children with social, emotional and mental health needs in Great Yarmouth and reduce the distance they needed to travel.
- 5.3.4 Cllr Mick Castle, Local Member for Yarmouth North and Central, spoke to the Committee
- Initial press coverage had exaggerated residents' concerns about the provision, and Cllr Castle believed that the concerns of residents had been taken on board
 - Cllr Castle noted the need to provide education for children with special educational needs closer to their homes and was in support of the application.
- 5.4 The Committee **RESOLVED** that the Executive Director of Community and Environmental Services be authorised to:
- I. Grant planning permission subject to the conditions outlined in section 13.
 - II. Discharge conditions where those detailed require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
 - III. Delegate powers to officers to deal with any non-material amendments to the

application that may be submitted.

The meeting ended at 12.26

Chairman



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Planning (Regulatory) Committee

Item No. 5

Report title:	FUL/2019/0001 and FUL/2019/0002: Beeston Regis Quarry, Britons Lane, Beeston Regis, Sheringham. NR26 8TP
Date of meeting:	5 June 2020
Responsible Chief Officer:	Tom McCabe, Executive Director of Community and Environmental Services
Proposals and applicant: (1) FUL/2019/0001: Proposed extraction of 1.0 million tonnes of sand and gravel as an eastern extension to the existing Beeston Regis Quarry with off-site highways enhancements along with restoration to nature conservation habitat (2) FUL/2019/0002: Variation of conditions 3, 5, 6 and 7 of PP C/1/1993/1007 to facilitate enhanced scheme of restoration at the existing quarry (Carter Concrete)	

Executive summary

Permission is sought for (1) extension of sand and gravel extraction onto allocated site MIN 69, over a period of 10-12 years, with restoration, to nature conservation. The proposal includes construction of a new haul road to connect the proposed extension area with the existing, adjacent quarry and off-site highway enhancements to the junction of the A148 with Britons Lane and, (2) for variation of conditions of permission reference C/1/1993/1007 to continue use of the plant site for processing mineral from allocated site MIN 69 and, facilitate an enhanced scheme of restoration at the existing quarry. The applications are being considered concurrently as they are inherently linked.

Both sites lie within the Norfolk Coast Area of Outstanding Natural Beauty (AONB). The proposals are EIA development and the accompanying Environmental Statement concludes that any detrimental effects can be adequately mitigated.

The proposal is considered a departure from the Development Plan due to non-compliance with policies CS15 and DM10 of the Norfolk Minerals and Waste LDF Core Strategy, Norfolk Minerals and Waste Development Framework Mineral Site Specific Allocations DPD Policy MIN 69 and, Policy CT 5 of the North Norfolk Core Strategy, in the form of lack of provision of a Right Hand Turn Lane (RHTL) at the junction of the A148 with Britons Lane. The Highway Authority has raised objection due to lack of a RHTL.

For the above reason the proposals also conflict with section 9 of the NPPF.

Objections and concerns are raised by Beeston Regis Parish Council; concerns are raised by Sheringham Town Council and the Local Member for Sheringham; representation is made by eight third parties, three of whom make explicit objection to the proposals. They are primarily concerned that a RHTL would increase traffic along Britons Lane. The proposed development, if permitted, would cause danger and inconvenience to highway users, contrary to Development Plan Policies.

Recommendation:

It is recommended that the Executive Director of Community and Environmental Services be authorised to: **Refuse planning permission for the grounds outlined in section 12.**

1. The Proposals

Application reference FUL/2019/0001

- 1.1 Type of development : Extraction of sand and gravel as extension to existing quarry
- 1.2 Site area : Existing quarry
21 hectares
Proposed extension area
7.9 hectares
Proposed extraction area
7.0 hectares
- 1.3 Total tonnage : 1.0 million tonnes
- 1.4 Annual tonnage : Average 100,000 tonnes
- 1.5 Market served : North Norfolk and Norwich
- 1.6 Duration : 10 -12 years (extraction and restoration)
- 1.7 Depth of excavations : Maximum 25 metres below ground level
Typical depth 20 metres
- 1.8 Hours of working / operation : 07.00 – 18.00 hours Monday to Friday (no operations on Public Holidays);
07.00 – 13.00 hours Saturday
save that:
No soil stripping or amenity bund construction works before 08.00 hours Monday to Friday and, no such activity on Saturdays
No mineral extraction on Saturdays
- 1.9 Vehicle movements and numbers : Between 15 and 25 loads out per day = 30 – 50 HGV movements (includes aggregate distribution (bagged or graded) and ready-mix activities).
- 1.10 Mobile Plant : Hydraulic tracked excavator;
Articulated dump-trucks
Tracked bulldozer
- 1.11 Access : HGVs to exit existing quarry access onto Britons Lane south to A148
- 1.12 Landscaping : Temporary screen bunding and, existing and proposed planting belts

- 1.13 Restoration and after-use : Low level restoration to range of nature conservation habitats including lowland heath, acid grassland, woodland, with permissive rights of way and interpretation facilities.
25 year aftercare period
- 1.14 Description of proposal
- 1.15 The proposal is for an extension onto land east of the existing quarry, involving:
- extraction of one million tonnes of sand and gravel at an average rate of 100,000 tonnes per annum (tpa). The site would be worked in two phases in opposing directions with progressive low-level restoration to predominantly heathland and open mosaic habitat. Extraction and restoration would take between 10 and 12 years to complete.
 - Construction of a new internal haul road to connect the proposed extension area with the existing, adjacent quarry;
 - extracted mineral would be processed and stockpiled at the existing plant site, located in the adjacent quarry;
 - Off-site highway enhancements to the junction of the A148 with Britons Lane.
- 1.16 Extraction from the proposed extension would commence once extraction has ceased within the existing permitted area; it is anticipated that extraction of remaining reserves within the existing quarry will be completed by the end of 2020.
- 1.17 Application reference FUL/2019/0002
- 1.18 A separate application, reference FUL/2019/0002, has been submitted concurrently with application FUL/2019/0001. Application FUL/2019/0002 is made in respect of the existing sand and gravel quarry at Beeston Regis. The existing quarry is covered by an Interim Development Order (IDO) permission originally granted in 1948 and which was subject to initial review of planning conditions in 1993 as required by the Planning and Compensation Act 1991 (the 1991 Act). This Act required holders of IDO permissions to submit a revised scheme of operating and restoration conditions. In response to the Act, a schedule of proposed conditions was deemed to be approved.
- 1.19 Permission is sought for variation of conditions 3, 6 and 7 of permission reference C/1/1993/1007 in order to continue use of the plant site, including settlement lagoons and operational area, for processing mineral from the proposed quarry extension at site MIN 69 (subject of application reference FUL/2019/0001) and, facilitate an enhanced scheme of restoration at the existing quarry. The specific changes proposed are as follows:-
- 1.20 Condition 3 relates to the working programme, including hours of operation: the condition currently provides for mineral extraction on Saturdays and for servicing, maintenance and testing of plant between 07.00 and 22.00 hours on any day. The condition would be varied so as to preclude mineral extraction on Saturdays,

whilst the current approved hours for servicing, maintenance and testing of plant would be restricted to:

07.00 – 20.00 hours Monday to Friday

08.00 – 16.00 hours Saturday

- 1.21 Conditions 6 relates to the restoration details: the current approved restoration scheme for the IDO site provides for colonisation through natural plant succession. The condition would be varied so as to provide an enhanced scheme to include grassland and heather seeding, and woodland planting, as well as natural colonisation.
- 1.22 Condition 7 relates to after-use for nature conservation and geological study, save that this does not apply to: i. buildings, structures, and uses under or ancillary to separate planning permissions for pre-cast concrete unit manufacture and ready-mix concrete production; ii. the continued disposal of waste associated with both of the operations in i. above and with concrete beam manufacture at the factory owned by Carter Concrete Ltd and located in Cromer. The condition would be varied to reflect the fact that, aftercare would be secured through a section 106 legal agreement for at least 25 years after extraction has ceased and, liquid concrete waste is no longer deposited on site.
- 1.23 Whilst the IDO permission for the existing quarry does not expire until 21 February 2042, the applicant anticipates that extraction of remaining reserves within the quarry will be completed by the end of 2020. It is anticipated that full restoration of the IDO site, including the plant site would be completed between one and two years after completion of extraction operations from the extension area.
- 1.24 Applications FUL/2019/0001 and FUL/2019/0002 should be considered together as they are inherently linked.
- 1.25 Amended applications
- 1.26 The applications as originally submitted sought to recover approximately 1.25 million tonnes of sand and gravel from four phases of extraction, including a 'break-through' phase to integrate the proposed extension landform with the existing site. Of the 1.25 million tonnes, approximately 1 million tonnes were in the proposed extension and 0.25 million tonnes were within the boundary of the existing site. The expected duration was 12 - 13 years.
- 1.27 The 'break-through' would have resulted in the loss of the existing wooded ridge/batter feature which separates the existing quarry and proposed extension area and its replacement by a lower landform to marry in with the bases of the existing and proposed extension areas. The 'break-through' would also have required variation of condition 5 of permission reference C/1/1993/1007, which requires, inter alia, management of the eastern boundary of the pit to encourage the continued natural regeneration of trees and shrubs as well as maintaining existing planting.
- 1.28 During consideration of the application, a number of consultation bodies

expressed concern with impacts arising from the 'break through' required for phase 4 and, loss of trees arising from design of the haul road. As a result of the consultation responses, the applicant has amended the applications so as to remove the proposed 'break through' phase, with consequential changes to the proposed scheme of working and restoration and, a reduction in the derived tonnage to 1.0 million tonnes and scheme duration to 10 - 12 years. The design of the haul road has also been revised so as to retain more trees.

- 1.29 In accordance with Policy MIN 69 of the Norfolk Minerals and Waste Local Development Framework: Mineral Site-Specific Allocations DPD (2013), application FUL/2019/0001 as originally submitted included a scheme to provide a right-hand turn ghost lane at the junction of the A148 (Holt Road) with Britons Lane. After reviewing concerns raised by a number of consultees in relation to intensification of use along Britons Lane by unsuitable vehicles and, given the reduction in HGV activity at the existing quarry, the applicant has amended the proposal so as to provide an alternative design solution for vehicles to perform a right-hand turn manoeuvre at the junction.
- 1.30 Given that the nature, scope and character of the proposals would not be changed in a material way and, the proposed extraction area has been reduced in size, it was concluded that the changes do not materially alter the basis of the proposals as were originally the subject of advertising. To this end, fresh applications were not requested by the CPA. The proposed amendments have been the subject of re-consultation with all relevant statutory and non-statutory consultees and re-notification of neighbours.

2. Sites

2.1 FUL/2019/0001

2.2 The application site comprises the northern part of two large, irregularly-shaped arable fields, occupying an elevated position on the southern side of the Cromer Ridge, above Sheringham / Beeston Regis. The site forms part of a gently undulating plateau, rising in a northerly direction from the A148, Holt Road. The wider area comprises countryside of varied character, including an existing mineral extraction / plant site to the west and, large expanses of woodland and arable land. The site is bounded to the north by woodland; to the west and north west by a narrow belt of trees which separate the extension area from the existing quarry; to the east by a hedgerow bordering further arable land, and to the south by the remainder of the two arable fields bordered to the south by woodland belts, which separate the fields from the A148

2.3 The application site is largely consistent with that part of site MIN 69 (Land at Holt Road, Aylmerton), allocated for sand and gravel extraction in the plan period (to the end of 2026) in the Mineral Site-Specific Allocations DPD. The North Norfolk Core Strategy Proposal Map (2008) shows the site as being wholly located within the Norfolk Coast Area of Outstanding Natural Beauty (AONB), outside any defined settlement boundary, in an area designated as Tourism Zone, with the northern end of the haul road in an area designated as Undeveloped Coast.

- 2.4 The proposed extension area is located within the parish of Aylmerton, whilst the majority of the haul road is located in Beeston Regis parish. The proposed extension area is located some 0.7km south of Beeston Regis village and some 1.2km west of the village of Aylmerton. The closest residential properties to the proposed extension area are a row of properties fronting Britons Lane, some 250m from the western boundary of the proposed site and a row of properties fronting Holt Road, Aylmerton, some 300m from the south east boundary.
- 2.5 FUL/2019/0002
- 2.6 The application site relates to the existing Beeston Regis Quarry, also located within the Norfolk Coast AONB, occupying an elevated position on the southern side of the Cromer Ridge above Sheringham / Beeston Regis. The site is bounded to the north and south by woodland; to the east by woodland and a narrow belt of trees which separate the existing quarry from the extension area; and to the west by Britons Lane. The North Norfolk Core Strategy Proposal Map (2008) shows the site as being located outside any defined settlement boundary, in an area designated as Tourism Zone, with the northern part of the site in an area designated as Undeveloped Coast.
- 2.7 The site is being progressively worked for sand and gravel, and progressively restored to low level heathland. The majority of the permitted area has been worked, with extraction currently progressing from an area of land at the northern end of the site. Over the years a number of planning permissions have been granted for concrete production plant at the quarry in association with the mineral operations, and a substantial complex of industrial buildings and plant has grown up alongside Britons Lane.
- 2.8 The quarry is located wholly in Beeston Regis parish, approximately 0.24km south of Beeston Regis village, with Sheringham some 0.8km to the north west. The closest residential properties are located on Britons Lane adjacent the western and north western boundaries of the quarry.
- 2.9 Vehicular access to both sites is via Britons Lane which runs adjacent to the western boundary of the existing quarry and which joins with the A148 some 0.6km to the south.

3. Constraints

- 3.1 The following constraints apply to the application sites:
- Both sites are located wholly within the Norfolk Coast Area of Outstanding Natural Beauty (AONB)
 - A number of public footpaths and a bridleway run across and alongside the boundaries of both sites
 - The existing quarry is a geological Site of Special Scientific Interest (SSSI) (Britons Lane Gravel Pit).
 - The existing quarry is a candidate County Geodiversity Site
 - Both sites are located within 0.75km south east of Sheringham & Beeston Regis Commons Site of Special Scientific Interest (SSSI) and within 8.5km north east of Holt Lowes SSSI, both being part of the Norfolk Valley Fens

- Special Area of Conservation (SAC);
- Both sites are located within 5.6km west of Overstrand Cliffs SSSI / Special Area of Conservation;
- Both sites are located within 1.9km south of Greater Wash Special Protection Area (SPA);
- Both sites are located within 0.3km south of Roman Camp & Beeston Regis Heath County Wildlife Site
- Both sites are located within 0.8km east of Sheringham Old Wood County Wildlife Site
- Both sites are located within 0.9km east of Pretty Corner & The Plains County Wildlife Site.
- Both sites are located within 0.8km northeast of Gibbet & Marlpit Plantations County Wildlife Site
- Both sites are located within 1.2km south of Beeston Regis Conservation Area
- Both sites are located within 1.2km south west of West Runton Conservation Area
- Both sites are located within 1.6km east of Upper Sheringham Conservation Area
- Both sites are located within 1.2km south east of the remains of St. Mary's Priory Scheduled Ancient Monument, Beeston Regis
- Both sites are partly located within Groundwater Source Protection Zone 2, and wholly within Groundwater Source Protection Zone 3.

4. Planning History

- 4.1 Beeston Regis Quarry has been an active site for the production of sand and gravel since the late 19th century. The site has an Interim Development Order (IDO) planning permission, which was subject to initial review of planning conditions in 1993 as required by the Planning and Compensation Act 1991, and which does not expire until 2042. Since 1948 a number of permissions have also been granted for the development of an extensive concrete product manufacturing area with associated plant and buildings. As regards the sites under consideration, the following applications are relevant:
- 4.2 **C/1/2013/1003** – Variation of condition 1 (time limit) of PP C/1/1993/1002 to continue use of existing lagoon to deposit liquid waste until completion of the quarry extraction on 21/2/2042 or earlier - Withdrawn
- 4.3 **C/1/2012/1015** - Determination of Conditions under first periodic review of Mineral Planning Permission C/1/93/1007 – remains undetermined
- 4.4 **C/1/1993/1008** - Alternative excavation to remaining areas of existing planning consent granted under an IDO - Withdrawn
- 4.5 **C/1/1993/1007** - Determination of Conditions to which IDO permission is to be subject - Deemed Consent 1995
- 4.6 **D/1/1947/0004** - IDO permission for mineral extraction - Approved 1948

5. Planning Policy

Development Plan Policy

5.1 **Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (2011) (NMWDF)**

CS1: Minerals Extraction

CS2: General locations for mineral extraction and associated facilities

CS13: Climate change

CS14: Environmental protection

CS15: Transport

CS16: Safeguarding mineral sites and mineral resources

DM1: Nature conservation

DM3: Groundwater and surface water

DM4: Flood Risk

DM8: Design, local landscape character

DM9: Archaeological sites

DM10: Transport

DM11: Sustainable Construction and operations

DM12: Amenity

DM13: Air Quality

DM14: Progressive working, restoration and after-use

DM15: Cumulative impacts

DM16: Soils

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

The proposed extension area (application reference FUL/2019/0001) is subject of Policy MIN 69: Land at Holt Road, Aylmerton

5.3 **North Norfolk Core Strategy (Incorporating Development Control Policies (2008)**

SS 1 Spatial Strategy for North Norfolk

SS 2 Development in the Countryside

SS 4 Environment

SS 6 Access and Infrastructure

EN 1 Norfolk Coast AONB

EN 2 Protection and Enhancement of Landscape and Settlement Character

EN 3 Undeveloped Coast

EN 6 Sustainable Construction and Energy Efficiency

EN 8 Protecting and Enhancing the Historic Environment
EN 9 Biodiversity & Geology
EN 10 Development and Flood Risk
EN 13 Pollution and Hazard Prevention and Minimisation
CT 5 The Transport Impact of New Development

5.4 **North Norfolk Site Allocations DPD (2011)**

The sites under consideration are not identified as site allocations under this document

5.5 **Neighbourhood Plan**

The areas in which the planning applications are located do not have an adopted Neighbourhood Development Plan or Neighbourhood Plan in progress.

5.6 **Other Material Considerations**

5.7 **Norfolk Minerals and Waste Local Plan: Preferred Options (2019)**

Policy MW2: Development Management Criteria
Policy MW3: Transport
Policy MP1: Provisions for minerals extraction
Policy MP2: Spatial Strategy for mineral extraction
Policy MP6: Cumulative impacts and phasing of workings
Policy MP7: Progressive working, restoration and after-use
Policy MP8: Aftercare

5.8 **North Norfolk Local Plan (2016-2036): First Draft Local Plan (Part 1)**

Policy SD 1 Presumption in Favour of Sustainable Development
Policy SD 3 Settlement Hierarchy
Policy SD 4 Development in the Countryside
Policy SD 10 Flood Risk & Surface Water Drainage
Policy SD 13 Pollution & Hazard Prevention and Minimisation
Policy SD 14 Transport Impact of New Development
Policy ENV 1 Norfolk Coast AONB & The Broads National Park
Policy ENV 2 Protection & Enhancement of Landscape & Settlement Character
Policy ENV 3 Heritage & Undeveloped Coast
Policy ENV 4 Biodiversity & Geology
Policy ENV 6 Trees & Hedgerows
Policy ENV 8 Public Rights of Way
Policy ENV 10 Protection of Amenity
Policy ENV 11 Protecting and Enhancing the Historic Environment

5.9 **The National Planning Policy Framework (2019)**

Ch 6. Building a strong, competitive economy
Ch 9. Promoting sustainable transport
Ch 12. Achieving well-designed places
Ch 14. Meeting the challenge of climate change, flooding and coastal change

- Ch 15. Conserving and enhancing the natural environment
- Ch 16. Conserving and enhancing the historic environment
- Ch 17. Facilitating the sustainable use of minerals

5.10 **National Planning Practice Guidance**

5.11 **North Norfolk Landscape Character Assessment: Draft Supplementary Planning Document (2018)**

6. Consultations

- 6.1 North Norfolk District Council : FUL/2019/0001 & FUL/2019/0002: Original submissions:
- No objection, subject to the Landscape Section’s concerns being satisfactorily addressed. The Landscape section considers that the development may be acceptable, subject to the below further information and amendments:
- LVIA amended to take account of the new North Norfolk Landscape Character Assessment
 Further assessment of the impacts on geomorphology and the resulting altered topography
 Amend AIA to avoid removal of 3 Category A trees
 Aftercare period for soft landscape as set out in the Landscape Plan to be amended to at least 10 years.
 Amendment to woodland planting specification
 Conditions in relation to bat surveys, prior to felling of any trees
- Amended applications and additional information:
- Concur with conclusions of updated LVIA
 Concur with conclusions of Geodiversity Assessment of Impacts
 Revised layout and amended AIA is a vast improvement
 Spacings for woodland shrub planting is more appropriate
 Anomalies in AIA should be addressed for clarity
- 6.2 Beeston Regis Parish Council : FUL/2019/0001: Original submission
- Raise objection on the following grounds:
 Consider that the Right Turn Lane on the A148 is unnecessary and will lead to even more non-HGV

traffic using Britons Lane

Increasingly concerned with the amount of traffic currently using Britons Lane as a 'rat-run'

Consider that a better route to the A149 should be encouraged via the A148/A1082 junction with signage at that junction modified to indicate a left turn to "Beeston Regis and the Runtons"

Comment that, have no issue with HGV traffic accessing the quarry

Comment that, should proposal be implemented require that signage from A148 at Britons Lane junction should indicate nothing other than "HGV access to Beeston Regis Quarry", with additional signage at junction of A148/A1082 to indicate "To Beeston Regis and the Runtons"

Comment that, a longer traffic survey would be necessary to properly assess traffic flows

Comment that, in their consultation response to the Mineral Site-Specific Allocations DPD, the Parish expressed the view that an entrance should be made direct to MIN 69 from the A148.

Comment that, the Parish Council did not receive notification of the application and, that Aylmerton and Beckham Parishes and Sheringham Town Council did not receive notification.

6.3 Aylmerton Parish Council : No response received

6.4 East & West Beckham Parish Council : No response received

6.5 Sheringham Town Council : FUL/2019/0001: Original submission

Do not favour proposed Right Turn Lane at junction of Britons Lane and A148 as believe this will increase traffic along Britons Lane towards junction with A149. Would prefer that applicant is obliged to contribute, by way of S106 Agreement, to new roundabout at junction of A1082 Holway Road with A148, to alleviate existing and potential traffic congestion in Britons Lane.

Raise concerns with temporary loss of Rights of Way; would like to see alternative rights provided.

Would like to see restoration requirements of Policy MIN 69 followed in full

Would like to see conditions in relation to any

- proposed lighting.
- 6.6 Environmental Health Officer (North Norfolk District Council) : FUL/2019/0001 and FUL/2019/0002: Original submissions
 Recommends conditions in relation to: noise limits; routine noise monitoring; working hours; short term works noise limit; Reversing alarms; Dust control measures
- Wheel cleaning facilities to be provided.
- Amended applications and additional information:
 In addition, recommend lighting condition
- 6.7 Scientific Officer (North Norfolk District Council) FUL/2019/0001 & FUL/2019/0002: Original submissions
 No concerns regarding dust or vehicle emissions
- 6.8 Natural England : FUL/2019/0001 & FUL/2019/0002: Original submissions
 Further information required to determine impacts on Britons Lane Gravel Pit SSSI and Norfolk Coast AONB, comprising of:
 Detailed geodiversity restoration plan management; Restoration proposals within existing SSSI; Assessment of potential impacts on existing SSSI of new haul road and break through under phase 4; Further assessment and evaluation in terms of restoration, and impacts from phase 4 on the special qualities of the AONB
Habitats Regulations Assessment (HRA): Original submission
 Natural England agrees with the conclusions of the HRA in relation to dust emissions and potential hydrological impacts, and agree that a likely significant effect to these sites can be ruled out both alone and in combination with other plans or projects.
Amended applications and additional information:
 No objection, subject to conditions or obligation in relation to: vehicular access to extension area for management and scientific access; on-site interpretation of geological interest of SSSI; geodiversity restoration management plan; scheme for geological monitoring and recording; working and restoration; securing the proposals to avoid, reduce or mitigate landscape and visual impacts on the AONB, including restoration

- scheme.
- Comment that they broadly agree with updated LVIA
- Habitats Regulations Assessment (HRA):
Additional information
- No response received
- 6.9 Environment Agency : FUL/2019/0001: Original and amended application
- No objection.
- Advise that no Environmental Permit for Waste Operations is required as the restoration will not include waste importation into the site.
- Provide advisory comments in relation to best practice pollution prevention measures
- FUL/2019/0002:
- No objection.
- Provide advisory comments in relation to best practice pollution prevention measures
- 6.10 Lead Local Flood Authority (NCC) : FUL/2019/0001 & FUL/2019/0002: Original and amended applications
- No comments to make
- 6.11 Highway Authority (NCC) : FUL/2019/0001 & FUL/2019/0002: Original submissions
- No objection in principle but raise concerns with regard to access arrangements and surrounding highway network.
- Provide informative in relation to the boundary with the public highway
- Amended applications and additional information:
- A148 / Britons Lane junction*
- Whilst the application initially included provision of a RHTL, it is noted that this has been removed from the revised submission.
- Recommend refusal of both applications both on policy and highway safety grounds for the following reasons:
- The proposed development, if permitted, would lead to right hand turning movements across the opposing traffic stream of a busy principal route which would interfere with the free and safe flow of traffic and cause danger and inconvenience to highway users, contrary to Development Plan

Policies.

Comment that, should the applicant revise their application to include the provision of a RHTL on the A148 either at the junction of Britons Lane or to serve a new direct access into the site then would have no hesitation to remove objection.

Britons Lane Road Widths

Confirm that these are in accordance with Design Manual for Roads and Bridges (DMRB) standards

Site access

Confirm that the proposed visibility improvements are acceptable

6.12 Health and Safety Executive (HSE)

: FUL/2019/0001 & FUL/2019/0002

From examination of the HSE's Planning Advice WebApp, the site is not within the consultation distance of a major hazard site or major accident hazard pipeline.

6.13 Norfolk Historic Environment Service (NCC)

: FUL/2019/0001: Original submission

Raise objection in relation to loss of earthwork bank and ditch along line of Beeston Regis / Aylmerton parish boundary, (undesigned heritage asset (Norfolk HER record 57910)), arising from break through required for phase 4.

Amended application and additional information

No objection, subject to condition in relation to trenching report.

FUL/2019/0002: Amended Application

The application safeguards the parish boundary bank

6.14 Ecologist (NCC)

: FUL/2019/0001 & FUL/2019/0002: Original submissions

Raises objection in relation to loss of woodland arising from break through required for Phase 4. Raises concern about loss of trees arising from design of haul road.

Habitats Regulations Assessment (HRA): Original submission

Comments that the site boundary as shown in the Habitats Regulations Assessment does not show the full extent of the proposed works.

Amended applications and additional information

FUL/2019/0001:

No objections, subject to conditions in relation to Construction Environmental Management Plan

and Ecological Management Plan.

FUL/2019/0002:

No objections

Habitat Regulations Assessment (HRA): Additional information

The evidence in support of a HRA is fit for purpose. Based on the information provided, a full Appropriate Assessment is not needed and NCC as the competent authority can screen out the need for an Appropriate Assessment. The evidence in support of a HRA can be adopted by NCC as the record of the screening for a need for an Appropriate Assessment.

6.15 Senior Green
Infrastructure Officer
(NCC)

FUL/2019/0001 & FUL/2019/0002: Original submission

Raises objection in relation to loss of woodland and earthwork bank, important landscape features, arising from break-through required for Phase 4. Raises concern about changed physical and visual experiences arising from gradients of reinstated bridleway BR10

Amended applications and additional information

No objection

6.16 Arboriculture Officer
(NCC)

FUL/2019/0001 and FUL/2019/0002: Original submission

Raises objection in relation to loss of trees arising from break-through required for Phase 4. Raises concern about loss of trees arising from design of haul road and bunding for phase 3.

Amended applications and additional information

No objection, subject to conditions in relation to Arboricultural Impact Assessment, Tree Protection and Arboricultural Method Statement

6.17 Public Rights of Way
Officer (NCC)

FUL/2019/0001: Original submission:

Have concerns regarding the proposals as follows:

Beeston Regis Bridleway 10 (BR10) and, Aymerton FPs 1, 2 and 3 will be significantly and dramatically altered.

Altering the level and surface and removing the tree cover of BR10 will expose the route to the elements and increase its maintenance liability for NCC.

The proposed gradient for BR10 is highly likely to restrict access to all users and therefore contravene the Equalities Act 2010.

The woodland character of and overall user experience of BR10 will be significantly changed. There does not appear to be any rationale for the route of the proposed temporary diversion of Aylmerton FP2.

FP2 and FP3 should be reinstated on their definitive alignment once operations have ceased. Suggest that the permissive access being provided as part of restoration is dedicated as a PRow to safeguard this as public access in the future, and additional links in the network are created in the vicinity as part of the diversion proposals. These would provide additional access opportunities for the public, improve the connectivity of the network post-works and be mitigation for the loss of amenity by the significant change to BR10.

Amended applications and amended information

Note applicant has taken on board previous concerns and has revised plans to address these. Still have concerns regarding following:

FP2, when restored, will have a long steep descent and ascent (acceptable maximum is 1:12). This is a significant change to the current nature of the footpath and will now provide an accessibility challenge for users.

The short and long term stability of the slope as well as whose responsibility it will be to maintain this going forward to ensure the integrity of the footpath.

maintenance and aftercare for the permissive routes going forward and how long these will be available?

The need for gates as Footpath 2 crosses the site boundary.

When BR10 was originally diverted in 1978, a new PRow was to be created to continue south from BR10 to the A148 to provide better (and safer) connectivity to BR15 and the PRow network south of the A148. NCC's Legal Orders and Registers team are to investigate whether this Order was confirmed. If it is found that the Order has not been confirmed, would request that this link be created by the applicant by dedication agreement. The creation of this would be well received as addressing an obvious missing link in the network.

Amended information

In respect to the temporary or permanent diversion of Alymerton Footpaths 2 and 3, we now accept the reasoning why reinstatement on the definitive alignment of these routes during restoration is not feasible and therefore remove any outstanding objections we have to these applications.

Advise that, in order to give sufficient time to any further discussions and negotiations on the exact route of the diversions a draft order under the relevant section of the Town and County Planning Act be drawn up as soon as possible as no development that will affect these footpaths can take place until a diversion order is confirmed.

6.18 Ramblers Association

FUL/2019/0001: Original submission

Whilst working and restoration is proposed to take 12-13 years, applications are frequently made to extend timescale for completion of working / restoration at sites. It seems reasonable to assume that the right of way network will be blighted by this work for longer than the proposed timescale, which is unacceptable.

Cannot find anything to state when BR10 will be interrupted and how long it will last. Suggest that an alternative bridleway be created from the start. Propose that a public bridleway is created along the southern and eastern perimeter of the quarry extension. Those sections of FP2 and FP3 that cross the site can be extinguished.

BR10 will need to be suspended by a Traffic Restriction Order. Upon restoration, a substitute for the extinguished footpaths might be to dedicate the whole of the extension area as access land under the Countryside and Rights of Way Act 2000.

Comment that, in 1978 when the quarry was being expanded to its current size, a number of public rights of way including BR10 had to be diverted or closed. Whilst a path came into existence from the then diverted southern corner of BR10 to the A148 opposite RB15, it is not recorded on the Definitive Map. Propose that the path is dedicated by a Highways Act Section 25 Agreement as a public bridleway.

6.19 Historic England

FUL/2019/0001 & FUL/2019/0002: Original and amended applications

Do not wish to offer any comments

6.20	Norfolk Coast Partnership	<p><u>FUL/2019/0001: Original submission:</u> Comment that geology and geomorphology need to be properly assessed due to importance of the Cromer Ridge as a special landscape feature of the AONB.</p> <p>Loss of tree cover and biodiversity would be contrary to recommendations of NPPF para 172 'to conserve and enhance'. Suggest that AIA and Landscape Plan are revisited, and more stringent plans put in place to improve biodiversity, retain significant trees and lessen visual impact through increased planting and more appropriate site modelling. Ask that consideration be given to any lighting.</p> <p><u>Amended application and additional information:</u> Advise that, if Natural England and Norfolk Geodiversity Partnership are comfortable with restoration plans then our concerns will be allayed. Comment that: improvement has been made with reduction of tree removal; there will still be impacts in the AONB during construction and longer term however it is hoped that the new heathland will compensate by providing new habitat and improvement of local biodiversity.</p> <p><u>FUL/2019/0002:</u> Ask that consideration be given to any lighting.</p>
6.21	Norfolk Wildlife Trust	No response received
6.22	Norfolk Geodiversity Partnership	<p><u>FUL/2019/0001 & FUL/2019/0002: Original submissions</u> Do not consider that a sufficient analysis has been undertaken of impact of restoration and after-use, such that adequacy of planned geo-conservation measures can be evaluated. Recommend liaison with Natural England about commissioning an Environmental Impact Assessment for Geodiversity.</p> <p><u>Amended applications and additional information:</u> Approve conclusions of the Geodiversity Report</p>
6.23	National Trust	No response received
6.24	British Horse Society	No response received

- 6.25 Campaign to Protect Rural England Norfolk (CPRE) FUL/2019/0001: Original submission
 Raise concerns with temporary loss of Public Rights of Way; would want to see alternative rights provided. Fully support comments made by the Ramblers Association
 Request that restoration requirements of Policy MIN 69 followed in full
 Request conditions in relation to any proposed lighting.
- 6.26 County Councillor (Mrs J B C Oliver) (Sheringham and Beeston Regis) FUL/2019/0001:
 Given the comments made by BRPC, I think we need to arrange a survey of the numbers and type of traffic using Britons Lane over a period of several weeks but as a minimum including traffic movements in June, July and August. BRPC should be consulted on the scope and mechanics of such a survey.

 I also want to endorse the very important points made by BRPC about signage on the A148 - vital to discourage inappropriate and excessive use of Britons Lane by very large vehicles.

 Adds that constructing a roundabout at the top of Holway Road would alleviate many of the problems being experienced on Britons Lane from excessive traffic. Much of this traffic is displaced along Britons Lane because accessing the A148 from Holway Road is so difficult.
- 6.27 County Councillor (Mrs S E Butikofer) (Holt) No response received
- 6.28 Representations
 Both applications were advertised by means of neighbour notification letters, site notices, and advertisements in the Eastern Daily Press newspaper.
- 6.29 FUL/2019/0001:
 Representation is made by **seven nr. third parties**, three of whom made explicit objection to the proposal. A number of concerns/comments were raised, as follows:
- 6.30 *Original submission:*
 Object on grounds of encroachment on public footpaths/bridleways. Would wish to see public footpath access re-provided with as little disturbance to walkers and riders as possible.

 Object on grounds that proposed enhancement to junction of A148 with Britons

Lane is unnecessary and will encourage more traffic to use Britons Lane as a rat-run to and from A149. Britons Lane north of the quarry entrance becomes very narrow and also has a weight restriction which is often ignored.

Concerned that proposed new junction layout with A148 will give impression that Britons Lane is an 'A' road link to A149; any increase in traffic using Britons Lane is undesirable. The junction works without any problems at the moment so fail to see need for proposed changes.

6.31 *Amended application:*

Objection and concerns that as understanding of detrimental impacts of anthropogenic (human) activity on the environment increases, it is imperative to consider and analyse the costs and benefits of such an undertaking.

Objection on grounds of airborne contaminants arising from extraction.

Concern with particulates and noise pollution arising from mineral extraction

Objection and concerns in relation to increased HGV traffic on already congested roads

Concern with pollution and loss of wildlife arising from HGV traffic.

Objection and concern that extraction would result in lowering of water table, which would impact on surrounding wetlands, flora and fauna.

Concern that nearby SSSI and old established woodlands, would be threatened by the extension.

Concern that animals will be forced to move

Comment that fill material would need to be monitored so as not to have detrimental effect to the land strata.

Comment that this is a departure from the development plan.

Comment that the site is in an AONB and asks why would we want this natural environment to be developed further?

6.32 One nr. third party supports amended application in general but objects to right hand 'ghost' lane into Britons Lane

6.33 Representation is also made by **Duncan Baker: MP for North Norfolk**, who:

Supports the applications, highlighting the socio-economic benefits that would arise including retention of jobs and £12 million contribution to the local economy; and

has some knowledge of the junction of the A148 with Britons Lane and cannot understand the need to alter it in any way

FUL/2019/0002:

- 6.34 Representation was made by one resident. A number of concerns/comments were raised, as follows:

Whilst not raising objection in principle expresses concern that lorries travelling along Britons Lane push mine and my neighbours verges closer towards our properties

Comments that, whilst the section of Britons Lane from the A148 to the quarry access has been widened, lorries are now much bigger/longer so they cannot keep to their side of the road on the corners.

Cannot see why an independent access cannot be constructed further along the A148 towards Cromer on land in the applicant's control.

7. Assessment

- 7.1 In accordance with the County Council's Scheme of Delegation, both applications are before the Planning (Regulatory) Committee because they are subject to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. In accordance with the EIA Regulations, both applications are 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 both applications under Regulation 25 of the EIA Regulations (2017) in relation to landscape and visual impact, arboriculture, ecology, highways and traffic, and geodiversity. The environmental information is described in the following paragraphs, and the representations made are summarised above.

- 7.2 The issues to be assessed for this application are:

7.3 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".

- 7.4 In terms of the development plan, the County Planning Authority considers the relevant documents in relation to both applications are the policies in: the adopted Norfolk Minerals and Waste LDF Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026 (the "NMWLDF Core Strategy")(2011); the adopted Norfolk Minerals and Waste Development Framework Mineral Site Specific Allocations DPD (2013/2017); and the adopted North Norfolk Core Strategy (2008). Whilst not part of the development plan,

policies within the National Planning Policy Framework (NPPF) are also a further material consideration of significant weight, whilst Planning Practice Guidance provides additional guidance to planning authorities in relation to mineral extraction.

- 7.5 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 MSSA includes allocation MIN 69 (Land at Holt Road, Aylmerton) as a planned extension of the existing Beeston Regis Quarry. Whilst the proposed extension area (FUL/2019/0001) is largely consistent with that part of site MIN 69, formally allocated for sand and gravel extraction in the plan period (to the end of 2026), the extreme eastern and north-eastern edges of the site under consideration are located slightly beyond the current alignment of Aylmerton FP3 than site MIN 69. Of a total estimated sand and gravel resource of 3.2m tonnes, Site Allocation MIN 69 expects 750,000 tonnes of sand and gravel to be extracted during the plan period (through to the end of 2026). Application reference FUL/2019/0001 envisages a duration beyond 2026 which justifies the additional tonnage detailed within this application.
- 7.6 In 2017 the County Council commenced a planned review of the Minerals and Waste Local Plan (MWLPR), to extend the Plan Period to the end of 2036. The MWLPR has completed the Initial Consultation (Issues and Options), and the Preferred Options Consultation stages, and the emerging Plan is due to go out for the Pre-submission publication representations stage later this year. In the MWLPR Site MIN 69 is also recommended for retention as a preferred option for mineral extraction, subject to any future planning application meeting a series of requirements to ensure that no unacceptable impacts occur as a result. The emerging Local Plan is a material consideration but is not yet formally part of the development plan for the area; in accordance with para. 48 of the NPPF, due weight is given to relevant emerging policies.
- 7.7 Policy CS2 of the NMWLDF CS sets out the principles for the locations for mineral extraction in the County and places a preference for sites which are “close and/or well related” to the main settlements of the county. “Close” is defined in the Core Strategy as a distance of 10 miles (16km) or less. Both the proposed and existing permitted mineral working are located within 9km (5.5 miles) of Cromer, Sheringham and Holt. In addition, both proposals provide for a connection to the strategic road network, with a site access onto Britons Lane, a road classified by the NCC Highways Hierarchy as a part ‘remaining road’, part ‘local access road’, and being within 0.6km of the A148, a ‘principal primary route’, at the top of the highway hierarchy.
- 7.8 Policy CS2 also expresses a preference for extensions to existing sites over new sites. The NPPF does not support the development plan preference for extensions. In principle, therefore, the location of both sites is considered acceptable in relation to the requirements of Policy CS2.
- 7.9 Policy MP2 of the emerging Norfolk Minerals and Waste Local Plan requires that sites for sand and gravel extraction should be located within three miles of one of the main towns (including Cromer and Holt) and/or be well-related to one of

Norfolk's urban areas or main towns via appropriate transport infrastructure. The proposed extension area is some three miles from Cromer.

- 7.10 The North Norfolk LDF Core Strategy Proposal Map identifies both application sites as being located in an area designated as *countryside*; North Norfolk Core Strategy policy SS 1 directs the majority of new development to the towns and larger villages and restricts the type of development that can take place in the *countryside*. Policy SS 2 specifies the appropriate types of development in the *countryside*, which includes mineral extraction.
- 7.11 North Norfolk DC is in the process of producing a new Local Plan (LP). Public consultation on the First Draft LP (Part 1) took place during May/June 2019. The date for public consultation on the Final Draft LP is yet to be confirmed. The emerging LP is a material consideration but is not yet formally part of the development plan for the area; in accordance with para. 48 of the NPPF, due weight is given to relevant policies. Policy SD 3 of the emerging LP directs the majority of new development to the towns and larger villages and restricts the type of development that can take place in the *countryside*. Policy SD 4 of the emerging LP specifies the appropriate types of development in the *countryside*, which includes mineral extraction.
- 7.12 Both sites lie wholly within the Norfolk Coast Area of Outstanding Natural Beauty (AONB). There are very strong national and local plan policies to protect the AONB and prevent development which would harm its intrinsic character. Policy CS14 of the NMWLDF CS requires that, development must ensure that there are no unacceptable adverse impacts on, and ideally improvements to the AONB, whilst North Norfolk Core Strategy policy EN 1 states that, Development proposals that would be significantly detrimental to the special qualities of the AONB and its setting will not be permitted.
- 7.13 Section 17, para. 205 of the NPPF states that, in considering proposals for mineral extraction, minerals planning authorities should as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside AONBs. Section 15 of the NPPF sets out the Government's objectives for conservation and enhancement of the natural environment, including landscapes: para. 172 requires planning authorities to give great weight to conserving and enhancing landscape and scenic beauty in AONBs, and states that planning permission should be refused for major development in AONBs other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

- 7.14 As regards point a), as detailed elsewhere in this report, the adopted Minerals and Waste Core Strategy includes the forecast need for sand and gravel extraction in Norfolk over the plan period to 2026. The MWLPR contains a revised forecast need for sand and gravel extraction over the extended Plan period to 2036. The current sand and gravel landbank is over 7 years (8.89 years at the end of May 2020) therefore, there is not currently a shortfall in the sand and gravel landbank. However, the adopted MSSA (2013) includes site MIN 69 as an allocated site for mineral extraction during the plan period to 2026 and the MWLPR also continues to allocate site MIN 69 for mineral extraction during the extended Plan period to 2036. The need for the development is local to Norfolk; there are no national considerations.
- 7.15 Guidance within para. 203 of the NPPF underlines that, it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings and goods that the country needs, whilst para. 205 states that, when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. In the adopted MSSA, the then presence of the pre-cast concrete manufacturing facility on the IDO site was one of the reasons supporting the exceptional circumstances for allocation of site MIN 69. However, the applicant has advised that pre-cast concrete manufacture at the site has since ceased and will not be re-established.
- 7.16 The proposals would enable the continued supply of sand and gravel to the local market thus continuing contributing to the local economy and would also maintain employment for existing staff. As detailed elsewhere in this report, the application is accompanied by an Economic Statement which details the benefits of the mineral extraction and existing on-site ready-mix concrete manufacture to the local economy.
- 7.17 As regards point b), sand and gravel resources are widely distributed in Norfolk, therefore there are other locations where this mineral could be extracted outside the AONB.
- 7.18 The adopted MSSA includes site MIN 69 as an allocated site for mineral extraction along with 25 other sites for sand and gravel extraction in Norfolk, needed to meet the forecast need for sand and gravel over the Plan period to 2026. The adopted MSSA was based on the apportionment for Norfolk of 2.57 million tpa extraction. Norfolk has not produced 2.57 million tonnes of sand and gravel in a year since 2002.
- 7.19 In accordance with the subsequent National Planning Practice Guidance, the landbank as detailed in this report and this authority's Local Aggregate Assessment has been calculated using the last 10-year sales average. The most recently published Local Aggregate Assessment states:
- 7.20 *The permitted reserve was 13.31mt on 31/12/2018 and the sand and gravel landbank on 31/12/2018 was 9.8 years. The 10-year average sales of sand and gravel in the period to the end of 2018 were 1.36mt per annum. Based on the 10-year sales average, the remaining allocated sites (excluding those in Shropham and Swardeston [which are considered unlikely to be delivered]) would*

provide 11.7 years of sand and gravel resource. This resource plus the existing permitted reserve would last 21.5 years; until 2039. Therefore, the permitted and allocated sites together would provide sufficient resources past the end of the adopted plan period (2026).

- 7.21 The M&WLPR extends the plan period to 2036 and the Preferred Options (PO) document continues to allocate site MIN 69 for sand and gravel extraction along with 18 other sites. Therefore, it is considered that whilst there are other deliverable sites for sand and gravel extraction in Norfolk, MIN 69 is needed to meet the forecast need for sand and gravel over the extended Plan period to 2036. As discussed under point a), the revised forecast need for sand and gravel is included in the PO version of the M&WLPR.
- 7.22 As regards point c), as detailed elsewhere in this report, the IDO planning permission for the existing quarry has limited restoration requirements. The allocation of site MIN 69 was found sound and legally compliant in the Examination in Public of the MSSA in 2013. It was considered that the allocation met the test for exceptional circumstances as a result of the opportunity to facilitate a much-improved working and restoration scheme for the existing site. The proposals provide for a high quality working and restoration of both sites, to incorporate improved public access, geological exposures (to facilitate geological study), and creation of a range of priority habitats. As detailed elsewhere in this report, it is considered that any detrimental effects can be adequately mitigated.
- 7.23 Taking into account the above, on balance, it is considered that there are exceptional circumstances and demonstration of public benefits for this new minerals development within the AONB.
- 7.24 With regard to the Development Plan, whilst the development is considered compliant with the majority of the policies, it is not compliant with policies CS15 and DM10 of the Norfolk Minerals and Waste Local Development Framework Core Strategy, Norfolk Minerals and Waste Development Framework Mineral Site Specific Allocations DPD Policy MIN 69, Policy CT 5 of the North Norfolk Core Strategy and section 9 of the NPPF. The conflicts with the development plan policies and the NPPF are explained and detailed in the following paragraphs of this report.
- Departure**
- 7.25 As explained and detailed in the following paragraphs of this report, it is considered that the development is a departure from the Development Plan due to its non-compliance with the above mentioned policies. One local resident comments that the development is a departure from the development plan. As detailed elsewhere in this report, it is considered that there are not sufficient material considerations that warrant determining the applications otherwise than in accordance with the development plan or that outweigh the harm that would be caused.
- Mineral Supply / Need**
- 7.26 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.

- 7.27 As at the end of May 2020, the sand and gravel landbank for Norfolk, as calculated in accordance with the National Planning Practice Guidance (based on the past 10 years sales average), stood at 8.89 years. Policy CS1 indicates that the landbank will be maintained at between 7 and 10 years supply.
- 7.28 Application FUL/2019/0001 is expected to yield some one million tonnes of sand and gravel. If approved, the proposal would increase the landbank to 9.46 years worth of supply (end of June 2020), thereby maintaining the landbank at between 7 and 10 years supply.
- 7.29 In the period since adoption of the NMWLDF CS, the National Planning Policy Statement and associated guidance has maintained and strengthened the view that upper limits to landbanks should not be contained in policy. In the MWLPR, the strategic policy for mineral allocation does not set a maximum landbank value, so as to be consistent with National Policy.
- 7.30 Given the above, it is considered that application FUL/2019/0001 is compliant with both Policy CS1 and national policy.
- 7.31 As detailed earlier in this report, it is anticipated that extraction of remaining reserves within the existing quarry will be completed by the end of 2020. Allocated extension MIN 69 would provide economic and efficiency benefits in the form of being able to utilise the existing processing plant at the IDO site. Notwithstanding this, mineral need does not provide a material consideration of overriding weight; the proposal should be considered on its own merits. Whilst site MIN 69 is allocated for extraction, there are a number of other sites which are allocated, and the average rolling 10 years sales since the adoption of the MSSA in 2013 has been significantly below the planned provision. This means that there are a significant number of allocated sites which are still available and deliverable for future mineral extraction.
- Amenity (noise, air quality, light pollution etc.)**
- 7.32 Policies DM12 and DM13 of the NMWLDF CS, NMWDF Mineral Site-Specific Allocations DPD Policy MIN 69, North Norfolk Core Strategy policies EN 4 and EN 13 and, Sections 15 and 17 of the NPPF apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan and Policies SD 13 and ENV 10 of the emerging North Norfolk Local Plan.
- 7.33 NMWDF Mineral Site-Specific Allocations DPD Policy MIN 69 requires: a very high quality working and restoration scheme for MIN 69 and the existing site to minimise amenity harm during the operational stages; effective dust management.
- 7.34 There are a number of residential properties within close proximity to the existing quarry: the nearest sensitive receptors are located on Britons Lane adjacent the western and north western boundaries of the site. As regards the proposed extension area, the closest residential properties are a row of properties fronting Britons Lane, some 250m from the western boundary of the site and a row of properties fronting Holt Road, Aylmerton, some 300m from the south east

boundary. As detailed elsewhere in this report, the proposed extension would be divided into two phases in total, which will be worked and restored (at low level) on a progressive basis. The haul road that is intended to serve the proposed extension area partly follows the western margins of the existing quarry, some 70m from sensitive receptors fronting Britons Lane. On Saturdays, operations would be limited to mineral processing and distribution, and restoration, with no extraction.

- 7.35 A local resident objects on grounds of airborne contaminants arising from extraction and, concerns are raised by local residents in relation to particulates and noise pollution arising from extraction and, pollution arising from HGV traffic.

Noise

- 7.36 As regards concern raised in relation to noise, Planning Practice Guidance (PPG) states that normal mineral operations should not exceed the typical background noise level (LA90) 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 and restoration work and construction of baffle mounds.

- 7.37 A Noise Assessment has been undertaken in support of both applications, which evaluates the contributions arising from the proposals, including mineral extraction, transportation of mineral (by articulated dump truck), operation of the processing plant and restoration processes. Noise mitigation measures including: 2 - 2.5m high perimeter bunds between the extension area and sensitive residential receptors and, where possible, mobile plant to be fitted with non-tonal reversing signals. The Noise Assessment includes predicted noise levels at the nearest dwellings. As regards existing quarry operations and operation of the proposed extension area, the assessment identified no significant adverse effects, with noise levels fully compliant with the requirements of PPG.

- 7.38 During the determination process, clarification was sought relating to proposed hours of operation for servicing and maintenance of plant. The proposed hours are as detailed in Section 1 of this report.

- 7.39 As detailed elsewhere in this report, North Norfolk DC Environmental Health Officer has not raised objection on grounds of noise.

Air Quality

- 7.40 As regards concerns raised in relation to airborne contaminants, particulates and traffic pollution, the proposals have the potential to cause air quality impacts as a result of fugitive dust emissions arising from soil handling, mineral extraction, transport of mineral to the processing area and restoration etc., and vehicle exhaust emissions. The development is not within a designated Air Quality Management Area (AQMA). An Air Quality Assessment has been submitted in support of both applications, which details proposed dust control methods to be employed on the extension area, to include: construction of bunds around the site; dampening of roads and areas used by plant or vehicles; restrict onsite

vehicle speeds to 15mph. The Assessment concludes that, fugitive dust effects are predicted to be not significant, whilst road traffic exhaust impacts are predicted to be negligible. Overall, air quality issues are not considered a constraint for the proposed development.

- 7.41 During the determination process, clarification was sought relating to wheel cleaning facilities. The applicant has confirmed that he is willing to install a high-pressure hosepipe in the vicinity of the weighbridge to wash down as and when necessary. North Norfolk DC Scientific Officer has been consulted on the application and raises no objection on grounds of dust or vehicle emissions.

Light pollution

- 7.42 As regards concerns raised in relation to lighting/light pollution, the ES advises that some artificial lighting will be required around the plant site area, which will be downward facing, whilst no lighting will be required in the proposed extension area. During the determination process additional details relating to lighting were requested. This resulted in a Supplementary Statement being provided by the applicant which further confirms that no additional lighting is proposed around the plant site area over and above that which is already in place under the IDO consent, whilst no lighting is proposed along the haul road.

- 7.43 North Norfolk DC Environmental Health Officer has been consulted on the applications and raises no objection subject to conditions in relation to: noise limits; routine noise monitoring; working hours; short term works noise limit; Reversing alarms; Dust control measures; wheel cleaning facilities; lighting. In order to safeguard residential amenity, it is considered reasonable to condition these matters if it were to be determined that planning permission should be granted.

- 7.44 To conclude on the amenity issues, mineral extraction and associated development is likely to give rise to local impacts. However, given the advice of the EHO it would be difficult to sustain an objection to the proposal on amenity/air quality grounds. It is therefore considered that the development will cause no unacceptable harm to the amenities of neighbouring occupiers or the local area. Subject to the aforementioned conditions, the development is considered to be acceptable in terms of the relevant planning policies and NPPF.

Landscape / Trees / Design

- 7.45 Policies CS14 and DM8 of the NMWLDF CS, NMWDF Mineral Site-Specific Allocations DPD Policy MIN 69, policies EN 1, EN 2 and EN 3 of the North Norfolk Core Strategy and, Sections 15 and 17 of the NPPF apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan and Policies ENV 1, ENV 2, ENV 3 and ENV 6 of the emerging North Norfolk Local Plan.
- 7.46 NMWDF Mineral Site Specific Allocations DPD Policy MIN 69 requires: a very high quality working and restoration scheme for MIN 69 and the existing site to minimise landscape harm during the operational stages and to maximise the benefits on restoration; heathland-led restoration (with some woodland); advanced planting (or allowing current trees and hedges to thicken up) along the

southern and eastern boundaries of land in the applicant's ownership; buffer zone to the north-east of MIN 69 to protect the setting of the woodland owned by the National Trust.

- 7.47 Both sites lie wholly within the Norfolk Coast Area of Outstanding Natural Beauty (AONB), in sensitive locations on the plateau south of the Cromer Ridge, above Beeston Regis. There are very strong national and local plan policies to protect the AONB and prevent development which would harm its intrinsic character. Policy CS14 of the NMWLDF CS requires that, development must ensure that there are no unacceptable adverse impacts on, and ideally improvements to the AONB, whilst North Norfolk Core Strategy policy EN 1 states that, Development proposals that would be significantly detrimental to the special qualities of the Norfolk Coast AONB and its setting will not be permitted. Para. 172 of the NPPF states that planning permission should be refused for major development in AONBs other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. One local resident comments that the site is in an AONB and asks why would we want this natural environment to be developed further.
- 7.48 In 2018 North Norfolk District Council commissioned a revised Landscape Character Assessment, which was published in final form in 2018. The intention is that this document will be adopted following public consultation in May 2019 as a Supplementary Planning Document. The document currently remains to be adopted but forms a material consideration as part of the planning process. In the Landscape Character Assessment (2018), both sites are identified as lying wholly within the Wooded Glacial Ridge Landscape Type. Defined Key Characteristics and Valued Qualities of this Landscape Type include 1) dramatic and distinctive topography and geomorphology, 2) woodland as the dominant land cover and 3) a range of important semi-natural habitats. Identified forces for change include mineral extraction. Landscape Strategy and Guidelines for this landscape type include conservation of the wooded character and skyline and, ensure mineral extraction activities are well integrated into the landscape and ensure long term plans for restoration are in character with the landscape and take opportunities to increase semi-natural habitats, e.g. heathland at Beeston Regis.
- 7.49 As regards the existing permitted quarry, the site is bounded to the north and south by woodland; to the east by woodland including a belt of trees which separates the site from the extension area; and to the west by Britons Lane. The whole of the permitted area has been disturbed with the majority being substantially worked.
- 7.50 As regards the proposed extension, the site forms part of a gently undulating plateau, with the land falling very gently to the south. The wider area comprises countryside of varied character, including an existing mineral extraction / plant site to the west and, large expanses of woodland and arable land. The site comprises the northern part of two large, irregularly-shaped arable fields and is bounded to the north by woodland; to the west and north west by a belt of woodland which separate the extension area from the existing quarry; to the east by a hedgerow bordering further arable land, and to the south by the remainder of the two arable fields bordered to the south by woodland belts, which separate the

fields from the A148, a principal tourist route into the County.

- 7.51 Application FUL/2019/0001 includes construction of a haul road to run from the south west corner of the proposed extension area, along the southern and western margins of the existing quarry to the processing plant.
- 7.52 Users of the Public Rights of Way alongside and traversing the extension area will incur the most adverse visual impact. As regards the policy requirements, application FUL/2019/0001 includes a number of measures to mitigate the landscape and visual impacts of the proposed extension, to include screening of the operations from the rights of way network in the vicinity in the form of 2m-2.5m high temporary grassed soil storage bunds around the perimeter of the extraction area.
- 7.53 The IDO permission for the existing quarry, (as revised), has few conditions and limited control over restoration. The existing approved scheme provides for restoration to heathland and colonising vegetation through natural succession, together with aftercare for a five-year period.
- 7.54 The applications under consideration provide for a restoration masterplan covering both the existing quarry and proposed extension area to provide for two restored lower level landforms with graded slopes, either side of Bridleway Beeston Regis BR10, suitable to develop a heathland-led restoration with a variety of complementary nature conservation habitats. Application FUL/2019/0002 includes an enhanced scheme of restoration on the IDO site, to provide for a range of nature conservation habitats including lowland heath and acid grassland, deciduous woodland (existing and proposed) and open mosaic habitat, including bare ground, scrub and ephemeral wet grassland and ponds, together with aftercare for a 25 year period. The applicant has confirmed that he is willing to enter into a Section 106 Agreement to secure a 25 year aftercare period.
- 7.55 As regards advanced planting, this has already been put in place along the southern boundary of the extension area to reduce the scope for visual impact, including from the A148.
- 7.56 Application FUL/2019/0001 includes a triangular portion of field to the north east of the site to form a buffer zone to the National Trust woodland. The application is accompanied by a Landscape Plan which provides for: landscaping to be undertaken within 12 months of the commencement of the development (i.e. next available planting season) to remediate losses, comprising: new woodland planting within the aforementioned buffer zone; woody shrub planting along the edge of the haul road on the edge of Thorn Bush Dole Wood; and new hedgerow along the eastern boundary of the site.
- 7.57 Prior to bringing these applications before the committee, negotiations have taken place and amendments made in relation to the proposed extraction area, restoration profiles of both sites and design of the haul road. During the determination process, it was requested that the Landscape and Visual Impact Assessment (LVIA) be amended to take account of the new North Norfolk

Landscape Character Assessment (2018). This resulted in submission of a revised scheme of working and restoration which provides for retention of the existing wooded ridge/batter feature which separates the existing quarry and proposed extension area and, revised design of the haul road so as to retain more trees, together with a revised LVIA and Arboricultural Impact Assessment (AIA).

- 7.58 The updated AIA confirms that 39 trees will be removed, to facilitate construction of the haul road, and all retained trees will be protected during the construction phase. The updated LVIA assesses that the area of both the existing site and the extension site is visually well contained by surrounding woodland belts. As regards the proposed extension, the LVIA assesses that this would have large effects on landscape features and character during the operational phases, including permanent effects on topography. As regards application FUL/2019/0002, this would cause a continuation of certain adverse effects on landscape character associated with the existing quarry. The LVIA considers that, assuming achievement of a successful restoration scheme, there would be a beneficial long-term effect of Low magnitude and Minor-Moderate significance on the local landscape character type within the AONB.
- 7.59 The County Council's Green Infrastructure Officer, Norfolk Coast Partnership, Natural England and North Norfolk District Council have been consulted on the applications: the Green Infrastructure Officer raises no objection on landscape grounds; Norfolk Coast Partnership advise that, provided Natural England and Norfolk Geodiversity Partnership are satisfied with the restoration plans then their concerns would be allayed; as regards Natural England, they raise no objection, subject to condition or obligation in relation to securing the proposals to avoid, reduce or mitigate landscape and visual impacts on the AONB, including working and restoration scheme; as detailed elsewhere in this report, Norfolk Geodiversity Partnership approve the conclusions of the Geodiversity Report; North Norfolk DC concur with the conclusions of the updated LVIA and comment that the revised layout and amended AIA is a vast improvement.
- 7.60 As regards para. 172 of the NPPF and concerns raised by a local resident in relation to development within the AONB, as detailed elsewhere in this report, in this instance it is considered that there are exceptional circumstances and demonstration of public benefits for this new minerals development within the AONB.
- 7.61 On balance, subject to the aforementioned conditions and conclusion of the legal agreement, the development is considered to be acceptable and compliant with the landscape principles set out in the relevant planning policies, and objectives of the NPPF.
- Biodiversity and geodiversity**
- 7.62 Policies CS14, DM1 and DM14 of the NMWLDF CS, NMWDF Mineral Site-Specific Allocations DPD Policy MIN 69, Policies SS 4, EN 2 and EN 9 of the North Norfolk Core Strategy and, the NPPF Sections 15 and 17 apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan and Policy ENV 4 of the emerging North Norfolk Local Plan.

7.63 NMWDF Mineral Site Specific Allocations DPD Policy MIN 69 requires: heathland-led restoration (with some woodland), to maximise the potential for plants, invertebrates, reptiles, birds and mammals; retention of a section of the Cromer Ridge for geological study; maintenance or, where possible, improvement to the condition of the current geological SSSI (Briton's Lane Gravel Pit); demonstration that water use, drainage regime and dust production would not have an adverse effect on the integrity of the Norfolk Valley Fens SAC; retention of a buffer zone to the north-east of MIN 69 to protect the ecology of the woodland owned by the National Trust.

7.64 Whilst the proposed extension area carries no particular conservation designation, the existing mineral working is designated as Britons Lane Gravel Pit geological SSSI and is also a candidate County Geodiversity site. Sheringham and Beeston Regis Commons SSSI is located some 0.75km north west of the sites, whilst four County Wildlife Sites are located within 0.9km of the sites.

Biodiversity

7.65 Concern is raised by local residents that the nearby SSSI and woodland would be threatened by the extension and, that loss of wildlife would arise from HGV traffic.

7.66 Prior to bringing these applications before the committee, negotiations have taken place and amendments made in relation to the proposed extraction area, restoration scheme and design of the haul road, including an increase in the area of retained woodland habitat. This also resulted in submission of a revised Ecological Impact Assessment.

7.67 The habitats present within the existing quarry comprise areas of bare sandy earth, silt lagoon dominated by marginal vegetation, pond, acid grassland and scrub mosaic, and semi-natural broad-leaved woodland whilst habitats within the proposed extension area comprise largely of arable land with semi-improved type grassland margins, semi-natural broad-leaved woodland, and boundary hedgerow; 39 trees will be removed to facilitate the development.

7.68 As regards the policy requirements, the proposals provide for the existing quarry and extension area to be worked dry and include provision of biodiversity enhancements: once worked, both sites will be restored at a lower level to a range of nature conservation habitats including lowland heath and acid grassland, and woodland. Application FUL/2019/0001 includes a buffer zone to the north-east of the site.

7.69 The revised Ecological Impact Assessment concludes that, the proposed development is likely to result in a long-term Local beneficial effect on statutory and non-statutory designated sites, habitats and species. No likely significant residual effects are anticipated on Norfolk Valley Fens SAC. The Assessment recommends a number of standard mitigation and compensation measures including preparation of a Construction Environmental Management Plan (CEMP) and provision of bird boxes.

7.70 The Assessment also includes further baseline updates in respect of protected

species, which found that recent lack of management of the arable land comprising the extension area has increased its value for a range of species. Despite this, no particular constraints were identified in relation to the intrinsic value of this recently established habitat; although prior to clearance, further survey and/or mitigation measures are required to ensure compliance with the relevant wildlife legislation.

- 7.71 Para 99 of Circular 06/2005 : Biodiversity and Geological Conservation states that, It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.
- 7.72 The applications are also accompanied by an Outline Management Plan which sets out the methods for establishment and management of the proposed habitats. As detailed elsewhere in this report, the applicant has confirmed that he is willing to enter into a Section 106 Agreement to secure a 25 year aftercare period.
- 7.73 The County Council's Ecologist has been consulted on the applications and raises no objection, subject to conditions (for application FUL/2019/0001) in relation to a Construction Environmental Management Plan and Ecological Management Plan. Given the requirement for LPAs to conserve and enhance biodiversity when determining planning applications, as detailed at paragraph 175 of the NPPF, this would seem to be a reasonable request.

Geodiversity

- 7.74 The existing site is a geological Site of Special Scientific Interest (Britons Lane Gravel Pit SSSI) (delineated around the boundaries of the current quarry site). Prior to bringing these applications before the committee, negotiations have taken place in relation to the proposed restoration and management of geodiversity features. This resulted in submission of a revised restoration scheme which would include retention of conservation sections of the geology of the Cromer Ridge on both sites, together with a commissioned Geodiversity Report. The Report includes an impact assessment which concludes that operations at both sites have the potential to provide a largely positive impact, with the benefits resultant of exposing the full profile of the geology and securing long term access to study such exposures. The application is also accompanied by an updated Outline Management Plan for management of these features.
- 7.75 As detailed elsewhere in this report, Norfolk Coast Partnership, Natural England, Norfolk Geodiversity Partnership and North Norfolk DC have been consulted on the applications: Norfolk Coast Partnership advise that, provided Natural England and Norfolk Geodiversity Partnership are satisfied with the restoration plans then their concerns will be allayed; Natural England raises no objection, subject to conditions in relation to: vehicular access to extension area for management and scientific access; on-site interpretation of geological interest of SSSI; geodiversity

restoration management plan; scheme for geological monitoring and recording; working and restoration. Provision of vehicular access, interpretation facilities and restoration management should also be subject of the S106 Agreement if it were to be determined that planning permission should be granted.

- 7.76 Norfolk Geodiversity Partnership approve the conclusions of the Geodiversity Report; North Norfolk DC concur with the conclusions of the Geodiversity Report. Subject to the aforementioned conditions and conclusion of the legal agreement, the development is considered to be acceptable and compliant with the relevant planning policies, and objectives of the NPPF.
- 7.77 Appropriate Assessment
The sites are situated within 10 kilometres of: the Norfolk Valley Fens Special Area of Conservation (SAC), Overstrand Cliffs SAC; and the Greater Wash Special Protection Area (SPA); all being European sites.
- 7.78 In this instance, Policy MIN 69 requires any planning application to demonstrate that water use, drainage regime and dust production would not have an adverse effect on the integrity of the Norfolk Valley Fens SAC.
- 7.79 As regards objection and concern raised by local residents that extraction would result in lowering of the water table, which would impact on surrounding wetlands, flora and fauna, as detailed elsewhere in this report, the existing quarry and proposed extension would be worked dry and the existing settlement lagoons will be used for water management, whilst proposed dust control methods to be employed on the extension area include: perimeter bunds; dampening of roads etc.; vehicle speed restrictions.
- 7.80 The application has been assessed in accordance with Regulation 63 of The Conservation of Habitats and Species Regulations 2017. Habitats Regulations Assessment (HRA) refers to the four-stage process of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017, to help determine likely significant effect and (where appropriate) assess adverse impacts on the integrity of a European site. As required by stage 1 of the HRA process, all planning applications not directly connected with, or necessary for, the conservation management of a European site, require consideration of whether the application, both itself and in combination with other plans or projects, is likely to have significant effects on that site, referred to as 'HRA screening'.
- 7.81 During the determination process, the applicant was required to submit additional details relating to the impact arising from both the proposed extension and the IDO site, and to extend the scope of the HRA screening report so as to include the Greater Wash SPA. This resulted in a revised HRA Screening Report being provided by the applicant, which assesses whether the proposals will result in any likely significant effect on the nearby Norfolk Valley Fens SAC and the Greater Wash SPA. As regards the Greater Wash SPA, this was scoped out for further assessment for a number of reasons including distance from the sites and lack of functional link between the sites and the SPA. As regards the Norfolk Valley Fens SAC, the report concludes that there will be no likely significant

effects on Norfolk Valley Fens SAC both 'alone' or 'in combination' with other plans or projects as a result of dust emissions and potential hydrological impacts resulting from the proposals, and a progression to stage 2 (Appropriate Assessment) is therefore not required.

- 7.82 If, as a result of the HRA screening, the applicant concludes that there is no likely significant effect on a European site the *competent authority*, (in this instance Norfolk County Council), must assess and review the information and make its own determination that there are no likely effects and be satisfied there is no residual effect.
- 7.83 Natural England has been consulted on the HRA screening report and agrees with its conclusions in relation to dust emissions and potential hydrological impacts, and agrees that a likely significant effect to these sites can be ruled out both alone and in combination with other plans or projects.
- 7.84 The evidence submitted to the County Planning Authority in support of a Habitat Regulations Assessment (HRA) is considered fit for purpose. Based on the information provided, a full Appropriate Assessment is not needed and NCC as the competent authority can screen out the need for an Appropriate Assessment. Accordingly, no Appropriate Assessment of the development is required.

Transport

- 7.85 Policies CS15 and DM10 of the NMWLDF CS, NMWDF Mineral Site-Specific Allocations DPD Policy MIN 69, Policy CT 5 of the North Norfolk Core Strategy and the NPPF Section 9 apply. Due weight is given to policies MW2 and MW3 of the emerging Norfolk Minerals and Waste Local Plan and Policy SD 14 of the emerging North Norfolk Local Plan.
- 7.86 NMWDF Mineral Site-Specific Allocations DPD Policy MIN 69 requires that: the current highways access along Briton's Lane to the A148 must continue to be used, with the A148 junction being upgraded with a right-turn lane (RHTL). Objections/concerns are raised by Beeston Regis Parish Council, Sheringham Town Council, the local member for Sheringham and Beeston Regis and, local residents in relation to provision of a RHTL at the A148 / Britons Lane junction, with questions raised regarding why this is required and concern it will lead to further traffic using Britons Lane. The local MP has advised that he has some knowledge of the said junction and cannot understand the need to alter it in any way. A local resident also raises concerns in relation to the width of Britons Lane and, objection and concerns are raised by local residents in relation to increased HGV traffic on already congested roads.
- 7.87 Vehicular access to the extension area (subject of application FUL/2019/0001) is proposed via a temporary haul route from the adjacent, existing quarry, which benefits from an existing access onto Britons Lane. All mineral extracted from the extension area would be transported via the haul road to the existing plant site at the quarry, for processing. Existing access arrangements would remain unchanged: HGVs would exit the existing quarry via the existing access onto Britons Lane.

- 7.88 As regards concerns raised in relation to increased traffic, the proposals do not seek to increase rates of output from the site above those experienced in the past, typically some 100,000 tonnes per annum, with no notable difference in offsite HGV movements. This would generate between 15 and 25 loads out per day (30 – 50 movements), which includes aggregate distribution (bagged or graded) and ready-mix activities.
- 7.89 Application FUL/2019/0001 proposes a timescale of some 10-12 years duration.
- Site Access / Britons Lane Road widths*
- 7.90 Prior to bringing these applications before the committee, negotiations have taken place and additional information submitted in relation to access arrangements and the surrounding highway network. This resulted in submission of a scheme to achieve requisite access visibility, involving removal of a tree stump and minor regrading of the embankment, south of the access.
- A148 / Britons Lane junction*
- 7.91 As regards the policy requirement for provision of a RHTL at the A148 junction, after reviewing concerns raised by a number of consultees in relation to intensification of use of Britons Lane and, given the reduction in HGV activity at the existing quarry, the applicant has amended application FUL/2019/0001 so as to provide an alternative design solution for vehicles to perform a right-hand turn manoeuvre at the junction. Instead of a RHTL, the amended proposal provides for widening of the A148 at its junction with Britons Lane so as to allow westbound cars to pass another vehicle waiting to turn right in to Britons Lane.
- 7.92 The amended design is accompanied by a Stage 1 Road Safety Audit, commissioned by the applicant and prepared by road safety consultants, which examines the road safety implications of the scheme. The audit reviewed the most recent 3-year police accident record (Dec 2015-Nov 2018) for the location provided by NCC. During this period there was one recorded accident at the junction site. This involved a car waiting to turn right (north) into Britons Lane being hit from behind by a following (westbound) car. The audit considers that, this type of accident is unlikely to be repeated if the proposed improvement goes ahead.
- HGV numbers*
- 7.93 As regards reduction in HGV activity at the existing quarry, the application states that, since the original quarry was fully operational and when site MIN 69 was being considered for allocation, the existing quarry had a pre-cast concrete unit on site, which used sand and gravel extracted on site. The pre-cast concrete sector has been going through a period of technical innovation, asset and company consolidation and market pressure from imported products. This means that the applicant company are no longer able to operate in this sector and as such the pre-cast unit at the site is no longer in operation, and furthermore the company will not be re-establishing the operation. The applicant contends that this has a material impact on the consideration of access and potential transportation impacts at the site into the future.
- 7.94 When the existing quarry was operating at its peak (including pre-cast concrete

unit) typical daily HGV activity was in the order of 60 in and 60 out. Of these, 30 in and 30 out were attributable to the quarry exporting graded aggregates and bagged products, whilst the remaining 30 in and 30 out were associated with the operation of the on-site precast unit and the supply of the company's pre-cast unit at Cromer.

- 7.95 With the decision to cease pre-cast manufacture, a large number of HGV movements have been removed in association with the site. The applications currently under consideration are based on maximum daily activity of 25 in and 25 out, an overall 68% reduction in HGV activity from when MIN 69 was under consideration for allocation.

HGV Routeing

- 7.96 The access arrangements at the existing quarry are such that HGVs can only access via the A148 coming from Holt (eastbound) or Cromer (westbound). Historically HGV movements associated with the precast activities had a dominance of routeing eastbound towards Cromer. HGVs would return from the east making a right turn manoeuvre at the junction of the A148 and Britons Lane: around 75% of HGV activity from the site was making this manoeuvre. Under the current application there is still a split 60% towards Cromer and 40% towards Holt but with a much-reduced rate of HGV activity. The applicant contends that this clearly demonstrates a reduced scale of activity in particular, performing a right turn manoeuvre at this junction.

'Scrubbing'

- 7.97 The applicant points out that, similar to the junction of the A148 with Britons Lane, there are nearby examples of existing industrial and minerals/waste sites accessed via priority junctions off the A148 and A140 without a RHTL and which suffer minor effects from 'scrubbing' in the highways verge. The applicant suggests that the 'scrubbing' is deemed acceptable at these other junctions as there has been no action to remediate the matter.

Policy Content

- 7.98 The applicant acknowledges that Policy MIN 69 requires provision of highway improvements at the junction of the A148 with Briton's Lane and also makes reference to para. 108 of the NPPF, in relation to sustainable transport, which states that '*...it should be ensured that: any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree*' and, para. 109, which states that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*' The applicant further notes that strategic policy is presented in Policy CS15. The applicant contends that the application demonstrates that there are no safety issues at either the site access, the A148 junction and/or along nearby stretches of highway and, the proposed continuation of operations at the site are a reduced capacity scenario when compared with the recent past and, a suitable alternative and sustainable solution can be provided under the context of this policy content.

Road Safety/Technical Compliance and the Proposed Solution

7.99 The applicant contends that Highways Injury Accident Data did not identify any overriding safety concerns either generally or in relation to HGV activity, in relation to the junction of the A148 with Britons Lane and, the existing site access off Britons Lane. The applicant further contends that in view of the evidence provided there is no need for any work, however, if the County Council would prefer to address the matter of 'scrubbing' at this junction this can be addressed via the solution presented.

7.100 In addition, the applicant has indicated a willingness to install additional/enhanced signage at: the junctions of the A148 with Britons Lane; with Lodge Hill and/or with the A1082, Holway Road. The focus of such signage would be to discourage other use of Britons Lane as a 'rat run' along the road (north of the quarry access), which the applicant considers is further promoted with construction of a RHTL.

Right Turn

7.101 On occasion, to benefit from a shorter route to and from Sheringham and Beeston Regis, Light Goods Vehicles (LGVs) travel to and from the existing quarry via that section of Britons Lane north of the quarry access. The applicant has indicated a willingness to cease such routing of LGVs, to be secured by a planning obligation if required

Public weighbridge

7.102 Whilst acknowledging that this has little bearing on the acceptability of the applications, the applicant considers that the availability of a public weighbridge at the site should be viewed as a benefit to the local community.

Local/Political Support

7.103 The application makes reference to consultation responses from Beeston Regis Parish Council, the local member and local resident, which raise concern with existing and continued use of Britons Lane as a 'rat-run' to Beeston Regis and concern that provision of a RHTL would further increase the attractiveness of this route. The application confirms the applicant's support for these local concerns and reference is made to the Localism Act 2011, (which seeks a shift in power away from central government and towards local people, including opportunities for local communities to influence the future of the places where they live). The applicant submits that this should be a material consideration in the context of this application.

Highway Authority

7.104 The Highway Authority has been consulted on the applications and notes that, whilst application FUL/2019/0001 initially included provision of a RHTL, this has been removed from the revised submission. The Highway Authority recommend refusal of both applications both on policy and highway safety grounds for the following reasons:

7.105 The proposed development, if permitted, would lead to right hand turning movements across the opposing traffic stream of a busy principal route which would interfere with the free and safe flow of traffic and cause danger and

inconvenience to highway users, contrary to Development Plan Policies.

- 7.106 In its response the Highway Authority also comment that they have provided extensive advice to the applicant outlining their requirements with regard to the proposals and the proposals have been considered by the internal Development Team to ensure that a wider collective view is presented with regard to the applications, which is reflected in their comments below.
- 7.107 As regards the A148 / Britons Lane junction, the Highway Authority consider that there is a clear policy and highway safety justification to support the RHTL, including specific reference within Policy MIN 69. The A148 is a principal route, and designated as a “corridor of movement”, within the Norfolk Route Hierarchy and has a strategic role to play in carrying free flowing traffic, usually at speed. This function should be safeguarded and not compromised by further development. On such routes, drivers do not generally expect to encounter slowing; stopping; turning vehicles and this lack of expectancy increases the hazards caused by an access that exists in isolation.
- 7.108 Ordinarily the Highway Authority looks to resist development onto a “corridor of movement”, however, whilst exceptions are made in the case of mineral sites (given that they are incapable of being sited elsewhere) they still need to be served by a safe means of access from the principal route, which in such locations would typically be via a RHTL or roundabout.
- 7.109 In this instance, whilst the quarry has operated over a number of years without a RHTL, as with all mineral workings this use is time limited and once the permitted mineral reserves are exhausted, mineral extraction and processing would cease and in traffic terms stop generating traffic. [Whilst the IDO permission for the existing quarry does not expire until 21 February 2042, the applicant anticipates that extraction of remaining reserves within the quarry will be completed by the end of 2020].
- 7.110 The current access arrangements (without a RHTL) were established when the quarry was first granted planning permission and assessed against traffic volumes and policy in place at that time rather than against current safety standards.
- 7.111 Any extension to the site, which looks to extend quarry activity onto additional land over and above that currently permitted, albeit at similar extraction rates, is still considered to be new traffic on the network as clearly it is not currently permitted, and will have to be considered against current policy and guidelines. [In this instance, application FUL/2019/0001 seeks permission to extract one million tonnes of sand and gravel from an eastern extension to the existing quarry, thereby also extending the use of the existing quarry for stockpiling, processing and distribution of mineral beyond the end of 2020].
- 7.112 NCC has consistently received pressure to improve a number of junctions along the A148 corridor, and the Highway Authority draw attention to the nearby quarry at East Beckham, where the proposals were only deemed to be technically acceptable if supported by the provision of a RHTL. [Provision of a RHTL from

the A148 was required in respect of permission reference C/1/2013/1012 for excavation and processing of sand and gravel at Holt Road, East Beckham (East Beckham Quarry), accessed directly off the A148 some 1.25km west of its junction with Britons Lane. The estimated output of 100,000tpa over a 16 year period would generate approximately 40 HGV two-way movements per day (80 movements), which is not dissimilar to the applications under consideration].

- 7.113 As regards the applicant's alternative design solution for vehicles to perform a right-hand turn manoeuvre at the junction, through provision of an 'undertaking lane', this is considered to be substandard and would introduce further safety risks and accordingly would not be acceptable.
- 7.114 As regards concerns raised that provision of a RHTL will encourage more traffic to use Britons Lane to access the A149 (to the north), there is already an environmental weight restriction in place which prohibits the use of this route for HGV traffic (including quarry traffic). Following suggestions made by the Parish Council and the local member, the Highway Authority have agreed that, should the applications be approved, a 'positive signing' scheme should be provided by the applicant to encourage through traffic to use the A148 / A1082 (Holway Road).
- 7.115 As regards the suggestions made by Beeston Regis Parish Council and a local resident that a new access should be made from the extension area directly onto the A148, the Highway Authority has commented that, should the applicant revise their application to include the provision of a RHTL on the A148 either at the junction of Britons Lane or to serve a new direct access into the site then the Authority would have no hesitation to remove their objection. [Provision of a direct access from the A148 would have to be subject of a fresh planning application which would be considered on its own merits].
- 7.116 As regards concerns raised in relation to the width of Britons Lane, the Highway Authority has confirmed that these are in accordance with Design Manual for Roads and Bridges (DMRB) standards.
- 7.117 Over the years a number of planning permissions have been granted for concrete production plant at the quarry in association with the mineral operations. As regards the aforementioned reduction in HGV activity, whilst the pre-cast unit at the site is no longer in operation and the company will not be re-establishing the operation, the proposed restoration of the site provides for retention of buildings associated with pre-cast manufacture. The ES states that an industrial presence may remain post cessation of mineral extraction, which may also include retention and continued operation of the adjacent ready-mix plant.
- 7.118 As to whether an alternative industrial use could be sought/established prior to the cessation of mineral extraction activity in the extension area, the applicant has confirmed that a separate industrial presence could be sought.
- 7.119 Whilst the views of Beeston Regis Parish Council, Sheringham Town Council, the local member for Sheringham and Beeston Regis, the local MP and local residents in relation to provision of a RHTL at the A148 / Britons Lane junction

are noted and need to be given due weight, it is considered that they are not sufficient material considerations to outweigh the policy objection of the Highway Authority, which weighs against approval.

- 7.120 It is considered that the proposed development is not acceptable in highway terms, as the proposals, if permitted, would lead to right hand turning movements across the opposing traffic stream of a busy principal route which would interfere with the free and safe flow of traffic and cause danger and inconvenience to highway users, contrary to Development Plan Policies. Accordingly, it is considered that the proposals are in conflict with NMWLDF policies CS15 and DM10, NMWDF MSSA DPD Policy MIN 69, Policy CT 5 of the North Norfolk Core Strategy and, are not compliant with paras 108 (b) and 109 of the NPPF.

Sustainability

- 7.121 NMWLDF CS policies CS13 and DM11, policy EN 6 of the North Norfolk CS and the NPPF Section 14 apply. Due weight is given to policy MW4 of the emerging Norfolk Minerals and Waste Local Plan and policy SD 1 of the emerging North Norfolk Local Plan.
- 7.122 As stated at paragraph 8 of the NPPF, achieving sustainable development means that the planning system has three overarching objectives, i.e. economic objective, social objective and environmental objective. The three facets of sustainable development have been assessed below:

economic objective

- 7.123 The application is accompanied by an Economic Statement which defines the role the site plays in the local economy and further afield, and the role the site could play in the event that the CPA were minded to grant consent. The statement sets out that operations at the existing quarry currently entail the extraction and processing of sand and gravel along with secondary ancillary processes namely bagging and distribution of aggregates and, manufacture and distribution of ready mixed concrete. It is predicted that the proposals would contribute £12 million to the local economy through wages, revenue and expenditure and would have a number of positive socio-economic impacts including maintenance of existing employment at the quarry as well as securing jobs at local hauliers. The applicant submits that this is a material consideration in assessment of the applications, and when assessing what is contended to be cost effective in terms of highway safety at the junction of the A148 with Britons Lane.
- 7.124 The local MP supports the proposals, highlighting the economic benefits that would arise.

social objective

- 7.125 In terms of employment, the quarry directly employs 17 persons. The proposals would contribute to the wellbeing of the district by retaining existing employment at the quarry, (all of whom live within the district), as well as securing jobs at local hauliers, development of employee skills and training and, provision of well-paid jobs.

- 7.126 The local MP highlights the social benefits that would arise from the proposals.
- 7.127 Whilst the socio-economic benefits highlighted by the applicant and local MP are noted and need to be given due weight, it is considered that they are not sufficient material considerations to outweigh the policy objection of the Highway Authority, which weighs against approval.

Environmental Objective

- 7.128 Consideration has been given to the possibility of how the development could generate its own energy from renewable or low carbon sources. As regards solar and/or wind power, the applicant considers that the topographical context of the sites and surrounding wooded landform are not supportive of these energy sources, whilst the scope for wind power is further reduced by the sites locations within the Norfolk Coast AONB. The applicant further considers that the current situation on costs and tariffs is not considered economically feasible at this time. Although regrettable that no measures for renewable energy are being proposed, the arguments put forward by the Applicant are accepted in this instance.
- 7.129 The applications advise that the applicant seeks to minimise actual energy requirements. This is achieved through the recently installed washing plant which minimises pumping requirements and actual washing requirements per tonne, thereby providing increased water and energy efficiency. The statement adds that an Environmental Management System (EMS) is in place at the quarry.
- 7.130 Objection and concerns are raised by local residents that as understanding of detrimental impacts of anthropogenic (human) activity on the environment increases, it is imperative to consider and analyse the costs and benefits of the development. As detailed elsewhere in this report, the proposals would enable the continued supply of sand and gravel to the local market thus continuing contributing to the local economy and maintaining employment for existing staff and, allocated extension MIN 69 would provide economic and efficiency benefits in the form of being able to utilise the existing processing plant at the IDO site. The proposals would also facilitate an enhanced scheme of restoration at the existing quarry: restoration of both sites would provide a range of Priority Habitats including lowland heath, acid grassland and deciduous woodland. This authority's Ecologist and Natural England have been consulted on the applications and raise no objection on biodiversity grounds.
- 7.131 Overall, given the above and the fact that the potential for on-site renewable energy generation has been considered but has been found not to be viable, it is considered that the proposals would not be in conflict with the relevant planning policy and requirements of the NPPF.

Impact on Heritage Assets

- 7.132 The Planning (Listed Buildings and Conservations Areas) Act 1990, Ancient Monuments and Archaeological Areas Act 1979, Policies CS14, DM8 and DM9 of the NMWLDF CS, policies EN 2 and EN 8 of the North Norfolk CS and, Sections 16 and 17 of the NPPF apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan and Policy ENV 11 of the emerging North Norfolk Local Plan.

- 7.133 Prior to bringing these applications before the committee, negotiations have taken place and amendments made in relation to the proposed area of working. This resulted in submission of a revised scheme of working and restoration which provides for retention of the existing wooded ridge/batter feature which separates the existing quarry and proposed extension area.

Designated Assets

- 7.134 Neither site is located within or adjacent to any designated heritage asset. Beeston Regis, West Runton, and Upper Sheringham Conservation Areas, and the remains of St. Mary's Priory, Beeston Regis (Scheduled Monument) are all located within 1.6km of the sites. In addition, there are a number of listed buildings in the surrounding area. As regards designated assets, the supporting Environmental Statement concludes that, due to the distance from each asset and the effects of intervening topography and land use, no detailed assessment of the setting of these assets is considered to be necessary. The Supplementary Statement concludes that the amendments to the proposals have no bearing on the consideration of heritage assets in the wider area, and the conclusions of the ES stand in this regard.
- 7.135 As regards the existing quarry, a combination of local landform and mature woodland surrounding the quarry result in the site being largely screened from most viewpoints and only visible at close proximity to the site. As regards the proposed extension area, a combination of local landform, surrounding landscaping and proposed soil bunds would result in the extension being largely concealed from wider views. It is therefore considered that the proposals would not have a detrimental impact on the setting of a designated heritage asset. Historic England have been consulted on both applications and do not wish to offer any comments

Undesignated Assets

- 7.136 Para. 197 requires that, in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The accompanying desk-based Archaeology Assessment states that a length of earthwork bank on the Beeston Regis - Aylmerton parish boundary (undesignated heritage asset (NHER number 57910)), extends around the northern and western edges of the proposed extension area, separating it from the existing quarry. The Supplementary Statement concludes that, as the proposed 'break-through' phase is no longer included there is no scope for direct impact on this asset and, due to retention of Bridleway BR10 and appropriate stand-offs from the woodland canopy, the scope for indirect effects on the setting of this locally designated asset can be considered as negligible. Norfolk Historic Environment Team have been consulted on the applications and confirm that the proposals safeguard the parish boundary bank.
- 7.137 Given the above, on balance, it is therefore concluded that the proposals would not have a detrimental impact upon or cause any harm to heritage assets and the applications are not considered to be in conflict with the Planning (Listed Buildings and Conservation Areas) Act 1990, Ancient Monuments and

Archaeological Areas Act 1979, the relevant planning policies, or the NPPF.

Archaeology

- 7.138 A Geophysical Survey, desk-based Archaeology Assessment and, Archaeological Evaluation have been undertaken. As regards the existing quarry, all land to be worked has been stripped and therefore no archaeology remains. As regards the proposed extension area, the Archaeological Evaluation concludes that the archaeological remains revealed during the evaluation are likely related to Roman, or more likely late Saxon, iron ore processing activity, as reported in the immediately surrounding area. Publication writing is planned in due course. Norfolk Historic Environment Service has been consulted on the applications and raise no objection, subject to condition in relation to submission of the trenching report. This would seem to be a reasonable request. Subject to the aforementioned condition, it is considered that the development would not adversely impact on the historic environment and the proposal would not be in conflict with the relevant planning policies and objectives of the NPPF.

Groundwater/Surface Water

- 7.139 Policy DM3 of the adopted NMWLDF CS, NMWDF Mineral Site-Specific Allocations DPD Policy MIN 69, Policy EN 13 of the North Norfolk Core Strategy and, the NPPF Section 15 apply. Due weight is given to policy MW 2 of the emerging Norfolk Minerals and Waste Local Plan and Policy SD 13 of the emerging North Norfolk Local Plan.
- 7.140 NMWDF Mineral Site-Specific Allocations DPD Policy MIN 69 requires: that the site must be worked 'dry' (i.e. above the water table); no discharges into ground water; site drainage should be via a settlement lagoon.
- 7.141 The majority of the existing quarry, with exception of the southern end and, the extreme north west corner of the proposed extension area, are located within Groundwater Source Protection Zone 2, whilst both sites are located in Groundwater Source Protection Zone 3.
- 7.142 As regards the policy requirement and, objection and concerns raised by local residents that extraction would result in lowering of water table, the supporting Planning Statement and ES confirm that the existing quarry and proposed extension area would be worked dry and the existing settlement lagoons within the existing quarry will be used for water management: the accompanying Flood Risk Assessment (FRA) further advises that the recently installed replacement processing plant features a dedicated water recovery unit which removes silt from the outflow stream and returns clean water to the processing plant, whilst the thick silt sludge from the water recovery unit and water used to flush out plant pipework is discharged to the lagoons. As detailed elsewhere in this report, the accompanying FRA advises that during mineral extraction, rainfall will be allowed to infiltrate into the sand and no management of surface water will be required. The Environment Agency (E.A.) has been consulted on both applications and raises no objection on groundwater protection grounds.
- 7.143 Given the above, it is considered that the proposals would not be in conflict with the relevant planning policies or NPPF.

Flood risk and surface water management

- 7.144 Policies CS13 and DM4 of the NMWLDF CS, Policy EN 10 of the North Norfolk Core Strategy and the NPPF Section 14 apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan and Policy SD 10 of the emerging North Norfolk Local Plan.
- 7.145 Both sites lie within Flood Zone 1, which is an area at low risk of flooding. As regards the flood zone constraint, 'sand and gravel workings' are identified as 'water-compatible development' in the table of Flood Risk Vulnerability Classification as set out in Planning Practice Guidance (PPG), whilst minerals processing is identified as 'less vulnerable'. The proposed restoration/after-use is to nature conservation, which is identified as 'water-compatible development'. PPG further advises that 'water-compatible' development and 'less vulnerable' development are appropriate in Flood Zone 1. On this basis, the proposals are considered acceptable in terms of development within flood zone 1.
- 7.146 As regards the existing site, a number of areas lie within the flow path of the Environment Agency Updated Flood Map for Surface Water 1 in 30 year and 1 in 100 year events. As regards the proposed extension area, the extreme northern end of the site lies within the flow path of the Environment Agency Updated Flood Map for Surface Water 1 in 100 year event. In relation to surface water management, Planning Practice Guidance (PPG) (Flood Risk and Coastal Change) requires opportunities be sought to reduce the overall level of flood risk in the area and beyond, for instance, through layout and form of development, including [green infrastructure](#) and appropriate application of [sustainable drainage systems](#). PPG further states that consideration of devising a sustainable drainage system depends on the proposed development and its location, for example whether there are concerns about flooding. Specifically, it states that sustainable drainage systems may not be practicable for mineral extraction.
- 7.147 The application is accompanied by a Flood Risk Assessment (FRA) which advises that during mineral extraction, rainfall will be allowed to infiltrate into the sand and no management of surface water will be required. Following restoration, rainfall is expected to drain naturally into the subsurface and no other management will be required. The proposed development will result in creation of additional flood storage capacity and freeboard. The supplementary ES advises that the base of both restored landforms will include dry channel features which will serve as the focal point for runoff and drainage from the restored landforms.
- 7.148 Overall, the accompanying FRA concludes that, given the permeable nature of the sand and gravel deposits beneath the site, it is anticipated that all run-off would infiltrate directly to ground. The Environment Agency has been consulted on the application and raises no objection in relation to flood risk and restoration details, whilst the LLFA has been consulted and has no comments to make.
- 7.149 It is therefore considered, taking into account the above, that the development would not materially increase the risk of flooding and the proposal would not be in conflict with the relevant planning policies and objectives of the NPPF.

Protection of agricultural land

- 7.150 NMWLDF CS policy DM16 and section 15 of the NPPF apply. Due weight is given to Policies MW2 and MW6 of the emerging Norfolk Minerals and Waste Local Plan.
- 7.151 As regards agricultural land classification, the existing quarry is graded as non-agricultural. The proposed extension area is currently in agricultural use, with the vast majority being graded as non-agricultural land with exception of a very small part of the eastern margins which is grade 3 land. The Environmental Statement advises that some of the soils within the proposed extension area may be in the category of 'Best and Most Versatile' agricultural land (i.e. Agricultural Land Classification grade 3a).
- 7.152 The proposed restoration would result in the loss of agricultural land on the extension area. Natural England has been consulted on the application and raises no objections on soil resource grounds. Whilst the proposal would result in the loss of a relatively small area of grade 3a agricultural land, given that the loss of agricultural land is not so significant as to raise a soils objection and biodiversity enhancements are proposed, it is concluded that the proposal will cause no material harm to soil resources and is not in conflict with the relevant planning policy or the NPPF.

Progressive working, restoration and after-use

- 7.153 NMWLDF CS policy DM14, NMWDF Mineral Site-Specific Allocations DPD Policy MIN 69, North Norfolk Core Strategy Policy EN 9 and, the NPPF Section 17 apply. Due weight is given to policies MP 7 and MP 8 of the emerging Norfolk Minerals and Waste Local Plan.
- 7.154 NMWDF Mineral Site Specific Allocations DPD Policy MIN 69 requires: development of a very high quality working and restoration scheme for MIN 69 and the existing site, showing clearly how the two sites could be worked and progressively restored together to maximise the benefits on restoration; excessively steep 'walls' on the quarry boundary should be avoided; heathland-led restoration (with some woodland) with a range of different habitats and micro-habitats being included; No importation of waste materials to assist with restoration; Improved public access; Interpretation boards showing details of the glacial and peri-glacial geology of the site, heathland ecology and the AONB; retention of a section of the Cromer Ridge; formal aftercare agreement (through a section 106 legal agreement) for at least 25 years after extraction has ceased.
- 7.155 Sheringham Town Council and the CPRE would like to see the restoration requirements of Policy MIN 69 followed in full.
- 7.156 The applications provide for a progressive working and restoration of both sites. Prior to bringing these applications before the committee, negotiations have taken place and amendments made in relation to the area and phasing of working and restoration, restoration profiles and restoration scheme, including an increase in the area of retained trees.

Working

- 7.157 Extraction from the proposed extension would commence once extraction has ceased within the existing permitted area. The proposed extension would be divided into two phases in total, which will be worked and restored (at low level) on a progressive basis. Working of the extension would commence in the eastern area (phase 1) progressing in a north easterly direction, whilst the western area (phase 2) would progress in a south westerly direction.

Restoration

- 7.158 The applications provide for a restoration masterplan covering both the existing quarry and proposed extension area to provide two restored lower level landforms, suitable to develop a variety of UK Biodiversity Action Plan Priority Habitats.
- 7.159 As regards the existing IDO site, the final landform would be a steep sided excavation with 1:1 batters, between 30 and 40 metres deep. The proposal under consideration includes an enhanced scheme of restoration for this site to provide for lowland heath and acid grassland, deciduous woodland (existing and proposed) and open mosaic habitat, including bare ground, scrub and ephemeral wet grassland and ponds, with a network of some 1.18km of permissive footpaths across the restored IDO site and extension area, to complement the existing dedicated network. The restoration scheme also provides for retention of exposed areas of geology, together with interpretation facilities. Restoration of the existing quarry further provides for removal of the mineral processing plant, with retention of administrative buildings and the concrete product buildings including concrete batching plant, in the western half of the central area of the existing site.
- 7.160 As regards the proposed extension area, on completion of extraction, this area will be restored at a lower level, with less steep slope gradients (1:3 to 1:4) than the existing IDO site, to a range of Priority Habitats including lowland heath and acid grassland, deciduous woodland and open mosaic habitat, including bare ground, scrub and ephemeral wet grassland area. The restoration scheme also provides for retention of a section of the geology of the Cromer Ridge, together with interpretation facilities.
- 7.161 The Supplementary ES advises that dried silt arising from the mineral washing process is used as a restoration material and further confirms that no materials will be imported to support site restoration. As regards concerns raised by a local resident in relation to the need to monitor fill material, the Environment Agency has been consulted on the applications and raises no objection in relation to restoration and comment that no Environmental Permit will be required.

After-use

- 7.162 Prior to bringing these applications before the committee, negotiations have taken place in relation to the proposed restoration and management of geodiversity features. This resulted in submission of an updated Outline Management Plan which sets out the methods for establishment and management of the proposed habitats and, management of geodiversity features on both sites.

- 7.163 As regards the policy requirement for a formal aftercare agreement for a 25 year period to be secured through a Section 106 Agreement, the applicant has confirmed that he is willing to enter into such an agreement. Provision of permissive access and interpretation facilities should also be subject of the S106 Agreement if it were to be determined that planning permission should be granted.
- 7.164 As detailed elsewhere in this report, the County Council's Green Infrastructure Officer and Ecologist, Norfolk Coast Partnership, Natural England, Norfolk Geodiversity Partnership and North Norfolk District Council have been consulted on the applications: the Green Infrastructure Officer and Ecologist raise no objection on restoration or after use grounds; Norfolk Coast Partnership advise that, provided Natural England and Norfolk Geodiversity Partnership are satisfied with the restoration plans then their concerns would be allayed; as regards Natural England, they raise no objection, subject to condition or obligation in relation to securing the proposals to avoid, reduce or mitigate landscape and visual impacts on the AONB, including working and restoration scheme; Norfolk Geodiversity Partnership approve the conclusions of the Geodiversity Report; North Norfolk DC concur with the conclusions of the updated LVIA.
- 7.165 The proposal includes provision of a high-quality heathland-led restoration appropriate for the landscape context. It is concluded that, subject to the aforementioned conditions and conclusion of the legal agreement, the proposal accords with the relevant planning policies and the requirements of the NPPF in this respect.

Public Rights of Way

- 7.166 NMWLDF CS policy DM14, NMWDF Mineral Site-Specific Allocations DPD Policy MIN 69 and North Norfolk Core Strategy policy SS 6 apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan and policy ENV 8 of the emerging North Norfolk Local Plan.
- 7.167 NMWDF Mineral Site-Specific Allocations DPD Policy MIN 69 states: Improved public access is a key consideration. During the operation stage, footpaths should only be diverted when necessary (e.g. for public safety reasons), and both during the operational stage and on restoration the footpaths should be of appropriate gradients to facilitate relatively easy access.
- 7.168 There are three Public Rights of Way (PRoW) running across / alongside the proposed extension area: Bridleway Beeston Regis BR10, which runs between the existing quarry and western boundary of the proposed extension area and, Footpaths Aylmerton FP2 and Aylmerton FP3 which both cross the extension area. Footpath Aylmerton FP1 runs close to and parallel with the southern boundary of the extension area.
- 7.169 Objection/concerns are raised in relation to the impacts on PRoWs. The operations in the proposed extension area will affect PRoWs in so much that a temporary diversion of two PRoWs will be required to allow the recovery of the mineral resources. Prior to bringing these applications before the committee

negotiations have taken place and revisions made in relation to the proposed diversions.

- 7.170 As regards Aylmerton FP1 and Beeston Regis BR10, both would remain in place throughout the duration of the development. Application FUL/2019/0001 provides for an internal haul road to move extracted mineral over BR10, crossing it adjacent the south west corner of the extension area, via a formal crossing facility; priority would be given to bridleway users over vehicles using the haul road.
- 7.171 As regards Aylmerton FP2 and Aylmerton FP3, so as to allow recovery of the mineral resources from the proposed extension area, it is proposed that both footpaths be diverted during the operational phase, in close alignment to the extension area. In order to provide appropriate gradients, upon restoration, Aylmerton FP2 would be permanently diverted along the south east margins of the restored landform, whilst Aylmerton FP3 would be permanently diverted around the north east corner of the restored landform.
- 7.172 The Ramblers Association comments that, “...*applications are frequently made to extend timescale for completion of working / restoration at sites. It seems reasonable to assume that the right of way network will be blighted by this work for longer than the proposed timescale, which is unacceptable.*” The proposed timescale will be based upon the applicant's estimated timescale for completion of extraction and restoration, which will be based upon historic and predicted sales from the site. Given that sales volumes of sand and gravel are dependent upon demand, which can lead to a decline in sales, it is not uncommon for operators to have to seek to extend the proposed timescales for completion of mineral extraction and restoration, accordingly. Planning Practice Guidance underlines that planning for the supply of minerals has a number of special characteristics that are not present in other development and recognises that mineral working is a temporary use of land, although it often takes place over a long period of time.
- 7.173 A Transport Statement has been undertaken which concludes that, the use of mitigation measures such as environmental bunds will mitigate any impacts on the PRoW network as far as is practicable. The comments raised by the Ramblers Association, including the proposed dedication of a path as a public bridleway, have been forwarded to the Rights of Way Team for consideration. The Rights of Way Team has been consulted on the proposal and raise no objection. The team accept the reasoning why reinstatement on the definitive alignment of Aylmerton FPs 2 and 3 upon restoration is not feasible on practical grounds. It is considered reasonable to condition the scheme for crossing BR10 as part of any consent granted if it were to be determined that planning permission should be granted.

Cumulative impacts

- 7.174 NMWLDF CS policy DM15 and Section 17 of the NPPF apply. Due weight is given to policies MW 2 and MP 6 of the emerging Norfolk Minerals and Waste Local Plan.

- 7.175 Application FUL/2019/0001 represents a physical extension to an adjacent existing mineral extraction site whilst application FUL/2019/0002 provides for continuation of mineral processing on the existing IDO site. To mitigate any cumulative impacts, extraction would not commence from the proposed extension area until extraction has ceased within the existing quarry. It is considered reasonable to condition this matter as part of any consent granted if it were to be determined that planning permission should be granted.
- 7.176 With exception of the source of mineral to be processed, no other changes are proposed to the existing working arrangements at the plant site. Furthermore, the predicted annual output and proposed hours of working are similar to those for the existing quarry, i.e. typically some 100,000 tonnes per annum and 07.00 – 18.00 hours Monday to Friday, 07.00 – 13.00 hours Saturday, with no operations on Sundays or Public Holidays.
- 7.177 It is therefore considered, taking into account the above, that the proposals are compliant with the relevant planning policies, and objectives of the NPPF.

Local Liaison Committee

- 7.178 The Supplementary ES advises that currently the applicant maintains informal dialogue with the local parish council rather than via a formal meeting mechanism. The Planning Statement and Supplementary ES further advise that the applicant is committed to ongoing engagement with the local community and would be willing to enter into a formal meeting arrangement with the development of a Local Liaison Committee for the site. 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.

Environmental Impact Assessment

- 7.179 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: Amenity; Landscape/Trees; Biodiversity and Geodiversity; Transport; Heritage; Groundwater/Surface water; Flood Risk; Agricultural Land; Working/restoration/afteruse; Public Rights of Way; Cumulative Impacts.

Responses to the representations received

- 7.180 The applications were advertised by means of neighbour notification letters, site notices, and advertisements in the Eastern Daily Press newspaper.
- 7.181 A number of concerns/objections were raised which are summarised in the first section of this report. With exception of the issues detailed below, the response of this authority to those comments is discussed above in the 'Assessment' section of this report.
- 7.182 Beeston Regis Parish Council comment that they did not receive notification of the application and, that Aylmerton and Beckham Parishes and Sheringham Town Council did not receive notification. Local planning authorities have discretion about how they inform communities and other interested parties about planning applications and it is sometimes difficult to know where to 'draw the line'.

In this instance, consultation letters were sent to Beeston Regis, Aylmerton and, East and West Beckham Parish Councils. It subsequently came to light that the e-mail addresses for Beeston Regis and Aylmerton Parish Councils had changed and, as a result, consultation letters were sent to the new e-mail addresses. Sheringham Town Council were subsequently consulted.

7.183 **The Community Infrastructure Levy**

7.184 The developments are not CIL liable.

7.185 **Local Finance Considerations**

7.186 In accordance with Section 70(2) of the Town and Country Planning Act 1990 (as amended) the County planning authority must have regard to a local finance consideration as far as it is material. Section 74 of the 1990 Act defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown, or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

7.187 In this instance it is not considered that there are local finance considerations material to this decision.

8. Resource Implications

8.1 **Finance:** The development has no financial implications from the Planning Regulatory perspective.

8.2 **Staff:** The development has no staffing implications from the Planning Regulatory perspective.

8.3 **Property:** The development has no property implication from the Planning Regulatory perspective.

8.4 **IT:** The development has no IT implications from the Planning Regulatory perspective.

9. Other Implications

9.1 **Human rights**

9.2 The requirements of the Human Rights Act 1998 must be considered. Should permission not be granted Human Rights are not likely to apply on behalf of the applicant.

9.3 The human rights of the adjoining residents are engaged under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission may infringe those rights but they are qualified rights, that is that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity. However, in this instance it is not considered that the human rights of adjoining residents would be infringed.

9.4 The human rights of the owners of the application site may be engaged under the

First Protocol Article 1, that is the right to make use of their land. An approval of planning permission may infringe that right, but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents.

9.5 Equality Impact Assessment (EqIA)

9.6 The Council's planning functions are subject to equality impact assessments, including the process for identifying issues such as building accessibility. None have been identified in this case.

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

9.8 **Communications:** There are no communication issues from a planning perspective.

9.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.

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

10. Section 17 – Crime and Disorder Act

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

11. Risk Implications/Assessment

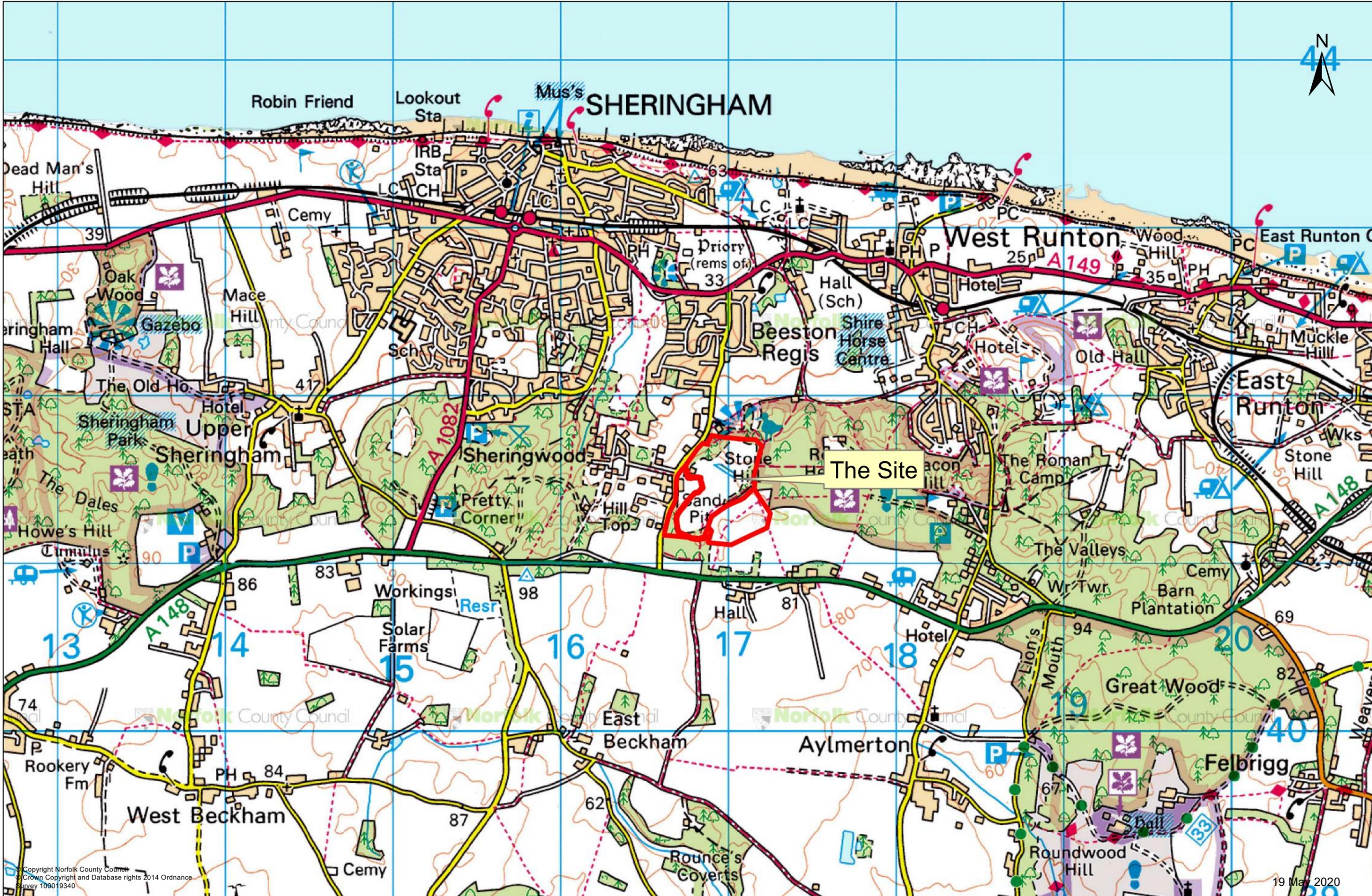
11.1 There are no risk issues from a planning perspective.

12. Conclusion and Reasons for Refusing of Planning Permission

12.1 Whilst in all other respects the applications are considered to be compliant with national and local policies, for the reasons set out in the report the proposals would be contrary to policies CS15 and DM10 of the Norfolk Minerals and Waste Local Development Framework Core Strategy, Norfolk Minerals and Waste Development Framework Mineral Site Specific Allocations DPD Policy MIN 69, Policy CT 5 of the North Norfolk Core Strategy and, paras 108 (b) and 109 of the NPPF. The proposals would lead to right hand turning movements across the opposing traffic stream of a busy principal route which would interfere with the free and safe flow of traffic and cause danger and inconvenience to highway users. It is considered therefore that the development is a departure from the Development Plan due to its non-compliance with the above-mentioned policies. There are not sufficient material considerations that warrant determining the applications otherwise than in accordance with the development plan or that outweigh the harm that would be caused. Therefore, the applications are recommended for refusal.

Background Papers

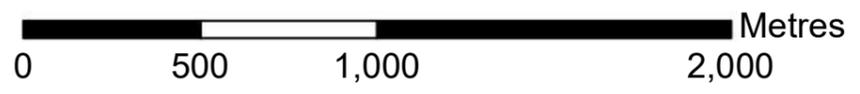
Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (2011)

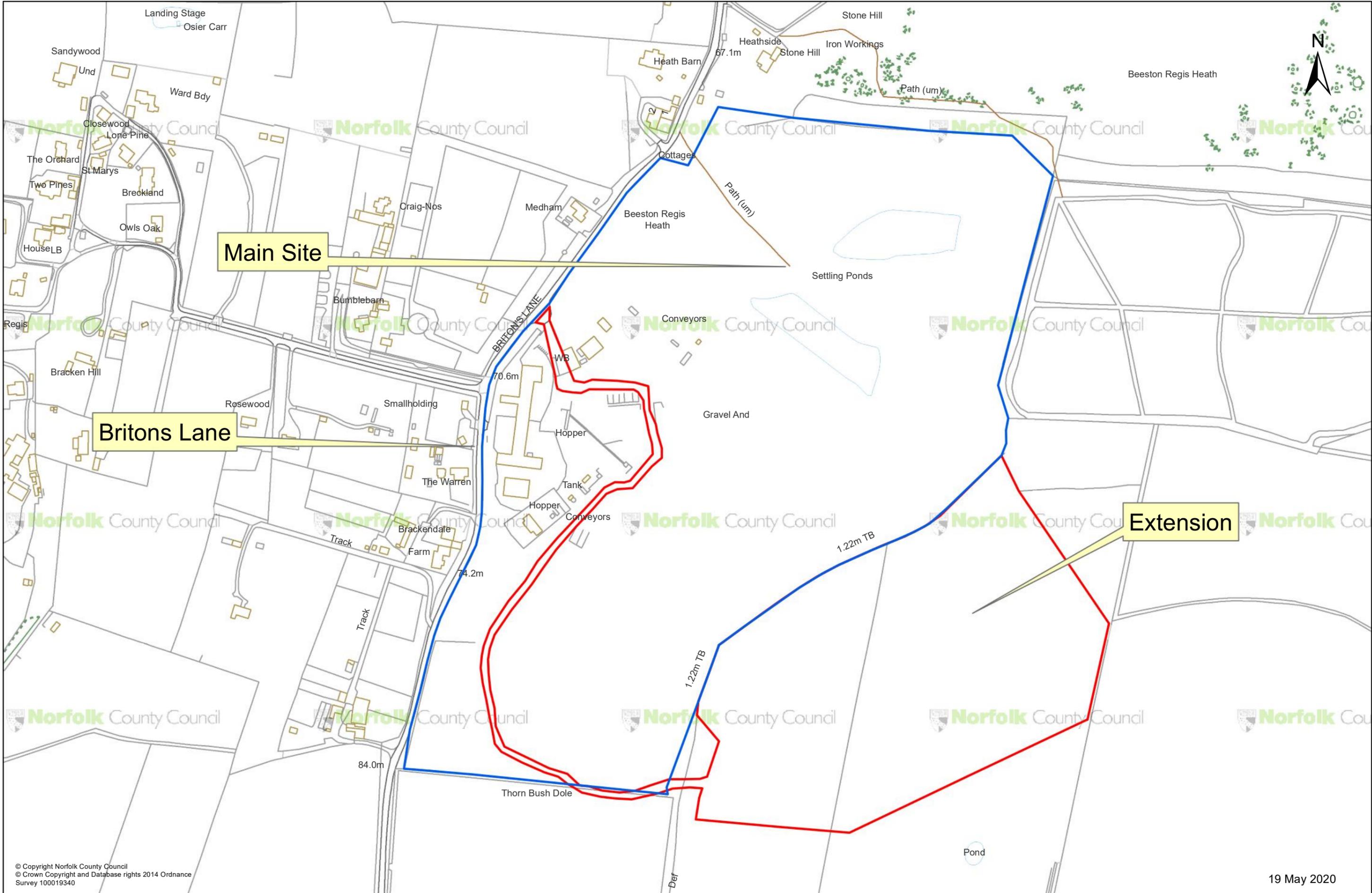


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19 May 2020

Beeston Regis Location Plan



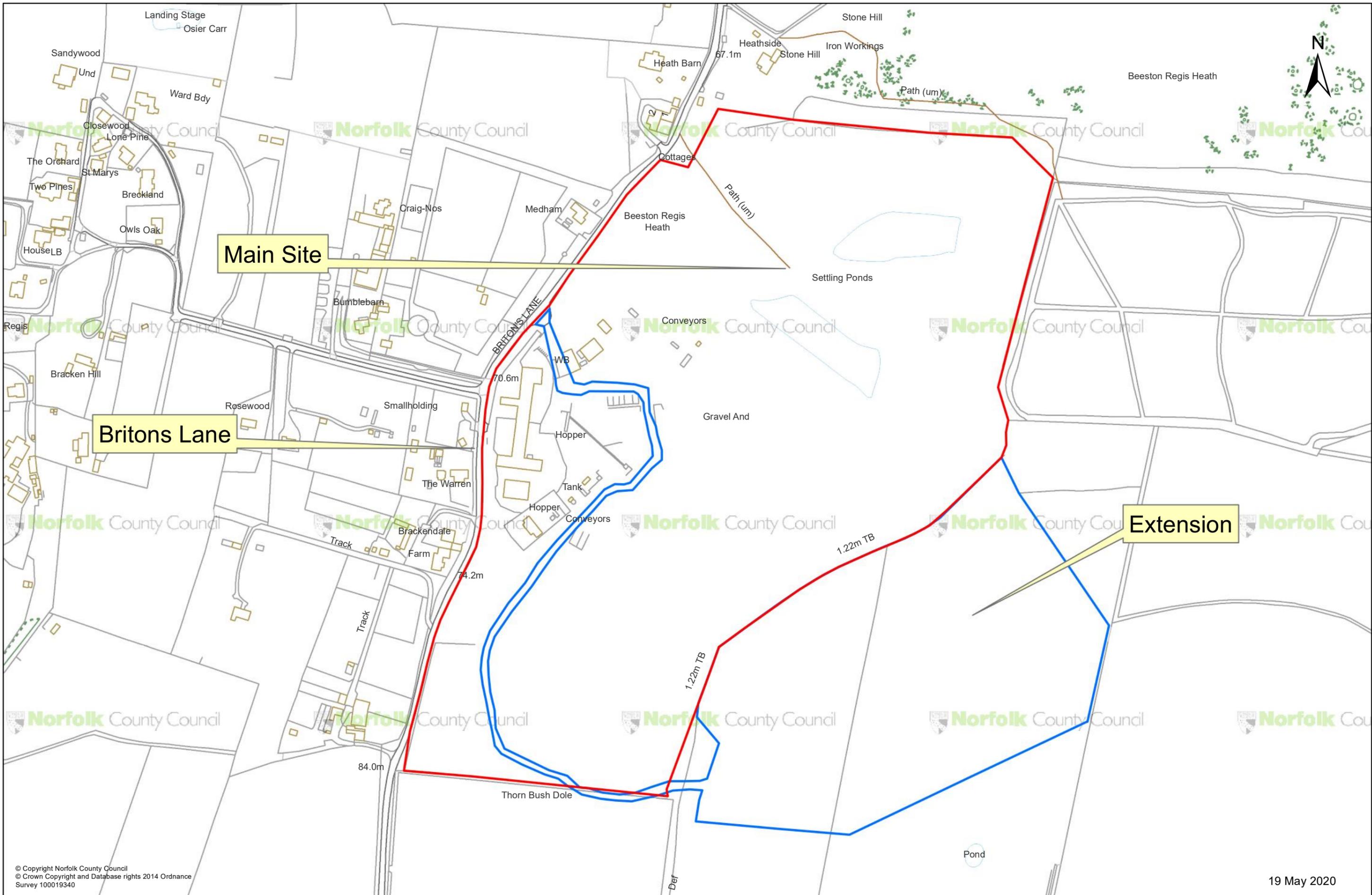


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**Beeston Regis
 Site Plan - Extension**





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**Beeston Regis
 Site Plan - Main Site**



Planning (Regulatory) Committee

Item No. 6

Report title:	FUL/2020/0005: Land off A140/A1270 northern junction, Cromer Road, Norwich
Date of meeting:	5 June 2020
Responsible Chief Officer:	Tom McCabe, Executive Director of Community and Environmental Services
Proposal and applicant: Creation of a new recycling centre (RC) to deal with household waste and small amounts of trade waste, and construction of a new access road from the A140/A1270 northern junction to the site with associated attenuation and infiltration basin for surface water drainage. RC includes installation of a surface and foul water drainage system, hardstanding, staff welfare office and reuse shop (with photovoltaic panels) for onsite sale of waste items suitable for reuse, and ancillary small-scale sale of non-recycled items (Christmas trees, logs, compost bins and green waste sacks). (Director of Highways and Waste, Norfolk County Council)	

Executive summary

Planning permission is sought for the creation of a new Recycling Centre and construction of a new access road arm from the A140/A1270 with associated surface water drainage. Six letters of correspondence were received from the public with three of these explicitly objecting to the planning application, hence in accordance with the Council's Constitution the application needs to be determined by the Planning (Regulatory) Committee.

The proposal complies fully with the NMWDF Core Strategy (2011). Whilst it is considered that the application is not fully in accordance with the existing Broadland District Council HNF2 Allocation on the basis it is not does provide airport related employment and is a sui generis use, the proposal is not considered to undermine, or be a departure from the plan as a whole because of the essential infrastructure the RC would deliver in terms of the new access arm from the public highway and associated drainage infrastructure which would be of benefit in bringing forward the whole allocation.

The proposal accords with the development plan and National Planning Policy Framework and would deal with waste in a sustainable manner, driving waste management up the waste hierarchy in accordance with the National Planning Policy for Waste (2014).

Recommendation:

That the Director of Highways be authorised to:

- I. **Grant planning permission subject to the conditions outlined in section 13.**
- II. **Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.**
- III. **Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

1. The Proposal

- 1.1 Type of development : Recycling Centre to deal with household waste and small amounts of trade waste
- 1.2 Site area : 4.2 hectares (including access to A140 and surface water drainage features)
- 1.3 Annual tonnage : Up to 20,000 tonnes per annum.
- 1.4 Market served : North Norwich and surrounding area
- 1.5 Duration : Permanent
- 1.6 Hours of working / operation : Summer Hours (1 April – 30 September)
Monday to Sunday 7am – 19.30pm
Winter Hours (1 October – 31 March)
Monday to Sunday: 7am – 17.00pm
Closed Christmas Day, Boxing Day and New Year's Day.
- 1.7 Access : New access created from A140/A1270 northern roundabout
- 1.9 Description of proposal
The application seeks full planning permission for the development of a new Recycling Centre (RC) on land directly to the north of the A1270 Broadland Northway. The proposal includes a new access road that would be approximately 450 metres in length and connect the site to the A1270 / A140 Cromer Road Roundabout using the stub that was provided at the roundabout during its construction. In addition, the scheme makes provision for surface water drainage for the new road and RC with proposed associated attenuation and infiltration basins located to the south of the new road near to the new point of access at the A1270 / A140 roundabout.
- 1.10 The new RC is being proposed as a replacement for the existing Mile Cross Recycling Centre which is due to close before September 2021 when the County Council's lease to operate the site expires. The site would be designed to be capable of accepting up to 20,000 tonnes per annum of waste predominantly from households and small amounts of trade waste. As with other County Council Recycling Centres, provision would be made to collect hazardous wastes such as Waste Electrical and Electronic Equipment (WEEE) and oils all year round with annual waste events for other wastes such as paints etc.
- 1.11 The RC would have two points of access onto the new estate road in order to separate the public accessing the site from articulated lorries dropping off skips and removing waste. It is proposed to have a split level design and on entering the site vehicles would use the turning circle at the northern most point of the site before doubling back and accessing the visitor parking area where waste would be dropped from the higher level (along the north western boundary of the site), into the skips/containers and waste transfer area below. This would allow both waste to easily be deposited by the public and also for the lower level of the site

to be maintained by staff.

- 1.12 The scheme includes the provision of a 200 metres² single storey building that would be used for a reuse shop for the onsite sale of items suitable for reuse. This would be located in the southern part of the recycling centre approximately 1/3 of the way into the site with parking provision provided in front of it. It is also proposed that other non-recycled products would be retailed from the site (on a small scale) such as Christmas trees, logs, compost bins and green waste sacks that would complement the sale of reused items. The building itself would be 22 metres x 9 metres with a gently pitched roof. Adjoined to the north-western end of the reuse shop would be a single-story office measuring 10 metres by 7 metres. Photovoltaic panels would be attached to the southern elevation of the entire roof of both buildings in order to provide at least 10% of the site's energy requirements. A small kiosk measuring 3m x 3m would also be present at the north eastern end of the site. The buildings would be steel framed and grey in colour. The site would be enclosed by a 1.8 metre high chainlink security fence topped with three rows of barbed wire giving a total height of 2.3 metres. CCTV cameras would also be mounted to the 6 metres tall lighting columns proposed for additional security of the site.
- 1.13 The proposal is part of a wider masterplan to develop this wider area to the north of the A1270 which will be known as the Broadland Enterprise Park comprising predominantly B1, B2, and B8 commercial and industrial uses, a prospective hotel development (C1) and a park and ride development. Although the proposed new access from the Cromer Road A1270 / A140 Roundabout has been designed to a standard to cater for all the traffic associated with these uses, the commercial, industrial and hospitality uses proposed would form part of separate application(s) determined by Broadland District Council on the basis they will not be County Matters.

2. Site

- 2.1 The application site for the RC itself comprises of an area of land that previously formed part of the curtilage of Norwich International Airport before it was separated by the construction of the A1270 Broadland Northway which opened in 2018 and located directly to the south of the site. The taxiways etc. have been removed and the area now has the appearance of a fallow field. To the west of the site where both the access/estate road and lagoons would be located is agricultural land currently in arable use. To the north of the RC site is also arable land and to the east is further vacant land that was formerly part of the Airport.
- 2.2 Further to the east of the RC is the relocated site of the City of Norwich Aviation Museum which is some 230 metres from the site. The nearest residential property to the site, Old Paddock Barn is approximately 225 metres east of the recycling centre. This property is the nearest of a cluster of several other dwellings also a similar distance away at West Lane Farm.
- 2.3 The application site including the proposed RC itself sits within the Horsham St. Faith and Newton St Faith parish. A small section of the application site at its western most end lies within the Horsford Parish adjacent to the A140 and A140/A1270 northern roundabout where the new access would be formed.

3. Constraints

3.1 The following constraints apply to the application site:

- Site lies within the Norwich Airport Safeguarding Area
- Grade 3 Agricultural Land
- Site overlies Groundwater Protection Zone 3
- The site is approximately 800 metres from the Horsham St Faiths Conservation Area
- The site is approximately 900 metres from the St Faiths Priory Scheduled Ancient Monument (SAM)

4. Planning History

4.1 As stated above the site proposed for the RC itself previously formed part of the curtilage of the Norwich International Airport before it was separated by the construction of the A1270 Broadland Northway. The County Planning Authority does not hold any planning history for this part of the site or for the agricultural field where the access road would be located.

5. Planning Policy

Development Plan Policy

5.1 **Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2016 (2011) (NMWDF)**

CS5: General location of waste management facilities

CS6: General waste management considerations

CS7: Recycling, composting, anaerobic digestion and waste transfer stations

CS13: Climate change and renewable energy generation

CS14: Environmental protection

CS15: Transport

DM3: Groundwater and surface water

DM4: Flood Risk

DM6: Household Waste Recycling Centres

DM7: Safeguarding Aerodromes

DM8: Design, Local landscape and townscape character

DM10: Transport

DM12: Amenity

DM15: Cumulative impact

DM16: Soils

5.2 **Broadland Development Management Development Plan Document (DPD) (2015)**

GC1: Presumption in favour of sustainable development

GC4: Design

GC5: Renewable Energy

EN1: Biodiversity and Habitats

EN2: Landscape

EN3: Green Infrastructure

EN4: Pollution

- 5.3 **Broadland District Council Site Allocations Development Plan Document (DPD) (2016)**
Site Allocation: HNF2
- 5.4 **Joint Core Strategy for Broadland, Norwich and South Norfolk (2014)**
- Policy 1: Addressing climate change and protecting environmental assets.
 - Policy 2: Promoting Good Design
 - Policy 3: Energy and Water
 - Policy 5: Economy
 - Policy 19: Hierarchy of Centres
- 5.5 **Adopted Neighbourhood Plan for Horsham St Faith and Newton St Faith**
There is currently no Neighbourhood Plan in place nor proposals to adopt a Neighbourhood Plan.
- 5.6 **Adopted Neighbourhood Plan for Horsford (2018)**
HBE3: High Quality Design

Other Material Considerations

- 5.7 **The National Planning Policy Framework (2019)**
- 1: Building a strong competitive economy
 - 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
- 5.8 **Emerging Greater Norwich Local Plan (Regulation 18 stage)**
- 5.9 **National Planning Policy for Waste (2014)**
- 5.10 **Our Waste, Our Resources: A Strategy for England (2018)**
- 5.11 **Waste Management Plan for England (2013)**

6. Consultations

- 6.1 Broadland District Council (BDC) : First consultation: BDC supports the principle of the application. Noted that the site is within the Policy HNF2 allocation and that its requirements should be considered appropriately. Requested further clarity on how the scheme fits within the wider masterplan. Highlighted the need to ensure the site is properly landscaped given the functional building design and open nature of the site in accordance with the Policy; currently this is not considered to the case.
- Second consultation: Updated information relating to the planning policy and masterplan is noted. Appreciate the issues with regards to planting in proximity to the airport and requests whatever can be done to minimise the visual impact of the

- development within the site's constraints.
- 6.2 Horsham St Faith and Newton St Faith Parish Council : Raise no objection to the proposed facility but were very concerned at the access and egress arrangements which will place a heavy overload on a roundabout which is already very congested at some times of the day.
- 6.3 Horsford Parish Council : Fully support the new recycling centre.
- 6.4 Environmental Health Officer (Broadland) : First consultation: Notes that the application acknowledges that noise particularly from people using the facility will be clearly audible but considers this reasonable for the location. Recognizes the presence of a 4-5 metres high bund that has not been taken into account in the noise assessment but is unsure how loud the impact noises would be at the receptor and requests further clarification on how the impact noises of scrap metal will be minimized on site with regards to minimized drop heights. Queried whether impact can be minimized by covering containers.
Second consultation: No response received.
- 6.5 Environment Agency : First consultation: No objections subject to conditions concerning surface water management and land contamination. Highlights that an Environmental Permit would be required and advises developer to contact the EA's permitting service to discuss this.
Second consultation: No objections subject to previously recommended conditions concerning surface water management and land contamination.
- 6.6 Lead Local Flood Authority (NCC) : First Consultation: No objection subject to the submission of further details relating to the Flood Risk Assessment Drainage Strategy prior to the commencement of development.
Second Consultation: No objection (as per original comments).
- 6.7 Highway Authority (NCC) : No objection subject to delivery of the access road prior to commencement of first use of the facility.
- 6.8 Norfolk Historic Environment Service (NCC) : No objection subject to conditions concerning the submission, implementation and documentation of an archaeological written scheme of investigation on the basis that there is potential for previously unidentified heritage assets with archaeological interest to be buried within the site.

- 6.9 Ecologist (NCC) : First consultation: Ecology Assessment is fit for purpose. Support use of meadow mixture grassland but would like to see more biodiversity enhancements. However, the constraints of planting in the vicinity of the airport are recognized.
- Second consultation: No objections to revised planting – as previously stated would like to have seen more biodiversity enhancements but recognize the constraints of planting in the vicinity of the airport.
- 6.10 Arboriculturist (NCC) : First consultation: There are very minor impacts that have been addressed in the submitted Arboricultural Impact Assessment (AIA). The retained trees will be protected adequately in line with the Tree Protection Plan (TPP) in Appendix 4 of the AIA.
- Second consultation: No objections to revised landscaping plan. Is satisfied the Arboricultural and mitigation requirements will be fully addressed providing there is continues liaison with the appointed Arboricultural Consultant.
- 6.11 Green Infrastructure & Landscape Officer (NCC) : First consultation: Whilst the constraints of planting in the vicinity of the airport and finding difficulties in finding suitable species are acknowledged, they support the use of native species and consideration of more biodiversity enhancements.
- Second consultation: No objection to the revised landscape plans that are understood to have been agreed in line with discussions with Norwich Airport.
- 6.12 Norwich International Airport : First consultation: Holding objection - has some concerns with the proposed landscaping and drainage designs particularly given that from experience open water SUDS do not always perform as designed.
- Will also be looking to include conditions with regards to the installation of solar PVs lighting and crange.
- Second consultation: Certain elements of the proposed development cause the airport concerns. Object to the application unless the following conditions are applied to the grant of permission:
- PV panels are designed and mounted to prevent glare from dazzling or distracting pilots or air traffic controllers;

- The applicant ensures any use of tall equipment/cranes during construction of the site are completed in accordance with the British Standard and CAP1096 with the airport notified (6-8 weeks) in advance.

Third consultation: Clarified that the Airport does not object to this application provided that the reworded conditions are included in the grant of any planning permission.

- 6.13 Civil Aviation Authority : No response received.
- 6.14 City of Norwich Aviation Museum : No response received.
- 6.15 County Councillor (Mr D Roper) Hevingham & Spixworth Electoral Division : To be reported.
- 6.16 County Councillor (My T Adams) Drayton & Horsford Electoral Division : To be reported.
- 6.17 Representations
The application was advertised by means of neighbour notification letters, site notices, and an advertisement in the Eastern Daily Press newspaper.
- 6.18 Six letters of correspondence were received from the public with three of these explicitly objecting to the planning application. The grounds of objection and concerns raised are summarised as follows:
- The proposals to create a new access onto existing roundabout would cause the roundabout to become gridlocked and tailbacks onto the southbound carriageway of the A140 itself which already suffer from tailbacks at peak times;
 - There should be a range of access alternatives to avoid a direct access from the existing A140 roundabout;
 - Noise from both on site operations and lorry and skip movements (including reversing beepers) - the RC would produce significant additional noise pollution to the neighbours and residents of Horsham St Faith which is already detrimentally impacted by the Broadland Northway;
 - Wind-blown litter from the RC being deposited on surrounding properties;
 - The potential for the increase in fly tipping on surrounding farmland due the presence of the RC which neighbouring landowners would become responsible for;
 - Would like to see more detail on 're-use' facility – is there any plan to repair items which could be re-used such as domestic electrical appliances?
 - The impact of the RC on the airport and the danger posed to aircrafts from

the attraction of birds to the site.

7. Assessment

7.1 The issues to be assessed for this application are:

7.2 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”.

7.3 In terms of the development plan, the County Planning Authority considers the relevant policy documents in relation to this application to be the Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2016 (the “NMWDF Core Strategy”), the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), and the Broadland Development Management Development Plan Document (2015) and its other associated Development Plan Documents including its Site Allocations Development Plan Document (DPD) (2016)

7.4 Neighbourhood Plans also form part of the development plan and whilst almost of the entirety of the application site falls within the Horsham St Faith and Newton St Faith Parish which does not have a Neighbourhood Plan in place, a very small part of the application site where the new access road would be created onto the A1270/A140 roundabout falls within the Horsford Parish which does have a Neighbourhood Plan in place. However, on the basis of how little of the application site falls within the parish, and that the Neighbourhood Plan does not explicitly deal with waste management development, the Plan is given minimal weight in the planning balance.

7.5 Whilst not part of the adopted development plan, emerging planning policies are also material planning considerations and are given more weight depending on how close they are to adoption. Furthermore, policies within the National Planning Policy Framework (2019), and the Government’s National Planning Policy for Waste (2014) and their Waste Management Plan for England (2013) are also further material considerations of significant weight.

7.6 In the context of NMWDF Core Strategy Policy CS5: *General location of waste management facilities*, the RC would be regarded as a ‘strategic’ waste facility given its proposed throughput of 20,000 tonnes of waste per annum. On the basis the site is both within the Norwich Policy Area and very well related to the major road network, the site is compliant with this policy.

7.7 NMWDF Policy CS6: *Waste management considerations* states that waste sites should be developed in accordance with Policy CS3 and will be acceptable, provided they would not cause unacceptable environmental impacts, on the following types of land:

- a) land already in waste management use;
- b) existing industrial/employment land or land identified for these uses in a Local Plan or DPD;
- c) other previously developed land; and,
- d) contaminated or derelict land.

- 7.8 The site can be split into two parts in terms of the existing land use. The site of the Recycling Centre itself (2.5ha) and its associated temporary construction compound would be located on part of the former airport runway that was previously part of Norwich Airport before it was separated by the Broadland Northway. The runway has since been removed and has clearly undergone a level of remediation to allow the fixed structure to be blended into the landscape to a degree that it would not meet the NPPF's definition of previously developed land. However, the site would fall under the definition of being contaminated land and therefore compliant with Policy CS6 given the contaminants identified in the applicant's Geotechnical and Geo-environmental Report arising from the site's former use as an airfield, as underlined by the Environment Agency in their response to the planning application.
- 7.9 The site of the new 450-metre-long access road and associated drainage infrastructure (some 1.7ha) does not however lie on this former area of runway/airport but on part of an agricultural field currently in arable use. In land use terms it largely falls in the southernmost part of land allocated for employment uses in Broadland District Council's adopted Site Allocations under Policy HNF2. The proposed lagoon and attenuation basin do not however fall within this allocation and furthermore it should be noted that the current policy HNF2 requires both that the use falls within the B1, B2 or B8 use class, and that the use is one that benefits from an airport location. The HNF2 Site Allocation itself is discussed in further detail below, but in terms of the new access road and associated infrastructure, because it falls largely on land identified for employment in Broadland's DPD, it is also considered compliant with NMWDF Policy CS6. Furthermore, it would also provide essential infrastructure for the entire employment allocation and not solely the Recycling Centre (which isn't in strict accordance with Policy HNF2).
- 7.10 Notwithstanding that the site is broadly in accordance with Policy CS6, adopted NMWDF Policy DM6: *Household Waste Recycling Centres* recognizes there is in any case provision to use greenfield sites in instances where a suitable site that complies with Policy CS6 cannot be found, in order to meet the demand for the major housing and employment growth planned (including to the north east of Norwich). As part of their planning statement the applicant demonstrated that a Site Selection process had been undertaken assessing as many as 32 sites in attempting to locate a replacement site for the existing Mile Cross Site before pursuing this current planning application.
- 7.11 NMWDF Core Strategy Policy CS7 supports the development of new recycling facilities, provided these would not cause unacceptable environmental, amenity and/or highway impacts. These impacts are assessed in detail below, but subject to there not being unacceptable impacts, the principle of the development at this site in land use terms is considered acceptable and would not be a departure from the NMWDF Core Strategy.

7.12 Broadland Site Allocations DPD: Policy HNF2

In Broadland District Council's DPD Policies Map, the land falls outside any settlement limit but within both land protected for 'Transport Improvements - for the Proposed Northern Distributor Road' and also within the 'Airport Development Boundary'. Since adoption of the Broadland's Development Management Policies and Policies Map in 2015, the Broadland Northway has now been built and opened which in turn separated the northern part of the former runway where the RC itself would be located, from the rest of the airport, and it is now vacant land that has undergone a degree of remediation. A large proportion of the application area, including almost all of the entirety of the proposed site for the RC, is located within the wider allocation HNF2 of Broadland's Site Allocations Development Plan Document adopted in 2016. The allocation is for employment uses benefitting from an airport location (proposals need to demonstrate this), and reference is made in the policy to inter alia, uses to be within use classes B1, B2 and B8 (no more than 50% per use class), substantial tree belts and landscaping at the boundaries of the site, access to be provided directly from the A140 / A1270 interchange. Reference is also made to a masterplan being produced for the whole site showing a co-ordinated approach to bringing forward the development. These points are referenced in Broadland District Council's (BDC) consultation response.

7.13 The proposed RC does not fully accord with this policy. Whilst access would be from the Broadland Northway interchange via a new road, the waste management use proposed is a sui-generis one and therefore does not fall under the B1, B2 or B8 use classes. Furthermore, the proposal would not specifically benefit from being located near to the airport, and the close proximity to the airport actually limits the amount of landscaping that can take place. The limited landscaping that is possible because of the location near to the airport would also apply to most other uses and therefore it would be difficult for any use to fully comply with the policy for substantial tree belts and landscaping. However, in their consultation response BDC also referenced that policy HNF2 is proposed to be amended in the Greater Norwich Local Plan. During the recent Regulation 18 public consultation into the draft Greater Norwich Local Plan (GNLP), it included changes to Policy HNF2/GNLP0466R 'to allow a full range of employment uses to come forward including those benefitting from a location close to the airport'. Whilst still at an early stage of production, this emerging policy is nonetheless material in the determination of this application and is therefore afforded weight in the planning balance.

7.14 With reference to the wider Masterplan for the wider HNF2 allocation, the applicant was able to provide a site context plan for the Recycling Centre and how it would fit within the wider 'Broadway Enterprise Park'. However, the Masterplan itself will be both delivered by a third party and submitted to the District Council for determination. Due to the sequencing of the planning applications, whilst no approved plans for the wider site can be illustrated at this stage, the applicant has worked with the other stakeholders to ensure the proposals would not undermine delivery of the wider Masterplan. Furthermore, whilst the waste management use proposed here is a sui-generis one, it is one that is more akin to other B2 uses that would be encouraged to the site and furthermore a number of waste management uses do fall under the B2 use class. Modern Recycling Centres dealing with household waste are well managed clean

sites with wastes quickly removed from the site for onward transfer and recycling or disposal off site. It is not therefore considered that this use of land would jeopardise other future developments on the wider site.

- 7.15 Given the clear intentions of the GNLP to remove the requirement of Policy HNF2/GNLP0466R to only allow employment uses benefitting from the airport location, and that the circa 2.5 hectare Recycling Centre would only consume a small part of the wider 35 hectare employment allocation and also provide key infrastructure for the Enterprise Park including the new access arm from the A140/A1270 as well as a number of jobs, the application is not considered to undermine the overall aims of either the Broadland Site Allocations DPD or the emerging GNLP. It is therefore considered to be in accordance with the development plan as a whole.
- 7.16 Although JCS seeks to direct new retailing to a hierarchy of centres defined in Policy 19, the retail element would be low key/small scale and secondary to the main use of the site as a Recycling Centre. The retail element would not impact on the vitality and viability of the city or its surrounding local centres and King's the proposal would not undermine the aims of this policy.
- 7.17 Waste Hierarchy
- The Government's National Planning Policy for Waste (2014) is the most direct relevant national policy guidance which underlines that the planning system is pivotal to the timely and adequate provision of waste facilities. This scheme would assist with the overarching thrust of dealing with waste in a more sustainable manner i.e. through recycling and recovery of waste and therefore driving waste management up the waste hierarchy (and only disposing of it as a last resort). Furthermore, the site would provide an easily accessible replacement recycling centre for north Norwich and its hinterland that would also be well positioned to cater for future housing growth that is proposed including to the north east of the city. The application is therefore considered to comply with the aims and objectives of this policy and the Government's 'Our Waste, Our Resources: A Strategy for England' which similarly seeks to promote the management of waste up the waste hierarchy.
- Amenity (noise, dust, light pollution etc)**
- 7.18 Policy DM12 of the adopted NMWDF states that development will only be permitted where it can be demonstrated that the scale, siting and design of a proposal is appropriate and that unacceptable impacts to local amenity would not arise from the construction and/or operation of a facility. This echoes policy NMWDF CS14: *Environmental protection* which also seeks to avoid unacceptable impacts on amenity. Broadland Development Management DPD policies GC4 and EN4 also give regard to the protection of existing residential amenity and permitting development that would not have significant impact on human health.
- 7.19 The nearest residential property to the site is Old Paddock Barn located approximately 225 metres east of the recycling centre. This property is the nearest of a cluster of several other dwellings also a similar distance away. Although there are not yet any other extant permissions relating to the Broadland HNF2 Allocation, it should be borne in mind that in the balance of probabilities the rest of the proposed Broadland Enterprise Park will be populated in the coming years with a mixture of other commercial and industrial businesses including on

land between the Recycling Centre itself and the residences. However only some weight should be afforded to this in the planning balance on the basis it is not an absolute certainty the Enterprise Park will be populated in the future.

- 7.20 With regards to the actual regulation of an operation such as this, in accordance with paragraph 183 of the NPPF and the National Planning Policy for Waste, the County Planning Authority needs to focus on whether proposed development is an acceptable use of land, rather than the control of processes or emissions, and the CPA needs 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). However, it is the role of the Environmental Permit (which the facility would also require before it can operate) as issued by the Environment Agency to actually control emissions such as noise, odour and dust through conditions, and Planning Authorities should assume this regime will operate effectively.
- 7.21 A Noise Assessment was submitted with the application which assessed both noise levels from operations themselves as well as from expected changes in traffic flow due to vehicles accessing the site. This identified the potential for an adverse noise impact at the residential dwellings on West Lane Farm. On this basis the Broadland's EHO requested further information in relation to how the impact noises of scrap metal would be minimized on site with regards to minimized drop heights as well as whether the impact can be minimized by covering containers. In response the developer provided some further clarification on the points of drop heights and emphasised efforts would be made to limit noisy activities where possible. No further response has yet been received by the EHO. However, as set out above, the Environment Agency (EA) would actually regulate noise from the site through the Environmental Permitting regime, and no issues have been raised by the EA with regards to this issue. It is therefore reasonable to assume noise can be controlled through appropriate management of the site which would be regulated by the Environmental Permit.
- 7.22 It is not anticipated that the site would give rise to issues of dust or odour due to the nature of the waste that would be dealt with on site. As outlined above, the site would also be regulated by a permit issued by the Environment Agency and subject to this it is not expected to give rise to adverse impact on amenity.

Design/Landscaping

- 7.23 NMWDF Policies CS14: Environmental protection and DM8: *Design, local landscape and townscape* character both seek to only permit development that does not have unacceptable impacts on the character and quality of the landscape. Policy 2 of the Joint Core Strategy and GC4 of the Broadland Development Management DPD promote good design and refer to proposals having regard to the environment, character and appearance of an area.
- 7.24 The new RC would be built on land that was formally part of Norwich Airport but which now has the appearance of a fallow field. The other infrastructure namely the new access road drainage infrastructure would be constructed on an existing arable field.
- 7.25 In terms of physical development on site, this would comprise a 200m² single storey building that would be used for a reuse shop and adjoined to its north-

western end would be a single-story office/welfare building measuring 10 metres by 7 metres. Photovoltaic panels would be attached to the southern elevation of the entire roof of both buildings. A small kiosk measuring 3m x 3m would also be present at the north eastern end of the site. The buildings would be steel framed and grey in colour. The site would be enclosed by a 1.8 metre high chain-link security fence topped with three rows of barbed wire. Waste receptacles would comprise smaller containers, lidded containers and open '40-yard containers'. The site would have a functional appearance however many of the skips and containers themselves would be at the lower level of the site thus slightly reducing the visual impact of the development.

- 7.26 An Arboricultural Impact Assessment (AIA) was lodged with the application confirming that no existing trees would need to be removed to accommodate the development and that all existing trees would be retained in accordance with the British Standard (BS5837:2012). The initial landscaping scheme proposed was amended following concerns raised by Norwich International Airport on the basis of the risk it posed in terms of attracting birds.
- 7.27 The revised scheme subsequently submitted proposes that the Recycling Centre (RC) includes a 5 metres wide belt of native understorey planting to the northern and southern boundaries within the proposed security fencing to visually contain the site facilities and carparking and provide year round screening. A wider tree belt would be planted along the northern boundary of the RC and further native trees would be planted at the entrance to the site and along the access road boundary.
- 7.28 Blocks of native planting would also provide screening to the infiltration basin proposed to be located to the south of the new access road (adjacent to the roundabout) which would otherwise be a highly visible feature. This would incorporate species mixes carefully selected to avoid attracting larger birds.
- 7.29 The Council's Green Infrastructure and Landscape Officer raises no objection to the revised Landscape Plans. Whilst it would have been desirable to see an even greater degree of screening and landscaping in accordance with Broadland Policy HNF2 for what is proposed to be a functional use of this site on land that is at grade with the Broadland Northway, both the presence of the airport directly to the south and the size of the site itself represent constraints in achieving this. This would however also be the same for any other potential B1, B2 or B8 use locating here in accordance with the HNF2 Site Allocation. Furthermore, the site is also very likely to be surrounded by other commercial and industrial uses as the Broadland Enterprise Park develops. On balance the proposals are therefore acceptable in landscape terms and compliant with the development plan policies outlined above.

Biodiversity and geodiversity

- 7.30 NMWDF Core Strategy policies CS14 and DM1 both seek to protect adverse impacts on biodiversity including nationally and internationally designated sites and species.
- 7.31 An Ecological Assessment of the site was carried out prior to the application being lodged which identified only one priority habitat within the site: a short length of hedgerow located in the western part of the site and extending northwards outside the site boundary. This would however be retained in

development of the site.

- 7.32 The County Ecologist highlighted that whilst it would have been preferable to see more biodiversity enhancements proposed, the constraints of the nearby airport are recognized. No objection was raised to the proposal subject to the mitigation measures detailed in the Ecology Assessment being followed with regards to besting birds. Subject to this condition, the application accords with the above policies.

7.33 Appropriate Assessment

The site is situated within both 2.5 kilometres of both the River Wensum Special Area of Conservation (SAC), and also the Broadland Special Protection Area (SPA) which also forms part of the Broads SAC. 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.

Transport

- 7.34 Policies CS15: *Transport* and DM10: *Transport* states that waste management facilities must not result in unacceptable risks to road users and pedestrians or unacceptable impacts on the capacity or efficiency of the highway network. The applicant submitted a transport statement for the application which detailed the proposed new highway from the stub that was provided on the A1270 / A140 Cromer Road North roundabout when it was designed as part the Broadland Northway, as well as the impact on the public highway from vehicles accessing the Recycling Centre itself.
- 7.35 The existing arm of the roundabout would be reprofiled and extended into the site to form a single carriageway to provide access for motorised vehicles to the Recycling Centre as well as other priority junctions for other individual elements likely to occupy the wider Broadland Enterprise Park. The 450 metres long access arm has therefore been designed to a specification to cater for all traffic likely to be associated with the other developments and uses proposed. A two metre footway would be provided a part of this application on the southern side of the road to enable pedestrian access to the site, and the applicant also advises that in the longer term a three metre shared footway cycle way would also be provided once the Park has been built out however this would be maintained as amenity grass in the short term.
- 7.36 Two points of access would be created from the new estate road. For traffic arriving at the site, the first (most western access point) would be for the public accessing the site where vehicles would enter the internal access road heading north-eastwards before doubling back and reversing into one of the bays provided to deposit waste. The second would be a separate access solely for servicing vehicles of which there is anticipated to be some 20 per day (40 movements in total) removing waste from the site. The facility is expected to deal with up to 20,000 tonnes of waste per annum (including small amounts of trade

waste) which would be a 5,000 tonne increase from the existing Mile Cross Recycling Centre.

- 7.37 A total of 31 parking spaces would be provided for public use split across the site in addition to the eight allocated for staff parking. Seventeen of these would be 3 metres wide bays set an angle with the internal road in the waste disposal part of the site for members of the public depositing waste, and the remaining 14 spaces to the south of the office and reuse shop. This is considered adequate for the site during its peak periods such as Sundays, however if the length of stay per visitor exceeds 10 minutes (the average length of stay is anticipated to be between 7 and 10 minutes), the internal access road within the site has been designed to accommodate 38 vehicles to ensure traffic does not block the main access road. With reference to the concerns relating to the impact on the existing A140/A1270 Cromer Road roundabout, it is therefore very unlikely that issues would be created from traffic queuing from the RC given the measures proposed and the distance to the roundabout itself (over 400 metres). Eight cycle stands would also be provided.
- 7.38 The Highway Authority raises no objection to the application subject to conditions requiring submission of detailed design drawings for the offsite highway improvements and access road and completion of the road prior to first use of the Recycling Centre. On this basis the proposal accords with policies CS15 and DM10.

Sustainability

- 7.39 NWMDF Core Strategy Policy CS13 encourages new waste developments to generate renewable energy on-site with a minimum of 10% generated from decentralised and renewable or low-carbon sources. Joint Core Strategy Policy 3: Energy and Water states development in the area where possible will minimise the reliance on non-renewable high-carbon energy sources and maximise the use of decentralised sources and renewable sources, and Broadland Policy GC5 states integration of renewable technology will be encouraged where its impacts are acceptable.
- 7.40 A Sustainability Statement was submitted as part of the application which set out a number of sustainability measures that would be employed relating to the design and construction of the proposed development. Significantly the new facility would include solar PV panels on the roof of the reuse and office building in order to generate at least 10% of the site's energy requirements in compliance with this policy. Notwithstanding the above, the proposed development itself would contribute to sustainability objectives by supporting the reuse and recycling of waste. If permission is granted, a condition is proposed to secure the implementation of this element of the scheme in order to ensure compliance with these policies subject to approval from the Airport to ensure the PVs proposed would not cause glint and glare.

Impact on Heritage Assets

- 7.41 Conservation Area
NWMDF Policy DM8: *Design, local landscape and townscape character* states development will only be permitted where it could affect the setting of, inter alia, Conservation Areas where the development can demonstrate the development

would not adversely impact on the historic form, character and or setting of these locations. The site is approximately 800 metres from the Horsham St Faiths Conservation Area. In addition to the above development plan policy, Conservation Areas are afforded additional protection by both the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, and by section 16 of the NPPF: *Conserving and enhancing the historic environment*. Given the distance from the proposed site to the Conservation Area, and the nature of the scheme which would not permit any significant built development beyond a single storey office and reuse building, it is not considered that the scheme would cause any level of harm to the heritage asset. The proposal is therefore considered to accord with both policy DM8 and section 16 of the NPPF.

7.42 Scheduled Monument

NMWDF Policy DM9: *Archaeological Sites* states development will only be permitted where it would not adversely affect the significance of heritage assets (and their settings) of national importance. Where proposals for waste management facilities would affect a Scheduled Ancient Monument (including their settings), there will be a presumption in favour of preservation in *situ*. The site is within 900 metres of St Faiths Priory Scheduled Ancient Monument (SAM). Unlike Conservation Areas, Scheduled Monuments are not afforded additional protection by the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 but chapter 16 of the NPPF does require the County Planning Authority to consider the level of harm that could be inflicted on the heritage asset by the development. Again, given both the distance from the proposed site to the Scheduled Monument, and the nature of the scheme which would only permit low level buildings and infrastructure within the new RC, it is not considered that the scheme would cause any level of harm to the heritage asset.

7.43 Archaeology

NMWDF Policy DM9: *Archaeological Sites* also states applicants whose proposals could potentially affect heritage assets, or which are in areas with high potential for archaeological interest, will be required to prepare and submit an appropriate desk based assessment. In commenting on the planning application, the County Council's Historic Environment Officer advised that there is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains of Anglo-Saxon date) to be present within the site and their significance would be affected by the proposed development. Accordingly the Historic Environment has recommended that the application if permitted be subject to conditions requiring the submission of a archaeological written scheme of investigation (WSI) which will include an assessment of significance, that the development shall not take place except in accordance with the submitted scheme, and that the development should not be put into first use until the site investigation and post investigation has been completed in accordance with the programme in the submitted WSI. Subject to this condition the proposal is in accordance with Policy DM9.

Groundwater/surface water

- 7.44 NMWDF policy DM3: *Groundwater and surface water* seeks to ensure that developments do not adversely impact on ground water quality or resources,

or surface water quality or resources. This policy underlines NMWDF policy CS13: *Environmental Protection* which to ensure there are no unacceptable impacts on natural resources, including water. Policy 1 of the Joint Core Strategy also seeks to protect groundwater sources.

- 7.45 As highlighted by the Environment Agency (EA) in their consultation response, the site is within source protection zone 3 upon a principal aquifer and on this basis the controlled waters are particularly sensitive at this location. Given the previous use of the site as part of an airfield, as well as the contaminants identified in the applicant's Environmental Desk Study Report the EA advised further detailed information would be required before built development is undertaken.
- 7.46 The EA recommended a number of conditions relating to a preliminary risk assessment and further site investigation being undertaken, submission of a long term monitoring and maintenance plan in respect of contamination, a remediation strategy should further contamination be found, no drainage for the infiltration of surface water without written permission by the County Planning Authority (CPA), piling or any other foundation designs not being permitted other than with express permission by the CPA, and a scheme to be submitted for treatment and disposal of sewage. The EA advised that it considers planning permission can be granted with these conditions however without them the scheme would pose an unacceptable risk to the environment.
- 7.47 Whilst the applicant made a further submission to address a number of these points, including that the proposed method of sewage disposal is by cesspit (as outlined in the planning application, a response has not yet been received from the EA. Therefore, should Members be minded to grant permission, the application would be subject to these conditions in order to ensure the development does not pose a risk to groundwater and that the proposal is compliant with these policies.

Flood risk

- 7.48 Policy CS13: *Environmental protection* states that applicants must ensure that flood risk is not increased as a result of new waste management sites and that they can be developed and operate without unacceptable flood risk to the site itself and surrounding area. NMWDF policy DM4: *Flood risk* only seeks to permit waste management sites that do not increase the risk of flooding.
- 7.49 The entirety of the application site falls in flood zone 1, and Flood Risk Assessment (FRA) was submitted as part of the application in accordance with chapter 14: *Meeting the challenge of climate change, flooding and coastal change* of the NPPF where paragraph 163 requires an FRA for proposals of 1 hectare or greater in flood zone 1 (the site area for the application is some 4.5 hectares).
- 7.50 As part of the proposal, the development includes a surface water drainage scheme consisting of a geo-cellular infiltration system (due to potential contamination arising from the waste handling area) whilst the access road would utilise both an isolation basin and an infiltration basin. For the RC, this will not discharge via infiltration but by a foul water network with the exception of the waste handling area which would be served by a separate trade effluent storage

tank. The isolation basin and infiltration basin serving the road would be located at the western most end of the site adjacent to the existing Cromer Road roundabout and the slip road to the eastbound lane of the Broadland Northway. The smaller attenuation basin would act as an isolation basin for the containment of pollution spills before they enter the infiltration area which will allow the discharge of water to the ground.

- 7.51 The FRA concluded that the proposed development is considered suitable for the site in line with the NPPF and that flooding from all other sources including, overland flow, sewer flooding, infrastructure failure and groundwater have also been considered and found to be low. The County Council's Lead Local Flood Authority (LLFA) commented that it welcomed that Sustainable Drainage Systems (SUDS) have been proposed in the development. The LLFA raised no objection subject to a condition requiring submission of further details of the design of the drainage strategy prior to the commencement of development. On this basis the proposal accords with policies DM2: Core River Valleys and DM4: *Flood Risk* of the NMWDF and chapter 14 of the NPPF.

Protection of agricultural land

- 7.52 The whole of the application site is located on what is classified as Grade 3 agricultural land. The site of the RC itself along with the compound is located on land where the Airport runway previously was whereas largely all of the rest of the site, namely the access road and associated drainage infrastructure is in productive agricultural use for arable farming. Therefore, if this application is approved and the permission enacted it would result in the loss of some 1.7hecatres of agricultural land.
- 7.53 A soil survey has not been undertaken to ascertain whether the land is Grade 3a or 3b and whilst the supporting text to NMWDF policy DM16: *Soils* recognizes there is not expected to be a great need to locate new waste management facilities on agricultural land, development is only precluded from Grade 1 agricultural land (unless there are exceptional circumstances) by this policy. Furthermore, the site is located within the 35 hectare Broadland HNF2 site allocation for Employment which is predominantly currently in productive agricultural use and will therefore be likely to be lost regardless of this planning application. The proposal is therefore compliant with this policy.

Aerodrome Safeguarding

- 7.54 On the basis the site is within the Norwich International Airport Safeguarding Area, both the Airport and the Civil Aviation Authority were consulted to ensure compliance with NMWDF Policy DM7: *Safeguarding Aerodromes*. The Airport initially objected to the proposal on the basis of concerns both with the proposed landscaping and drainage designs particularly given that from their experience open water SUDS have not always performed as designed.
- 7.55 As a result, the applicant has amended the proposed landscaping scheme and also lodged a bird hazard management plan to ensure the scheme does not pose an increased hazard of bird strike during either the construction or operation phase of the development.

7.56 Following the second formal consultation with the Airport, it commented that certain elements still cause concern and that it objects unless certain conditions were applied to the permission. These relate to:

- the proposed solar panels to be designed not to cause glare or distraction (this would be demonstrated through a lint and glare assessment);
- The Airport should be notified of any plans to erect tall equipment/cranes 8 weeks in advance of doing so.

7.57 In their response the Airport had also made reference to notifying both the Airport and the Civil Aviation Authority (CAA) in accordance with the Town and Country Planning (Safeguarding of Aerodromes, Technical Sites, and Military Storage Areas) Direction 2002 if the County Council proposed to grant permission contrary to the Airport's advice. Further clarity was sought from the Airport on this matter which confirmed that the Airport does not object to the application provided that the reworded conditions are included in the grant of any planning permission. Therefore, as the Airport does not object, the CPA would not have to have recourse to the above Direction and reconsult the Airport or the CAA if Members are minded to approve the application.

7.58 Accordingly, subject to conditions 13.6, 13.7 and 13.8 forming part of any conditional planning permission, the application is considered to comply with NMWDF policy DM7.

Environmental Impact Assessment

7.59 A formal Screening Opinion was requested by the developer in accordance with Regulations 6 of the Town and Country Planning Environmental (Impact Assessment) Regulations 2017 in April 2019 (reference: C/5/2019/5002). A negative Screening Opinion was adopted to the effect an Environmental Impact Assessment would not be required. The application was also screened on receipt and re-screened at the determination stage and it is still considered that the development would not have significant impacts on the environment. No Environmental Impact Assessment is therefore required.

Responses to the representations received

7.60 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.

7.61 The issues raised relating to the highway impacts (including on the A140/A1270 roundabout), noise and airport safety have all been addressed in the report. Windblown litter would not be likely to be an issue due to the nature of household waste dealt with on the site and also that the site will need to have an Environmental Permit in place which would in any case address this issue.

7.62 With regards to fly tipping, the site would be open all year round with the exception of Christmas Day, Boxing Day and New Year's Day accepting a range of hazardous and non-hazardous wastes. Although it is not expected that fly tipping would increase as a result of the development, fly tipping is a criminal offence and would need to be followed up by the appropriate authorities.

- 7.63 With regards to the 're-use' element, whilst minor repairs might be made to goods to enable them to be sold in the re-use shop, it is not the intention to carry out wholesale repairs to waste products that are deposited at the site.

The Community Infrastructure Levy

- 7.64 The development is CIL liable on the basis the floorspace proposed by the development exceeds 100 metres².

7.65 Local Finance Considerations

- 7.66 In accordance with Section 70(2) of the Town and Country Planning Act 1990 (as amended) the County planning authority must have regard to a local finance consideration as far as it is material. Section 74 of the 1990 Act defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown, or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

- 7.67 In this instance is not considered that there are local finance considerations material to this decision.

8. Resource Implications

- 8.1 **Finance:** The development has no financial implications from the Planning Regulatory perspective.
- 8.2 **Staff:** The development has no staffing implications from the Planning Regulatory perspective.
- 8.3 **Property:** The development has no property implication from the Planning Regulatory perspective.
- 8.4 **IT:** The development has no IT implications from the Planning Regulatory perspective.

9. Other Implications

9.1 Human rights

- 9.2 The requirements of the Human Rights Act 1998 must be considered. Should permission not be granted Human Rights are not likely to apply on behalf of the applicant.
- 9.3 The human rights of the adjoining residents are engaged under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission may infringe those rights but they are qualified rights, that is that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity. However, in this instance it is not considered that the human rights of adjoining residents would be infringed.
- 9.4 The human rights of the owners of the application site may be engaged under the First Protocol Article 1, that is the right to make use of their land. An approval of planning permission may infringe that right but the right is a qualified right and

may be balanced against the need to protect the environment and the amenity of adjoining residents.

9.5 Equality Impact Assessment (EqIA)

9.6 The Council's planning functions are subject to equality impact assessments, including the process for identifying issues such as building accessibility. None have been identified in this case.

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

9.8 **Communications:** There are no communication issues from a planning perspective.

9.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.

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

10. Section 17 – Crime and Disorder Act

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

11. Risk Implications/Assessment

11.1 There are no risk issues from a planning perspective.

12. Conclusion and Reasons for Granting Planning Permission

12.1 The planning application seeks to develop a County Council Recycling Centre and a new road to serve it on land that is formerly part of Norwich Airport, and part existing agricultural land that is currently in arable use. Whilst the proposal is considered compliant with both the land use and development management policies in the NMWDF Core Strategy (2011), the proposal does not fully comply with the Broadland Site Specific Allocations DPD (2016) and specifically policy HNF2 within which both the RC and new access road lie. This requires uses to be within the B1, B2 or B8 use classes and proposals to be able to benefit from an airport location. However, the emerging Greater Norwich Local Plan proposes to amend this Allocation to allow a full range of employment uses to come forward 'including those benefitting from a location close to the airport'

12.2 Although it is still at an early stage of adoption, given the intent of the emerging GNLP Policy HNF2/GNLP0466R to remove this policy requirement (relating to the Airport), and that the (circa 2.5 ha) RC would only consume a small part of the wider 35 hectare employment allocation whilst also providing key infrastructure for the Enterprise Park including the new access arm from the A140/A1270, as well as a number of jobs, the application is not considered to undermine the overall aims of either the Broadland Site Allocations DPD or their development plan as a whole, and this is given significant weight in the planning balance.

12.3 Furthermore, the site would provide an easily accessible replacement recycling

centre for north Norwich and its hinterland that would also be well positioned to cater for future housing growth that is proposed including to the north east of the city.

- 12.4 Whilst 6 representations have been received raising concern about the proposal (3 explicitly object to the development), it is considered that subject to conditions, the scheme can be operated without unacceptable impacts on amenity, the landscape, the highway network, ecology, groundwater and surface water, flood risk, and without posing a risk to the safe operation of Norwich Airport.
- 12.5 The proposal accords with the development plan taken as a whole and the National Planning Policy Framework and would deal with waste in a sustainable manner, driving waste management up the waste hierarchy in accordance with both the National Planning Policy for Waste (2014), and the Resources and Waste Strategy for England (2018).
- 12.6 The proposed development is considered acceptable and there are no material considerations suggesting it should not be permitted. Accordingly, full conditional planning permission is recommended.

13. Conditions

- 13.1 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.

- 13.2 Except where overridden by this schedule of conditions, the development must be carried out in strict accordance with the application form and plans and documents (including their recommendations) accompanying the application.

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

- 13.3 No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

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.

- 13.4 No development shall take place other than in accordance with the written scheme of investigation approved under condition 3.

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.

- 13.5 The development shall not be put into first use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 3 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

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

- 13.6 Prior to the commencement of development, the applicant shall submit a Glint and Glare Assessment to ensure the solar panels as detailed on drawing reference 'NCC Waste Recycling Centre Elevations: Buildings, dated 30 January 2020, are designed and mounted to prevent glare from dazzling, or distracting pilots and air traffic controllers, to the County Planning Authority for approval in writing in consultation with Norwich International Airport.

Reason: To avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or flare in accordance with Policy DM7: Safeguarding Aerodromes of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 13.7 The scheme approved pursuant to condition 6 for onsite solar panels shall be installed in accordance with the approved details prior to first use of the building and retained for the lifetime of the development.

Reason: In the interests of sustainability and to ensure the principles of sustainable development are met in accordance with Policy CS13 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026 and Policy 3 of the Joint Core Strategy for Broadland, Norwich and South Norfolk.

- 13.8 Prior to the commencement of development, a Construction Management Plan shall be submitted to the County Planning Authority for its approval in writing (in consultation with Norwich Airport) to ensure the use of tall equipment (over 10 metres in height) and / or cranes are used in accordance with British Standard 7121 and CAP1096 and that The Airport is notified of plans to erect such equipment or cranes 8 weeks in advance. The plan shall make provision for:

- i) The date the tall equipment or crane will be erected;
- ii) The anticipated duration of the tall equipment/cranes' existence;
- iii) OSGB grid coordinates of all the tall equipment/cranes' proposed position to 6 figures each of Eastings and Northings;
- iv) The proposed height of the tall equipment/crane Above Ordnance Datum (AOD), and;
- v) A contact telephone number of the tall equipment/crane operator and the site owner for use in an emergency.

The approved scheme shall be strictly complied with and implemented for the duration of all construction works associated with the Recycling Centre.

Reason: To ensure that tall equipment/cranes on this site or on any adjoining

land do not endanger the safe movement of aircraft or the safe operation of the aerodrome or Norwich International Airport including through interference with communication, navigational aids and surveillance equipment, in accordance with Policy DM7: Safeguarding Aerodromes of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 13.9 Prior to commencement of development, in accordance with the submitted Flood Risk Assessment and Drainage Strategy (ref. Norwich Waste Recycling Centre, 60601196), sufficient detailed information is submitted to include:
- i) Finished ground floor levels of buildings must be at a minimum of 300mm above the anticipated flood levels from all sources (including to the drainage system). It is also recommended that the finished ground floor levels are at least 150mm above post development ground levels with ground sloping away from buildings to prevent ponding. Where there is uncertainty in the flood levels, this freeboard allowance should be increase to 600mm.
 - ii) The details of how all surface water management features will be designed in accordance with the SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
 - iii) The design of the infiltration basin will incorporate an emergency spillway and appropriate freeboard allowances in all the proposed drainage structures. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event plus 40% climate change allowance. Consideration should be given to the expected depths and velocities.
 - iv) Submission of a sufficient maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 163, 165 and 170 by ensuring the satisfactory management of local sources of flooding 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.

- 13.10 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 and for the new access road as indicated on Drawing No PQ3035-MP-103 has been submitted to and approved in writing by the County 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 Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 13.11 Prior to the first use of the development hereby permitted, the off-site highway improvement works (including Public Rights of Way works) and the access road referred to in condition 9 shall be completed to the written satisfaction of the County Planning Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 13.12 No operation authorised or required under this permission shall take place on Christmas Day, Boxing Day or New Year's Day or other than from:
07:00 to 19:30 hours between 1 April to 30 September, and;
07:00 to 17:00 hours between 1 October to 31 March.

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.

- 13.13 No material other than 20,000 tonnes per annum of household or trade waste shall be brought onto and sorted on the site.

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.

- 13.14 No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the County Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the County Planning Authority:
- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are undertaken.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect and prevent the pollution of the water environment (particularly groundwater associated with the underlying Secondary and Principal Aquifers, from potential pollutants associated with current and previous land uses) in line with National Planning Policy Framework (NPPF; paragraphs 170 and 178), EU Water Framework Directive, Anglian River Basin Management Plan

and Environment Agency Groundwater Protection Position Statements (2018).

- 13.15 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect and prevent the pollution of the water environment (particularly groundwater associated with the underlying Secondary and Principal Aquifers, from potential pollutants associated with current and previous land uses) in line with National Planning Policy Framework (NPPF; paragraphs 170 and 178), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2018).

- 13.16 No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan, a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the County Planning Authority.

Reason: To protect and prevent the pollution of the water environment (particularly groundwater associated with the underlying Secondary and Principal Aquifers, from potential pollutants associated with current and previous land uses) in line with National Planning Policy Framework (NPPF; paragraphs 170 and 178), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2018).

- 13.17 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the County Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the County Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of the water environment (particularly groundwater associated with the underlying Secondary and Principal Aquifers, from potential pollutants associated with current and previous land uses) in line with National Planning Policy Framework (NPPF; paragraphs 170

and 178), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2018).

- 13.18 No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the County Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: Infiltration through contaminated land has the potential to impact on groundwater quality. To ensure that the proposed deep drainage does not harm groundwater resources in line with paragraph 170 of the National Planning framework and Groundwater Position Statement G9 – Use of deep infiltration systems for surface water or sewage effluent disposal of the Environment Agency’s approach to groundwater protection

- 13.19 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater. The National Planning Policy Framework paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution.

- 13.20 The development hereby permitted shall not be commenced until such time as an assessment for the treatment and disposal of sewage has been submitted to, and approved in writing by, the local planning authority. Should the discharge of sewage by use of a sewage treatment system be deemed appropriate, the scheme shall be implemented as approved. Should the discharge of sewage by use of a sewage treatment system be deemed inappropriate, the proposed cesspool system must be constructed to approved standards, and the applicant must ensure that they have appropriate provision for the future emptying and maintenance of that system.

Reason: To ensure the most appropriate means of foul drainage disposal are adopted. Paragraph 170 of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution.

- 13.21 The development shall not take place except in strict accordance with the requirements of the ‘Revision: Bird and Wildlife Hazard Management Plan’ dated 28 April 2020.

Reason: To ensure that development of or operation of the Recycling Centre and

associated infrastructure does not endanger the safe movement of aircraft or the safe operation of the aerodrome or Norwich International Airport including through interference with communication, navigational aids and surveillance equipment, in accordance with Policy DM7: Safeguarding Aerodromes of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 13.22 The development shall not take place exception in strict accordance with the requirements of the 'Hopkins Ecology' Ecology Assessment' dated 30 January 2020.

Reason: To protect any protected species that may be present on site in accordance with Policy DM1 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 13.23 The development shall not take place exception in strict accordance with the requirements of the Arboricultural Impact Assessment dated 30 January 2020.

Reason: To ensure the protection of existing trees in the interest of the amenities of the area, in accordance with Policies DM9 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 13.24 No external lighting shall be installed on the site unless it is maintained such that it will not cause glare beyond the site boundaries.

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

- 13.25 Within 6 months of first use of the Recycling Centre, the 'Additional land required during construction (Temporarily)' identified on drawing reference number PQ3035-MP-103, shall be reinstated to its original (current) condition prior to development of the site.

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.

Background Papers

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

<https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/minerals-and-waste-planning-policies/adopted-policy-documents>

Broadland District Council Development Management DPD (2015)

https://www.broadland.gov.uk/downloads/download/161/development_management_dpd

Broadland District Council Site Allocations DPD (2016)

https://www.broadland.gov.uk/downloads/file/1308/site_allocations_dpd_adopted_2016

Joint Core Strategy for Broadland, Norwich and South Norfolk (2014)

https://www.broadland.gov.uk/downloads/file/1310/joint_core_strategy_adopted_document_2014

Greater Norwich Local Plan: Regulation 18 Consultation (Horsham & Newton St Faith)

<https://www.gnlp.org.uk/assets/keydocuments/villageclusters/Horsham-and-Newton-St-Faith.pdf>

The National Planning Policy Framework (NPPF) (2019)

<http://planningguidance.planningportal.gov.uk/>

Planning Practice Guidance (2014)

<http://planningguidance.planningportal.gov.uk/>

National Planning Policy for Waste (2014):

<https://www.gov.uk/government/publications/national-planning-policy-for-waste>

Waste Management Plan for England (2013)

<https://www.gov.uk/government/publications/waste-management-plan-for-england>

Officer Contact

If you have any questions about matters contained in this paper or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

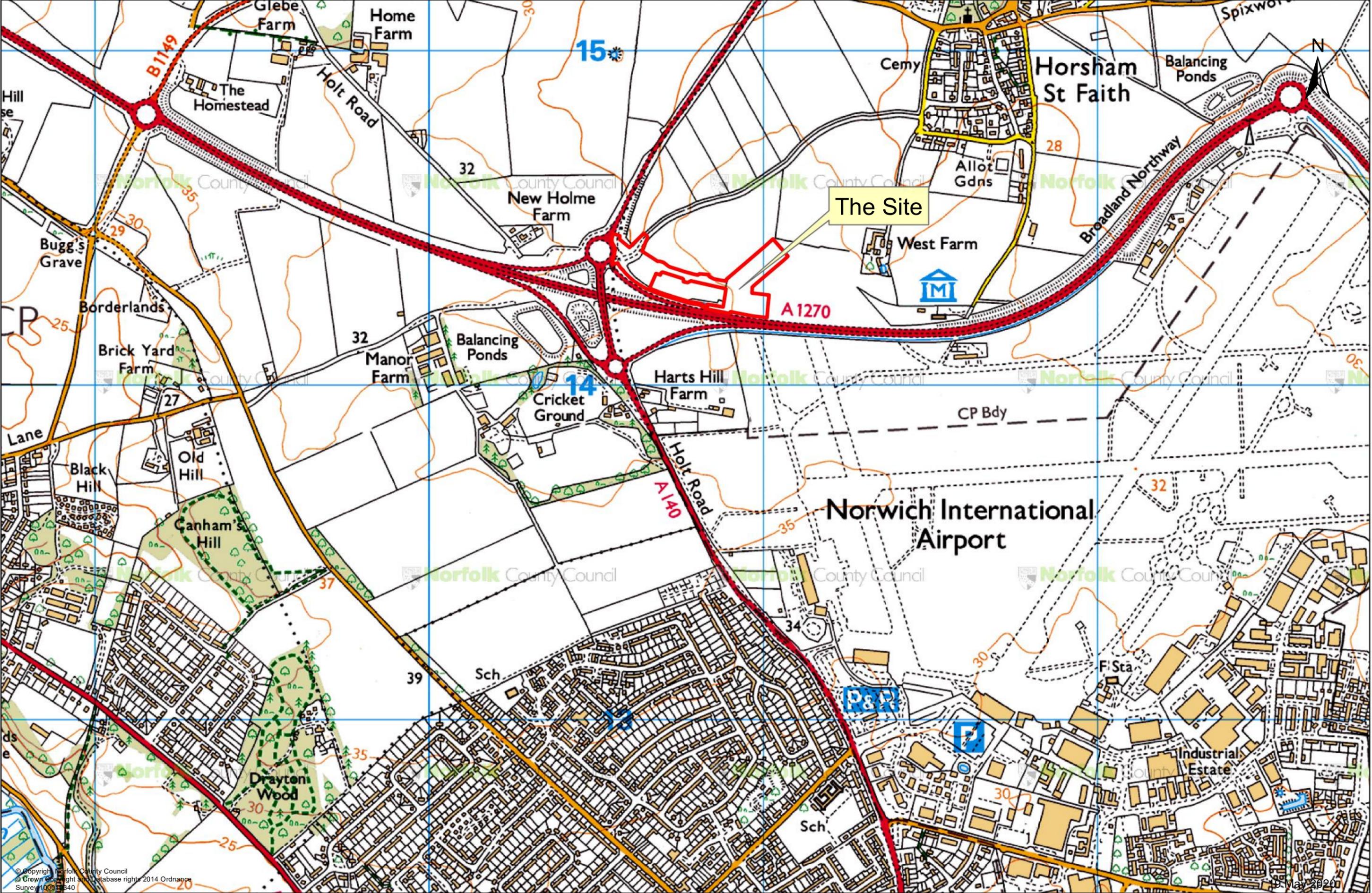
Officer name : Ralph Cox

Tel No. : 01603 223318

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

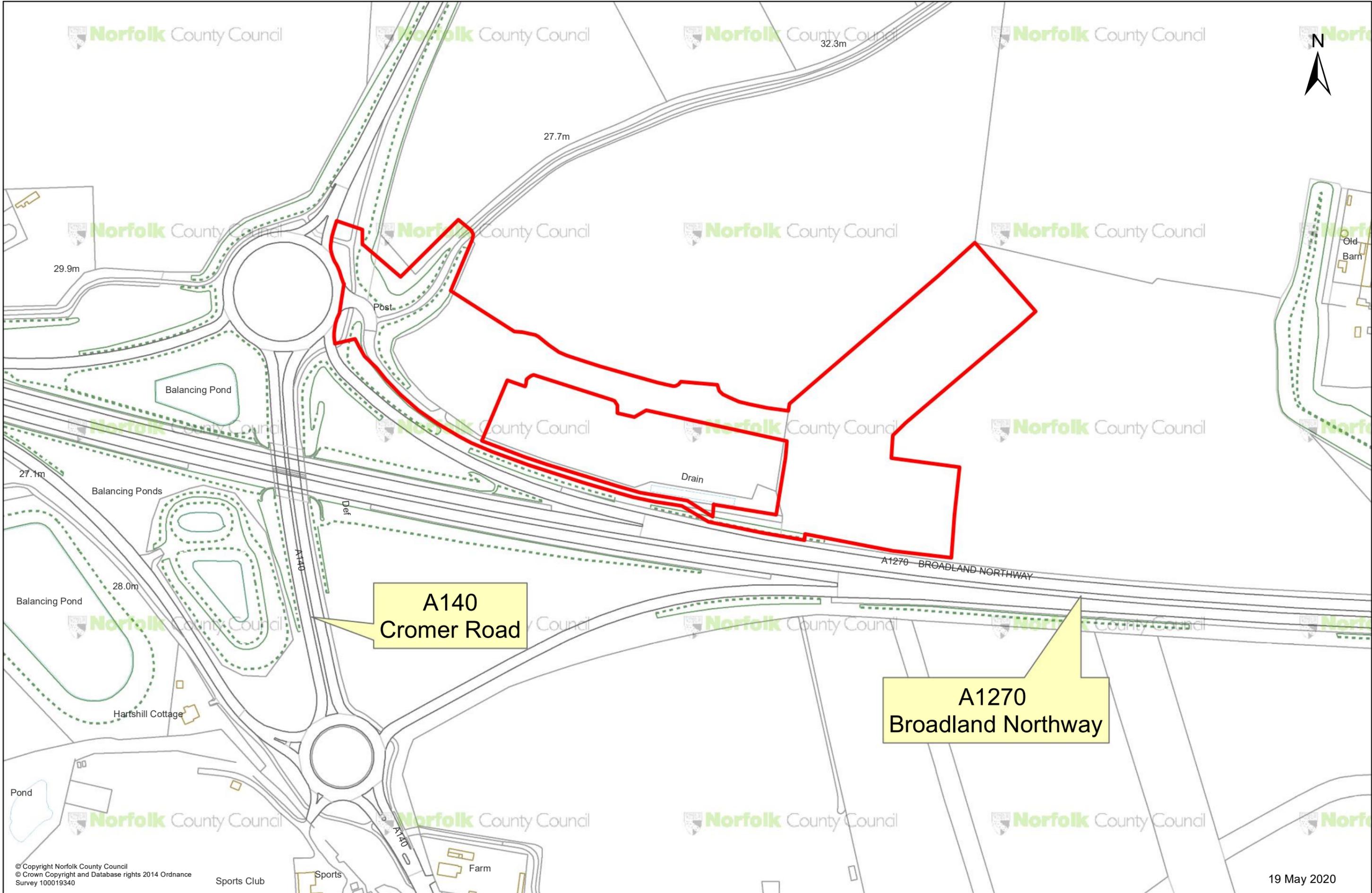


Norwich Recycling Centre
Location Plan



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18 May 2020



**A140
Cromer Road**

**A1270
Broadland Northway**

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**Norwich Recycling Centre
Site Plan**

