

Planning (Regulatory) Committee

Item No.

Report title:	C/2/2018/2002: Watlington Quarry, Watlington Road, Tottenhill, Nr Watlington, King's Lynn, PE33 0RG
Date of meeting:	13 July 2018
Responsible Chief Officer:	Tom McCabe - Executive Director, Community and Environmental Services
Proposal and applicant: Variation of conditions 1, 3 and 18 of planning permission C/2/2015/2007 to extend time period for restoration of Sixty Acre Field and allow continued use of plant site to service proposed quarry extension (MIN 76), until 31 December 2023: Frimstone Ltd.	

Executive summary

Planning permission is sought to vary three no. conditions of planning permission C/2/2015/2007 in order to continue use of the plant site, including silt lagoons and operational area, for processing mineral from the proposed quarry extension at West Field, Tottenhill (MIN 76) (subject of application reference C/2/2018/2001) and, extend the time period for restoration of Sixty Acre Field. This application is to be considered concurrently with application reference C/2/2018/2001 as the two are inherently linked.

Objection is raised by Tottenhill Parish Council as well as local residents. Their concerns relate primarily to the length of time that the quarry has been in operation as well as the need for the extended timescale. No objections have been raised by statutory consultees subject to suitably worded conditions being imposed on any grant of planning permission.

The key issues are the principle of development, impacts of the development on the highway network, residential amenity, visual amenity, progressive working and restoration, and cumulative impact. The environmental impacts of the proposal have been carefully considered. It is considered that the proposal is in accordance with the policies contained within the development plan and national planning guidance, and therefore conditional planning permission is recommended.

Recommendation:

It is recommended that the Executive Director of Community and Environmental Services be authorised to:

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

1. The Proposal

1.1	Location	: Watlington Quarry, Watlington Road, Tottenhill, Nr Watlington, King's Lynn, PE33 0RG
1.2	Type of development	: Continued use of plant site to service proposed quarry extension (West Field, MIN 76); Extended time period for restoration of Sixty Acre Field.
1.3	Total tonnage	: The reserve of the proposed extension area (West Field, MIN 76) is estimated to be 285,000 tonnes.
1.4	Annual tonnage	: 90 - 100,000 tonnes
1.5	Market served	: 25km radius of quarry, including King's Lynn and Downham Market
1.6	Duration	: Until 31 December 2023.
1.7	Plant	: Fixed washing plant; Mobile plant.
1.8	Hours of working	: 07:00-17:00 Monday-Friday 07:00-13:00 Saturday No working on Sundays or public holidays
1.9	Vehicle movements and numbers	: All mineral transported to Plant site from MIN 76 via existing field conveyor; Sale of mineral would result in 20 x 18 tonne loads departing plant site per day = 40 HGV movements
1.10	Access	: HGVs to exit plant site via existing access onto Watlington Road and thence to A10/A134
1.11	Landscaping	: No additional landscaping proposed: existing mature landscaping limits views from outside of the site.
1.12	Restoration and after-use	: Restoration to agriculture and nature conservation.

2. Constraints

2.1 The following constraints apply to the application site:

- RAF Marham Defence Infrastructure Safeguarding
- Agricultural land grades 2 and 3.
- Flood Zones 2 and 3
- Tottenhill Row Conservation Area is situated some 90m west of the site
- Setchey Site of Special Scientific Interest (SSSI) is located approximately 620m north of the site; River Nar SSSI is located approximately 1.1km north of the site.
- Runs Wood Meadow County Wildlife Site (CWS) abuts the south west corner of the application site; Thieves' Bridge Meadow CWS abuts the south east corner of the site; Tottenhill Row Common CWS lies some 100m west of the site.

3. Planning History

- 3.1 Watlington Quarry has been an active site for the production of sand and gravel since the first planning permission was issued in the mid 1960's. Since then a number of further planning permissions, including physical extensions to the quarry, have been granted. As regards the site under consideration, the following applications are relevant:
- 3.2 **C/2/2000/2022** - Extension of sand and gravel extraction with progressive restoration to nature conservation and agriculture, erection of new processing plant and retention of existing access - granted 2003 (this extension included an area known as 'Sixty Acre Field' which was the final area to be worked).
- 3.3 **C/2/2011/2023** - Variation of condition 8 of planning permission C/2/2000/2022 to enable the phased extraction of the remaining reserves in accordance with a new phasing plan – granted August 2012
- 3.4 **C/2/2015/2007** - Variation of conditions 1 and 3 of planning permission C/2/2011/2023 to allow continued use of plant site until 1 August 2020, to service the proposed quarry extension (MIN75) – granted 2015

4. Planning Policy

- 4.1 Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (2011)
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|---|------|--|
| : | CS1 | Minerals Extraction |
| | CS2 | General locations for mineral extraction and associated facilities |
| | CS13 | Climate change and renewable energy generation |
| | CS14 | Environmental protection |
| | CS15 | Transport |
| | CS16 | Safeguarding mineral and waste sites and mineral resources |
| | 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 |
| | DM14 | Progressive working, restoration and after-use |
| | DM15 | Cumulative impacts |
| | DM16 | Soils |
- 4.2 Norfolk Minerals and Waste Development
- | | | |
|---|--------|------------------------|
| : | MIN 76 | West Field, Watlington |
|---|--------|------------------------|

- Framework Mineral Site
Specific Allocations
Development Plan
Document (2013/2017)
- 4.3 King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011) : CS06 Development in Rural Areas
- 4.4 King's Lynn & West Norfolk Site Allocations and Development Management Policies Plan (2016) : No relevant policies.
- 4.5 Neighbourhood Plan : The area in which the planning application is located does not have an adopted Neighbourhood Development Plan or Neighbourhood Plan in progress.
- 4.6 The National Planning Policy Framework (2012) : Ch 4 Promoting sustainable transport
Ch 7 Requiring good design
Ch 10 Meeting the challenge of climate change, flooding and coastal change
Ch 11 Conserving and enhancing the natural environment
Ch 12 Conserving and enhancing the historic environment
Ch 13 Facilitating the sustainable use of minerals
- 4.7 Planning Practice Guidance (2016) : Minerals
- 4.8 Draft Revised National Planning Policy Framework (2018)

5. Consultations

- 5.1 Borough Council of King's Lynn & West Norfolk : No response received at time of writing this report.
- 5.2 Tottenhill Parish Council : Raise objection on the following grounds:

As the Parish Council object to the separate application for development at West Field, the view of the PC is that no additional period of time would be needed to process the mineral, as the PC regard this development as unacceptable.

Since planning permission was first issued in the mid 1960's, numerous permissions for extensions to the Quarry have been granted, and the current

view of local residents is that “enough is enough”. It is not considered acceptable that permission for development established over 50 years ago, should still be assumed to be relevant in planning terms today. The many extensions and revisions to the original application have fundamentally changed the basis for deciding on the acceptability of this development. Local residents have reluctantly borne the brunt of the unacceptable adverse impacts of this development (such as noise, vibration, dust, visual intrusion etc) on their residential amenity, by simple reliance on the fact that mineral extractions on this site would at last come to an end in 2020. These residents are dismayed at the thought that they will be subject to yet more extensions and revisions to the original permission to quarry. This would simply extend a nuisance that they believed was coming to an end. Impacts considered as being acceptable for a short period of time are not the same as those which will prevail for a much longer period of time.

Any assessment of the adverse environmental impact on a community must take into account the considerable length of time of these operations, and thereby alter the original assessment. The prevailing view once again is that “enough is enough”, and it is of no comfort to the local residents that the plan is for the two extraction sites to be phased so that one follows the completion of the other. The time factor involved here clearly amounts to an adverse cumulative impact. Continuation of the quarrying operations will extenuate the significant impact on the nearby residents, and delay the restoration of the local environment, which is a designated conservation area.

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| 5.3 | Watlington Parish Council | : | No response received at time of writing this report |
| 5.4 | Highway Authority (NCC) | : | No objection, subject to all other highway related conditions (included on PP C/2/2015/2007) being included on any consent notice issued. |

Comments that the applicant will be required to remove (infill) the existing culvert under Whin Common Road (used to access Sixty Acre field) once its use for the quarry has ceased and should be included in the restoration scheme.

		Provides informatives in relation to highway boundary.
5.5	Community Safety & Neighbourhood Nuisance Team (KL&WN)	: No objection, subject to imposition of conditions from the previous planning approval in relation to: Permitted development rights; noise limits; silencing of plant / machinery; dust control; operational hours; HGV management (revised to reflect the proposed HGV Management Plan dated December 2017); external lighting
5.6	Environment Agency	: No comment to make
5.7	Lead Local Flood Authority	: Comment that this development is below the LLFA consultation threshold for providing detailed comment. Advise that the CPA should satisfy itself that the application is compliant with: <ul style="list-style-type: none"> • paragraph 103 of the NPPF (flood risk); • Written ministerial statement - HCWS161 – Sustainable drainage systems
5.8	Natural England	Further advise that the application should demonstrate how the proposal accords with national standards and relevant guidance. : Natural England currently has no comment to make on the variation of conditions 1, 3 and 18.
5.9	County Ecologist	: No objections
5.10	Senior Green Infrastructure Officer (NCC)	: No objection to continued use of plant site. No objection to delay in restoration of Sixty Acre Field, subject to restoration being carried out in accordance with original restoration scheme.
5.11	Historic England	: Do not wish to offer any comments
5.12	Norfolk Historic Environment Service (NCC)	: No objection, subject to condition in relation to outstanding analysis and dissemination of archaeological assessment.
5.13	Defence Infrastructure Organisation	: No safeguarding objections.
5.14	Health and Safety Executive	: No response received at time of writing this report
5.15	Water Management Alliances	: No response received at time of writing this report
5.16	Norfolk Wildlife Trust	: No response received at time of writing this report
5.17	Local residents	: Three letters of representation have been received from nearby residents. Objection is raised on the following grounds:

Further extension to timeframe of use of existing quarry solely for purpose of continued restoration would not be required.

The applicant has been aware of their responsibilities of restoration timeframes from previous applications.

Should application C/2/2018/2001 be refused, there would be no purpose for this application to be approved.

The Conveyor / Pre-determined application:

Permission for MIN 75, the conveyor and culvert was subject to conditions including removal of conveyor by 1st August 2020. Permission for MIN 76 and retention of conveyor would contradict those conditions.

When permission for MIN 75 including conveyor and culvert was approved, was a decision taken at the time regarding the future of MIN 76?

Installation of conveyor and culvert will have been costly for the applicant. Is this a material consideration in planning decisions?

Visual impact / Landscape character:

Contrary to Policies CS14 and DM8 of NMWDF CS and, King's Lynn & West Norfolk CS policy CS 06

Amenity:

Contrary to Policy DM12 of NMWDF CS

In defining areas of search, the Minerals Site Specific Allocations DPD - Single Issue Silica Sand Review Pre-submission (March 2016), excluded sensitive receptors including residential dwellings and 250 metres around each sensitive receptor. MIN 76 is within 250m of residential dwellings.

MIN 76 would infringe on rights of adjoining residents contrary to requirements of the Human Rights Act 1998

Historic Environment:

In defining areas of search, the Minerals Site Specific Allocations DPD - Single Issue Silica Sand Review Pre-submission (March 2016), excluded Conservation Areas and 250 metres around each heritage asset. The conservation area is within 250m of the majority of MIN 76.

Site MIN 76 is visible from houses and the common within the conservation area

The Spring and pond are valuable heritage assets in the conservation area

Ecology:

Impact on County Wildlife Site and Biodiversity Action Plan status of Tottenhill Row

Impact on Great Crested Newts

Groundwater:

Supporting Hydrogeological Report appears unable to guarantee future working of the spring

Asks a number of questions in relation to findings of supporting Hydrogeological Report.

Hydrogeological Report submitted in support of application to work site MIN 75, states that, "Once restoration sands and soils are replaced, the general arrangement of the pre-development groundwater regime could be expected to re-establish gradually, although this will be at a much lower level than the current regime. It is likely that any existing seepages or springs (if any) that dry up will not re-establish".

Independent reports

Residents could not afford to pay for independent Noise, Dust and Hydrological reports making the process feel very one sided.

Agricultural Land Grade

Believes the site to be Agricultural land grade 2

Previous refusals:

Similar applications have previously been refused twice and dismissed once on appeal.

In addition, one letter of representation from a local resident pursuant to application C/2/2018/2001, makes reference to continued use of the processing plant and noise from reversing alarms on the loading shovel.

5.18 County Councillor (Brian Long) : No comments at this time as local member

6. Assessment

Proposal

- 6.1 Permission is sought for variation of conditions 1, 3 and 18 of Planning Permission C/2/2015/2007 to extend the time period for restoration of Sixty Acre Field and allow continued use of the plant site, including silt lagoons and operational area, for processing mineral from the proposed quarry extension at West Field, Tottenhill (MIN 76).
- 6.2 The application under consideration is to be considered concurrently with application reference C/2/2018/2001 for proposed quarry extension at West Field, Tottenhill (MIN 76) as the two are inherently linked. Site MIN 76 is allocated for sand and gravel extraction in the Norfolk Mineral Site Specific Allocations DPD (2013/2017) and would be linked to the existing plant site via a retained section of an existing ground conveyor.
- 6.3 Planning permission reference C/2/2015/2007 was granted in 2015 for, continued use of the plant site until 1 August 2020, to service the proposed quarry extension (MIN 75). As regards Sixty Acre Field, application C/2/2015/2007 sought extension of the time period for extraction and restoration of Sixty Acre Field until 1 August 2016. The specific changes proposed are as follows:
- 6.4 Condition 1 of PP C/2/2015/2007 relates to the cessation of development and requires the site to be restored by 1 August 2020. Extraction has been completed at Sixty Acre Field and this part of the site is undergoing restoration. The applicant anticipates that restoration of Sixty Acre Field would be completed late 2018 whilst permitted mineral reserves within the current extraction area south of Home Farm (MIN 75) will be exhausted at some point during 2018. In relation to condition 1, permission is sought to extend the permitted timescale until 31 December 2023. It is estimated it will take some three years to complete extraction within MIN 76, with additional time required for processing and sale of all mineral and restoration of the plant site, until 31 December 2023.
- 6.5 Condition 3 restricts the source of mineral processed by the plant to that extracted from the site itself and from the Home Farm extension area (MIN 75) pursuant to planning permission C/2/2015/2006. In relation to condition 3, the application seeks for the plant to be able to process mineral from site MIN 76.
- 6.6 Condition 18 requires implementation of the HGV Management Plan for the duration of operations (the current approved Plan makes reference to haulage of mineral extracted from site MIN 75). In relation to condition 18, it is proposed that the condition be amended such that the Management Plan makes reference to site MIN 76.
- 6.7 No physical changes are proposed to the plant site and access arrangements would remain unchanged.

Site

- 6.8 The application site relates to Watlington Quarry, located between the villages of Tottenhill and Watlington, and comprising of an active plant site and worked out mineral workings undergoing phased and progressive restoration to agriculture and nature conservation. The washing plant, silt lagoons and operational area are located at the northern end of the application site, which is bounded to the north by Watlington Road, to the east by Lynn Road, to the south by Thieves Bridge Road and to the west by agricultural land, woodland and former mineral

workings, now flooded. The former extraction area known as Sixty Acre Field is located at the extreme southern end of the site.

- 6.9 The closest residential properties to the plant/stockpiling area: a property some 300m to the north, across Watlington Road; properties at Tottenhill Row some 350m to the north west; and a property some 450m east of the site. The closest residential properties to the Sixty Acre Field are some 18m south of the site and some 194m west of the site. The site is accessed from the north via a purpose built haul road off Watlington Road, some 160m from its junction with the A10/A134.

- 6.10 The proposed extension area (MIN 76), which is subject to application reference C/2/2018/2001 being considered concurrently with this application, is situated some 0.5km west of the plant site.

Environmental Impact Assessment (EIA)

- 6.11 Pursuant to a request by the applicant, an EIA Screening Opinion exercise for, proposed extension to the quarry (MIN 76) with continued use of the conveyor, service track and plant site was undertaken by the CPA in November 2017 in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regs'). It was concluded that the scheme was not EIA development as it is not within or partly within a 'sensitive area' as defined by the EIA Regulations and would not be likely to have 'significant effects on the environment' in the context of the EIA Regulations.

- 6.12 The application under consideration was screened upon receipt in respect of any requirement for an EIA in accordance with the EIA Regulations, when it was concluded that the application is not EIA development.

- 6.13 Having assessed the application and taken into account the consultation responses received, the proposal has been re-screened for EIA and the CPA remain of the view that the development is not EIA development.

Principle of development

- 6.14 The underlying principle in respect of 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".

- 6.15 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 LDF Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026 (2011), Norfolk Minerals and Waste Development Framework Mineral Site Specific Allocations DPD (2013/2017), and King's Lynn & West Norfolk Borough Council Core Strategy (2011). Whilst not part of the development plan, policies within the NPPF are material to the consideration of the application.

- 6.16 The application relates to an established plant site, the principle of the use of which has been established through previous planning permissions. No changes are proposed to its operation other than that the mineral to be processed would be derived from a new extension area. Access arrangements would remain unchanged and restoration would be carried out as previously approved.

- 6.17 Tottenhill Parish Council raise objection on the grounds that numerous permissions for extensions and revisions to the quarry have been granted thereby changing the basis for deciding on the acceptability of this development. The Parish is concerned that impacts considered as acceptable for a short period of time are not the same as those which will prevail for a much longer period of time.
- 6.18 Policy CS2 of the NMWLDF Core Strategy sets out the principles for the locations for mineral extraction and associated facilities, and places a preference for sites which are “close and/or well-related via appropriate transport infrastructure,” to the major urban areas. The site is well related to both King’s Lynn, some 7.5km (4.6 miles) distant and Downham Market, some 9.5km (6 miles) distant. In addition, the application site is well connected to the strategic road network, with a site access onto Watlington Road close to it’s junction with the A10/A134, both roads classified by the NCC Route Hierarchy as Principal Primary Routes, the highest category on the hierarchy. The proposed extended timescale for operation of the plant would service the physical extension of the site at West Field (MIN 76). Given the above, in principle, the location of the proposed site is considered acceptable in relation to the requirements of Policy CS2 of the NMWLDF.
- 6.19 The supporting text in relation to Mineral Site Specific Allocations DPD Policy MIN 76, indicates that mineral from site MIN 76 would be processed at the existing plant site.
- 6.20 Guidance at Para 142 of the NPPF underlines that minerals are essential to support sustainable economic growth and our quality of life and, since minerals can only be worked where they are found, it is important to make best use of them to secure their long-term conservation. Furthermore, Para. 144 requires LPAs to “give great weight to the benefits of mineral extraction, including to the economy”. It is therefore considered that the proposal would be in general accordance with the aims of the NPPF.
- 6.21 Planning Practice Guidance recognises that working of minerals is a temporary use of land, although it often takes place over a long period of time and, working may have adverse and positive environmental effects, but some adverse effects can be effectively mitigated.
- 6.22 Tottenhill Parish Council is of the view that no additional period of time would be needed to process mineral, given that the Parish Council object to the application for extraction from West Field (MIN 76). Similarly, representation is made that there would be no need to approve the application in the event that planning permission is refused for the extension at West Field (MIN 76). These observations are acknowledged and this is why the two applications have been submitted concurrently and need to be determined together (an assessment of impacts relating to extension site MIN 76 has been undertaken in the report under planning reference C/2/2018/2001).
- 6.23 Notwithstanding all other material considerations it is considered that the principle of this development could be acceptable at this location and would not be out of character for the immediate area.
- Mineral Supply / Need**
- 6.24 NMWLDF CS Policy CS1 and Section 13 of the NPPF apply.
- 6.25 The plant site would provide mineral to a market of approximately 25km radius from the site. The applicant has advised that the site has operated almost continuously in this location for almost 50 years which demonstrates the valuable

- contribution that it makes in providing building materials to this part of Norfolk.
- 6.26 Assessment of the contribution of proposed extension MIN 76 to the sand and gravel landbank is detailed in the report in relation to application C/2/2018/2001. The application under consideration relates to the continued use of the plant site and the application therefore needs to be assessed on this basis.

Amenity (noise, dust, light pollution, air quality)

- 6.27 NMWLDF CS Policies DM12 and DM13, and Sections 11 and 13 of the NPPF apply.
- 6.28 The nearest sensitive receptors to the plant/stockpiling area are: a property some 300m to the north, across Watlington Road; properties at Tottenhill Row some 350m to the north west; and a property some 450m east of the site. The closest residential properties to the Sixty Acre Field are some 18m south of the site and some 194m west of the site. The impact of the development on neighbouring occupiers was considered acceptable when permission was most recently granted in 2015. With exception of continued use of the plant site and additional time for restoration of Sixty Acre Field, no other changes are proposed to the existing working arrangements at the site.
- 6.29 Objection is raised by Tottenhill Parish Council on grounds of adverse impacts upon amenity whereby further extension would extend a nuisance. Representation is also made that the application is contrary to Policy DM12 of the NMWDF CS.
- 6.30 Representation made pursuant to application C/2/2018/2001 makes reference to continued use of the processing plant and noise from reversing alarms on the loading shovel. This matter has been pursued with the applicant, who has responded that, all mobile plant is already fitted with a broadband reversing system which is not audible beyond the site boundary. The applicant adds that the old-style bleeping reversing alarms fitted to its fleet of lorries is currently being changed to the same broadband system.
- 6.31 Whilst not raising objection, King's Lynn and West Norfolk Borough Council's Community Safety and Neighbourhood Nuisance Team recommend that conditions from the previous planning permission are imposed in the event that permission is forthcoming, in order to protect the amenity of nearby residents. The conditions relate to: permitted development rights; noise limits; silencing of plant / machinery; dust control; operational hours; HGV management (revised to reflect the proposed HGV Management Plan dated December 2017); external lighting. Given the nature of the proposal, this would seem to be a reasonable request.
- 6.32 Given the above, it is therefore considered that the development will cause no material harm to the amenities of neighbouring occupiers or the local area. Subject to the aforementioned conditions, the development is considered to be acceptable in terms of the relevant planning policies and NPPF.

Landscape / Design

- 6.33 NMWLDF CS Policies CS14 and DM8, and sections 7 and 11 of the NPPF apply.
- 6.34 King's Lynn & West Norfolk Core Strategy policy CS 06 states that, Beyond the villages and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all.
- 6.35 Objection is raised by Tottenhill Parish Council on grounds of visual intrusion whereby further extension of time would extend a nuisance.

- 6.36 Representation is made that the application is contrary to Policies CS14 and DM8 of the NMWDF CS and, King's Lynn & West Norfolk CS policy CS 06.
- 6.37 Whilst sand and gravel can be processed at sites other than active mineral workings, it should be noted that the Borough Council Core Strategy Policies have not been formulated to specifically address minerals developments and as such the Norfolk Minerals and Waste Local Development Framework: Core Strategy is considered to be the most relevant policy document for assessment of the proposal.
- 6.38 The site is not located within any designated landscape feature. The landscape impacts of the site under consideration were most recently assessed during the determination of permission reference C/2/2015/2007 and were found to be acceptable in this landscape context. In terms of landscape impact, the only changes relate to the time periods for operation of the plant site and restoration of Sixty Acre Field. As regards the plant site, this has been established at this location since the mid-1960's and is surrounded by well-established screening which limits view from outside of the site and any effects of its continued use will be mitigated by the screening. As regards Sixty Acre Field, the current approved restoration scheme would still be adhered to, albeit at a slightly later date.
- 6.39 The washing plant subject of the application under consideration is of a functional design and whilst it cannot be considered 'good design', is reflective of this form of development and the development is only for a temporary period. It is therefore considered that the design of the plant is acceptable in the context of the site and there will be no material harm caused to the character and quality of the local area. Therefore it is considered these are material considerations that outweigh the conflict with policy DM8 of the NMWLDF CS.
- 6.40 The County Council's Landscape Officer has been consulted on the application and raises no objection on landscape grounds.
- 6.41 Overall it is considered that the proposal would result in no material additional impact on the landscape or visual amenity. The development is therefore considered to be acceptable and compliant with the landscape principles set out in the relevant planning policies, and objectives of the NPPF.
- Biodiversity and geodiversity**
- 6.42 NMWLDF CS Policies CS14 and DM1, King's Lynn & West Norfolk Core Strategy policy CS 06 and, Sections 11 and 13 of the NPPF apply.
- 6.43 The application site itself carries no particular nature conservation designation: Setchey Site of Special Scientific Interest (SSSI) is located approximately 620m north of the site; River Nar SSSI is located approximately 1.1km north of the site. Runs Wood Meadow County Wildlife Site (CWS) abuts the south west corner of the application site; Thieves' Bridge Meadow CWS abuts the south east corner of the site; Tottenhill Row Common CWS lies some 100m west of the site.
- 6.44 The proposal includes retention of an existing washing plant at an active plant site on an existing area of compacted aggregate. No physical changes are proposed and the restoration would be completed as approved within an extended timescale. The Council's Ecologist has been consulted on the application and raises no objections on ecological grounds. Natural England has been consulted on the application and has no comment to make.
- 6.45 Given the above, it is considered that the proposal will not have any significant implications for biodiversity. The development is therefore considered to be acceptable and compliant with the relevant planning policies, and objectives of the NPPF.

6.46 Habitats Regulations Assessment

The application site is not located within 5km of any European designated environmental site. The application has been assessed in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and based on the information submitted to the County Planning Authority (CPA) it is considered that the development does not have a significant impact on the integrity of any protected habitat. Accordingly, there is no requirement for the CPA to undertake an Appropriate Assessment of the development.

Historic Environment

6.47 The Planning (Listed Buildings and Conservations Areas) Act 1990, NMWLDF CS policies CS14, DM8 and DM9, King's Lynn & West Norfolk Core Strategy policy CS 06 and, Sections 12 and 13 of the NPPF apply.

6.48 There are no designated heritage assets within the boundary of the proposed site itself. However, the proposed development site is located some 90m east of the Tottenhill Row Conservation Area, which includes all of the hamlet of Tottenhill Row and its common. In addition, there are six listed buildings within 1km of the working area (in Watlington and Wormegay).

6.49 Existing woodland abutting the western margins of the application site restricts inter-visibility between the proposal and the conservation area. Given the nature of the proposals it is considered that there would not be any adverse impact upon the setting or appearance of the conservation area. As regards the nearby listed buildings, given the separation afforded by existing, intervening physical barriers, it is considered that there would be no adverse impact upon the setting of these heritage assets as a result of the proposal. Historic England have been consulted on the application and do not wish to offer any comments.

6.50 Norfolk Historic Environment Service has been consulted on the application and raise no objection, subject to retention of a condition in relation to outstanding analysis and dissemination of archaeological assessment.

6.51 Tottenhill Parish Council raise objection on the grounds that continuation of the quarrying operations will delay the restoration of the local environment, which is a designated conservation area. This objection relates to the application for extension site MIN 76: an assessment of impacts in relation to site MIN 76 has been undertaken in the report pursuant to application reference C/2/18/2001.

6.52 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.

Transport

6.53 NMWLDF CS policies CS15 and DM10, and Section 4 of the NPPF apply.

6.54 The washing plant is required to process mineral extracted from site MIN 76 and the proposal provides for the source of mineral processed by the plant to be restricted to that extracted from MIN 76. All mineral extracted from site MIN 76 would be transported via a retained section of the existing conveyor to the existing plant site, for processing.

6.55 Extraction is expected to be undertaken from site MIN 76 over a three year period at a rate of 90 – 100,000 tonnes per annum. Assuming an annual output of 95,000 tonnes, this would, based on the average load size of 18 tonnes,

generate 20 loads out per day (40 HGV movements). The existing access arrangements at the plant site would remain unchanged: HGVs would exit the plant site via the existing access onto Watlington Road and thence to the A10/A134.

- 6.56 The routing of all existing HGV traffic from the plant site is subject to an HGV Management Plan, pursuant to extant permission reference C/2/2015/2007. With the exception of local deliveries and occasions when the roundabout junction with the A10 is closed to all traffic, all HGVs arriving and departing the site are required to travel directly along Watlington Road to and from the A10/A134. The application under consideration, provides for similar HGV distribution and routing controls. A Transport Statement has been submitted in support of the application which concludes that, the proposals will not result in any adverse effects on the existing highway network.
- 6.57 The Highway Authority has been consulted on the application and has raised no objection, subject to all other highway related conditions (included on PP C/2/2015/2007) being included on any consent notice issued. This would seem to be a reasonable request.
- 6.58 To conclude on the highway issues, mineral extraction and associated development is likely to give rise to local impacts. However, it is considered that the extension of timescales will not cause any unacceptable impacts in highway terms. Subject to the aforementioned conditions, the development is considered to be acceptable and compliant with the relevant planning policies and the government objectives of NPPF.

Flood risk and surface water

- 6.59 NMWLDf Policies CS13 and DM4, and Part 10 of the NPPF apply.
- 6.60 With exception of a small portion of the site (at the southern end), which is located within Flood Zones 2 and 3, the majority of the site (including the plant site) is situated within Flood Zone 1, which is an area at low risk of flooding. The principal activities of the development include mineral processing and restoration of the site to agriculture and nature conservation, including water and wetland areas. It is not proposed to recommence extraction operations or make any changes to the approved restoration scheme. As regards the flood zone constraint, sand and gravel workings are identified as 'water-compatible development' in the table of Flood Risk Vulnerability Classification as set out in Planning Practice Guidance (PPG), whilst Minerals working and processing (except for sand and gravel working) are identified as 'less vulnerable'. PPG further advises that 'water-compatible development' is appropriate in Flood Zones 1, 2 and 3, whilst less vulnerable development is appropriate in Flood Zone 1. On this basis, the proposal is considered acceptable in terms of development within flood zones 1, 2 and 3.
- 6.61 As regards surface water management, areas at the northern end (including part of the plant site) and the southern end of the site are situated within the flow path of the Environment Agency Updated Flood Map for Surface Water (UFMFSW) (1 in 30yr and 1 in 100yr events).
- 6.62 The Lead Local Flood Authority have been consulted on the application and comment that, the CPA should satisfy itself that the application is compliant with: paragraph 103 of the NPPF, which requires that, when determining planning applications, LPAs should ensure flood risk is not increased elsewhere; and Written ministerial statement - HCWS161, which expects that decisions on planning applications relating to major development (which includes the winning

and working of minerals) ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate. The LLFA further advises that the applicant should also demonstrate how the proposal accords with national standards and relevant guidance.

- 6.63 No new physical development is proposed in relation to the plant site and no changes to the approved restoration scheme are proposed. It is therefore not considered that the proposals would increase flood risk elsewhere.
- 6.64 As regards sustainable drainage systems, PPG (Flood Risk and Coastal Change – paragraph 050), requires opportunities be sought to reduce the overall level of flood risk in the area and beyond, for instance, through layout and form of development, including appropriate sustainable drainage systems. PPG, paragraph 079 further states that consideration of devising a sustainable drainage system depends on the proposed development and its location, for example whether there are concerns about flooding. Specifically it states that sustainable drainage systems may not be practicable for mineral extraction.
- 6.65 As detailed above, the proposals are considered to be appropriate in flood risk zone terms. As regards the areas of the plant site shown to be at risk of surface water flooding, the accompanying Flood Risk Assessment (FRA) states this is most likely to be as a result of an anomaly in the surface water flood modelling which relies on processed LIDAR (Light Detection and Ranging) data for digital terrain model (DTM) over which rainfall is applied. The FRA considers it likely that the DTM processing has recognised the plant as a building and lowered the ground levels below the surroundings, thus creating a depression which is shown by the model to be filled during rainfall events and hence at risk of flooding. The FRA further indicates that ground levels across the plant area have been cross checked and confirm that the plant site area is located sufficiently above the surroundings not to be at risk of surface water flooding. Overall, the FRA concludes that, no flood risk mitigation measures or recommendations are necessary.
- 6.66 Extraction of Sixty Acre Field has resulted in creation of additional flood storage volume through restoration, including open water.
- 6.67 The Environment Agency has been consulted on the application and has no comment to make.
- 6.68 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.

Groundwater

- 6.69 NMWLDF CS policy DM3 and Section 11 of the NPPF apply.
- 6.70 The majority of the site is situated within a Groundwater Vulnerability Zone. The proposal involves the continued use of the plant site, including silt lagoons. No changes to the existing silt management system are proposed. The Environment Agency has been consulted on the application and has no comment to make in terms of any potential emissions into groundwater, whilst the EHO raises no objection.
- 6.71 Given the above, it is therefore considered that the proposal would not be in conflict with the relevant planning policy or NPPF.

Protection of best and most versatile agricultural land

- 6.72 NMWLDF CS policy DM16 and Section 11 of the NPPF apply.
- 6.73 The majority of the site is agricultural land grade 3, with the exception of the

southern end of the site which is agricultural land grade 2. The proposal involves an extension of the time period for restoration of Sixty Acre Field (to agriculture and nature conservation) and continued use of the plant site.

- 6.74 There are a number of conditions on the existing permission which are aimed at ensuring the productive afteruse of the land and it is recommended that these are retained should permission be granted. Given that the proposal would not result in the loss of agricultural land beyond that previously agreed it is concluded that the proposal will cause no material harm to soil resources and is not in conflict with the relevant planning policy and NPPF.

Progressive working, restoration and after-use

- 6.75 NMWLDF CS policy DM14 and Section 13 of the NPPF apply.

- 6.76 The proposal involves an extension of the time period for restoration of Sixty Acre Field and continued use of the plant site.

- 6.77 Representation is made by local residents that the applicant has been aware of their responsibilities of restoration timeframes from previous applications. As regards Sixty Acre Field, application C/2/2015/2007 sought extension of the time period for extraction and restoration of Sixty Acre Field until 1 August 2016. Extraction has been completed on this area which is now largely restored, with exception of an element of tree planting which will be undertaken during the forthcoming planting season, i.e. Autumn 2018. Planning Practice Guidance underlines that planning for the supply of minerals has a number of special characteristics that are not present in other development and recognises that mineral working is a temporary use of land, although it often takes place over a long period of time.

- 6.78 Phasing, restoration and aftercare details for the site were most recently considered acceptable when permission was most recently renewed in 2015. As regards the application under consideration, no changes are proposed to the approved restoration scheme, which is primarily to agriculture and nature conservation comprising a combination of water and wetland areas, damp grassland, dry species rich grassland, woodland, sand/shingle habitat.

- 6.79 The proposal includes provision of biodiversity and landscape enhancements and the restoration is considered acceptable by the Council's Ecologist and Landscape Officer.

- 6.80 The existing permission is subject to a S106 Agreement requiring long-term management of the restored site for nature conservation purposes, together with provision of a permissive footpath at Sixty Acre Field. The application does not provide for any addition to or alteration of the existing obligations.

- 6.81 As detailed elsewhere in this report, the applicant intends to submit a further application to seek revisions to the approved restoration scheme including enlargement of the restored water body and amended restoration contours of Sixty Acre Field.

- 6.82 Given the above, it is concluded that the proposal accords with the relevant planning policies and the requirements of the NPPF in this respect.

Cumulative impacts

- 6.83 NMWLDF CS policy DM15 and Section 13 of the NPPF apply.

- 6.84 Tottenham Parish Council is concerned that, any assessment of the adverse environmental impact on a community must take into account the considerable length of time of these operations, and thereby alter the original assessment. The Parish Council consider that the time factor amounts to an adverse cumulative impact.

- 6.85 Currently, the plant site receives mineral from active mineral extraction site (MIN 75) for processing. The application seeks to allow continued use of the plant site for processing mineral from the proposed site MIN 76. To mitigate any cumulative impacts, extraction will not commence from site MIN 76 until extraction has ceased within site MIN 75. No other changes are proposed to the existing working arrangements at the plant site.
- 6.86 Para 142 of the NPPF recognises that minerals can only be worked where they are found and it is important to make best use of them to secure their long-term conservation, whilst Planning Practice Guidance recognises that working of minerals is a temporary use of land, although it often takes place over a long period of time and, working may have adverse and positive environmental effects, but some adverse effects can be effectively mitigated. As detailed elsewhere in this report it is considered that the proposal would not cause unacceptable environmental, amenity and/or highways impacts.
- 6.87 Overall it is considered that the adverse cumulative impacts can be adequately mitigated. It is therefore considered, taking into account the above, that this proposal is compliant with the relevant planning policies, and objectives of the NPPF.

Sustainability

- 6.88 NMWLDF CS policies CS13 and DM11 and, Part 10 of the NPPF apply.
- 6.89 The application includes retention of an aggregates washing plant which, subject to maintenance, will not be in need of regular replacement. It is therefore considered that there would be no conflict with the NMWLDF policy DM11 which requires applications to demonstrate consideration of sustainable construction and operations.
- 6.90 The application is accompanied by a Sustainability Statement: consideration has been given to the possibility of how the development could generate its own energy from renewable or low carbon sources. As regards wind power, it is considered that erection of a wind turbine(s) would compromise the integrity of the site screening, would be likely to result in some increase in noise disturbance, and the proposed extension period is not of sufficient timescale to obtain a financial return on the investment. Similarly, the proposed extension period is not of sufficient timescale to obtain a financial return on installation of solar panels or, incineration of combustible waste or fuel pellets.
- 6.91 Although it is disappointing that no measures for renewable energy are being proposed, the arguments put forward by the Applicant are accepted in this instance. Given that the potential for on-site renewable energy generation has been considered but has been found not to be viable, it is considered that the proposals would not be in conflict with the relevant planning policy and requirements of the NPPF.

Safeguarding aerodromes

- 6.92 NMWLDF CS policy DM7 and Section 13 of the NPPF apply.
- 6.93 The site is within the safeguarding zone for RAF Marham. The Defence Infrastructure Organisation has been consulted on the application and raises no safeguarding objections.
- 6.94 Given the above, it is concluded that the proposal accords with the relevant planning policy and the requirements of the NPPF in this respect.

Responses to the representations received

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

- 6.96 A number of concerns/objections were raised, which are summarised in the first section of this report. With exception of the issues detailed below, the response of this authority to those comments is discussed above in the 'Assessment' section of this report.
- 6.97 Representation is made by local residents that extension of time for continued restoration would not be required. Application C/2/2015/2007 sought extension of the time period for extraction and restoration of Sixty Acre Field until 1 August 2016. Restoration of this area has not been completed and is now expected to be completed late 2018.
- 6.98 A number of the representations relate to the application for proposed quarry extension, MIN 76. An assessment of impacts related to the extension is detailed in the report pursuant to application reference C/2/2018/2001.
- The Community Infrastructure Levy (CIL)**
- 6.99 No additional floorspace would be created by the development hence the development is not CIL liable.
- Local Finance Considerations**
- 6.100 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.
- 6.101 In this instance it is not considered that there are local finance considerations material to this decision.

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 and the European Convention on Human Rights on which the Act is based. There is a human right provided by the First Article to the First Protocol which is the peaceful enjoyment of property. This right applies to companies as well as natural persons. Should the committee be minded to refuse planning permission it would be interfering with the human right relating to the peaceful enjoyment of property. However, if the committee refused planning permission it would do so based on sound planning reasons, based on the need to protect the environment and the amenities of nearby residents and these reasons would justify the

interference and would therefore be regarded as a proportionate interference to the right, balancing the public good with the private right.

- 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. A refusal or conditional 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 vary three no. conditions of planning permission C/2/2015/2007 in order to continue use of the plant site, including silt lagoons and operational area, for processing mineral from the proposed quarry extension at West Field, Tottenhill (MIN 76) (subject of application reference C/2/2018/2001) and, extend the time period for restoration of Sixty Acre Field. No changes are proposed to the plant site, existing working arrangements, access and routeing of HGVs or the previously agreed restoration scheme.

- 11.2 Objection has been raised by Tottenhill Parish Council as well as local residents. Their concerns relate primarily to the length of time that the quarry has been in operation as well as the need for the extended timescale.
- 11.3 With exception of the revised timescale, the impacts of this proposal were addressed and considered acceptable when permission for the plant site, reference C/2/2015/2007, was most recently granted. The environmental impacts of the proposal under consideration have been carefully considered. The extension of time sought is considered acceptable in order to allow sufficient time for the completion of extraction from the proposed quarry extension at West Field and restoration of the site. No objections have been raised by statutory consultees subject to suitably worded conditions being imposed on any grant of planning permission.
- 11.4 For the reasons detailed in this report, subject to approval of the extension application at West Field (MIN 76), the proposal is considered to accord with all relevant development plan policies and national planning and minerals guidance and the extension of operations is considered acceptable.
- 11.5 The proposed development is therefore considered to be acceptable and there are no other material considerations which indicate that planning permission should be refused. Accordingly, full conditional planning permission is recommended subject to appropriate planning conditions and, continued requirement for long-term management of the restored site for nature conservation purposes, together with provision of a permissive footpath at Sixty Acre Field, subject of the existing Section 106 Legal Agreement.

12. Conditions

- 12.1 The development to which this permission relates shall cease and the site shall be restored in accordance with condition 3 by 31 December 2023.

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 Except as modified by the contents of the application forms, plans, drawings and other documents, as detailed below:

- Planning Statement; unreferenced; prepared by Stephen M Daw Limited; dated January 2018
- Sustainability Statement; unreferenced; prepared by Stephen M Daw Limited; dated January 2018
- Transport Statement; Reference No. 406.02828.00004; prepared by SLR Consulting Limited; dated January 2018
- Flood Risk Assessment; Report No. 3702/R/01; prepared by TerraConsult Ltd; dated 05 Jan 2018; and
- the contents of the letter, reference M(FR)9, from Stephen M Daw Limited to Norfolk County Council, dated 3rd May 2018

the development must be carried out in strict accordance with the application form, plans, drawings and other documents and details approved pursuant to planning application reference C/2/2015/2007.

- Reason: For the avoidance of doubt and in the interests of proper planning
- 12.3 The working and restoration of the site shall not take place except in accordance with the details given in the Statement dated September 2000 (Volumes 1, 2 and 3) accompanying application reference C/2/2000/2022 and the accompanying statement dated June 2011 and Phasing plan Ref. M(FR)9(2) dated 26/5/11 accompanying application C/2/2011/2023.

- Reason: To ensure the proper and expeditious restoration of the site in accordance with Policies CS14 and DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
- 12.4 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking, re-enacting or modifying this Order, no further buildings, plant or machinery, nor structures of the nature of plant or machinery shall be erected on the site, except with permission granted on an application under Part III of the Town and Country Planning Act 1990.

- Reason: To control possible future development which would otherwise be permitted but which may have a detrimental effect on amenity or the landscape, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
- 12.5 The Archaeological post-investigation analysis and dissemination shall be completed in accordance with the programme of archaeological work approved under condition 4 of planning permission C/2/2000/2022, excluding those areas of the site previously disturbed by mineral planning permission 2/DM/2383, 2/DM/3323 and C/2/1998/2023 and provision shall be made for analysis, publication and dissemination of results and archive deposition.

- Reason:
In the interests of recording and preserving items of archaeological interest, in accordance with Policy DM9 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
- 12.6 The plant hereby permitted shall be used solely for processing mineral derived from the West Field extension area approved under application reference C/2/2018/2001 and for no other purpose.

- Reason:
To protect the amenities of residential properties, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
- 12.7 Noise emitted from the site shall not exceed the noise limits, expressed as a 1 hour Laeq, as set out in Paragraphs 9.45 and 9.98 of the Environmental Statement accompanying application C/2/2000/2022 dated September 2000.

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

- 12.8 No plant or machinery shall be used on the site unless it is maintained in a condition whereby it is efficiently silenced in accordance with the manufacturer's specification.

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.

- 12.9 The development hereby permitted shall be carried out in accordance with the approved scheme of dust control, including monitoring of dust levels, agreed under application C/2/2000/2022.

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

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

07.00 - 17.00 Mondays to Fridays

07.00 - 13.00 Saturdays.

Reason:

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

- 12.11 The development shall take place in accordance with the landscaping scheme previously submitted and agreed under application C/2/2000/2022.

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

- 12.12 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.

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

Reason:

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

- 12.14 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.

- 12.15 Before the topsoil is replaced on those areas to be restored to an agricultural afteruse a layer of at least 600mm of subsoil substitute shall be created through the use of soils, sand, overburden and/or excavation spoil derived from the site. This layer shall be cross-ripped to a depth of at least 500mm to relieve 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.

- 12.16 On those areas to be restored to an agricultural afteruse an even layer of topsoil shall be re-spread on the subsoil layer to an even depth of at least 300mm.

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.

- 12.17 Measures including ripping and/or subsoiling shall be carried out to the satisfaction of the County Planning Authority after soil replacement on those areas to be restored to an agricultural afteruse so that any compacted layers and pans are broken up to assist free drainage.

Reason:

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

- 12.18 All stones and deleterious materials in excess of 15cm in any dimension which arise from the ripping of the subsoil and topsoil on those areas to be restored to an agricultural afteruse shall be removed from the site.

Reason:

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

- 12.19 The aftercare scheme approved under application C/2/2000/2022 shall be implemented over a period of five years following the completion of restoration or in the case of phased restoration in stages each of five years duration dating from each completed restoration phase.

Reason:

To ensure the proper and expeditious restoration of the site, in accordance with

Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 12.20 The directional vehicle signage erected at the site entrance pursuant to condition no. 17 of planning permission reference C/2/2000/2022 shall be retained and maintained for the duration of the operation.

Reason:

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

- 12.21 The HGV Management Plan, prepared by Stephen M Daw Limited, dated December 2017 shall be implemented in full for the duration of operations.

Reason:

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

Background Papers

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

Norfolk Minerals and Waste Development Framework Mineral Site Specific Allocations Development Plan Document (2013/2017)

<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>

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

https://www.west-norfolk.gov.uk/info/20219/core_strategy/112/core_strategy_explained

King's Lynn and West Norfolk Borough Landscape Assessment (2007)

https://www.west-norfolk.gov.uk/info/20185/planning_policy_research/383/landscape_character_assessment

The National Planning Policy Framework (NPPF) (2012)

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

Planning Practice Guidance (2014)

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

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 Andrew Harriss or textphone 0344 800 8011 and we will do our best to help.