

Planning (Regulatory) Committee

Date: **Friday 16 October 2020**

Time: **11am**

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

To view the meeting please follow this link: <https://youtu.be/4SLhoNBogYA>

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 Colin Foulger (Chairman)

Cllr Brian Long (Vice-Chairman)

Cllr Roy Brame

Cllr Mike Sands

Cllr Mick Castle

Cllr Eric Seward

Cllr David Collis

Cllr Bev Spratt

Cllr Danny Douglas

Cllr Martin Storey

Cllr Brian Iles

Cllr Tony White

Cllr William Richmond

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 from committees@norfolk.gov.uk

A g e n d a

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

2. Minutes

(Page 4)

To confirm the minutes from the Planning (Regulatory) Committee meetings held on 4 September 2020

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/2019/0067: Ernest Gage Avenue, Longwater Industrial Estate, Costessey, Norwich, Norfolk, NR5 0TL

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Report by the Executive Director of Community and Environmental Services

Tom McCabe
Head of Paid Service
County Hall
Martineau Lane
Norwich
NR1 2DH

Date Agenda Published: 8 October 2020



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**Planning (Regulatory) Committee
Minutes of the Meeting Held on 4 September
at 11am on Microsoft Teams (virtual meeting)**

Present:

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

Cllr M Castle
Cllr D Collis
Cllr D Douglas
Cllr B Iles

Cllr W Richmond
Cllr M Storey
Cllr T White

Substitute Members Present

Cllr Bev Spratt for Cllr Stephen Askew
Cllr Vic Thomson for Cllr Roy Brame

Also Present

Hollie Adams	Committee Officer, Norfolk County Council
Mr Philip Atkinson	Lanpro; speaking on behalf of a resident about application FUL/2020/0017
Ralph Cox	Principal Planner, Norfolk County Council
Mr Stephen Daw	Speaking on behalf of the applicant of applications FUL/2019/0058, FUL/2019/0059 and FUL/2019/0062
Kay Gordon	Highways Development Management Officer (Breckland), Norfolk County Council
Mr Richard Hawker	Speaking as member of Hockering Parish Council about application FUL/2020/0017
Nick Johnson	Head of Planning, Norfolk County Council
Jane Linley	Team Lead (Planning & Environment), nplaw
Michael Zieja	Planner, Norfolk County Council

1. Apologies and Substitutions

- 1.1 Apologies were received from Cllr Roy Brame (Cllr Vic Thomson substituting), Cllr Stephen Askew (Cllr Bev Spratt substituting) and Cllr Eric Seward substituting. Also absent was Cllr Mike Sands.

2 Minutes

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on 21 August 2020 were agreed as an accurate record.

3. Declarations of Interest

- 3.1 No declarations of interest were made.

4. Urgent Business

- 4.1 There was no urgent business.

Applications referred to the Committee for determination.

5. Point of order

- 5.1 The Committee agreed to take item 6, "FUL/2020/0017: Pips Skips, Frans Green Industrial Estate" first and then return to the running order of the agenda

6. FUL/2020/0017: Pips Skips, Frans Green Industrial Estate, East Tuddenham

- 6.1 The Committee received the report setting out the application to install a new waste transfer building to handle paper and cardboard, plastic, textiles and mixed municipal wastes in the south eastern portion of the application site. The net effect would be to allow the site to handle a further 5,000 tonnes of waste. This would result in an increase in HGV's of 5-10 equating to movements of 10-20 per week. The building would provide weather protection for existing activities on site and support an expanding business.

- 6.2.1 The Committee saw a presentation by the Planner; [see Appendix A](#):

- The industrial estate on which the site was based was mainly involved with waste handling operations. The applicant had confirmed that no food waste would be processed on the site in response to concerns raised by a resident
- HGVs travelling from the site were directed away from properties on Sandy Lane using an HGV route; a traffic regulation order was in place to enforce this
- The proposed waste transfer building would help the site operator keep vulnerable materials dry in order to recycle them in a timely manner and would be well screened by the existing tree line
- There would be an environmental permit in place for the site and controls in place to control HGV movements from the site

- 6.2.2 The Chairman queried the opening hours of the site and whether there was a proposal to change these; the Planner confirmed that the opening hours of 06.30-18.00 Monday to Friday and 06.30-13.00 on Saturday were not proposed to be changed as part of the application.

- 6.3 The Committee heard from registered speakers.

- 6.3a.1 Mr Atkinson of Lanpro spoke in objection on behalf of a local resident:

- Mr Atkinson's client was concerned that the planning application was confusing

and misleading and felt that there was no clear justification or assessment of impacts relating to the proposed waste transfer building.

- As the development was in the open countryside Mr Atkinson's client felt that the Committee should ensure that visual and operational impacts could be managed correctly to not harm residents' and highway safety.
- Mr Atkinson explained that the waste transfer building had been justified as accommodation for a new waste baler that would reduce vehicle movements to and from the site and improve recycling rates, resulting in additional road capacity to accept untreated waste and result in an overall nil operational impact. Since submission of the planning application the waste baler had been removed from the scheme and Mr Atkinson's client was concerned that more waste would therefore be processed on site and there would be an increase in vehicle movements, although it was unclear what this increase would be.
- Mr Atkinson's client felt the need for the development was not known and requested that the application was refused or withdrawn until impacts were clear

6.3b.1 Mr Hawker, Member of Hocking Parish Council, spoke in objection:

- Mr Hawker noted that the proposal to install a baler had been removed from the application and therefore was concerned that lorry movements may increase; installing a baler would have reduced lorry movements to and from the site.
- Mr Hawker was concerned about the increase in lorry movements on the HGV route, which he described as a substandard road. He noted that some lorries had been seen turning right down Sandy Lane despite this being prohibited and wondered what could be done to enforce the traffic regulation order on this road.
- There was no condition prohibiting food waste on the site and Mr Hawker felt one should be included to protect against potential processing of food waste and the associated risks of odour and vermin

6.3b.2 The Committee asked the following questions of Mr Hawker

- A Member asked Mr Hawker if there was evidence of the traffic regulation order not being adhered to; Mr Hawker had heard anecdotal reports from residents in the area of Sandy Lane of lorries travelling south and had seen damage to the verge indicating that lorries had turned in this direction
- A Member queried the food waste processing concerns, noting that a licence would be required for this. The Head of Planning confirmed that the applicant did not apply for processing of food waste and did not accept contracts from places dealing with food waste streams. It would be difficult to impose a condition preventing the site from accepting any food waste. In order to place an enforceable condition on the site regarding food waste, the type of food waste would need to be specified, i.e. canteen waste, and it was therefore not deemed applicable in this situation. It was felt that food waste management on site would be best managed under environmental permitting.
- The Highways Development Management Officer (Breckland) confirmed that anyone breaking traffic regulation order could be reported to the police who would take this up with the operator.

6.4.1 Cllr Mick Castle, seconded by Cllr Brian Iles, proposed approving the recommendations.

6.4.2 Councillors were each asked for their vote on the proposal to approve the application (where a Councillor was not present for the whole debate, or was not able to declare their vote due to technical issues, no vote would be recorded)

6.4.3 With 10 votes for (one Councillor was ineligible to vote), the Committee **RESOLVED** to approve that the Executive Director of Community and Environmental Services be authorised to:

- I. Grant planning permission subject to the conditions outlined in section 11 of the report.
- 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.

7. FUL/2019/0058: Earsham Quarry Plant site, Off Bath Hills Road, Earsham, FUL/2019/0059: Earsham Quarry Plant Site, land off Bath Hills Road, Earsham and FUL/2019/0062: Land off Hall Road & Pheasant's Walk, Earsham

7.1 The Committee received the report outlining planning permission for the extension of Earsham Quarry into three new areas of land totalling some 32 hectares. This application, reference FUL/2019/0062, was being considered along with two s.73 applications that would facilitate the extension through allowing the existing plant site to operate for a further 3 years before it would be decommissioned and a new one erected within one of the three extension areas, and to allow for the ongoing disposal of silts in the lake adjacent to the current plant site for a further five years.

7.2.1 The Committee saw a presentation by the Principal Planner; [see Appendix B](#):

- Not all land was proposed for extraction; some would be used for landscaping or stand-off
- The proposed access road would not result in significant tree loss. Existing access to the site would be developed to comply with highways standards
- The site of the proposed extension was on agricultural land which was assessed to not be the best or most versatile, and ecological benefits would be realised from restoration proposed as part of the application
- UK Power Networks had agreed to the relocating of powerlines and underground power cables over part of the proposed extension area
- Improvements would be made to Hall Road including passing bays and widening of the carriageway
- The extension areas were not in the local development plan but were proposed to be in the County Council's emerging minerals and waste plan.
- Conditions 11.25 and 11.27 had been updated following comments from the applicant and County Council's Historic Environment Service and 11.32 had been updated following comments from the applicant and Environmental Health Officer

7.2.1 Committee Members asked questions of the Principal Planner:

- A Member queried the timeline for planting on the bunds; the Principal Planner

confirmed there was a condition that planting was carried out in the next planting season and failures should be re-planted as part of the same scheme

- A Member asked for information on the impact on Angles Way. The Principal Planner confirmed that no footpaths crossed the proposed areas of extraction. The Public Rights of Way Officer had raised no objections to the proposals
- The Principal Planner confirmed that, since the proposed conveyor had no cover, much material would be extracted wet and washed and graded once it reached the site.

7.3 Mr Stephen Daw, the applicant's agent, spoke in support of the application:

- Mr Daw explained that the proposal had been the subject of considerable pre-application consultation with the Mineral Planning Authority; the Applicant had adapted the proposal in accordance with advice received by making alterations to the original scheme including to close the existing plant site and locate the new plant in the extension area favoured by the Mineral Planning Authority (Area 1).
- The Applicant had undertaken pre-application liaisons with the local community, including a meeting with the Parish Council and a day-long exhibition attended by 94 members of the public and local representatives. The Applicant was satisfied that there were no objections to the application and also noted that Earsham Parish Council supported the application.
- Mr Daw explained that, although the Application Area covered 32 hectares comprising three extraction areas, only 19 hectares, 60% of the application area, would be worked for mineral. The remaining 40% would be used to form stand-offs to properties and potential vantage points and many would be subject to advance planting. Extraction would take place in one extraction area at a time, and planning conditions required extraction to be followed by restoration.
- Mr Daw noted that supporting the applications would ensure the existence of a well-respected Norfolk-based aggregates company, secure 15 full-time employment positions occupied by local people and contribute positively to Norfolk's economy

7.4 The Committee moved on to debate:

- In response to a query the Principal Planner confirmed that a land classification survey identified the land for the proposed extension was 3b; loss of this land was a material consideration for Members to consider, weighed against the importance of mineral in the national planning policy mineral guidance and biodiversity and landscape benefits of the restoration that would be carried out as part of the application

7.5.1 Councillors were each asked for their vote on the recommendations (where a Councillor was not present for the whole debate, or was not able to declare their vote due to technical issues, no vote would be recorded)

7.5.2 The Committee unanimously **RESOLVED** that the Executive Director of Community and Environmental Services be authorised, in relation to each of the applications, to:

- I. Grant planning permission subject to the conditions outlined in section 11 including the 3 updated conditions outlined in the Member update report, and two S.106 Legal Agreement in respect of the restoration and aftercare of both

the existing quarry (FUL/2019/0059) and the proposed new quarry (FUL/2019/0062).

- 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.

The meeting ended at 12.35

Chairman



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Planning (Regulatory) Committee

Item No: 5

Decision making report title:	FUL/2019/0067: Ernest Gage Avenue, Longwater Industrial Estate, Costessey, Norwich, Norfolk NR5 0TL
Date of meeting:	16 October 2020
Responsible Cabinet Member:	N/A
Responsible Director:	Tom McCabe, Executive Director of Community and Environmental Services
Is this a key decision?	No
Proposal & Applicant:	Construction and operation of a new industrial building (B2) to house the operation of a Waste Transfer Station, a vehicle depot and ancillary development: Veolia ES (UK) Ltd & Thomson Bros C/O/ Roche
<p>Executive Summary</p> <p>Planning permission is sought for development of a waste transfer station to manage non-hazardous municipal, commercial and industrial waste. The proposal includes construction of a new industrial building to house the operations and relocation of the applicant's existing vehicle depot from elsewhere within the Longwater Estate.</p> <p>Objections and concerns are raised by Costessey Town Council and the Local Member; representation is made by fifteen third parties, six of whom make explicit objection to the proposals. Their concerns relate primarily to increased traffic movements and impacts on residential amenity. The Town Council and Local Member also suggest that in the event that the proposal is approved, contributions be agreed to upgrade the pedestrian crossing on William Frost Way, Longwater Estate and, towards upgrade of the A47 Longwater Interchange. No objections have been raised by statutory consultees, subject to suitably worded conditions being imposed on any grant of planning permission.</p> <p>The key issues are the impacts of the development on the highway network (including the weight to be attached to policies in the emerging Greater Norwich Local Plan pertaining to improvements to the A47 Longwater Junction and pedestrian links to Longwater Estate), residential amenity impacts, groundwater impacts, visual / landscape impacts and ecological impacts. The environmental impacts of the proposal have been carefully considered. It is considered that the proposal would be in accordance with the policies contained within the Development Plan and no material considerations sufficient to outweigh the plan have been identified.</p>	

Recommendation:

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

- I. **Grant planning permission subject to the conditions outlined in section 11.**
- 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. Background

- 1.1. This report deals with a planning application for development of a waste transfer station within the parish of Costessey to manage a maximum 149,000 tpa of non-hazardous municipal, commercial and industrial waste.
- 1.2. From examination of the South Norfolk Council website and the CPA's own records it is understood that the application site relates to an area of land formerly operated as a scrap metal breaking and storage area, permission for which was granted by the District Council in 1975 (PP 07/74/2182F). The officer has not viewed this permission, which is not available on-line. The site is currently unoccupied with exception of the eastern area, part of which is currently used for overnight HGV parking for transfer of Refuse Derived Fuel (RDF) bales, subject of permission ref. C/7/2018/7011, granted by the County Council under delegated authority in 2018; permission expires 21 September 2021
- 1.3. As regards justification for the development, the submitted Planning Statement advises that the purpose of the proposed facility is to reduce road vehicle miles by allowing waste to be transported in larger loads, allow for segregation of wastes and facilitate the management of waste further up the waste hierarchy. The Planning Statement further advises that the applicant's existing vehicle depot is situated some 50m south of the application site, (off William Frost Way, Longwater Estate) and provides for overnight parking of up to 20 RCVs, storage of empty containers/skips and bins, offices and staff welfare facilities, and would be relocated to the application site as part of the proposal.

2. Proposals

2.1. SITE

- 2.2. The application site amounts to some 1.8ha of land situated on the central eastern margins of the Longwater Business/Industrial Park. With exception of the extreme eastern end, which is unsurfaced and overgrown with ruderal vegetation, the application site currently comprises of concrete hardstanding together with a number of small-scale storage/maintenance and office/reception buildings.

- 2.3. Existing vehicular access to the site, which is shared with an adjacent builders merchant business, is via Ernest Gage Avenue to the north, which joins with the public highway to the west.
- 2.4. The application site is bounded by the closed Costessey Landfill Site to the east, the Costessey Resources Recovery Park (RRP) and open storage land/HGV parking to the south, open storage land to the west, with a builders merchant business to the north, beyond which are a Waste Transfer Station and a number of industrial units.
- 2.5. The nearest residential properties are an estate development at Dereham Road, Costessey, located some 380 metres to the south, separated by the RRP facility and Dereham Road
- 2.6. The South Norfolk Local Plan - Site Specific Allocations & Policies DPD – Map 002b Costessey identifies the western end of the application site as being located within the defined development limit which covers Costessey Longwater, whilst the remainder of the site lies outside the defined development boundary
- 2.7. The site is located above Secondary A Aquifer with a Principal aquifer beneath, and overlies Water Framework Directive (WFD) groundwater body and is in a WFD drinking water protected area.
- 2.8. The site is located some 5m west of Costessey Closed Landfill Site, whilst the River Wensum Site of Special Scientific Interest (SSSI) / Special Area of Conservation (SAC) is located approximately 1.06km north of the site.
- 2.9. **PROPOSAL**
- 2.10. Permission is sought for development of a waste transfer station to manage a maximum annual operational throughput of 149,000 tonnes of non-hazardous municipal, commercial and industrial waste. The proposal would also include ancillary development infrastructure and a vehicle deport operation, and would be developed in two phases, as follows:

Phase 1

- Removal and demolition of existing buildings and structures on phase 1;
- Vehicle depot operation and vehicle parking area, to provide parking for 25 Refuse Collection Vehicles (RCVs) and, possible temporary storage of empty containers/skips and bins
- installation of additional weighbridge
- fuel tanks island
- new vehicle wash bay: walls would be grey colour single skin cladding.
- Car parking area/spaces, to provide up to 44 spaces
- New single storey office/welfare building, measuring 24m x 12m, with pitched roof, max. 3.75m high. The walls would be clad in brick slip, whilst the roof would be clad in charcoal ipanel roof tile.
- new 2.4m high weldmesh perimeter fence

Phase 2

- Removal and demolition of existing buildings and structures on phase 2;
- Construction and operation of a new industrial building, to house waste transfer operation: measuring 85.1m x 41m, with shallow pitched roof, max. 13.2m high. The upper elevations/walls and roof would be grey colour metal profiled cladding, lower elevations/walls would be exposed precast concrete panels.
- location of baler inside waste transfer building, for baling paper and card waste
- Construction of new vehicle maintenance workshop building: measuring 19.2m x 16.2m, with shallow pitched roof, max. 8.3m high. The walls would be grey colour steel cladding, with red roller shutter doors and the roof would be grey profiled steel cladding.
- fire suppression system consisting of: a galvanised water tank, 12m high; plant/pump room, 3m x 7m, finished in goosewing grey; sprinkler system within waste transfer building.
- storage of empty containers/skips and bins.
- new 2.4m high weldmesh perimeter fence
- the Planning Statement further advises that there is potential for a shredder to be housed inside the waste transfer building in the future to shred general waste material

Proposed vehicular access to the site would be via Ernest Gage Avenue, which joins with the public highway to the west.

2.11. *Use class*

In addition to waste uses the description of the proposal also includes specific reference to Use Class B2 (General Industrial) which relates to industrial process other than those falling within Use Class B1 (business), (excluding incineration purposes, chemical treatment or landfill or hazardous waste). Historically all waste uses tended to be treated as sui generis (without class), uses requiring explicit grants of planning permission by the county council. However, in recent years there has been an overlap between certain types of waste development and general B2 industrial uses. This is particularly the case for waste management activities enclosed in standard industrial units.

- 2.12. Permissions for B2 (general industrial) are normally granted by the relevant District/Borough Council. Under the Town and Country Planning (Use Classes) Order 1987 (as amended) a change of use within the same class would not constitute development under Section 55 of the Planning Act and as such would not require a separate planning consent. In the event that planning permission is granted, the reference to B2 means that there is the potential for some alternative B2 uses in the future which would not require planning permission.

[It should be noted that Class B1 Business is revoked from 1 September 2020; it is effectively replaced with the new class E(g) Uses which can be carried out in a residential area without detriment to its amenity:

- E(g)(i) Offices to carry out any operational or administrative functions,
- E(g)(ii) Research and development of products or processes
- E(g)(iii) Industrial processes

Use B2 remains valid].

2.13. *Amended Application*

The application as originally submitted proposed a new two-storey office/welfare building. During consideration of the application, the applicant's agent advised that, since submission it has come to the applicant's attention that a single storey office building would work better operationally. The applicant took the decision to amend the proposal such that, a single storey office/welfare building is proposed together with relocation of the proposed fuel tanks, bicycle racks and one parking space.

- 2.14. Ministerial advice on this subject is that it is sensible and time saving to allow applicants for planning permission to amend details of applications provided the amendments do not materially change the character of the development. Given that: the nature, scope and character of the proposal is not changed in a material way; and, as will be demonstrated, the impact of the proposal on the locality arising from the amended building form is not changed in a material way, it was concluded that the subsequent building amendments do not materially alter the basis of the proposal as was originally the subject of advertising. The amended application has been subject to re-consultation.

3. **Impact of the Proposal**

3.1. **DEVELOPMENT PLAN POLICIES**

The following policies of the Norfolk Minerals and Waste Development Framework (adopted 2011) (NMWDF), Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted 2011/2014) (JCS), South Norfolk Local Plan Development Management Policies Document (2015), and the South Norfolk Local Plan Site Specific Allocations & Policies Document (2015) provide the development plan framework for this planning application. The following policies are of relevance to this application:

Norfolk Minerals and Waste Development Framework (2011)

CS3: Waste management capacity to be provided

CS4: New waste management capacity to be provided

CS5: General location of waste management facilities

CS6: General waste management considerations

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

CS13: Climate change and renewable energy generation
CS14: Environmental protection
CS15: Transport
DM1: Nature Conservation
DM3: Groundwater and surface water
DM4: Flood Risk
DM7: Safeguarding Aerodromes
DM8: Design, Local landscape and townscape character
DM9: Archaeological sites
DM10: Transport
DM11: Sustainable construction and operations
DM12: Amenity
DM13: Air Quality
DM15: Cumulative impact

Norfolk Minerals and Waste Development Framework:
Waste Site Specific Allocations DPD (2013)

The application site is not allocated for development in the DPD

Joint Core Strategy for Broadland, Norwich and South Norfolk (2011/14)

Policy 1: Addressing climate change and protecting environmental assets

Policy 2: Promoting good design

Policy 9: Strategy for growth in the Norwich Policy Area

South Norfolk Local Plan Development Management Policies Document (2015)

Policy DM 1.1 Ensuring development management contributes to achieving sustainable development in South Norfolk

Policy DM 1.3 The sustainable location of new development

Policy DM 1.4 Environmental quality and local distinctiveness

Policy DM 2.1 Employment and business development

Policy DM 2.2 Protection of employment sites

Policy DM 3.8 Design Principles

Policy DM 3.11 Road safety and the free flow of traffic

Policy DM 3.12 Provision of vehicle parking

Policy DM 3.13 Amenity, noise and quality of life

Policy DM 3.14 Pollution, health and safety

Policy DM 4.2 Sustainable drainage and water management

Policy DM 4.5 Landscape Character

Policy DM 4.6 Landscape setting of Norwich

Policy DM 4.9 Incorporating landscape into design

Policy DM 4.10 Heritage Assets

South Norfolk Local Plan Site Specific Allocations & Policies Document (2015)

Policy COS 4 Redevelopment of existing uses within the Costessey Longwater Development Boundary

Neighbourhood Plan

The area in which the planning application is located does not have an adopted Neighbourhood Plan or Neighbourhood Plan in progress.

3.2. **OTHER MATERIAL CONSIDERATIONS**

The Revised National Planning Policy Framework (NPPF) was published in February 2019 and sets out the Government's planning policies for England and how these should be applied. Whilst not part of the development plan, policies within the NPPF are also a further material consideration capable of carrying significant weight. The NPPF places a presumption in favour of sustainable development. Paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following sections are of relevance to this application:

- 2. Achieving sustainable development
- 9. Promoting sustainable transport
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

3.3. Additionally, the following documents form further material considerations as part of the planning process in relation to this application:

National Planning Practice Guidance (NPPG)

This guidance provides supporting information to the NPPF but has lower standing than the NPPF as it is not consulted upon or subject to external scrutiny, unlike the NPPF.

National Planning Policy for Waste (NPPW) (2014)

This sets out national planning policy with respect to waste;

Waste Management Plan for England (NWMPE) (2013)

This is the overarching National Plan for Waste Management

Our Waste, our resources: a strategy for England (2018)

This strategy sets out how the Government plans to increase resource productivity and eliminate avoidable waste of all kinds by 2050.

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

3.5. Norfolk Minerals and Waste Local Plan: Preferred Options (2019)
MW2: Development Management Criteria

MW3: Transport

MW4: Climate Change adaption and mitigation

WP1: Waste management capacity to be provided

WP2: Spatial Strategy for waste management facilities

WP3: Land potentially suitable for waste management facilities

WP5: Waste transfer stations, materials recycling facilities, ELV facilities and WEEE recovery facilities

Emerging Greater Norwich Local Plan (2020)

Policy 1: The Sustainable Growth Strategy

Policy 2: Sustainable Communities

Policy 3: Environmental Protection and Enhancement

Policy 6: The Economy

Policy 7.1 The Norwich Urban Area including the fringe parishes

GNLP Carried Forward Allocation Costessey (29/11/2019)

Policy COS 3/ GNLP SL2008 Longwater Employment Area, Costessey

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

3.7. CONSULTATIONS

SOUTH NORFOLK COUNCIL – No response received

DISTRICT COUNCIL ENVIRONMENTAL HEALTH OFFICER (EHO) –

Suggests that a condition is imposed to require a site investigation in advance of development works to ensure that any significant contamination is dealt with in advance of development beginning.

DISTRICT COUNCIL WATER MANAGEMENT OFFICER –

Comments that the LLFA is the statutory consultee for providing the technical assessment of the flood risk and surface water drainage aspects

NATURAL ENGLAND – No objection

Advise that, "the development has no direct pathway to influence the internationally designated site. Natural England consider that Likely Significant Effects can be ruled out because of the distance from the designated site, combined with the proposals that both surface and foul waters will be directed through the sewerage system and be treated before reaching the river."

ENVIRONMENT AGENCY –

No objection, subject to conditions in relation to groundwater and contaminated land. Provide advisory comments in relation to environmental permitting.

HIGHWAY AUTHORITY –

Original submission:

No objection in principle.

Amended application/additional info:

No further comments to make

HIGHWAYS ENGLAND – No objection

HISTORIC ENGLAND – Comment that, on the basis of the information provided the CPA do not need to notify Historic England of this application

ANGLIAN WATER SERVICES LIMITED –

Original submission:

Used water network

The sewerage system at present has available capacity for these flows. Provide a number of informatives in relation to connection to the public sewer

Surface water disposal

Advise that the preferred method of surface water disposal would be to a sustainable drainage system with connection to sewer seen as the last option.

The surface water strategy / FRA is acceptable

Recommend a condition in relation to surface water disposal

Amended application/additional info:

No additional comments to add.

LEAD LOCAL FLOOD AUTHORITY –

Original submission: Standing advice response:

This application falls below our current threshold for providing detailed comment because it is not, inter alia, within a surface water flow path as defined by Environment Agency mapping.

Advise that the CPA satisfy itself that the applicant has demonstrated compliance with the NPPF paras. 155 -165 by ensuring that the proposal would not increase flood risk elsewhere and will incorporate sustainable drainage systems.

The applicant should also demonstrate how the proposal accords with national standards and relevant guidance.

Subsequent response:

After re-reviewing the documents provided, we are happy that our standing advice response is sound. The applicant has provided sufficient information to demonstrate that they will be putting mitigation measures in place to mitigate concerns regarding the office building being built in/on the edge of a 3.33% AEP and 1% AEP rainfall event surface water flood risk extent.

Amended application/additional info:

No comments to make.

COUNTY COUNCIL'S ECOLOGIST –

Original submission:

Raises objection on grounds of insufficient information in relation to presence/absence of bats.

Additional information:

No objection, subject to conditions in relation to: biodiversity enhancement; EPS licence, lighting design strategy and, landscape works.

COUNTY COUNCIL'S ARBORICULTURIST –

Comments that AIA is fit for purpose

COUNTY COUNCIL'S LANDSCAPE & GREEN INFRASTRUCTURE OFFICER

Original submission:

Raises objection on grounds of absence of Landscape Plan, which takes into consideration nature and scale of development as well as proximity to the River Tud valley.

Amended application/additional info:

No objections

COUNTY COUNCIL'S HISTORIC ENVIRONMENT OFFICER –

Proposal will not have any significant impact on historic environment; does not wish to make any recommendations for archaeological work

NORFOLK FIRE AND RESCUE SERVICE –

No objection, subject to compliance with Building Regulations 2010 – Approved Document B (vol 2 -2019 ed.) as administered by the Building Control Authority.

NORWICH AIRPORT –

No aerodrome safeguarding objections, subject to the proposed development being constructed as shown on the drawings and plans attached to the application, and at the OSGB grid coordinates indicated.

Request that an informative be applied to the grant of any planning permission in relation to the use of tall equipment and/or cranes during the demolition and/or construction phases of the proposed development.

NORFOLK WILDLIFE TRUST - No response received

WASTE DISPOSAL AUTHORITY - No response received

COUNTY COUNCIL'S CLOSED LANDFILL TEAM –

Comment that, have been in consultation with the applicant who is aware of our neighbouring landfill, and the risks and implications of constructing adjacent to a landfill. The applicant is also aware of our gas monitoring points on the edge of their proposed development and have ensured that these will not be affected. On the basis of the response from the EA and the assurances of the applicant have no further comments to make.

COSTESSEY TOWN COUNCIL –

Original submission:

Comment that the proposal will result in more traffic movements;

Concerned that local residents will be subjected to noise, smells, nuisance and disturbance;

Note that application is not accompanied by a Transport Plan.

Suggest the following:

a S106 contribution be agreed to upgrade the pedestrian crossing on William Frost Way to ensure pedestrian safety;

a sum of money be paid towards upgrade of the Longwater Interchange to mitigate the increased traffic movements as it is so congested;

An electric vehicle charging point be installed to mitigate climate change

Amended application/additional info:

Recommend Refusal.

Re-iterate previous comments.

Request that if NCC are minded to approve the application, all the Town Council's previous suggestions should be implemented as conditions

LOCAL MEMBER (COSTESSEY ELECTORAL DIVISION) (MR TIM EAST) –

Initial response:

Asks whether an appropriate financial contribution could be requested towards a pedestrian crossing on William Frost Way, Costessey

Subsequent response:

Raises objection; supports the objection submitted from Costessey Town Council, particularly the suggestion that a S106 contribution be agreed to upgrade the pedestrian crossing on William Frost Way to ensure pedestrian safety, and that a sum of money be paid towards the upgrading of the local

highways network at Longwater Interchange to mitigate the increased traffic movements as it is so congested.

3.8. **REPRESENTATIONS**

Representation is made by 15 third parties, including representation by a Costessey Town Councillor (separate to the consultation response from Costessey Town Council). The Councillor asks that the CPA find out what impact a request for a financial contribution on this application would have upon the contribution already committed for this project under a S106 agreement for a housing development at Easton.

3.9. Six of the other representations make explicit objection to the proposals. The grounds of objection and concerns raised are summarised as follows:

- Increased traffic flow along William Frost Way
- Increased congestion at the single entrance/exit for the Longwater Estate
- No adequate pedestrian crossing on perimeter of a busy retail park
- The facility should be built on the NDR away from residential areas and busy roads
- Noise pollution
- Odour
- Air pollution
- Increase in rats and gulls
- Devaluation of local residential properties.

3.10. A separate third party has also questioned whether the applicant has followed Development Management Procedural requirements in relation to serving notice upon owners of a private roadway included within the application site.

3.11. **APPRAISAL**

The key issues for consideration are:

- A. Principle of Development / Need
- B. Landscape & Visual Impact / Design
- C. Amenity
- D. Ecology
- E. Impact of Heritage Assets
- F. Transport
- G. Sustainability
- H. Flood Risk
- I. Groundwater/surface water
- J. Safeguarding Aerodromes
- K. Cumulative Impacts

3.12. **A - PRINCIPLE OF DEVELOPMENT / NEED**

A basic principle when assessing planning applications is outlined in Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004 which states:

“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

- 3.13. In terms of the development plan and material policy/guidance, the CPA considers the relevant documents in relation to this application are those listed above.
- 3.14. A local resident raises concern about the suitability of the application site for waste management. The JCS for Broadland, Norwich and South Norfolk Key Diagram identifies the site as being located within the Norwich Policy Area; Policy 9 of the JCS states that the Norwich Policy Area is the focus for major growth and development, with consolidation of activity at Longwater through intensification and completion of the existing allocation.
- 3.15. Work is underway to produce the Greater Norwich Local Plan (GNLP), which will replace any district-level plans (such as site allocation documents) and the JCS. The consultation for the Regulation 18 draft plan ended in March 2020. The Greater Norwich authorities expect the LP to be adopted in 2022. The emerging LP is a material consideration but, in its current draft form, 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. The GNLP Key Diagram identifies the site as being located within a strategic growth area and strategic employment site; Policy 1 of the emerging GNLP states that, Most of the employment...growth is focussed in the Strategic Growth Area, whilst Strategic employment locations are protected from other forms of development and will support both a broad range of employment and key economic sectors.
- 3.16. The SNLP - Site Specific Allocations & Policies DPD – Map 002b Costessey identifies the western end of the application site as being located within the defined development limit which covers Costessey Longwater, to which Policy COS 4 applies, whilst the remainder of the site lies outside the defined development boundary. As regards that part of the site subject of the application under consideration which is within the Longwater development boundary, Policy COS 4 states that, sites within the Costessey Longwater Development Boundary will be considered positively for Class B1, B2 and B8 employment uses.
- 3.17. NMWLDF CS Policy CS6, (a strategic policy that makes clear where, in broad terms, waste management facilities should be located in Norfolk) restricts waste development to specific types of land comprising: 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; d) contaminated or derelict land. The application site has the benefit of extant

planning permissions for waste management activities. Whilst the site is no longer used for scrap metal breaking and storage, part of the surfaced eastern area is currently being used for overnight HGV parking for transfer of Refuse Derived Fuel bales (permission ref. C/7/2018/7011). An aerial image of the site taken in 1988 would appear to show the, now hard surfaced area and unsurfaced eastern area of the site being used for open storage (possibly scrap metal). To this end, the site including that part (eastern area) outside of the Longwater development boundary can be considered as land already in waste management use / other previously-developed land.

- 3.18. As regards that part of the site outside the development boundary, whilst it is considered that the proposal complies with the provisions of NMWLDF Policy CS6, it does not comply with the criteria of SNLP DM policy DM 1.3, which seeks to guide development to sustainable solutions and states that,

Permission for development in the Countryside outside of the defined development boundaries of Settlements will only be granted if:

where specific Development Management (DM) Policies allow for development outside of development boundaries or

Otherwise demonstrates overriding benefits in terms of economic, social and environment dimensions as addressed in Policy 1.1.

- 3.19. In this instance, that part of the application site outside the Longwater development boundary directly adjoins the development boundary and, as will be demonstrated elsewhere in this report the proposal is in compliance with other relevant DM policies. It is considered therefore that the proposal complies with the thrust of policy DM 1.3. Furthermore, it should be noted that the Local Plan Policies have not been formulated to specifically address waste management development and as such the Norfolk Minerals and Waste Local Development Framework: Core Strategy is considered to be the most eminent policy document for assessment of the proposal.

- 3.20. 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. The emerging LP is a material consideration and whilst at an advanced stage 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 the relevant policies. NMWLP emerging Policy WP3 states that, waste management facilities will be acceptable on: a) land benefiting from a permanent permission for an existing waste management use; b) land in existing B2 or B8 use; c) land allocated for B2 and B8 uses; e) previously-developed land.

- 3.21. The GNLP Carried Forward Allocation Costessey (29/11/2019) shows a specific extension to the Longwater Employment area (GNLPSL2008) which comprises of the area of the application site outside the existing settlement boundary, to which policy COS 3/ GNLPSL2008 Longwater Employment Area, Costessey applies: this emerging policy expects development principally for Class B1, B2 and B8 employment uses.
- 3.22. Overall, given the above, it is considered that the proposal would not conflict with adopted Policies CS6 and COS 4 or, with emerging policies WP3 and COS 3/ GNLPSL2008 and, is compliant with the thrust of adopted policy DM 1.3.
- 3.23. SNLP policy DM 2.1 states that, proposals which provide for or assist creation of new employment opportunities, inward investment and/or provide for adaptation and expansion of an existing business will be supported unless there is a significant adverse impact in terms of Policies DM 1.1, 1.3 and other policies of the Local Plan and, Business Class proposals will be supported within all existing and allocated Employment Areas subject to adequate protection of neighbouring occupiers and the other policies of the Local Plan, whilst policy DM 2.2 seeks to safeguard sites and buildings allocated for Business Class and other Employment Uses and, safeguard all other land and buildings currently in or last used for an Employment Use (both inside and outside Development Boundaries). The application seeks to re-use an existing employment site with another employment use.
- 3.24. Policies CS3 and CS4 of the NMWLDF CS aim to provide sufficient waste management capacity for the County and set targets for different waste management facilities. NMWLP emerging policy WP1 encourages new facilities which help to achieve the targets for recycling, composting, reuse and recovery set out in the Waste Management Plan for England (2013) and sets out the aim to ensure that capacity exists to manage at least the forecast quantities of, inter alia, commercial and industrial waste. The proposal would provide for storage and transfer of non-hazardous waste, and the proposed 'bulking-up' of waste would provide for more efficient onward movement for further recycling or recovery, and would thereby assist in meeting forecast increasing requirements for recycling and recovery. It is therefore considered that there would be no conflict with adopted policies CS3 and CS4 or emerging policy WP1.
- 3.25. The proposal does not fall within the definition of a "strategic" waste management facility as defined by NMWLDF CS Policy CS5. This policy requires "non-strategic" waste facilities to be well-related to, inter alia, the Norwich Policy Area. NMWLP emerging Policy WP2 states that New or enhanced waste management facilities should be located within five miles of one of Norfolk's urban areas and be accessible via appropriate transport infrastructure. The JCS for Broadland, Norwich and South Norfolk Key Diagram identifies the application site as being located within the Norwich Policy Area

and, the site is located some 300m from the A47. Notwithstanding the proximity to the River Wensum SAC, the development would be contained within a building located on an existing consented waste management site. It is therefore considered, taking into account the above, that this proposal is compliant with adopted policy CS5 and emerging policy WP2.

- 3.26. NMWLDF CS Policy CS7 states that, the development of new waste transfer stations will be considered favourably, so long as they would not cause unacceptable environmental, amenity and/or highways impacts. NMWLP emerging policy WP5 advises that, waste transfer stations will only be acceptable within purpose designed or suitably adapted facilities on the types of land identified within Policy WP3. It is considered that, the proposal would be compliant with emerging policy WP5 and, subject to an assessment of the environmental, amenity and highways impacts, with adopted policy CS7.
- 3.27. Whilst not part of the development plan, National guidance forms a material planning consideration. In this case, *National Planning Policy for Waste* underlines that planning is pivotal in delivering the country's waste ambitions through the principle of "driving waste management up the waste hierarchy", which means that WPAs should always try to ensure that waste is managed by the most effective environmental solution, represented by the highest levels of the waste hierarchy, i.e. prevention, re-use and recycling. The application under consideration would enable the short-term storage of waste prior to 'bulking-up' for off-site transportation for further recycling or recovery, thereby contributing towards driving waste management up the waste hierarchy.
- 3.28. Therefore, subject to an assessment of potential impacts, including environmental, amenity and/or highways impacts, the principle of the proposed use could be acceptable at this location and would not be out of character for the immediate area.
- 3.29. *Need*
As regards quantitative or market need for the proposed waste transfer station, given that the proposal is considered to be consistent with the Development Plan, in accordance with *National Planning Policy for Waste*, there is no requirement for the applicant to demonstrate a need for the proposal.

B - LANDSCAPE & VISUAL IMPACT / DESIGN

- 3.30. *Landscape and visual impact*
Policies CS14 and DM8 of the NMWLDF CS, Policy 2 of the JCS, Policies DM 1.4, DM 3.8, DM 4.5, DM 4.6 and DM 4.9 of the SNLP and, Sections 12 and 15 of the NPPF apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan and, Policies 2 and 3 of the emerging GNLP.
- 3.31. The SNLP - Site Specific Allocations & Policies DPD Map 002b Costessey identifies the A47 west of the Costessey Longwater interchange as being an

‘undeveloped approach’, whilst the A1074 some 300m south of the site is identified as a ‘Gateway into Norwich’. As regards ‘Undeveloped Approaches’, SNLP Policy DM 4.6 seeks to ensure that, All development proposals within the visual zone of influence viewed from the identified Undeveloped Approaches to Norwich should reinforce and avoid undermining the rural character of the Undeveloped Approaches to Norwich, whilst for ‘Gateways’, Policy DM 4.6 requires that, All development proposals on the approaches to defined Gateways shall reinforce and avoid undermining the significance of these Gateways as the visual points of the landscape and townscape change marking the ‘arrival’ at and ‘departure’ from the city of Norwich.

- 3.32. The character of the immediate locality is industrial. The greatest sources of visual impact detailed in this application are considered to be the new industrial building at 13.2m high and the water tank, at 12m high. The application site sits at a lower level than adjoining land to the south and east and, is bounded to the south and west by a line of mature conifers. A combination of topography and perimeter screening would help to reduce the visibility of the new building and tank from views from afar.
- 3.33. During determination of the application additional information in relation to landscaping was requested. This resulted in submission of a planting plan, which includes native and ornamental hedgerow planting and, maintenance schedule. The application is also supported by an Arboricultural Impact Assessment (AIA), which confirms that no trees will require removal for development purposes but recommends removal of one tree group due to its poor condition and details the proposed protection measures. The Natural Environment Team have been consulted on the application and raise no objection.
- 3.34. *Design*
The proposed development would be industrial in appearance and complimentary to other established waste management sites and industrial buildings within the wider Longwater Estate. From a design point of view, the proposed buildings and water tank are of a functional design and reflective of this form of development and, whilst they cannot be considered ‘good design’, it is considered that the scale, height, massing, form and appearance of the development are acceptable in the context of the surrounding area. It is therefore considered that there will be no material harm caused to the established characteristics and quality of the local area. The Council’s Green Infrastructure Officer has been consulted on the application and raises no objection on design grounds. Therefore, it is considered these are material considerations that outweigh the design shortcomings and the conflict with the relevant planning policies and, section 12 of the NPPF.
- 3.35. Norfolk Fire & Rescue Service (NF&RS) has been consulted on the application and raise no objection, subject to compliance with Building Regulations 2010 –

Approved Document B (volume 2 - 2019 ed.). Given that this matter is subject to control under separate legislation, i.e. Building Regulations, as detailed in Planning Practice Guidance it is considered that a condition requiring compliance with another regulatory regime will not meet the tests for conditions in relation to 'necessity' and 'relevant to planning'. Such a condition is therefore not recommended. It is recommended that the NF&RS response be attached to the decision notice as an informative, should permission be granted.

C – AMENITY

- 3.36. NMWLDF CS Policies CS14, DM12 and DM13, Policies DM 3.13 and DM 3.14 of the SNLP and, Section 15 of the NPPF apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan and Policy 2 of the emerging GNLP.
- 3.37. Objections and concerns are raised by Costessey Town Council, the Local Member and local residents on the grounds of increased noise pollution, odour, rats and gulls and, impact on air quality arising from the proposals.
- 3.38. The site is not located within or in close proximity to an Air Quality Management Area. The closest residential properties are an estate development at Dereham Road, Costessey, located some 380m to the south, separated by the RRP facility and Dereham Road. The WTS would handle a variety of non-hazardous municipal, commercial and industrial wastes including food waste, dry mixed recyclables, and non-recyclable general waste. Waste materials would be transported in enclosed or sheeted vehicles/containers. In order to provide flexibility, permission is sought to operate the facility on a 24hr basis, seven days per week, including bank holidays, to incorporate a two-shift operation, over the day and night time periods. In order to reach the applicant's waste contracts before peak-time restrictions come into effect in busy centres, it is proposed that RCVs would leave the site during the early hours of the morning, typically between 0400 and 0700 hours.
- 3.39. The Planning Statement advises that all waste handling operations, including potential future shredding, would be undertaken inside the building, so reducing potential for impacts such as odour, dust and noise on the local environment: the roller shutter doors of the building would be positioned in the northern elevation, thereby facing away from the nearest residential receptors. The application is accompanied by a Noise Assessment which considers that the noise levels likely to be generated by the proposal would have a very low impact at the nearest noise-sensitive receptors. Proposed lighting would comprise a modern low energy lighting scheme.
- 3.40. The proposal would be largely screened by existing boundary treatment, topography and intervening development, and would have no significant impact upon the wider visual amenities of the locality.

3.41. The Environment Agency (E.A.), as the relevant pollution control authority, has been consulted on this application and has made no objection to the development in terms of any potential emissions. The E.A. confirm that the proposed development will require an Environmental Permit (the E.A. has previously confirmed by way of a Memorandum of Understanding that it will object to applications where it considers that the permit would not be able to effectively control emissions due to its location). It is recommended that the advisory comments offered by the E.A. in relation to Environmental Permitting be attached to the decision notice as an informative, should permission be granted.

3.42. *Contaminated land*

The site was formerly used for scrap metal breaking and partly abuts the north west corner of the closed Costessey Landfill Site.

3.43. The application is accompanied by a Phase 1 Desk Study and Preliminary Risk Assessment which concludes that a plausible pollutant linkage has been identified and recommends that a Phase 2 geo-environmental and geotechnical investigation is undertaken and, unless already undertaken, an asbestos refurbishment / demolition survey. As detailed elsewhere in this report, the E.A. has been consulted on this application and raises no objection, subject to conditions in relation to groundwater and contaminated land. The EHO has also been consulted and suggests that a condition is imposed in relation to contamination. It is considered reasonable to condition these matters as part of any consent granted in order to safeguard groundwater.

3.44. Overall, subject to conditions, it is considered that the development would not result in an unacceptable harm to local amenity. The development is therefore considered to be acceptable in terms of the relevant planning policies and NPPF.

D – ECOLOGY

3.45. NMWLDF policies CS14 and DM1, JCS Policies 1 and 2, South Norfolk LP policy DM 1.4, and, Section 15 of the NPPF apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan and Policy 3 of the emerging GNLP.

3.46. The application site is not located within or adjacent to any identified nature conservation area. Long Dale County Wildlife Site is located some 385m north of the site, with the River Wensum SAC/SSSI some 1.06km to the north.

The habitats present within the application site comprise of scattered trees, hardstanding, buildings, short vegetation and shrubs. The accompanying AIA recommends removal of one tree group due to poor condition and details that removal of an area of scrub would be necessary to facilitate the development. The application is accompanied by an Ecological Appraisal, which concludes

that no adverse impacts to wildlife designated sites are likely from the proposal. During determination of the application, additional information in relation to the presence of bats was requested. This resulted in submission of a Protected Species Survey which concludes that the overall impact of the proposals would be Minor Adverse, whilst provision of a pole-mounted bat box, would give rise to a Neutral-Minor Beneficial impact.

3.47. The Council's Ecologist has been consulted on the application and raises no objection, subject to conditions in relation to biodiversity enhancement, EPS licence, lighting design strategy and, landscape works. Natural England has also been consulted on this application and raises no objection.

3.48. Given the above, it is considered that, subject to conditions, no unacceptable adverse ecological impacts would arise from the proposal and there would be no conflict with the relevant planning policies, or the requirements of the NPPF.

3.49. Appropriate Assessment

The application site is situated within 1.1km of the River Wensum Special Area of Conservation (SAC) which is a European site. The application has been assessed in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017. Based on the information submitted to the County Planning Authority and, consultation response from Natural England, it is considered that, due to both the nature of the development and the distance from the European Site, the proposal would not have a significant impact on these or any other protected habitat. Accordingly, no Appropriate Assessment of the development is required.

3.50. E – IMPACT ON HERITAGE ASSETS

The Planning (Listed Buildings and Conservations Areas) Act 1990, NMWLDF CS policies CS14, DM8 and DM9, Policies 1 and 2 of the JCS, SNLP Policies DM 1.4 and DM 4.10 and, Section 16 of the NPPF apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan and Policy 3 of the emerging GNLP.

3.51. The application site is not located within or adjacent to any identified heritage asset. Old Costessey Conservation Area is located some 0.95km north east of the site, separated by the closed Costessey landfill site, a golf course and recreation ground, and there are 17 nr. listed buildings situated within a 1.2km radius of the site. Existing intervening screening vegetation and domed topography of the adjacent closed landfill restrict inter-visibility between the proposal and the nearest heritage assets. In this instance, given: the distance from nearby heritage assets; and the screening afforded by existing, intervening physical barriers, it is considered that there would be no harm upon the setting of these heritage assets as a result of the proposal. Historic England has been consulted on the application and comment that, on the basis of the information

provided Historic England do not need to be notified. No response has been received from the consultation with South Norfolk Council.

- 3.52. Given the above, it is therefore concluded that the proposal will not have a detrimental impact upon or cause any harm to heritage assets and the application is not considered to be in conflict with the Planning (Listed Buildings and Conservation Areas) Act 1990, the relevant planning policies, or the NPPF.
- 3.53. F – TRANSPORT
- 3.54. NMWLDF CS policies CS15 and DM10, Policies DM 3.8, DM 3.11 and DM 3.12 of the SNLP and, Section 9 of the NPPF apply. Due weight is given to policies MW2 and MW3 of the emerging Norfolk Minerals and Waste Local Plan and Policy 2 of the emerging GNLP.
- 3.55. Objection is raised by Costessey Town Council and the Local Member on the grounds that the proposal would result in more traffic movements. The Town Council also comment that the application is not accompanied by a Transport Plan. Local residents also raise objection and concerns with increased traffic flow along William Frost Way, increased congestion at the single entrance/exit for the Longwater Estate and, lack of an adequate pedestrian crossing on the perimeter of a busy retail park.
- 3.56. The site would be accessed via the existing access onto the unadopted part of Ernest Gage Avenue, which provides access to the A47, Trunk road, some 300m from the site. Permission is sought to operate the facility on a 24hr basis, seven days per week, including bank holidays, to incorporate a two-shift operation, over the day and night time periods. As detailed elsewhere in this report, the application provides for relocation of the applicant's existing vehicle depot at Longwater Estate, including overnight parking of up to 25 Refuse Collection Vehicles (RCV), 20 of which are already based at the existing depot and are therefore already present on the local road network. RCVs would depart from the site during the early hours of the morning, typically between 0400 and 0700 hours. The application states that a total of 44 full time employees would be employed at the site and a total of 44 car parking spaces and 25 HGV parking spaces is proposed.
- 3.57. The application site has historically generated a significant number of vehicle movements associated with the previous scrap metal operations. The application is accompanied by a Transport Statement (TS) which details that the proposal is expected to generate 292 two-way vehicle movements per day. The TS concludes that the anticipated vehicle movements can be accommodated by the local highway network.
- 3.58. The Highway Authority and Highways England have been consulted on the application and raise no objection.

- 3.59. Costessey Town Council and the Local Member suggest that a contribution be agreed to upgrade the pedestrian crossing on William Frost Way, Longwater Estate, whilst a Costessey Town Councillor asks that the CPA find out what impact a request for a financial contribution on this application would have upon the contribution already committed for this project under a S106 agreement for a housing development at Easton.
- 3.60. The Town Council and Local Member further suggest that a sum of money be paid towards upgrade of the Longwater Interchange and, an electric vehicle charging point be installed to mitigate climate change.
- 3.61. As regards a contribution towards upgrade of the pedestrian crossing and interchange, adopted South Norfolk LP Site Specific Allocations & Policies Document (2015) Policy COS 3: Longwater Employment Area allocates four sites for employment uses. Adopted Policy COS 3 requires that the developer(s) of the sites will be required to ensure:...*Appropriate and proportionate contributions to short, medium and long term improvements to the A47 Longwater Junction to ensure that capacity does not become a constraint on development; and...Safe and convenient pedestrian and cycle links to key locations including access to Longwater retail and nearby residential locations at Queens Hill's, New Costessey and Easton.* The application site under consideration is not identified as forming part of any of the four sites subject of adopted Policy COS 3.
- 3.62. GNLP emerging policy COS 3/ GNLP SL2008: Longwater Employment Area, Costessey allocates sites for employment uses, including that part of the application site currently outside the existing development boundary. The emerging policy expects development to address the following transport matters: *Appropriate and proportionate contributions to short, medium and long-term improvements to the A47 Longwater Junction to ensure that capacity does not become a constraint on development; and...Safe and convenient pedestrian and cycle links to key locations including access to Longwater retail and nearby residential locations at Queens Hill, New Costessey and Easton.*
- 3.63. As regards installation of an electric vehicle charging point, emerging policy 2: *Sustainable Communities* of the GNLP Draft Strategy states that development proposals are required as appropriate to, inter alia, allow for delivery of new and changing technologies including electric vehicles.
- 3.64. The emerging LP is a material consideration and, in accordance with para. 48 of the NPPF, LPAs may give weight to relevant policies in emerging plans according to, inter alia, the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given). In this instance, public consultation for the Stage C Regulation 18 Draft Strategy and Site Allocations document closed in March this year. Although a material

consideration, in its current draft form, it is considered that only limited weight can be given to emerging GNLP policies 2 and policy COS 3/ GNLP SL2008.

- 3.65. The requests of the Town Council and Local Member have also been referred to the Highway Authority (HA) for consideration: the HA respond that, a number of years ago contributions were sought towards the Longwater Interchange improvements, calculated on the basis of the traffic impact of a development in the peak periods. The HA is not aware of any current policy that would support this approach. Given the lack of Policy support, the HA do not believe it would be reasonable to insist upon the applicant providing contributions in relation to the current application. The HA further comment that whilst the proposals would result in a net increase in traffic to / from the site, given the proposed hours of operation and the commercial nature of the development, the increase in peak hour traffic movements is likely to be negligible which further supports the view that a contribution is not required.
- 3.66. Given the above, it is considered that it would not be reasonable or appropriate to request a contribution towards upgrade of the pedestrian crossing and Longwater Interchange and, installation of a charging point. This authority wrote to the Town Council and Local Member on 11 June 2020 to advise them of the existing and emerging policy requirements in relation to their requests and that, given the above, it is considered that it would not be reasonable or appropriate to request a contribution towards upgrade of the pedestrian crossing and Interchange and, installation of a charging point. In response to a subsequent round of re-consultation in relation to amendment to the office building and additional information, the Town Council and Local Member recommend refusal of the application.
- 3.67. Given the above, on balance, it is concluded that the proposal is satisfactory and will not have any unacceptable impacts in highway terms and, the application is not considered to be in conflict with the relevant planning policies, or the NPPF.
- 3.68. G – SUSTAINABILITY
- NMWLDF CS policies CS13 and DM11, Policies DM 1.1, DM 2.1, DM 2.2 and DM 3.8 of the SNLP and, sections 2 and 14 of the NPPF apply. Due weight is given to policy MW4 of the emerging Norfolk Minerals and Waste Local Plan and, Policies 1, 2 and 6 of the emerging GNLP. Although a material consideration, it is considered that only limited weight can be given to Norfolk County Council's Environmental Policy (2019).
- 3.69. The three facets of sustainable development have been assessed below:
- economic objective*
- The proposal would contribute to the local economy through the construction process via the purchasing of materials and job creation and, the operational period through employment opportunities.

social objective

The proposal would contribute to the wellbeing of the District/County by creating job opportunities for residents during the construction process and operational period.

environmental objective

As detailed elsewhere in this report, the proposal would reduce road vehicle miles by allowing waste to be transported in larger loads, allow for segregation of wastes and facilitate the management of waste further up the waste hierarchy.

- 3.70. Consideration has been given to the possibility of how the development could generate its own energy: no specific measures are provided as part of this proposal. The planning statement states that the location of the facility in an urban area makes wind power impractical, whilst there is no significant heat demand and limited electrical consumption, making CHP impractical. As regards solar power, lighting for the waste transfer building is provided by natural daylight through translucent roof panels. In order to generate a meaningful amount of power from solar panels, some of the translucent roof panels would need to be replaced by solid panels upon which the solar panels would be affixed, which would reduce the amount of daylight entering the building and mean lights would need to be switched on for a longer period than would otherwise be the case. Notwithstanding, the waste transfer building would utilise long life/low energy LED lighting.
- 3.71. As regards sustainable construction, the Planning Statement advises that the office/welfare building would be of modular construction, selected for its high energy efficiency and low waste production. However, such buildings are not well suited to the addition of solar panels. Subject to maintenance, the proposed buildings and ancillary infrastructure would not be in need of regular replacement. It is therefore considered that there would be no conflict with NMWLDF policy DM11 which requires applications to demonstrate consideration of sustainable construction.
- 3.72. For the reasons outlined above, it is considered that the proposal would be sustainable development. On balance, it is considered that the proposal would make a contribution towards sustainable development and there is not considered to be any unacceptable degree of conflict with the relevant planning policies, the NPPF or NCC's Environmental Policy.
- 3.73. H – FLOOD RISK
- NMWLDF CS policies CS13 and DM4, JCS Policy 1, Policies DM 1.4, 3.8 and DM 4.2 of the SNLP and, Section 14 of the NPPF apply. Due weight is given to policies

MW2 and MW4 of the emerging Norfolk Minerals and Waste Local Plan and Policy 2 of the emerging GNLP.

The application site lies within Flood Zone 1, which is an area at low risk of flooding. Waste treatment facilities are identified as 'less vulnerable' in the table of Flood Risk Vulnerability Classification as set out in Planning Practice Guidance (PPG). PPG further advises that 'less vulnerable' uses are appropriate in Flood Zone 1. On this basis, the proposal is considered acceptable in terms of development within flood zone 1.

- 3.74. The north west corner of the application site lies within the flow path of the Environment Agency Updated Flood Map for Surface Water 1 in 30yr (3.33%) and 1 in 100yr (1%) events. The proposed office/welfare building would be located partly within the surface water flow path. The application is accompanied by a Flood Risk Assessment (FRA) which concludes that, overall, the development would be safe, without increasing flood risk elsewhere. The FRA recommends a number of surface water flooding mitigation measures for the office building, including elevation of the ground floor level and electrical services and, use of flood resilient construction techniques.
- 3.75. The Lead Local Flood Authority (LLFA) have been consulted on the application and comment that, the CPA should satisfy itself that the application is compliant with: paras. 155 - 165 of the NPPF, which require that, when determining planning applications, LPAs should ensure flood risk is not increased elsewhere; and expect that major developments should incorporate sustainable drainage systems, unless demonstrated to be inappropriate. The LLFA advises that the applicant should also demonstrate how the proposal accords with national standards and relevant guidance. The LLFA comment that the applicant has provided sufficient information to demonstrate that they will be putting mitigation measures in place to mitigate concerns regarding the office building being built in/on the edge of a 3.33% AEP (annual exceedance probability) and 1% AEP rainfall event surface water flood risk extent.
- 3.76. Planning Practice Guidance (Flood Risk and Coastal Change – what sort of sustainable drainage system should be considered?, paragraph 080), sets out that, the aim should be to discharge surface run off as high up the hierarchy of drainage options as reasonably practicable, with 'into the ground (infiltration)' at the top of the hierarchy; followed by surface water body; followed by surface water sewer, highway drain or another drainage system; with combined sewer at the bottom of the hierarchy.
- 3.77. As regards surface water run-off, the application proposes that this will be discharged via two attenuation tanks, Class 1 interceptor and, existing oil interceptor and pumping station into the existing surface water rising main. Anglian Water have been consulted on the application and raise no objection,

subject to condition in relation to surface water disposal. AW advise that the preferred method of surface water disposal would be to a sustainable drainage system with connection to sewer seen as the last option. As regards the drainage hierarchy, the agent has confirmed that the existing surface water drainage for the site involves discharge to the existing pumping station and existing rising main. As regards drainage hierarchy option 1, the applicant's agent advises that the site is mostly concrete hardstanding and given the limited amount of roof water likely to be generated in comparison, attenuation is considered as the most suitable option over infiltration. As regards drainage hierarchy option 2, whilst the submitted FRA states that the nearest surface water feature is an ordinary watercourse located 65m northeast of the site, the applicant's agent advises that creation of a new connection would involve crossing third party land. The arguments put forward by the applicant are accepted in this instance.

- 3.78. 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.

3.79. I – GROUNDWATER/SURFACE WATER

NMWLDF CS policy DM3, JCS Policy 1, SNLP Policies DM 1.4, DM 3.14 and DM 4.2 and, Section 15 of the NPPF apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan and Policy 2 of the emerging GNLP.

- 3.80. The E.A. advise that the site is located above Secondary A Aquifer with a Principal aquifer beneath and the site overlies Water Framework Directive (WFD) groundwater body and is also in a WFD drinking water protected area.
- 3.81. Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications), details that when drawing up wastewater treatment proposals for any development, the first presumption is to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works.
- 3.82. As regards pollution control, as detailed elsewhere in this report, all waste handling operations would be undertaken inside the transfer building, with foul cut-off channel drains installed across the entrance to the building. The proposed fuel tanks would be double skinned and positioned upon an impermeable surface and the wash bay would be positioned on a concrete surface. As regards foul water management, the application proposes a connection, via a forecourt separator, foul pumping station and foul rising main to the off-site foul sewer.

- 3.83. The E.A. has been consulted on this application and raises no objection, subject to conditions in relation to groundwater and contaminated land. It is considered reasonable to condition these matters as part of any consent granted in order to safeguard groundwater. Anglian Water have been consulted on the application and confirm that the sewerage system at present has available capacity for these flows.
- 3.84. Given the above, it is therefore considered that the proposed development would not adversely impact upon groundwater/surface water quality or resources and, the proposal would not be in conflict with the relevant planning policies or objectives of the NPPF.
- 3.85. J – SAFEGUARDING AERODROMES
- NMWLDF CS Policy DM7 applies. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan.
- 3.86. The site is situated within the consultation area for Norwich Airport (NA). NA have been consulted on the application and raise no aerodrome safeguarding objections: it is recommended that the informative requested by NA in relation to use of tall equipment/cranes during demolition/construction phases of the proposed development be attached to the decision notice, should permission be granted.
- 3.87. It is therefore considered that this proposal is compliant with the relevant planning policy.
- 3.88. K – CUMULATIVE IMPACTS
- NMWLDF policy DM15 and Sections 9, 14 and 15 of the NPPF apply. Due weight is given to policy MW2 of the emerging Norfolk Minerals and Waste Local Plan.
- 3.89. The application site previously accommodated the operation of a scrap metal business which generated a high number of vehicle movements. The site is situated within an established industrial site also occupied by other waste management facilities.
- 3.90. The E.A. and EHO have been consulted on the application and raise no objection, in terms of emissions/impact upon residential amenity. Highways England and the Highway Authority have been consulted on the application and raise no objection in terms of HGV movements. The Council's Natural Environment Team have been consulted on the application and raise no objection in terms of landscape or ecology impacts. Taking into account the above, and as detailed elsewhere in this report, it is considered that the proposal would not cause unacceptable cumulative impacts

3.91. It is therefore considered that this proposal is compliant with the relevant planning policy, and objectives of the NPPF.

3.92. **ENVIRONMENTAL IMPACT ASSESSMENT**

In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the application was the subject of a formal Screening Opinion in October 2019 under reference SCR/2019/0005 when the County Council determined that the proposal would not be EIA development. This current application was also screened on receipt and re-screened at the determination stage and it is not considered that the development would have significant impacts on the environment. No Environmental Impact Assessment is therefore required.

3.93. **RESPONSES TO REPRESENTATIONS RECEIVED**

The application was advertised by means of neighbour notification letters, site notices, and an advertisement in the Eastern Daily Press newspaper in accordance with statutory requirements.

3.94. With exception of the following, the response of this authority to the issues raised by third parties is discussed above in the 'Appraisal' section of this report.

3.95. As regards concerns expressed with devaluation of local residential properties, loss of property value is a non-material planning consideration and therefore not relevant to the decision.

3.96. As regards whether the applicant has followed Development Management Procedural requirements in relation to serving notice upon owners of a private roadway included within the application site, this matter has been investigated both by the applicant and CPA and it is considered that the requisite procedures have been followed.

3.97. **INTENTIONAL UNAUTHORISED DEVELOPMENT**

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

3.98. In this instance, the CPA is not aware that the application under consideration is of a retrospective nature.

3.99. It is therefore considered that there are not any unauthorised development considerations material to this decision and no weight is given to this in the planning balance.

3.100. **LOCAL FINANCE CONSIDERATIONS**

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.

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

4. Conclusion & Reasons for Decision

- 4.1. Planning permission is sought for development of a waste transfer station to manage non-hazardous municipal, commercial and industrial waste. The proposal includes relocation of the applicant's existing vehicle depot from elsewhere within the Longwater Estate. The proposal would enable the short-term storage of waste prior to 'bulking-up' for off-site transportation for further recycling or recovery, thereby contributing towards 'driving' waste management up the waste hierarchy.
- 4.2. As regards objections and concerns raised in relation to increased traffic movements and the suggestion that contributions be agreed to upgrade the pedestrian crossing on William Frost Way, Longwater Estate and upgrade of the Longwater Interchange, no objection is raised by Highways England or the Highway Authority in relation to the level of vehicle movements proposed and, given the current draft form of the emerging Greater Norwich Local Plan, it is considered that only limited weight can be given to emerging policies in relation to contributions to improvements to the A47 Longwater Junction and pedestrian links. As regards objections and concerns raised in relation to impacts on residential amenity, no objection is raised by the Environment Agency or the Environmental Health Officer.
- 4.3. No objections have been raised by statutory consultees, subject to suitably worded conditions being imposed on any grant of planning permission. It is therefore considered that the impacts of the proposal would be successfully mitigated.
- 4.4. For the reasons detailed in this report, the proposal is considered to accord with the development plan taken as a whole and national planning guidance and, the development is considered acceptable. There are no material considerations that indicate that the application should be refused. Accordingly, full conditional planning permission is recommended.

5. Alternative Options

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

6. Financial Implications

- 6.1. The development itself has no financial implications from the Planning Regulatory perspective. If implemented the Authority will have a duty to regularly inspect the facility which will have an indirect cost.

7. Resource Implications

- 7.1. **Staff:** The routine inspection of the site will be undertaken by existing staff and would therefore have no staffing implications from the Planning Regulatory perspective.
- 7.2. **Property:** The development has no property implication from the Planning Regulatory perspective.
- 7.3. **IT:** The development has no IT implications from the Planning Regulatory perspective.

8. Other Implications

8.1. Legal Implications

There are no legal implications from the Planning Regulatory perspective.

8.2. Human Rights implications

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

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

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

8.3. Equality Impact Assessment (EqIA)

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

8.4. Health and Safety implications

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

8.5. Sustainability implications

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

8.6. Any other implications

9. Risk Implications/Assessment

9.1. There are no risk issues from a planning perspective.

10. Select Committee comments

10.1. Not applicable.

11. Recommendations

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

- I. **Grant planning permission subject to the conditions outlined below.**
- 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.**

CONDITIONS:

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

Reason:

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

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

Proposed Site General Arrangement; Dwg No. VES_TD_Norw_400_001 Rev B; dated 15.05.20; received 3 June 2020

Ground Floor Plan, Elevations & Point Load Diagram; Dwg No. EW-A-001; dated 01.05.20; received 3 June 2020

Site Location; Dwg No. VES TD Norw 400 003; dated 07.10.19

Proposed Drainage; Dwg No. VES_TD_Norw_400_006 Rev A; dated 02.06.20; received 3 June 2020

WTS Building Elevations; Dwg No. VES TD Norw 400 007; dated 05.06.19

Proposed Site Roof Plan; Dwg No. VES_TD_Norw_400_008 Rev A; dated 02.06.20; received 3 June 2020

Vehicle Repair Bay Elevations; Dwg No. VES TD Norw 400 011; dated 28.06.19

Vehicle Wash Bay; Dwg No. VES TD Norw 400 012; dated 29.06.19

Tree Protection Plan; Dwg No. 10781-RPS-XX-XX-DR-L-0501 Rev P01; dated 12.12.19

PDF entitled Norwich Phasing; undated; received 2 July 2020

Planting Plan; Dwg No. E20827-TLP-401; dated 31-06-2020; received 14 July 2020

Planting plan overlaid on Tree Constraints Plan; Dwg No. E20827-TLP-402; dated 31-06-2020; received 14 July 2020

Planning Application Supporting Statement; prepared by Veolia; dated February 2020

Arboricultural Impact Assessment; ref 10781-RPS-XX-XX-RP-L-0600_AIA; prepared by RPS Consulting Services Limited; dated 12 December 2019

Flood Risk Assessment; ref HLEF75577; prepared by RPS; dated 18 December 2019

Noise Assessment; ref 403.00156.00225; prepared by SLR Consulting Limited; dated January 2020

the contents of the email from Veolia to the County Planning Authority dated 26 March 2020 in relation to boundary treatment and surface water management

the contents of the email from Veolia to the County Planning Authority dated 3 June 2020 in relation to amended office building

the contents of the email from Veolia to the County Planning Authority dated 2 July 2020 in relation to phasing

the contents of the email from Veolia to the County Planning Authority dated 14 July 2020 in relation to phasing and building finish

the contents of the email from Veolia to the County Planning Authority dated 27 July 2020 in relation to surface water drainage

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

3. No development hereby permitted shall be undertaken on any part of phase 1 of the site, as shown on submitted Drawing entitled Norwich Phasing.pdf, until a scheme that includes the following components to deal with the risks associated

with contamination of the site has been 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 the 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 to be 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 written consent of the County Planning Authority. The scheme shall be implemented as approved.

Reason:

To protect and prevent the pollution of the water environment (particularly the Secondary A and Principal aquifers and EU Water Framework Directive Drinking Water Protected Area) 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 (2017) A4 - A6, J1 - J7 and N7.

4. No development hereby permitted shall be undertaken on any part of phase 2 of the site, as shown on submitted Drawing entitled Norwich Phasing.pdf, until a scheme that includes the following components to deal with the risks associated with contamination of the site has been 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 the 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 to be 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 written consent of the County Planning Authority. The scheme shall be implemented as approved.

Reason:

To protect and prevent the pollution of the water environment (particularly the Secondary A and Principal aquifers and EU Water Framework Directive Drinking Water Protected Area) 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 (2017) A4 - A6, J1 - J7 and N7.

5. The demolition of the bat roost as identified in the submitted Protected Species Surveys and Ecological Assessment; reference E20827; prepared by The Landscape Partnership; dated July 2020 shall not in any circumstances commence unless the County Planning Authority has been provided with a licence issued by the relevant licensing body pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017, authorising the specified activity/development to go ahead.

Reason:

In order to protect and enhance biodiversity on site, in accordance with Policy CS14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026 and Section 15 of the National Planning Policy Framework (2019).

6. Prior to first occupation of any part of phase 1 of the development hereby permitted, as shown on submitted Drawing entitled Norwich Phasing.pdf, a verification report to demonstrate completion of works set out in the remediation strategy approved pursuant to condition 3 and the effectiveness of the remediation shall be submitted to and approved in writing by the County Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the verification plan approved pursuant to condition 3 to demonstrate that the site remediation criteria have been met. The report shall also include 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 the Secondary A and Principal aquifers and EU Water Framework Directive Drinking Water Protected Area) 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 (2017) A4 - A6, J1 - J7 and N7.

7. Prior to first occupation of any part of phase 1 of the development hereby permitted, as shown on submitted Drawing entitled Norwich Phasing.pdf, a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the County Planning Authority, shall be submitted to and approved in writing by the County Planning Authority.

Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to the County Planning Authority for its approval in writing.

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 the County Planning Authority for its approval in writing.

Reason:

To protect and prevent the pollution of the water environment (particularly the Secondary A and Principal aquifers and EU Water Framework Directive Drinking Water Protected Area) 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 (2017) A4 - A6, J1 - J7 and N7.

8. In the event that, when carrying out the development hereby permitted on any part of phase 1 of the site, as shown on submitted Drawing entitled Norwich Phasing.pdf, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until the applicant/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 the Secondary A and Principal aquifers and EU Water Framework Directive Drinking Water Protected Area) 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 (2017) A4 - A6, J1 - J7 and N7.

9. No piling or any other foundation designs using penetrative methods shall be undertaken on any part of phase 1 of the site, as shown on submitted Drawing entitled Norwich Phasing.pdf, other than in accordance with a scheme previously submitted to and agreed in writing with the County Planning Authority in consultation with the Environment Agency, 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 other penetrative ground improvement methods can increase the risk to the water environment by introducing preferential pathways for the movement of contamination into the underlying aquifer and/or impacting surface water quality.

10. Prior to first occupation of any part of phase 2 of the development hereby permitted, as shown on submitted Drawing entitled Norwich Phasing.pdf, a verification report to demonstrate completion of works set out in the remediation strategy approved pursuant to condition 4 and the effectiveness of the remediation shall be submitted to and approved in writing by the County Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the verification plan approved pursuant to condition 4 to demonstrate that the site remediation criteria have been met. The report shall also include 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 the Secondary A and Principal aquifers and EU Water Framework Directive Drinking Water Protected Area) 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 (2017) A4 - A6, J1 - J7 and N7.

11. Prior to first occupation of any part of phase 2 of the development hereby permitted, as shown on submitted Drawing entitled Norwich Phasing.pdf, a long-

term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the County Planning Authority, shall be submitted to and approved in writing by the County Planning Authority.

Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to the County Planning Authority for its approval in writing.

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 the County Planning Authority for its approval in writing.

Reason:

To protect and prevent the pollution of the water environment (particularly the Secondary A and Principal aquifers and EU Water Framework Directive Drinking Water Protected Area) 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 (2017) A4 - A6, J1 - J7 and N7.

12. In the event that, when carrying out the development hereby permitted on any part of phase 2 of the site, as shown on submitted Drawing entitled Norwich Phasing.pdf, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until the applicant/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 the Secondary A and Principal aquifers and EU Water Framework Directive Drinking Water Protected Area) 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 (2017) A4 - A6, J1 - J7 and N7.

13. No piling or any other foundation designs using penetrative methods shall be undertaken on any part of phase 2 of the site, as shown on submitted Drawing entitled Norwich Phasing.pdf, other than in accordance with a scheme previously submitted to and agreed in writing with the County Planning Authority in

consultation with the Environment Agency, 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 other penetrative ground improvement methods can increase the risk to the water environment by introducing preferential pathways for the movement of contamination into the underlying aquifer and/or impacting surface water quality.

14. Prior to the first use of the development hereby permitted, a Lighting Design Strategy for Biodiversity shall be submitted to and approved in writing by the County Planning Authority. The Strategy shall:

- (a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example foraging; and
- (b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to breeding sites, resting places or feeding areas.

All external lighting shall thereafter be installed, operated and maintained in accordance with the specifications and locations set out in the approved strategy, and no other external lighting shall be installed without prior express consent from the County Planning Authority.

Reason:

In the interests of protecting biodiversity, in accordance with Policy CS14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026 and Section 15 of the National Planning Policy Framework (2019).

15. The development shall only be carried out in accordance with the habitat enhancements detailed in sections 5.3 and 5.5 and, Appendix 4 of the approved Protected Species Surveys and Ecological Assessment; reference E20827; prepared by The Landscape Partnership; dated July 2020; received 14 July 2020.

Reason

In the interests of enhancing biodiversity, in accordance with Policy CS14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026 and Section 15 of the National Planning Policy Framework (2019).

16. All landscape works shall be carried out in accordance with the details contained in the Maintenance Schedule prepared by The Landscape Partnership dated June 2020, received 14 July 2020.

Reason

In the interests of enhancing biodiversity, in accordance with Policy CS14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026 and Section 15 of the National Planning Policy Framework (2019).

17. The development shall be carried out in accordance with the Flood Risk Assessment, prepared by RPS, dated 18 December 2019, accompanying the planning application, including the proposed mitigation measures set out within Table 2 of the Assessment. These measures shall be retained thereafter.

Reason:

To build in resistance and resilience in managing, reducing and mitigating the potential impact in the event of flooding, in accordance with the National Planning Policy Framework.

18. No hard standing areas shall be constructed until the surface water drainage scheme has been carried out in accordance with the Drainage Strategy so approved

Reason

To prevent environmental and amenity problems arising from flooding, in accordance with Section 14 of the NPPF.

19. No more than 149,000 tonnes of waste shall be brought onto the site per annum.

Reason:

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

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

Reason:

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

21. No material other than non-hazardous municipal, commercial and industrial waste shall be brought onto the site.

Reason:

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

12. Background Papers

- 12.1. Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (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>

Joint Core Strategy for Broadland, Norwich and South Norfolk (2011/2014)

https://www.south-norfolk.gov.uk/sites/default/files/JCS_Adopted_Version_Jan_2014.pdf

South Norfolk Local Plan Development Management Policies Document (2015)

<https://www.south-norfolk.gov.uk/residents/planning/planning-policy/adopted-south-norfolk-local-plan/development-management-policies>

South Norfolk Local Plan Site Specific Allocations & Policies Document (2015)

<https://www.south-norfolk.gov.uk/residents/planning/planning-policy/adopted-south-norfolk-local-plan/site-specific-allocations-and>

The National Planning Policy Framework (NPPF) (2019)

<https://www.gov.uk/government/publications/national-planning-policy-framework-2>

Planning Practice Guidance (2014)

<https://www.gov.uk/government/collections/planning-practice-guidance>

National Planning Policy for Waste (NPPW) (2014)

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

Waste Management Plan for England (WMPE) (2013)

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

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

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

Emerging Greater Norwich Local Plan (2020)
<https://www.gnlp.org.uk/key-documents-evidence/>

GNLP Carried Forward Allocation Costessey (29/11/2019)
<https://www.gnlp.org.uk/assets/keydocuments/urbanfringe/Costessey.pdf>

Norfolk County Council Environmental Policy (2019)
<https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/natural-environment-policies/environmental-policy>

Officer Contact

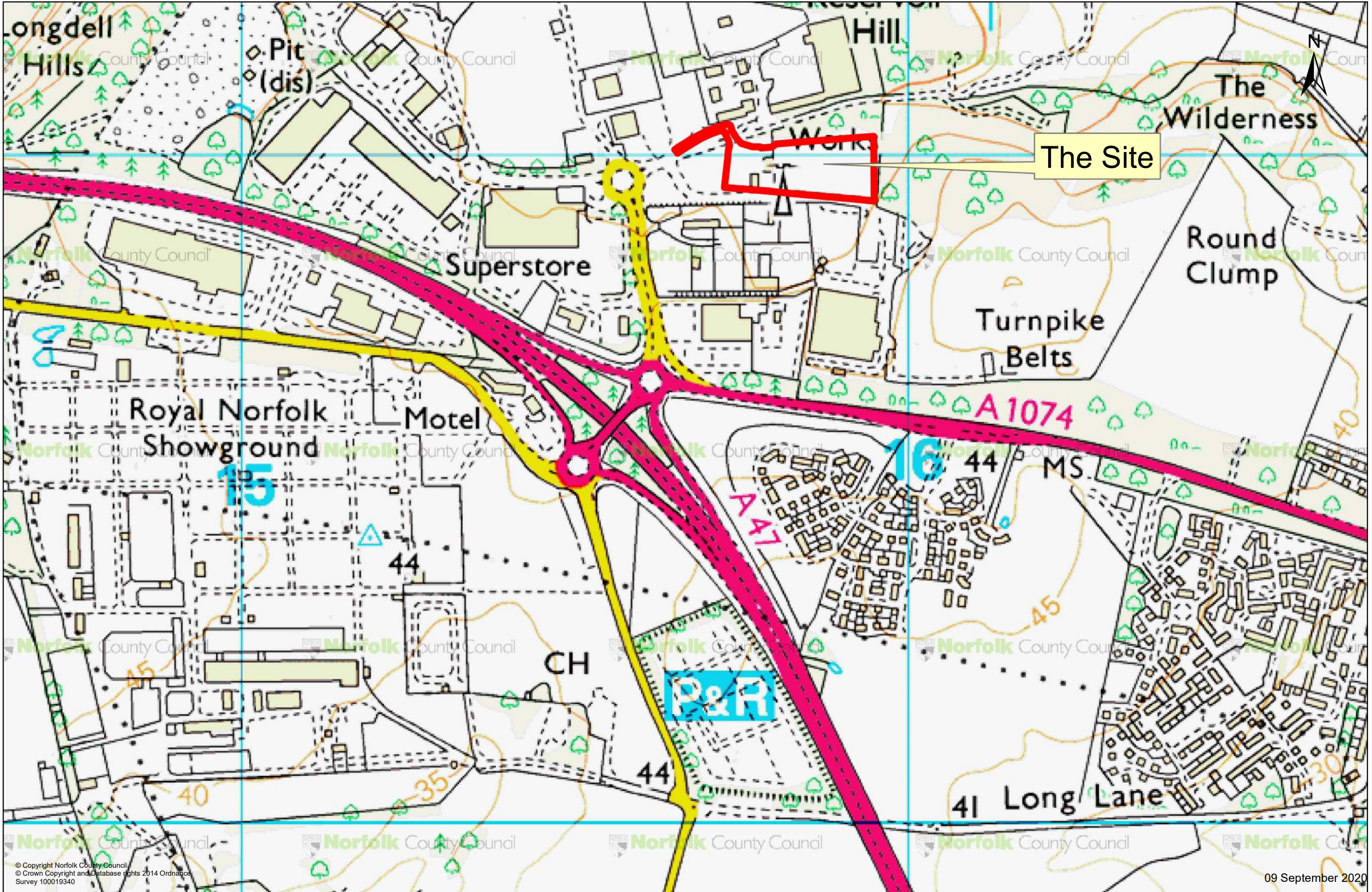
If you have any questions about matters contained in this paper, please get in touch with:

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Costessey 2019/0067
Location Plan

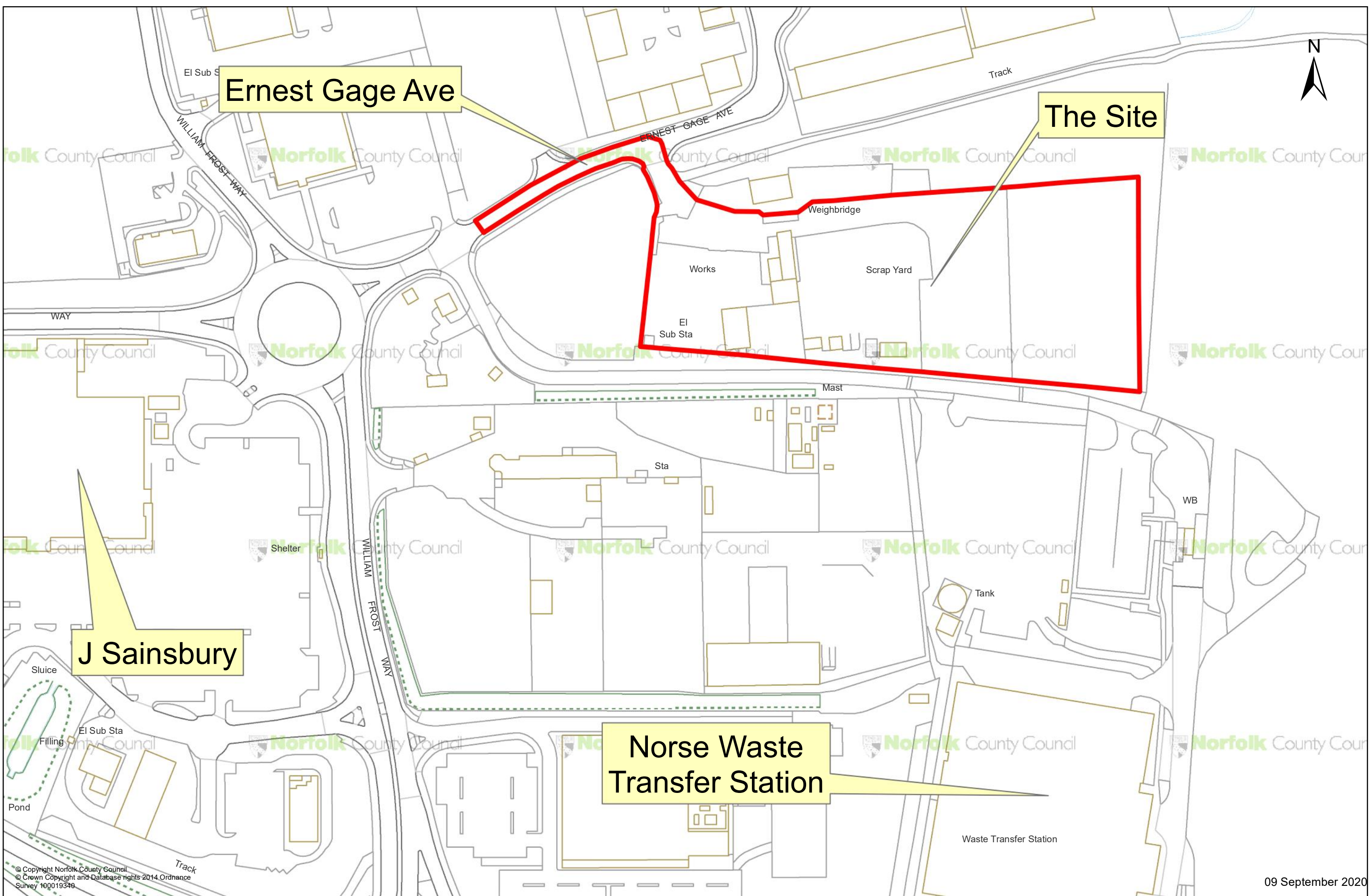


Ernest Gage Ave

The Site

J Sainsbury

Norse Waste Transfer Station



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09 September 2020

