

Applications Referred to Committee for Determination

Borough of King's Lynn & West Norfolk

C/2/2013/2006: Coxford: Continued extraction of sand and gravel from existing quarry (part retrospective) and restoration to agriculture and mixed woodland; extraction of sand and gravel from land east, west and south of existing quarry and restoration to agriculture and mixed woodland; use of ready-mixed concrete batching plant; Siltmaster plant; storage sheds; aggregate storage bays; importation, storage and recycling of inert waste; importation, storage and resale of aggregates; erection of plant and construction of hardstanding for the manufacture and storage of concrete blocks: Coxford Abbey Quarry, Docking Road, Syderstone, Fakenham, Norfolk: Longwater Gravel Co. Ltd.

Report by the Interim Director of Environment, Transport and Development

Summary

Planning permission is sought to extend Coxford Abbey Quarry into three areas to the east, west and south of the existing quarry, as well as permission to continue to extract the remaining sand and gravel from the existing quarry. If successful, the application will permit the extraction and processing of the remaining mineral reserves in this location and secure the future of the quarry for a further 13 years. The application also includes the processing of the sand and gravel at the site, concrete mixing, manufacture of concrete blocks and recycling of inert materials. The application has been assessed in accordance with the Environment Impact Assessment (EIA) legislation, given the nature and scale of the development. With the exception of the west extension area the entire site is allocated within Norfolk County Council's Mineral Site Specific allocations as MIN45.

No objections have been raised from Statutory Consultees, although one objection has been received from a nearby resident in respect of potential amenity impact. The proposals have been assessed within the report and are considered to be acceptable, without any unacceptable impact upon residential amenity, landscape, ecology and the local highways network. The proposals are considered to accord with all relevant planning guidance and policies.

Recommendation

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

- (i) Grant planning permission subject to a Section 106 Legal Agreement in respect of borehole monitoring, highway arrangements and tree protection, and the conditions outlined in section 12.
- (ii) To discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

1. The Proposal

- 1.1 Location : Land at Coxford Abbey Quarry, Docking Road, Syderstone, Fakenham, Norfolk, PE31 8TP
- 1.2 Type of development : Continued extraction of sand and gravel from existing quarry (part retrospective) and restoration to agriculture and mixed woodland; extraction of sand and gravel from land east, west and south of existing quarry and restoration to agriculture and mixed woodland; use of ready-mixed concrete batching plant; Siltmaster plant; storage sheds; aggregate storage bays; importation, storage and recycling of inert waste; importation, storage and resale of aggregates; erection of plant and construction of hardstanding for the manufacture and storage of concrete blocks.
- 1.3 Extraction area : 86.4 hectares
- 1.4 Total tonnage : The remaining reserve is estimated to be 1.56 million tonnes.
- 1.5 Annual tonnage : Approximately 120,000 tonnes
- 1.6 Market served : North Norfolk, West Norfolk and Norwich.
- 1.7 Duration : Further 13 years.
- 1.8 Plant : Siltmaster plant, processing plant, concrete batching plant, weighbridge, articulated dumper, tracked mobile screen, crawler excavator, wheeled loader.
- 1.9 Hours of working : 07:00-18:00 Monday-Friday
07:00-13:00 Saturday
No working Sunday or Bank Holidays
- 1.10 Vehicle movements and numbers :
 - Average of 30 No. 20-tonne HGV's leaving per day.
 - Average 10No. light vehicles per day.
 - Average 10No. flat bed articulated lorries per day.
 - Average 5No. lorries (bringing in concrete batch raw materials) per day
 - 3-4 staff own vehicles per day.
- 1.11 Access : The existing site access road would continue to be used which connects directly to the B1454

Docking Road and then onto the A148.

1.12 Landscaping : Hedgerow and trees screening to be planted, soil storage bunds, retained section of existing plantation woodland.

1.13 Restoration and after-use : Agriculture and Forestry.

2. Constraints

2.1 The following constraints apply to the application site:

- Four public rights of way border and cross some of the site (East Rudham FP4, FP3, FP5 and RB11).
- Agricultural land grade 3.
- Syderstone Common SSSI is located adjacent to the site on the opposite side of the B1454.
- Coxford Meadows County wildlife site runs adjacent to the application site.
- Tattersett conservation area is to the south east of the site.

3. Planning History

3.1 Planning permission was granted under reference D/2/1991/1877 for the extraction of approximately 2 million tonnes of sand and gravel, along with the erection of a processing plant, ancillary buildings and restoration to agriculture and lowland heathland. The permission was granted subject to a legal agreement requiring road and access improvements, measures to protect the hydrogeological integrity of the Syderstone Common SSSI and retention of tree belts. A time limit of 15 years was put on this permission giving a completion date of 15 September 2010.

3.2 A number of other planning applications have been approved within the site area of the existing quarry between 1999 and 2006, all of which have the same expiry date as that of the original permission (15/9/10), with the exception of the importation of inert materials which expires on 15/3/20. The following is a list of these applications:

- C/2/1998/2007 for the erection of a concrete batching plant and ancillary buildings.
- C/2/200/2021 for the erection of a siltmaster plant, collection bays and control building.
- C/2/2001/2029 for the erection of two wooden sheds to protect pumps and for the storage of flocculent and other items.
- C/2/2003/2019 for aggregate storage bays.
- C/2/2006/2020 for the importation of inert materials, the erection of recycling plant and ancillary operations.

3.3 Planning permission has also been granted for two extension areas to the south of the existing quarry. In 2005 permission C/2/2004/2001 was granted and then in 2007 permission C/2/2007/2004 was granted. The first extension has now been

worked and the land restored, extraction has also been completed in the second with restoration scheduled to be complete by Summer 2014.

4. Planning Policy

Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2016 (2011)	:	CS1	Minerals Extraction
		CS2	General locations for mineral extraction and associated facilities
		CS3	Waste management capacity to be provided
		CS4	New waste management capacity to be provided
		CS6	General waste management considerations
		CS7	Recycling, composting, anaerobic digestion and waste transfer stations
		CS13	Climate change and renewable energy generation
		CS14	Environmental protection
		CS15	Transport
		CS16	Safeguarding mineral and waste sites and mineral resources
		CS17	Use of secondary and recycled aggregates
		DM1	Nature conservation
		DM3	Groundwater and surface water
		DM4	Flood risk
		DM8	Design, local landscape and townscape character
King's Lynn & West Norfolk Core Borough Council Local Development Framework – Core Strategy (2011)		DM9	Archaeological sites
		DM10	Transport
		DM11	Sustainable construction and operations
			Amenity
		DM12	Air quality
		DM13	Progressive working, restoration and after-use
		DM14	Cumulative impacts
		DM15	Soils
		DM16	
		CS06	Development in Rural Areas
King's Lynn & West Norfolk Borough Council Local Plan (1998)	:	No relevant policies.	

The National Planning Policy Framework (2012)	: 6 11 13	Building a strong, competitive economy Conserving and enhancing the natural environment Facilitating the sustainable use of minerals
Planning Policy Statement 10	:	Sustainable Waste Management
Technical Guidance to the National Planning Policy Framework	:	Minerals Policy

5. Consultations

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| 5.1 | Borough Council of King's Lynn & West Norfolk | : | No response received. |
| 5.2 | East Rudham Parish Council | : | Support the application. |
| 5.3 | Syderstone Parish Council | | Support the application subject to a condition requiring the down-lighting to be switched off at night including the concrete plant in order to minimise light pollution. |
| 5.4 | Highway Authority (NCC) | : | <p>The intention is to use the existing access to the B1454 Docking Road, which is recorded within the route hierarchy as a main distributor route. The access already benefits from a dedicated right turn lane and there are no recorded person injury accidents within the sphere of influence of the access.</p> <p>The road markings associated with the site access, in particular the give way lines and right turn lane, are showing signs of erosion and need replacing. Given the erosion is solely attributable to vehicles associated with the quarry and also this application seeks to extend the life of the quarry and number of vehicle movements, it will be a matter for the applicants to fund the cost of re-instating the road markings. This can be controlled by way of condition.</p> |
| 5.5 | Environmental Health Officer (KL&WN) | : | No objections subject to conditions in relation to noise, dust and hours of working. |
| 5.6 | Norfolk Historic | : | The site based assessment accompanying the |

	Environment Service (NCC)	application suggests that the site has potential for the presence of heritage assets with archaeological interest. No objections are therefore raised subject to agreeing a written scheme of investigation by condition.
5.7	Environment Agency	: No objections, subject to agreeing the correct licence, permits and any necessary variations in respect of waste, quarrying, restoration and water resources.
5.8	Natural England	: No objections. The Syderstone SSSI does not represent a constraint in determining this application, as the details submitted show that the proposals will not destroy, damage the interest features for which the SSSI has been notified. The authority should consider protected species, local sites, biodiversity and landscape enhancements in determining the application.
5.9	Ecologist (NCC)	: No objections subject to a condition requiring great crested newt mitigation strategy to be agreed.
5.10	Landscape and Trees Officer (NCC)	: No objections: - The exact profiles of the bunding sections need specifying with gentle slopes required on outer face and a drawing required showing this. -Confirmation required on the specifications for the exact time scales of phasing control the number of phases being operated at any one time. -The oaks within the hedge along the western section should be standards.
5.11	Arboriculturist (NCC)	: The woodland planting provides benefits of connectivity and diversity compared with the commercial monoculture woodland that is to be felled to facilitate the development. It is recommended that replanted woodland areas, hedges and other trees to be planted are maintained and in favourable condition for 25 years after planting to ensure lasting woodland cover and ecological benefit. Provided that the submitted arboricultural documents are adhered to, and an increased

maintenance period is conditioned, no objection is raised to this application.

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| 5.12 | Public Rights of Way Officer (NCC) | : | No objections subject to a condition requiring dedication of public footpath by agreement with NCC within 6 months of the completion of extraction. |
| 5.13 | Ramblers Association | : | No comments received. |
| 5.14 | Health and Safety Executive | : | No comments received. |
| 5.15 | Norfolk Fire Service | : | No objections subject to a condition requiring either a fire hydrant to be installed capable of delivering a minimum of 20L of water per second, or where no piped water supply is available or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source of supply should be provided. |
| 5.16 | Norwich Airport | : | The development will not provide a significant collision risk for aircraft operating in the vicinity of Norwich International Airport, thus we do not need to be a statutory consultee for future design and development and future applications at the site, unless a wind turbine becomes part of the proposal. |
| 5.17 | English Heritage | | Response awaited. |
| 5.18 | Local residents | : | <p>One letter of objection has been received from the occupier of Heath Cottage, Tattersett. Comments in summary are:</p> <ul style="list-style-type: none">• Noise pollution will increase with quarry extension closer to property.• Dust from prevailing winds with questions over health issues.• Traffic – increase in vehicles movements in area.• Concern over screening of the development, provision of adequate bunding and potential loss of existing tree screening.• Site in close proximity to SSSI, County Wildlife Site and River Tat wildlife corridor. Environmental damage and loss of biodiversity is bound to occur.• Allowing a large area of the Norfolk |

countryside to be ripped apart will not enhance the landscape or local environment.

- Water pollution risk from any major chemical spillage or leaks at the quarry.
- The applicant intends to apply for grants for some of the tree replanting from the forestry commission which is not acceptable as they should be required to pay for this.
- Obligation will be required to ensure the restoration/remedial work is carried out.

5.18 County Councillor : No comments received.
(Michael John Baylis
Chenery of Horsbrugh)

6. Assessment

6.1 Proposal

- 6.2 This application seeks to extend Coxford Abbey Quarry into three areas to the east, west and south of the existing quarry, as well as permission to continue to extract the remaining sand and gravel from the existing quarry. If successful, the application will permit the extraction and processing of the remaining mineral reserves in this location and secure the future of the quarry for a further 13 years. The application also includes the processing of the sand and gravel at the site, concrete mixing, manufacture of concrete blocks and recycling of inert materials.
- 6.3 The existing quarry and the proposed south and east extensions are allocated within the Norfolk Minerals and Waste Local Development Framework as a specific site for mineral extraction (MIN45). The extension proposed to the west is not allocated but during investigations it has been identified that there are approximately 0.3 million tonnes of reserves within this area.
- 6.4 The quarry produces sand and gravel which is well suited for the production of ready-mixed concrete and other construction uses. The quarry also imports some material for re-sale, including recycled aggregates such as crushed concrete, brick, asphalt and screened topsoil. These activities and associated infrastructure are proposed to be retained during the life of the quarry.
- 6.5 Permission for the quarry was initially granted in 1995 for a period of 15 years however that timescale has lapsed without the site having been fully worked. Two other applications have also been granted during this period including two extension areas to the south granted in 2005 and 2007. Work has been completed in one of the extension areas and restoration is currently underway in the other. The other permissions which have been granted within the main quarry are for a concrete batching plant, siltmaster plant, importation and recycling of inert materials and aggregate storage bays. The current application seeks to consolidate these previous permissions within the original quarry, continue extraction of the original site and also seek consent for three extension areas

(east, west and south). The proposals also include the erection of plant and construction of hardstanding for the manufacture and storage of concrete blocks.

- 6.6 Completion of extraction and restoration of the original quarry has not been achieved within the 15 year permitted timescale due to the quantity of sand (from the lower deposits) being significantly more than was estimated at the time of the original investigations for the planning application. By itself, the sand is not commercially viable to extract, therefore there is a need to work the hoggin from the surrounding land to produce gravel for blending with the sand to make a suitable material for processing. Two extension areas, specifically permitted for the extraction of hoggin, have previously been granted permission. The first extension area has been worked and restored whilst extraction from the second was completed in late 2013. Final restoration of the second extension area is scheduled for completion this summer. Working these extension areas has enabled sand extraction to continue from the original quarry, although substantial reserves of sand remain.
- 6.7 The infrastructure and associated uses previously granted permission within the quarry would continue to be used in their current form and then be removed in accordance with the proposed restoration scheme.
- 6.8 Topsoil bunding and tree belts are proposed around the perimeter of the quarry and the proposed extensions, as mitigation measures during the phased extraction. The existing access into the site leading from the B1454 Docking Road, which subsequently links to the A148 would continue to be used.
- 6.9 The site would be restored to a mixture of agricultural land, mixed woodland planting, wet woodland, grassland and hedgerows interspersed with broadleaf trees.
- 6.10 The previous permission for the main quarry was subject to a Section 106 legal agreement in respect of borehole monitoring, retention of tree belts and highway/access improvements. If this application is approved a revised legal agreement would need to be entered into to ensure that these clauses continue to be adhered to.
- 6.11 **Site**
- 6.12 Coxford Abbey Quarry is situated approximately 9km to the west of Fakenham and approximately 20km East of Kings Lynn. Access is taken directly from the B1454 Docking Road. The village of Tattersett is approximately 1km south east of the site and the village of Syderstone is approximately 1km to the north.
- 6.13 The total site area covered by the application is 86.4ha, which can be broken down into 32.71ha of the original quarry, 21.65ha from the south extension, 6.93ha from the east extension and 25.11ha from the west extension. The proposed south extension is currently largely covered with a commercial conifer plantation and agricultural land, the proposed east extension is currently in agricultural use and the proposed west extension is also in agricultural use most recently used for pig farming.

6.14 The quarry is set within a rural landscape which is used predominantly for agriculture. Immediately to the east of the site is the B1454 beyond which is the Syderstone Common SSSI. The site is also bound along the eastern boundary by the Coxford Meadows County Wildlife Site, the River Tat and Core River Valley and the Saucer Barrow on Coxford Heath Scheduled Ancient Monument. To the south of the site are agricultural fields with a property to the south west known as Heath Cottage which is approximately 300m away from the nearest part of the application site. To the south east there is a further single residential property, also known as Heath Cottage which is approximately 0.56km away from the application site, and is situated on the opposite side of Tattersett Road (C42) to the application site. To the north of the quarry there is an existing conifer plantation providing dense screening from the north.

6.15 **Principle of development**

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

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

6.17 In terms of the development plan, the County Planning Authority considers the relevant documents in relation to this application are the Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2016 (the “NMWDF Core Strategy”) and the King’s Lynn & West Norfolk Borough Council Core Strategy (2011). Whilst not part of the development plan, policies within the National Planning Policy Framework and Planning Policy Statement 10 are also a further material consideration of significant weight.

6.18 The principle of mineral extraction in the main quarry site was deemed acceptable when permission was granted for the working in 1995. Nevertheless, policy and circumstances have changed so it is necessary to undertake a re-assessment and ensure that the principle of allowing this to continue for a further period of time along with additional extensions is acceptable and complies with policy.

6.19 NMWDF Core Strategy policy CS1 states that the landbank for sand and gravel will be maintained between 7 and 10 years supply. NMWDF Policy CS2 explains that the availability of sand and gravel is located widely throughout the county and that preference will be given to those sites which are particularly well related via appropriate transport infrastructure to....Kings Lynn...or the main market towns of..... Fakenham, and that preference will be given to extensions of existing sites over new sites.

6.20 As of March 2014, the sand and gravel landbank stands at 6.84 years. The proposal at Coxford Abbey Quarry would, if granted, deliver additional mineral

reserves of 1.56 million tonnes. This would increase the landbank to 7.69 years. As CS1 indicates that the landbank should be maintained at between 7-10 years and as this proposal would contribute to increasing the landbank, it is considered to be compliant with CS1. The site is also well related to both Kings Lynn and Fakenham as identified within the policy as being favourable for sand and gravel extraction sites. As the proposals include extensions to the original quarry, this would also accord with the aims of policy CS2, which favours extensions to existing sites over new ones.

- 6.21 Para.144 of the NPPF underlines that planning authorities should give great weight to the benefits of mineral extraction, including to the economy. Pertinently it also states that planning authorities should recognize the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites. This applies to the application site, where the unexpected geology has required a revised way of working, which has necessitated additional time for extraction from the original quarry and the need for the extension areas.
- 6.22 The principle of extraction from the original quarry and the extension areas are considered to be supported, however it is also important to ensure that the proposal accords with other development plan policies in terms of the impacts and characteristics of the quarry.
- 6.23 The application also includes the retention and continued use of plant for the processing of sand and gravel, ready mixed concrete batching and recycled inert materials processing. In addition to this a new area of hardstanding and plant is proposed for the manufacture of concrete blocks. Policy CS2 of the NMWDF supports those facilities associated with mineral extraction on existing sites. Policies CS3, CS4, CS6, CS7 and policy CS17 support waste management facilities on existing mineral sites in locations close to major towns and with good transport links. The site would process up to 20,000 tonnes per annum of inert materials. Policy CS17 supports the use of secondary and recycled aggregates and in this respect the proposals would accord with the policy.
- 6.24 **Amenity (noise, dust, light pollution)**
- 6.25 The protection of amenity for people living in close proximity of mineral workings is a key consideration and NMWDF policy DM12 states that development will only be permitted where '...unacceptable impact to local amenity will not arise from the operation of the facility.' This echoes the ethos of policy NMWDF CS13 which also seeks to avoid unacceptable impacts on amenity. This is also recognized in the Technical Guidance to the NPPF which states that residents living close to mineral workings may be exposed to a number of environmental effects and particular care should be taken in respect of any conditions that planning authorities attach to a grant of planning permission.
- 6.26 The original planning permission was subject to a comprehensive schedule of conditions concerning working hours, silencing of machinery, and significantly details of soil bunds, hedges and trees which provided screening

and a buffer for the operations (which are measures cited in policy DM12 as a means of mitigating these impacts). The site has not generated any significant levels of complaint whilst it has been operational. And extension areas to the south of the quarry which are closer to residential properties than the extensions detailed in this application have been previously approved and are now almost fully restored.

- 6.27 King's Lynn and West Norfolk Borough Council's EHO have raised no objections to the scheme but have requested a number of conditions in order to protect residential amenities and mitigate potential noise concerns identified within the noise assessment. These conditions are listed in full in section 12 of this report, but in summary they would consist of agreeing a noise management plan, restriction on the hours of operation including tighter restrictions on the hours of extraction and bunding works in the area (W3) closest to residential properties. Other conditions proposed include the environmental design measures and mitigation measures identified within the Dust Assessment being adhered to, provision of soil storage bunds and a noise management plan to be submitted and agreed.
- 6.28 In respect of noise the NPPF technical guidance states that periods of up to 8 weeks per annum are acceptable for noise levels elevated to 70dB LAEQ 1hour in order to construct bunds or other necessary work to enable extraction. The noise survey submitted with the application shows that this level would not be exceeded to carry out the necessary works and bund construction, and would not last longer than 8 weeks per annum. A further detail which will therefore need to be agreed as part of the noise management plan is that the sound shall not exceed 70dB LAEQ for a maximum period of 8 weeks per annum to ensure this is the case.
- 6.29 In summary in terms of noise impact it can be concluded that whilst some disamenity would be experienced, with the addition of a condition requiring the submission of a noise management plan to control the hours of operation and specific details in respect of the hours of working in area W3; along with the proposed temporary operations any adverse impact would be minimised to an acceptable level for the life of the quarry.
- 6.30 With regards to dust the assessment submitted with the Environmental Statement concludes that mitigation measures are required to reduce the risk of impact to an acceptable level. The application proposes a number of measures including topsoil screening bunds around each of the operational areas, along with retention of treebelts and vegetation to limit any impact from dust. The EHO have raised no objections to the application subject to the mitigation measures detailed within the dust assessment being adhered to. This can be controlled by way of condition, the mitigation measures detailed include avoiding dust generating activity during windy weather, speed limits for vehicles on site, dampening down stock piles, watering internal haul routes and loaded trucks being covered when leaving the site.
- 6.31 With regards to lighting the area within the quarry where lighting would be used is central to the site and is enclosed by surrounding land and

commercial tree plantations. The planning statement submitted with the application advises that all lighting would be angled downwards to prevent glare and light pollution. In addition to this the lighting would be controlled by timers and not used during the night to further reduce any light pollution. No lighting is proposed in any of the extension areas, with the exception of worklights fixed to mobile plant. Therefore lighting and associated light pollution is not considered to be an issue with this application. This was raised by the parish council who requested that this be controlled by condition, which is considered to be acceptable.

- 6.32 There are no outstanding objections from the EHO or the Environment Agency, and subject to the above mentioned conditions, it is considered that the proposal complies with both NMWDF Policies CS14 and DM12 which both seek to ensure there are no unacceptable adverse amenity impacts created. A single objection has been received from a property known as 'Heath Cottage' to the south east of the site in respect of noise and dust from the proposed development. It should be noted that this property is approximately 0.56km away from the nearest part of the application site. There are existing mature trees along the river Tat within the County Wildlife site which would provide screening of the proposed development, in addition to this there would be a soil bund created around the operational area. Extensions have also been previously granted for land which is in closer proximity to this property; these extensions have now been worked and are almost fully restored. All statutory consultees are satisfied that there will be no unacceptable impact upon amenity of the occupiers of this property subject to the conditions proposed. It is therefore considered that the proposals in this respect are acceptable.

6.33 **Landscape**

- 6.34 NMWDF Policies CS14 and DM8 both seek to only permit development that does not have unacceptable impacts on the character and quality of the landscape. At a local level, policy CS06 of the King's Lynn and West Norfolk (KL&WN) Core Strategy states that the strategy for rural areas is to 'maintain local character and a high quality environment' and also 'to protect the countryside for its intrinsic character and beauty'.
- 6.35 Views across the site are not possible from the north and east, because there is an existing conifer plantation to the north, and to the east there is also a conifer plantation with some areas of existing broadleaf trees along the eastern boundary and the B1454. These areas of planting are proposed to be retained and will prevent views into the site from these directions.
- 6.36 Along the southern and western boundaries of the proposed extension areas it is proposed to construct a top soil bund around each phase to prevent views into the site. The topsoil bunds to the south would be up to a height of 2m and along the western boundary up to a height of 3m. In addition to this as there is currently no tree belt along the western boundary adjacent to the minor Rudham Road, it is proposed to plant a hedgerow interspersed with groups of oaks along this boundary. The details of the tree planting specification along this boundary have been requested to be agreed by

condition by the landscape officer. The soil bund which is to be constructed behind this hedgerow would have a gentle outer slope so that it does not appear overly dominant.

- 6.37 The trees which are to be felled to accommodate the proposed extensions are almost all commercial conifer plantations. The total number of trees which will have been felled once the whole quarry site has been worked would equate to 28.8 hectares. The restoration scheme proposes to replant with 24.8 hectares of mixed woodland trees. Whilst this is a net loss of 4 hectares of trees, it should be noted that these figures do not include 2.1 hectares of mixed woodland which have been planted at the site since permission was granted in 1995, nor does it include the hedgerow and native broad leaf planting which is proposed along the western boundary. It should also be acknowledged that the conifer plantations being felled have a lower value in terms of biodiversity benefits compared to that of the proposed broadleaf planting. The Arboricultural officer and Landscape officer have raised no objections although it has been requested that conditions are attached requiring the submitted arboricultural documents to be adhered, details of the specification of planting along the western boundary to be agreed and to an increased maintenance period for the woodland of 25 years after planting.
- 6.38 Views from Tattersett conservation area would be obscured by the retention of tree belts and existing mature trees along the river Tat County wildlife site and Core River Valley. As such there is considered to be no adverse impact upon the setting or appearance of the conservation area.
- 6.39 The proposals are considered to be well screened and without any significant detrimental impact upon the character and appearance of the area. Views of the site from public rights of way and the surrounding local road network would be obscured by the retention of existing tree belts, additional planting and the provision of top soil bunds. Subject to compliance with conditions outlined above, it is considered that there are no landscaping issues with the proposed quarry and extensions, and the proposals would accord with NMWDF policies CS14 and DM8 and KL&WN Core Strategy policy CS06.
- 6.40 **Biodiversity and geodiversity**
- 6.41 NMWDF policy CS14 states developments must ensure there are no unacceptable adverse impacts on biodiversity and geodiversity including nationally designated sites. The Syderstone Common Site of Special Scientific Interest (SSSI), a nationally designated site for its heath and grassland communities occupying a shallow valley in the headwaters of the River Tat, lies immediately to the east of the application site. This SSSI accommodates a colony of Natterjack toads and is one of only three breeding colonies now known in East Anglia.
- 6.42 An ecological impact assessment has been submitted with the application along with a great crested newt survey. The assessment concludes that -
- 'No statutory or non-statutory designated nature conservation sites and no

ancient woodland sites or veteran trees would be significantly adversely affected by the proposals.

The ecological assessment has identified no residual impacts of habitat loss and fragmentation upon woodland or other habitats of ecological value. The assessment has not identified any significant impacts to any priority habitats for conservation, e.g. UK BAP habitats. Long-term management commitments and restoration of woodland areas presented as part of the scheme will ensure that adverse effects upon important receptors are minimised. The proposed restoration and 20-year management plan is considered to generate net biodiversity gains at a local level in comparison to the predicted baseline.'

Natural England have been consulted on the application and have advised that they are satisfied that-

'the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notable. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. '

- 6.43 The County Ecologist's has also been consulted on the application and has raised no objections advising that the great crested newt survey is adequate and the proposed mitigation measures are acceptable.

Appropriate Assessment

The site is situated within close proximity to the Syderstone Common SSSI and is approximately 2.2km from the River Wensum Special Area of Conservation (SAC) which is an internationally protected sites. Neither Natural England nor the County Ecologist have raised any objection to the proposals subject to mitigation measures proposed, in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010, it is considered that the development would not have a significant impact on any protected habitats and accordingly no Appropriate Assessment of the development is required.

- 6.44 The proposals are therefore considered to comply with NMWDF policy CS14, which seeks the avoidance of unacceptable adverse impacts on geodiversity and biodiversity, including nationally designated sites.

6.45 **Transport**

- 6.46 Policy CS15 of the Minerals and Waste Core Strategy states that development proposals will be satisfactory in terms of access, providing unacceptable impacts are not caused to the safety of road users and pedestrians, the capacity of the highway network, air quality, and damage to the roadside. Policy DM10 requires applicants to demonstrate with a Transport Statement that there is suitable highway access and suitable routes to the nearest major road.

- 6.47 No change is proposed to the access/egress arrangements, which are via a

single access/egress point to the north-east of the site, from the B1454 Docking Road. The B1454 has previously been widened to accommodate a right turn ghost island for lorries and other traffic turning into the site. The highways officer has commented that these road markings associated with the site access, in particular the give way lines and right turn lane, are showing signs of erosion and need replacing. As this can be solely attributable to the vehicles visiting the site it is recommended that these be re-instated at the applicants cost, which can be controlled by way of condition.

- 6.48 A transport statement has been submitted with the application in accordance with Policy DM10. The Transport Statement and Environmental Statement submitted with the application conclude that there would be a marginal increase in traffic and that it is unlikely that there will be any significant impacts related to traffic from the development proposal at the quarry.
- 6.49 The application also includes the production of concrete blocks which is a new development not previously permitted at the site. The Environmental Statement identifies that the total number of vehicles collecting blocks could be up to 2,500 per annum; which would on average be ten per day. And the total number of vehicles delivering to the site (50% raw material for production needs to be brought in) could be up to 1,250 per annum; an average of 5 per day. The application does however set out that in practice the additional traffic generated by the block plant is likely to be significantly lower than identified, by virtue of efficient operational use of lorries. This is because in reality vehicles delivering to the block plant are likely to also leave with sand and gravel.
- 6.50 In summary the Transport Statement submitted with the application identifies that there will be no net change in the traffic flow generated by the proposed sand and gravel extraction. It is projected that there would be a maximum of 30 HGV's leaving the quarry per day. There would also be on average 10 light vehicles visiting the quarry in respect of the sand and gravel per day.
- 6.51 The Highway Authority have raised no objections to the proposals, advising that the B1454 Docking Road which it is proposed to continue using as an access point is identified within the highways route hierarchy as a main distributor route, and that there have been no recorded person injury accidents within the sphere of influence of the access. Subject to the re-instatement of the road markings at the junction and the land being continued to be dedicated as highway within the Section 106 agreement, it is considered that the proposals comply with NMWDF Policies DM10 and CS15, which considers proposals acceptable in terms of access where anticipated HGV movements do not generate unacceptable risks or impacts.
- 6.52 **Groundwater/surface water & Flood risk**
- 6.53 The site is situated within Groundwater Protection Zones 2 and 3, in accordance with Policy DM3 of the NMWDF the application has therefore been accompanied with a Hydrogeological Risk Assessment. The site is also greater than 1 hectare in size and has therefore also been accompanied with a Floodrisk Assessment in accordance with Policy DM4 of the NMWDF.

6.54 The Hydrogeological Assessment concludes that:

‘The available monitoring data has confirmed that there is no groundwater present within the Sand and Gravel deposit present beneath the site, and that the regional groundwater table within the underlying Chalk aquifer is located well below the proposed base of the application site. It is therefore considered that there is ‘near zero’ to ‘low’ risk of the site having a significant potential impact upon the local or regional hydrogeology, including the habitat of the Natterjack toad at Syderstone Common SSSI.’

Policy DM3 of the NMWDF advises that applications will only be acceptable in principle where it is demonstrated that the extraction can take place safely in respect of groundwater protection. The Environment Agency have been consulted on the application and have advised that:

‘From a water resources perspective we have no concerns with the extension of quarrying as the Hydrogeological Risk assessment has shown that the aggregate will be dry worked and no dewatering will be required. The groundwater level is stated as being, at its shallowest, 6m below the base of the quarry.’

The proposals in this respect are considered to accord fully with the aims of Policy DM3 of the NMWDF.

6.55 Policy DM4 of the NMWDF only permits mineral extraction on sites greater than 1 hectare where it can be demonstrated that there would not be an increase in flood risk as a result of the extraction.

The submitted Flood Risk Assessment concludes that there are no historical records to show that the existing quarry or the proposed extension areas have ever been flooded by the nearby river Tat. The assessment also concludes that the development will have either no effect or a positive effect on flood risk both during the operational stage of the quarry or following restoration. Furthermore, the Environment Agency has no objections to the proposal. It is therefore considered that the proposal complies with NMWDF policy DM4, which seeks to only permit mineral extraction sites that do not increase the risk of flooding.

6.56 **Protection of best and most versatile agricultural land**

6.57 NMWDF Policy DM16 cites a preference that, where mineral extraction is proposed on agricultural land, it is land of agricultural grades 3b, 4 and 5. The application site is comprised of Grade 3b agricultural land. The proposals are therefore considered to be compliant with this policy.

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

6.59 Policy DM14 of the NMWDF requires proposals for new mineral workings to be accompanied by a scheme for the phased and progressive working and restoration of the site throughout its life. Consideration also needs to be given to the benefits of the aftercare proposed in terms of biodiversity,

geodiversity and landscape.

- 6.60 Sufficient reserves of sand already exist in the existing quarry and therefore future extraction of reserves from the east, west and south extension areas would be limited to working the upper layer of hoggin only (between a depth of 3 and 6m below ground level). This would involve removing the topsoil and placing it in 2-3m high bunds around the edge of the excavations to act as screening.
- 6.61 The application has been accompanied with a restoration/phasing schedule along with a Landscape and Visual Impact Assessment. It is proposed that the quarry is worked in phases, with each of the extension areas being worked and restored to agriculture or woodland as the next stage is worked. This would result in the landscape impacts being local and short term in nature and shows consideration of the need for a sensitive phasing schedule.
- 6.62 The restoration proposed for the existing quarry area would be a mixture of agriculture and woodland. The lagoon area would be left to naturally regenerate to wet woodland. Car parking for walkers provided at site entrance, open quarry face of existing quarry retained along northern margin of lagoons for geological study and sand martin habitat.

The extension areas would also be restored to a mixture of woodland and agriculture, with grassland margins maintained around field perimeters and a new hedge row with clumps of broadleaf trees planted along the western extension.

- 6.63 Waste silt would be used in the restoration of the main quarry site. This aspect of the development, as confirmed by the Environment Agency, is regulated by an Environmental Permit. No objections have been received from statutory consultees and both the landscape officer and ecologist are supportive of the proposed restoration plans. Norfolk Wildlife Trust initially raised concerns that adequate consideration had not been given to the creation of heathland within the Environmental Statement. However following additional information from the applicant, advising that the soil type within the site was not suitable to create this habitat and a re-consultation in respect of the additional information these concerns were satisfied, subject to the continued involvement of the county ecologist in the long term restoration of the site and to assist in meeting the aims of the Norfolk's Biodiversity Action Plan habitat restoration. The Environmental Statement concludes that the proposed restoration scheme should once complete generate a net biodiversity gain.
- 6.64 Taking into account the original use of the site, as predominately a mixture of agricultural land and commercial conifer plantations, it is considered that the proposed after-use is appropriate, and acceptable in landscape terms. The proposed phasing and restoration scheme is also considered to be acceptable and there are no objections from statutory consultees. It is therefore considered that the proposals comply with NMWDF Policy DM14, which seeks the most appropriate after-use for sites.

6.65 Public Rights of Way

- 6.66 The site is bounded by Rights of Way on three sides, (Footpath 3 and 5 on east and south side and Restricted Byway 11 on the north) sections of these routes are concurrent with existing vehicular access.

The application includes the creation of a link route near the western boundary to link FP 5, RB 11 and FP4. This would extend walking options for users and create circular walks around the restored quarry. The county council's rights of way officer has been consulted on the application and is supportive of the proposals subject to the dedication of this link as a public footpath being controlled by condition.

6.67 Cumulative impacts

- 6.68 Policy DM15 of the NMWDF advises that minerals and waste developments can, by virtue of their nature and scale of operations, generate significant environmental and amenity impacts. The policy requires applications to be supported by information to demonstrate how the proposals relates to other developments nearby and detail any cumulative impacts that may occur and how these could be adequately mitigated against.

- 6.69 A cumulative impact statement has therefore been submitted with the application. The statement advises that there are no existing or future minerals developments within five miles of Coxford Abbey Quarry , with the nearest existing minerals development being approximately nine miles away at Snettisham. However, there is an existing Household Waste Recycling Centre at Docking, approximately 4 miles away along the B1454. There was also previously a landfill in this location which has now been restored. The Environmental Statement and cumulative impacts statement accompanying the application conclude that:

'There is unlikely to be any significant cumulative impacts on noise, dust, HGV movements and traffic, air quality, landscape and ecology arising from the concurrent operation of Coxford Abbey Quarry and other existing and proposed minerals and waste developments in the near vicinity.'

- 6.70 It is considered that this is a reasonable conclusion given the distance that Docking is away from the site and that impacts in terms of noise, dust and visual intrusion will be generally localised. It should also be noted that both sites have been operating concurrently for the past 13 years with no cumulative issues having being raised as a problem. It is therefore considered that the proposal complies with NMWDF Core Strategy policy DM15, which seeks the avoidance of unacceptable cumulative impacts.

6.71 Sustainability

- 6.72 Policy CS13 of the NMWDF requires all opportunities for new minerals developments to generate renewable energy on site will be welcomed and should be explored fully, with a minimum of 10 percent generated from decentralised

and renewable low-carbon sources, wherever is practicable. Where it is not considered practicable this must be demonstrated with appropriate information.

- 6.73 The application has been accompanied with a Renewable Energy Viability Report which advises that photovoltaic panels either roof mounted or ground mounted would not be feasible due to the orientation of the roof and its size and also the dust levels in the location where ground mounted panels would be close enough to the grid connection to make them viable. The report has also considered installing a wind turbine, however with the existing tree cover around the site it has been determined that turbines would be unfeasible due to the level of wind shade. Other sites are available with less wind shade, however these would be over 650m from the nearest grid connection and are therefore considered not to be viable. The assessment carried out identifies that consideration has been given to producing on site renewable energy, however the site conditions are not suitable for providing appropriate locations for installing the necessary equipment. The proposals are in this respect considered to accord with the aims of Policy CS13 of the NMWDF.

6.74 Archaeology and Historic Features

- 6.75 Policy DM9 of the NMWDF seeks to protect and adequately mitigate against sites with a high potential for archaeological interest to be affected. Those sites posing a high potential risk are required to be accompanied with an appropriate desk based assessment. The policy also advises that where development would affect scheduled ancient monuments, there will be a presumption in favour of their preservation in situ.

- 6.76 The Environmental Statement includes an archaeological desk based impact assessment. This assessment advises that the likelihood of significant features being present is low, considering the lack of findings of note in the existing quarry. However it is still proposed that a watching brief will be undertaken in advance of extraction, during the soil stripping phases and any features of archaeological interest recovered prior to extraction taking place. The council's archaeologist has been consulted on the application and is in agreement with the findings of this assessment, raising no objection subject to a condition requiring a written scheme of archaeological investigation to be agreed.

- 6.77 It should also be noted that the Saucer Barrow on Coxford Heath is a Scheduled Ancient Monument and lies near to the southeast corner of the proposed development area. The standoff between the monument and the nearest point of extraction is likely to be in excess of 150m to the north-west and the setting of the monument will be protected through the retention of a 20-75m (depending on the angle and direction) tree belt. It is therefore considered that in accordance with Policy DM9 of the NMWDF there would be no significant effects on designated heritage assets.

6.78 Responses to the representations received

- 6.79 The application was advertised by means of neighbour notification letters, site notices, and an advertisement in the Eastern Daily Press newspaper.

6.80 One letter of objection has been received from the occupier of Heath Cottage which is situated approximately 560m south west of the application site and 700m from the nearest point of extraction. The property Heath Cottage is separated from the application site by existing mature trees, the River Tat valley and the Tattersett Road. The objections relate primarily to noise, dust, traffic, screening, landscape impact, water pollution, funding for tree planting and obligation to complete restoration.

Many of these, including those that relate to amenity, have already been addressed in the report i.e. working hours, noise, dust, flood lighting, highway concerns, landscaping, flood risk and restoration. However for clarity a brief response will be provided.

6.81 With regard to the potential that the forestry commission may provide some grants for replanting, this is not a material planning consideration to this application.

6.82 In terms of potential impact from noise, the environmental health officer has requested a condition to ensure that noise levels are controlled so that they do not unacceptably impact upon amenity. It is also proposed to limit the hours of working in those areas which may have the potential to impact residential amenity. It is also noted that this property would have previously been within closer proximity of extension areas of this quarry which have now been restored. It is considered that the proposed stand-offs and mitigation measures proposed should ensure that impacts previously experienced do not re-occur to the detriment of nearby residential properties.

6.83 With regards to potential impact from dust a number of mitigation measures have been considered to be satisfactory these include topsoil screening bunds around each of the operational areas, retention of treebelts and vegetation to limit any impact from dust. A condition is also proposed to ensure that the mitigation measures detailed within the dust assessment are adhered to.

6.84 The issue of traffic impact has been assessed within the application. The access arrangements are to stay the same as previously approved, and the main route for vehicles to travel to and from the site would be along the B1454 Docking Road, which is considered to be a main distributor route in the highways hierarchy; The proposals are considered to be acceptable in highways terms as supported by the county's highways officer.

6.85 With regards to landscape impact the provision of screening bunds and retention of tree belts have been considered within the report and can be controlled by way of condition. Concern over loss of woodland outside of the site is not detailed within the planning application and is highly unlikely given the designation as a County Wildlife site. In addition to this adequate screening can be provided within the perimeter of the application site.

6.86 The landscape impact and proposed restoration of the site has been discussed within the application and is considered on balance to be acceptable, with visual

impact being at a local level for short periods of time due to the phased working arrangements. With regards to the obligation to carry out the restoration and maintenance this can be controlled by way of condition.

7. Resource Implications

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

8. Other Implications

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

- 8.8 **Communications:** There are no communication issues from a planning perspective.
- 8.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.
- 8.10 **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

9. Section 17 – Crime and Disorder Act

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

10. Risk Implications/Assessment

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

11. Conclusion and Reasons for Grant of Planning Permission

- 11.1 Planning permission is sought to complete the extraction of the remaining sand and gravel from the existing quarry and extend into three areas for additional hoggin. This permission would run for 13 years and would also include a consolidation of other activities previously granted permission at the site for the use of a ready-mixed concrete batching plant; siltmaster plant; storage sheds; aggregate storage bays; importation, storage and recycling of inert waste and the importation, storage and resale of aggregates. The application also includes the erection of plant and construction of hardstanding for the manufacture and storage of concrete blocks. Extraction would take place in line with a programmed schedule of phased works, with the site ultimately being restored to agriculture and mixed woodland.
- 11.2 The sand and gravel landbank currently stands at 6.84 years, below the target of 7-10 years as set out in NMWDF Core Strategy policy CS1. This application if granted would contribute towards increasing this landbank in line with Norfolk County Council's target.
- 11.3 The application and accompanying Environmental Statement are considered to accord with development plan policies and the NPPF as outlined in the report. The site with the exception of the extension area to the west is allocated within the Norfolk County Council's Mineral Site Specific allocations as MIN45. The extension area to the west which is not included is supported by other policies within the NMWDF in particular policy CS2 which favours extension to existing sites over new sites.
- 11.4 There are no objections from statutory consultees, the proposed development is considered acceptable and there are no other material considerations why it

should not be permitted. Accordingly, full conditional planning permission is recommended subject to appropriate planning conditions and a Section 106 Legal Agreement concerning retention of tree belts, dedication of land as highway and bore hole monitoring (which formed part of the original permission).

12. Conditions

- 12.1 The development to which this permission relates shall cease within 13 years from the date of this permission and the site restored in accordance with condition 23 of this permission.

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

- 12.2 The development must be carried out in strict accordance with the application form, plans and documents submitted with the application.

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

- 12.3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that order), no further buildings, plant or machinery, nor structures of the nature of plant or machinery other than that permitted under this planning permission, shall be erected on the site, except with permission granted on an application under Part III of the Town and Country Planning Act 1990.

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

- 12.4 Within 1 month of the date of this permission a scheme for the control of noise shall be submitted to and approved in writing by the local planning authority. The scheme must identify measures to reduce the potential for noise impact from noise to local residents, the scheme shall also include hours of operation for each phase, noise limits and noise management/control. The scheme shall be implemented as approved and maintained thereafter.

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

- 12.5 No operation shall take place except in accordance with the phased scheme of working shown on Drawing No. P01, dated March 2013, Ref 5907 and Appendix A: Extraction and restoration schedule dated march 2014.

Reason: To ensure orderly working in the interest of the amenities of the surrounding area, in accordance with Policies DM12 and DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.6 The height of any stockpile shall not exceed 68m AOD.

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.

- 12.7 No operations shall take place such that the underlying chalk is disturbed or below a maximum depth of 6m within the approved extension areas E, W and S as shown on Plan ref. No.5907 Drg. No.P01, Illustrative Phasing Plan dated March 2013.

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

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

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

- 12.9 No operations shall take place unless in accordance with the environmental design measures and mitigation measures set out with section 7 of the Dust Assessment : Coxford Abbey Quarry - Dust Assessment - SLR Ref : 403-04095-00001 dated February 2013 Version Rev2.

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.

- 12.10 No plant or machinery shall be used on the site unless it is maintained in a condition whereby it is efficiently silenced.

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

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

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

- 12.12 Within 6 months of completion of extraction, the new footpath shown on plan Ref No.5907, Drg No.P03 dated Oct 2013, shall be dedicated as a public right of way in agreement with the County Planning Authority.

Reason: For the avoidance of doubt and in the interests of achieving the proposed restoration of the site, in accordance with Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.13 Within 2 months of the date of this permission a Written Scheme of

Archaeological Investigation shall be submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

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

- 12.14 No development shall take place other than in accordance with the Written Scheme of Archaeological Investigation approved under condition 13.

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

- 12.15 Extraction within the extension areas shall not be take place until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Archaeological Investigation approved under condition 13 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

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

- 12.16 Within 3 months of the date of this permission the specification for tree planting within the new hedge along the western boundary of the site shall be submitted to and agreed in writing with the county planning authority. The hedging and tree planting shall be carried out in accordance with the agreed details.

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.

- 12.17 Within 6 months of the date of this decision a scheme for replacement road markings at the site access to the public highway, including a timescale for their provision, shall be agreed and completed to the written satisfaction of the County Planning Authority in consultation with the Highway Authority.

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

- 12.18 Within 3 months of the date of this permission a scheme shall be submitted for the provision of a fire hydrant / alternative water supply on the development in a location agreed with the County Planning authority in consultation with Norfolk Fire and Rescue Service.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.19 No soil or overburden bunds shall exceed four metres in height and any heap which is to stay in position for more than six months shall be seeded with grass, weed killed and maintained in accordance with the scheme submitted to and agreed with the Mineral Planning Authority.

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

- 12.20 No operation authorised or required under this permission or under Part 23 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, within the main quarry site identified as areas A-J on Plan Ref. No.5907 Drg. No.P01 dated march 2013, Illustrative phasing plan, shall take place on Sundays or public holidays, or other than during the following periods:
07.00 - 18.00 Mondays to Fridays
07.00 - 13.00 Saturdays.

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

- 12.21 An aftercare scheme specifying such steps as may be necessary to bring the land to the required standard for use for agriculture/amenity/forestry/wildlife habitat shall be submitted for the written approval of the County Planning Authority in writing not later than 3 months from the date of this permission. The aftercare scheme as may be so approved, shall be implemented over a period of five years following the completion of restoration, or in the case of phased restoration, in stages of five years duration dating from each completed restoration phase to ensure establishment. The planted hedges and trees will continue to be maintained for a 25 year period after planting in accordance with the aftercare scheme to be agreed.

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

- 12.22 A plan showing the final restored contours of the site shall be submitted and

agreed in writing with the County within 3 months of the date of this permission. Restoration of the site shall then be carried out in accordance with the agreed contours.

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

- 12.23 The restoration of the site shall be completed within 14 years of the date of this permission in accordance with Plan Ref. No.5907 drg. No.R01 dated February 2013 – Illustrative Restoration Plan and the mixed woodland planting schedule contained within the ‘Woodland management & woodland restoration plan Coxford Abbey Quarry’ prepared for Longwater Gravel and received 5 March 2013.

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

- 12.24 Measures shall be taken to minimise dust nuisance and sand blow caused by the operations, including spraying of road surfaces, plant area and stockpiles as necessary.

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.

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

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

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

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

- 12.27 Within 2 months of the date of this permission a mitigation strategy for great crested newts which includes applying for an EPS license and employing a licensed ecologist to carry out the actions at appropriate times shall be submitted to and approved in writing with the County Planning authority in consultation with the County Ecologist. The mitigation strategy shall then be adhered as agreed.

Reason: in the interest of conserving protected or priority species and their habitats in accordance with Policy DM1 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.28 No external lighting shall be installed on the site unless it is maintained such that it will not cause glare beyond the site boundaries, the lighting shall not be used at night when the quarry is not operational.

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

Recommendation

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

- (i) Grant planning permission subject to a Section 106 Legal Agreement in respect of vehicle routeing and the conditions outlined in section 12 above.
- (ii) Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- (iii) Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

Background Papers

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

King's Lynn and West Norfolk Borough Council LDF - Core Strategy (2011)

The National Planning Policy Framework and Technical Guidance (NPPF) (2012)

Planning Policy Statement 10 – Sustainable Waste Management

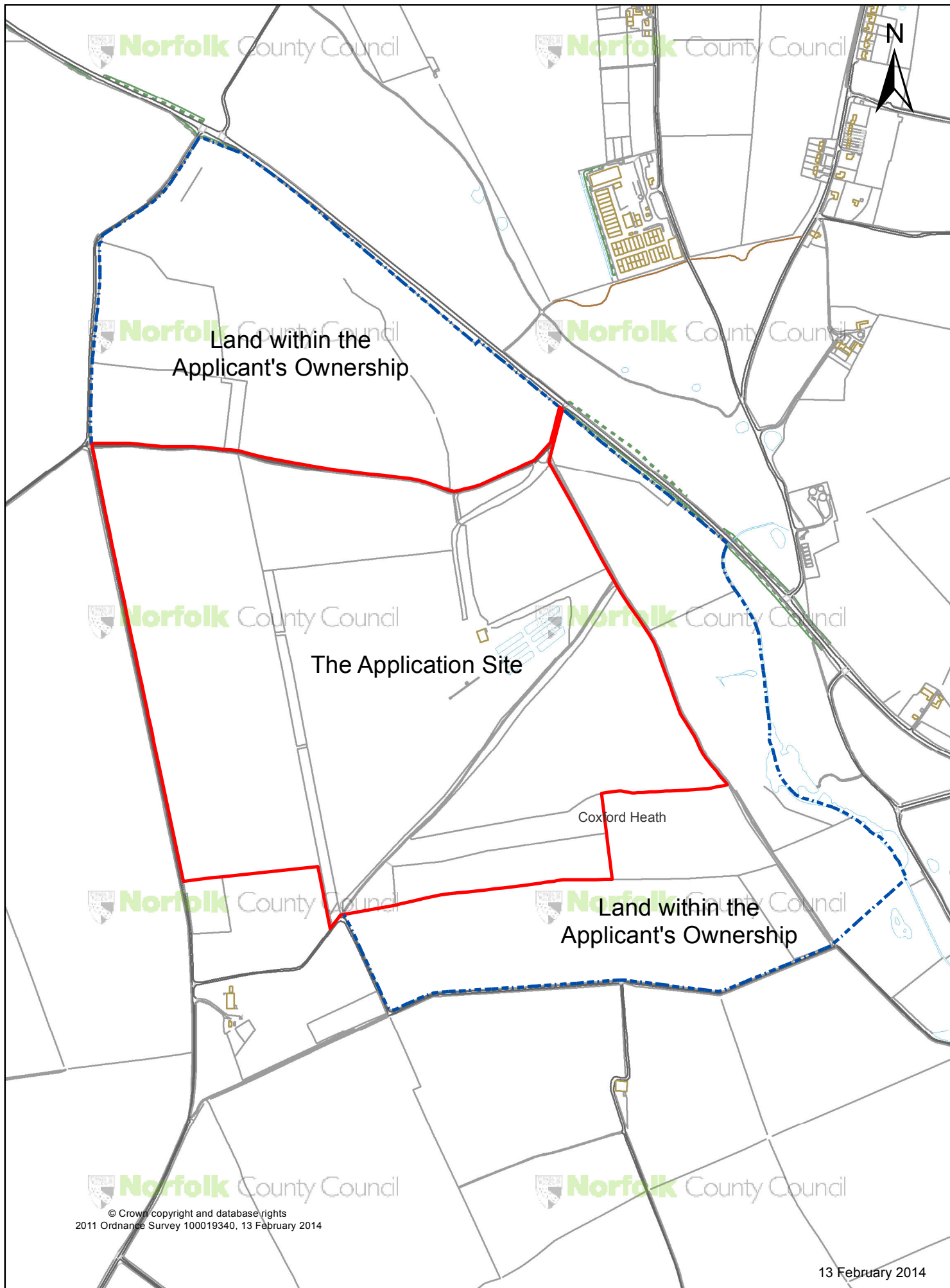
Officer Contact

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

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



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