

Planning (Regulatory) Committee

Item No.

Report title:	C/5/2015/5007: SPC Atlas Works, Norwich Road, Weston Longville
Date of meeting:	31 March 2017
Responsible Chief Officer:	Tom McCabe, Executive Director of Community and Environmental Services
<p>Proposal and applicant: Resubmission of application for change of use from B8: Warehousing to a Sui Generis use for waste processing and the production of refuse derived fuel (RDF) with an annual throughput of 150,000 tonnes; installation of office, 2 x weighbridges and photovoltaic panels (Serruys Property Company Ltd)</p>	

Executive summary

Members of the Planning (Regulatory) Committee considered a report for this planning application on 21 October 2016 with a resolution to defer the application, pending the submission of a fire risk assessment by the applicant; to request that Norfolk Fire and Rescue Service comment on the implications of the assessment; and, request that a representative of the Environment Agency attend committee when the matter is next considered to advise on the Environmental Permitting process.

Officers requested a fire risk assessment which was subsequently consulted on. Whilst outlining a number of issues that that would need to be addressed in the Environmental Permit, Norfolk Fire and Rescue Service have raised no objection to the proposal.

Officers have also requested that a representative of the Environment Agency attend the next Planning (Regulatory) Committee meeting and it is understood an officer from their Environmental Permitting Team will be attending.

Since the last committee meeting, a further twelve letters of objection have been received from third parties. One of these representations included a consultant's letter entitled 'Water EIA Concerns relating to the Planning Application for an RDF Production Facility...' as commissioned by one of the respondent.

There remains no objection to the proposal from statutory consultees. There are no outstanding issues or other material considerations that would indicate that the application should be refused.

The site is allocated for waste development in the Waste Site Allocations DPD considered and adopted in 2013 by full Council. Members should be aware that a refusal of permission without adequate supporting evidence and robust planning grounds is likely to result in an award of costs against the authority if an Appeal by the applicant is successful.

Recommendation: The Executive Director of Community and Environmental Services be authorised to :

- I. **Grant planning permission subject to the conditions outlined in section 8 and a Legal Agreement relating to the £7500 contribution for maintenance of the**

- Marriott's Way and £2848.84 for an information board on Marriott's Way.**
- II. Discharge conditions (in discussion with the Chairman and Vice Chairman of the committee) 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 (in discussion with the Chairman and Vice Chairman of the committee) to deal with any non-material amendments to the application that may be submitted.**

1. Background

- 1.1 On 21 October 2016, a recommendation was made to Members of the Planning (Regulatory) Committee (PRC) for approval of an application for planning the Change of use from B8: Warehousing to a Sui Generis use for waste processing and the production of refuse derived fuel (RDF) with an annual throughput of up to 150,000 tonnes; installation of office, 2 x weighbridges and photovoltaic panels. The full committee report that formed part of that meeting's agenda and the minutes from that meeting are attached as Appendices 3a and 3b respectively.
- 1.2 The resolution of Members of this committee was to defer the application pending:
- the submission of a fire risk assessment by the applicant;
 - to request that Norfolk Fire and Rescue Service comment on the implications of the assessment; and,
 - a request that a representative of the Environment Agency attend the committee, when the matter is next considered, to provide advice on the extent to which matters of concern to the committee can be addressed through the permitting process and permit and thus do not require to be dealt with by conditions in any planning permission that might be granted.
- 1.3 This report is an update with regards to the new issues raised and information received from both consultees and third parties, and should be read in conjunction with the original report attached as Appendix 3a, with particular regards to the assessment of the proposal itself.

2. Update

- 2.1 Since that meeting, a Fire Prevention Plan was lodged by the applicant and forwarded to Norfolk Fire and Rescue Service for comment. In addition to this, the applicant also lodged detail relating to the external landscaping of the site and proposed visibility splays required on the A1067. These issues are discussed fully below.
- 2.2 Representations
 Since the meeting in October, a further twelve letters of objection have been received by the Planning Authority with three of these lodged by the same individual. The additional correspondence also includes a further letter from Richard Buxton Environmental and Public Law, and a letter from Campaign to Protect Rural England (CPRE). The following concerns and objections have been raised:
- That an Environmental Impact Assessment has not been carried out for the development with concerns raised about mitigation measures considered

at the screening stage – it would be unlawful to grant permission without one;

- The reliance on the Environmental Permit (which is not yet in place) to control environmental impacts;
- That no risk assessment has been carried out given the presence of the River Wensum Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI);
- It is in Norfolk County Council's interest as waste authority to have a new waste processing plant with a 150,000 tonne capacity within near reach;
- The increase in, and impact on amenity, of the 24hour HGV movements including along the B1535 Weston Hall Road which is already badly damaged and not wide enough to accommodate these heavy duty vehicles;
- The lack of a footpath on the B1535 where HGVs would be travelling;
- The potential risk of contamination of the water table particularly given properties are dependent on borehole water;
- Major impacts on Marriott's Way, a leisure resource, which will suffer from noise rubbish and general pollution;
- The potential risks to air quality and the local environment;
- Problems with the production and storage of Refuse Derived Fuel (RDF);
- That there is a lack of clarity in the officer's original committee report over the division between planning and pollution control regimes and specifically whether Members can debate pollution issues that are also considered by the Environment Agency as part of the permitting process;
- Issues relating to fire risk including reference to Norfolk Fire and Rescue Service's response relating to the structure of the building, and procedures that would be followed in the event of a fire.

2.3 One of the additional letters of representation also included a letter from GWP Consultants entitled 'Water EIA Concerns relating to the Planning Application for an RDF Production Facility at the Atlas Works, Norwich Road' who had been commissioned to review the water related impact of the proposed development by one of the respondents. It is understood that this submission was copied to all Members and substitute Members of the Planning (Regulatory) Committee (on the 28 February 2017), and also the Environment Agency.

2.4 With regards to the other issues raised by third parties, many have already been raised and addressed in the original committee report (Appendix 3a) however where they are new issues they have been addressed in this report. For clarity this is set out below:

- The lack of EIA and reliance on mitigation has been addressed in 2.20 and 4.7 below;
- The reliance on the Environmental Permit (which is not yet in place) to control environmental impacts and the relationship between the Environmental Permitting and planning regimes has been addressed in 2.6-2.8 of this report and 7.11 of the original report;
- The risk posed to the River Wensum Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) has been addressed in 7.25-7.27 of the original report (Appendix A) and further below in 2.18;

- Norfolk County Council's interest as waste authority to have a new waste processing plant with a 150,000 tonne capacity within near reach is discussed below in 2.21;
- The impact of the increased HGV movements including along the B1535 Weston Hall Road have been addressed in 7.28-7.35 of the original report;
- The potential risk of contamination of the water resources is addressed below in 2.5 – 2.8 below and in the original report in 7.38 – 7.41;
- The impacts on amenity and air quality including on Marriott's Way were addressed in 7.9-7.17 of the original committee report;
- The impacts to amenity and pollution arising from the production and storage of Refuse Derived Fuel (RDF) have been addressed throughout original committee report and this report; it is not considered there would be 'serious problems';
- Issues relating to fire risk have been addressed in 2.11 – 2.14 below.

2.5 The principal issues the consultant's letter covered relate to the absence of a hydrological or hydrological risk assessment within the application which has meant there is:

- no explicit or systematic assessment of impact risk to the surface or groundwater bodies near the site, and no robust consideration of future run-off water quality per se;
- no reported design consideration of the existing run-off conveyance system and no consideration of whether it is fit for purpose to meet current run-off management legislative requirements;
- a lack of detail on how the buildings are to be internally drained; and,
- no consideration of potential for the imported waste to generate leachate.

Furthermore, the consultants also raise concern about the capacity and integrity of the existing surface water management system to be used particularly as it is over 30 years old.

2.6 Environment Agency response

The Environment Agency (EA) lodged further comments in response to both this additional information, and the Fire Prevention Plan received by the County Council. Their comments in full are attached as Appendix 4. With regards to the issues raised by GWP Consultants, the EA commented that the proposal does not suggest outside storage on any material other than inert construction and demolition waste. The wastes more likely to pose risks to the water environment including municipal wastes and similar, Waste Electrical and Electronic Equipment (WEEE) and finished Refuse Derived Fuel (RDF) bales are to be stored inside the buildings. This would include used beverage glass bottles that have been incorrectly referred to in the GWP letter as a waste that would be stored externally. The EA added that the drainage at the site would be required to meet certain standards contingent on the wastes to be stored in each area – municipal wastes would need to be stored on a location with impermeable paving and sealed drainage to prevent any leachate escaping. The applicant would be required to demonstrate suitable condition of the site prior to accepting any waste and the surface of the site would be regularly inspected along with any maintenance to ensure it is fit for purpose. Management of drainage and impermeable surfacing

is intrinsic to developments of this nature, and is considered an established and acceptable method of pollution control. The County Planning Authority is not aware of any reasons that this standard practice could not be relied upon to prevent groundwater pollution from this application.

- 2.7 The County Planning Authority gave full regard to the issues of groundwater and surface water in consideration of the application in sections 7.38 to 7.41 of the original committee report. As underlined, whilst the EA has requested a surface water drainage strategy as a planning condition (prior to commencement of development), given the constraints of the site including the presence of both the principle bedrock aquifer (beneath the site) and the nearby River Wensum SPA, the CPA requested this prior to reporting this to planning committee. Accordingly the applicant submitted a revised surface water drainage strategy detailing that the existing drainage network comprising drainage channels would be utilised with the addition of two largest separators. The EA raised no objection to this approach for managing surface water adding that surface water management would also be considered as part of the bespoke Environmental Permit required for the proposal. The CPA therefore considers that regard has been given to the risk to surface or groundwater bodies near to the site with a surface water management scheme approved by the Environment Agency (EA) that considers run-off from the site. Whilst as discussed above, only inert waste is proposed to be stored externally to the building, this scheme nonetheless would need to manage any leachate present on the site. Furthermore, the scheme also recognized that the existing system is over 30 years old and on this basis the integrity of drainage works would be checked during surfacing and that the ongoing maintenance of the system would be essential to ensuring the drainage system functions efficiently. However, the integrity and effectiveness of the system would be assessed as part of the Environmental Permitting process and the EA would not issue the permit if it was not satisfied it would be an effective system. It is considered therefore that the proposal remains compliant with NMWDF DM4 and the Joint Core Strategy Policies 1 and 2.
- 2.8 The EA also underlined (as this committee was advised at the meeting of 21 October 2016) that prior to the site becoming operational the applicant would need to obtain an Environmental Permit and based on the location and tonnages proposed, the permit is expected to be bespoke and tailored to the specific environmental constraints of the site and activities proposed. If in order to obtain their bespoke permit changes are required to the existing building or site infrastructure (including drainage) that would be considered 'development' in the context of the Town and Country Planning Act 1990, this would require further recourse to the planning system in terms of the requirement for a new planning application to be lodged to address this. Therefore, not twin tracking the permit and planning applications is entirely at the applicant's own risk. The proposal could not lawfully operate without an Environmental Permit, enforcement powers are available to the Environment Agency, who would assess any application on its merits and impose conditions appropriate to control all matters within the scope of the Permitting regime. Whilst pollution control is a material consideration in planning, duplication between regulatory regimes is to be avoided. As stated in paragraph 122 of the National Planning Policy Framework, planning authorities should assume that pollution control regimes will operate effectively, and focus on

whether the development itself is an acceptable use of land. The lack of an Environmental Permit is therefore in itself a consideration to which very little weight should be accorded.

- 2.9 With regards to fire risk, the EA confirmed the submitted Fire Prevention Plan (FPP) will have to meet the requirements of their guidance and will be assessed as part of the normal permit compliance inspections. The FPP will have to include the provision of suitable fire suppression systems for the building and details of the containment infrastructure for fire water, and in the event of a fire, how the site would be cleaned and decontaminated.
- 2.10 Following the County Council's request, it is understood that an officer from the Environment Agency's Environmental Permitting Regulations Team will be attending the next committee meeting.
- 2.11 Norfolk Fire and Rescue Service response
In accordance with the Committee's recommendation, comments on the proposal and Fire Prevention Plan lodged were provided by Norfolk Fire and Rescue Service following two meetings between the Planning Officer and Fire Service Group Manager. Their comments in full, which raise no objection to the proposals, are attached as Appendix 5.
- 2.12 The Fire and Rescue Service, in recognizing it is not a statutory consultee for the purposes of considering the planning application, advised that the agency with primacy for the site would be the EA and therefore the conditions of the Environmental Permit (issued by the EA) would be integral to the ongoing and safe working of the site. Nonetheless, advice to be considered in the Environmental Permitting which seeks to both reduce the likelihood and frequency of fire and reduce the potential health and environmental impacts where it does occur, has been provided by the Fire and Rescue Service with regards to the points outlined below:
- structure of buildings;
 - internal storage and waste processing;
 - layout, amount and size of any materials;
 - water supplies for firefighting;
 - the recommendation a quenching pool be provided on the basis of the processing of RDF taking place;
 - Access for firefighting appliances.
- 2.13 In addition, as part of the Environmental Permit conditions the Fire and Rescue Service would expect to see the following points covered:
- a full Fire Risk Assessment;
 - detail of how the waste will be received, processed and stored;
 - how accidents and emergencies would be prevented and managed.
- 2.14 As with other Environmental Permitting requirements, should any of the above require further 'development' on site this would necessitate a further planning application to address any new infrastructure required for fire prevention / fighting purposes. The Fire Service has not however requested any planning conditions for the management of the site should it be granted planning permission. Although

the possibility of fire at this site can never be ruled out, it is considered the assessment and measures required under the Environmental Permit would be adequate to safely manage the site and ultimately a fire, were one to occur. With regards to the economic impacts on neighbouring businesses in the event of a fire, these are considered short term and not significant. In consultation with Norfolk Fire and Rescue Service and the Environment Agency, the site is considered acceptable in fire risk terms.

2.15 Landscape & Visibility splay conditions

At the time the Fire Prevention Plan was requested from the applicant following October's committee meeting, the applicant was also invited to submit detail that would otherwise be requested in accordance with condition 13.25 of the originally proposed conditions. This detail related to the submission of an arboricultural method statement and tree protection plan with regards to all trees impacted on by the development including those to be removed at the new access proposed, as per the amended recommendation referred to at October's meeting. The applicant was also advised that if they wished to revisit the issue of the closure of the easternmost access which as per the amended recommendation at that meeting was required to be permanently closed, this would be a prudent time to do so (given the other information that also needed to be provided).

2.16 Despite further information being lodged with regards to the visibility splay and landscaping along the A1067, the Highway Authority is not satisfied with the presence of a significantly sized tree in the visibility splay of the proposed access to the site, and also in the splay of the eastern access which the applicant wishes to maintain access to.

2.17 The Council's Green Infrastructure Officer is also not content with removal of established trees along the frontage of the industrial site in an un-phased approach. The issue is furthermore complicated by the presence of another planning consent issued by Broadland District Council in August 2016 for additional development at the neighbouring Polyframe site (reference 20161061). The consent seeks to use the same easternmost access that would need to be closed permanently in accordance with the conditions of this proposed planning application. That is a material consideration, and whilst a landscaping related condition has been discharged in relation to that consent, it is understood that that permission has not been implemented. In the event this application is also permitted, the applicant (who is also the landowner for the Polyframe site) would need to ensure that activities carried out under another permission would not breach this consent for example with regards to the stopping up of the easternmost access point.

2.18 However, there is no reason to think that these issues could not be adequately resolved by the submission of revised detailed proposals. Therefore, with regards to this issue the conditions remain as per the verbal update made to Members at the start of the meeting of the 21 October 2017 as captured in the minutes of the meeting. If Members are minded to grant permission, as with all prior to commencement conditions, if the applicant is unable to submit this detail to a standard that the requirements of the planning authority and consultees, the condition(s) would not be discharged and the site would not be able to operate.

For the avoidance of doubt, the full schedule of proposed conditions is outlined below in section 8.

2.19 Other updates

At the time of the drafting of the original committee report, Historic England's recommendation of the application for refusal had resulted in the original recommendation for this application being finely balanced. However, as reported during the meeting, the applicant had subsequently agreed to fund the installation of an information board on Marriott's Way with an additional £2848.84 added to the Legal Agreement already required for the £7500 contribution for the maintenance of Marriott's Way. On that basis Historic England removed their recommendation for refusal and as Members were advised, the application is no longer considered finely balanced. Accordingly, the recommendation has been updated to reflect the additional £2848.84 required to be added to the proposed Legal Agreement to secure this.

2.20 Taking into account all new information received including from the Environment Agency and the GWP Consultant's letter, no new information has been received that would alter the officers Screening Opinion referred to in the attached committee report which concludes the development is not EIA development in section 7.62-7.63. The Screening Opinion and subsequent updates are attached for information as Appendices 6a, 6b and 6c. Whilst concern is raised by a third party concerning the weight attributed to mitigation measures that may control impacts of the development (including through the Environmental Permitting regime) when the proposal has been screened for EIA, it is not considered by the CPA that its approach has been inappropriate at the various stages that the proposal has been screened. EIA requirements do not rule out consideration of mitigating measures at the Screening stage, and weight has only been given to mitigation that would be intrinsic to any conventional waste building or similar industrial building and where sufficient detail has been provided by the applicant to consider it. The original committee report also records (section 7.26 – 7.27) the advice of Natural England that the proposal would not be likely to have a significant effect on the interest features of the River Wensum SAC/SSSI. No new information has been received which alters the conclusions of the report that, in line with Natural England's advice, no Appropriate Assessment of the proposal is required under the 2010 Habitats Regulations.

2.21 In terms of the inference in 2.2 that the County Council as Waste Disposal Authority has a vested interest to have a new waste processing plant with a 150,000 tonne capacity within near reach, it is correct that the Council has statutory responsibilities for waste disposal, alongside many other non-planning functions. A proposed development may have implications for any of these, although there would be none here unless and until an operator of the proposed facility successfully bid for a Council waste disposal contract. In any case, as County Planning Authority, the Council is obliged to determine the application. So long as it does so for sound planning reasons, no criticism can be made on the basis of any connection between the proposal and other Council functions.

3. Resource Implications

- 3.1 **Finance:** The development has no financial implications from the Planning Regulatory perspective.
- 3.2 **Staff:** The development has no staffing implications from the Planning Regulatory perspective.
- 3.3 **Property:** The development has no property implication from the Planning Regulatory perspective.
- 3.4 **IT:** The development has no IT implications from the Planning Regulatory perspective.

4. Other Implications

4.1 Human rights

- 4.2 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.
- 4.3 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.
- 4.4 The human rights of the owners of the application site may be engaged under the First Protocol Article 1, that is the right to enjoyment of their property. 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. In any event, in this case it is not considered that Article 1 of the First protocol is infringed by the grant of the planning permission applied for.

4.5 Equality Impact Assessment (EqIA)

- 4.6 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.
- 4.7 **Legal Implications:** Environmental Impact Assessment of the proposal is required only where it is EIA development in accordance with the criteria and thresholds set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The key criterion in this case is whether the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. In deciding whether a proposal is to be regarded as EIA development, it is important to have regard to the precautionary principle underlying the EIA Directive. However, it would also be inappropriate to not have regard to specific features of the proposal which would remove or reduced impacts and other proposed mitigation measures where these are sufficiently defined and capable of implementation. The views of statutory consultees are also of considerable importance, and in relation to a proposal which requires other statutory consents it is to be assumed that other regulators will discharge their

functions appropriately. Every development is to be considered on its own facts and context, including information provided by the applicant which defines the nature of the proposal and its operation. All of these matters are assessed within the report and officers continue to consider that the proposal does not require EIA.

- 4.8 **Communications:** There are no communication issues from a planning perspective.
- 4.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.
- 4.10 **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.

5. Section 17 – Crime and Disorder Act

- 5.1 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.

6. Risk Implications/Assessment

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

7. Conclusion and Reasons for Granting Planning Permission

- 7.1 Since October's Planning (Regulatory) Committee meeting, in accordance with Members recommendation, further information has been submitted by the applicant regarding fire prevention, and a request has been made that an officer from the Environment Agency attend the next planning committee to answer questions on the issue of the Environmental Permit.
- 7.2 No objections have been raised to the principle of the development from the Environmental Agency or Norfolk Fire and Rescue Service since the previous planning committee meeting. Furthermore, there is no objection as reported in the original committee report (Appendix 3) from any statutory consultee.
- 7.3 Officers are of the opinion that no new information has been received from consultees or third parties since consideration of the application previously in October 2016 that has not been addressed in the original committee report or this current report.
- 7.4 The applicant does not have an Environmental Permit in place to operate this development which would cover issues, inter alia, ground and or surface water pollution and fire risk. However, this is not in itself a ground to refuse planning permission, given that a Permit would be required and there is no reason to consider that impacts within the scope of the Environmental Permitting regime could not be adequately mitigated and controlled by way of conditions to which a Permit would be subject.
- 7.5 The site is specifically allocated for waste development in the Waste Site Allocations DPD adopted in 2013 by full Council following approval by the Environment, Development and Transport Committee. Members should be aware that a refusal of permission without adequate supporting evidence and robust planning grounds is likely to result in an award of costs against the authority if an

Appeal by the applicant is successful.

- 7.6 The proposed development is considered acceptable and there are no other material considerations indicating it should not be permitted. Accordingly, full conditional planning permission is recommended.

8. Conditions

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

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

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

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

- 8.3 No more than 150,000 tonnes of waste shall be imported to the site per annum and no more than 75,000 tonnes of waste shall be stored on site at any one time. Records shall be kept of waste imported to and exported from the site and shall be made available to the County Planning Authority upon request. All records shall be kept for a minimum of 24 months.

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.

- 8.4 No more than 5,000 tonnes of hazardous waste (which shall be strictly limited to Waste Electrical and Electronic Equipment ('WEEE')) shall be brought onto the site per annum.

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.

- 8.5 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.

- 8.6 Notwithstanding the submitted plans, within 3 months of the date of this permission a detailed specification for the proposed photo-voltaic panels to be installed shall be submitted to and approved in writing by the County Planning Authority. The photo-voltaic panels shall thereafter be installed in accordance with the approved

details prior to first use of the building and retained for the lifetime of the development.

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

- 8.7 No deliveries or collections of waste/process waste shall take place except between the hours of 07.00 and 18.00 Monday to Saturday.

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.

- 8.8 No operation of the shredder shall take place except between the hours of 07.00 and 19.00.

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.

- 8.9 No vehicle shall be operated on site unless it is fitted with working broad band noise reversing sounders.

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.

- 8.10 There shall be no burning of waste on site.

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

- 8.11 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.

- 8.12 Any damaged cladding or other building material that is replaced shall be done so with materials to match the existing colour and finish of the existing building.

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

- 8.13 Any drums and small containers used for oil and other chemicals on the site shall

be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaways, and all oil or chemical storage tanks, ancillary handling facilities and equipment, including pumps and valves, shall be contained within an impervious bunded area of at least 110% of the total stored capacity.

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

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

Reason: Reason: To safeguard hydrological interests, in accordance with Policy DM3 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026 and paragraph 109 of the NPPF.

- 8.15 No waste material (both incoming and processed stock) stored on site shall exceed 4 metres above original ground level.

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.

- 8.16 Prior to the first use of the development hereby permitted, the vehicular access (shown new site entrance) shall be provided and thereafter retained at the position shown on the approved plan (**drawing number 13896/103 Rev E**) in accordance with a detailed scheme to be agreed in writing with the County Planning Authority, in consultation with the Highway Authority. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 8.17 Prior to the first use of the development hereby permitted the central access (shown as '*access to be stopped up*' on **drawing 03/001 Rev C**) shall be permanently closed, and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the County Planning Authority in consultation with the Highway Authority,

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

- 8.18 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the County Planning Authority.

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

- 8.19 Prior to the commencement of the use hereby permitted, a visibility splay (from the access shown as '*main access*') shall be provided in full accordance with the details indicated on the approved plan **drawing 03/001 Rev C**. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

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

- 8.20 Prior to the first use of the development hereby permitted the south-eastern access point (shown as existing access on drawing 03/001 Rev C) shall be permanently closed, and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the County Planning Authority in consultation with the Highway Authority.

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

- 8.21 Prior to the commencement of the use hereby permitted, the proposed access / access road/ pedestrian routes / on-site car parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 8.22 Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works (including a Ghost Island Right Turn Lane and associated works) as indicated on drawing(s) number(ed) **03/001 Rev C** have been submitted to and approved in writing by the County Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor, in accordance with Policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 8.23 Prior to the first occupation of the development hereby permitted (or prior to the commencement of the use hereby permitted) the off-site highway improvement works referred to in Part A of this condition shall be 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.

- 8.24 No development shall take place until a scheme of landscaping has been submitted to and agreed in writing by the County Planning Authority. The scheme as may be so agreed shall be implemented within the next planting season or such other period agreed in writing with the County Planning Authority. The scheme shall include details of size, species and spacing of trees, hedges and shrubs, arrangements for their protection and maintenance. It shall make provision for:
- (a) the screening of the operations by trees, hedges (including the provision of hardwood trees along the northern boundary of the site);
 - (b) A plan identifying planting to take place in the highway verge including the required visibility splay;
 - (c) the protection and maintenance of existing trees and hedges which are to be retained on the site;
 - (d) A management plan to include the replacement of any damaged or dead trees (within a period of five years from the date of planting) with trees of similar size and species at the next appropriate season.

Reason: To protect the amenities of the surrounding area, and to preserving the setting of the scheduled monument Bronze Age Burial Site in accordance with Policies DM9 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 8.25 Prior to the commencement of development, an arboricultural method statement and tree protection plan for the new highway access to the A1067 (to include details of all trenching required) shall be submitted to the County Planning Authority for approval in writing and implementation thereafter during development of the site.

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

- 8.26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any order revoking, re-enacting or modifying that Order), no fencing (and associated gates), hoarding or other means of enclosure shall be erected along the northern boundary of the application site other than those expressly authorised by this permission.

Reason: In the interests of preserving the setting of the scheduled monument Bronze Age Burial Site in accordance with Policy DM9 of the Norfolk Minerals and

Waste Core Strategy DPD 2010-2026 and Chapter 11 of the NPPF.

- 8.27 Prior to first use of the facility, a dust management scheme shall be submitted to the County Planning Authority for its approval in writing. The approved dust management scheme shall thereafter be implemented for the lifetime of the proposal.

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

Background Papers

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

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

Waste Site Specific Allocations Development Plan Document (DPD) 2013

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

Joint Core Strategy for Broadland, Norwich and South Norfolk

<http://www.greaternorwichgrowth.org.uk/planning/joint-core-strategy/>

Broadland District Council Development Management DPD (2015)

https://www.broadland.gov.uk/info/200139/future_building_and_development/247/current_local_plan

The National Planning Policy Framework (NPPF) (2012)

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

Planning Practice Guidance (2014)

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

National Planning Policy for Waste (2014):

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

Waste Management Plan for England (2013)

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

Norfolk County Council Planning Obligations Standards (2016)

<https://www.norfolk.gov.uk/rubbish-recycling-and-planning/planning-applications/planning-obligations>

Officer Contact

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

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