



Planning (Regulatory) Committee

Date: Friday 7 June 2019

Time: 11am

Venue: Edwards Room, County Hall

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

Membership

Cllr C Foulger (Chairman)

Cllr S Askew

Cllr R Brame

Cllr M Castle

Cllr D Collis

Cllr D Douglas

Cllr B Iles

Cllr B Long

Cllr W Richmond

Cllr M Sands

Cllr E Seward

Cllr M Storey

Cllr T White

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

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

Anyone wishing to speak regarding one of the items going to the Committee must give written notice to the Committee Officer (committees@norfolk.gov.uk) at least 48 hours before the start of the meeting. The Committee Officer will ask which item you would like to speak about and in what respect you will be speaking. Further information can be found in [Part 4.4 of the Constitution](#).

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

Hollie Adams on 01603 223029 or email committees@norfolk.gov.uk

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

When the County Council have received letters of objection in respect of any application, these are summarised in the report. If you wish to read them in full, Members can do so either at the meeting itself or beforehand in the Community and Environmental Services Department, County Hall, Martineau Lane, Norwich.

A g e n d a

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

2. To confirm the minutes from the Planning (Regulatory) Committee meeting held on 15 March 2019

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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. C/1/2017/1010: Cornish Way Business Park, Lyngate Ind Est, North Walsham, Norfolk, NR28 OFE

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Report by the Executive Director of Community and Environmental Services.

**6. C/3/2018/3010: Walnut Tree Farm, Silver Street, Besthorpe,
Norfolk, NR17 2LF**

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Report by the Executive Director of Community and Environmental Services.

Chris Walton
Head of Democratic Services
County Hall
Martineau Lane
Norwich
NR1 2DH

Date Agenda Published:



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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 Friday 15 March 2019
at 10am in the Edwards Room, County Hall**

Present:

Mr C Foulger – Chairman

Mr D Bills
Mr D Collis
Mr D Harrison
Dr C Jones

Mr B Spratt
Mr M Storey
Mr V Thomson

1 Apologies and Substitutions

Apologies for absence were received from Mr B Long (Mr B Spratt substituted), Mr W Richmond; Mr E Seward; Mr B Iles (Mr D Bills substituted), Mr M Sands, and Mr A White (Mr V Thomson substituted).

2 Minutes from the meeting held on 26 October 2018

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on Friday 26 October 2018 were agreed as a correct record by the Committee and signed by the Chairman.

3 Declarations of Interest

No declarations of interest were made.

4 Urgent Business

There was no urgent business.

Applications referred to the Committee for determination.

5 C/2/2017/2010: Waste Recycling Centre, Station Road, West Dereham, King's Lynn.

- 5.1 Proposal and applicant: Retrospective installation and use of waste shredding plant, with associated wall constructed using concrete blocks for noise attenuation purposes (Glazewing Ltd: Mr Jonathan Miles).

- 5.2 The Committee received the report by the Executive Director of Community and Environmental Services seeking retrospective planning permission at the existing waste management facility to install and use waste shredding plant including a generator and a concrete block noise attenuation wall. The application had not sought to make any changes to any of the currently approved operations authorised by previously issued planning permissions.
- 5.3 During the presentation of the report the Senior Planner read out a statement from the Local Member for Fincham Division, Mr B Long, who was unable to attend the meeting. Mr Long raised concerns about potential noise impact and its effect on nearby dwellings and that, whilst there seemed to be no additional volumes of waste, further reprocessing of waste could lead to those concerns as raised by West Dereham Parish Council, whose comments he supported. Mr Long asked that best practice be used to mitigate any impacts that could not be conditioned.
- 5.3.1 The Senior Planner advised that, following a noise impact assessment undertaken as part of the planning application process, it had been concluded that there was a negligible change in the noise level in terms of the impact of the new waste shredder combined with the existing plant. The waste permit issued by the Environment Agency included conditions for dealing with all pests as well as fire prevention, drainage, odour and noise. The Environment Agency would also be able to request a noise management plan and insist it was implemented if necessary.
- 5.3.2 The site already had a permit which allowed up to 75 tonnes of waste per day to be treated. The tonnage of material being proposed for shredding would not increase as a result of the shredding operation and would not exceed the 75 tonne per day figure.
- 5.4 The following points were noted in response to questions from the Committee about the presentation:
- 5.4.1 The storage bays were already in use at the application site and there would be no increase in storage capacity.
- 5.4.2 Following a fly infestation during the summer of 2018 which had been due to the waste plant being off-line, the Environment Agency had investigated the infestation and had taken appropriate action, including requesting the operator to arrange for the piles of waste to be sprayed, which had resolved the problem. The applicant had also put in place a fly management plan to help mitigate any future problems.
- 5.4.3 The Planning Officer confirmed that no complaints about noise had been received to date and reassured the Committee that a condition had been included (Section 13, paragraph 13.2 of the report) stating that the attenuation wall would need to be constructed within 3 months from the granting of planning permission.
- 5.4.4 In order to prevent fly infestations at the site in future, the Senior Planner advised that a regular maintenance programme for the plant would help ensure the plant did

not go off-line and also that a fly management programme had been established which would be monitored as part of the Environmental Permit.

- 5.4.5 The Environment Agency had not raised any objections to the application and therefore it needed to be assumed that there was no evidence of poor site management. If the application was approved by the Committee, regular monitoring of any associated conditions would be carried out by the Norfolk County Council monitoring team.
- 5.4.6 Members felt that it was important that the Environment Agency had appropriate measures in place to deal with problems and that the public also knew how to complain if there were any problems.
- 5.5 Mr S Daw, as the Agent for the Applicant, addressed the Committee, stating that there had not been any objections to the application from any of the statutory Consultees. He added that there had been an objection from the local Parish Council and some local residents resulting from the breakdown of the plant last summer which had led to a stockpile of waste and a fly infestation. Mr Daw added that Glazewing would be willing to enter into a formal liaison arrangement with West Dereham Parish Council, Norfolk County Council and the Local County Councillor to help iron out any potential problems at the site.
- 5.6 Mr R Stimson, Glazewing Ltd. addressed the Committee as the applicant, and reassured the Committee that if the plant went off-line in the future, the company had made provision to move the waste to other sites which would help prevent a fly infestation. He added that a company had been contracted to regularly spray the waste storage piles at the site which would help to control flies.
- Mr Stimson also advised that approximately $\frac{3}{4}$ of the noise attenuation wall had already been built near the generator area of the site and that the wall would be extended.
- 5.7 During the Committee's discussion about the application, the following points were noted in response to questions:
- 5.7.1 The Committee welcomed the undertaking given by Glazewing to formalise a liaison arrangement with the Parish Council and Local Member to iron out any issues as they arose.
- 5.7.2 In the event of a breakdown of the plant, arrangements had been made to remove the waste and take it to other outlets operated by the applicant.
- 5.8 Upon the application being put to a vote, the Committee unanimously **RESOLVED** that the Executive Director of Community and Environmental Services should be authorised to:
- i. Grant planning permission subject to the conditions outlined in section 13 of the report.

- ii. Discharge conditions where those detailed in the report require the submission and implementation of a scheme, or further details, either before development commenced, 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 C/2/2018/2022: Land north of Willows Road, Willows Industrial Estate, King's Lynn.

- 6.1 Proposal and applicant: Construction and operation of replacement Household Waste Recycling Centre, including associated works and vehicular access (Director of Community & Environmental Services, Norfolk County Council).
- 6.2 The Committee received the report by the Executive Director of Community and Environmental Services seeking planning permission for the development of a replacement Household Waste Recycling Centre (HWRC) at Willows Road, King's Lynn. The HWRC was being relocated in order to facilitate proposals for the construction and operation of a new gas-fired power station (the 'King's Lynn 'B' CCGT Power station project) which would occupy the existing HWRC site.
- 6.3 During the presentation of the report the Principal Planner advised that he had received a further representation from the Local Member, Cllr A Kemp, who felt the report had not addressed her points about making the site a split-level operation and making it more accessible for elderly and disabled people.
 - 6.3.1 The Principal Planner also advised that a further condition in addition to Section 13 of the report, regarding reinstatement of the construction compound following completion of the development, would be included if the application was approved by the Committee.
 - 6.3.2 With regard to the additional points raised by the Local Member, the Principal Planner advised that the site was not appropriate for a split level operation design as the land was peat based and would require significant piling to make it suitable for that nature of facility (split level).
 - 6.3.3 The Principal Planner underlined that the new facilities would be at least as accessible as the existing ones for the elderly and disabled in order to satisfy the responsibilities of the County Council under the Public Sector Equality Duty which required steps to be taken to meet the needs of people with protected characteristics.
 - 6.3.4 Four trees would need to be felled from the perimeter of the application site to incorporate the access and exits and these trees would be replaced with four new street trees once the building works had been completed.
- 6.4 The following points were noted in response to questions from the Committee:

- 6.4.1 It was suggested that instead of cutting down the trees which did not appear to be very big, they could be moved at the appropriate time of year.
- 6.4.2 Members expressed concern about elderly and disabled people accessing the site. The Principal Planner reiterated that Norfolk County Council had a duty to satisfy the Public Sector Equality Duty to have due regard to protect the needs of elderly and disabled people. He added that the site was a single level site, and there would be staff available to offer assistance to members of the public if needed.
- 6.4.3 Some concern was expressed about the proposed layout of the site and whether this could be improved. The Planning Services Manager confirmed that the consultation had identified that the proposal met all legal requirements and had been recommended for approval. He added that, theoretically, it may have been possible for a more user-friendly operation to be proposed, although the Committee should give little weight to that fact and should make its decision based on the application which had been submitted.
- 6.4 Mr G Bullock, from DWD, as agents for the applicant addressed the Committee, during which it was noted that the operation was being moved to allow a power station to be built and as Norfolk County Council owned the site, part of the agreement was for the applicant to pay for the moving of the existing waste disposal site. He added that the existing facility had operated for the last 10 years and the proposed site layout had been based on best practice of other sites across Norfolk. The proposed site would include additional parking, with a two-lane, one way traffic system which would provide a designated parking lane, allowing people to park and dispose of their waste.

It was considered that the proposed designated parking area would be sufficient, allowing space for people to queue during busy times.

Mr Bullock referred to the request to provide a split level site, saying that with a split level facility barriers would need to be erected to stop people from falling into the skips and the necessary barriers could make it more difficult for some people to lift their waste into the containers. Mr Bullock reiterated that staff were available at the site and would be able to assist when needed.

Mr Bullock also referred to the Local Member's suggestion that the site should be used as a park and ride site, adding that the site had never been allocated as a park and ride site.

- 6.5 In response to questions addressed to Mr Bullock, the following points were noted:
 - 6.5.1 The new site included 8 staff car parking spaces compared with 2 staff parking spaces at the current site. Also, at the current site, visitors using the re-use shop parked in the designated parking lane and some thought would be given as to how this arrangement could be improved at the new site.

- 6.5.2 If staff needed additional training to be able to assist members of the public dispose of their waste, this could be carried out by the operator.
- 6.6 Ms A Kemp, Local Member for Clenchwarton and King's Lynn South Division which covered the application site, addressed the Committee saying she had received a lot of correspondence from people who wanted a better, split-level site with more parking spaces. She added that staff were not always available to assist customers. Ms Kemp asked the Committee to defer making its decision until more information was received from the applicant.
- 6.7 The following points were noted in response to questions from the Committee:
- 6.8 In response to a question about whether the site could be made into a split-level operation, it was clarified that ground surveys had been carried out which had shown that the land was peat based and would need significant piling in order to accommodate a split-level operation. The Principal Planner added that the duty of the planning authority was to make a recommendation only on the submitted proposal and he confirmed that the application proposed was compliant with the relevant development plan policy and other material considerations.
- 6.9 Upon the application being put to a vote, with 7 votes in favour, 0 votes against and 1 abstention, the Committee **RESOLVED** that the Executive Director of Community and Environmental Services should be authorised to:
- i. Grant planning permission subject to the conditions outlined in section 13 of the report.
 - ii. Discharge conditions where those detailed in the report require the submission and implementation of a scheme, or further details, either before development commenced, 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 following item was withdrawn from the agenda and was not discussed by the Committee.

- 7 C/2/2018/2006: Land adjacent to Riverside Farm, Garage Lane, Setchey, King's Lynn.

The meeting concluded at 11 am.

Chairman

Planning (Regulatory) Committee

Report title:	C/1/2017/1010: Cornish Way Business Park, Lyngate Ind Est, North Walsham, Norfolk, NR28 OFE
Date of meeting:	07 June 2019
Responsible Chief Officer:	Tom McCabe, Executive Director, Community and Environmental Services
Proposal and applicant: Application for inert waste storage & processing, lagoons, plant storage area and installation of a porta-cabin and to increase throughput from 20,000 tonnes per annum to 75,000 tonnes per annum: Drury's Environmental Services Ltd	

Executive summary

Planning permission is sought at this existing inert waste recycling facility to increase the current surface area and throughput, for two settling lagoons, improved bunding, plant storage area, and installation of a portacabin. The proposal also includes the continued use of the on-site crusher and a new washing plant which will enable the increased volumes of material to be processed and more inert waste to be recovered. The application is largely retrospective in nature.

A single objection has been raised by an individual local resident in the form of five separate letters. No objections have been raised by statutory consultees subject to suitably worded conditions being imposed on any grant of planning permission.

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

Recommendation:

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

- I. Grant planning permission subject to the conditions outlined in section 13.**
- II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.**
- III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

1. The Proposal

- 1.1 Type of development : Inert waste processing and storage (construction, demolition and excavation).
- 1.2 Site area : 2.1 hectares
- 1.3 Annual tonnage : Up to 75,000 tonnes per annum
- 1.4 Duration : Permanent
- 1.5 Hours of working / operation : 07:30 to 17:30 weekdays.
07:30 to 13:00 Saturdays.
No working Sundays and Public Holidays.
Crusher to be used 07:30 17:30 weekdays only
and for a maximum of 45 hours per week.
Hydraulic hammer use
- 1.6 Average daily in/out vehicle movements : 14 traffic movements in each direction per day
- 1.7 Access : Direct access to Cornish Way on to the B1145 via Folgate Lane.
- 1.8 Plant : In addition to existing plant (Trommel & Crusher), gravel screening wash plant.
- 1.9 Planning permission is sought at this existing inert waste recycling facility to increase the current surface area and throughput, for two settling lagoons, improved bunding (increased height and extending further around the perimeter), plant storage area and installation of a portacabin. The proposal also includes the continued use of the on-site crusher and a new washing plant which will enable the increased volumes of material to be processed and more inert waste to be recovered. The plant once operational would deal with a maximum of 75,000 tonnes inert waste (construction, demolition and excavation) per annum. The currently approved throughput at the site is 20,000 tonnes per annum. The application is largely retrospective in nature.

2. Site

- 2.1 The application site comprises 2.1 hectares of land, situated on the Cornish Way Business Park, North Walsham. The site is located adjacent to the Southern boundary of the estate, with a landscaping strip to the south, industrial uses to the north and east, and open fields to the west. Beyond the open fields to the west are isolated residential properties.
- 2.2 The site is allocated for waste development within the adopted Waste Site Specific Allocations Development Plan Document which was adopted in 2013 (site WAS94).

3. Constraints

3.1 The following constraints apply to the application site:

- The land is allocated as employment land within the North Norfolk Local Development Framework Site Allocations 2011.
- The land is allocated within the Norfolk Core Strategy Waste Site Specific Allocations as site WAS94 for composting or anaerobic digestion.

4. Planning History

4.1 **C/1/2015/1018** - Retrospective change of use of land for inert recycling, processing, storage and sales, to include installation of portacabin and skip compound – Approved March 2016.

5. Planning Policy

5.1	Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (2011)	:	CS3	Waste management capacity to be provided
			CS4	New waste management capacity to be provided
			CS5	General location of waste management facilities
			CS6	General waste management considerations
			CS7	Recycling, composting, anaerobic digestion and waste transfer stations
			CS13	Climate change and renewable energy generation
			CS14	Environmental protection
			CS15	Transport
			DM3	Groundwater and surface water
			DM8	Design, local landscape and townscape character
			DM10	Transport
			DM11	Sustainable construction and operations
			DM12	Amenity
			DM13	Air quality

		DM15	Cumulative impacts
5.2	Norfolk Minerals and Waste Local Development Framework: Waste Site Specific Allocations DPD (2013)	: WAS 94	Land off Folgate Road and Cornish Way, North Walsham
5.3	North Norfolk Local Development Framework Core Strategy (2008)	: SS4	Environment
		SS5	Economy
		EN2	Protection of Landscape and Settlement Character
		EN4	Design
		CT5	The Transport Impact of the New Development
5.4	Adopted Neighbourhood Plan	:	N/A
5.5	The National Planning Policy Framework (2019)	: 1	Building a strong, competitive economy
		14	Meeting the challenge of climate change, flooding and coastal change
		15	Conserving and enhancing the natural environment
		16	Conserving and enhancing the historic environment
5.6	National Planning Policy for Waste (2014)		
5.7	Waste Management Plan for England (2013)		
5.8	Our Waste, Our Resources: A Strategy for England (2018)		

6. Consultations

6.1	North Norfolk District Council (Planning)	:	At the time of writing the report no comments received.
6.2	North Walsham Town Council	:	Consider that a further Environmental Report should be prepared for this planning application.
6.3	Environmental Protection Officer (North Norfolk District)	:	No objection, subject additional bunding outside of the existing redline application area. Currently considering further information regarding acoustic

fencing, working and stockpile heights. Officers will update members verbally.

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| 6.4 | Environment Agency (EA) | : | No objection, The applicant must vary the site's environmental permit. |
| 6.5 | Anglian Water | : | At the time of writing the report no comments received. |
| 6.6 | Lead Local Flood Authority (LLFA) (NCC) | : | No comments |
| 6.7 | Highway Authority (NCC) | : | No objection. The site is-located-in an existing industrial area, and benefits from good vehicular links from the B1145 North Walsham bypass. |
| 6.8 | Norfolk Historic Environment Service (Archaeology) (NCC) | : | No objection: the development would not have any significant impact on the historic environment and there are no recommendations for archaeological work. |
| 6.9 | Arboriculture and Landscape (NCC) | : | No objection subject to the method of works
Concerns over protection of Trees 4 and 5.
Clarification on fencing removal and erection required |
| 6.10 | Ecology (NCC) | : | If works are proposed on mature trees a Preliminary Roost Assessment of the trees will be necessary |
| 6.11 | Green Infrastructure and Landscape Officer (NCC) | : | No objection |
| 6.12 | Public Rights of Way Officer (NCC) | : | The proposed development is not relevant to the public rights of way. |
| 6.13 | County Councillor (Mr John Timewell) | : | At the time of writing the report no comments received. |

6.14 Representations

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

- 6.15 A single **objection** has been received from the same individual/household in the form of five separate letters. A further letter of concern has been received from one individual/household, but this does not amount to an objection. The concerns/objections raised are:

- Inappropriate to increase the throughput by 400%

- Activities are not desirable within the North Walsham town limits, should be separate from residential development. Should be in more rural areas or disused quarries.
- Not in accordance with “Norfolk Minerals and Waste Development Framework,” by virtue of the proposed throughput exceeding the figure quoted in the site allocation policy WAS94.
- Activities are disproportionate to and not in keeping with the commercial activities off Folgate Road
- Impact on amenity through noise: crushing, jackhammer, reversing vehicles, screen trommel washing plant, increased throughput equals increased noise & ineffective bunds.
- Brings in to doubt the accuracy of the noise impact assessment submitted in support of the planning application, whether it is independent, based on desk study guess estimates not fact.
- Recommends that activities should be carried out in a soundproof building
- Impact on amenity through dust resulting from site activities during dry periods. Existing dust suppression processes are inadequate.
- Activities should not be undertaken when there is an easterly wind
- Impact on visual amenity: existing situation including burnt out vehicles & buildings, abandoned cabins, skips and stockpiles of materials.
- Risk to public safety to those seeking to enjoy the countryside
- Impact on the highway network & safety, particularly along Lyngate Road, recommends that Lyngate Road is closed for HGV's
- Impact of vehicle pollution resulting from transporting material to the site long distance
- The proposal offers very little additional employment/economic benefit, only two new members of staff
- The proposal will have a negative impact on the employment area in general as the proposed activities will discourage companies new businesses from starting up on the estate
- Failure of the applicant to comply with existing planning permission.
- Current activities are extending beyond the permitted area, causing encroachment in to the countryside.
- Recommends reduced hours of operation at the site

7. Assessment

- 7.1 The issues to be assessed for this application are: the principle of development, and impacts on the landscape, amenity and health, highways/transport, ecology

(biodiversity), sustainability, heritage assets (the scheduled monument), groundwater and surface water, and flood risk.

7.2 Principle of development

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

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

- 7.3 In terms of the development plan, the County Planning Authority considers the relevant policy documents in relation to this application to be the Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2016 (the “NMWDF Core Strategy”), North Norfolk Local Development Framework Core Strategy (2008) & North Norfolk Site Allocations, Development Plan Document (2011). Whilst not part of the development plan, policies within the National Planning Policy Framework (2019), the Government’s National Planning Policy for Waste (2014) and the Government’s ‘Our Waste, Our Resources: A Strategy for England (2018) are also a further material consideration of significant weight.
- 7.4 Policy CS5 of the NMWLDF supports the development of new waste sites (strategic over 10,000 tonnes per annum) providing that they are well located to the urban areas of Norwich policy area and Great Yarmouth, and non-strategic sites (up to 10,000 tonnes per annum) providing that they are well related to locations including North Walsham, good links to the major road network, take advantage of cross border opportunities for waste management and enable the re-use of brownfield sites unsuitable for other uses. The application seeks permission for the processing of up to 75,000 tonnes per annum, however as this use is for inert waste recycling it would be considered as a non-strategic use. The site is on the edge of North Walsham, with good links to the major road network. The site is allocated as employment land, and has a waste site allocation, it is considered that the proposals would therefore accord with the general principles of this policy.
- 7.5 Policy CS6: *Waste management considerations* of the NMWDF Core Strategy states that waste sites should be developed in accordance with Policy CS3 and will be acceptable, provided they would not cause unacceptable environmental impacts, on the following types of land:
- a) land already in waste management use;
 - b) existing industrial/employment land or land identified for these uses in a Local Plan or DPD;
 - c) other previously developed land; and,
 - d) contaminated or derelict land.
- 7.6 The site is situated on land which is allocated for employment use within the North Norfolk LDF under Policy E10. The site is also allocated in the Norfolk Core Strategy Waste Site Specific Allocations as part of site WAS94, which is identified as being suitable for composting or anaerobic digestion subject to certain

environmental measures being met. Some of the waste site allocation WAS94 has already been taken up by an access road and two industrial buildings.

- 7.7 The proposed inert recycling use is therefore not in compliance with the waste site allocation, however WAS94 covers a larger area of 2.11 hectares of which this site occupies 0.7 hectares. In addition, policy CS6 of the NMWLDF supports applications for new waste sites on land that is allocated for employment use, and policy CS7 supports the development of new inert recycling sites subject to an assessment of any impacts. It is therefore considered that subject to an assessment of any potential highway, environmental and amenity impacts of the proposed development, the site is suitable in principle. It is regrettable that the site is not proposed to be developed in-line with the waste site specific allocation, however given the proposals would be compliant with the principles of policy CS6, & CS7 it is not considered that this would form sufficient reason to refuse the application.
- 7.8 The Government's National Planning Policy for Waste (2014) is the most direct relevant national guidance. This document underlines that the planning system is pivotal to the timely and adequate provision of waste facilities and it sets out the Government's strategy for sustainable waste management. This scheme would assist with the overarching thrust of dealing with waste in a more sustainable manner i.e. through recycling and recovery of waste and therefore driving waste management up the waste hierarchy (and only disposing of it as a last resort). The application is therefore considered to comply with the aims and objectives of this and the Government's 'Our Waste, Our Resources: A Strategy for England' which similarly seeks to promote the management of waste up the waste hierarchy. The National Planning Policy for Waste also underlines that the need for a facility is only required to be demonstrated where a proposal is not consistent with an up to date plan. Because of the allocation of the land for waste uses, and because of the compliance with the land use policies detailed above, there is not a requirement to demonstrate a need for this facility at this location.
- 7.9 **Amenity (noise, dust, light pollution etc)**
- The protection of amenity for people living near to waste management facilities is a key consideration and NMWDF policy DM12: *Amenity* states that development will only be permitted where "...unacceptable impact to local amenity will not arise from the operation of the facility." This echoes policy NMWDF CS14: *Environmental protection* which also seeks to avoid unacceptable impacts on amenity. North Norfolk Local Development Framework Core Strategy (2008) policy *EN 4: Design* states that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers.
- 7.10 NMWDF policy DM13: *Air Quality* seeks to only permit development where development would not impact negatively on an Air Quality Management Area (AQMA) or lead to the designation of new ones. Furthermore, NPPF paragraph 170 requires that new and existing development should be prevented from contributing to unacceptable levels of air pollution.
- 7.11 The nearest residential property to the site is "Brick Kiln Barn," which located approximately 240 metres to the north west of the site. Further west is another

property "The Bungalow," which is located approximately 250 metres from the site.

- 7.12 The regulation of an operation such as this should be in accordance with paragraph 183 of the NPPF and the National Planning Policy for Waste. The County Planning Authority is required to determine whether the proposed development is an acceptable use of land. The control of processes and/or emissions is not a matter of consideration for the CPA, being the remit of the Environment Agency. The CPA needs to satisfy itself that the facility is able in principle to operate without causing an unacceptable impact on amenity by taking advice from the relevant regulation authority (the Environment Agency). It is the role of the Environment Agency, via the issue of an Environmental Permit to control emissions such as noise, odour and dust through conditions. The Planning Authority is entitled to make the presumption that if such a permit is granted the regime will operate effectively. A permit already exists for the current operations on the site although the Environment Agency has confirmed that this will need to be varied for the proposed operations to go ahead.

7.13 Noise

As part of the planning application, a noise impact assessment was undertaken. The assessment included references to a concrete crusher, rammer hydraulic hammer, a screen trommel and an aggregate washer. The assessment concludes that the existing and proposed 5m high bund along the western boundary of the screening and crushing area offers a substantial barrier to noise generated within the site, and therefore significantly reduces the noise impact at the receptor properties (west). The report also concludes that noise from the updated crushing and screening plant, together with consideration of the proposed washing plant, indicates that the cumulative noise level at the identified receptors will generally be below ambient noise levels, as measured at the receptors' curtilage without any active operations from the Drury's site. It is therefore likely that for most of the time plant on the site will not be discernible as a discrete noise source, taking-into-account the existing noise environment being affected by the various industrial and commercial operations on the Lyngate Estate.

- 7.14 The report also considers the impact of a hydraulic hammer and concludes that when the hammer is in use it may be discernible as a discrete source at the receptors, due to the impulsive character of the sound and elevated operating height. The only mitigation being suggested is reduced hours of operation to 2-3 hours per week.
- 7.15 Officers are not satisfied that the mitigation suggested could be successfully controlled through condition. As such the applicant has removed the hydraulic hammer, from the application. Officers have suggested a condition to prevent the use of the hydraulic hammer.
- 7.16 A local resident has questioned the accuracy of the noise impact assessment and whether it can be considered independent. The consultant who has prepared the Noise Impact Assessment confirms, within the report, that he is a member of the Institute of Acoustics. The institute places a general requirement on their members to further the aims of the Institute to the best of their abilities. In addition, the Senior Environmental Protection Officer at the District Council has considered the

proposal including the noise impact assessment.

- 7.17 The Council's monitoring and enforcement team has been receiving complaints from local-residents regarding noise and disturbance from the site. A member of the public (who has not commented on the application) has sent the monitoring and enforcement team, noise monitoring data. The data have not been submitted as a formal representation for this application. That said, Officers have considered the data, but have given it little weight in the assessment. It is not clear whether the readings have been collected in a control way, by a qualified & independent professional. More weight has been given to the noise impact assessment which has been produced by a qualified noise consultant on behalf of the applicant and the response from the Environment Agency. The Environment Agency who would control operations at the site through the environmental permit, which would include a noise condition have not objected but has reminded the applicant that they must vary the site's environmental permit.
- 7.18 The EHO from North Norfolk District Council has suggested additional bunding for noise mitigation purposes. The applicant has responded by proposing noise attenuation fencing. The EHO and the applicant are in discussion regarding the precise details of the noise management regime, but this does not amount to an objection. At the time of writing the report this issue has not been completely agreed, officer will update members verbally on this point at the meeting. The EHO has also requested that a further noise impact assessment validating the information and levels provided in the existing noise impact assessment, when the site is in operation.
- 7.19 Dust
- With regards to dust and air quality, a Dust Assessment was submitted as part of the application documentation. Although it recognised that there is potential for dust impacts arising from vehicle movements including their exhaust emissions, and also from storage of inert materials, these could be controlled through mitigation measures and day to day site management such as avoiding dry sweeping of the site by using wet swept methods, switching off vehicles engines while stationary etc. With regards to treatment of waste itself, this would be undertaken within the existing building. Similarly, to noise and odour, this would be a matter that would be controlled through the site's Environmental Permit issued by the Environment Agency, however the report concludes it is considered that there are no significant air quality and/or dust effect issues that would hinder the proposed development. Therefore, it is not expected the development would have an unacceptable adverse impact on amenity with regards to dust or significantly impact on air quality.
- 7.20 The EHO has requested a condition to prevent materials being stacked or deposited to a height exceeding 2.5 metres above the natural ground level and that no material is stored on or against bunds or other boundary treatment. This is in-order-to prevent dust particles being blown by the wind to the nearest properties and can be secured by condition.
- 7.21 Lighting

Whilst the applicant proposes to install lighting both to the existing building and around the site to ensure a safe working environment given the 24-hour working proposed, this would be LED and designed to be low spill. A condition of any planning consent would nonetheless be that any lighting installed should not cause glare beyond the site boundary.

7.22 Odour

The type of waste proposed for importation i.e. construction, demolition and excavation are non-putrescible. Officers consider odour to not be of concern for this application. The Environment Agency and the EHO have not raised any concern in this regard. Any environmental permit issued by the Environment Agency would cover this issue.

7.23 Subject to conditions including those discussed above, there are no overriding objections from the EHO or the Environment Agency with regards to matters relating to amenity. Accordingly, it is not considered that there would be an unacceptable impact to local amenity and the application is considered to comply with both NMWDF Policies CS14 and DM12, Broadland Development Management DPD policies GC4 and EN4, and Section 15 of the NPPF and the National Planning Policy for Waste (2014). It is not considered that the proposal would lead to the designation of a new AQMA and the proposal accords with NMWDF policy DM13.

7.24 Landscape/Trees/Design

NMWDF Policies CS14: Environmental protection and DM8: *Design, local landscape and townscape* character both seek to only permit development that does not have unacceptable impacts on the character and quality of the landscape. North Norfolk Local Development Framework Core Strategy Policy EN 2 Landscape states that development proposals should demonstrate that their location, scale and design conserve and where possible enhance landscape character. The site as defined in the North Norfolk Landscape Character Assessment defines the landscape that the site is within character type "Low Plain.

7.25 The site is within/ on the edge an industrial setting, with industrial buildings to the east. The adjacent units are predominantly enclosed by palisade fencing. Existing landscaping strips are in place to the south of the application site and running north to south across the field to the west. This landscaping formed part of the original proposal for the extension to the industrial estate.

7.26 It is proposed to enclose the site to the north, south and western boundaries with a bund. The bunds are proposed for both landscape screening and noise attenuation purposes. The bunds would be 5m in height. Within the site in addition to the existing crusher and trommel would be a gravel screening wash plant. This plant would be situated at ground level and would be loaded with 360 excavators. The 360 excavators would however be restricted to operating at ground level at the request of the EHO. The applicant has confirmed that this working method would be acceptable.

7.27 The land slopes up away from the site to the west, this in addition to the proposed bunds should ensure that the land is contained, and its visual impact limited from views across the fields to the west. It is acknowledged that the cross section plans submitted show that the height of the plant will be slightly visible above the bund,

as would the 360 excavators, however as the site is within an industrial setting this is not considered to be unreasonable or of significant detriment to the character and appearance of the area.

- 7.28 The proposal also includes the installation of a porta-cabin. This is a relatively minor physical addition and is typical for this type of site in this setting. The porta-cabin is not of a standard which is considered suitable to remain indefinitely. It is therefore considered that a condition should be attached requiring the porta-cabin to only remain on a temporary basis, with a view to replacing it in the future with either something more permanent or an updated/new replacement. The plant and equipment being proposed is considered acceptable in terms of scale, siting and design.
- 7.29 The Natural Environment Team, Arboriculture and Landscape Officer (NCC) has not raised an objection but has concerns relating to the potential for impact on mature trees near to the site boundary during the construction phase for the boundary fencing. Therefore, a condition is being proposed requiring submission of a construction method of works for the site particularly the fencing prior to the commencement of construction to be submitted and approved in writing. The Natural Environment Team, Landscape Officer (NCC) raises the same concern regarding the trees but has not raised an objection or requested any conditions.
- 7.30 Subject to this condition it is considered that the proposals would not have any unacceptable impact upon the visual amenity of the area and would be generally in-keeping with the type of activity that could be expected within an industrial estate. In this respect the proposals are considered to accord with policies CS14 & DM8 of the NMWLDf and policy EN2 of the NNLDf
- 7.31 **Biodiversity and geodiversity**
- NMWDF policy CS14 states developments must ensure there are no unacceptable adverse impacts on biodiversity including nationally and internationally designated sites and species.
- 7.32 The County Council's Ecologist has raised a concern that there are mature trees within 15 metres of the boundary and should there be any works proposed to the trees a preliminary roost assessment for bats would be required. The applicant has confirmed that no works are required. In addition, through condition, a method of works for tree protection is being requested to ensure that the mature trees are not affected.
- 7.33 Appropriate Assessment
- The application site is within 10km of the Norfolk Valley Fens, Paston Great Barn and The Broads SAC; and Broadland SPA which are European protected habitats. The application has been assessed in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017. It is considered there is no requirement for the CPA to undertake an Appropriate Assessment of the development.
- 7.34 Therefore, subject to the applicant providing a satisfactory method of works for trees the proposal is considered to comply with the above development plan policies and Section 15 of the NPPF: Conserving and enhancing the natural environment.

7.35 Transport / Highways

NMWDF Policies CS15: *Transport* and DM10: *Transport* requires that proposed new waste facilities in terms of access will be satisfactory where anticipated HGV movements, taking into account any mitigation measures proposed, do not generate, inter alia, unacceptable risks/impacts to the safety of road users and pedestrians, the capacity and efficiency of the highway network, or to air quality and residential and rural amenity, including from air and noise. Policy WAS 94 of the NMWDF Waste Site Specific Allocations DPD also requires provision of acceptable highway access.

7.36 The application seeks permission to process up to 75,000 tonnes of inert material per year. Access to the site would be taken from Cornish Way Business Park, which in turn benefits from a link to the B1145 North Walsham bypass (which is a main distributor road) via Folgate Road.

7.37 An objection has been received from a local resident on the grounds of the adverse impact of the additional traffic, particularly in relation to HGV's using the smaller Lyngate Road, which is dedicated as a 'quiet lane'. The logical route for vehicles to take from this site would be towards the B1145. Officers consider that should vehicles from the industrial estate be using the minor Lyngate Road then this should be investigated further with the highway authority and the possibility of a weight restriction order pursued.

7.38 The County Highways officer has raised no objections to the application advising that the site is in an existing industrial location with good vehicular links. As such it is considered that the proposal would not have any unacceptable impact upon highway safety, and the site is located with an existing good access onto a main distributor road. The proposal in this respect would accord with Policies CS15 and DM10 of the NMWLDF.

7.39 Sustainability

NMWDF policy CS13: *Climate change and renewable energy generation* seeks to ensure new developments generate a minimum of 10% renewable energy on site. North Norfolk Local Development Framework Core Strategy Policy EN 6 Sustainable Construction and Energy Efficiency has the same requirement

7.40 The applicant has advised that the development does not offer viable opportunities for harnessing renewable or low-carbon energy directly, with the site being used mainly to separate waste and provide waste storage area.

7.41 Officers consider that the size of the site is a limiting factor as is the physical use of the plant and stockpile working areas, in this instance it is not considered reasonable to insist that renewable energy generation is provided as part of this proposals, the application would in this respect accord with the principles of policy CS13 of the NMWLDF and North Norfolk Local Development Framework Core Strategy Policy EN 6.

7.42 Groundwater/surface water

NMWDF policy DM3: *Groundwater and surface water* seeks to ensure that developments do not adversely impact on ground water quality or resources, or surface water quality or resources. NMWDF policy DM4: *Flood risk* only seeks to permit waste management sites that do not increase the risk of flooding.

7.43 The site is situated within flood zone 1, less than 1 hectare in size, and is not within a ground source protection zone. The Environment Agency has not raised an objection to the proposal. They have made the applicant aware that only clean, uncontaminated water, without elevated levels of suspended solids, should be allowed to discharge into the existing ditch system.

7.44 Officers consider that the proposal would not result in any increase in flood risk or impact upon groundwater, the proposal is therefore compliant with the requirements of policies DM3 and DM4 of the NMWLDF.

7.45 **Impact on Heritage Assets / Archaeology**

NMWDF Policy DM9: *Archaeological Sites* states development will only be permitted where it would not adversely affect the significance of heritage assets (and their settings) of national importance. There are no heritage assets near to the site

7.46 The proposal is therefore considered to be in accordance with NMWDF Policy DM9 and the NPPF.

7.47 **Flood risk**

NMWDF policy DM4: *Flood risk* only seeks to permit waste management sites that do not increase the risk of flooding.

7.48 Although the entirety of the application site falls in flood zone 1, a Flood Risk Assessment (FRA) was submitted as part of the application in accordance with chapter 14: *Meeting the challenge of climate change, flooding and coastal change* of the NPPF where paragraph 163 requires an FRA for proposals of 1 hectare or greater in flood zone 1 (the site area for the application is some 2.1 hectares).

7.49 The FRA concluded that the development is not at risk of flooding and will not increase flood risk to surrounding areas. The Lead Local Authority (LLFA) does not object to the proposal and the proposal accords with policy DM4: *Flood Risk* of the NMWDF.

7.50 **Public Rights of Way / Trails**

Although there are not any Public Rights of Way running through the application site, the site is adjacent to North Walsham footpath 5.

7.51 The natural environment team has been consulted and consider that the proposed development is not relevant to the public rights of way.

7.52 Cumulative impacts

NMWDF Policy DM15: Cumulative Impacts seeks to consider fully the cumulative impact of developments in conjunction with existing proposals. This echoes the National Planning Policy for Waste which also identifies the cumulative effect of existing and proposed waste facilities on the well-being of the local community as a material consideration.

7.53 The same company or sister companies operate existing waste management/recycling businesses along Cornish Way and Folgate Road. The site is also located within/on the edge of an existing industrial area/ employment area.

7.54 It considered that the proposed application operated in conjunction with the existing waste management/recycling businesses and the other uses at the existing industrial area/ employment area would not have an unacceptable impact.

7.55 Environmental Impact Assessment

The application has been screened in respect of the requirement for an Environmental Impact Assessment (EIA) in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations'). Though the proposal has been identified as meeting the threshold of Schedule 2 (11b in respect of being an installation for the disposal of waste in excess of 0.5ha in area), the scheme is not considered to be EIA development as the site is not in a sensitive area and would not be likely not have a significant impact on the environment in the context of the EIA Regulations.

7.56 Having assessed the application and taken-into-account the consultation responses received throughout determination of the planning application, the proposal has been re-screened for EIA and the Planning Authority remain of the view that the development is not EIA development.

7.57 Responses to the representations received

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

7.58 The issues raised largely relating to impacts on amenity (dust, noise, odour etc) the public highway, the wider business park, landscape, have been addressed above along with the suitability of the site in land use policy terms, the need for the development at this location and the cumulative impacts of the development.

7.59 With regards to the issue or adverse impacts on neighbouring businesses or industrial units, this is not a material planning consideration given that the planning system is not in place to protect private interests of one another. The question is whether the proposal would unacceptably impact on their amenities (as set out above) and existing use of land which ought to be protected in the public interest.

7.60 Intentional Unauthorized Development

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

therefore capable of being a material consideration in the determination of this application.

- 7.61 In this instance the application is largely retrospective with regards in particular to the extended site area. Whilst regrettable, in this instance it is not felt that the retrospective nature of the application would represent a ground for refusing planning permission for this development and no weight is given to this in the planning balance.

7.62 **The Community Infrastructure Levy**

The development is not CIL liable given that the proposals would not create new floor space greater than 100 square metres.

7.63 **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.

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

8. **Resource Implications**

- 8.1 **Finance:** The development has no financial implications from the Planning Regulatory perspective.
- 8.2 **Staff:** The development has no staffing implications from the Planning Regulatory perspective.
- 8.3 **Property:** The development has no property implication from the Planning Regulatory perspective.
- 8.4 **IT:** The development has no IT implications from the Planning Regulatory perspective.

9. **Other Implications**

9.1 **Human rights**

- 9.2 The requirements of the Human Rights Act 1998 must be considered. Should permission not be granted Human Rights are not likely to apply on behalf of the applicant.
- 9.3 The human rights of the adjoining residents are engaged under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission may infringe those rights but they are qualified rights, that is that they can be balanced against the economic

interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity. However, in this instance it is not considered that the human rights of adjoining residents would be infringed.

- 9.4 The human rights of the owners of the application site may be engaged under the First Protocol Article 1, that is the right to enjoyment of their property. An approval of planning permission may infringe that right but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents. In any event, in this case it is not considered that Article 1 of the First protocol is infringed by the grant of the planning permission applied for.

9.5 **Equality Impact Assessment (EqIA)**

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

- 9.7 **Legal Implications:** There are no legal implications from the Planning Regulatory perspective.

- 9.8 **Communications:** There are no communication issues from a planning perspective.

- 9.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.

- 9.10 **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take-into-account.

10. Section 17 – Crime and Disorder Act

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

11. Risk Implications/Assessment

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

12. Conclusion and Reasons for Granting Planning Permission

- 12.1 The planning application seeks to increase the current surface area & throughput, for two settling lagoons, improved bunding, plant storage area and installation of a portacabin at the existing inert waste recycling facility. The proposal also includes the continued use of the on-site crusher and a new washing plant which will enable the increased volumes of material to be processed and more inert waste to be recovered. The plant once operational would deal with a maximum of 75,000 tonnes Inert waste (construction, demolition and excavation) per annum.

- 12.2 Whilst representations have been received from a local resident and the Parish Council raising concern about the proposal it is considered that subject to conditions, the scheme can be operated without unacceptable impacts on amenity, the landscape, the highway network, ecology, groundwater and surface water and flood risk.
- 12.3 Subject to conditions, the proposed development is considered acceptable and there are no other material considerations indicating it should not be permitted. Accordingly, full conditional planning permission is recommended.

13. Conditions

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

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

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

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

- 13.3 No more than 75,000 tonnes of waste shall be imported to the site per annum. Records shall be kept of waste imported to and exported from the site and shall be made available to the County Planning Authority upon request. All records shall be kept for a minimum of 24 months.

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

- 13.4 No material other than stated in the application shall be brought onto the site.

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

- 13.5 No operation authorised or required under this permission shall take place on Sundays or public holidays, or other than during the following periods:-

Monday to Friday:	07.30 - 17.30
Saturday:	07.30 - 13.00

With-the-exception of crushing and screening operations, including loading, which shall not take place other than during the following periods:

Monday to Friday:	08.00 - 17.00
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No Saturday, Sunday or Bank Holiday Working

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

- 13.6 Crushing activity on site shall be limited to a maximum of 40 hours per week. A weekly log of the crushing activity shall be kept for a minimum of 12 months and made available to the County Planning Authority upon request.

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

- 13.7 The crushing, grinding or other size reduction, of the waste imported on to the site, shall only take place in the mobile jaw crusher hereby approved. The use of hydraulic hammer/pulverisor/jackhammer (or similar plant) is prohibited at-all-times.

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

- 13.8 All plant and machinery shall only be operated at the original ground level and not at an elevated position on bunds or stockpiles.

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

- 13.9 Within 60 days of the date of this permission the permanent bunding as shown on Drwg No. 22209/004 Rev L, dated 19.04.19 & 2209/020 Rev E, dated 25.06.2018 shall be constructed.

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

- 13.10 The crusher and screener shall only be used in the locations as shown on Drwg No. 22209/004 Rev L, dated 19.04.19. This plant shall not be sited above natural ground level.

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

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

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

- 13.12 No vehicle shall be operated on site unless it is fitted with working broad band noise reversing sounders.
Reason: To protect the amenities of residential properties and the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
- 13.13 There shall be no burning of waste on site.
Reason: To protect the amenities of residential properties, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
- 13.14 No external lighting shall be installed on the site unless it is maintained such that it will not cause glare beyond the site boundaries.
Reason: To protect the amenities of residential properties, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
- 13.15 No waste material (both incoming and processed stock) stored on site shall exceed 2.5 metres above original ground level.
Reason: To protect the amenities of the surrounding area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
- 13.16 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 DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
- 13.17 Measures shall be taken to ensure that vehicles leaving the site shall not be in a condition whereby they would deposit mud or other loose material on the public highway.
Reason: In the interests of highway safety in accordance with policy DM10 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
- 13.18 Measures shall be taken to minimise dust nuisance and sand blow caused by the operations, including spraying of road surfaces, plant area and stockpiles as necessary.
Reason: To protect the amenities of neighbouring properties, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
- 13.19 Should the permitted use here cease for a period of 12 consecutive months, all plant and bunds shall be removed from the site and the land shall be reinstated to its previous condition.

Reason: To ensure the proper and expeditious restoration of the site if the development is no longer required, in accordance with Policy DM14 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 13.20 The portacabin/welfare office hereby approved shall be removed from site within 5 years of the date of this permission.

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.

- 13.21 Prior to commencement of the development, a revised Tree Protection Plan shall be submitted for approval in writing by the County Planning Authority for approval in writing and implementation thereafter. The Plan shall include provision for protection of existing trees and hedgerows to be retained.

Reason: To ensure the protection of existing trees on the site to protect the amenity of the area, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 13.22 Prior to the commencement of the development, a Preliminary Bat Roost Assessment shall be submitted to, and approved in writing by, the County Planning Authority.

Reason: To ensure that protected species do not suffer a loss of habitat as-a-result of the development, in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended) and Policy DM 1 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 13.23 Within 3 months of commencement of operations, a further Noise Impact Assessment validating the information and noise levels provided by the Noise Impact Assessment hereby approved shall be submitted to, and approved in writing by, the 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.

Background Papers

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

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

Waste Site Specific Allocations Development Plan Document (DPD) 2013

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

Joint Core Strategy for Broadland, Norwich and South Norfolk

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

Broadland District Council Development Management DPD (2015)

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

The National Planning Policy Framework (NPPF) (2018)

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

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

Planning Practice Guidance

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

National Planning Policy for Waste (2014):

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

Waste Management Plan for England (2013)

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

Norfolk County Council Planning Obligations Standards (2016)

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

Officer Contact

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

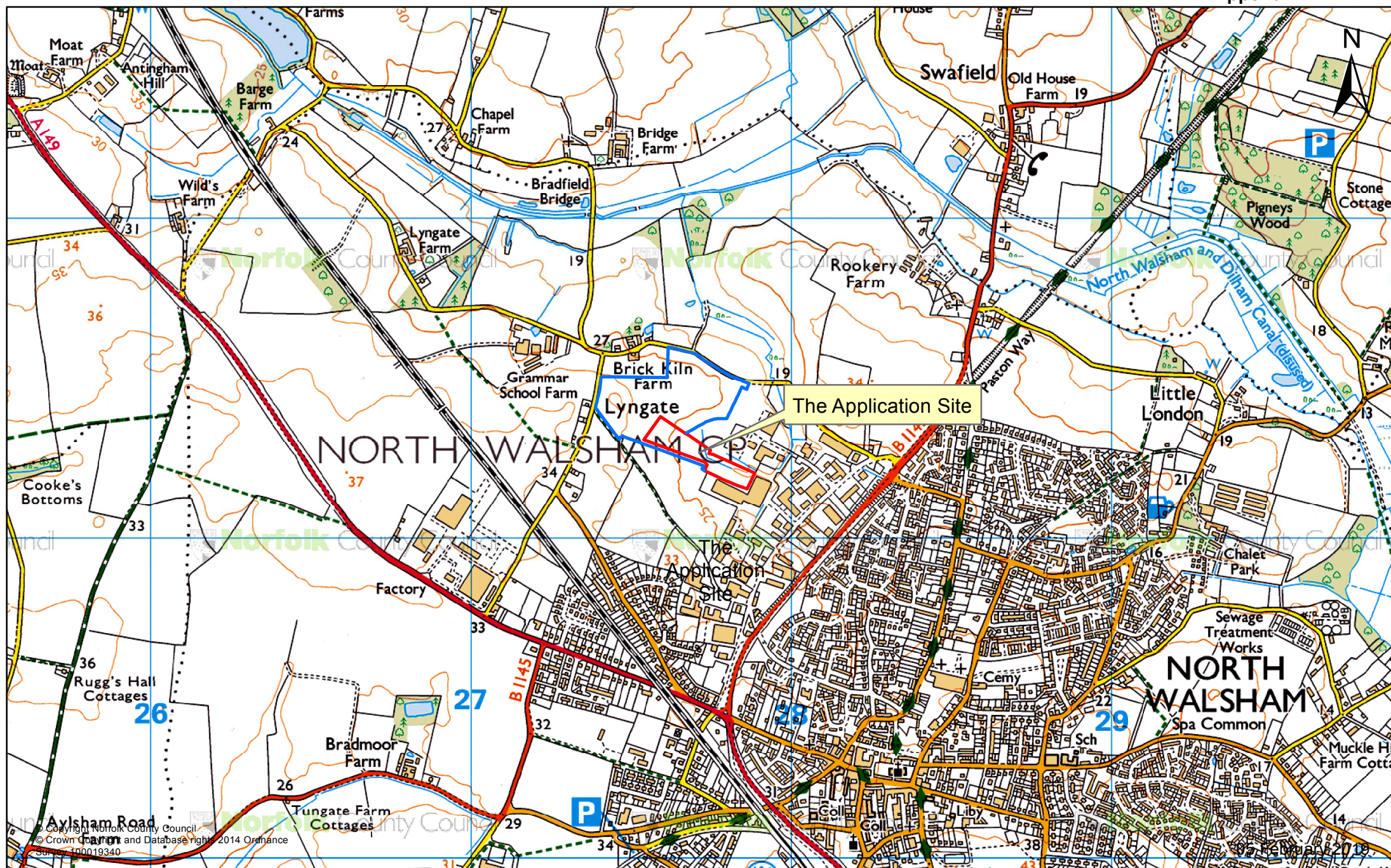
Officer name: Neil Campbell

Tel No: 01603 222724

Email address: neil.campbell3@norfolk.gov.uk



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

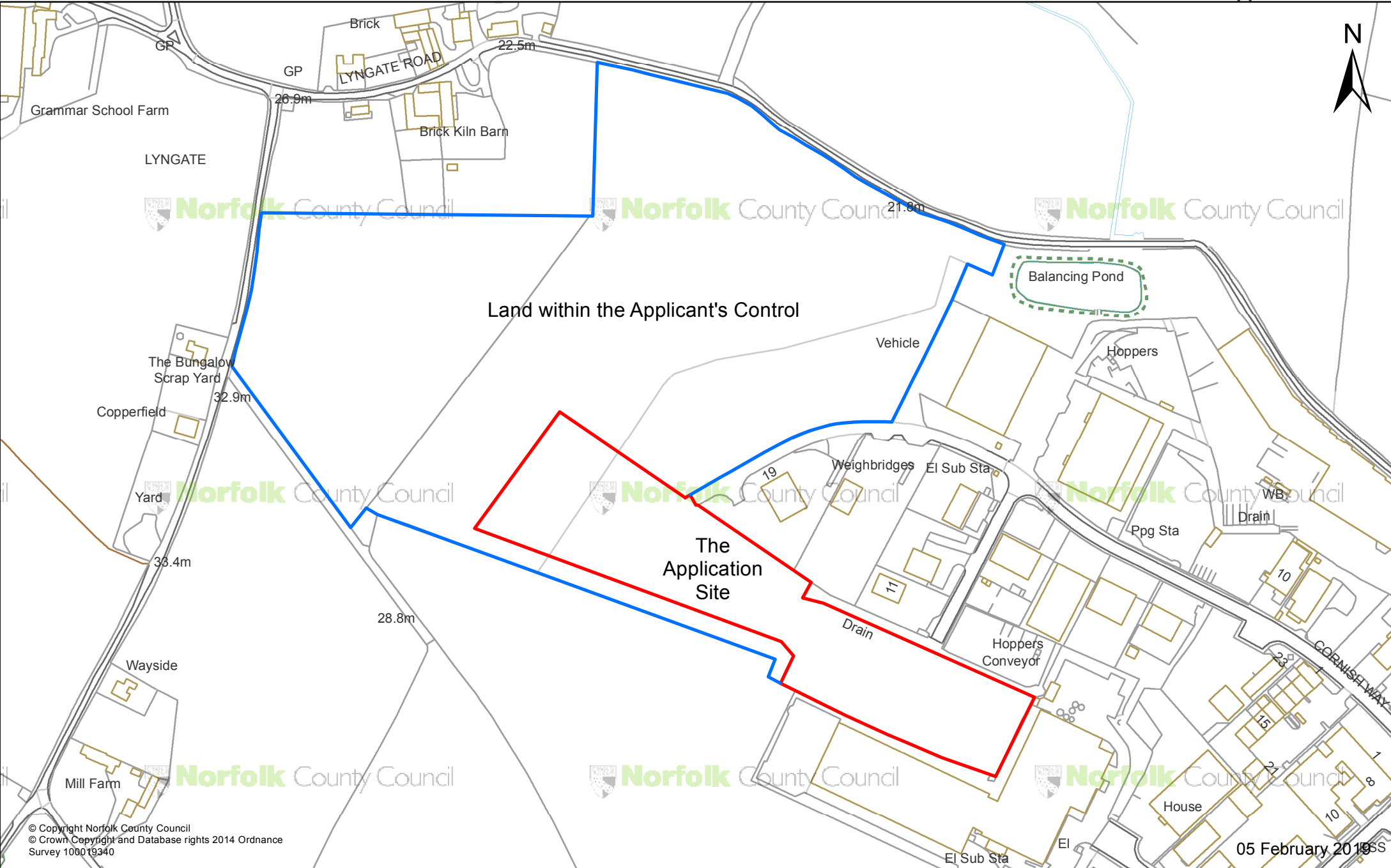


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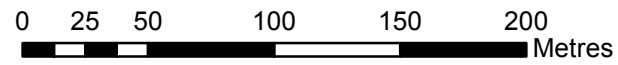
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Metres

 Norfolk County Council

135,000



C/1/2017/1010
North Walsham



Planning (Regulatory) Committee

Item No.

Report title:	C/3/2018/3010: Walnut Tree Farm, Silver Street, Besthorpe, Norfolk, NR17 2LF
Date of meeting:	7 June 2019
Responsible Chief Officer:	Tom McCabe – Executive Director, Community and Environmental Services
Proposal and applicant: Extension of existing waste transfer station, provision of processing plant, infrastructure improvements and associated works (part retrospective); Change of use of agricultural land so as to provide screen bunding; Demolition of existing waste recycling building and erection of new waste recycling building; reconfiguration of bunding and landscaping; increased waste throughputs; extended hours of operation; off-site highway improvements (Re-submission of application C/3/2016/3023): Baldwin Skip Hire Ltd	

Executive summary

Retrospective permission is sought to: enlarge the existing consented waste transfer station and install outdoor processing plant. The development would also include erection of a new waste recycling building and additional screen bunding/landscaping. Three written representations have been received, one of which makes explicit objection to the proposal: the concerns relate primarily to impacts of the development on residential amenity and the highway network. No objections have been raised by statutory consultees, subject to suitably worded conditions being imposed on any grant of planning permission.

The key issues are departure from the Development Plan due to non-compliance with policy CS6 of the adopted Norfolk Minerals and Waste Core Strategy (parts of the landscaping area are not formally allocated for industrial/employment uses or waste development, and lie within agricultural land, i.e. open countryside) and, impacts of the development on residential amenity, visual amenity, historic environment, ecology, highway network, groundwater resources and soil resources. Whilst it is acknowledged that the development is a departure from the Development Plan, given that the extension onto greenfield land is not significant and would facilitate the implementation of additional landscaping to screen the site, the proposal is considered to be in accordance with Section 38 (6) of the Act.

Recommendation:

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

- I. Grant planning permission subject to the conditions outlined in section 13.**
- II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.**
- III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

1. The Proposal

- | | | |
|------|---|---|
| 1.1 | Type of development | : Extension of existing waste transfer station;
Provision of processing plant, infrastructure improvements and associated works (part retrospective);
Change of use of agricultural land so as to provide screen bunding;
Demolition of existing waste recycling building and erection of new waste recycling building;
Re-configuration of bunding and landscaping;
Increased waste throughputs;
Extended hours of operation;
Off-site highway improvements |
| 1.2 | Site area | : 0.97ha |
| 1.3 | Waste type | : Inert construction and demolition wastes with dry mixed skip wastes including green waste and plasterboard |
| 1.4 | Annual tonnage | : 24,999 tonnes |
| 1.5 | Duration | : Permanent |
| 1.6 | Hours of working / operation | : <u>All operations</u>
07.00 to 18.00 hours Monday to Friday
07.00 to 13.00 hours on Saturday
<u>In addition, departure of vehicles from Waste Transfer Station</u>

06.00 – 07.00 Monday to Friday
06.00 – 07.00 Saturdays |
| 1.7 | Vehicle movements and numbers | : Weekday traffic: 48 two-way movements, (24 round-trips) |
| 1.8 | Access | : Existing access onto Silver Street |
| 1.9 | Landscaping | : Screen bunding and perimeter planting/gapping up of existing hedgerow. |
| 1.10 | <u>Description of proposal</u> | |
| 1.11 | Retrospective permission is sought for a change of use of some 0.56ha of land so as to enlarge the existing consented waste transfer station from its current size of some 0.2ha to a proposed total operational site area of some 0.76ha. The application also seeks retrospective permission for: demolition of a former waste recycling building; provision of outdoor processing plant, in the form of a picking line with trommel screen, coloured sky grey; installation of a weighbridge; and change of use of existing workshop building from use for maintenance/repair of | |

private vehicles owned by the applicant's family and friends (but not in connection with a separate business use) to use for maintenance/repair of vehicles, plant and equipment associated with the recycling operation and, for continued private use.

1.12 The development would also include:

Change of use of some 0.21ha of adjoining agricultural land to provide additional screen bunding and landscaping;

Erection of new waste recycling building; measuring 24m x 14.5m, with mono pitch roof, max. 6.1m high. The walls and roof of the building will be clad in olive green profile sheeting

Installation of waste baler inside new building;

Installation of outdoor soil screen;

Provision of impermeable surface on extended area and surface water drainage system, in the form of two underground storage tanks;

Dedicated skip storage area;

Erection of storage bays and retaining walls, formed with concrete panels;

Increased frequency and payload weight of waste vehicles visiting the site daily and thus increase in annual throughput (all currently limited by S106 Agreement);

Extended hours of operation (as per paragraph 1.5);

Landscaping in the form of reconfiguration of existing screen bunding and new perimeter planting;

Off-site highway improvements

1.13 Access to the site would remain unchanged, using the existing access onto Silver Street. The Statement and plans submitted in support of the application indicate that, the proposal seeks to respond to a need for increased throughputs of waste, whilst the proposed plant will enable improved segregation of waste materials and lead to an overall increase in the proportion of waste capable of being re-used. It is not proposed to amend the waste types currently accepted at the site. The Statement adds that the proposed building will provide enhanced environmental control over materials handling.

1.14 Amended proposal

As regards hours of operation, the current permission restricts operation of the manual screen to 08.30 - 15.00 hours Mondays – Fridays, and 08.30 - 12.00 hours Saturdays and, other operations and deliveries to and from the site, to 07.30 - 18.00 hours, Monday – Friday, and 07.30 – 12.00 Saturdays.

The application as originally submitted sought permission to extend operating hours for all activities from 07.00 to 18.00 hours Monday to Friday and 07.00 to 13.00 hours on Saturday. During determination of the application concern was raised by local residents in relation to vehicles departing the site prior to both current permitted and proposed operating hours. As regards HGV movements prior to 07.30 hours, this matter was pursued with the applicant's agent. The applicant subsequently took the decision to amend the proposal so as to allow a maximum of four empty vehicles to leave the Waste Transfer Station during the following additional times:

06.00 – 07.00 Monday to Friday
06.00 – 07.00 Saturdays

- 1.15 The Planning Statement advises that, the amendment would enable vehicles to leave the site earlier in order to fulfil customer requirements for a skip to be delivered/collected at the start of the working day, i.e. by 07.00 hours. Enabling a vehicle carrying an empty skip to leave the yard early would also enable the driver to collect a full skip for delivery to the transfer station at 07.00 hours, thereby maximising the working day at the transfer station. In line with Planning Practice Guidance, the amended application has been the subject of further consultation and notification.

2. Site

- 2.1 The application relates to an existing permitted waste transfer station and surrounding land forming a proposed extension to the facility, located to the south (rear) of Walnut Tree Farm, Besthorpe, together with a linear shaped area of agricultural land adjacent the eastern boundary of the transfer station, to facilitate provision of additional screen bunding and landscaping. The proposed extended operational area comprises of an existing largely unsurfaced former farmyard, whilst the proposed landscaping area is largely occupied by a soil bund. The proposed extended operational area is bounded to the north by former farm buildings/workshop buildings and, to the east, south and west by agricultural land, whilst the proposed landscaping area is bounded to the north by Slutshole Lane and, to the east, south and west by agricultural land.
- 2.2 Access to the transfer station is off Silver Street, which joins with Norwich Road / London Road and the A11 to the north, whilst the landscaping area is accessed from Slutshole Lane, which joins with Silver Street to the west. The nearest residential properties are Walnut Tree Farm, situated adjacent the internal access road/some 25m north of the proposed operational area and, Walnut Cottages, situated opposite the site entrance/some 60m north of the proposed operational area.

3. Constraints

- 3.1 The following constraints apply to the application site:
- The site is identified in the Breckland Proposals Map as being located outside any defined development limit;
 - Moated Site and Earthworks North of Stubble Farm Scheduled Ancient Monument is located some 240m to the northwest;
 - Bunns Bank Scheduled Ancient Monument is located some 330m to the southeast;
 - The site is located in Groundwater Protection Zone 3.
 - A11 Trunk Road, Besthorpe

4. Planning History

- 4.1 **C/3/2016/3023** - Extension of existing waste transfer station, provision of processing plant, infrastructure improvements and associated works (part retrospective); Demolition of existing waste recycling building and erection of new waste recycling building; increased waste throughputs; extended hours of operation; off-site highway improvements - withdrawn 2018
- 4.2 **C/3/2012/3008** - Retrospective application to change the use of an area of agricultural storage to an area for the storage of inert crushed concrete/brick hardcore for recycling – Withdrawn 2012
- 4.3 **C/3/1999/3006** - Waste Transfer Station - Approved 2001

5. Planning Policy

Development Plan Policy

- 5.1 **Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (2011) (NMWDF)**
 - CS3: Waste Management capacity to be provided
 - CS4: New waste management capacity to be provided
 - CS5: General location of waste management facilities
 - CS6: General waste management considerations
 - CS7: Recycling, composting, anaerobic digestion and waste transfer stations
 - CS13: Climate change and renewable energy generation
 - CS14: Environmental protection
 - CS15: Transport
 - DM1: Nature conservation
 - DM3: Groundwater and surface water
 - DM4: Flood risk
 - DM8: Design, local landscape and townscape character
 - DM9: Archaeological sites
 - DM10: Transport
 - DM11: Sustainable construction and operations
 - DM12: Amenity
 - DM13: Air Quality
 - DM16: Soils
- 5.2 **Norfolk Minerals and Waste Local Development Framework: Waste Site Specific Allocations DPD (2013)**
 - The application site is not allocated for development in the DPD
- 5.3 **Breckland Core Strategy and Development Control Policies (2009):**
 - SS 1 Spatial strategy
 - CP 4 Infrastructure
 - CP 6 Green Infrastructure
 - CP 8 Natural Resources

- CP 9 Pollution and Waste
- CP 10 Natural Environment
- CP 11 Protection and Enhancement of the Landscape
- CP 13 Accessibility
- CP 14 Sustainable Rural Communities
- DC 1 Protection of Amenity
- DC 7 Employment Development Outside of General Employment Areas
- DC 12 Trees and Landscape
- DC 13 Flood Risk
- DC 14 Energy Generation and Efficiency
- DC 16 Design
- DC 17 Historic Environment
- DC 19 Parking Provision
- DC 20 Conversion of Buildings in the Countryside
- DC 21 Farm Diversification

- 5.4 **Breckland Adopted Site Specific Policies and Proposals DPD (2012)**
The application site is not allocated for development in the DPD

- 5.5 **Attleborough Neighbourhood Development Plan**
Attleborough Neighbourhood Plan, which includes additional land in Besthorpe parish, was made in January 2018. The application site lies outside the Neighbourhood Plan Area.

Other Material Considerations

- 5.6 **The National Planning Policy Framework (2019)**
9. Promoting sustainable transport
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment
- 5.7 **National Planning Policy for Waste (2014)**
- 5.8 **Waste Management Plan for England (2013)**
- 5.9 **Our Waste, Our Resources: A Strategy for England (2018)**
- 5.10 **Norfolk Minerals and Waste Local Plan: Initial Consultation: Emerging Policies (2018)**
- 5.11 **Breckland Local Plan: Regulation 19 Pre-Submission Publication - Emerging policies**
GEN 01 Sustainable Development in Breckland
GEN 02 Promoting High Quality design
GEN 05 Settlement Boundaries
HOU 12 Conversion of Buildings in the Countryside
TR 01 Sustainable Transport Network

TR 02	Transport Requirements
ENV 05	Protection and Enhancement of the Landscape
ENV 06	Trees, Hedgerows and Development
ENV 07	Designated Heritage Assets
ENV 09	Flood Risk & Surface Water Drainage
EC 04	Employment Development Outside General Employment Areas
EC 06	Farm Diversification
COM 01	Design
COM 03	Protection of Amenity

6. Consultations

- 6.1 Breckland District Council : No response received
- 6.2 Neighbouring District Council (South Norfolk) : No response received
- 6.3 Besthorpe Parish Council : No response received
- 6.4 Morley Parish Council : No response received
- 6.5 Wymondham Town Council : No response received
- 6.6 Environmental Health Officer (Breckland) : Original submission
No environmental protection objections or comments, subject to the development proceeding in line with the application details.
Extended operating hours
Raises objection on grounds of significant additional disturbance to residents adjoining site.
Additional information
No objections, provided the development proceeds in line with the application details particularly in regard to the Supplementary Statement in respect of controlling noise from skips and skip lorries.
Subsequent response
Asks that vehicle speed on site be limited.
- 6.7 Natural England : No comments to make
- 6.8 Environment Agency : Original submission:
No objection.
Comment that the applicant may need to apply to vary their existing Environmental Permit.
Provide advisory comments in relation to: contaminants; waste arisings; use of waste derived materials for construction
Amended application:
Advise that the movement of vehicles off-site may not be covered by the permit condition pertaining

to noise.

- | | | |
|------|--|---|
| 6.9 | Lead Local Flood Authority (NCC) | : Advise that the CPA should satisfy itself that the application is compliant with paragraphs 155 - 165 of the NPPF (flood risk).
Further advise that the application should demonstrate how the proposal accords with national standards and relevant guidance |
| 6.10 | Highway Authority (NCC) | : <u>Original submission:</u>
Would not wish to restrict granting of permission subject to conditions in relation to: maximum throughput; lorry management; off-site highway improvement works.
Provide advisory notes in relation to off-site highway improvement works.
<u>Amended passing places:</u>
No objection |
| 6.11 | Highways England | : No objection |
| 6.12 | Historic England | : No objections to the principle of this application.
Consider that the existing waste transfer station has a negative impact upon the setting of two scheduled monuments and without mitigation the level of harm would increase with the application under consideration. This is less than substantial harm. Comment that, Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposals, (NPPF, paragraph 196).
Consider that the reconfiguration of the surrounding bunds and landscaping would help preserve the setting of the two heritage assets.
<u>Additional information</u>
No objection |
| 6.13 | Norfolk Historic Environment Service (NCC) | : The proposed development will not have any significant impact on the historic environment. Do not wish to make any recommendations for archaeological work. |
| 6.14 | Ecologist (NCC) | : <u>Original submission</u>
No objection
<u>Amended passing places</u>
Provides informatives in relation to nesting birds and protected species. |
| 6.15 | Senior Green | : <u>Original submission</u> |

	Infrastructure Officer (NCC)		<p>Raises holding objection due to illegible format of submitted LVIA</p> <p><u>Resubmitted LVIA</u></p> <p>Confirms that submitted LVIA is appropriate and broadly agrees with conclusions drawn.</p> <p>Comments that provided proposed bunding and planting are undertaken suitably then visual and landscape impacts will be minimised.</p> <p><u>Amended passing places</u></p> <p>No comments to make</p>
6.16	Arboricultural Officer (NCC)	:	<p><u>Original submission</u></p> <p>Raises holding objection on grounds of proposed works within root protection areas of trees, arising from proposed highway widening and bund reconfiguration.</p> <p><u>Additional information:</u></p> <p>Maintains holding objection in relation to bund reconfiguration. Withdraws previous objection in relation to proposed highway widening.</p> <p><u>Additional information:</u></p> <p>No objection</p>
6.17	Norfolk Fire and rescue Service (NCC)	:	No response received
6.18	UK Power Networks	:	No response received
6.19	County Councillor (Mr Rhodri Oliver)	:	No response received
6.20	County Councillor (Mr Colin Foulger)	:	No response received
6.21	County Councillor (Mrs Margaret Dewsbury)	:	No response received
6.22	County Councillor (Mr Joe Mooney)	:	No response received
6.23	<p><u>Representations</u></p> <p>The application was advertised by means of neighbour notification letters, site notices, and an advertisement in the Eastern Daily Press newspaper.</p>		
6.24	<p>Three written representations were received, one of which made explicit objection to the proposal. A number of concerns/comments were raised, as follows:</p> <p><i>Amenity</i></p>		

- Vehicles depart the site prior to both current permitted and proposed operating hours;
- We are regularly woken by vehicles leaving the site at 5:30am;
- Presumes the application is retrospective in relation to extended operating hours;
- Would not want to see operating hours extended beyond proposed/current hours;
- Noise arising from rattling chains on skip loaders;
- Whilst raising objection, support reconfiguration of screen bunds to reduce existing noise from site
- Existing security lighting beams into our lounge - requests that any future security lighting is tilted downwards or shrouded.

Traffic / Highways

- suggest a speed restriction on the entire length of the Street;
- Silver Street is not currently suitable for the amount of HGV movements, let alone an increase.
- Any increase in traffic will cause more destruction to banks and passing places along a narrow single track road;
- Comment that the highway improvements must take place if the application is to be approved.
- Concerned with relaxation of frequency and payload of waste vehicles. Would prefer to see restriction on number of vehicle movements
- The Transport Statement does not make reference to the third party vehicles bringing waste to the site.

7. Assessment

7.1 The issues to be assessed for this application are:

7.2 Principle of development

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

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

otherwise”.

- 7.3 In terms of the development plan, the County Planning Authority considers the relevant documents in relation to this application are the Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (the “NMWLDF Core Strategy”) and the adopted Breckland Core Strategy (2009).
- 7.4 Given that the review of the Norfolk Minerals and Waste Local Plan is at an early stage, the emerging Plan is apportioned little weight. Breckland Council is in the process of producing a new Local Plan: following completion of the consultation on the main modifications to the Local Plan the Council ran an additional consultation on Main Modifications only. The consultation ended on 15th May 2019. The emerging Local Plan is a material consideration; the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area; in accordance with para. 48 of the NPPF, due weight is given to relevant policies.
- 7.5 Whilst not part of the development plan, policies within the National Planning Policy Framework, National Planning Policy for Waste and the Waste Management Plan for England are also material to consideration of the application.
- 7.6 With regard to Planning Practice Guidance / Planning system *Waste – overview*, paragraph 047 details that the Waste Planning Authority should not assume that because a particular area hosts a waste disposal facility, that it is appropriate to add to these. It is important to consider the cumulative effect of previous waste disposal facilities on a community’s wellbeing. Impacts on environmental quality, social cohesion and inclusion and economic potential may all be relevant.
- 7.7 The Breckland Core Strategy Proposals Map identifies the application site as being located outside of the defined development limit which covers Besthorpe. The site is not covered by any site-specific land-use designation or other conservation, landscape or environmental protection designation. The Breckland Core Strategy and Development Control Policies DPD has no direct policies prohibiting development outside of the identified settlement boundaries.
- 7.8 Breckland CS Policy SS 1: *Spatial Strategy*, gives guidance on development standards outside of the settlement limits; directing that minimal development predominantly comprising diversification of rural enterprises would be acceptable in principle. Policy SS 1 further identifies that some other employment uses may be accommodated where a rural location is necessary for the functioning of the business. In this case, the proposal seeks, inter alia, diversification of a former farmyard to provide a modest scale extension of an established waste transfer station occupying a rural location.
- 7.9 Due weight is given to the following relevant policies of the emerging Breckland Local Plan: Policy GEN 01 seeks to enable development that improves the economic, social and environmental objectives of Breckland through sustainable development principles, whilst Policy GEN 05 directs that outside defined

settlement boundaries, development will only be acceptable where it is compliant with all relevant policies set out in the development plan including: Policies HOU 12, EC 04 and EC 06.

- 7.10 NMWLDF CS Policy CS5 states a preference for 'non-strategic' waste sites to be well-related to the main settlements or main market towns. Taking into account the routeing requirements, the site is situated some 4.5 miles (7km) to the northeast of Attleborough and as such is considered to be well related to a main market town. It is therefore considered, taking into account the above, that this proposal is compliant with NMWLDF Policy CS5.
- 7.11 NMWLDF CS Policy CS7 advises that, the expansion of recycling facilities and waste transfer stations will be considered favourably, so long as they would not cause unacceptable environmental, amenity and/or highways impacts. The application under consideration would expand an established waste facility in terms of waste throughput and physical area. It is therefore considered that the proposal would be compliant with policy CS7 subject to an assessment of the environmental, amenity and highways impacts.
- 7.12 With regard to the NMWLDF CS, whilst the development is considered compliant with the majority of the policies, it is not compliant with Policy CS6, which restricts development of waste sites to specific types of land: whilst the central part of the application site consists of an established, approved waste transfer station and the proposed operational area comprises of curtilage to unused, former agricultural buildings, the footprints of both the southern and eastern bunds are on land not formally allocated for industrial/employment uses or waste development, and lie within agricultural land, i.e. open countryside.
- 7.13 **Departure**
It is considered therefore that the development is a departure from the Development Plan due to its non-compliance with policy CS6 of the adopted NMWLDF CS. However, in accordance with Section 38 (6) of the Act it is considered that there are other material planning considerations which, on balance, outweigh this conflict with land use policy and would justify a recommendation of approval for this development; these are outlined in the following paragraphs:-
- 7.14 *Development Plan*
With regards to policies in the adopted Breckland Core Strategy, Policy CP 14: *Sustainable Rural Communities* supports the development of new enterprises where a rural location is operationally justified, provided there are no significant environmental, landscape, conservation or highway impacts. In this case, whilst the proposal is not considered to be a new enterprise, the proposal seeks a modest scale extension of an established waste transfer station occupying a rural location. As detailed elsewhere in this report, it is concluded that there are no significant environmental, landscape, conservation or highway impacts.
- 7.15 Policy DC 7: *Employment Development Outside of General Employment Areas* and Policy EC 04 of the emerging Breckland Local Plan provide for employment

uses outside of identified Employment Areas and allocated sites where: it is demonstrated that there are no other suitable sites available on identified or allocated employment sites; there are particular reasons including, expansion of an existing business, sustainability advantages to being located in close proximity to the market they serve, and the industry/businesses would be detrimental to local amenity if located in settlements, and; development of the site would not adversely affect the type and volume of traffic generated. In this instance, the proposal seeks expansion (including additional employees) of an existing waste management business occupying a rural location, serving a local market. As detailed elsewhere in this report, it is concluded that there are no overriding environmental objections, no significant loss of agricultural land, and no highway objections. Overall, it is considered, as detailed elsewhere in this report, that a case has been made by the applicant for extending the site to use some unallocated land, and there are no strong grounds for maintaining an objection in the context of Policy DC 7.

- 7.16 Policy DC 20: *Conversion of Buildings in the Countryside* supports the sustainable re-use of appropriately located and constructed buildings in the countryside for economic purposes, subject to: the impact of the development on the character and appearance of the landscape; the sustainability of the location and; access to the highway and suitability of the highway network. Policy HOU 12 of the emerging Breckland Local Plan also supports the sustainable re-use of appropriately located and constructed buildings in the countryside for economic purposes, subject to: the impact of the development on the character and appearance of the landscape; access to the highway and suitability of the highway network and; conservation and biodiversity issues. In this case, the proposal is considered to be consistent with the objectives of Policy DC 20 and emerging policy HOU 12 because it seeks the change of use of an existing workshop building for maintenance/repair of vehicles, plant and equipment associated with an adjacent, established waste management business and, for continued private use.
- 7.17 Policy DC 21: *Farm Diversification* supports proposals to diversify the range of economic activities operating on a farm, where: the nature of the development is complementary in kind and scale with the continuing farm enterprise and; the location, scale and form of the proposed development is appropriate to its setting, surrounding landscape and any proximate environmental interest. Policy EC 06 of the emerging Breckland Local Plan supports proposals for farm diversification provided that: they would make a positive contribution to the continued viability of the farm holding; they would retain or enhance the character of traditional farm buildings; where possible, the proposal re-uses existing buildings; the agricultural diversification is subservient to the main agricultural use of the farm; wherever possible, they add value to produce emanating from the farm or contribute to the tourism economy; the scale and nature of the diversification proposals are appropriate for the location; they do not require new dwellings within the rural area to support the enterprise; they do not create extensive areas of hard-standing, and; the volume and type of traffic that would be generated is appropriate to the accessibility of the site and the standard of the local highway network. In this case, the property no longer operates as a farm and the precedent for diversification from farm to waste management was established

when planning permission for the existing waste transfer station was granted in 2001. Overall, it is considered that a case for refusal on grounds of conflict with Policy DC 21 would be difficult to substantiate.

7.18 *National guidance*

National guidance forms a further material planning consideration. The relevant guidance in this case is *National Planning Policy for Waste*. This underlines that planning is pivotal in delivering the country's waste ambitions through the principle of "driving waste management up the waste hierarchy", which means that WPAs should always try to ensure that waste is managed by the most effective environmental solution, represented by the highest levels of the waste hierarchy, i.e. prevention, re-use and recycling. The proposal involves recycling of waste, consistent with the overarching thrust of *National Planning Policy for Waste* in dealing with waste in a more sustainable manner, i.e. through driving waste management up the waste hierarchy.

7.19 *Other material considerations*

Whilst the encroachment onto agricultural land is such that the proposal would conflict with NMWLDF CS policy CS 6, and the grant of permission would represent a departure from this policy, the major part of the proposed site consists of an approved waste transfer station and curtilage to unused, former agricultural buildings and, the area of encroachment is relatively small and would be used to facilitate screening of the facility. Whilst part of the site would constitute *countryside* it is considered that it is well related to the existing site and there would be no unacceptable loss of open countryside: the encroachment into the countryside is not so significant as to raise a landscape objection. It is concluded therefore that, a case has been made by the applicant for extending the site onto unallocated land, and there are no strong grounds for maintaining an objection in the context of NMWLDF CS policy CS 6.

7.20 **Need**

Given that the proposed development is not consistent with the development plan and is not allocated in the Waste Site Specific Allocations DPD, in accordance with *National Planning Policy for Waste* (2014), there is also a requirement for the applicant to demonstrate a need for their proposal. The proposed facility would provide increased operational space and storage capacity for the established waste business. As regards need, the applicant has sought to justify the development by stating that:

1. It has become apparent that the size of the area approved pursuant to the original application is inadequate to accommodate the current permitted activities, including skip storage and provision of screen bunding;
2. Demand for the facility has steadily increased and it is difficult to respond to the demand due to restrictions placed upon waste throughputs imposed by the S106 agreement to which the current permission is subject.
3. The development will enable improved segregation of waste materials and increase the proportion of waste for re-use, whilst the proposed building will provide enhanced environmental control over materials handling.

7.21 Therefore, it may be that the proposal, could provide a more local response to

any demand for management of waste in the local area, in keeping with the aims of *National Planning Policy for Waste* insofar as it encourages communities to take more responsibility for their waste.

Overall, under these circumstances, it is considered that the proposal would not undermine the aim of both the NMWLDF CS and *National Planning Policy for Waste* of driving the management of waste up the waste hierarchy.

- 7.22 **Amenity (noise, dust, light pollution etc)**
- 7.23 NMWLDF CS Policies DM12 and DM13, Policies CP 8, CP 9 and DC 1 of the Breckland Core Strategy and Section 15 of the NPPF apply. Due weight is given to policies GEN 2 and COM 03 of the emerging Breckland Local Plan.
- 7.24 The proposal would result in, inter alia, extension of an existing waste transfer station for outside storage and processing of waste, increased waste throughput, extended hours of operation and erection of floodlights.
- 7.25 Whilst raising objection, one written representation supports the reconfiguration of the screen bunds to reduce existing noise from the site. The application is accompanied by a Noise Impact Assessment which concludes that, the residential amenity of the nearest residential receptors should be adequately protected and not result in an unacceptable change in noise level. The application is also accompanied by a Dust Assessment which concludes that, it is highly unlikely that any significant decrease in local air quality will occur due to the proposed development.
- 7.26 As regards control of emissions, including noise, in accordance with paragraph 183 of the NPPF and section 7 of NPPW, planning decisions should focus on whether the development itself is an acceptable use of the land, rather than the control of processes or emissions themselves where these are subject to separate pollution control regimes. The CPA should assume that these regimes will operate effectively. The Environment Agency (E.A.), as the relevant pollution control authority, has been consulted on this application and has made no objection to the development in terms of any potential emissions. The E.A. advises that the applicant may need to apply to the E.A. to vary their existing Environmental Permit. It is recommended that the E.A.'s comments in relation to the Environmental Permit be attached to the decision notice as an informative.
- 7.27 The extant planning permission for the site, C/3/1999/3006, is subject to a condition which imposes noise limits at the boundaries of the site. During determination of application C/3/2016/3023, the E.A. confirmed that the existing permit is not subject to a noise condition and noise related issues would be dealt with by the local authority. This matter has been pursued with the E.A. pursuant to consideration of the application under consideration: the E.A. has now confirmed that it would take the lead on noise complaints and would look to include the standard noise condition within any permit variation. Accordingly, any pollution issue arising from operation of the development including control over emissions such as odour, dust and noise would be subject to the control of the E.A. under the permitting regime. Breckland EHO has been consulted and raises

no objection, subject to the development proceeding in line with the application details.

- 7.28 Concern is raised by a local resident in relation to vehicles departing the site prior to both current permitted and proposed operating hours. As regards hours of operation, the current permission restricts operation of the manual screen to 08.30 - 15.00 hours Mondays – Fridays, and 08.30 - 12.00 hours Saturdays and, other operations and deliveries to and from the site, to 07.30 - 18.00 hours, Monday – Friday, and 07.30 – 12.00 Saturdays. This current application as originally submitted sought permission to extend operating hours for all activities from 07.00 to 18.00 hours Monday to Friday and 07.00 to 13.00 hours on Saturday.
- 7.29 As regards existing HGV movements prior to 07.30 hours, this matter has been drawn to the attention of this authority's monitoring and control officer for investigation. This matter has also been pursued with the applicant's agent, who has clarified that, in addition to the permitted waste management use, the applicant also holds a Goods Vehicle Operator's Licence (GVOL) for use of Walnut Tree Farm as a haulage depot. The agent acknowledges that vehicles which are involved in contract work, enter and exit Walnut Tree Farm outside of the permitted hours for waste operations.
- 7.30 As detailed elsewhere in this report, the applicant subsequently took the decision to amend the proposal such that, permission is also sought for a maximum of four empty vehicles to exit the waste transfer station between 06.00 and 07.00 hours Monday to Saturday. Furthermore, application reference 3PL/2019/0031/EU was subsequently made to Breckland Council for Lawful Development Certificate for use of land at Walnut Tree Farm as a haulage yard for the parking of goods vehicles and trailers, submitted in January 2019. Breckland Council has certified that the use is lawful.
- 7.31 As regards the application under consideration, during the determination process negotiations have taken place in relation to the exit of vehicles between 06.00 and 07.00 hours. This resulted in submission of a Supplementary Statement detailing noise mitigation measures, including a 5mph speed limit on site. The EHO has been consulted on the application and raises no objections, provided the development proceeds in line with the Supplementary Statement.
- 7.32 As regards concerns raised in relation to 'rattling' of chains on skip wagons, the Supplementary Statement details that skips will be strapped down and their chains secured to prevent excessive body noise.
- 7.33 As regards concerns raised in relation to existing security lighting, this matter has been forwarded to the applicant's agent for attention, who has confirmed that this issue has now been addressed by the applicant. As regards concerns raised regarding proposed security lighting, a condition is recommended to require external lighting to be installed on site to be maintained such that it will not cause glare beyond the site boundaries.
- 7.34 Overall, subject to condition, it is considered that the development will not result

in unacceptable impact to local amenity. Accordingly, the CPA considers the proposal is in accordance with the relevant planning policies and requirements of the NPPF.

7.35 Design

7.36 Policies DM8 of the NMWLDF CS, CP 6, CP 11, DC 12 and DC 16 of the Breckland Core Strategy, and section 12 of the NPPF apply. Due weight is given to policies GEN2 and COM 01 of the emerging Breckland Local Plan

7.37 The new building would be industrial in appearance and complimentary to the existing facility and buildings within the wider, former farm complex. From a design point of view, the proposed building and outdoor plant are of a functional design in keeping with their purpose and, whilst they cannot be considered 'good design', it is considered that the proposed design and use of the development are consistent with the character of the existing facility and, the siting, scale, design and materials of the development are considered acceptable in the context of the existing facility. It is therefore considered that there will be no material harm caused to the established characteristics of the facility or character and quality of the local area. The Council's Green Infrastructure Officer has been consulted on the application and raises no objection on design grounds. Therefore, it is considered these are material considerations that outweigh the design shortcomings and the conflict with policies DM8 of the NMWLDF CS, CP 6, CP 11, DC 12 and DC 16 of the Breckland Core Strategy, and section 12 of the NPPF.

7.38 Landscape / Trees

7.39 Policies CS14 and DM8 of the NMWLDF CS, CP 6, CP 11, DC 12 and DC 16 of the Breckland Core Strategy, and sections 12 and 15 of the NPPF apply. Due weight is given to policies ENV 05 and ENV 06 of the emerging Breckland Local Plan.

7.40 The site occupies a location within a former farmyard and adjoining agricultural land. Notwithstanding that the surrounding countryside carries no landscape designation, it is important to ensure that no material harm is caused to the character of the countryside. The development subject of the application under consideration forms a relatively large extension to the much smaller development that forms the existing consented waste transfer station. The proposed new recycling building would be located partly on the footprint of the former building (now demolished), whilst the proposed outdoor processing plant would be sited in close proximity to the new building.

7.41 The greatest sources of visual impact detailed in this application are considered to be the recycling building, some 6.1m high, the picking line canopies, some 6m high and soil screen, some 5.5m high. The proposed structures would be read in the context of the existing site, which includes a range of industrial and former farm buildings. Other elements of the proposal would be at a fairly low level and would have little impact upon the appearance of the site from outside of its boundaries.

- 7.42 New landscaping is proposed in the form of re-configuration/seeding of existing bunding adjacent the southern, western and eastern boundaries of the extended facility and new perimeter planting/gapping up of existing hedgerow. The proposal is accompanied by a Landscape and Visual Impact Appraisal (LVIA), which concludes that the landscape proposals should significantly enhance the current screening of the site. The Council's Green Infrastructure Officer has been consulted on the application and raises no objection, subject to proposed bunding and planting being undertaken. Taking into account the above, the conclusions of the LVIA are therefore accepted.
- 7.43 The accompanying Arboricultural Impact Assessment (AIA) concludes that it is not necessary to fell any trees to facilitate the development. During the determination process negotiations have taken place and amendments made to two of the three proposed passing places so as to avoid root damage to nearby mature trees arising from the proposed highway widening. This resulted in submission of a revised Transport Statement and AIA by the applicant. The Arboricultural Officer has been consulted on the application and raises no objection on arboricultural grounds.
- 7.44 It is therefore considered that, subject to a condition in relation to landscaping, the proposals would not cause any unacceptable adverse impacts to the character and quality of the landscape.
- 7.45 **Biodiversity and geodiversity**
- 7.46 Policies CS14 and DM1 of the NMWLDF Core Strategy, Breckland CS Policies CP 10 and CP 11, and Section 15 of the NPPF apply.
- 7.47 The application site carries no particular nature conservation designation and is not located within or adjacent to any identified nature conservation area. The habitats present within the application site comprise of bare ground, arable land, workshop building and landscaping. No removal or work to trees is proposed. The application is accompanied by an ecology appraisal, which includes an assessment for the potential presence of great crested newts. The assessment concludes that great crested newts are unlikely to be present and potential negative impact is considered to be limited with appropriate mitigation. The appraisal recommends a number of mitigation measures and, enhancement in the form of seeding and hedge planting.
- 7.48 The County Council's Ecologist has been consulted on the application and has raised no objection to the proposed development on ecological grounds. It is therefore considered that no unacceptable adverse ecological impacts would arise from the proposal and there would be no conflict with the relevant planning policies, or the requirements of the NPPF.
- 7.49 Appropriate Assessment
The application site is not within 5km of a European protected habitat. The application has been assessed in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and based on the information submitted to the County Planning Authority (CPA) it is considered that

the development does not have a significant impact on the integrity of any protected habitat. Accordingly, there is no requirement for the CPA to undertake an Appropriate Assessment of the development.

7.50 Transport

- 7.51 Policies CS15 and DM10 of the NMWLDF CS, Breckland CS policies CP 4, CP 13 and DC 19 and, Section 9 of the NPPF apply. Due weight is given to policies TR 01 and TR 02 of the emerging Breckland Local Plan
- 7.52 The site will be accessed directly from Silver Street, to the north. The application advises that the proposal seeks to lift the restriction imposed by Legal Agreement in terms of frequency and payload weight of waste vehicles visiting the site daily, and thus increase the annual waste throughput from the present maximum achievable figure of 11,440 tonnes, to a new maximum of 24,999 tonnes. The application states that the proposed maximum annual throughput would equate to weekday traffic generation of 48 two-way movements, (24 round-trips), an increase of 28 movements above what is currently permitted by the S106 Agreement. The development would increase the number of full-time equivalent employees from 8 to 15.
- 7.53 Representations from local residents indicate that there is a perceived level of danger and, impact on amenity and the highway network arising from increased vehicle traffic and size, and speed etc. The application is accompanied by a Transport Statement. In recognition of the increase in the frequency and payload of vehicles that would result from the increased waste throughput, the proposal provides for off-site highway improvements in the form of three improved passing places along that part of Silver Street used by HGVs visiting the site, between the site entrance and its junction with London Road. During the determination process negotiations have taken place and amendments made to two of the three proposed passing places so as to avoid root damage to nearby mature trees arising from the proposed highway widening. This resulted in submission of a revised Transport Statement: the revised statement concludes that, subject to the off-site highway improvements, the proposal is acceptable on highway grounds. The application is also accompanied by a Lorry Management Plan which seeks to control the routing of HGVs between the site and the A11.
- 7.54 As detailed elsewhere in this report, with exception of departure of vehicles from the waste transfer station, the proposed extended operating hours for all activities are from 07.00 to 18.00 hours Monday to Friday and 07.00 to 13.00 hours on Saturday: permission is also sought for four vehicles to exit the site between 06.00 and 07.00 hours Monday to Saturday.
- 7.55 As regards concerns raised by a local resident in relation to delivery of waste to the site by third party vehicles, the applicant's agent has confirmed that the vast majority of waste brought to the site is transported on vehicles either owned or controlled by the applicant. Only occasional visits are made by third party vehicles and all movements by such vehicles will adhere to movement restrictions, with their loads accounted for in the annual throughput figures.
- 7.56 The Highway Authority has been consulted and has raised no objection in

relation to highway issues, subject to conditions in relation to: maximum throughput; lorry management plan and off-site highway improvement works. Highways England has been consulted on the application and offers no objection.

It is therefore concluded that the proposal is satisfactory and will not have any unacceptable impacts in highway terms. Subject to the aforementioned conditions, the proposal is not considered to be in conflict with the relevant planning policies or, the NPPF.

7.57 Sustainability

7.58 NMWLDF Policies CS13 and DM11, Policies CP 9 and DC 14 of the Breckland Core Strategy and, section 14 of the NPPF apply.

7.59 Consideration has been given to the possibility of how the development could generate its own energy. The proposal includes installation of solar panels onto the roof of the proposed recycling building, which would generate in excess of 10 per cent of the site's current annual electricity usage. As regards sustainable construction, the Planning Statement advises that recovered secondary aggregates will be used in construction of the building sub-base and external concreting. Subject to maintenance, the proposed new building, plant and infrastructure will not be in need of regular replacement. Given the nature, scale and orientation of the proposal, the proposed measures are considered sufficient to ensure compliance with the intent of the relevant planning policies and section 14 of the NPPF.

7.60 Impact on Heritage Assets

7.61 The Ancient Monuments and Archaeological Areas Act 1979, Policies CS14 and DM9 of the NMWLDF Core Strategy, Policies CP 11 and DC 17 of the Breckland Core Strategy, and part 16 of the NPPF apply. Due weight is given to policy ENV 07 of the emerging Breckland Local Plan.

7.62 Stubble Farm medieval moated site Scheduled Ancient Monument is located some 240m to the northwest, separated by agricultural land and Silver Street, whilst Bunns Bank, a scheduled section of linear bank and ditch, is located some 330m to the southeast, separated by agricultural land and the Norwich-Ely railway line. Paragraph 193 of the NPPF requires great weight to be given to a designated heritage asset's conservation, when considering the impact of a development on the significance of the asset. The NPPF defines 'significance' as the value of a heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

7.63 The main implications of the planning application in relation to heritage are the enlargement of the site, provision of processing plant and reconfiguration of peripheral screen bunding. A Heritage Statement has been undertaken which includes an assessment of the impact on the setting of the two aforementioned monuments. As regards Bunns Bank, the statement concludes that, subject to reconfiguration and landscaping of the screen bunding, there would be a minor beneficial effect upon the setting of this monument, due to improved appearance

of the bunds when viewed from the monument. As regards Stubley Farm Moats, the statement concludes that the effects upon the view from the moats would remain neutral.

- 7.64 Historic England (H.E.) have been consulted on the application and raise no objection on heritage grounds. H.E. consider that the proposed reconfiguration of the surrounding bunds and landscaping would help preserve the setting of the two scheduled monuments. H.E. further consider that the existing waste transfer station has a negative impact upon the setting of the two heritage assets and without mitigation the level of harm would increase with the application under consideration. In the terminology of the NPPF (paragraph 196), Historic England consider that this is 'less than substantial harm'.
- 7.65 Given the above, it is concluded that the development would impact upon the setting of the two aforementioned scheduled monuments but that this impact and thus harm would be less than substantial. In line with Paragraph 196 of the NPPF, "*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...*" In this instance, it is considered that the 'less than substantial harm' should be weighed against the following public benefits: The proposal would provide modern waste management infrastructure so enabling improved segregation of waste materials and increased proportion of waste for re-use: the proposal is therefore consistent with the overarching thrust of *National Planning Policy for Waste* in dealing with waste in a more sustainable manner, i.e. through driving waste management up the waste hierarchy; In keeping with the aims of *National Planning Policy for Waste* and as detailed elsewhere in this report, the proposal would increase local employment opportunities; It may also be that the proposal, could provide a more local response to any demand for management of waste in the local area, in keeping with the aims of *National Planning Policy for Waste* insofar as it encourages communities to take more responsibility for their own waste; Further public benefits arising from the proposal include the proposed biodiversity enhancements, detailed elsewhere in this report. On balance, it is considered that the public benefits of the proposal outweigh the 'less than substantial harm' to the setting of the aforementioned heritage assets.
- 7.66 Based on currently available information, NHES has not recommended any archaeological work.
- 7.67 It is therefore concluded, on balance, that subject to imposition of the aforementioned condition in relation to landscaping, the impact on heritage assets would not be such as to be unacceptable in the context of The Ancient Monuments and Archaeological Areas Act 1979, relevant planning policies and the NPPF.
- 7.68 **Groundwater/surface water**
- 7.69 Policy DM3 of the NMWLDF CS, Policy CP 8 of the Breckland Core Strategy, and section 15 of the NPPF apply.

- 7.70 The site is within Groundwater Protection Zone 3. As regards pollution control, all waste handling areas including the proposed building will have an impermeable surface. The development proposes a surface water drainage system for impermeable surfaces, in the form of interceptor channels and two sub-surface storage tanks. If, following analysis, the water is found to be polluted it will be removed from site. Based on the information provided, the Environment Agency has raised no objection.
- 7.71 It is therefore considered, taking into account the above, that the proposed development would not cause any adverse effects in terms of groundwater or surface water quality, and the proposal would not be in conflict with the relevant planning policies or objectives of the NPPF.
- 7.72 **Flood risk**
- 7.73 NMWLDF Policies CS13 and DM4, Policies CP 8 and DC 13 of the Breckland Core Strategy, and Section 14 of the NPPF apply. Due weight is given to Policy ENV 09 of the emerging Breckland Local Plan
- 7.74 The application site lies within Flood Zone 1, which is an area at low risk of flooding. Waste treatment facilities are identified as 'less vulnerable' in the table of Flood Risk Vulnerability Classification as set out in Planning Practice Guidance (PPG). PPG further advises that 'less vulnerable' uses are appropriate in Flood Zone 1. On this basis, the proposal is considered acceptable in terms of development within flood zone 1.
- 7.75 The application site lies outside the flow path of the Environment Agency Updated Flood Map for Surface Water (1 in 30yr and 1 in 100yr event). The Lead Local Flood Authority (LLFA) have been consulted on the application and comment that, the CPA should satisfy itself that the application is compliant with: paragraphs 155 - 165 of the NPPF, which requires that, when determining planning applications, LPAs should ensure flood risk is not increased elsewhere; and expects that major developments should incorporate sustainable drainage systems, unless demonstrated to be inappropriate. The LLFA further advises that the applicant should also demonstrate how the proposal accords with national standards and relevant guidance.
- 7.76 Planning Practice Guidance (Flood Risk and Coastal Change – what sort of sustainable drainage system should be considered?, paragraph 080), sets out that, the aim should be to discharge surface run off as high up the hierarchy of drainage options as reasonably practicable, with 'into the ground (infiltration)' at the top of the hierarchy; followed by surface water body; followed by surface water sewer, highway drain or another drainage system; with combined sewer at the bottom of the hierarchy.
- 7.77 Surface water falling on the two buildings included within the development will either be captured for use in dust suppression or, being permeable, allowed to infiltrate into the areas on which the buildings stand. As detailed elsewhere in this report, surface water run-off from the impermeable surfaces would be directed into storage tanks and, if found to be polluted, removed from site. Given that, with

exception of inside the recycling building, all handling, storage and processing of wastes will take place on the impermeable surfaces, the proposed surface water drainage system is considered to be appropriate.

- 7.78 It is therefore considered, taking into account the above, that the development would not increase the risk of flooding and the proposal would not be in conflict with the relevant planning policies or objectives of the NPPF

7.79 Protection of agricultural land

- 7.80 NMWLDF CS Policy DM16, Breckland Core Strategy policy CP 8, and section 15 of the NPPF apply. Where a waste management facility is proposed on BMV agricultural land, Policy DM16 expresses a preference for locating such facilities on land of agricultural grades 3b, 4 and 5, whilst policy CP 8 requires development to avoid the unnecessary loss of high-grade agricultural land.

- 7.81 The proposed screening bund to the east of the site is situated on agricultural land grade 2, whilst the proposed extension to the waste transfer station is partly situated on agricultural land grade 3: the application is not supported by an assessment to establish whether the latter area is grade 3a or 3b. The total area of agricultural land that would be lost is some 0.21ha. Natural England has been consulted on the application and has no comments to make. Whilst the proposal would result in the loss of a relatively small area of grade 2 and 3 agricultural land, given that the loss of agricultural land is not so significant as to raise a soils objection and biodiversity enhancements are proposed, it is concluded that the proposal will cause no material harm to soil resources. It is considered that there are no strong grounds for maintaining an objection in the context of the relevant planning policies or Section 15 of the NPPF.

7.82 Cumulative Impacts

- 7.83 NMWLDF CS policy DM15 and Sections 9, 14 and 15 of the NPPF apply.
- 7.84 The nearest other permitted waste management facilities and mineral extraction sites are: Double Banks Farm, Carleton Rode, some 3.2km south east of the site and Hills End Farm, Attleborough, some 4.7km south west of the site.
- 7.85 Breckland EHO and the E.A. have been consulted on the application and raise no objection, in terms of noise, dust and air quality impacts. The Highway Authority has been consulted on the application and raises no objection in terms of HGV movements. The Council's Senior Green Infrastructure Officer has been consulted on the application and raises no objection in terms of landscape impacts. The Council's Ecologist has been consulted on the application and raises no objection in terms of ecology impacts. Taking into account the above, and as detailed elsewhere in this report, it is considered that the proposal would not cause unacceptable cumulative impacts
- 7.86 It is therefore considered that this proposal is compliant with the relevant planning policy, and objectives of the NPPF.
- 7.87 Environmental Impact Assessment**

- 7.88 In accordance with the Town and Country Planning Environmental (Impact Assessment) Regulations 2017 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
- 7.89 **Responses to the representations received**
- 7.90 The application was advertised by means of neighbour notification letters, site notice, and an advertisement in the Eastern Daily Press newspaper. A number of concerns/objections were raised, and the response of this authority to those comments is discussed above in the 'Assessment' section of this report.
- 7.91 **Intentional Unauthorized Development**
- 7.92 Following the Chief Planner's letter of 31 August 2015 to planning authorities, intentional unauthorised development is now a material consideration in the determination of all planning applications received after 31 August 2015. This is therefore capable of being a material consideration in the determination of this application. In making unauthorised development a material consideration, the Government was particularly concerned about harm that is caused by intentional unauthorised development in the Green Belt.
- 7.93 In this instance the development has taken place on a site outside a defined Green Belt. The application is part retrospective, including an extension to the existing waste transfer station, demolition of a former waste recycling building and provision of outdoor processing plant. A local resident also comments that the application is retrospective in relation to extended operating hours.
- 7.94 Whilst regrettable, in this instance it is not felt that the part retrospective nature of the application would represent a ground for refusing planning permission for this development and no weight is given to this in the planning balance.
- 7.95 **The Community Infrastructure Levy**
The development is CIL liable.
- 7.96 **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.
- 7.97 In this instance it is not considered that there are local finance considerations material to this decision.

8. Resource Implications

- 8.1 **Finance:** The development has no financial implications from the Planning Regulatory perspective.
- 8.2 **Staff:** The development has no staffing implications from the Planning Regulatory perspective.
- 8.3 **Property:** The development has no property implication from the Planning Regulatory perspective.
- 8.4 **IT:** The development has no IT implications from the Planning Regulatory perspective.

9. Other Implications

9.1 Human rights

- 9.2 The requirements of the Human Rights Act 1998 must be considered. Should permission not be granted Human Rights are not likely to apply on behalf of the applicant.
- 9.3 The human rights of the adjoining residents are engaged under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission may infringe those rights but they are qualified rights, that is that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity. However, in this instance it is not considered that the human rights of adjoining residents would be infringed.
- 9.4 The human rights of the owners of the application site may be engaged under the First Protocol Article 1, that is the right to make use of their land. An approval of planning permission may infringe that right but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents.

9.5 Equality Impact Assessment (EqIA)

- 9.6 The Council's planning functions are subject to equality impact assessments, including the process for identifying issues such as building accessibility. None have been identified in this case.
- 9.7 **Legal Implications:** There are no legal implications from the Planning Regulatory perspective.
- 9.8 **Communications:** There are no communication issues from a planning perspective.
- 9.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.
- 9.10 **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

10. Section 17 – Crime and Disorder Act

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

11. Risk Implications/Assessment

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

12. Conclusion and Reasons for Granting of Planning Permission

- 12.1 Whilst it is considered that the development is a departure from the Development Plan, as detailed elsewhere in this report, it is considered that there are other material planning considerations which, on balance, justify a recommendation of approval for this development. These are outlined in the following paragraphs:-
- 12.2 As regards Breckland Core Strategy Policy CP 14, it is concluded that there are no significant environmental, landscape, conservation or highway impacts; Overall, it is considered, as detailed elsewhere in this report, that a case has been made by the applicant for extending the site to use some unallocated land, and there are no strong grounds for maintaining an objection in the context of Breckland Core Strategy policy DC 7; The proposal is considered to be consistent with the objectives of Breckland Core Strategy policy DC 20 because it seeks the change of use of an existing workshop building for maintenance/repair of vehicles, plant and equipment associated with an adjacent, established waste management business and, for continued private use; Given that the property no longer operates as a farm and the precedent for diversification from farm to waste management was established when planning permission for the existing waste transfer station was granted in 2001, it is considered that a case for refusal on grounds of conflict with Breckland Core Strategy Policy DC 21 would be difficult to substantiate;
- 12.3 The proposal involves recycling of waste, consistent with the overarching thrust of *National Planning Policy for Waste* in dealing with waste in a more sustainable manner, i.e. through driving waste management up the waste hierarchy
- 12.4 The extension onto greenfield land is not significant and would facilitate the implementation of additional landscaping to screen the site and help preserve the setting of the two nearby scheduled monuments. In addition, the proposal would allow the applicant to co-locate the extended area with their existing facility and would also create seven full-time jobs. Whilst the encroachment onto agricultural land is such that the proposal would conflict with NMWLDF CS policy CS 6, it is concluded that a case has been made by the applicant for extending the site onto unallocated land, and there are no strong grounds for maintaining an objection in the context of this policy.
- 12.5 Subject to the implementation of appropriate conditions, it is considered that the proposal would not create any adverse impacts. There are no material considerations that indicate that the application should be refused

13. Conditions

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

- Location Plan; Dwg No. W(BS)1(1) Rev C; dated 11.10.18
- Proposed Site Layout Plan; Dwg No. W(BS)1(2) Rev D; dated 15.8.18
- Arboricultural Impact Assessment; Drawing Number 270116/01 Rev B; dated 11.09.2018
- Arboricultural Impact Assessment – Passing Places; Drawing Number 270116/02; dated 11.09.2018
- Canopy Plan and Elevation; Drawing No. CPS-654-02 Issue A; dated 16/10/2015
- Proposed Plan View; Drawing No. CPS-750 Issue B; dated 15/02/2018
- Besthorpe - Elevations of Recycling Building; Appendix C; dated 27/06/2016
- Besthorpe - Elevations of Workshop Building; Appendix D; dated 01/07/2016
- Besthorpe - Elevations of Storage Bays; Appendix F; dated 27/06/2016
- External Lighting Scheme Rev B; Appendix H; dated 11.10.18
- Surfacing and Drainage Arrangements; Drawing No. 1022-005-01 Revision 02; dated 04/08/16
- Besthorpe - Proposed Recycling Building (Roof Plan); Appendix K; dated 06/11/2018; received 7th November 2018

- Planning Statement; unreferenced; prepared by Stephen M Daw Ltd; dated September 2018
- Document entitled Photographs of Weighbridge; unreferenced; undated
- Document entitled KK 500 SA Semi-Automatic Baler; unreferenced; prepared by KK Balers Ltd; undated
- E-mail from Abel Energy to Stephen M Daw MRICS in relation to Scheme of Renewable Energy Generation; dated 29 September 2016 12:06 hours
- except as modified by the provisions of the e-mail from Stephen M Daw to NCC dated 17 May 2019 11:09 hours, the Lorry Management Plan; unreferenced; prepared by Stephen M Daw Limited; dated May 2019; received 7 May 2019

- Transport Statement – Revision C; reference MA/AF/AR/P15-987/01 Rev C; prepared by Create Consulting Engineers Ltd; dated 03.05.19; received 7 May 2019
- Noise Impact Assessment; reference IEC/3237/01A/AVH; prepared by Independent Environmental Consultancy Limited; dated 18 September 2018
- Dust Assessment; reference IEC/3237/02A/AVH; prepared by Independent Environmental Consultancy Limited; dated 18 September 2018
- the restoration and management measures detailed in the Ecology, Landscape and Visual Impact Appraisal; reference 2017-08 R1; prepared by Philip Parker Associates; dated 18th September 2018
- Supplementary Statement; unreferenced; prepared by Stephen M Daw Ltd; dated April 2019; received 8 April 2019
- the noise mitigation measures detailed in the Technical Memorandum; Reference IEC3237; prepared by IEC; dated 3 April 2019; received 8 April 2019

- the skip lorries noise mitigation measures detailed in the untitled document; Appendix O; undated; received 7 May 2019

- Letter from Stephen M Daw Limited to Norfolk County Council; reference W(BS)1; dated 7th November 2018; received 7th November 2018

- E-mail from Stephen M Daw to NCC in relation to arboriculture dated 12 February 2019 10.39 hours

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

- 13.2 Notwithstanding the details indicated on submitted Drawing Numbers 03/001 Revision C, dated 03.12.19 and 03/002 Revision C, dated 03.12.19, within six months of the date of this permission a detailed scheme for the off-site highway improvement works as indicated on Drawing Numbers 03/001 Revision C and 03/002 Revision C shall be submitted to the County Planning Authority for its approval in writing, in consultation with the Highway Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor, to accord with the Norfolk Minerals and Waste Core Strategy policies CS15 and DM10.

- 13.3 Within nine months of the date of this permission, the off-site highway improvement works shall be constructed in accordance with the scheme approved pursuant to condition no. 2 of this permission.

Reason: To ensure that the highway network is adequate to cater for the development proposed, to accord with the Norfolk Minerals and Waste Core Strategy policies CS15 and DM10.

- 13.4 Notwithstanding Condition 1 [plans], the landscaping scheme hereby approved shall be implemented within the first planting season (October to March), following the date of this permission. It shall make provision for re-seeding and re-planting where failures or damage occur within a period of five years from the date of initial planting. Any damaged or dead trees shall be replaced with trees of similar size and species at the next appropriate planting season.

Reason:

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

- 13.5 Notwithstanding the approved plans, prior to the installation of the Solar PV panels details specification of the proposed Solar PV panels shall be submitted to and approved in writing by the County Planning Authority. The Solar PV panels shall thereafter be installed in accordance with the approved details.

Reason:

To ensure the satisfactory appearance of the development, in accordance with Policy DM8 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

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

Reason: To control possible future development which would otherwise be permitted but which may have a detrimental effect on amenity or the landscape, in accordance with Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

- 13.7 Prior to completion of the off-site highway improvement works, pursuant to conditions 2 and 3 of this permission, no more than 11,440 tonnes of waste shall be brought onto the site per annum. Upon completion of the off-site highway improvement works, no more than 24,999 tonnes of waste shall be brought onto the site per annum.

Reason:

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

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

Reason:

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

- 13.9 No waste materials other than those listed within the application form and the Planning Statement dated September 2018 submitted with the application shall be handled at the site. There shall be no acceptance of any hazardous waste.

Reason:

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

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

Reason:

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

DPD 2010-2026.

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

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.

- 13.12 No operation authorised or required under this permission, including the movement of vehicles and operation of any plant, shall take place on Sundays or public holidays, or other than during the following periods:
07.00 - 18.00 Mondays to Fridays
07.00 - 13.00 Saturdays.

save that, a maximum of four vehicles may exit the site during the following periods:

06.00 - 07.00 Mondays to Fridays
06.00 - 07.00 Saturdays.

Reason:

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

- 13.13 No material shall be stacked or deposited on the site such that its height exceeds three metres above its base level.

Reason:

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

- 13.14 Skips shall not be stacked or deposited on the site to a height exceeding 4.0 Metres

Reason:

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

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

Reason:

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

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

Reason:

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

Background Papers

Norfolk Minerals and Waste Local Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (2011)

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

Breckland Core Strategy and Development Control Policies (2009):

<https://www.breckland.gov.uk/article/7298/Core-Strategy-and-Development-Control-Policies-Development-Plan-Document>

Breckland Local Plan: Regulation 19 Pre-Submission Publication - Emerging policies

https://www.breckland.gov.uk/media/4486/Pre-Submission-Publication-Part-1/pdf/Breckland_Local_Plan_Pre-Submission_Publication_Part1.pdf?m=636385622315970000

https://www.breckland.gov.uk/media/4487/Pre-Submission-Publication-Part-2/pdf/Breckland_Local_Plan_Pre-Submission_Publication_Part2.pdf?m=636385622565870000

http://consult.breckland.gov.uk/portal/planningpolicy/main_modifications_1/main_modifications_to_the_local_plan?pointId=4925019#document-4925019

The National Planning Policy Framework (NPPF) (2019)

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

Planning Practice Guidance (2014)

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

National Planning Policy for Waste (2014):

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

Waste Management Plan for England (2013)

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

Government's Ministerial Statement on Intentional Unauthorized Development

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457632/Final_Chief_Planning_Officer_letter_and_written_statement.pdf

Officer Contact

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

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Email address : andrew.harriss@norfolk.gov.uk



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

