

# Planning (Regulatory) Committee

Date: **Friday 18 June 2021**

Time: **11am**

Venue: **Norfolk Showground, NR5 0TP**

**(situated just off the A47 Norwich Southern Bypass  
at the A1074 Longwater Interchange.)**

## **Advice for members of the public:**

This meeting will be held in public and in person.

It will also be live streamed on YouTube and, in view of Covid-19 guidelines, we would encourage members of the public attending solely to observe the meeting to watch remotely by clicking on the following link: <https://youtu.be/LmSCPC7wfCw>

However, if you wish to attend in person to observe the meeting it would be most helpful if, on this occasion, you could indicate in advance that it is your intention to do so. This can be done by emailing [committees@norfolk.gov.uk](mailto:committees@norfolk.gov.uk) where we will ask you to provide your name, address and details of how we can contact you (in the event of a Covid-19 outbreak). Please note that public seating will be limited to 30 spaces.

Members of the public wishing to speak about an application on the agenda, must register to do so at least 48 hours in advance of the meeting. Further information about this is given below. Anyone who has registered to speak on an application will be required to attend in person and will be allocated a seat in the public seating area.

Councillors and Officers attending the meeting will be taking a lateral flow test in advance. They will also be required to wear face masks when they are moving around the room but may remove them once seated. We would like to request that anyone attending the meeting does the same to help make the event safe for all those attending. Information about symptom-free testing is available [here](#).

**Persons attending the meeting are requested to turn off mobile phones**

## Membership

Cllr Brian Long (Chair)

Cllr Eric Vardy (Vice-Chair)

Cllr Stephen Askew

Cllr William Richmond

Cllr Graham Carpenter

Cllr Steve Riley

Cllr Christopher Dawson

Cllr Mike Sands

Cllr Barry Duffin

Cllr Martin Storey

Cllr Paul Neale

Cllr Tony White

Cllr Matt Reilly

At meetings of this Committee, members of the public are entitled to speak before decisions are made on planning applications. There is a set order in which the public or local members can speak on items at this Committee, as follows:

- Those objecting to the application
- District/Parish/Town Council representatives
- Those supporting the application (the applicant or their agent.)
- The Local Member for the area.

Anyone wishing to speak regarding one of the items going to the Committee must give written notice to the Committee Officer ([committees@norfolk.gov.uk](mailto:committees@norfolk.gov.uk)) at least 48 hours before the start of the meeting. The Committee Officer will ask which item you would like to speak about and in what respect you will be speaking. Further information can be found in [Appendix 28 of the Constitution](#).

**For further details and general enquiries about this Agenda please contact the Committee Officer:**

Hollie Adams on 01603 223029 or email [committees@norfolk.gov.uk](mailto:committees@norfolk.gov.uk)

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**Under the Council's protocol on the use of media equipment at meetings held in public, this meeting may be filmed, recorded or photographed. Anyone who wishes to do so must inform the Chairman and ensure that it is done in a manner clearly visible to anyone present. The wishes of any individual not to be recorded or filmed must be appropriately respected**

When the County Council have received letters of objection in respect of any application, these are summarised in the report. If you wish to read them in full, Members can request a copy from [committees@norfolk.gov.uk](mailto:committees@norfolk.gov.uk)

## **A g e n d a**

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

**2. Minutes**

To confirm the minutes from the Planning (Regulatory) Committee meetings held on 23 April 2021

**Page 6**

**3. Declarations of Interest**

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects, to a greater extent than others in your division

- Your wellbeing or financial position, or
- that of your family or close friends
- Any body -
  - Exercising functions of a public nature.
  - Directed to charitable purposes; or
  - One of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

Of which you are in a position of general control or management.

If that is the case then you must declare such an interest but can speak and vote on the matter.

4. **Any items of business the Chairman decides should be considered as a matter of urgency**
5. **FUL/2020/0110 - Land to the East of Easton Gymnastics Club, Deer Park House, Bawburgh Road, Easton, Norfolk, NR9 5EA** **Page 12**  
Report by the Executive Director of Community and Environmental Services
6. **FUL/2019/0043 - Mayton Wood Quarry, Little Hautbois, Coltishall, NR12 7JX** **Page 46**  
Report by the Executive Director of Community and Environmental Services

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

Date Agenda Published: 10 June 2021



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## **STANDING DUTIES**

**In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.**

### **Equality Act 2010**

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the Council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

### **Crime and Disorder Act, 1998 (S17)**

Without prejudice to any other obligation imposed on it, it shall be the duty of the County Council to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

### **Human Rights Act 1998**

The requirements of the Human Rights Act 1998 must be considered.

The human rights of the adjoining residents under Article 8, the right to respect for private and family life, and Article 1 of the First Protocol, the right of enjoyment of property are engaged. A grant of planning permission may infringe those rights but they are qualified rights, that is that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity.

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

**Planning (Regulatory) Committee  
Minutes of the Meeting Held on 23 April 2021  
at 11am on Microsoft Teams (virtual meeting)**

**Present:**

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

Cllr Mick Castle  
Cllr David Collis  
Cllr Danny Douglas

Cllr William Richmond  
Cllr Martin Storey  
Cllr Tony White

**Also Present**

Hollie Adams  
Charles Colling  
Oliver Field  
Jon Hanner  
Isabel Horner  
Nick Johnson  
Angelina Lambert  
Lee Napper  
Peter Peloe  
Andy Scales  
Craig Shranz  
Andrew Sierakowski  
Richard Smith  
Teresa Smith  
Francesca Sutton  
Adrian Truss

Committee Officer  
Senior Planning Officer  
Public Speaker  
Principal Engineer (Developer Services)  
Public Speaker  
Head of Planning  
Principal Planner  
Public Speaker  
Public Speaker  
Public Speaker  
Public Speaker  
Senior Planner  
Public Speaker  
Public Speaker  
Public Speaker  
Locum Senior Lawyer (Planning and Environment)

**1. Apologies and Substitutions**

- 1.1 Apologies were received from Cllr Mike Sands. Cllr Brian Iles was also absent.

**2. Minutes**

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on 5 March 2021 were agreed as an accurate record.

**3. Declarations of Interest**

- 3.1 No declarations of interest were made.

#### **4. Urgent Business**

- 4.1 There was no urgent business.

#### **Applications referred to the Committee for determination.**

#### **5. FUL/2020/0100 - Ormiston Victory Academy, Middleton Crescent, Costessey, Norwich, NR5 0PX**

- 5.1 The Committee received the report setting out an application for the expansion of the existing 1200 pupil secondary school to a 1500 pupil school by construction of a new stand-alone three storey building, and refurbishment works to the existing school, improved secure fencing to the front of the school, an increase of 42 car parking spaces and 60 cycle storage spaces and relocation of the existing on-site temporary modular accommodation at the Ormiston Victory Academy, Middleton Crescent, Costessey.
- 5.2.1 The Senior Planner gave a presentation to the Committee; see [appendix A](#):
- Issues raised about the expansion related to the potential impact on the surrounding residential area
  - The extension would not impinge on the existing playing fields; dialogue had been held with Sport England to ensure this.
  - The west side of the proposed extension would be quite close to the boundary but there was a substantial tree belt here, slightly taller than the proposed extension, providing screening.
  - The biggest shadow cast over properties to the west would be in December in the morning. The shadow-cast forecasting did not take into account the shadow that would be cast by the existing tree boundary. The shadow in December would be cast over the corner of the closest property's garden where there was a shed.
  - 13 objections were received from neighbouring occupiers, with the main issue being related to the impact of traffic at drop off and pick up times.
  - An extension to the double yellow lines on Richmond road via a Traffic Regulation Order and an additional crossing point were recommended.
- 5.2.2 Members asked questions about the presentation:
- The Vice-Chair noted that some local residents had asked for speed bumps in their representations whereas others did not want them; he queried whether this issue should be taken up by the local Councillor and the Parish Council.
  - Cllr Danny Douglas asked why the school travel plan taking into account the extension was not presented with the planning application; the Principal Engineer (Developer Services) responded that policy was for this to be reviewed at 6 months to allow for footfall to be in place, travel patterns to form and the development to bed-in. When looking at school applications, officers would look at how sustainable transport would be encouraged such as facilities to promote walking and cycling.
  - Cllr Danny Douglas felt that when content of planning applications was next reviewed, school travel plans should be considered for inclusion in the initial

proposals. The Head of Planning noted Cllr Douglas' comment and would take this into consideration in the next review.

5.3 The Committee heard from registered speakers.

5.3.1 Teresa Smith, Director of Finance and Operations of Ormiston Academy spoke to the Committee on behalf of the applicant:

- Regarding the concerns on traffic flow Ms Smith explained that the academy had a safe drop off area for parents to drive into the site and drop off or pick up their children rather than parking on routes into the school. The entrance to the site was manned at pick up and drop off time, providing a safe area for this.
- The school encouraged a cycle to school scheme.
- The school had been oversubscribed for many years; 50 appeals had been held this year, showing the need for the additional space.

5.3.2 Isabel Horner of Children's Services spoke to the Committee on behalf of the applicant:

- There was pressure for school places in this area; Easton Village, which was in the catchment for this school, recently had 900 new homes approved.
- Sport England were a considerable consultee as the rest of the site was used for sports pitches. The area proposed for the extension was slightly sloping and not appropriate for pitches.
- The proposed building would be 27 metres from the boundary; it had been moved here, further from the boundary, as part of the design development. It could not be moved further because of a service yard.

5.3.3 A Member asked for information on links for students from Easton and plans to improve public transport links to the school. Isabel Horner asked Teresa Smith to answer this question. Teresa explained that a school bus travelled from Easton to the school and a public bus from Queen's Hill accessed the school site. Most of the students from Easton accessed the school by bus.

5.3.4 Craig Shranz, lead architect from NPS, spoke to the Committee on behalf of the applicant. Mr Shranz did not have any further information to add.

5.3.5 Oliver Field, project manager from NPS, spoke to the Committee on behalf of the applicant. Mr Field did not have any further information to add.

5.3.6 Richard Smith, Senior Planning Consultant from NPS, spoke to the Committee on behalf of the applicant. Mr Smith did not have any further information to add.

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

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



## **6 FUL/2020/0088, Bridge End, Foulsham Road, Hindolveston, Norfolk, NR20 5BZ**

- 6.1 The Committee received the report seeking Planning permission for the change of use of a residential property (C3 dwellinghouse use) known as Bridge End, situated on Foulsham Road, Hindolveston, to a residential children's home (C2 use). The property would offer a home for up to two children aged between 12-16, although it was anticipated only a single child would be accommodated at the property for the majority of the time. No external changes were proposed and a gravelled area within the site would provide parking spaces for staff/visitors. No members of staff would live permanently on site, instead staff would operate on a shift system providing 24/7 presence and care at the site.
- 6.2.1 The Senior Planning Officer gave a presentation to the Committee; see [appendix B](#):
- Since writing the report, two representations had been received from North Norfolk District Council and a neighbouring resident as shown on slide 3 of [appendix B](#)
  - Neighbouring properties shared a common boundary with the site
  - Objections from neighbouring properties had been received and were addressed in the report.
- 6.2.2 Members asked questions about the presentation:
- The Vice-Chair asked about the previous agricultural occupancy condition on the property which had been lifted by North Norfolk District Council. The Senior Planning Officer confirmed that this condition was lifted in 2018 to give unrestricted occupancy to a regular dwellinghouse.
- 6.3 The Committee heard from registered speakers.
- 6.3.1 Peter Peloe spoke to the Committee in objection of the application:
- Some residents' addresses were not in the mapping system and there was not engagement with some residents during the application process. Councillor Aquarone had involved them and apologised for the poor way notification was distributed but maintained his situation on the proposal without visiting the rural homes. Mr Peloe reported that the only resident who supported the application was the person who sold the home to the council and had since moved out.
  - Residents had received mixed messages; the service manager had said children at the proposed home may have been involved in county lines.. However, the application stated it was not intended for teenagers involved in criminal behaviour; Mr Peloe requested clarity on this and whether the children at the home may be subject to ASBOs.
  - Mr Peloe spoke about traffic and noise disturbance; no restriction of usage on vehicle movements was in place, and the application stated that movements were likely to be comparable to that of a 4-bed property. However, Mr Peloe pointed out that the staff who may visit the home each day were likely to be a greater amount of people visiting than a typical family based on information in the application.
  - Mr Peloe was concerned that there may be additional noise above and beyond a typical family home if the facility was used for teenagers with emotional and behavioural difficulties.

- Mr Peloe asked officers to provide reassurance to residents who had requested feedback from residents living near to similar facilities but not received this so far.
- 6.3.2 Francesca Sutton of Children's Services spoke to the Committee on behalf of the applicant. She had nothing further to add.
- 6.3.3 Andy Scales, Head of Planning Consultancy from NPS, spoke to the Committee on behalf of the applicant:
- North Norfolk District Council's policy permitting adaption of housing in the countryside did not conflict with this application. Mr Scales noted that there were other examples of c2 usage approved by North Norfolk District Council in areas like this and in areas with closer residential properties.
- 6.3.4 Lee Napper from Children's Services spoke to the Committee on behalf of the applicant:
- The model of these properties was to allow children in crisis to be away from towns and cities, to reduce temptation to get in trouble, while working with them to move back home. There was no proposal to make any changes to the property's appearance. Officers had attempted to engage with neighbours and would continue to do so on a regular basis.
- 6.3.5 The Committee asked questions of Lee Napper:
- A Member asked how much residential provision there was in Norfolk. Mr Napper confirmed there were 4 rural residential provisions and 4 urban residential provisions including a short break and long-term residential provision. .
- 6.4 The Committee moved to debate on the application:
- Members noted the positive impact this provision could have for young people by distancing them from County Lines activity and that there would be no changes to the building.
  - The Vice-Chair noted the objector's concern, however, felt that management of the facility would be key to avoiding potential problems. It was therefore inherent of Children's Services to make the provision as good as possible for neighbours as well as the children in it.
  - The Chair shared that he lived close to a similar facility which had not negatively impacted on the value of his or neighbouring properties, and he believed it would provide a good opportunity to help children.
- 6.5 The Committee unanimously **RESOLVED** to **APPROVE** that the Executive Director of Community and Environmental Services be authorised to:
- I. Grant planning permission subject to the conditions outlined in section 11.
  - II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
  - III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

**7 FUL/2020/0099, Harford Manor School, Ipswich Road, Norwich, NR2 2LN**

- 7.1 The Committee received the report seeking planning permission for the provision of a replacement 2 class base modular building for a temporary period of 5 years. Associated works include external lighting and provision of 6no car parking spaces. The applicant is Norfolk County Council, Children's Services.
- 7.2.1 The Principal Planner gave a presentation to the Committee; see [appendix C](#):
- Norwich City Council had removed their objection due to additional information being provided to them on ecological enhancements, cycle provision and planting.
  - There were no objections from statutory consultees or third parties.
  - The number of parking spaces proposed was within the maximum Norfolk County Council parking standards.
  - As this was complex needs school, teachers and parents were more likely to need to drive to school.
- 7.2.2 Members asked questions about the presentation:
- A Member asked whether it would be more appropriate for permanent planning permission for a mobile structure on the site; the Principal Planner said that in order for permanent permission, planners would need to look into the design and long term sustainability of the mobile classroom.
- 7.3 The Committee heard from registered speakers.
- 7.3.1 Isabel Horner of Children's Services spoke to the Committee on behalf of the applicant:
- Since Norwich City Council had withdrawn their objection, Ms Horner no longer had anything to add in addition to the information in the application.
- 7.4 The Committee unanimously **RESOLVED** to **APPROVE** that the Executive Director of Community and Environmental Services be authorised to:
- I. Grant planning permission subject to the conditions outlined in section 11.
  - II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
  - III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

The meeting ended at 12:02

**Chair**



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# Planning (Regulatory) Committee

Item No: 5

|  |   |
|--|---|
| <b>Decision making report title:</b>   | <b>FUL/2020/0110 - Land to the East of Easton Gymnastics Club, Deer Park House, Bawburgh Road, Easton, Norfolk, NR9 5EA</b> |
| <b>Date of meeting:</b>  | <b>18 June 2021</b>   |
| <b>Responsible Cabinet Member:</b>   | <b>N/A</b>  |
| <b>Responsible Director:</b>   | <b>Tom McCabe, Executive Director of Community and Environmental Services</b>   |
| <b>Is this a key decision?</b>   | <b>No</b>   |
| <b>If this is a key decision, date added to the Forward Plan of Key Decisions.</b> | <b>N/A</b>  |

## Executive Summary

This is an application for the erection of a new Special Education Needs and Disabilities (SEND) School with 170 places and for children aged between 4-19 years old, together with associated hard/soft landscaping including Multi-Use Games Area (MUGA); car/cycle parking; secure line fence/boundary enclosures; formation of new vehicular means of access from Bawburgh Road, including construction of electricity substation enclosure; and part-widening of northbound carriageway of Bawburgh Road to also incorporate pedestrian footway, at land to the East of Easton Gymnastics Club, Deer Park House, Bawburgh Road, Easton.

No objections have been raised by statutory consultees or third parties.

In accordance with the Council's Constitution, the application is being reported to the Planning (Regulatory) Committee because the application is considered to be a departure from part of the development plan site allocation EAS1, which details land totalling 52.6 hectares allocated for approximately 900 dwellings and associated infrastructure.

The key issues to be assessed in the determination of the application are, the principle of the development, the locational and transport related sustainability considerations, design, landscaping and ecology; traffic, pedestrian safety and parking; the amenity impacts, surface water drainage and flood risk, sustainability, mineral safeguarding and archaeology.

It is considered that whilst the proposal is not in accordance with the site allocation, it would not prejudice the overall delivery of the allocation, as extant permissions provide for more than the 900 dwellings and infrastructure as detailed within the site allocation, without needing this part (2.5ha) of the allocation for further residential development. The proposals

would in all other respects be in accordance with the policies contained within the development plan and with the National Planning Policy Framework. Conditional full planning permission is therefore recommended.

### **Recommendation:**

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

- I. Grant planning permission subject to the conditions outlined in section 11.**
- II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.**
- III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

## **1. Background**

- 1.1. The SEND school proposed in the application is being funded by the Government under its free school programme, following a successful application made by Norfolk County Council in 2018. The assessment made as part of the application was an evidence based assessment with need and justification for the additional school places having been found acceptable. The school would form part of Norfolk County Council's £120m plan which aims to create an additional 500 places across the County by providing more specialist facilities in mainstream schools, more outreach with schools and up to 4 new schools. The scheme forms part of the wider County Council plan to transform the education for children with special education needs and disabilities (SEND) in Norfolk, as identified in the transformation strategy 'Special Education Needs Sufficiency Strategy Overview' report NCC published April 2019.
- 1.2. The site proposed for the SEND school was identified and purchased by Norfolk County Council, following a site search undertaken by NPS Group on behalf of the County Council in 2018/2019. The search sought to identify a suitable site which was readily available, close to Easton and other settlements in the A47 corridor towards Dereham, good access to the A47 and of a suitable size to meet with the Government guidelines for SEND schools set out within the Building Bulletin (BB)104.

## **2. Proposal**

### **2.1. SITE**

- 2.2. The site is situated approximately 200m to the south of the village of Easton, with Norwich approximately 8km to the East and Dereham 14km to the West. The site is situated on land to the East of Easton Gymnastics Club, with access taken from Bawburgh Road. The land on which the school would be sited extends to approximately 2.5ha, with a further 0.3ha required to accommodate the access into the school site.

- 2.3. The site primarily consists of a rectangular field which is bordered by mature trees to the north, east and west. Access to the site would be taken from Bawburgh Road and then through an existing wooded area to the west.
- 2.4. To the north of the school site is land with planning permission for residential development, to the south are agricultural fields, to the east is a restored former mineral working allocated as COS5 (Royal Norfolk Showground) and to the west is the Easton Gymnastics Club with associated parking.
- 2.5. **Proposal**
- 2.6. The proposed school would be situated centrally within the site, with the building taking a broadly 'L' shape configuration with part two storey, part single storey elements. The gross internal floor area provided would be 3,712m<sup>2</sup>, with capacity for accommodating up to 170 pupils aged between 4 and 19. The ground floor of the school would accommodate the nursery, primary and secondary classrooms, autism unit, music room, gym and dining hall and office/admin area. To the first floor would be further secondary teaching space, sixth form classrooms, specialist rooms and staff areas.
- 2.7. Externally to the northern part of the site would be parking equating to 141 spaces (including 6 accessible spaces), a sports pitch and forest school and meadow. To the south would be a grassed sports pitch, a hard surfaced multi use games area and a secondary and post 16 productive garden. To the western side of the school would be 12 covered cycle parking spaces, a service area and mini-bus parking. To the east of the school would be additional outdoor amenity/teaching areas.
- 2.8. Access into the site would be formed through an existing wooded area to the north of the gymnastics club. Mitigation tree planting is proposed as part of the scheme to compensate for any tree loss. Immediately outside of the site localised road widening is detailed within the application to allow for an extension of the existing footway into Easton Village.

### **3. Impact of the Proposal**

#### **3.1. DEVELOPMENT PLAN POLICIES**

- 3.2. Relevant development plan policies for the purposes of the application comprise the following:

**Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk - Adopted March 2011, with amendments adopted January 2014**

- Policy 1 - Addressing climate change and protecting environmental assets
- Policy 2 - Promoting good design
- Policy 3 - Energy and water
- Policy 6 - Access and Transportation
- Policy 7 - Supporting Communities
- Policy 9 - Strategy for growth in the Norwich Policy Area

- Policy 10 - Location for new or expanded communities in the Norwich Policy Area

### **South Norfolk Local Plan Development Management Policies Document (DMPD) Adoption Version October 2015**

- Policy DM 1.1 - Sustainable development;
- Policy DM 1.3 - Sustainable location of development;
- Policy DM 1.4 - Environmental quality and local distinctiveness
- Policy DM3.8 - Design Principles applying to all development
- Policy DM3.10 - Promotion of sustainable transport
- Policy DM3.11 - Road Safety and the free flow of traffic
- Policy DM3.12 - Provision of vehicle parking
- Policy DM3.13 - Amenity, noise and quality of life
- Policy DM3.14 – Pollution, health and safety
- Policy DM 3.16 - Improving the level of local community facilities;
- Policy DM4.1 – Renewable Energy
- Policy DM 4.2 - Sustainable drainage and water management;
- Policy DM4.3 – Facilities for the collection of recycling and waste
- Policy DM4.4 - Natural environmental assets - designated and locally important open space;
- Policy DM4.5 – Landscape character and river valleys
- Policy DM 4.8 - Protection of trees and hedgerows;
- Policy DM 4.9 - Incorporating landscape into design.
- Policy DM4.10 – Heritage Assets

### **South Norfolk Local Plan Site Specific Allocations & Policies Document (SSAPD) Adoption Version October 2015**

EAS 1 - 52.6 hectares of land is allocated for housing and associated infrastructure. This allocation will accommodate approximately 900 dwellings and supporting facilities, including a new village centre.

EAS 2 - 1.4 hectares of land is allocated for a new Gymnastics Centre.

### **Neighbourhood Plan**

The Easton Neighbourhood Plan 2017-2042 (adopted December 2017)

### **Norfolk County Council Minerals and Waste Development Framework Core Strategy 2010-2026**

CS16 – Safeguarding mineral and waste sites and mineral resources

### **3.3. OTHER MATERIAL CONSIDERATIONS**

### **3.4. National Planning Policy Framework (NPPF) (2019)**

- Chapter 2. Achieving Sustainable Development;
- Chapter 6. Building a strong, competitive economy;
- Chapter 8. Promoting healthy and safe communities;

- Chapter 9. Promoting sustainable transport;
- Chapter 12. Achieving well-designed places;
- Chapter 14. Meeting the challenge of climate change, flooding and coastal change;
- Chapter 15. Conserving and enhancing the natural environment;
- Chapter 16. Conserving and enhancing the historic environment; and
- Chapter 17. Facilitating the sustainable use of minerals

### 3.5. **Emerging Development Plan Policy**

- 3.6. Paragraph 48 of the NPPF states that Local Planning Authorities may give weight to relevant emerging policies in certain circumstances. Current emerging Local Plan policy includes the following:

#### **Greater Norwich Local Plan (GNLP)**

A new Greater Norwich Local Plan (GNLP) is being jointly prepared by South Norfolk District Council, Broadland District Council, Norwich City Council and Norfolk County Council. Following three earlier public consultation stages, the representations period on the Draft Plan (Regulation 19 Publication) has recently ended (22 March 2021) with the plan timetabled for submission to the Secretary of State for Housing, Communities and Local Government in late July 2021. There are as such no currently relevant emerging development plan policies to which significant weight can be attached.

### 3.7. **Constraints**

- 3.8. There are a number of constraints affecting the site including the following:

- Nearest Listed buildings are Easton Hall (Grade II listed) approximately 330m to the south, Costessey Lodge (Grade II listed) approximately 680m to the north east and Church of St. Peter (Grade I listed) approximately 1030m to the north west.
- Flood Zone 1
- Norwich Airport Safeguarding (Consult on development over 90m in height or likely to attract birds)
- Within Easton Development Limits and part of EAS1 Allocation (900 dwellings, new village centre and expanded primary school provision) – requires safe and convenient pedestrian and cycle links to key locations.
- Core River Valley 930m to the north and 1120m to the south.
- The site falls within an Impact Risk Zone (IRZ) for the River Wensum Site of Special Scientific Interest (SSSI) which lies approximately 1.9km north of the site. The River Wensum is also designated as a Special Area of Conservation (SAC).
- Long Dell and Westlodge Hills County Wildlife Site is 660m the north of the site and 1.1km to the south.
- Agricultural Land Grade 3.
- Mineral Safeguarding Area (Sand and Gravel)



### 3.9. CONSULTATIONS

SOUTH NORFOLK DISTRICT COUNCIL PLANNING – No objection. It is noted that the site lies within the defined development boundaries of Easton in the South Norfolk Local Plan 2015 and Site Specific Allocations and Policies DPD, so the principle of development is accepted. The site is also part of the EAS1 site allocation, which makes provision for approximately 900 dwellings, plus a new village centre and expanded primary school provision. As such, whilst the proposed use doesn't fall within the description of the current allocation, it is considered that because the extant outline permission (2014/2611) and current detailed application (2019/1251) provide for more than 900 dwellings, plus the land for the new village centre/supporting infrastructure, then this proposal will not prejudice their delivery and that the requirements of Policy EAS1 could be met without needing this part of the allocation for residential development. On this basis no objections are raised to this proposal on planning policy grounds.

SOUTH NORFOLK COUNCIL ENVIRONMENTAL QUALITY TEAM – Advise that they have no objection to the proposal, subject to the inclusion of a precautionary condition requiring the submission of an investigation report, risk assessment and details of any remediation to be undertaken, in the event that any previously unidentified contamination is discovered on the site during the construction phase. A condition in respect of precise details of any fixed plant/machinery to be submitted and agreed prior to installation. And an informative is suggested in relation to construction impacts/hours.

HIGHWAY AUTHORITY – No objections.

#### **Staff Parking**

A substantial on site car park is proposed to cater for staff & visitor parking demands. In addition, 12 on site cycle parking spaces are proposed for staff.

#### **Vehicular Access**

A new vehicular access is proposed directly onto Bawburgh Road (drawing NPS-00-0XX-DR-C-700 rev P6) which links, via a new link road, to the school site. The applicant is proposing to extend the existing 30 mph speed limit on Bawburgh Road, to include the new access point, with visibility splays proposed to accord with this. The applicant should be aware that they will need to fund the associated TRO and that this will be the subject of a separate legal process.

In addition, it should be noted that as HA, we have no intention of adopting the new link road which serves only the school.

#### **Off site Highway Works**

In order to ensure that the site is accessible for cars, pedestrians and cyclists improvements are proposed to Bawburgh Road to ensure that it is wide enough to cater for the traffic proposed and that there are continuous pedestrian links to the site. At this stage there are two options proposed to secure this i) either as stand alone scheme with improvements along the current alignment of Bawburgh Road or ii) as part of the nearby residential development with an realigned Bawburgh Road. Whilst both options are acceptable to the HA in principle, it should be noted that they will be the subject of a S278 technical design process should you be minded to approve the application. The most important thing is that a suitable footway & road

network (in the form of a minimum 5.5 m road flanked by a continuous footway) is in place ahead of the school opening.

**Drop off / Pick Up**

Given the nature of the proposed school, it is outlined that the majority of pupils will travel to / from the school by minibus / taxi or the private car. The submitted Transport Statement (TS) suggests that this would result in 60 vehicular trips during drop off / pick up times.

An on-site drop off / pick up facility is proposed, which coupled with the proposed link road, is considered to be sufficient to cater for this activity without leading to cars queuing or being displaced on the adjacent highway network.

Conditions recommended in respect of a detailed scheme for vehicular access to be agreed and constructed prior to the use of the school, gates to be hung inwards and set back, vehicular access gradient, visibility splays provided and maintained, construction traffic management plan to be agreed, construction traffic access route to be agreed, carriageway widening and footpath provision on Bawburgh Road, traffic regulation order for 30mph speed limit extension on Bawburgh Road.

**LEAD LOCAL FLOOD AUTHORITY** – No objection subject to a pre-commencement condition requiring detailed designs of a surface water drainage scheme to be submitted and agreed with the County Planning Authority, incorporating the following measures:

I. Details of how all surface water management features are designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

**COUNTY COUNCIL'S ARBORICULTURIST** – No objection subject to a condition ensuring that all submitted method statements are adhered to and individual sections and appendix are not relied on as stand alone instruction.

**COUNTY COUNCIL'S ECOLOGIST** – No objection subject to a condition requiring mitigation and enhancements measures detailed in the accompanying ecological reports being adhered to. A condition ensuring lighting is controlled by PIR sensor where possible, and a condition requiring the submission of a Landscape and Ecological Management Plan (LEMP).

**COUNTY COUNCIL'S LANDSCAPE & GREEN INFRASTRUCTURE OFFICER** – No objections subject to conditions requiring precise details of materials to be agreed, hard and soft landscaping plans including maintenance specification to be agreed.

**RIGHTS OF WAY OFFICER** – No objections, Easton footpath 1 is in the vicinity but does not appear to be affected by the proposals.

**COUNTY COUNCIL'S HISTORIC ENVIRONMENT OFFICER** – No objection subject to a condition requiring a scheme of archaeological investigation to be agreed.

**NORFOLK FIRE AND RESCUE** – Advise that they have no objection provided the proposal meets the requirements of the current Building Regulations and recommend the use of sprinklers and two evacuation lifts.

NORFOLK CONSTABULARY – Advise that they have no objection to the scheme. Recommendations made to ensure compliance with Secured by Design (SBD) guidance. Further advised that this application could attain the prestigious Secured by Design Commercial Developer Award through their engagement on the SBD scheme.

ANGLIAN WATER - Advises that the foul drainage proposed lies within the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for the flows that would arise.

They advise that they have no objection to the proposal subject to the inclusion of informatives in respect of the foul sewer connection.

SPORT ENGLAND – No objection subject to conditions in respect of the full specification of the multi-use games area and playing fields being submitted and agreed in writing.

ENVIRONMENT AGENCY – No objection. We have reviewed the additional information that has now been submitted in support of this application including site investigation reports specifically related to identifying the original Foot & Mouth burial pit. We are happy that the burial location is not within 'Field 7', the site designated for development. Further, the groundwater level of the underlying major Chalk aquifer is 20mbgl and protected by a layer of low permeability clay rich deposit. Any contaminants in this area would be retained in the shallow superficial sands and gravels above the low permeability horizon. We have no further concerns regarding development of Field 7 for the erection of a new Special Education Needs and Disabilities (SEND) School on this site.

NATURAL ENGLAND – Comments awaited/to be reported.

EASTON PARISH COUNCIL – As a Parish Council we are very pleased that our village has been chosen to host this highly valued educational facility for children with special educational needs. It will bring further employment to the local area and in turn help to boost the local economy of the area. We also hope our local area will help enrich the lives of the staff and children who attend this new SEN school.

We have raised the concern of contaminated land on site due to the presence of a foot & mouth burial pit and are happy that it will be capped and form part of the carpark area of the site. We will leave comment on drainage of the site to the LLFA.

It is the collective view of the Parish Council that this application should receive planning approval subject to conditions being set in relation to highway matters being resolved in compliance with Easton Neighbourhood Plan policies 12 (traffic impact), 13 (Connectivity and Sustainable Transport) and 14 Small scale Employment Opportunities).

LOCAL MEMBER (COUNTY ELECTORAL DIVISION - HINGHAM) (COUNTY COUNCILLOR MARGARET DEWSBURY) – No comments received.

### **3.10. REPRESENTATIONS**

- 3.11. The application has been advertised by means of neighbour notification letters, site notices, and an advertisement in the Eastern Daily Press newspaper. No objections have been received. A single correspondence from the CEO of The Bridge London Trust who would operate the school has been received in support of the application, advising:

‘My understanding is that new places in special schools are very much needed in Norfolk and particularly in Norwich. Our Trust currently runs four schools, three special schools and one mainstream primary school. Two of our schools are graded outstanding and the other two are yet to be inspected. We really hope to have the opportunity to open this school in Easton and to work with others in the community to provide a fantastic service for pupils with special educational needs.’

3.12. **APPRAISAL**

- 3.13. The key issues for consideration are:

- A. Principle of the Development
- B. Locational and Transport Related Sustainability Considerations;
- C. Design, Landscaping and Ecology;
- D. Traffic, Pedestrian Safety and Parking;
- E. Amenity Impacts
- F. Playing Field Provision
- G. Surface Water Drainage and Flood Risk
- H. Contamination;
- I. Sustainability;
- J. Cumulative Impacts; and
- K. Mineral Safeguarding
- L. Archaeology

3.14. **A. PRINCIPLE OF THE DEVELOPMENT**

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

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

- 3.16. Relevant development plan policy is, as detailed above, is set out in the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk, the South Norfolk Local Plan Development Management Policies Document (DMDP) and the South Norfolk Local Plan Site Specific Allocations & Policies Document (SSAPD).
- 3.17. In terms of the principle of the development, the key policies are supportive of the principle of the development. The JCS Policy 7 includes specific reference to education provision including a commitment to the provision of sufficient, appropriate and accessible education opportunities both for residents and non-residents, including new or expanded primary and secondary schools to serve the major growth locations. Policies 9 and 10 set out the Strategy for growth in the Norwich Policy

Area (NPA) and identify key major growth locations, and key service centre which includes Easton.

- 3.18. In addition, to support this level of growth, Policy 10 identifies the need for new or expanded education provision for addressing the needs of the 0-19 age range.
- 3.19. As set out in paragraph 3.2 the site is within South Norfolk Site Specific Allocation EAS1 and the access is within allocation EAS2. Allocation EAS1 relates to land at Easton totalling 52.6 hectares which is primarily a housing allocation for 900 dwellings along with supporting facilities and a new village centre. South Norfolk district council have raised no objection to the application advising that, as the site is within the Easton development limits the principle of development is accepted. They have further advised that whilst this application does not fall within the description of the EAS1 allocation, extant permissions have already provided for more than 900 dwellings and the land for the new village centre and expanded primary provision. It is therefore understood that the development of the site for a new SEND school would not prejudice the delivery of the allocation, which the district council have advised can be met without needing the land subject to this application. Allocation EAS2 relates to 1.4ha of land for the Easton Gymnastics Club, the club was granted permission for a new steel frame building to be used as a gymnasium in 2014. This building has now been provided which is understood to have met the club's requirements. No objections have been received from the gymnastics club or the district council in respect of part of this allocation being used for the access to the school site.
- 3.20. The supporting statement with the application sets out that a need assessment was carried out in April 2019 'Special Educational Needs Sufficiency Strategy Overview', which underpins NCC's £120m strategy which aims to transform education for children with special needs and disabilities in Norfolk, through the provision of up to 4 new schools and providing more outreach with existing schools to help meet the needs of children with special needs. The statement further sets out that at the start of 2018-2019 academic year there were 171 children where a parent had expressed their right to a special school, but a placement could not be made.
- 3.21. In terms of the principle of the development it has been established that there is an identified need for the additional SEND school places which would be provided, in part, by this development. This is in accordance with and supports relevant development plan policy and underpins its strategic objectives. In addition, the NPPF, Paragraph 94 makes clear that Local Planning Authorities should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications. Consideration has been given to the Development Plan Allocation of this land primarily for housing, but for the reasons outlined in para 3.19, the provision of the allocation has already been met without the requirement for this area of land and the benefits of the provision of additional SEND school places is considered to outweigh the loss of 2.5ha of land allocated for housing and infrastructure.
- 3.22. As such the application is considered on balance to be acceptable in principle, and whilst a departure from the development plan allocation, it would be in accordance

with the other development plan policies and national planning policy set out in the NPPF.

### 3.23. B. LOCATIONAL AND TRANSPORT RELATED SUSTAINABILITY CONSIDERATIONS

3.24. The key sustainability consideration is as set out in JCS Policy 7, not only to deliver thriving communities but to do so in a way that ensures that facilities and services are available as locally as possible and located to take account of the potential for co-location, and so that they are accessible on foot, by cycle and public transport. Policy 10 similarly is concerned to ensure that there is a high level of self-containment through the provision of services to support new development while integrating well with neighbouring communities. In addition DMPD; Policy 1.3 is concerned with ensuring that new development should be located so that it positively contributes to the sustainable development, is located on Allocated Sites or within the development boundaries of the settlements defined on the Policies Map, and is of a scale proportionate to the level of growth planned in that location; and Policy 3.10 seeks to ensure that new development should support sustainable transport and development objectives, and be designed to reduce the need to travel and to maximise the use of sustainable forms of transport.

3.25. The school is located within the development boundary of Easton, the application includes details of localised road widening to allow the provision of a footpath which would link up with the existing footpath giving a continuous footway to and from the village. The existing 30mph speed limit along Bawburgh Road would also be continued to include the new school access.

3.26. The application is supported by a Transport Assessment and School Travel Plan. These documents set out that the transport/access requirements of a SEND school are different to those of a mainstream school. The planning statement advises that typically at other special educational needs schools across Norfolk approximately 77% of pupils travel by school bus/minibus, 21% by car or taxi and 2% by foot. The Travel Plan submitted with the application and plans accompanying the application show that the school will be linked to the existing pedestrian network allowing safe and convenient pedestrian access to the school from Easton. In addition, there will be secure cycle parking within the site for staff.

3.27. On this basis, it is considered that given the specific requirements of those pupils attending the school would be different from that of a mainstream school, the Travel Plan does promote sustainable means of access to the school for staff and potentially some of the pupils where appropriate. It is therefore considered that the scheme is acceptable in terms of locational and transport related sustainability considerations proportionate to the development, and therefore is compliant with relevant development plan policy and the NPPF.

### 3.28. C. DESIGN, LANDSCAPING AND ECOLOGY

3.29. Relevant policy relating to design includes JCS Policy 2 and the DMDP Policy DM 1.4 which seek promote good design and ensure that all development proposals demonstrate an understanding and evaluation of the important environmental

assets, including locally distinctive characteristics and justify the design approach. In addition, JCS Policy 1 and South Norfolk Local Plan (DMPD) Policies DM 4.8 and DM 4.9 seek to ensure the environmental assets, including trees and protected species are protected and that landscaping is incorporated into the design of new development.

- 3.30. In relation to design, landscaping and ecology, initial consultations with the Natural Environment Team required additional tree protection information to be submitted along with badger survey work. These have been received during the course of the application and re-consulted on. No objections are raised by the Natural Environment Team to the application following the submission of this additional information and no objections have been received by third parties.
- 3.31. The design of new school is part single and double storey in an 'L' shape configuration. The building would be of a modular construction, which is being delivered by the Department for Education under its modular building framework. The Design and Access Statement accompanying the application advises that 'the modular framework has been operating for many years and has successfully delivered many new schools across the country'. The Design and Access Statement further provides details on the design concept and approach to the design and layout of the site. It explains that the building and landscaping aim to create an engaging environment for students and staff alike. The design of the school is of a modern/contemporary appearance, with a mixture of elevational treatments, but the predominant finish would be a timber style (cement-based board) cladding system, with other elevations finished with dark metal cladding. The materials proposed are considered acceptable for this location, subject to a condition to agree the precise details/specification prior to construction. A brick plinth wraps around the building at a low level up to the lower windowsill level. There would be a main entrance which would be supported by 4 further age group entrances, each being defined by colour coded banding (aluminium trim) to distinguish the different entrances. The main walkway from the access to the main school entrance would be lined with trees and soft planting to delineate the route. The overall design is considered to be acceptable for this location and whilst functional would offer a modern development which is well designed for its future use and takes into account the semi-rural/edge of village location. The proposals in terms of design are therefore considered to be compliant with the aims of JCS Policy 2 and the DMPD Policy DM 1.4.
- 3.32. The design and access statement and site section plans accompanying the application show that currently, the site falls by approximately 4.6 Meters from North East to South West and approximately 2.5 meters from East to West. The design and access statement provides an overview of the required groundworks, as follows:
- 'Ground levels within the proposed carpark for the site will remain broadly as existing with some localised cut and fill. The FFL for the proposed building has been set at 17.50 AOD with internal corner of the building placed within the vicinity of the existing 17.50 contour which crosses the site from North to South East. The pedestrian pathway from the car park to the main entrance is disability access compliant. To the south of the proposed building a macadam playground/PE area is orientated north/south, and compliant grass pitches will be formed to the south and north of the site by manipulating the existing ground levels. Soft banking will regrade the

topography into existing around both areas landscape features. All recontouring has been carefully designed to wherever possible avoid the RPA of existing trees to the boundaries of the site. A small area to the east of the building will require a retaining wall and banking to tie the ground levels back into existing’.

- 3.33. In relation to landscaping, a landscaping plan shows that the north west part of the site would accommodate the parking area with a minibus and taxi drop off area close to the entrance. The parking would be a permeable macadam finish with areas of soft planting and trees to soften the appearance and delineate the main pedestrian access from the entrance. To the north east would be a mini sports pitch, forest school and meadow, complemented by additional soft landscaping and trees. Running along the eastern side of the school would be outdoor classrooms areas, informal paved areas and additional soft landscaping. To the western side of the school would be secure cycle parking, water tank and control room for sprinkler system, delivery and maintenance yard, minibus parking and bin store. To the south of the school would be the main sports pitch, a hard-surfaced play area, outdoor classroom areas and a productive garden. Again, this area would incorporate soft landscaping and additional tree planting.
- 3.34. The application sets out that a sprinkler system would be incorporated within the school and the associated tank, control room etc would be sited externally as set out above. The Fire Safety Officer has provided comment on the application ultimately raising no objections but has advised that it is Norfolk Fire and Rescue Services policy that two evacuation lifts should be installed in new schools. The application only details a single evacuation lift. The applicant has advised that they do not intend to incorporate 2 evacuation lifts in the development, but instead will adopt a manual carry down procedure as part of the evacuation regime, should the evacuation lift be out of service. The Fire Safety officer has further advised that the request for 2no. evacuation lifts is not mandatory. However, it is a policy of the Norfolk Fire and Rescue Service. In this respect whilst the requirement is not mandatory and ultimately this aspect of the development would be controlled under building regulations, it is not considered that this would form grounds on which to refuse the application. The issue has been raised with the applicant as the lift(s) forms part of the detailed layout of the application.
- 3.35. The perimeter of the site would be enclosed by a 2.4m high secure anti-climb weld mesh fencings (coloured green). This would follow the inside line of the existing boundary trees, which are to be retained and offer a good level of screening of the development from outside of the site. The proposed development would however result in the loss of 66 trees in total, 3 of which are category A trees. The loss of the trees is predominantly as a result of the route of the proposed access and the localised road widening works. The application however details 62 replacement trees to be planted as part of the proposals, which include replacing the 3 felled category A trees on a ratio of 3:1.
- 3.36. The Landscape and Arboricultural Officers have not offered any objections to the application, subject to the recommendation that the submitted Arboricultural Impact



Assessment (with Tree Protection Plan and Arboricultural Method Statement) be implemented (which can be secured by condition) and, the inclusion of a condition requiring full hard and soft landscaping details to be provided, a maintenance specification as well as a condition requiring full details of all external materials/finishes. With these conditions the development proposed can be considered to be acceptable in terms of development plan policy which includes DMDP Policies Document Policies DM 4.8 and 4.9 and the NPPF.

- 3.37. In relation to ecology the Ecology Officer has no objections to the development, subject to all ecological measures and mitigation being carried out in accordance with the details contained in the ecology report submitted with the application and subsequent updates/reports and surveys received during the course of the application. Conditions requiring the submission for approval of a Landscape and Ecology Management Plan (LEMP) have also been requested. As have further details of the lighting of the site, times of use and details of PIR sensors to reduce any impact upon nocturnal animals and their foraging routes. With the inclusion of these recommended conditions, the proposal can be considered to be compliant with relevant development plan policy and the NPPF as set out above.
- 3.38. D. TRAFFIC, PEDESTRIAN SAFETY AND PARKING
- 3.39. Relevant development plan policy includes the JCS Policies 2 and 6 which seek to ensure provision of cycling and walking friendly neighbourhoods by applying highway design principles and not prioritising the movement function of streets at the expense of quality of place and, the concentration of development close to essential services and facilities to encourage walking and cycling as the primary means of travel. DMPD Policy DM3.11 seeks to ensure road safety and the free flow of traffic are considered for new development. Also relevant are DMPD Policies DM3.8 and DM3.10 which seek to ensure that new development provides an attractive, accessible and safe environment and reducing the need to travel. Additional guidance is set out in paragraphs 108-111 of the NPPF, which advises that applications for development should give priority first to pedestrian and cycle movements, both within development proposals and within neighbouring areas and that conflicts between pedestrians, cyclists and vehicles should be avoided.
- 3.40. In general the main concerns with traffic in relation to school developments are at the beginning and end of the school day, potential for disturbance to nearby properties and speed related issues. The application details that the school would provide places for up to 170 pupils, with 102 FTE members of staff when fully occupied (phased opening over 5 years). The plans accompanying the application show that 141 parking spaces would be provided within the site, in addition to a minibus and taxi drop of point and 12 covered cycle parking spaces. The Transport Assessment accompanying the application advises that the layout of the parking area allows for up to 35 vehicles to wait and queue internally before impacting on Bawburgh road. In this respect it is considered that sufficient parking is provided to serve the development, without resulting in vehicles waiting outside of the site or impacting on the parking provision of nearby residential properties.

- 3.41. The scheme submitted includes localised road widening and the extension of the existing 30mph speed limit (to include the new school access) along Bawburgh Road. The road widening would ultimately accommodate the provision of a footway which would link to the existing footway and then onto Easton village.
- 3.42. Land to the north of the school site is part of a wider area with permission for housing forming part of the EAS01 development plan site allocation. A reserved matters application (2020/0962/D) has now been approved during the course of determining this application, which agreed details for 291 dwellings. As part of the reserved matters application an access point onto Bawburgh Road is proposed, which involves the re-alignment of a section of Bawburgh Road to the north of the proposed school access. The highways officer has given this consideration and is content that whether the residential development proceeds or not the school development is not reliant upon the highway works proposed as part of the residential development.
- 3.43. The highways officer has requested conditions in respect of agreeing the details for the access and verge crossing and ensuring that this is provided prior to the first use of the school, setting back by 20m from the carriageway and gates, bollards etc, the gradient of the access, provision and maintenance of the detailed visibility splay, adherence to the construction traffic management plan and construction considerations statement, submission and agreement of the precise details of the off-site highway improvement works including their provision and the agreement of a Traffic Regulation Order for the 30mph speed limit extension on Bawburgh Road.
- 3.44. Subject to the inclusion of these conditions it is considered that the proposed school access and parking arrangements are considered to be acceptable, without any detrimental impact upon highway safety or the local road network, and would accord with the relevant development plan policy and the policy set out in the NPPF.
- 3.45. E. AMENITY IMPACTS (INCLUDING DISTURBANCE FROM TRAFFIC AND PEDESTRIANS)
- 3.46. Over and above the strategic considerations relating to the Principle of the Development and the Location and Transport Related Sustainability Considerations, the key issue that invariably arises in relation to the development of new schools and expansion of existing schools are the amenity impacts, particularly on adjacent and nearby residential properties, roads and areas. These generally comprise the impacts in terms of traffic and pedestrian disturbance on the main vehicle and pedestrian routes to the school in the short periods at the beginning and end of the school day.
- 3.47. Relevant policy includes the DMPD Policy DM 1.1 which at the most general level seeks to, secure development that improves the economic, social and environmental conditions; Policy DM.14 which seeks to ensure proposals should avoid environmental harm or where this is not possible, adequately mitigate and compensate for the adverse environmental effects of development; and Policy DM3.13, which is the main development plan policy concerned with amenity, noise and the quality of life. This states that development should ensure a reasonable standard of amenity reflecting the character of the local area. It makes clear

development will not be permitted where it would generate noise or artificial light which would be significantly detrimental to the amenity of nearby residents or the occupants of other noise sensitive uses.

- 3.48. In addition, Paragraph 180 of the NPPF, advises that in determining planning applications Local Planning Authorities should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health and living conditions as well as the potential sensitivity of the site or the wider area to impacts that could arise from a development. It makes specific reference to the impacts from noise, light pollution, impacts on health and the quality of life.
- 3.49. The highways officer raises no objections to the proposals and is satisfied with the access arrangements for the school, in addition no objections have been received by the environmental health officer subject to the inclusion of a condition requiring the details of any external plant to be submitted and agreed prior to installation.
- 3.50. Easton Parish Council raise no objections to the application but have commented that the application should include conditions in relation to highway matters in relation to Easton Neighbourhood Plan Policies 12, 13 and 14, with consideration given to the proposed residential properties to the north of the school access. Policy 12 relates to assessing the highway impacts of new residential and commercial development, Policy 13 requires all new development to encourage the use of sustainable transport and Policy 14 relates to new commercial and office units being appropriate for their surroundings without unacceptable impacts on amenity and the local environment.
- 3.51. The Parish Council do not provide any indication of what conditions they consider should be attached. Policy 12 does not relate to new school developments. However, the traffic impacts have been assessed in the Transport Assessment accompanying the application and are considered acceptable with no objections from the highways officer. In relation to Policy 13 the existing footway would be extended to link the school to the existing footpath network into Easton and cycle parking provided within the school. Policy 14 relates to new commercial and office uses and is not applicable, however the design of the scheme is considered appropriate for the surroundings and amenity impacts have been given consideration by the environmental health officer who raises no objections. It is noted that there are residential properties proposed to the north of the school site and as part of that scheme the traffic from the school would pass these properties, however whether this site is developed as a school or for further residential properties, vehicles would still need to pass these properties. The highways impacts are considered to be acceptable and subject to the conditions proposed by the highways officer the scheme would not be of detriment to highway safety.
- 3.52. The site benefits from existing mature trees around the perimeter of the site which would further provide some amenity protection of those new residential properties proposed to the north of the site.
- 3.53. There are no other significant amenity considerations. It is considered that on balance the proposal would not give rise to any unacceptable impacts on residential

amenity subject to the conditions requested by the Highways officer and the Environmental Health officer, and can be considered to be acceptable in terms of the relevant amenity related development plan policies and the NPPF.

3.54. F. PLAYING FIELD PROVISION

3.55. There is no explicit development plan policy relating to school playing fields. However, Paragraph 96 of the NPPF highlights the importance of new development providing high quality open spaces for sport and physical activity.

3.56. This application details the provision of outdoor sports pitches which are considered to be in-line with the needs of the school. Sport England raise no objections to the application having given consideration to their own policy requirements and the NPPF. A condition has been requested requiring full technical details of the playing fields and multi-use games areas to be provided and agreed in writing.

3.57. On this basis the development can be considered to be compliant with the requirements set out in Paragraph 96 of the NPPF, subject to the inclusion of the condition suggested by Sport England.

3.58. G. SURFACE WATER AND FLOOD RISK;

3.59. A Flood Risk Assessment (FRA) and Surface Water Drainage Strategy accompany the application. The FRA advises that the site is classified within the NPPF as being a 'more vulnerable development' however this type of development is accepted as being appropriate within Floodzone 1. The FRA further advises that the site is assessed as having a 'negligible' risk of surface water flooding and a 'low' risk of potential ground water flooding. Surface water drainage from the access road will be handled through a cellular soakaway system to be installed to the southern side of the access. The parking area is proposed to be surfaced with a permeable surface, as is the multi-use games area to the south of the school, and the roof of the school building would discharge to a swale/infiltration basin to the southern edge of the site.

3.60. A condition would form part of the permission to ensure that the development is carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy which has been considered to be acceptable with the exception of the following comments from the LLFA. The LLFA ultimately raise no objections to the application but have noted that the drainage strategy does not include any features for the treatment of water prior to discharge to the ground. A further condition has therefore been requested which requires the submission of a surface water drainage scheme which incorporates details of how all surface water management features have been designed to accord with the SuDS Manual (Circa C753, 2015), including appropriate treatment stages for water quality prior to discharge. The LLFA have advised that subject to the inclusion of these details being agreed by condition they have no objection, if the condition is not included then they would object to the proposal. There are no objections from Anglian Water.

3.61. Subject to the above conditions the development can be considered to be compliant with relevant development plan policy and the NPPF in relation to surface water and flood risk.

## H. CONTAMINATION

- 3.62. The District Council Environmental Health Officer has requested the inclusion of a precautionary condition requiring the submission of an investigation report, risk assessment and details of any remediation to be undertaken, in the event that any previously unidentified contamination is discovered on the site during the construction phase. During the course of the application additional information has been received relating to the location of a foot and mouth burial site which shows that the burial ground is not within the application site. The Environment Agency have provided comments in respect of this and have confirmed that they have no objections to the application. Accordingly, the application can be considered to be in accordance with relevant development plan policy and the NPPF in relation to contamination.

## 3.63. I. SUSTAINABILITY

- 3.64. Sustainability: Policy 3 of the JCS requires new development to maximise energy efficiency in terms of design, layout and construction techniques and minimise water consumption. It also requires non-residential development of 1000sqm or more to provide 10% renewables or low carbon sources unless unviable or unfeasible. The NPPF section 2, further emphasises a presumption in favour of sustainable development in terms of its economic, social and environmental objectives.
- 3.65. The planning statement sets out the energy efficiency measures which would be incorporated into the scheme which include high efficiency led lighting, highly efficient ventilation with heat recovery and the installation of Photovoltaic panels on the roof which would provide 10% of the energy required for the school. In addition, the construction method for the school allows for the building to be manufactured off-site which is considered to be an efficient means of construction with less waste.
- 3.66. The proposed sustainability measures incorporated within the design of the school are accordingly consistent with the aims of Policy 3 of the JCS, DMPD Policy DM 3.8 and guidance in the NPPF which encourages sustainable development.

## 3.67. J. CUMULATIVE IMPACTS

- 3.68. The cumulative impact in terms of highway movements have been given consideration in the Transport Assessment and the highways officer has raised no objections in this respect. Comments from Easton Parish Council in respect of potential impact on the proposed residential properties to the north has been assessed in section E of this report and are considered to be acceptable. No other consultees have raised any cumulative impact issues, as such the proposal is considered to be in compliance with development plan policy and the NPPF.

## 3.69. K. MINERAL SAFEGUARDING

- 3.70. The proposal site is underlain by an identified mineral resource (sand and gravel) which is safeguarded as part of the adopted Norfolk Minerals and Waste Core Strategy under Policy CS16. As such a pre-commencement condition is proposed

requiring the applicant to undertake site investigations, assessment, and provide a materials management plan to meet with the requirements of this policy.

**3.71. L. ARCHAEOLOGY**

3.72. The application is accompanied by a desk-based Archaeological Assessment which concludes that there is a moderate potential to encounter prehistoric archaeology below ground during ground works within the site, and a negligible to low risk of encountering remains within Roman to post-medieval periods. The Council's Historic Environment Services raise no objections to the application but have recommended a condition requiring a scheme of archaeological investigation to be agreed which is included within the schedule of conditions at the end of this report. Subject to this condition the proposals are considered to be compliant with the aims of Policy DM 4.10 of the South Norfolk Local Plan Development Management Policies Document (2015) and paragraphs 189 and 199 of the National Planning Policy Framework.

**3.73. ENVIRONMENTAL IMPACT ASSESSMENT**

3.74. The application was screened on receipt and re-screened at the determination stage and it is not considered that the development would have significant impacts on the environment. No Environmental Impact Assessment is therefore required.

**3.75. RESPONSES TO REPRESENTATIONS RECEIVED**

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

3.77. No third-party objections have been received as part of the consultation process.

**3.78. LOCAL FINANCE CONSIDERATIONS**

In accordance with Section 70(2) of the Town and Country Planning Act 1990 (as amended) the County Planning Authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the 1990 Act defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown, or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

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

## **4. Conclusion & Reasons for Decision**

4.1. This is an application for a new SEND school within the development limits of Easton. The school would have a gross internal floor area of 3,712m<sup>2</sup>, with capacity for accommodating up to 170 pupils aged between 4 and 19. The building is of a modern design and the scale and massing is appropriate for this site. Parking would be provided within the site for 141 vehicles, in addition to cycle parking and a mini-bus taxi drop off point. Sports pitches and outdoor space would be provided to meet the

needs of the school. PV panels would also be installed to meet 10% of the school's energy requirements.

- 4.2. The application is considered to be a departure from the development plan as the site forms part of a wider (52.6ha) allocation for approximately 900 dwellings and supporting infrastructure. It is however considered that as the provision of the allocation has already been met without the requirement for this area of land, the benefits of the provision of additional SEND school places is considered to outweigh the loss of 2.5ha of land allocated for housing and infrastructure, and would not prejudice the delivery of the allocation as a whole.
- 4.3. No objections have been raised by statutory consultees subject to suitably worded conditions being imposed on any grant of planning permission. The application is therefore considered on balance to be in accordance with development plan and national planning policy. There are no other material considerations that indicate that planning permission should not be permitted. Accordingly, conditional planning permission is recommended subject to the conditions set out in Section 11 below.

## **5. Alternative Options**

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

## **6. Financial Implications**

- 6.1. The development has no financial implications from the Planning Regulatory perspective.

## **7. Resource Implications**

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

## **8. Other Implications**

### **8.1. Legal Implications**

There are no legal implications from the Planning Regulatory perspective.

### **8.2. Human Rights implications**

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

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

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

### **8.3. Equality Impact Assessment (EqIA)**

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

### **8.4. Health and Safety implications**

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

### **8.5. Sustainability implications**

There are no sustainability implications from a planning perspective.

### **8.6. Any other implications**

There are no other implications from a planning perspective.

## **9. Risk Implications/Assessment**

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

## **10. Select Committee comments**

10.1. Not applicable.

## **11. Recommendations**

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

**I. Grant planning permission subject to the conditions set out below.**

**II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before**



**development commences, or within a specified date of planning permission being granted.**

**III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

**Conditions**

1. The development hereby permitted shall commence not later than three years from the date of this permission. Within seven days of the commencement of operations, the operator shall notify the County Planning Authority in writing of the exact start date.

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

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

- Site Location Plan – Drawing No. 15277-SEL-ZZ-XX-DR-L-0000, Rev01, dated 13/1/21
- Proposed Site Plan – Drawing No. 15277-SEL-ZZ-XX-DR-L-0001, Rev 02, dated 1/3/21 date is 2020 on plan itself as incorrect
- Proposed Site Plan 1 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0002, Rev 02, dated 1/3/21
- Proposed Site Plan 2 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0003, Rev 02, dated 1/3/21
- Landscape General Arrangement Plan 1 of 2, Drawing No. 15277-SEL-ZZ-XX-DR-L-0004, Rev 02, dated 1/3/21
- Landscape General Arrangement Plan 2 of 2, Drawing No. 15277-SEL-ZZ-XX-DR-L-0005, Rev 02, dated 1/3/21
- Landscape Levels Plan 1 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0006, Rev 01, dated 17/12/20
- Landscape Levels Plan 2 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0007, Rev 01, dated 17/12/20
- Landscape Hard works Plan 1 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0008, Rev 02, dated 1/3/21
- Landscape Hard works Plan 2 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0009, Rev 02, dated 1/3/21
- Landscape Softworks Plan 1 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0010, Rev 02, dated 1/3/21
- Landscape Softworks Plan 2 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0011, Rev 02, dated 1/3/21
- Landscape Topsoil Plan 1 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0012, Rev 02, dated 1/3/21
- Landscape Topsoil Plan 2 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0013, Rev 02, dated 1/3/21

- Landscape Tree Protection and Removal Plan 1 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0014, Rev 03, dated 31/3/21
- Landscape Tree Protection and Removal Plan 2 of 2 – Drawing No. 15277-SEL-ZZ-XX-DR-L-0015, Rev 03, dated 31/3/21
- Site Sections – Drawing No. 15277-SEL-ZZ-XX-DR-L-0016, Rev 01, dated 15/12/20
- Proposed Site and Context Plan – Drawing No. 15277-SEL-ZZ-XX-DR-L-0020, Rev 01, dated 1/3/21
- Proposed Site and Context Plan (With Persimmon) – Drawing No. 15277-SEL-ZZ-XX-DR-L-0021, Rev 01, dated 1/3/21
- Landscape Specification - Ref 15277-SEL-XX-XX-DR-L-0002, dated 17/12/20
- Landscape Management Plan – Ref 15277-SEL-XX-XX-DR-L-0004, Rev 00, dated December 2020
- Proposed Ground Floor Plan – Drawing No. Ref PTK-A1-00-DR-A-1020, Rev P01, dated 17/12/20
- Proposed First Floor Plan – Drawing No. PTK-A1-01-DR-A-1021, Rev P01, dated 17/12/20
- Proposed Roof Plan - Drawing No. PTK-A1-02-DR-A-1022, Rev P01, dated 14/1/21
- Proposed Sections – Drawing No. PTK-A1-ZZ-DR-A-1023, Rev P01, dated 14/1/21
- Proposed Elevations – Drawing No. PTK-A1-01-DR-A-2020, Rev P02, dated 14/1/21
- Substation Plan/Elevation – Drawing No. EDS-07.3102.01, Rev C, dated 26/10/18
- Proposed Site Plan (Road) – Drawing No. NPS-00-0XX-DR-C-700, Rev P7, dated 21/4/21
- External Services Infrastructure Layout – Drawing No. 15277-EDP-DR-ME-3002, Rev P03, dated 12/20
- External Lighting Plot – Drawing No. D41508/RD/D, dated 26/2/21
- Highways Access Path Lighting – Drawing No. NPS-00-00-DR-E-001, Rev P2, dated 14/12/20
- Kingfisher Lighting Data Sheet, Version 2, dated 2020
- Tree Protection Plan – Drawing No. P3494.2 004, Rev C, dated 14/12/20
- Tree Protection Plan – Drawing No. P3494.2 003, Rev C, dated 14/12/20
- Below Ground Services Strategy – Drawing No. 10664-S-EW-XX-00-6020, Rev P3, dated 17/3/21
- Planning Statement – Renew Planning Ltd, dated December 2020
- Email correspondence dated 15 March 2021 enclosing: Bespoke Ground Investigation (dated 13 January 2016) prepared by Delta Simons & Easton Village Growth Location – Note on Foot and Mouth Ground (March 2015), prepared by Boyer.
- Applicant's response to NETI Consultation Response dated 12 February 2021 (issued 3 March 2021)
- Applicant's response to NETI Consultation Response dated 27 March 2021 (issued on 21 April 2021)
- Design and Access Statement, prepared by Portakabin, dated December 2020

- Transport Assessment, prepared by Local Transport Projects, dated December 2020
- Supplementary Transport Note, prepared by Local Transport Projects, dated January 2021
- Travel Plan, prepared by Local Transport Projects, dated December 2020
- Preliminary Ecological Appraisal, prepared by Wild Frontier, dated December 2020, as amended/updated by additional reports dated March 2021 and April 2021
- Arboricultural Impact Assessment, prepared by A.T. Coombes Ltd, dated 15 December 2020
- Arboricultural Impact Assessment, prepared by AGB Environmental, dated 18 December 2020 as amended/updated by additional reports dated 1/3/21 and 19/4/21
- Archaeological Desk-Based Assessment, prepared by ARS Ltd, dated December 2020
- Phase 1 Geoenvironmental Desk Study, dated 30/3/20 and Phase II Ground Investigation, dated 30/3/20 prepared by AGB Environmental Ltd.
- Express Preliminary UXO Risk Assessment, prepared by 1<sup>st</sup> Defence Ltd, dated 31/1/20
- Ground Investigation Report, prepared by Barron Smith, dated 6/3/20
- Flood Risk Assessment, prepared by AGB Environmental, dated 17/12/20
- Surface Water Management Report, Rev E, prepared by Icis Design Ltd, dated April 2021
- Highway Access Drainage Strategy, prepared by NPS Ltd, dated December 2020, as amended/updated by further details dated 10/2/21 and 14/4/21
- External Noise Survey Assessment and Plant Noise Limits, prepared by Pace Consult, dated 28/1/20
- Construction Phase Plan, prepared by Portakabin, dated 17/12/20
- Construction Considerations Statement, prepared by NPS Group, dated 14/12/20
- Drainage Maintenance Plan received 21/5/21
- Applicant's response to LLFA comments received 21/5/21

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

3. Prior to construction works above foundation level of the school, details of the type, colour and specification of all external materials to be used for the development, shall be submitted to, and agreed in writing by, the County Planning Authority. The development shall then be constructed and retained in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development, in accordance with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policy DM 1.4 of the South Norfolk Local Plan Development Management Policies Document (2015) and Chapter 12 of the NPPF (2019).

4. Prior to the commencement of the development hereby permitted, a scheme of hard and soft landscaping (for each phase 1.Road-access 2.School) shall be submitted to, and approved in writing by, the County Planning Authority. The soft planting

scheme shall be implemented within the first planting season (October to March), following the completion of the development. Any plants which, within a period of five years from the completion of the planting die, are removed or become seriously damaged or diseased, shall be replaced with others of a similar size and species. All planting shall be retained for a period of five years after initial planting has been completed and any trees and shrubs which are substantially damaged, seriously diseased or die, shall be replaced within twelve months of removal or death, with plants of a similar species and size..

Reason: To ensure the satisfactory appearance of the development, in accordance with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policies DM 4.8 and DM 4.9 of the South Norfolk Local Plan Development Management Policies Document (2015) and Chapter 12 of the NPPF (2019).

5. Prior to the first use of the development hereby permitted the vehicular access over the verge shall be constructed in accordance with a detailed scheme to be agreed in writing with the County Planning Authority in accordance with the highways specification and thereafter retained at the position shown on the approved plan. 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.

Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with Policy DM 3.11 of the South Norfolk Local Plan Development Management Policies Document (2015).

6. Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 20 metres from the near channel edge of the adjacent carriageway.

Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened in accordance with Policy DM 3.11 of the South Norfolk Local Plan Development Management Policies Document (2015).

7. The gradient of the vehicular access shall not exceed 1:12 for the first 10 metres into the site as measured from the near channel edge of the adjacent carriageway.

Reason: In the interests of the safety of persons using the access and users of the Highway in accordance with Policy DM 3.11 of the South Norfolk Local Plan Development Management Policies Document (2015).

8. Prior to the first occupation/use of the development hereby permitted visibility splays measuring 2.4 metres x 59 metres shall be provided to each side of the access where it meets the highway (as measured back from the near edge of the adjacent highway carriageway). The splay(s) 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 the principles of the NPPF and Policy DM 3.11 of the South Norfolk Local Plan Development Management Policies Document (2015).

9. Prior to the commencement of any works (on the school site) a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the County Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

Reason: In the interests of maintaining highway efficiency and safety in accordance with Policy DM 3.11 of the South Norfolk Local Plan Development Management Policies Document (2015).

10. For the duration of the construction period (on the school site) all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the County Planning Authority.

Reason: In the interests of maintaining highway efficiency and safety in accordance with Policy DM 3.11 of the South Norfolk Local Plan Development Management Policies Document (2015).

11. For the duration of the construction period (of the link road) all traffic associated with the construction of then development will comply with the Construction Consideration Statement. In addition all measures outlined within the statement shall be implemented throughout the construction period.

Reason: In the interests of maintaining highway efficiency and safety in accordance with Policy DM 3.11 of the South Norfolk Local Plan Development Management Policies Document (2015).

12. Notwithstanding the details indicated on the submitted drawings no works above foundation level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works (to provide a minimum 5.5 m carriageway & continuous footway link to the site) have been submitted to and approved in writing by the County Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy DM 3.11 of the South Norfolk Local Plan Development Management Policies Document (2015).

13. Prior to the first use of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 12 shall be completed to the written satisfaction of County Planning Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed in accordance with Policy DM 3.11 of the South Norfolk Local Plan Development Management Policies Document (2015).

14. No works shall commence on the site until the Traffic Regulation Order for 30 mph speed limit extension on Bawburgh Road has been promoted by the Local Highway Authority.

Reason: In the interests of highway safety. This needs to be a pre-commencement condition as the impact applies to traffic associated with both the construction phase and also daily running of the site in accordance with Policy DM 3.11 of the South Norfolk Local Plan Development Management Policies Document (2015).

15. All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecology Report, Wild Frontier Ecology, dated April 2021.

Reason: In the interests of preserving the ecological interest in the area in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policy DM 4.4 of the South Norfolk Local Plan Development Management Policies Document (2015) and Chapter 15 of the NPPF (2019).

16. Prior to works above foundation level for the school or the erection of the perimeter/boundary fencing (whichever is sooner), a detailed schedule showing the timings for the enhancement measures detailed within the Wild Frontier Ecology Report dated April 2021, shall be submitted to and agreed in writing with the County Planning Authority. The enhancement measures shall then be provided in accordance with this schedule and retained thereafter.

Reason: In the interests of preserving the ecological interest in the area in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policy DM 4.4 of the South Norfolk Local Plan Development Management Policies Document (2015) and Chapter 15 of the NPPF (2019).

17. Within 3 months of the start of the construction of the school a Landscape Ecological Management Plan (LEMP) shall be submitted to and agreed in writing with the County Planning Authority. The LEMP shall then be adhered to for the life of the development.

Reason: In the interests of preserving the ecological interest in the area in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policy DM 4.4 of the South Norfolk Local Plan Development Management Policies Document (2015) and Chapter 15 of the NPPF (2019).

18. Prior to construction work above foundation level details of the external lighting times and sensors to be used for the school development shall be submitted to and agreed in writing with the County Planning Authority. The lighting shall then be installed and operated in accordance with these details for the life of the development.

Reason: In the interests of preserving the ecological interest in the area in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policy DM 4.4 of the South Norfolk Local Plan Development Management Policies Document (2015) and Chapter 15 of the NPPF (2019).

19. Prior to the first use of the school details of the photovoltaic array shall be submitted to and agreed in writing with the County Planning Authority. The photovoltaic array shall then be fully installed in accordance with these details, and operational when the school first comes into use and thereafter operationally maintained.

Reason: To ensure the development minimise reliance on non-renewable high-carbon energy sources and maximises the use of decentralised and renewable or low-carbon energy sources in accordance with Policy 3 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011) and Policy DM 1.4 of the South Norfolk Local Plan Development Management Policies Document (2015).

20. The development shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy. The approved scheme shall be implemented prior to the first use of the development and permanently maintained in that form.

Reason: To manage surface water and prevent flooding in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policy DM 4.2 of the South Norfolk Local Plan Development Management Policies Document (2015) and National Planning Policy Framework paragraph 163, 165 and 170, by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

21. Prior to construction works above foundation level for the school, full technical specifications for the multi-use games area and playing fields shall be submitted to and approved in writing with the County Planning Authority. The development shall then be carried out in accordance with the agreed details and the multi-use games area and playing fields provided when the school first becomes operational, and retained thereafter.

Reason: To ensure the facilities meet Sport England technical requirements and are fit for purpose.

22. In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All development shall cease and shall not recommence until:

- (a) A report shall be submitted and agreed in writing by the County Planning Authority which includes results of an investigation and risk assessment together with proposed remediation scheme to deal with the risk identified; and

- (b) The agreed remediation scheme has been carried out and a validation report demonstrating its effectiveness has been approved in writing by the County Planning Authority.

Reason: To ensure proper remediation of any contamination on the site in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policy DM 3.14 of the South Norfolk Local Plan Development Management Policies Document (2015) and Paragraph 178 of the NPPF (2019).

23. No fixed plant or machinery (including generators, compressors, chilling units or cooling fans) shall be installed on the site without precise details of the equipment being submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

Reason: In the interests of protecting residential amenity in accordance with Policy DM 3.13 of the South Norfolk Local Plan Development Management Policies Document (2015).

24. Prior to the commencement of the development hereby approved the following will be submitted to and approved in writing by the County Planning Authority:

A) A Mineral Resource Assessment

The Mineral Resources Assessment will be carried out to inform a Materials Management Plan-Minerals (MMP-M). The Mineral Resource Assessment will include a written methodology for an intrusive site investigation, including Particle Size Distribution testing to determine if the site contains a viable mineral resource for prior extraction.

Assessment of the results of the Particle Size Distribution testing should refer to material class types in Table 6/1 of the Manual of Contract Documents for Highway Works: vol. 1: Specification for Highway Works Series 600, in order to identify potential suitability for use in the construction phases.

B) A Materials Management Plan – Minerals (MMP-M)

The MMP-M will consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through intrusive site investigations, testing and assessment.

The MMP-M should outline the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement, as far as possible by return run, to an aggregate processing plant.

The MMP –M will outline that the developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant.

The development shall then be carried out in accordance with the approved MMP-M.

The developer shall provide an annual return of these amounts to the County Planning Authority, or upon request to the County Planning Authority.



Reason: To ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the National Planning Policy Framework and Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026.

25. Prior to any construction works above foundation level for the school, details of the external water tank and associated plant details shall be submitted and agreed in writing with the County Planning Authority. The tank and associated plant shall then be installed and retained for the life of the development in accordance with the agreed details.

Reason: In the interests of protecting residential amenity in accordance with Policy DM 3.13 of the South Norfolk Local Plan Development Management Policies Document (2015).

26. Prior to any construction works above foundation level for the school, precise details of the Swale on the southern boundary shall be submitted to and agreed in writing with the County Planning Authority. The Swale shall then be installed and retained for the life of the development in accordance with the agreed details.

Reason: To manage surface water and prevent flooding in accordance with Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policy DM 4.2 of the South Norfolk Local Plan Development Management Policies Document (2015) and National Planning Policy Framework paragraph 163, 165 and 170, by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development, and in the interests of the appearance of the development, in accordance with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), Policies DM 4.8 and DM 4.9 of the South Norfolk Local Plan Development Management Policies Document (2015) and Chapter 12 of the NPPF (2019).

27. Prior to commencement of development, in accordance with the submitted Drainage Strategies (Norfolk SEND Surface Water Management Report April 2021 Rev E and Highway Access Drainage Strategy Rep No: 01-09-103875-NPS-DS v2), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the County Planning Authority. The approved scheme will be implemented prior to the first use of the development and permanently retained in that form. The scheme shall address the following matters:

I. Details of how all surface water management features are designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 163, 165 and 170 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of

surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

28. A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the County planning authority in writing. The scheme shall include an assessment of significance and research questions; and
- 1) The programme and methodology of site investigation and recording,
  - 2) The programme for post investigation assessment,
  - 3) Provision to be made for analysis of the site investigation and recording,
  - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation,
  - 5) Provision to be made for archive deposition of the analysis and records of the site investigation and
  - 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- and,
- B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A),
- C) The development shall not be put into first use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure any features of archaeological interest are investigated and recorded, in accordance with Policy DM 4.10 of the South Norfolk Local Plan Development Management Policies Document (2015) and paragraphs 189 and 199 of the National Planning Policy Framework.

## **12. Background Papers**

- 12.1. Joint Core Strategy for Broadland, Norwich and South Norfolk (Adopted March 2011, amendments adopted January 2014)
- <http://www.southnorfolkandbroadland.gov.uk/downloads/download/64/joint-core-strategy-dpd>
- 12.2. South Norfolk Local Plan Site Specific Allocations & Policies Document (SSAPD) (Adoption Version October 2015)
- <https://www.south-norfolk.gov.uk/residents/planning/planning-policy/adopted-south-norfolk-local-plan/site-specific-allocations-and>
- 12.3. Norfolk County Council Minerals and Waste Development Framework Core Strategy 2010-2026

<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>

12.4. The Easton Neighbourhood Plan 2017-2042 (adopted December 2017)

<https://www.south-norfolk.gov.uk/residents/planning/planning-policy/neighbourhood-plans/easton-neighbourhood-plan>

12.5. Greater Norwich Local Plan

<https://www.gnlp.org.uk/node/33/supporting-documents>

12.6. The National Planning Policy Framework (NPPF) (2019)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/810197/NPPF\\_Feb\\_2019\\_revised.pdf?\\_ga=2.81687703.1498971390.166921834-1965140127.1559835065](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf?_ga=2.81687703.1498971390.166921834-1965140127.1559835065)

12.7. 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:

**Officer name:** Charles Colling

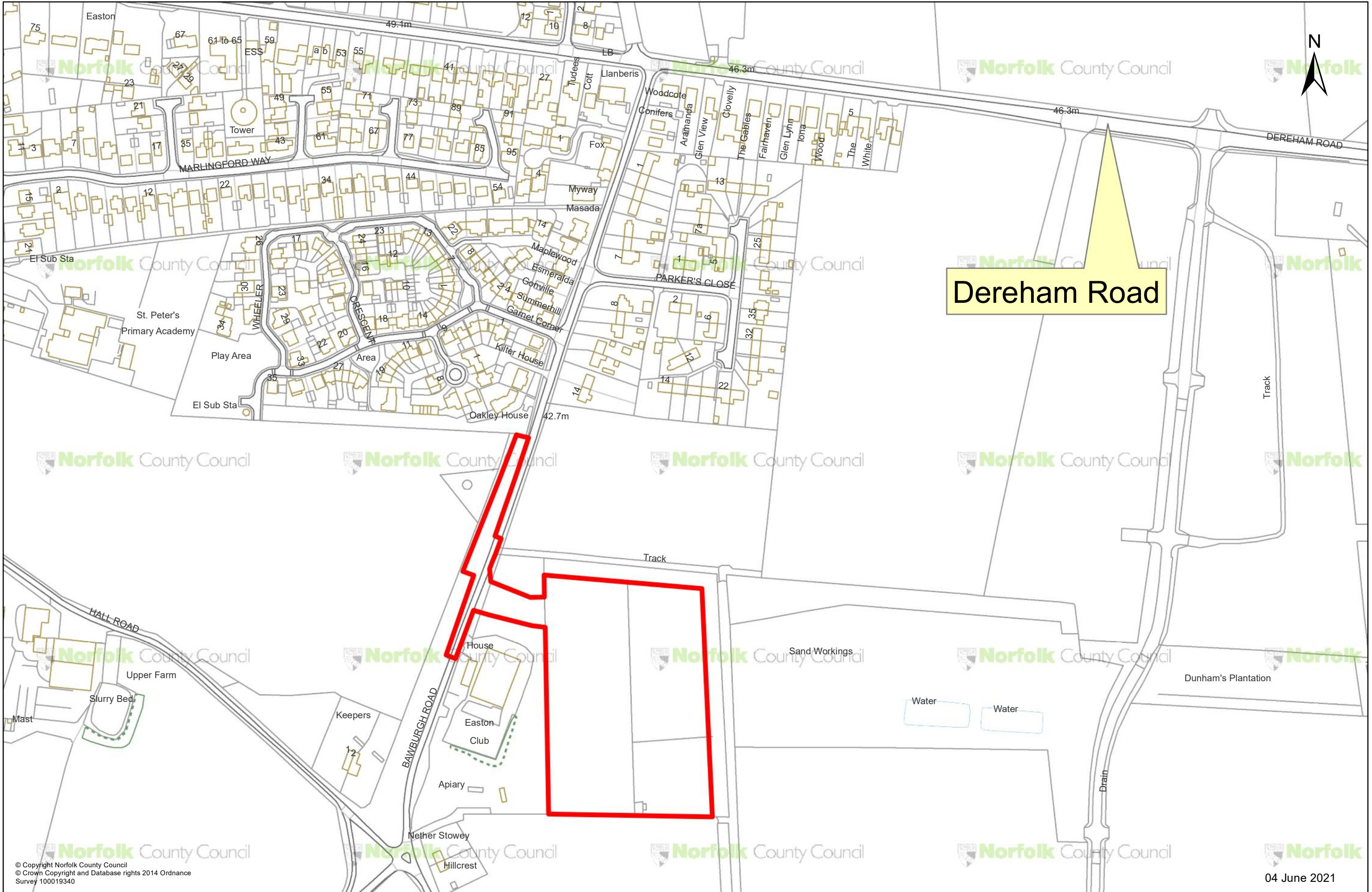
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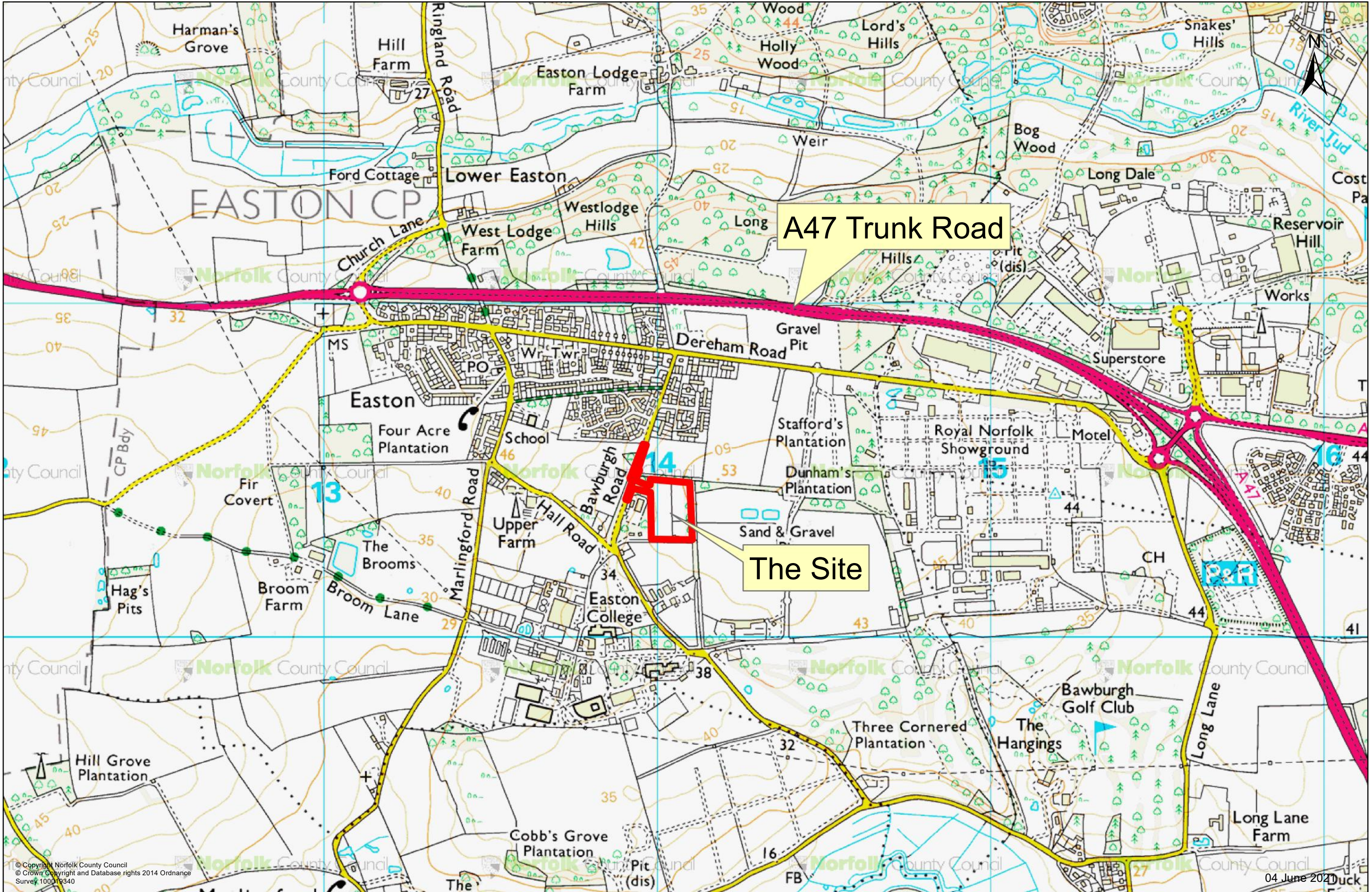


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# Planning (Regulatory) Committee

Item No: 6

|  |  |
|--|--|
| <b>Decision making report title:</b>   | <b>FUL/2019/0043 - Mayton Wood Quarry, Little Hautbois, Coltishall, NR12 7JX</b> |
| <b>Date of meeting:</b>  | <b>18th June 2021</b>  |
| <b>Responsible Cabinet Member:</b>   | <b>N/A</b>   |
| <b>Responsible Director:</b>   | <b>Tom McCabe, Executive Director of Community and Environmental Services</b>    |
| <b>Is this a key decision?</b>   | <b>No</b>  |
| <b>If this is a key decision, date added to the Forward Plan of Key Decisions.</b> | <b>N/A</b>   |

## Executive Summary

This is an application for an extension to the existing Mayton Wood Quarry to allow for the extraction of approximately 1.45 million tonnes of sand and gravel, including a new access on to the Coltishall to Buxton Road. The site would be worked sequentially over an envisaged fifteen-year period with phased restoration using 0.9 million m<sup>3</sup> of imported inert material for restoration to agriculture and habitat creation.

The application was on the agenda for determination by the Committee in October 2020, but determination was deferred at the request of the applicant, in order that they could submit additional information in advance of determination, that would otherwise have been requested by condition.

There have been no objections from the two Parish Councils, Buxton with Lammas and Frettenham whose areas the application site straddles or from Horstead with Stanninghall Parish Council. There has been one third-party representation from the Ramblers which expresses concern about the treatment of Frettenham Footpath 2, which runs across the site.

No objections have been raised by statutory consultees subject to suitably worded conditions being imposed on the grant of planning permission.

In accordance with the Council's Constitution, the application is being reported to the Planning (Regulatory) Committee because it is for EIA development and is accompanied by an Environmental Statement.

The key issues to be assessed in the determination of the application are, the principle of the development, traffic and access, the impacts on landscape, trees and hedgerows, the impacts on ecology, biodiversity and soils and on Public Rights of Way (PRoW). Other

issues to be considered include the amenity impacts, the impacts relating to the adjacent closed landfill site, surface water and flood risk, sustainability and the cumulative impacts.

It is considered that the proposal would be in accordance with the policies contained within the development plan and with the National Planning Policy Framework and National Planning Policy for Waste. Conditional full planning permission is therefore recommended.

### **Recommendation:**

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

- I. Grant planning permission subject to the conditions outlined in section 11.**
- II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.**
- III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

## **1. Background**

- 1.1. There is a very extensive planning history which includes the neighbouring Mayton Wood Landfill Site and Recycling Centre. However, the planning history related the current mineral extraction operations to the north of the landfill and on the current application site is more limited, dating back to 2003, with the original permission for the extraction of sand gravel being Planning Permission Ref. C/5/2002/5007. This was subsequently varied in 2014 by Planning Permission Ref. C/5/2014/5002 and again in 2015 by Planning Permission Ref. C/5/2015/5005 which has extended the end date of the site to 23<sup>rd</sup> April 2020.
- 1.2. This application is for the extension of the existing quarry into the area to the south west of the existing plant area, that will be retained as part of the application site, with the main new area of extraction comprising three fields to the immediate east of the Coltishall to Buxton Road. The application has been submitted by Frimstone Ltd, which has since the application was submitted become a subsidiary of the Mick George Group of companies.

## **2. Proposal**

### **2.1. SITE**

- 2.2. The site is located approximately 1.6km south east of Buxton and approximately 1.0km south west of Little Hautbois. It straddles the parish boundary between Buxton with Lammas and Frettenham and is surrounded by agricultural land.
- 2.3. The site extends to 33.6 hectares (ha) and includes the existing consented quarry area and an extension extending to 19.6 ha from which it is proposed to extract sand and gravel. The extension comprises three fields to the west and south west of the existing former Mayton Wood Landfill Site and includes the existing mineral working area to the north of the landfill. Use will initially be made of the existing access road

to the north and east of the landfill. The site occupies gently undulating land between 17m AOD and 13m AOD, which is currently under arable cultivation. Land to the east, which comprises the landfill, has a raised dome above this level to approximately 25m AOD, which is partly screened by the surrounding vegetation.

- 2.4. To the west, the site is defined by the Coltishall Road and to the south by the Frettenham Road. There are no existing hedgerow boundaries to the west or south, however a number of mature trees grow alongside Coltishall Road. To the north, the site is defined by a small field which is also under arable cultivation, although this has no visible features along the boundary with the application site. The site boundary to the east is defined by gappy hedgerows, mature trees and the boundary of the existing working area and the landfill. There is an area of shelterbelt woodland located at the south western corner of the landfill site, beyond which is the Mayton Wood recycling centre, which is largely concealed from view by the woodland. A gappy native species hedgerow provides a boundary between the two northern most fields. The existing working area is defined to the north by a gappy, native hedgerow, which is relatively mature at its western end but more gappy towards the its eastern end.
- 2.5. The landscape has an open character although roadside trees provide vertical features and some sense of enclosure from the Coltishall Road.
- 2.6. **Proposal**
- 2.7. The application is for an extension to the existing Mayton Wood Quarry to allow for the extraction of approximately 1.45 million tonnes of sand and gravel. The application includes all of the previously consented area to the north of the former Mayton Wood landfill site, to the immediate north and west of Mayton Wood. It also includes the existing access road from the Old Cromer Road to the south east, which will initially be retained. There will be a substantial extension of the area of mineral extraction extending over three fields to the south west of the existing mineral extraction site and located immediately adjacent to the east side of the Coltishall to Buxton Road, where a new access will be created. The existing access will cease to be used and stopped up once the new access is constructed. New mineral processing plant would be installed in the existing plant area. The site would be worked sequentially over an envisaged fifteen-year period with phased restoration using 0.9 million m<sup>3</sup> of imported inert material for restoration to agriculture and habitat creation.

#### Phasing

- 2.8. It is proposed to work the site in three phases, referred to in the application as Phases A, B and C, working in a north to south direction.
- 2.9. Initially the remaining mineral from beneath plant area will be extracted. The new mineral processing plant will then be installed on the partially backfilled land albeit below the original ground level to optimise visual and acoustic screening.
- 2.10. It is then proposed to develop the extension to the quarry in a phased manner with 5m high screening mounds constructed around Phase A as working proceeds which



will be graded and landscaped. Surplus soils, including topsoil and subsoil, will initially be stockpiled. As working and restoration proceeds soils will be progressively stripped in advance of mineral extraction and then directly placed onto the preceding restored areas of the site, thereby minimising the double handling of the soil resource to ensure reinstatement of all the higher quality land, i.e. “best and most versatile” agricultural land.

- 2.11. Working will commence in the northern section of the extraction area. The sand and gravel will be excavated from the extension area using a 360° tracked excavator loading into articulated dump trucks, which will then transfer and deposit the “as-raised” material to the plant area. This will be done on a “campaign” basis. A loading shovel will place the mineral from the “as-raised” stockpile into the reception hopper of the processing plant from where the varying grades of mineral will be separated by a “washing process”. The graded materials will then be separately stockpiled, before being loaded into HGVs to remove the mineral from site.
- 2.12. Mineral extraction will initially commence in the first section of Phase A, Phase A1, including the along the alignment of the new quarry access road to enable that area to be backfilled to a stable condition and to allow the new access route to be fully constructed at the earliest opportunity. During the early excavations, imported material will also be placed on the north eastern part of the existing quarry to regrade and restore this area.
- 2.13. After Phase A1 is complete, workings will generally proceed in a southerly direction through the remaining section of Phase A, then on to Phases B and C with inert fill material being imported to the site. Quarry ‘discards’ from the mineral processing operations along with the imported inert fill material will be progressively placed within the worked-out sections of the quarry. Replacement of material will be undertaken to ensure a stable landform is provided in accordance with the requirements of the Environmental Permit.
- 2.14. A proportion of the inert fill material delivered to site may contain material such as brick, hardcore or concrete. This material will be screened out and separately stockpiled within the mineral processing area and will be periodically processed to produce recycled aggregate before being exported from the site. A mobile crusher will be brought in to process this recycled material.
- 2.15. At the commencement of operations in Phase A, woodland planting will be undertaken during the first available season on a 15m wide strip of land adjacent to the roadway along the western margin of Phase B and Phase C where future soil mounds are not proposed. This will be intended to provide visual screening as the trees begin to establish as working progresses in that part of the site.
- 2.16. Mineral will be sequentially extracted through phases A1 to A7 with progressive restoration being undertaken, behind each phase of extraction.
- 2.17. As the workings continue into Phase B (after 3 years), a screening mound will be established around Ruby Cottage on the western boundary of the site. The mound will be 5m high with an external slope (towards the property) of 1:4. The subsoil

mound along the south side of Phase A will be removed and the material used in the restoration of part of that Phase.

- 2.18. Frettenham Footpath 2 which currently runs along the boundary between Phase B and Phase C will be temporarily diverted while working on Phase B is on-going. Working will continue to progress in a general southerly direction with land to the north sequentially restored. A temporary access road along the eastern limit of Phases A and B will enable the mineral to be transported to the processing area and the new access road across Phase A will be used to export mineral off the site and import suitable inert waste material for use as fill.
- 2.19. Following completion of Phase C, the remaining soil screening mounds will be removed and the area including the plant site and silt ponds to the north will be fully restored, as will the line of the access road.

#### Management of Surface Water

- 2.20. Surface water will be discharged from the site in a controlled manner via water treatment ponds, that will be progressively established in the plant area. These will ensure that any silt or suspended solids settle out prior to the water being discharged and that the through flow of surface water from the restored site is controlled to the existing "green-field" run-off rate.

#### Access and Vehicle Movements

- 2.21. A new site access will be located directly off Coltishall Road and will be established within approximately 12 months of commencement of the scheme with the existing quarry access road (exiting onto the Old Cromer Road) being used until the new access is established.
- 2.22. Site offices and a car park will be provided close to the mineral processing area and HGV's will be parked overnight within the mineral stockpile area.
- 2.23. The existing quarry access road will be used during the initial stage of working of the extension to allow the mineral to be extracted from beneath the alignment of the new quarry access road, which will then back backfilled to form a stable base for construction of the new road.

#### HGV Movements

- 2.24. It is envisaged that the processed sand and gravel will be exported from the site at a typical rate of 100,000 tonnes per annum which equates to 2,000 tonnes per week or 400 tonnes per day, on average. The application states that loads will typically be carried on 4 axle vehicles (with a 19-tonne payload) and therefore the typical HGV loads would be 22 per day (equating to 44 movements per day).
- 2.25. The intention is that imported fill will largely be brought in as return loads carried by the HGVs exporting mineral, but with an assumed additional allowance of a further 15 loads (30 movements). This figure also takes into account any recycled aggregate produced on site.

- 2.26. The new access on to the Coltishall Road, the application states, has been designed on the basis of the assessment of the existing traffic conditions, using the following design criteria:
- To enable two-way traffic on the access, with a width of 7.3m for at least the first 30m into the Site;
  - Kerb radii of 15m or a suitably designed compound radius to accord with the appropriate design standards in DMRB;
  - Visibility splays of 4.5m x 295m in both directions, to accord with the observed speeds of traffic in both directions and the existing speed limit; and
  - A junction spacing of 40m from the side road junction with Sandy Lane;
- 2.27. In terms of routing, the application states that a significant proportion of the processed mineral exported from the Site will serve markets in and around Norwich and as such, HGVs will travel southwards along the B1354 which is a Main Distributor route, which in turn provides access to the principle highway network.
- 2.28. Mineral Processing Plant
- 2.29. The new mineral processing plant, comprising washing and screening plant with an output capacity of 80 to 100 tonnes per hour, will be erected within the existing mineral processing area at the northern end of the site. This will be located below the original ground levels to visually and acoustically screen the operations. New silt ponds will be constructed together with an area to periodically recycle brick and concrete hardcore.
- 2.30. The mineral processing operations will be operated on a closed-circuit system with water being recycled. Mineral will be extracted from within the extension area and stockpiled adjacent to the plant where it will be washed and screened into sized product. Mineral stockpiles for “as-raised” and processed aggregate will be limited to 6m in height.

#### Wheelwash

- 2.31. A two-stage wheel washing facility will be constructed as part of the internal access road network. The first stage is likely to consist of a concrete ‘bath’ sunk below the adjacent road level with rumble strips at the base. Ramps will be provided at both ends to accommodate articulated HGVs and the depression will be filled with water. The HGVs will slowly drive through the ‘bath’, the rumble strips vibrating the vehicle, loosening any debris that may be present.
- 2.32. On exiting the vehicle bath the HGVs will drive a short distance and pass through the second stage a wheel ‘washing unit’. This ‘washing unit’ directs jets of high-pressure water through a series of ‘nozzles’ which spray and clean the wheels, chassis and the sides of the vehicle. The water used during each wash drains through the base of the washing facility into a sump and is recirculated, via a settling tank which collects the finer sediment. The sump will be periodically emptied of accumulated silt.

- 2.33. Vehicles will subsequently be checked by drivers to ensure that deposits of mud are not adhering to the chassis and underbody. After leaving the wheel wash, HGVs will travel along the surfaced access road which will be in excess of 150m in length, before exiting the site. The access road will be swept regularly to ensure that no deposits of fine material are allowed to accumulate and become a potential dust nuisance.

#### Lighting

- 2.34. The majority of operations on the site will be undertaken during daylight hours. However, during the winter months there may be a requirement to have some artificial lighting around the weighbridge, wheel washing facility and processing plant and site areas, for health, safety and security purposes. Such lighting would be downward facing and directed into the site to minimise any potential adverse impact. Floodlighting in the winter months may be required to operate around the plant for up to half an hour outside of quarry operating hours. Lighting will be concentrated down onto the immediate operational areas and as far as practicable, so as not to overspill into any outlying areas. The elevation of the floodlights will be limited to a maximum 5m height. The intensity of lights will vary between 25 and 75 LUX, and the spread of light limited to no more than 30 metres. Up to two lights may be required for security purposes through the night-time period, but such lights will be limited to LUX levels not exceeding 20 and would be downwards facing.

#### Fuel Storage

- 2.35. All oil, lubricants and fuels will be stored on the site within a facility that complies with the Control of Pollution (Oil Storage) (England) Regulations 2001. These measures will also serve to protect groundwater resources and will follow the relevant Environment Agency Pollution Prevention Guidelines (PPG's). Any bulk fuel/chemical storage facilities will be bunded to contain spillages and leaks, i.e. the bund volume will be at least 110% of the capacity of the largest storage tank.

#### Dust Suppression

- 2.36. To minimise the potential impacts, the excavation of material and related operations will be conducted in accordance with best practice and a dust management scheme comprising the following:
- Provision on site of a pressurised water bowser with adequate year-round water supply to permit an appropriate filling cycle;
  - High standards of house-keeping to minimise track-out and windblown dust;
  - Sheeting of loaded HGVs;
  - A preventative maintenance programme, including readily available spares, to ensure the efficient operation of plant and equipment, including fixed and mobile dust suppression plant, and
  - Effective staff training in respect of the causes and prevention of dust.
- 2.37. The timing of soil stripping and restoration works will seek to ensure that this takes place in optimal conditions as these are available. The effects of wind blow across stripped surfaces and other areas of bare ground will be minimised by ensuring that

loose soils and other materials are not left untreated on the ground. The extent of stripped areas will be minimised as far as practical, and stripped surfaces will be smoothed and compacted to seal the surface and reduce the risk of wind-raised dust. During dry conditions, water will be applied as necessary to stabilise any loose bare surfaces. The mineral processing operations are located below the surrounding land, which will help shield the operations from the prevailing wind.

- 2.38. The Site Manager will carry out daily inspections and log observations of site conditions, including any occurrences of dust or the onset of potential dust generating conditions. A graded scale of dust occurrences is proposed in the Dust Assessment and Management Plan that has been submitted with the application, together with identified circumstances when additional dust suppression measures would be implemented. The strategy will require the Site Manager, to take necessary precautions to prevent adverse dust emissions. In addition, when the wind direction is towards dust sensitive locations, additional dust suppression measures will be implemented.
- 2.39. The following measures will be used in order to minimise and control dust nuisance:
- All active haul roads will be kept damp as required by motorised spraying units during site operations (i.e. water bowsers);
  - The direction of exhausts of on-site vehicles will be such that exhaust gases cannot be emitted in a downward direction;
  - Drop heights from excavators and loading shovels will be minimised;
  - Observations will be made of the wind direction, by the Site Manager during quarrying and infilling operations, when it appears from visual inspection that the wind direction is towards dust sensitive locations and such locations are within Critical Dust Control Zones; and
  - Placing dust-generating activities where maximum protection can be obtained from topography or other features.
- 2.40. If these or other measures fail to rectify the situation, operations causing dust generation would cease for the combined duration of identified trigger levels and critical conditions. Consistent with recognised good practice a register of any complaints will be maintained and every complaint will be fully investigated ensuring that any necessary corrective measures are taken, details of which will be recorded.
- 2.41. More generally, topsoil mounds will be seeded at the earliest opportunity to bind the surface and minimise the effects of wind blow. The effects of wind blow across stripped surfaces and bare ground will be minimised by ensuring that loosened soils and other materials are not left untreated on the ground with water applied as necessary to stabilise any loose bare surfaces. Care will be taken in respect of site haulage to control the occurrence of dust emissions, particularly during the restoration phase of the proposed development, when fill materials are being imported to the area and during soils haulage.
- 2.42. A road sweeper will be made available during the site operations to clean any deposits from any surfaced road as and when necessary. A water bowser will also be available to dampen down internal access roads and areas around the processing

plant. The site access road will be inspected by the Site Manager on a daily basis, to determine the need for additional maintenance, cleaning and dust suppression. All vehicles loaded with imported fill materials or processed mineral will be sheeted in order to minimise spillages or wind whipping of loose material. All departing road transport will be inspected for cleanliness, prior to leaving the site.

#### Soils Handling, Management and Replacement

- 2.43. Soils will be sequentially stripped and conserved (or stripped and placed directly on the restored landform) to reinstate the soil horizon to an acceptable profile. All handling of soils will take place when soils are in a dry and friable condition consistent with current good practice. In the initial phases of extraction, topsoil will be stripped and moved directly to the nearest storage location. In subsequent phases there will be an opportunity for topsoil to be placed directly onto restored surfaces.
- 2.44. Similarly, subsoils will be progressively stripped in successive operations and moved directly to the nearest storage location, unless there is an opportunity for direct placement onto the restored surface. No earthmoving plant or vehicles would cross any area of unstripped topsoil or subsoil except where such movement is essential and unavoidable for purposes of undertaking permitted operations
- 2.45. To ensure the standard of restoration, the application states that an Annual Soils Management Audit that will be undertaken. In accordance with good practice, it is envisaged that within three months of the completion of soil handling operations in any calendar year, the MPA will be supplied with a report detailing:
- The area stripped of topsoil and subsoil;
  - The location of each soil storage mound;
  - The quantity and nature of material within the mounds together with details of the type of plant used to strip/store those materials;
  - Those areas from which it is proposed to strip soils in the following year; and
  - Details of the forthcoming year's soil replacement programme including target soil depths
- 2.46. As part of the Annual Soils Management Audit details of proposed restored soil profiles will be submitted for approval prior to replacement of any soils. Soils replaced will consist of material previously placed in storage or stripped directly from the advance excavation area.
- 2.47. Soil stripping shall not commence on any phase until any standing crop or excess vegetation is removed. The soil handling methods as set out in the MAFF Good Practice Guide will be followed.
- 2.48. Consistent with the MAFF Guidance, topsoil and subsoils will be stripped by a hydraulic backactor and transported by articulated dump trucks whilst a low ground bearing pressure (LGP) dozer with wide tracks may additionally be used as necessary to recover the maximum volume of soil material
- 2.49. Topsoil will only be stored in temporary stockpiles to a maximum height of 3m whilst subsoil storage mounds will be limited to 5m in height. The topsoil storage mounds

will be sown with a 50:50 mix of annual ryegrass and red fescue to help maintain biological activity, prevent water erosion and to improve the appearance of the mounds.

- 2.50. Prior to re-spreading subsoil or topsoil, the upper layers of the prepared surface will be ripped to relieve any compaction and any material brought to the surface that is injurious to plant growth or likely to impede subsequent operations will be removed. Topsoil and subsoil will be replaced sequentially to an agreed specified thickness using back-actors and articulated dump trucks over the designated area within the reinstated landform, using the method set out in the MAFF "Good Practice Guide for Handling Soils". The subsoils will be placed and spread to the depths specified in the Annual Soils Management Audit to avoid undue compaction of the previously reinstated level. Topsoil will be placed and spread to the minimum depths specified in the soils audit over the loosened subsoils in such a manner as to avoid compacting reinstated soils.
- 2.51. Aftercare provisions for the reinstated agricultural land will be appraised annually to review the ongoing aftercare provisions of the site on a regular basis. It is proposed to restore the site so that the reinstated landform enables natural drainage to be provided with the gradients of the restored agricultural land designed to provide good surface drainage and a landform which is conducive to good agricultural husbandry.

#### Imported Material

- 2.52. Suitable inert material will be imported and sequentially placed within the worked-out sectors of extension area and the existing Mayton Wood quarry site area to reinstate the land as close as possible to the original ground levels and to integrate it into the wider landscape. The proposed mineral extraction area will require imported material to progressively restore the site in conjunction with quarry discard materials and soil resources from the site itself. The material deposited at the site will be strictly inert and it is estimated that the annual input rate will be in the region of 50,000m<sup>3</sup> per annum. In order to be classified as inert, material must meet the waste acceptance criteria for inert materials so as not to pose a significant risk to the water environment.
- 2.53. Material delivered to the site will be accepted only after it has been assessed under a 'Site Notification' scheme. This scheme requires the carrier of the imported inert restoration material to supply the requisite basic characterisation and other Duty of Care information and test results, where appropriate, prior to the acceptance of the material at the site. Only after a source site has been approved will the material be accepted at the quarry site.
- 2.54. On arrival at the reception area for this material, which will be located at the weighbridge and site office, checks will be carried out to ensure the material is from the approved source and the Duty of Care documentation will be reviewed by the acceptance clerk to determine whether the waste may be accepted at the site and is consistent with the approved 'Site Notification'. A record will be kept of the date and time of deliveries, the quantities and the nature of material, the name of the company, the name of the representative delivering each load of waste and the vehicle registration number. Any material which is identified at the reception area as

inconsistent with the documentation supplied or unsuitable to incorporate into the restoration scheme will be rejected and the event will be recorded in the site diary.

- 2.55. A proportion of the material imported to the site may be suitable to recycle as secondary aggregate. Clean hardcore and concrete will be temporarily stockpiled within the mineral processing area and, once a sufficient stockpile of suitable material has accumulated, periodically crushed to produce recycled aggregate using mobile plant

#### Restoration and Aftercare

- 2.56. Restoration will be sequentially phased using the on-site indigenous soil resources together with suitable imported inert restoration materials along with up to 95,000m<sup>3</sup> the mineral discards generated from the processing operations. The restoration of the site will be progressive and restore the site to agriculture and a character similar to the site, as existing. This will be followed by aftercare management to ensure the desired after uses are achieved.
- 2.57. The land will be progressively restored to an acceptable stable condition and the after-use of the site will be consistent with its land use context and the surrounding environmental character.
- 2.58. It is proposed to reinstate 16.4ha or 51% of the application site (excluding the existing access road) to prime arable use, 10ha, or 31% of the site to broadleaf woodland and 5.6ha, or 18% of the restored site, to acid grassland/heath. The aim is to create green infrastructure corridors of hedgerows, hedgerow ditches, conservation areas, and broadleaf woodlands to provide varied habitat linkages across the site.
- 2.59. As part of the overall aftercare management plan, it is proposed that newly restored farmland areas will be initially managed as herb rich grasslands for the first two years of aftercare with the intention of providing foraging and nesting sites for farmland birds, including Skylark and Corn Bunting, with the aim of integrating the restored site back into the landscape and complementing local and national biodiversity objectives whilst providing extended aftercare.
- 2.60. Frettenham Footpath 2 will be reinstated on its definitive alignment following restoration and will be located adjacent to a narrow woodland strip following a reinstated open ditch providing an east/west wildlife corridor linking with the grassland habitats in and around the former landfill site.
- 2.61. Agricultural land will be restored when the soils are in a dry condition using approved methods for soils handling and, between January and March, the soils will be sampled and analysed. Recommendations will then be made as to the type and quantity of any fertiliser or any other nutrients required to build up the status of the soils. Reinstated soils will be ripped to 400mm depth at 600mm centres to promote free drainage between the placed topsoil and subsoil and subsequently harrowed to a depth of 200mm to create a homogenous well-broken, non-compacted tilth. All cultivations will only be undertaken during suitable ground and weather conditions.
- 2.62. The land will be cultivated to produce a tilth suitable for the sowing of a suitable crop. These works should be carried out in time to allow significant germination to take



place in order to stabilise land and minimise any possible soil erosion. During the aftercare period, temporary drainage works will be carried out as necessary to prevent soil erosion, flooding, silting up or erosion of drainage channels outside the site boundary.

- 2.63. Conservation areas (or “headlands” as they are referred to in the application) will be created around the margins of the reinstated agricultural fields and these areas will be sprayed selectively to allow small populations of broad-leaved weeds and their associated insects to develop and provide feeding habitat for farmland birds.
- 2.64. New species rich hedgerows will be planted using locally sourced plants of native trees and shrubs. The new hedgerows will include a proportion of trees which would be allowed to mature. The intention is that this will add to the overall landscape structure of the area but in the long term also add to the overall ecological diversity within the site.
- 2.65. It is proposed to plant hedgerow trees with a predominance of Oak and Field Maple at typically 20-30m intervals in all retained and new hedgerows within or bordering the application site. To add further diversity to the hedgerow habitat, it is proposed to establish adjacent ditch lines, where applicable, which will aid habitat connectivity. The new planted hedgerows will consist of 30-45 cm transplants which will be established in two staggered rows, 30cm apart, at a density of 6 hedgerow plants per metre with a mix comprising Hawthorn, Blackthorn, Hazel, Dogwood, Dog Rose and Guelder rose.
- 2.66. The proposed woodland will comprise of a native broadleaved species mix (including a conifer “nurse” species). Planting will be undertaken at an average density of 2,500 plants per hectare, using a combination of 40-60cm transplants and pot-grown stock. All tree planting areas will be ripped to a minimum of 400mm depth at 1m intervals to relieve any soil compaction. Planting will be undertaken during the period November-March inclusively. All species will be planted in groups of 5 to 7 plants, with groups randomly distributed throughout the planted areas. Plant material will be supplied from nurseries within the British Isles. Wherever possible nurseries will be selected that provide stock of local provenance. Plant material will be healthy, vigorous and sound transplanted nursery stock with well-formed heads and roots.
- 2.67. The heathland/acid grassland will be established using a reparatory seed mix obtained from a recognised seed house and will be sown or from seed or green hay collected from a suitable donor site. The aim after an appropriate aftercare management programme, would be to achieve a National Vegetation Classification of NVC U1 comprising sheep’s-fescue *Festuca ovina*, common bent *Agrostis capillaris* and sheep’s sorrel *Rumex acetosella*. Other species may include wavy hair-grass *Deschampsia flexuosa*, heath bedstraw *Galium saxatile* and tormentil *Potentilla erecta*.
- 2.68. It is also proposed to create surface water management areas consisting of open water and seasonal ponds. In general, the margins of these areas will be made as sinuous as possible within the constraints of the available materials. Margins will generally be formed using nutrient poor subsoils, which will allow the development

of more diverse aquatic plant communities. A range of plants will be allowed to naturally develop in the open water, to provide habitats for colonisation by invertebrates and amphibians, including dragonflies, water beetles, aquatic snails, crustaceans and mayflies.

- 2.69. Areas of open water and pools will have gently sloping sides and a range of shallower and deeper areas with a range of aquatic and emergent plants to act as refuges and provide egg laying sites. In order to further improve the value of wetland habitat, it is proposed to create a series of hibernacula around the seasonal ponds upon final restoration.
- 2.70. Aftercare proposals are included for the agricultural land, woodland, heathland, hedgerows and wetlands and it is proposed that annual review meetings will be held with the Mineral Planning Authority, during which the previous year's operations will be discussed and the proposals for the following year presented for approval. Once aftercare has been initiated, annual aftercare updates will be produced and submitted to the Mineral Planning Authority prior to an annual meeting with interested parties to review operations undertaken in the previous year.
- 2.71. The restored land will progressively undergo a 5-year aftercare programme and will then be returned to conventional farming. Accordingly, whilst the final quarrying is taking place in Phase C a significant proportion of the site will already have been returned to productive arable use.

#### Footpaths

- 2.72. As detailed above, Frettenham Footpath 2 crosses the site and will require temporary diversion during the later stages of the development. The footpath crosses the southern part of the site from Ruby Cottage on the western boundary to the western edge of the former landfill site on the eastern side of the extension area. This footpath will be temporarily diverted around the southern boundary of the site.

#### Hours of Operation

- 2.73. It is proposed to operate the quarry (i.e. the extraction and processing of mineral) between 0700 hours to 1800 hours, Monday to Friday and 0700 hours to 1300 hours on Saturday with no operations on Sundays or Public/Bank Holidays. This is consistent with the hours of working currently permitted in the existing quarry site area.

#### Community Liaison

- 2.74. It is proposed to establish a Liaison Forum which will include representatives of Norfolk County Council, Local Parish Councils, the Environment Agency, as well as planning officers and environmental health officers. An independent chairman will be elected and meetings with periodic site visits would be arranged on a regular basis to provide an opportunity for any queries to be brought forward about operational matters and for information about future activities on the site provided.

### **3. Impact of the Proposal**

#### **3.1. DEVELOPMENT PLAN POLICIES**

3.2. Relevant development plan policies for the purposes of the application comprise the following:

**Norfolk Minerals and Waste Development Framework (NM&WDF), Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (Adopted September 2011)**

- Policy CS1: Minerals Extraction;
- Policy CS2: General Locations for Mineral Extraction and Associated Facilities;
- Policy CS3: Waste Management Capacity to be Provided;
- Policy CS4: New Waste Management Capacity to be Provided;
- Policy CS6: General Waste Management Considerations;
- Policy CS7: Recycling, Composting, Anaerobic Digestion and Waste Transfer Stations;
- Policy CS9: Inert Waste Landfill;
- Policy CS13: Climate Change and Renewable Energy Generation;
- Policy CS14: Environmental Protection;
- Policy CS15: Transport;
- Policy DM1: Nature Conservation;
- Policy DM3: Groundwater and Surface Water;
- Policy DM4: Flood Risk;
- Policy DM7: Safeguarding Aerodromes;
- Policy DM8: Design, Local Landscape and Townscape Character;
- Policy DM9: Archaeological Sites;
- Policy DM10: Transport;
- Policy DM11: Sustainable Construction and Operations;
- Policy DM12: Amenity;
- Policy DM13: Air Quality;
- Policy DM14: Progressive Working, Restoration and Afteruse;
- Policy DM15: Cumulative Impacts; and
- Policy DM16: Soils.

**Norfolk Minerals and Waste Development Framework (NM&WDF) Mineral Site Specific Allocations Development Plan Document (Adopted October 2013, amendments adopted December 2017)**

- Policy SD1: The Presumption in Favour of Sustainable Development
- Policy MIN37: Land at Mayton Wood
- Policy WAS68: Land near Mayton Wood Landfill site

**Joint Core Strategy for Broadland, Norwich and South Norfolk (Adopted March 2011, amendments adopted January 2014)**

- Policy 1: Addressing Climate Change and Protecting Environmental Assets;
- Policy 3: Energy and Water;

- Policy 5: The Economy;
- Policy 7: Supporting Communities;
- Policy 9: Strategy for Growth in the Norwich Policy Area; and
- Policy 17: Smaller Rural Communities and the Countryside.

### **Broadland District Council Development Management Development Plan Document (Adopted August 2015)**

- Policy GC1: Presumption in Favour of Sustainable Development;
- Policy GC2: Location of New Development;
- Policy GC4: Design;
- Policy EN1: Biodiversity and Habitats;
- Policy EN2: Landscape;
- Policy EN3: Green Infrastructure;
- Policy EN4: Pollution;
- Policy TS2: Travel Plans and Transport Assessments;
- Policy TS3: Highway Safety;
- Policy TS6: Public Safety Zones; and
- Policy CSU5: Surface Water Drainage.

### **Neighbourhood Plan**

The site is located in the areas of Buxton with Lammas Parish Council and Frettenham Parish Council. Neither Parish currently has an adopted Neighbourhood Plan.

#### **3.3. OTHER MATERIAL CONSIDERATIONS**

#### **3.4. National Planning Policy Framework (NPPF) (2019)**

- Chapter 2. Achieving Sustainable Development;
- Chapter 6. Building a strong, competitive economy;
- Chapter 9. Promoting sustainable transport;
- Chapter 14. Meeting the challenge of climate change, flooding and coastal change;
- Chapter 15. Conserving and enhancing the natural environment;
- Chapter 16. Conserving and enhancing the historic environment; and
- Chapter 17. Facilitating the sustainable use of minerals

#### **3.5. National Planning Policy for Waste (NPPW) (2014)**

- Paragraphs 1, 5 and 7;
- Appendix A: The Waste Hierarchy; and
- Appendix B: Locational Criteria

#### **3.6. National Waste Management Plan for England**

- 3.7. Additionally, the National Waste Management Plan for England (NWMPE) is the overarching National Plan for Waste Management and is a further material consideration in planning decisions.

### 3.8. **Emerging Development Plan Policy**

3.9. Paragraph 48 of the NPPF states that Local Planning Authorities may give weight to relevant emerging policies in certain circumstances.

3.10. The Norfolk Minerals and Waste Local Plan Review is currently on-going. A Preferred Options Consultation took place in September and October 2019. The Pre-submission Draft of the Plan is due for publication and consultation towards the end of 2020. At this stage only limited weight can be attributed to the policies in the emerging plan. Draft policies relevant to this application include the following:

- Policy MW2 Development Management Criteria;
- Policy MW3 Transport;
- Policy MW4 Climate Change Mitigation and Adaption;
- Policy MW6 Agricultural Soils;
- Policy WP1 Waste Management Capacity to be Provided;
- Policy W11 Disposal of Inert Waste by Landfill;
- Policy MIN37 Land East of Coltishall Road, Buxton;
- Policy MP1 Provision for Minerals Extraction;
- Policy MP2 Spatial Strategy for Mineral Extraction;
- Policy MP6 Cumulative Impacts and Phasing of Workings;
- Policy MP7 Progressive Working, Restoration and After-Use; and
- Policy MP8 Aftercare.

### 3.11. **Constraints**

3.12. There are a number of constraints affecting the site including the following:

- There are number of Listed Buildings to the east of the site. The nearest include Mayton Hall, which is Grade II Listed and lies approximately 400m east of the site, Mayton Bridge, which is Grade II\* Listed and lies approximately 570m east of the site, Little Hautbois Hall, which is Grade II\* Listed and lies approximately 580m north east of the site. There are also additional Listed Buildings at Little Hautbois, approximately 1km north east of the site, including Adam and Eve House, which is Grade II Listed, The White House which is Grade II Listed, and Two Barns immediately north west of The White House, which is also Grade II Listed;
- There are two nearby Scheduled Monuments (within 2km of the site), Mayton Bridge, which lies approximately 570m east of the site, and Great Hautbois Old Church, 1.6km east of the site;
- The southern half of the site falls within the Impact Risk Zone for the Crostwick Marsh Site of Special Scientific Interest (SSSI) which lies approximately 4.3km to the south east. The SSSI also forms part of the Broads Special Area of Conservation (SAC) and The Broadland Special Protection Area (SPA); The boundary of the Broads National Park is located approximately 2.4km south east of the site to the south of Coltishall;
- There is a County Wildlife Site approximately 100m north east of the site;

- The site lies in Flood Zone 1 on the Environment Agency's (EA) Flood Map for Planning; and
- The Site lies within the Norwich Airport Safeguarding Zone for developments likely to attract birds.

### 3.13. **CONSULTATIONS**

**BROADLAND DISTRICT COUNCIL PLANNING** – Does not object but comments that it has concerns about the visual impact on the landscape.

**BROADLAND DISTRICT COUNCIL ENVIRONMENTAL HEALTH** – Comment on the impacts on groundwater, noise and emissions to air, including dust and PM10 particulates.

They advise that the submitted Ground Water Protection Report does not identify any of the private water supplies that are close to the application site. They advise that these are individual supplies to domestic properties and at least one business and are mostly boreholes and one well is known to be used. They advise that the applicant should demonstrate to the Environment Agency's satisfaction that the quarrying and reinstatement will not affect the quality or quantity of the water drawn from these supplies, although they also comment, because the working will be dry and the direction of the ground water flow, that the risks appear to be minimal.

They advise that the submitted noise assessment has predicted that noise levels for normal site operations and noisy short-term activities will not exceed the standards in MHCLG mineral guidance paragraphs 21 and 22. They therefore recommend the inclusion of a noise condition in line with the MHCLG mineral guidance.

In relation to the dust assessment submitted with the application they comment that the assessment and management plan is satisfactory, and whilst expressing some concern that the assessment has not considered PM10 particulates, that Institute for Air Quality Management (IAQM) guidance indicates that sand and gravel quarry operations may contribute little if any PM10 particulates at distances of 50, 150, and 400 metres.

**ENVIRONMENT AGENCY** – Advises that it has no objection.

**HIGHWAY AUTHORITY** – Initially raised concerns about the routing of vehicles to the west and the north and particularly through Buxton and the substandard section of the B1354 to the west leading to the A140. The applicant has subsequently confirmed that all HGV's accessing/leaving the site will do so via the B1354, to the south-east, directly onto the B1150 and has set this out in a routing strategy document, that the Highway Authority has confirmed is acceptable subject to the inclusion of a condition requiring its implementation. They also advise the inclusion a number of other that additional conditions relating to; the submission for approval of the detailed design of the new access on to the Coltishall Road; the closing up of the existing access once the new access is constructed; the location of any gates, bollards or chains at the access; the gradient of the new access; and the dimensions of the visibility slays of the new access.

**LEAD LOCAL FLOOD AUTHORITY** – Has no comments on the application.

COUNTY COUNCIL'S ARBORICULTURIST – Advises that the Environmental Statement and Ecological Appraisal submitted with the application have satisfactorily identified the significant tree and woodland features on or close to the site and that an Arboricultural Impact Assessment in accordance with BS5837:2010 sets out details of the trees on the site, i.e. those that are to be removed and those that will be retained.

They advise that the Assessment confirms that the tree survey undertaken identified a total of 10 trees and 20 groups of trees on and adjacent to the site. These include three Category A trees of high quality, two Category B trees of moderate quality, five Category C trees of low quality, four Category B groups of moderate quality, 16 Category C groups of low quality, and one Category U tree which is unsuitable for retention regardless of the proposals. The assessment identifies two trees and three groups of trees that are recommended for removal due to the development. These include one Category A tree, one Category B tree and two Category C groups of trees. They recommend that all works follow an Arboricultural Method Statement, which should include the provision of temporary tree protection fencing and they recommend further tree planting to mitigate for the proposed tree removals.

The Arboriculturist accordingly advises the inclusion of a condition requiring the submission for approval of a Arboricultural Method Statement and Tree Protection Plan in accordance with BS5837 as a pre-commencement planning condition. At the time of writing this report an Arboricultural Method Statement has been submitted but a detailed Tree Protection Plan is awaited from the applicant. A further update will be provided to the Committee, if this is received in time. A condition (Condition No. 10) is included as recommended by the Arboriculturist, but if the detailed Tree Protection Plan is received prior to determination, the wording can be amended to reflect the submission of this further information.

COUNTY COUNCIL'S ECOLOGIST – Advises that the Ecological Appraisal submitted with the application is fit for purpose and that the proposed restoration to heath/acid grass land is considered appropriate although they also comment that consideration will need to be given to its management to prevent encroachment from the adjacent proposed woodland. One of the trees to be felled (as detailed above) Tree T4, an Oak, (which is a Category B tree) which is located on the field boundary between Phase A and Phase B is to be removed approximately 5 years after commencement of works on the site and has been identified as having bat potential. The County Ecologist has advised that a bat survey will accordingly be required twelve months prior to its removal.

They otherwise advise, with the restoration proposed, that the application demonstrates a net gain of 14.87% in habitat and a 16.77% increase in hedgerows. They therefore have no objection but advise the inclusion of conditions relating to the implementation of the submitted restoration scheme, the undertaking of the additional bat survey before Tree T4 is felled and the provision of bat boxes on the site.

COUNTY COUNCIL'S LANDSCAPE & GREEN INFRASTRUCTURE OFFICER – Advises that that they agree with the conclusions drawn in the submitted Landscape and Visual Impact Assessment and that the proposed mitigation will largely deal with any visual impacts. They advise that the proposed restoration plan is suitable and that they support the restoration to arable fields and the addition of heathland and woodland.

COUNTY COUNCIL'S PUBLIC RIGHTS OF WAY OFFICER – Advises that the development will require a temporary diversion of Frettenham Public Footpath 2, but that this should be restored to its definitive alignment at a similar height and level as it is currently, once the site is restored. They advise that the intention is to apply for the diversion of footpath during Phase B, which should ensure the least amount of disruption to the public and that this is welcome.

COUNTY COUNCIL'S HISTORIC ENVIRONMENT OFFICER – Advises that the site has been subject to archaeological evaluation work (trial trenching) which has identified evidence of the presence of significant remains dating especially to the Roman and Anglo-Saxon periods. Consequently, they advise that there is potential for heritage assets with archaeological interest (buried archaeological remains) to be present on the site and for their significance to be adversely affected by the development. They initially advised that conditions be included in the grant of planning permission requiring the submission of a programme of archaeological mitigatory work, comprising the submission for approval and implementation of a written scheme of investigation (WSI) and subsequent reporting. This is one of the additional items of information that has now been submitted. The Historic Environment Officer has advised that the submitted WSI is acceptable and accordingly they recommended that the condition now need only refer to the development being undertaken in accordance with the approved WSI (as set out in Condition No. 27 in Section 11 below).

NORWICH AIRPORT – Advises that it has no aerodrome safeguarding objections to the application.

ANGLIAN WATER - Advises that it has no objection.

NORFOLK RIVERS DRAINAGE BOARD – Advise that it has no objection but that Land Drainage Consent will be required.

NATURAL ENGLAND - Advises that the site is located within one or more Impact Risk Zones, indicating that impacts to statutory designated nature conservation sites (European sites or Sites of Special Scientific Interest) are likely and also that there is a risk to protected species. It has provided its standing advice in relation to the statutory designated nature conservation sites. It advises that the County Council must in determining the application be mindful of the of the legal obligation under s.40 of the NERC Act 2006 (the biodiversity duty).

HEALTH AND SAFETY EXECUTIVE - Advises that the site does not fall within the Consultation Distance Zones of either a Major Hazard Site or Major Accident Hazard Pipeline and therefore has no comment on the application.



NATIONAL PLANNING CASEWORK UNIT – Advises that it has no comments to make on the Environmental Statement.

BUXTON WITH LAMMAS PARISH COUNCIL – Have not commented on the application.

FRETtenham PARISH COUNCIL – Have not commented on the application.

HORSTEAD WITH STANNINGHALL PARISH COUNCIL – Have not commented on the application.

LOCAL MEMBER (COUNTY ELECTORAL DIVISION - AYLSHAM) (COUNTY COUNCILLOR STEVE RILEY) – Has not submitted any comments at the time of writing this report.

LOCAL MEMBER (COUNTY ELECTORAL DIVISION - HEVINGHAM AND SPIXWORTH) (COUNTY COUNCILLOR DANIEL ROPER) – Has not submitted any comments at the time of writing this report.

### 3.14. **REPRESENTATIONS**

3.15. The application has been advertised by means of neighbour notification letters, site notices, and an advertisement in the Eastern Daily Press newspaper. In response, there has been one third-party representation from the Ramblers which expresses concern about the treatment of Frettenham Footpath 2, which runs across this site.

3.16. They comment that walkers from west of the Buxton Road can cross directly from Frettenham Footpath 1 to Footpath 2. Then from its north eastern end they can either go south along Footpath 3 or continue northeast along the C532 to Mayton Bridge and the Weavers Way. They comment that it is proposed to divert Footpath 2 during the second phase of quarrying, but that there is a lack of detail on when this might happen. They further comment that they would prefer at the end of the restoration, that Footpath 2 is returned to as near its original course as possible, allowing for any tree or hedge planting that has taken place. This is because although the temporary diversion along two sides of Phase C, might be acceptable for a limited number of years where a hedge has been planted next to the two roads, the noise of the road traffic will still penetrate the hedge to the footpath and therefore they would like to see the original line restored, and away from the roads

### 3.17. **APPRAISAL**

3.18. The key issues for consideration are:

- A. Principle of the Development
- B. Traffic and Access
- C. Impacts on Landscape, Trees and Hedgerows
- D. Impacts on Ecology, Biodiversity and Soils;
- E. Public Rights of Way;
- F. Amenity Impacts;
- G. The Impacts Relating to the Adjacent Closed Landfill Site;

- H. Surface Water and Flood Risk;
- I. Sustainability; and
- J. Cumulative Impacts.

3.19. A. PRINCIPLE OF THE DEVELOPMENT

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

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

- 3.21. Relevant development plan policy is, as detailed above, is set out in the Norfolk Minerals and Waste Development Framework (NM&WDF) Core Strategy, the Norfolk Minerals and Waste Development Framework (NM&WDF) Mineral Site Specific Allocations Development Plan, the Joint Core Strategy for Broadland, Norwich and South Norfolk and the Broadland District Council Development Management Development Plan Document.
- 3.22. In terms of the principle of the development, the proposal does not raise any significant issues, insofar as the extension area of the application is that included as the allocated site under Policy MIN 37: Land at Mayton Wood, set out in the NM&WDF Mineral Site Specific Allocations Development Plan Document. It is also proposed to carry the designation through into the emerging Norfolk Minerals and Waste Local Plan Review. The site retains the existing quarry as part of the application, to enable continuation of the use of the previously approved plant area, albeit that the remaining mineral under this area will first be removed and the area levelled before new plant is installed. The amount of mineral left in this area is limited and essentially the 1.45 million tonnes of sand and gravel to be extracted is the mineral resource identified in Policy MIN 37 within the extension area.
- 3.23. To put this in context the NM&WDF, Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026, Policy CS1: Minerals Extraction states that sites will be allocated to deliver a total of approximately 28.24 million tonnes of sand and gravel, in line with the general locations for mineral extraction and associated facilities set out in Policy CS2. The Policy further states that the sand and gravel landbank will be maintained at between 7 and 10 years' supply. The current landbank is over 10 years (11 years at 31 May 2021) as calculated using the 10-year sales average approach put forward in the National Planning Practice Guidance.
- 3.24. The application would increase the landbank by 1.45 million tonnes, which equates to an additional year, and would therefore raise the landbank to just over 12 years. National planning policy set out in the NPPF and the latest guidance set out in the current Planning Practice Guidance on Minerals (Paragraph 084 Reference ID: 27-084-20140306) now makes clear that there should be no maximum landbank level and that each application for mineral extraction must be considered on its own merits regardless of the length of the landbank. In this case the consent would ensure the

continuing level of supply and maintenance of the landbank and could not be considered to undermine Policy CS1.

- 3.25. The application does not give rise to any significant issues, in terms of the principle of the development in relation to the strategic policies set in the Joint Core Strategy for Broadland, Norwich and South Norfolk and in particular Policies, 5, 7, 9 and 17. As the development of a mineral resource it will help ensure the provision of essential construction materials locally required to sustain the delivery of the development strategy set out in the Joint Core Strategy.
- 3.26. As such the application can be considered to be acceptable in principle in terms of both development plan policy and national planning policy set out in the NPPF.
- 3.27. B. TRAFFIC AND ACCESS
- 3.28. As set out above, the primary concern identified by the Highway Authority is with routing rather than the volume of traffic, with a particular concern about westbound and northbound HGV movements.
- 3.29. As detailed above is anticipated that the HGV movements will typically involve 44 two-way movements associated with the export of processed mineral from the site, with restoration (i.e. waste) materials coming back in as return loads, although with an additional 30 two way movements is assumed in the figures, in part to take into account the export of any recycled aggregate produced on site, as a worst case scenario. The figures are based on a five-day working week (i.e. Monday to Friday). The Highway Authority has not raised any concerns about the number of HGV movements.
- 3.30. In relation to routing, as set out above the existing quarry access on to the Old Cromer Road, which is also the access for the Mayton Wood Household Waste Recycling Centre. This would be used for approximately the first twelve months, until the new access off the Coltishall Road is established.
- 3.31. The applicant has indicated that the significant proportion of the processed mineral exported from the Site will serve markets in and around Norwich and as such, that HGVs will travel east along the B1354 and then south via the B1150 towards the Norwich northern relief road, with returning vehicles using the reverse route.
- 3.32. The applicant has advised that they are not generally expecting any significant westbound or northbound deliveries from the site, but that if there are any, HGVs would turn right out of the new site access once established, and be routed through Buxton to the A140. As detailed above the Highway Authority has advised that this would not be acceptable and the applicant has subsequently confirmed that all HGV's accessing/leaving the site will do so via the B1354, to the south-east, directly onto the B1150, which has been confirmed in the submitted routing strategy, and can be secured by condition. Other conditions as detailed above are advised to ensure the design and construction of the new access on to Coltishall Road and to ensure the closing up of the existing access once the new access is constructed.
- 3.33. On this basis, if the application is approved subject to a routing condition and the other conditions recommended by the Highway Authority, it can be considered to be

acceptable in terms of traffic and access, and therefore compliant with relevant development plan policy. This include the Norfolk Minerals and Waste Development Framework, Core Strategy and Minerals and Waste Development Management Policies Development Plan Document, Policies CS7, CS15 and DM10, the Broadland District Council Development Management Development Plan Document, Policies TS2 and TS3, and also with the NPPF and the NPPW.

### 3.34. C. IMPACTS ON LANDSCAPE, TREES AND HEDGEROWS

- 3.35. In terms of the impact on landscape trees and hedgerows, there are broadly two key issues; the first relating to the overall landscape and visual impact and how this will be mitigated, because the three main phases are located within a very open level landscape adjacent to the east side of Coltishall Road, which has only limited existing hedgerows or trees as field boundaries that would screen the site; and second the impact on key landscape features including important trees and hedgerows.
- 3.36. The Environmental Statement submitted with the application, is supported by a Landscape and Visual Impact Assessment and an Arboricultural Impact Assessment.
- 3.37. In terms of the overall landscape impact, as detailed above, by phasing of the extraction and restoration of the main working areas into three phases, A, B and C and the provision of a combination of top-soil and subsoil screen mounds and woodland strip planting around the three phases as they are worked, the extraction area will be screened from the surrounding area during the operational phase of working. Additional woodland strip planting is to be provided along the western boundary of the plant area. All the areas of planting would subsequently be retained and incorporated into the final restoration scheme, which comprises a continuous area of woodland around the south-east, south-west and western and northern perimeter of the site, with a substantial area of mixed deciduous//broadleaved woodland to the north and the remainder of the site restored to arable and acid grassland/heath, with green corridors of hedgerows and hedgerow ditches across the site. As detailed above as part of the overall aftercare management plan, it is proposed that newly restored farmland areas will be initially managed as herb rich grasslands for the first two years of aftercare with the intention of providing foraging and nesting sites for farmland birds.
- 3.38. The Landscape Officer has advised that whilst there will be changes to the landscape, especially in close proximity to the site, most these changes would initially be either neutral or beneficial in their impact and following restoration they advise that there would be beneficial changes apparent across the site at various viewpoints. The proposals will potentially have a significant impact on Ruby Cottage on the western boundary of Phase B where a substantial bund is proposed, but it is proposed to screen this with a belt of advance tree planting. They therefore advise that the submitted landscape and restoration proposals are acceptable, with appropriate restoration to arable fields, with the addition of heathland and woodland.
- 3.39. In relation to key landscape features including important trees and hedgerows, the key points, as identified in the Arboricultural Impact Assessment are that there is one Category A (high quality) Oak tree (identified as tree T2) and two Category C (low

quality) groups (identified as tree Groups G6 and G7), comprising Elm, Holly and Hawthorn, Blackthorn and Oak trees on the boundary between Phase A and the Plant Area and a Category B (moderate quality) Oak tree (identified as tree T4) on the boundary between Phase A and Phase B that would need to be removed. There has also been concern expressed by the Ecology Officer that the hedgerow on the boundary between Phase A and Phase B would be removed, as this is an historic hedgerow and also the Parish boundary. Although this was initially proposed, the applicant has confirmed that this would not now be the case, although tree T4, which is still to be lost, is located within the line of hedgerow.

- 3.40. The Arboricultural Impact Assessment includes list of species to be included in the landscaping proposals as compensatory tree planting. The County Arboriculturist, as detailed above, advises the inclusion of a condition requiring the submission for approval of a Method Statement and Tree Protection Plan in accordance with BS5837 as a pre-commencement planning condition, but otherwise has no objection of the proposed landscaping and restoration proposals.
- 3.41. Subject to the recommended conditions the proposal can therefore be considered to be acceptable in terms of the impacts on landscape, trees and hedgerows, and therefore compliant with relevant development plan policy, the NPPF and NPPW as set out above.
- 3.42. D. IMPACTS ON ECOLOGY, BIODIVERSITY AND SOILS
- 3.43. Although County Council's Ecologist initially expressed concern about the potential impact on bats as a result of the loss of trees with bat potential and the loss of the hedgerow on the boundary between Phase A and Phase B it has now been confirmed by the applicant that this is to be retained. The County Council's Ecologist, as set out above, advises that the submitted Ecological Appraisal is fit for purpose and that the proposed restoration to heath/acid grass land is considered appropriate, subject to appropriate management and aftercare.
- 3.44. As detailed above the application demonstrates a net gain of 14.87% in habitat and a 16.77% increase in hedgerows. With the inclusion of conditions relating to the implementation of the submitted restoration scheme, the undertaking of the additional bat survey before Tree T4 is felled and the provision of bat boxes on the site, the proposal can be considered to be compliant with relevant development plan policy, the NPPF and NPPW as set out above.
- 3.45. Although Natural England has advised that the site is located within one or more Impact Risk Zones, indicating that impacts to statutory designated nature conservation sites (European sites or Sites of Special Scientific Interest) are likely they have not objected or raised any specific concerns in relation to the designated sites and no significant issues have been identified in the Preliminary Ecological Appraisal or raised by the County Council's Ecologist in relation to these sites and they have not advised that Appropriate Assessment is required.
- 3.46. It should also be noted that the site comprises Grade 2 and Grade 3b agricultural land, the north-eastern half of the central field and the part of the northern field being

Grade 2 land. The site is therefore in part made up land classed as best and most versatile land. The restoration scheme seeks to retain and re-use all the soils on site, and to restore the main areas currently used for agriculture to agricultural use, so that any loss would only be temporary. There are no objections from consultees in relation to the impacts on agricultural land.

3.47. The proposal can therefore be considered to be acceptable in terms of the impacts on ecology and landscape, trees and hedgerows, also soils and can therefore be considered to be compliant with relevant development plan policy, the NPPF and NPPW.

#### 3.48. E. PUBLIC RIGHTS OF WAY

3.49. The main public rights issue, is, as set out above that Frettenham Footpath 2, would be temporarily diverted prior to the commencement of works on Phase B. Footpath 2 is located between Phase B and Phase C and would be re-routed around the south west and south east side of working area in Phase C while working on Phase B is on-going. The intention is that the alignment would be restored following restoration to follow the alignment and levels of the existing footpath as closely as possible. As detailed the above, the Public Rights of Way Officer has advised that a diversion order will be required in advance of the diversion, but that in principle subject to the inclusion of appropriate details when the application for the order is made, there is no objection to the diversion proposed. The Rambler have also expressed concerns, as detailed above, that the footpath should be restored as closely as possible to its original alignment and that there may be some disturbance to users of the footpath during the period of the diversion.

3.50. There is however no overall objection to the diversion proposed and the temporary diversion and reinstatement of Footpath 2 are acceptable in principle and can be considered to be compliant with relevant development plan policy, the NPPF and the NPPW.

#### 3.51. F. AMENITY IMPACTS

3.52. The amenity impacts, as set out in the comments from the District Council Environmental Health Officer concern the impacts on groundwater, noise and emissions to air, including dust and PM10 particulates.

3.53. The primary concern in relation ground water is the potential for impact on private water supplies, but in this case the Environmental Health Officer has advised that because the directional flow of groundwater is away from these supplies, there is not likely to be risk to any of them. The Environment Agency has not raised any objections on this basis.

3.54. In relation to noise, the submitted noise assessment has identified that the predicted noise levels for normal site operations and noisy short-term activities will not exceed the standards set out in the MHCLG mineral guidance and is therefore not likely to give rise to any significant impact although the District Council Environmental Health Officer advises the inclusion of a noise condition.

- 3.55. In relation to the dust assessment submitted with the application the Environmental Health Officer has commented that the dust assessment and management plan is satisfactory and has advised that the implementation of the proposed dust management measures be conditioned. There are otherwise no objections from either the District Council Environmental Health Officer or the Environment Agency in relation to amenity considerations.
- 3.56. The proposals can accordingly be considered to be compliant with relevant development plan policy, the NPPF and the NPPW.
- 3.57. G. THE IMPACTS RELATING TO THE ADJACENT CLOSED LANDFILL SITE
- 3.58. One of the potentially significant considerations arising from the proposal is that it is located adjacent to the former Mayton Wood Landfill site which lies immediately to the east of the proposed extraction area. This raises the issue of the stability of the working facility face along the eastern boundary of the extraction area and also whether there are any risks arising from any impacts to or from the groundwater and the landfill gas and its management from and on the adjacent site. The issues raised have been addressed through a Geotechnical Design Report and a Report on the Groundwater Protection and Hydrogeological Impacts of the proposal submitted with the application, which are understood to have been prepared in consultation with the County Council's Landfill Strategy Manager. In addition, the site would be regulated through an Environmental Permit by the Environment Agency. Both have confirmed that they have no objection to the proposal, with the County Council's Landfill Strategy Manager, confirming that the relationship to the landfill has been fully considered and should not cause any issues to the adjacent closed landfill site.
- 3.59. The proposals can accordingly be considered to be compliant with relevant development plan policy, the NPPF and the NPPW.
- 3.60. H. SURFACE WATER AND FLOOD RISK;
- 3.61. The application is supported by a Flood Risk Assessment. This has not identified any significant issues in relation to surface water management and flood risk. There have been no objections from the Lead Local Flood Authority, The Environment Agency or Norfolk Rivers Drainage Board.
- 3.62. There are no significant issues in terms of relevant development plan policy or policy set out in the NPPF or NPPW.
- 3.63. H. SUSTAINABILITY
- 3.64. The primary sustainability issues in relation to the mineral extraction sites, concern the sustainability of the proposal in terms of the not giving rise to any significant permanent adverse environmental impacts whether during the operation phase of the development or as a result of the proposed restoration and aftercare of the site. As set out above the consultees have not raised any significant issues in relation to the operational phase or in relation to the final restoration, that that gives rise to any sustainability concerns. As detailed above the advice on the submitted restoration plan is that it is acceptable, with appropriate restoration to arable fields, with the addition of heathland and woodland, and although there will be some loss of key

landscape features, appropriate mitigation, compensation and enhancement will be provided, and the application demonstrates a net gain of 14.87% in habitat and a 16.77% increase in hedgerows. Whilst application does not include any explicit proposals to generate on-site renewable energy there are no identified adverse impacts in terms of flood risk.

- 3.65. Whilst not part of the development plan or even a planning policy per se, Norfolk County Council's Environmental Policy is a material consideration in determination of this application. The County Council has made a commitment to use the policy to guide all the Council's future decision-making and therefore it has some, albeit very limited, weight in considering this proposal.
- 3.66. The Policy takes as its starting point the Government's own 25-year Plan published in 2018 and is structured to reflect key environmental concerns embodied in that plan. It is considered the proposals would not undermine the Goals of the Plan with particular reference to encouraging a thriving plant and wildlife community, using resources from nature more sustainably and efficiently, and enhancing beauty, heritage and engagement with the natural environment. The proposal can be considered to be compliant with the Policy.

3.67. **I. CUMULATIVE IMPACTS**

- 3.68. No separate or discreet assessment of the cumulative impacts of the development has been submitted with the application. However, the assessments submitted with the application have taken into account, the adjacent closed Mayton Wood Landfill Site and the nearby Horstead Quarry. The key impacts are those set out above, with traffic and access, the impacts on landscape, trees and hedgerows, the impacts on ecology and biodiversity, public rights of way, amenity impacts; and the impacts in relation to the adjacent closed landfill site. None of the statutory consultees have raised any cumulative impact issues and as such there are no obvious cumulative impacts that raise any significant issues in relation to compliance with Core Strategy Policy DM15, or paragraph 5 of the NPPW which also refers to the need to consider cumulative impacts.

3.69. **ENVIRONMENTAL IMPACT ASSESSMENT**

- 3.70. The application was submitted with an Environmental Statement, under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This is on the basis that the site at 33.3ha falls into Schedule 1 of the Regulations and therefore an Environmental Statement is automatically required.
- 3.71. A Screening Opinion Ref. C/5/2018/5008 was issued on the 8<sup>th</sup> November 2018, for a smaller scale proposal covering the existing plant area and most of the area included in Phases A and B in the current application. The Screening Opinion was negative and indicated that EIA would not be required for the smaller scale development proposed at that time.



### **3.72. RESPONSES TO REPRESENTATIONS RECEIVED**

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

3.74. The responses to the representations from objectors are set out under each of the relevant headings in Paragraphs 3.15 to 3.16 above.

### **3.75. LOCAL FINANCE CONSIDERATIONS**

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

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

## **4. Conclusion & Reasons for Decision**

4.1. This is an application for an extension to the existing Mayton Wood Quarry to allow for the extraction of approximately 1.45 million tonnes of sand and gravel including a new access on to the Coltishall to Buxton Road. The site will be worked sequentially over an envisaged fifteen-year period with phased restoration using 0.9 million m<sup>3</sup> of imported inert material for restoration to agriculture and habitat creation.

4.2. There have been no objections from the two Parish Councils, Buxton with Lammas and Frettenham whose areas the application site straddles or from Horstead with Stanninghall Parish Council. There has been one third-party representation from the Ramblers which expresses concern about the treatment of Frettenham Footpath 2, which runs across this site. It is notable that there have not any other third-party presentations and none from nearby or local residents.

4.3. No objections have been raised by statutory consultees subject to suitably worded conditions being imposed on any grant of planning permission. The application is therefore considered to be in accordance with development plan and national planning policy.

4.4. The application accords with the development plan and can be considered to be a sustainable form of development in line with the advice set out in the NPPF, subject to conditions. There are no other material considerations that indicate that planning permission should not be permitted. Accordingly, conditional planning permission is recommended subject to the conditions set out in Section 11 below.

## **5. Alternative Options**

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

## **6. Financial Implications**

- 6.1. The development has no financial implications from the Planning Regulatory perspective.

## **7. Resource Implications**

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

## **8. Other Implications**

### **8.1. Legal Implications**

There are no legal implications from the Planning Regulatory perspective.

### **8.2. Human Rights implications**

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

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

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

### **8.3. Equality Impact Assessment (EqIA)**

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

### **8.4. Health and Safety implications**

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

### **8.5. Sustainability implications**

There are no sustainability implications from a planning perspective.

### **8.6. Any other implications**

There are no other implications from a planning perspective.

## **9. Risk Implications/Assessment**

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

## **10. Select Committee comments**

10.1. Not applicable.

## **11. Recommendations**

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

**I. Grant planning permission subject to the conditions set out below.**

**II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.**

**III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

### **Conditions**

1. The development hereby permitted shall commence not later than three years from the date of this permission. Within seven days of the commencement of operations, the operator shall notify the County Planning Authority in writing of the exact start date.

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

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

- Drawing No. M35/F/19/01 Mayton Wood Extension, Location Plan, 23rd September 2019;
- Drawing No. M35/F/19/02 Mayton Wood Extension, Existing Features, 23rd September 2019;
- Drawing No. M35/F/19/03 Rev C Mayton Wood Extension, Working Scheme, 19th May 2020;
- Drawing No. M35/F/19/04 Rev B Mayton Wood Extension, Restoration Scheme, 20th May 2020;
- Drawing No. M35/F/19/05 Mayton Wood Extension, Cross Sections, 24th October 2019;
- Drawing No. M35/F/19/06 Mayton Wood Extension, Mineral Processing Plant, 15th October 2019;
- Drawing No. M35/F/19/07 Mayton Wood Extension, Existing Public Footpath Diversion - Working Phase, 24th February 2020;
- Drawing No. M35/F/19/08 Mayton Wood Extension, Existing Public Footpath Diversion - Restoration Phase, 24th February 2020;
- Drawing No. 03/00, Mayton Wood Quarry, off Coltishall/Buxton Road, Proposed Access, Create Consulting Engineers Ltd, 22nd May 2019;
- Drawing No. 003, Mayton Wood Extension, Bat Potential Trees, E3P, 22nd January 2020;
- Mayton Wood Quarry Extension. Near Frettenham and Buxton with Lammas, Norwich - Extraction of Sand and Gravel and Importation of Inert Material to Achieve a Beneficial Restoration of the Site, Planning Statement, Frimstone, September 2019;
- Mayton Wood Quarry Extension. Near Frettenham and Buxton with Lammas, Norwich - Extraction of Sand and Gravel and Importation of Inert Material to Achieve a Beneficial Restoration of the Site, Volume 1 Environmental Statement, Frimstone, September 2019;
- Mayton Wood Quarry Extension. Near Frettenham and Buxton with Lammas, Norwich - Extraction of Sand and Gravel and Importation of Inert Material to Achieve a Beneficial Restoration of the Site, Non-Technical Summary, Frimstone, September 2019;
- Mayton Wood Extension, Buxton with Lammas, Norfolk, Landscape & Visual Impact Assessment, Collington Winter Chartered Landscape Architects, Revision I, 24th May 2019;
- Agricultural Land Classification Report on Land at Mayton Wood, Buxton, Norfolk, Richard Stock Soils and Agriculture, April 2019;
- Noise Assessment, Proposed Extension to Mayton Wood Quarry, LF Acoustics Consulting Engineers, 13th February 2020;
- Mayton Wood Norfolk, Transport Statement, Create Consulting Engineers Ltd, May 2019;
- Preliminary Ecological Appraisal Report, Mayton Woods Quarry Extension, E3P, July 2019;
- Mayton Wood Quarry Extension, Groundwater Protection and Hydrogeological Impacts, Terraconsult, 10th June 2019;
- Land at Mayton Wood, Buxton with Lammas, Flood Risk Assessment and Conceptual Surface Water Management Plan, TerraConsult Ltd, 7th June 2019;

- Mayton Wood Quarry, Buxton and Lammas, Norfolk, Desk Based Assessment, Cambridge Archaeological Unit, 2019;
- Mayton Wood Quarry Extension, Buxton and Lammas, Norfolk, An Archaeological Evaluation, Cambridge Archaeological Unit, July 2019;
- Mayton Wood Quarry Extension, Buxton with Lammas, Norfolk, Report on Archaeological Geophysical Survey, Bartlett-Clark Consultancy, 21<sup>st</sup> July 2019;
- Terex Aggwash 60-1/60-2 Washing Systems Technical Specification, July 2012;
- Mayton Wood Quarry Extension. Near Frettenham and Buxton with Lammas, Norwich - Extraction of Sand and Gravel and Importation of Inert Material to Achieve a Beneficial Restoration of the Site, Supplementary Statement Regulation 25 Further Information, March 2020;
- Arboricultural Impact Assessment, Land Adjacent Mayton Wood, Old Cromer Rd, Little Hautbois, Buxton, Norwich, NR12 7JX, E3P, 2<sup>nd</sup> March 2020;
- Letter from TerraConsult headed "Mineral Application FUL/2019/0043 Mayton Wood Quarry Extension - EHO Comments on Groundwater Protection Report", 11<sup>th</sup> December 2019;
- Mayton Wood Quarry Extension, Geotechnical Design Report, Terraconsult, 29<sup>th</sup> January 2020;
- Mayton Wood Quarry Extension, Dust Assessment and Management Plan, Frimstone, March 2020;
- Letter from Mick George headed "Proposed Extension to Mayton Wood Quarry, Consultee Comments and Third-Party Representations for Planning Application FUL/2019/0043 - Application Summary, Consultation Responses to Reg 25 Submission 14/05/2020", 28<sup>th</sup> May 2020;
- Letter (headed Highways Issues and Archaeological Written Scheme of Investigation) from Mick George dated 6<sup>th</sup> January 2021; and
- Specification for Archaeological Works, Mayton Wood Quarry, Norfolk (Ref. PC519a) Version 3, Phoenix Consulting Archaeology Limited, dated 12<sup>th</sup> February 2021;

The later version of any Plan will be taken as the approved working version.

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

3. The extraction operations hereby permitted shall cease by 31 December 2035 with all buildings, plant, machinery, stockpiles, haul roads and bunds removed, haul routes de-compacted and the site restored in accordance with the approved restoration plans and details listed in Condition No.2.

Reason: To protect the amenities of the surrounding area in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

4. Prior to the commencement of development details of the new vehicular access (the new access), on to the Coltishall to Buxton Road, for the first 20 metres into site, consisting of a minimum width of 7.3 metres and provided with kerb radii of 15 metres, with an arrangement to ensure that surface water is intercepted and

disposed of separately so that it does not discharge from or onto the highway, shall be submitted to and approved in writing by the County Planning Authority. The access shall thereafter be constructed in accordance with the approved details and brought into use not later than 12 months from the start date notified to the County Planning Authority in accordance with Condition No. 1.

Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with Policies CS15 and DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

5. Any access gates/bollard/chain/other means of obstruction (at the new access point) shall be hung to open inwards, set back, and thereafter retained a minimum distance of 20 metres from the near channel edge of the adjacent carriageway.

Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened, in accordance with Policies CS15 and DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

6. The gradient of the new access shall not exceed 1:12 for the first 20 metres into the site as measured from the near channel edge of the adjacent carriageway.

Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Policies CS15 and DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

7. Prior to the first use of the new access visibility splays measuring 215 metres x 2.4 metres shall be provided to each side of the access where it meets the highway. The splay(s) 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 the principles of the NPPF and Policies CS15 and DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

8. Within seven days of completion and coming into operation of the new access in accordance with Condition No. 4, the existing access on to the C532 shall ceased to be used and closed up and shall thereafter remain closed and not be used to access the site.

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

- 9.. For the lifetime of the permission, the development shall not operate except in accordance with the Routing Strategy set out in the letter (headed Highways Issues and Archaeological Written Scheme of Investigation) from Mick George dated 6<sup>th</sup> January 2021.

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.

10. Prior to the commencement of development an Arboricultural Method Statement and Tree Protection Plan which sets out details of the provision for temporary tree protection fencing, in accordance with BS5837, shall be submitted to and approved in writing by the County Planning Authority.

Reason: To ensure protection of the trees on the site and to comply with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

11. No operation authorised or required under this permission or under The Town and Country Planning (General Permitted Development) (England) Order 2015 shall take place on Sundays or Bank/Public holidays, or other than during the following periods:

07:00 -18:00 hours Monday to Friday

08:00 -13:00 hours Saturdays

Reason: To protect the amenities of the surrounding area in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

12. The handling, movement and re-spreading of topsoil and subsoil shall not take place except when the soils are in a dry and friable condition and in such a way and with such equipment as to ensure minimum compaction. No handling of soil shall take place except between 1st April and 31st October.

Reason: To protect the amenities of the surrounding area in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

13. 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 the surrounding area in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

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

Reason: To protect the amenities of the surrounding area in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

15. 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 Policies in accordance with Policies CS14 and DM6 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

16. Any fuel storage and refuelling facilities on the site shall be constructed on an impermeable base with an independent sealed drainage system with no direct discharge to any watercourse or underground strata.

Reason: To safeguard hydrological interests, in accordance with Policies in accordance with Policies CS14 and DM6 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), no buildings, plant or machinery, nor structures of the nature of plant or machinery other than that permitted under this planning permission shall be erected on the site, except with permission granted on an application under Part III of the Town and Country Planning Act 1990, as amended.

Reason: To protect the amenities of the surrounding area in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 20.10-2026.

18. With the exception of noise emitted from the site from temporary soil stripping operations, landscape operations and bund construction and removal operations, the noise emitted from the extraction site or the plant site shall not exceed the levels stated below at a distance of 3.5 metres from the facade of the following properties:

Heath Farm - 51 dB LAeq, 1 hour;

The Heath - 50 dB LAeq, 1 hour;

Ruby Cottage - 46 dB LAeq, 1 hour;

Pinewood - 48 dB LAeq, 1 hour;

Mayton Hall - 46 dB LAeq, 1 hour.

Noise for temporary operations from temporary soil stripping operations, landscape operations and bund construction and removal operations, at each of the properties listed above shall not exceed 70 dB LAeq (1 hour) free field. Temporary operations shall not exceed a total of 8 weeks in any calendar year.

Reason: To protect the amenities of the surrounding area in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.



19. Prior to the commencement of any temporary operations on site, as referred to in Condition No. 18 above, a scheme of works to include contact details, the precise nature of works to be undertaken and equipment to be used, timescale, including date of commencement and completion, and the exact location of the works shall be submitted to, and approved in writing by, the County Planning Authority. The development shall be undertaken only in accordance with the approved scheme.

Reason: To protect the amenities of the surrounding area in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

20. No reversing beepers or other means of audible warning of reversing vehicles shall be fixed to, or used on, any site vehicles, other than those which use white noise, or other warning measures, the use of which shall first be approved in writing to County Planning Authority.

Reason: To protect the amenities of the surrounding area in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

21. From the date of this permission the operator/s shall maintain records of any noise complaints/concerns notified to them regarding activities undertaken as part of the development and a record of all vehicles entering and leaving the site and shall make them available to the County Planning Authority at any time upon request. All records shall be kept and made available for inspection for the duration of the extractions works.

Reason: To protect the amenities of the surrounding area in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

22. Soil bunds which are in situ for one or more growing seasons shall be seeded with grass and retained in accordance with the submitted and hereby approved details.

Reason: To protect the amenities of the surrounding area in accordance with Policies CS14 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

23. The 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.

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.

24. Within 6 months of the date of this permission, an aftercare scheme specifying such steps as may be necessary to bring the land to the required standard for use for agriculture/grassland/woodland shall be submitted to, and approved in writing by, the County Planning Authority. The approved aftercare scheme 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: in the interests of the appearance of the development and surrounding area in accordance with Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

25. Not less than 12 months prior to the removal of the Oak tree, Tree T4, as identified in Preliminary Ecological Appraisal Report, Mayton Woods Quarry Extension, E3P, July 2019; a bat survey of the site shall be undertaken and the report of the survey submitted to and approved in writing by the County Planning Authority. The tree shall not be felled until the submitted report has been approved.

Reason: To ensure the protection of bats in accordance with Policies CS14 and DM1 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

26. Within two years of the start dated notified the County Planning Authority in accordance with Condition No.1, two Kent bat boxes shall be installed on the site in accordance with the details set out in the Letter from Mick George headed "Proposed Extension to Mayton Wood Quarry, Consultee Comments and Third-Party Representations for Planning Application FUL/2019/0043 - Application Summary, Consultation Responses to Reg 25 Submission 14/05/2020", 28th May 2020. Details of the location and position of the bat boxes shall be submitted to and approved in writing by the County Planning Authority prior to their installation.

Reason: To ensure the protection of bats in accordance with Policies CS14 and DM1 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

27. No development shall take place other than in accordance with the Specification for Archaeological Works, Mayton Wood Quarry, Norfolk (Ref. PC519a) Version 3, Phoenix Consulting Archaeology Limited, dated 12th February 2021, approved under Condition No 2.

Reason: To safeguard archaeological interests in accordance with Policies CS14 and DM9 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

28. The development shall not be put into operation until the site investigation and post investigation assessment has been completed in accordance with the Specification for Archaeological Works, Mayton Wood Quarry, Norfolk (Ref. PC519a) Version 3, Phoenix Consulting Archaeology Limited, dated 12th February 2021, approved

under Condition No. 2 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To safeguard archaeological interests in accordance with Policies CS14 and DM9 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

29. The development shall be carried out and constructed in accordance with the approved Land at Mayton Wood, Buxton with Lammas, Flood Risk Assessment and Conceptual Surface Water Management Plan, TerraConsult Ltd, 7<sup>th</sup> June 2019.

Reason: In the interests of protecting the water environment and flood prevention in accordance with Policy DM4 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

30. Measures shall be taken to prevent dust nuisance and sand blow caused by the operations, including spraying of road surfaces, plant area and stockpiles and otherwise in accordance with approved Mayton Wood Quarry Extension, Dust Assessment and Management Plan, Frimstone, March 2020.

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. Background Papers**

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

- 12.2. Norfolk Minerals and Waste Development Framework Waste Site Specific Allocations Development Plan Document (Adopted October 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>

- 12.3. Joint Core Strategy for Broadland, Norwich and South Norfolk (Adopted March 2011, amendments adopted January 2014)

[https://www.broadland.gov.uk/downloads/file/1310/joint\\_core\\_strategy\\_adopted\\_document\\_2014](https://www.broadland.gov.uk/downloads/file/1310/joint_core_strategy_adopted_document_2014)

- 12.4. Broadland District Council Development Management Development Plan Document (Adopted August 2015)

[https://www.broadland.gov.uk/downloads/file/1118/development\\_management\\_dpd\\_adopted](https://www.broadland.gov.uk/downloads/file/1118/development_management_dpd_adopted)

- 12.5. The National Planning Policy Framework (NPPF) (2019)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/810197/NPPF\\_Feb\\_2019\\_revised.pdf?\\_ga=2.81687703.1498971390.166921834-1965140127.1559835065](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf?_ga=2.81687703.1498971390.166921834-1965140127.1559835065)

- 12.6. National Planning Policy for Waste (NPPW) (2014)

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

- 12.7. 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:

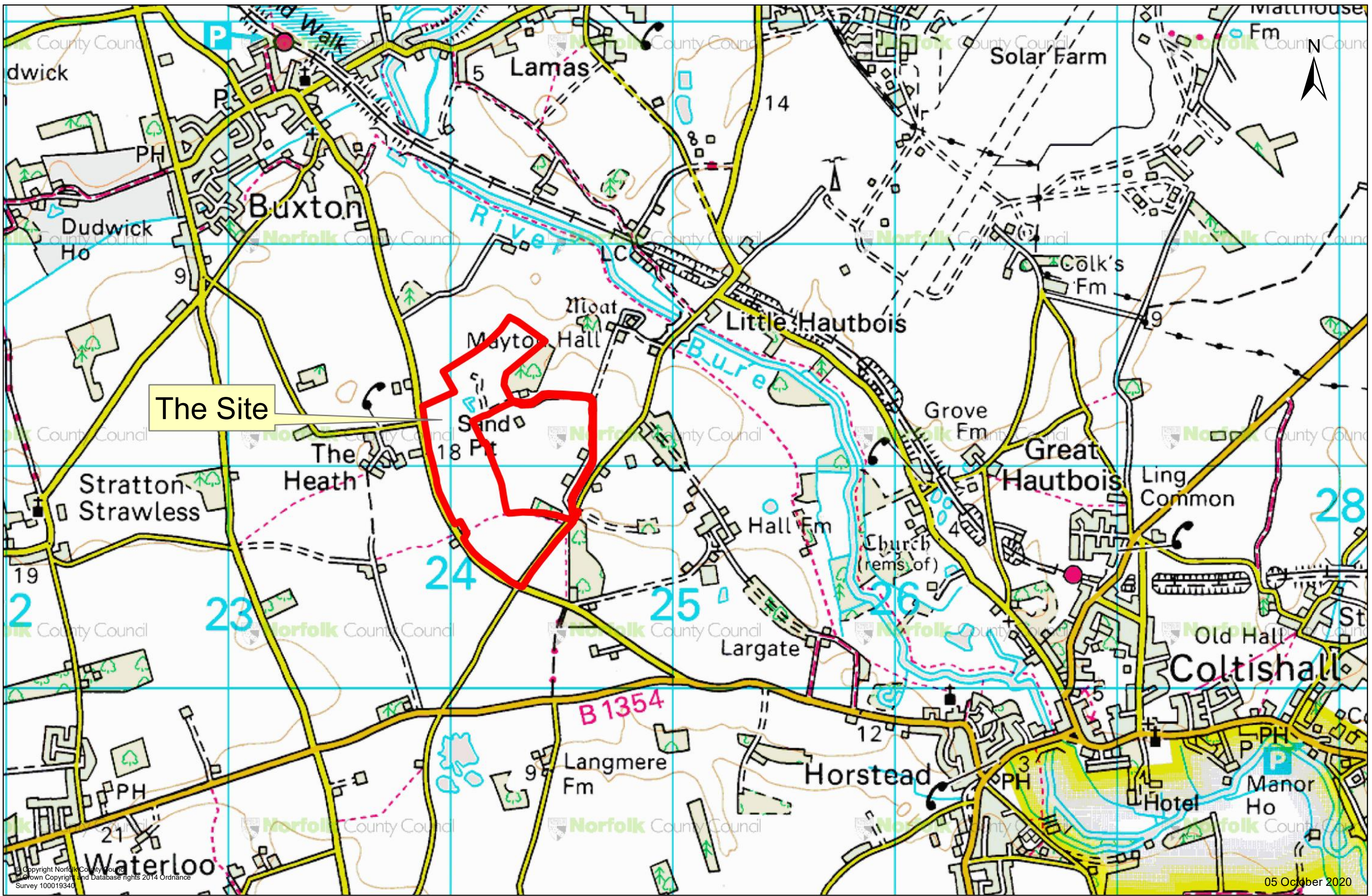
**Officer name:** Andrew Sierakowski      **Tel No.:** 01746 718799

**Email address:** [andrew.sierakowski@norfolk.gov.uk](mailto:andrew.sierakowski@norfolk.gov.uk)



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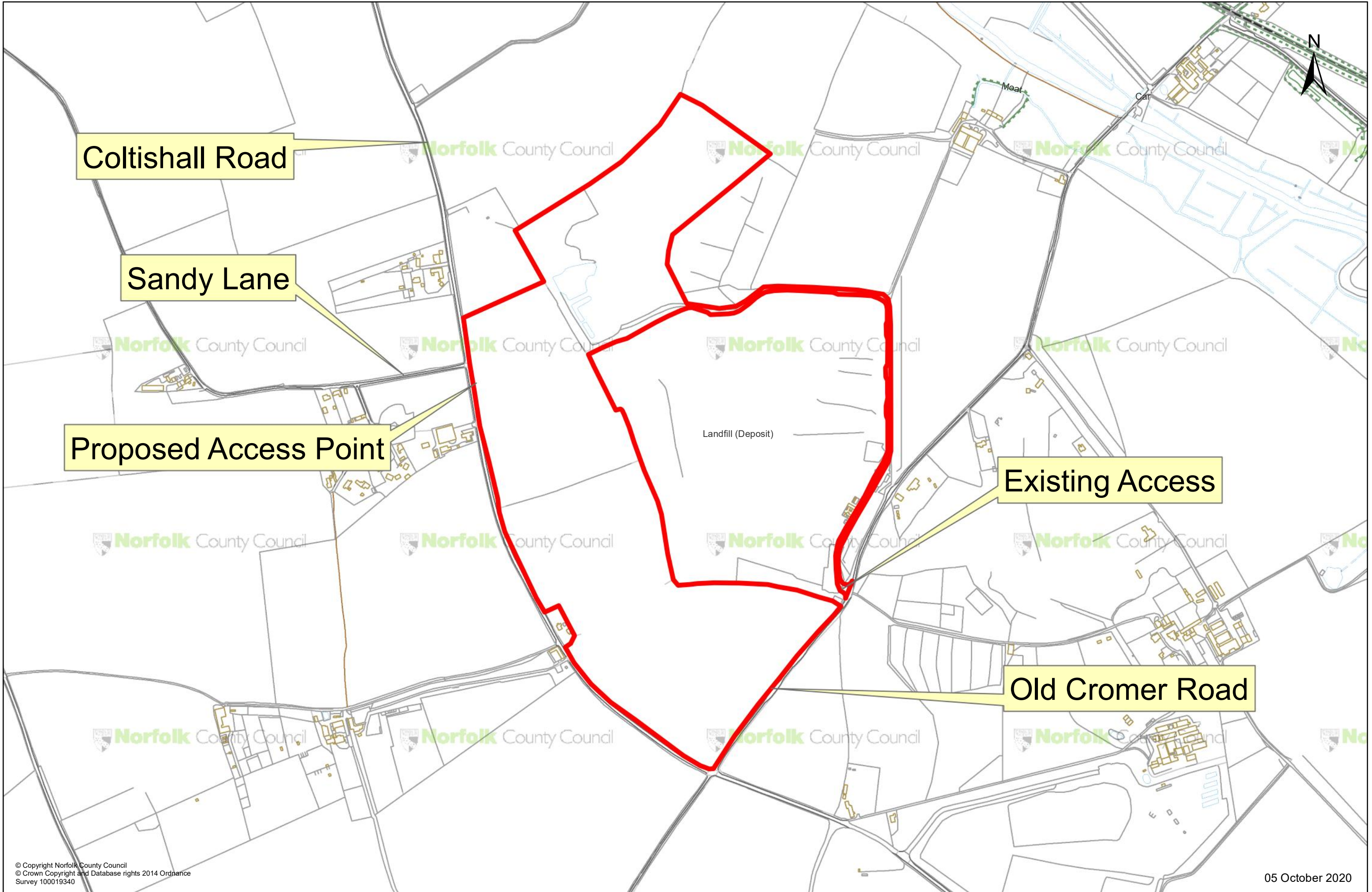


The Site

Mayton Wood 19/0043  
Location Plan







Coltishall Road

Sandy Lane

Proposed Access Point

Existing Access

Old Cromer Road

Landfill (Deposit)

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Survey 100019340

05 October 2020

Mayton Wood 19/0043  
Site Plan

0 250 500 1,000 Metres

 **Norfolk** County Council  
1:800