



**Norfolk** County Council

## **Norfolk Minerals and Waste Development Framework**

### **Monitoring Report 2021-2022**

- Implementation of the Minerals and Waste Development Scheme
- Policy Performance
- Monitoring and Enforcement

December 2022



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# 1. Introduction

Section 35 of the Planning and Compulsory Purchase Act 2004 (amended by the Localism Act 2011) requires every local planning authority to produce a monitoring report (MR). The Monitoring Report should contain information on the implementation of the Minerals and Waste Development Scheme (MWDS), the extent to which the policies set out in Local Development Documents are being achieved. The publication of this Monitoring Report covers the period from 1 April 2021 to 31 March 2022.

This publication contains information on actions taken by the Mineral and Waste Planning Authority during the period covered by the Monitoring Report, to meet the Duty to Co-operate requirements contained within the Localism Act 2011. This information is included as required by the Town Planning & Compulsory Purchase (Local Plan) Regulations 2012, Part 8.

Progress on document production will be monitored against the milestones in the Local Development Scheme. As well as reporting on the progress of the Local Development Framework, this Monitoring Report will also report on the effectiveness of consultations undertaken during the reporting period.

The Monitoring Report covers the performance of the policies in the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD ('the Core Strategy') which was adopted in September 2011. This includes information such as the number of times a policy has been used in determining a planning application, policies that were used in refusing an application and also the outcomes of any appeals.

The progress of monitoring and enforcement of minerals and waste sites is also reported in the Monitoring Report. This section includes information on monitoring, inspections, liaison meetings, enforcement action and aftercare programmes undertaken by Norfolk County Council.

The Monitoring Report contains the following main sections covering the period April 2021 to March 2022:

- Review of the Norfolk Minerals and Waste Development Scheme (MWDS)
- Policy Performance, including a review of policy implementation
- Monitoring and enforcement
- Minerals data is reported in the Local Aggregate Assessment and Silica Sand Assessment (separate document)
- Waste management data is reported in a separate Waste Data monitoring report

## 2. Review of the Minerals and Waste Development Scheme

### 2.1 Minerals and Waste Development Scheme (MWDS)

The MWDS (August 2019) sets out the timetable for producing the minerals and waste planning policy documents which form Norfolk’s Minerals and Waste Local Plan.

The Norfolk ‘Core Strategy and Minerals and Waste Development Management Policies Development Plan Document’ was adopted by Norfolk County Council in September 2011. The Minerals Site Specific Allocations DPD and the Waste Site Specific Allocations DPD were both adopted in October 2013.

A review of each DPD should be undertaken five years after adoption. A joint review of all three of the adopted DPDs is being carried out to ensure that the policies within them remain up-to-date, to extend the plan period to 2038 and to consolidate the three existing DPDs into one Norfolk Minerals and Waste Local Plan (NM&WLP), in accordance with national planning policy. The timetable for the production of the Minerals and Waste Local Plan is contained in the MWDS and in Table 2 below:

**Table 2: Comparison of MWDS timetable for the NM&WLP production with actual and anticipated production date**

Stage	Date timetabled in the Development Scheme	Actual date produced/ anticipated production date
<b>Preparation of Local Plan Consultation (Regulation 18 Stage)</b>	Initial Consultation: June to July 2018 Preferred Options Consultation: Aug to Sept 2019	Initial Consultation: June to August 2018 Preferred Options Consultation: September to October 2019
<b>Pre-Submission representations period (Regulation 19 Stage)</b>	May to June 2020	October / November 2022
<b>Submission (Regulation 22)</b>	September 2020	December 2022
<b>Hearing commencement (Regulation 24)</b>	January 2021	April 2023
<b>Inspector’s report</b>	July 2021	October 2023
<b>Adoption (Regulation 26)</b>	September 2021	December 2023

The first public consultation stage on the NM&WLP took place in July and August 2018. The Preferred Options Consultation on the NM&WLP took place in September and October 2019. The Pre-Submission representations period was planned to take place in May and June 2020 but is now expected to take place in October/November 2022. This delay was due to several factors including: the large volume of responses (over 5,600) received to the Preferred Options Consultation, an increase in mineral safeguarding workload providing consultation responses to non-mineral planning applications submitted to Local Planning Authorities, and the Covid-19 pandemic.

This delay in the Pre-Submission stage will have a knock-on effect on all the remaining stages of the new NM&WLP. A revised timetable is shown in Table 2 above. Due to the differences between the adopted 2019 Scheme and the expected production dates of the new NM&WLP, a revised Local Development Scheme was prepared and adopted in October 2022.

## 2.2 Consultation Participation and Response

### **Norfolk Minerals and Waste Local Plan review process**

In this reporting period (April 2021 to March 2022) no consultations took place on the Norfolk Minerals and Waste Local Plan.

## 2.3 Duty to Co-operate

The Town and Country Planning (Local Planning) Regulations 2012 (part 8) states that the local planning authority's monitoring report must give details of what action they have taken during the period covered by the report in relation to the Duty to Co-operate. Details of the relevant cooperation that has taken place during 2021/22 are therefore provided below.

The council is inclusive throughout the plan making process, engaging and co-operating with neighbouring authorities, undertaking of public consultation exercises and working closely with key stakeholders. The council considers this process of engagement to be on-going. In 2021/22 no consultations took place on the Norfolk Minerals and Waste Local Plan. However, the council has responded to consultations and directly engaged on minerals and waste plans prepared by neighbouring authorities.

### **Waste**

In addition to formal consultation processes, the County Council, as Minerals and Waste Planning Authority, maintains liaison with its peer authorities in the (formerly defined) East of England Region through quarterly meetings of the East of England Waste Technical Advisory Body (EEWTAB).

In addition to the County Councils adjacent to Norfolk in the East of England (Suffolk and Cambridgeshire), the meetings of the EEWTAB include representatives of Essex and Hertfordshire County Councils, Central Bedfordshire, Bedford Borough, Luton, Thurrock, Southend-on-Sea and Peterborough Councils. The EEWTAB is also attended by the Environment Agency, a representative of the South East Waste Planning Advisory Group, and a secretary/coordinator who also attends meetings of the London WTAB and the South East Waste Planning Advisory Group.

### **Minerals**

In addition to formal consultation processes, the County Council, as Minerals and Waste Planning Authority, maintains liaison with its peer authorities in the (formerly defined) East of England Region through 6-monthly (as a minimum or as required) meetings of the East of England Aggregates Working Party (EEAWP).

In addition to the County Councils adjacent to Norfolk in the East of England (Suffolk and Cambridgeshire), the meetings of EEAWP include representatives of Essex and Hertfordshire County Councils, Central Bedfordshire, Bedford Borough, Luton, Thurrock, Southend-on-Sea and Peterborough Councils. The EEAWP also includes a representative of DCLG, the London Aggregates Working Party, and the South East Aggregates Working Party. The data and information collected by EEAWP from its constituent MPAs is collated and published in Annual Monitoring Reports (AMR). The Secretariate to the EEAWP is currently provided by David Jarvis Associates. Relevant information concerning the EEAWP, including Annual Monitoring Reports, is available on David Jarvis Associates' website: [East of England AWP – David Jarvis Associates](#)

## Norfolk

Meetings of a **Norfolk Strategic Planning Group** take place on a monthly basis, involving officer representatives from the County Council, the Norfolk District/Borough Councils, Norwich City Council, and the Broads Authority, to consider strategic planning policy issues including minerals and waste.

The purpose of the group's meetings is to share information and good practice, and to liaise over the production of local plans. This group provides the officer support to produce the Norfolk Strategic Planning Framework (NSPF). The NSPF is a non-statutory framework produced to provide a structure for addressing strategic planning issues on behalf of all local planning authorities in Norfolk. In addition to this group, meetings are held between the County Council and individual LPAs to discuss strategic planning issues including minerals and waste, and to liaise over the planning and provision of services by the County Council.

A quarterly **Norfolk Strategic Planning Member Forum** has been meeting since October 2013. The purpose of the forum is to ensure that the requirements of the Duty to Cooperate, when preparing development plans, is discharged in a way which enhances the planning of strategic matters and minimises the risk of unsound plans. The forum membership includes the portfolio holders for Planning (or equivalent) in Norfolk's Local Planning Authorities, with an open invitation to attend for the planning portfolio holders and officers of Suffolk, Cambridgeshire and Lincolnshire authorities. The Forum is chaired by a councillor elected by the forum on an annual basis.

The terms of reference of the Norfolk Strategic Planning Member Forum (as agreed in December 2017) state that the specific activities that the Forum will undertake are:

- Identify spatial planning issues of strategic importance that impact on more than one local planning area across Norfolk and a wider geographical area where appropriate to do so and provide the basis for working collaboratively within, and outside, of the 'core group' across a range of organisations and geographies as might be appropriate to address cross boundary strategic issues.
- Recommend the most appropriate land use planning approach to better integration and alignment of strategic spatial planning across Norfolk and a wider geographical area where appropriate.
- Provide the evidence that the Local Planning Authorities are working 'constructively, actively and on an ongoing basis' on strategic planning matters to support delivery of Local Plans which will be able to be assessed as 'sound'.
- With the agreement of member authorities, oversee the joint commissioning and preparation of evidence necessary to determine the most appropriate strategic spatial approach to cross boundary issues.
- Produce an evidenced (documented) approach to cooperation across strategic cross boundary issues at a Member level and throughout the process of Local Plan preparation.
- Undertake any consultations which from time to time may be deemed appropriate to further the work of the Forum.
- Provide, through the individual Members of the Core Group, liaison in respect of Norfolk strategic planning matters with each of the local authorities represented in the Forum.

### **The Specific Outcomes of the Norfolk Strategic Member Forum are:**

- The timely production, maintenance and publication of an evidence base sufficient to address cross boundary strategic land use issues, to identify where such issues arise and recommend actions to the member authorities to address them.
- The preparation, agreement and updating of a single non-statutory shared strategic framework document (the Norfolk Strategic Planning Framework) to inform Local Plan preparation covering any cross boundary strategic land use issues.
- The preparation, agreement and publication of Statements of Common Ground, Duty to Cooperate Statements and Memorandums of Understanding on behalf of, and as agreed by, the member Authorities.
- The local authorities represented in the Forum are suitably aware and supportive of the Forum's activities and engaged in identifying and addressing Norfolk strategic planning matters.

### **Local Plan meetings between Norfolk County Council and Norfolk's Local Planning Authorities**

These meetings have been held since 2004 to allow discussions regarding the current Local Plan situation in each Local Planning authority, to ensure that the parties to the meeting are aware of potential issues and to promote meaningful dialogue. The Mineral and Waste Planning Authority has been attending since 2011. The meetings are held on a six-monthly basis. The meeting consists of officers of Norfolk County Council in its capacity as the Mineral and Waste Planning Authority, Highway Authority, Local Education Authority, Lead Local Flood Authority, Public Health Authority, the Infrastructure and Economic Growth Team, and the Local Planning Authority.

### **During 2021/22 financial year**

During the 2021/22 financial year no consultations took place on the Norfolk Minerals and Waste Local Plan. However, co-operation with other relevant planning authorities continued through participation in:

- Norfolk Strategic Planning Group
- Norfolk Strategic Planning Member Forum
- East of England Aggregates Working Party
- East of England Waste Technical Advisory Body
- Consultations on minerals and waste plans prepared by neighbouring authorities and other relevant planning authorities

Silica sand is a nationally important industrial mineral, which is also scarce within England. Resources occur in scattered locations across the country. The silica sand in Norfolk is predominately used in glass manufacturing plants in northern England. Therefore, correspondence regarding silica sand has continued with Mineral Planning Authorities where silica sand resources or manufacturing plants occur. These MPAs include North Yorkshire, Staffordshire, Surrey, Kent, Nottinghamshire, Lincolnshire, North Lincolnshire, Worcestershire, Central Bedfordshire, Essex, Cheshire East Council, South Downs National Park and West Sussex.



### 3. Policy Implementation 2021-2022

#### 3.1 Summary of Policy used in Reasons for Approval/Refusal

On 26 September 2011, the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD (the 'Minerals and Waste Core Strategy') was adopted and this document contains the relevant local policies used to determine minerals and waste planning applications.

There were 24 planning applications for minerals and waste development determined between 1 April 2021 and 31 March 2022. 20 of these applications were approved and 4 applications were refused. The policies referred to in the reasons for approval or refusal were as follows:

#### **Core Strategy and Minerals and Waste Development Management Policies DPD (adopted September 2011)**

<b>Policy Number</b>	<b>Policy Description</b>	<b>Number of Times Used: Approval</b>	<b>Number of Times Used: Refusal</b>
CS1	Minerals Extraction	8	0
CS2	Locations for Mineral Extraction	7	0
CS3	Waste Management Capacity	5	0
CS4	New Waste Management Capacity	5	0
CS5	Location of Waste Management Facilities	11	1
CS6	Waste Management Considerations	11	4
CS7	Recycling, Composting, Anaerobic Digestion and Waste Transfer Stations	11	2
CS8	Residual Waste Treatment	1	0
CS9	Inert Waste Landfill	1	0
CS10	Non-Hazardous and Hazardous Waste Landfill	0	0
CS11	Waste Water and Sewage Facilities	2	0
CS12	Whitlingham Waste Water Treatment Works	0	0
CS13	Climate Change and Renewable Energy	17	0
CS14	Environmental Protection	20	4
CS15	Transport	18	2
CS16	Safeguarding Sites	4	0
CS17	Secondary and Recycled Aggregates	1	0
DM1	Nature Conservation	18	0
DM2	Core River Valleys	0	0
DM3	Groundwater and Surface Water	18	0
DM4	Flood Risk	17	0
DM5	Borrow Pits and Water Reservoirs	0	0
DM6	Household Waste Recycling Centres	0	0

Policy Number	Policy Description	Number of Times Used: Approval	Number of Times Used: Refusal
DM7	Safeguarding Aerodromes	8	0
DM8	Design, Local Landscape and Townscape Character	20	2
DM9	Archaeological Sites	12	0
DM10	Transport	18	2
DM11	Sustainable Development	10	0
DM12	Amenity	20	3
DM13	Air Quality	11	1
DM14	Progressive Working, Restoration and Afteruse	11	0
DM15	Cumulative Impacts	10	1
DM16	Soils	8	0

On 28 October 2013, the Norfolk Minerals Site Specific Allocations DPD (MSSA DPD) and the Norfolk Waste Site Specific Allocations DPD (WSSA DPD) were adopted. These documents contain local policies used to determine minerals and waste planning applications located at the specific sites allocated in these plans.

### **Waste Site Specific Allocations DPD**

One new planning permission was granted in 2021/22 on land allocated as a specific site for waste management in the Waste Site Specific Allocations DPD:

- Planning permission was granted in June 2021 for the extraction of sand and gravel from land at Mayton Wood with progressive restoration through the importation of a total of 900,000 cubic metres of inert waste over 15 years. The site is allocated for inert landfill for the duration of mineral extraction in Policy WAS 68.

### **Minerals Site Specific Allocations DPD**

Three new planning permissions were granted in 2021/22 on land allocated as specific sites for minerals extraction in the Minerals Site Specific Allocations DPD:

- Planning permission was granted in May 2021 for the extraction of 0.65 million tonnes of sand and gravel from an eastern extension to Horstead Quarry which is allocated for mineral extraction in Policy MIN 64.
- Planning permission was granted in June 2021 for the extraction of 1.45 million tonnes of sand and gravel from land at Mayton Wood which is allocated for mineral extraction in Policy MIN 37.
- Planning permission was granted in August 2021 for the extraction of 1.094 million tonnes of silica sand extraction from land at Mintlyn South, Leziate which is allocated for mineral extraction in Policy SIL 01.

In addition, planning permission was granted in August 2021 for the extraction of an additional 3.745 million tonnes of sand and gravel from land which would form a northern extension to Stanninghall Quarry at Horstead. This site is not allocated in the adopted Minerals SSA DPD but is considered suitable for allocation in both the Preferred Options and Pre-Submission versions of the emerging Norfolk Minerals and Waste Local Plan.

### 3.2 Refused Applications

Four planning applications for minerals or waste developments were refused approval due to non-compliance with policy in the period between 1 April 2021 and 31 March 2022.

<b>Location / Planning App. Ref.</b>	<b>Proposal</b>	<b>Policies used in grounds for refusal</b>
Land at Mill Drove, Blackborough End, King's Lynn, PE32 1SW  FUL/2020/0044	Proposed change of use of former quarry to proposed inert waste recycling facility with associated access and ancillary infrastructure including a workshop, hardstanding, car parking, storage areas, an office, weighbridge and access.	CS6 – waste management considerations CS7 - recycling, composting, anaerobic digestion and waste transfer stations CS14 – environmental protection CS15 – transport DM10 - transport DM12 - amenity DM15 – cumulative impacts
Land adjacent to the Barn, Heron Farm, Bunwell Road, Besthorpe, Attleborough, NR17 2LN  FUL/2020/0062	Change of use of land from open air storage (plant, materials and aggregates in connection with the operations of Newall Plant Ltd) to aggregate and soil recovery facility	CS6 – waste management considerations CS14 - Environmental protection DM8 – Design, local landscape and townscape character
Gamble Plant (Norfolk) Ltd, Salhouse Road, New Rackheath, Norwich,  FUL/2020/0064	Retrospective application for a change of use to a Sui Generis use for the storage of top soil, sub-soil, recycled construction materials, brick rubble, old fencing, green waste and concrete and construction and demolition waste processing/recycling, the siting of mobile processing plant, offices, associated infrastructure and the construction and amenity bunds and landscaping	CS6 – waste management considerations CS14 – Environmental protection DM8 - Design, local landscape and townscape character DM12 - Amenity
Lagoons at Ugate Road, Seething  FUL/2019/0031	Use of three lagoons to store organic liquid waste	CS5 - location of waste management facilities CS6 – waste management considerations CS7 – recycling, composting, anaerobic digestion and waste transfer stations CS14 – environmental protection CS15 - transport DM10 -transport DM12 - amenity DM13 – air quality

**FUL/2020/0044 – NB Construction UK Limited, Land at Mill Drove,  
Blackborough End, King’s Lynn, PE32 1SW**

Proposed change of use of former quarry to proposed inert waste recycling facility with associated access and ancillary infrastructure including a workshop, hardstanding, car parking, storage areas, an office, weighbridge and access.

The reasons for refusal listed on the decision notice are as follows:

1. As a restored former quarry the site now holds countryside status and therefore it is not brownfield land or any of the other types of suitable land listed for waste management within Norfolk Minerals and Waste Development Framework (NM&WDF) Core Strategy Policy CS6 and its development for a permanent waste management facility would consequently be contrary to Policy CS6. Furthermore, the applicant has not demonstrated the need for the site at this location and the proposal would therefore this reason additionally be contrary to the National Planning Policy for Waste (NPPW 2014)
2. The proposal is remote from the main distributor road network conflicting with the aims of sustainable development and the need to minimise travel, as represented in national and local policy. The application is therefore contrary to NM&WDF Core Strategy Policy DM10: Transport and King’s Lynn & West Norfolk Borough Council Local Development Framework (KL&WNBC LDF) - Core Strategy Policies CS01, CS02, CS06 and CS11.
3. The public highway serving the site is considered to be inadequate to serve the development proposed, by reason of its poor alignment/restricted width/lack of passing provision/lack of pedestrian footways. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety, contrary to NM&WDF Core Strategy Policies CS15, DM10 and DM15, and also KL&WNBC LDF - Core Strategy Policy CS11, Borough of King’s Lynn & West Norfolk Site Allocations and Development Management Policies Plan (Adopted September 2016) Policy DM12, paragraphs 110-112 of the National Planning Policy Framework (NPPF) (2021) and paragraph 7 and Annex B of the NPPW.
4. Insufficient information has been submitted with the application to determine that it is acceptable in terms of its amenity impacts, and particularly its noise impacts and therefore that it is compliant with the NM&WDF Core Strategy Policies CS7, CS14, CS15 and DM12, Borough of King’s Lynn & West Norfolk Site Allocations and Development Management Policies Plan (Adopted September 2016) Policy DM15, paragraphs 174 & 185 of the NPPF (2021) and paragraph 7 and Annex B of the NPPW.

**FUL/2020/0062 - Newall Plant Ltd, Land adjacent to the Barn, Heron Farm,  
Bunwell Road, Besthorpe, Attleborough, NR17 2LN**

Change of use of land from open air storage (plant, materials and aggregates in connection with the operations of Newall Plant Ltd) to aggregate and soil recovery facility

The reasons for refusal listed on the decision notice are as follows:

1. The development would have an unacceptable adverse impact upon the landscape character and visual amenity of the area, with a negative impact upon the rural countryside location and the adopted Landscape Character Assessment. The LVIA accompanying the application uses a baseline for the landscape assessment which is unauthorised owing to the perimeter bunds not being built in accordance with the district council permission. The assessment is therefore misleading in that the landscape impact would be greater than that identified should the district council seek to regularise the bunds. The development would therefore not be in accordance with NMWDF Core Strategy Policies CS6, CS14 and DM8, and Breckland Local Plan Policies GEN 01 and ENV 05.
2. The applicant has not demonstrated that any soft landscaping could be provided as part of this application to further mitigate the impact on landscape, owing to the inconsistencies between plans with particular reference to the red line site location plan and the topographical/proposed site layout plan submitted with the application. The proposals in this respect would be contrary to NMWDF Core Strategy Policies CS14 and DM8 and Breckland Local Plan Policies GEN 01 and ENV 05, in that officers are unable to assess if any additional landscaping could be secured as part of this application and any associated benefits which it may have.

**FUL/2020/0064 - Gamble Plant (Norfolk) Ltd, Salhouse Road, New Rackheath, Norwich**

Retrospective application for a change of use to a Sui Generis use for the storage of topsoil, sub-soil, recycled construction materials, brick rubble, old fencing, green waste and concrete and construction and demolition waste processing/recycling, the siting of mobile processing plant, offices, associated infrastructure and the construction and amenity bunds and landscaping

The reason for refusal listed on the decision notice is as follows:

The development would have an unacceptable adverse impact upon the landscape character and amenity, both visual and residential, of the area, with a negative impact upon the rural countryside location, contrary to the Norfolk Minerals and Waste Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010- 2026, Policies CS6, CS14, DM8 and DM12.

**FUL/2019/0031 – Whites Recycling Limited, Lagoons at Uppgate Road, Seething**

Application for the use of three lagoons to store organic liquid waste

The reasons for refusal listed on the decision notice are as follows:

1. The information submitted with the application is inadequate and has failed to demonstrate that the site can be operated without giving rise to unacceptable highway safety impacts and adverse impacts on the capacity of the local highway network and cannot therefore be considered to be compliant with the Norfolk Minerals and Waste Development Framework (NM&WDF) Core Strategy Policies CS5, CS7, CS15 and DM10, the South Norfolk Local Plan Development Management Policies Document Policy DM3.11, the NPPF paragraphs 110-113

and the NPPW, paragraph 7 and Appendix B (Location Criteria – Paragraph (f) Traffic and Access).

2. The information submitted with the application is inadequate and has failed to demonstrate that the site can be operated without giving rise to unacceptable impact in terms of noise (and vibration) impacts and disturbance and therefore that it would be acceptable in terms of its amenity impacts on the residential properties along the proposed lorry route to and from the B1332 and elsewhere, and cannot therefore be considered to be compliant with the Norfolk Minerals and Waste Development Framework (NM&WDF) Core Strategy Policies CS6, CS7, CS14 and DM12 and DM13, the South Norfolk Local Plan Development Management Policies Document Policies DM 1.4, DM3.13 and 3.14, the NPPF paragraphs 130, 174, 185 and 1883 and the NPPW, paragraph 7 and Appendix B (Location Criteria Page 2 of 3 - Paragraph (g) air emissions, including dust, and Paragraph (j) noise, light and vibration.

### 3.3 Appeals

One planning appeal was determined in the period between 1 April 2021 and 31 March 2022.

**Location:** Monk Plant Hire Ltd, Waste recycling centre, Stone Road, Hockering, Dereham, NR20 3PZ

**Planning application reference:** FUL/2020/0016

**Proposal:** Variation of conditions 20 and 21 of permission reference C/3/2017/3002 to relax restrictions on the stockpiling of materials and operation of mobile plant.

The appeal was made against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990. Section 73 allows an application to be made so that a development can be carried out without complying with one or more of the conditions attached to the original planning permission. The planning application was to vary Condition 20 to increase stockpile levels from 63.18 AOD to 65.88 AOD (5m Above Ground Level to 7.5m AGL) and to vary Condition 21 to allow mobile plant and machinery to operate above original ground level to a maximum height of 63.18 AOD (5m AGL).

The reason given for the refusal in the decision notice dated 11 June 2020 was as follows:

1. Norfolk Minerals and West Development Framework Core Strategy (NMWDF) (2011) Policy CS14 states that there should be no unacceptable adverse impacts on, and ideally improvements to the character and quality of the local landscape or residential amenity. NMWDF (2011) Policy DM8 states that development will only be permitted where the development will not harm or prevent the enhancement of key characteristics of its surrounding with regard to the character of the landscape. Breckland Local Plan (2019) Policy ENV05 states that development will be expected to contribute and where possible enhance the local environment and should have particular regard to maintaining aesthetic qualities of natural and man-made features in the landscape. In this instance, both the increase in the height of the allowed stockpiles and the operation of plant at a higher level is considered unacceptable in relation to the impact on both the local

landscape and visual amenity given the low lying and flat arable landscape and its connection to wooded areas of the wider landscape. The proposal is therefore a departure from the Development Plan, and there are not material considerations in this instance that justify approval of the application.

In relation to Condition 20, the Planning Inspector concluded that "in this case, the changes caused by increasing the height of stockpiles from 63.18 AOD to 65.88 AOD (5m AGL to 7.5m AGL) is significant and has caused adverse detriment to the character and appearance of the locality and the surrounding landscape. In this particular instance and in conclusion on this matter, Condition 20 which limits the subject stockpiles to 5m AGL (63.18 AOD) is necessary and reasonable in order to avoid unacceptable adverse impacts to the surrounding landscape. Consequently the proposal to vary condition 20 to allow increase stockpile heights would be in conflict with Norfolk Minerals and Waste Development Framework Core Strategy 2011 (NMWDF) Policy CS14 (which seeks that there are no unacceptable adverse impacts towards the character and quality of the landscape); Policy DM8 (which seeks that development would not harm the conservation of, or prevent the enhancement of key characteristics of its surroundings in terms of character and landscape). The proposal would also be in conflict with Breckland Local Plan 2019 (BLP) Policy ENV05 (which seeks that development have regard to the aesthetic and biodiversity qualities of the natural and manmade features within the landscape)."

In relation to Condition 21 the Planning Inspector concluded that "I find that Condition 21 is reasonable and necessary in order to avoid adverse impacts to the surrounding landscape. Consequently, the proposed variation of the condition to allow mobile plant and machinery to operate on the stockpiles would cause unacceptable adverse impacts towards the surrounding landscape and be contrary to NMWDF Policies CS14 and DM8; and also Breckland Local Plan Policy ENV05.

The Planning Inspector dismissed the appeal on 10 May 2021.

### **3.4 Applications approved contrary to Policy**

The following two planning applications were granted approval contrary to policy in the period between 1 April 2021 and 31 March 2022:

**FUL/2021/0052** Land adjoining Longham Heath and Spreadoak Plantation, Bittering Quarry, Reed Lane, Bittering, Dereham

Relocation of inert recycling facility from existing position within the Longham extraction area onto land designed to serve the Spreadoak extraction area (Raymond McLeod (Farms) Ltd).

**FUL/2021/0051** Bittering Quarry (Plant Site), Reed Lane, Bittering, Dereham, NR19 2QS

Use of land for the storage of inert processed secondary aggregate produced at new Spreadoak recycling facility until 31 December 2031 without compliance with conditions 1 (restoration date) and 2 (approved documents) and 3 (source of recycled aggregate) of permission reference FUL/2021/0004 (McLeod Aggregate Ltd).

The applications were considered concurrently as they were inherently linked. The Planning officer's recommendation in the Planning (Regulatory) Committee report was for both applications to be refusal on the following grounds:

**FUL/2021/0052**

1. The proposed site for the recycling facility is in open countryside on agricultural land and not within an active mineral working. The County Planning Authority is of the opinion that the facility can be accommodated either within the existing extensive plant site or the new Spreadoak quarry to the south. The proposal is therefore contrary to the Norfolk Minerals and Waste Development Framework policy CS6: 'General waste management considerations' which seeks to locate sites only at existing mineral workings.
2. The proposed site falls on existing agricultural land however the applicant has not provided a Soil and Land Quality Survey to distinguish the exact soil classification but acknowledged that it is likely to be Best and Most Versatile (BMV) agricultural land. The proposal does not therefore accord with Norfolk Minerals and Waste Development Framework policy DM16: 'Soils' which seeks to direct waste management away from BMV agricultural land.

**FUL/2021/0051**

1. On the basis that application reference FUL/2021/0052 has been refused, there is no source of recycled aggregates to store or sell, and therefore no need or justification to extend the period of operation of this facility at this location. It would therefore not be suitable to locate this development at the remote location in the countryside.

The applications were approved by the Planning (Regulatory) Committee on the grounds that moving waste up the hierarchy outweighed the loss of agricultural land.



## 4. Monitoring the implementation of the Core Strategy and Development Management Policies

The Core Strategy and Minerals & Waste Development Management Policies DPD was adopted in September 2011. Chapter 8 of the Core Strategy details the indicators to be used to monitor the effectiveness of the Core Strategy and Development Management policies. For consistency with the other sections of this monitoring report, the data in the following table is for the period up to the end of March 2020.

Data on the number of sites located within the specified proximity of environmental and landscape designations are for safeguarded sites only. Safeguarded mineral and waste sites are those considered to be significant enough to the county's mineral or waste capacity that they should be offered a degree of protection under policy CS16. This means that smaller sites are not currently included in the assessment of these indicators.

Please Note:

- Some safeguarded sites were granted permission prior to the Core Strategy being adopted. Therefore, these historic applications would have been determined against the policies relevant at that time and may not fully reflect current policies or indicators.
- Although some sites may be within the indicator distance of environmental designations etc this does not indicate that an adverse effect on the designations is expected.
- Where an indicator refers to adjacency, this is taken to be 250 metres. 250 metres is the standard consultation distance used in Core strategy policy CS16-safeguarding.

Objective	Relevant policies	Indicator	Performance
1. Ensure steady and adequate provision of primary, and increasingly recycling and secondary minerals to meet requirements	CS1	Landbank for sand and gravel Landbank for carstone Landbank for silica sand Annual production of sand and gravel (tonnes) Annual production of carstone (tonnes) Annual production of silica sand (tonnes)	Performance against these indicators will be reported in the Local Aggregate Assessment and Silica Sand Assessment
1. Ensure steady and adequate provision of primary, and increasingly recycling and secondary minerals to meet requirements	CS17	Number of district council Local Plans containing a policy in accordance with CS17: use of secondary and recycled aggregates. [only Local Plans adopted in the reporting year are included]	The following Local Plan was adopted in Norfolk during 2021/22: Great Yarmouth Borough Council Local Plan Part 2. It does not contain a policy in accordance with CS17. However, the relevant policy is contained in the Great Yarmouth Local Plan Part 1 - Policy CS12 'utilising natural resources'.

Objective	Relevant policies	Indicator	Performance
1. Ensure steady and adequate provision of primary, and increasingly recycling and secondary minerals to meet requirements	CS16	Number of non-minerals and waste planning applications granted by LPAs within safeguarded areas (unless they fall within the exclusions set out in Appendix C)	<p>Since the adoption of the Core Strategy, up to 31 March 2022:</p> <ul style="list-style-type: none"> <li>• Five major applications had been approved on Mineral Safeguarding Areas in the face of sustained objections on mineral safeguarding grounds (one at Downham Market on silica sand resource, and five in South Norfolk on sand and gravel resource).</li> <li>• A total of 159 major applications have received a detailed mineral safeguarding response.</li> <li>• 45 relevant planning permissions granted for housing contained conditions to require mineral assessment and prior extraction and reuse,</li> <li>• there are also 3 applications to be determined where such a condition has either been proposed or agreed, and</li> <li>• 12 applications were refused for other reasons, although a mineral safeguarding condition had been agreed.</li> </ul> <p>In the monitoring year up to 31 March 2022, 23 major applications received a detailed mineral or waste safeguarding response, with 11 of those proposing a condition for either further assessment or potential prior extraction and reuse.</p>
1. Ensure steady and adequate provision of primary, and increasingly recycling and secondary minerals to meet requirements	CS16	Proposed additional indicator of: Number of Neighbourhood Plans containing policies relating to mineral safeguarding. [only Neighbourhood Plans that came into force in the reporting year are included]	The following Neighbourhood Plans which came into force in Norfolk during 2021/22 have addressed mineral safeguarding, and contain policies where appropriate: Upwell, Holme-Next-the-Sea, Saham Toney, Taverham, Terrington St John, Thornham, Tilney All Saints, Spixworth, Ryburgh, Poringland, Long Stratton and Castle Acre.

Objective	Relevant policies	Indicator	Performance
2. Increase the proportion of waste recycling, composting and energy recovery	CS4 CS7 CS8 CS9 CS10 CS13 CS17 DM11	New waste management capacity % of local authority collected municipal waste : - Recycled - Composted - Energy recovery % of waste received at waste management facilities in Norfolk that is recycled/ recovered Renewable energy generation capacity at waste management facilities (MW) Quantity of recycled and secondary aggregate produced in Norfolk	Performance against these indicators will be reported in the Waste Data Monitoring Report
3. Minimise the amount of waste sent to landfill	CS4 CS7 CS8 CS9 CS10	% of local authority collected municipal waste landfilled Waste input to non-hazardous landfill (tonnes) Waste input to hazardous landfill (tonnes) Waste input to inert landfill (tonnes) Inert, non-hazardous and hazardous landfill capacity (cubic metres and years) Quantity of London waste disposed of in Norfolk (tonnes)	Performance against these indicators will be reported in the Waste Data Monitoring Report
4. Ensure mineral working takes place as close as reasonably possible to where these resources are used, and that waste is treated as close as reasonably possible to where it is generated	CS2 CS5 CS9 CS10	Distance of mineral extraction and associated development and waste management facilities from main settlements and market towns for which planning permission has been granted [This indicator has been monitored for planning permissions granted for new sites, not for changes to existing sites]	Four new mineral extraction sites were permitted in 2021/22; all were located in accordance with Policy CS2. Nine new or extended waste management facilities were permitted in 2021/22; seven are located in accordance with Policy CS5 and two are not. However inert waste recycling at Bittering Quarry is 5.5km away from Dereham and inert recycling at Castle Acre Quarry is 5.3 km away from Swaffham. Both sites are located at an existing mineral working.

Objective	Relevant policies	Indicator	Performance
4. Ensure mineral working takes place as close as reasonably possible to where these resources are used, and that waste is treated as close as reasonably possible to where it is generated	CS2 CS5 CS9 CS10	Location of allocated sites and distance from main settlements and market towns Location of allocated waste management sites and distance from main settlements and market towns	Mineral extraction sites – 28 sites are allocated. Only three sites (MIN83, MIN90 and MIN91) are over 10 miles from a relevant settlement. These sites are all extensions to one existing mineral working and are approximately 11 miles from Great Yarmouth. Therefore, it is considered that these sites are still in accordance with Policy CS2.  Waste management sites – 29 sites are allocated. Only 3 sites are located at greater distances to the relevant settlements than proposed by the supporting text to policy CS5. However, two are extensions to operations at existing sites (in accordance with policy CS6) and one is for small scale composting.
5. Increase the use and availability of sustainable transport in accessing waste and/or minerals facilities	CS15 DM10	Number of minerals and waste planning applications approved to utilise transport methods via road, rail or water [This indicator has been monitored for planning permissions granted for new sites, not for changes to existing sites]	4 new mineral extraction sites were permitted in 2021/22: all use road transport. 9 new or extended waste management facilities were permitted in 2021/22; all use road transport.
6. Mitigate the adverse traffic impacts of mineral extraction and associated development and waste management facilities	CS15 DM10	Number of reported accidents involving HGVs (>3.5 tonnes) [This indicator is monitored in relation to all accidents in Norfolk]	2021/22 – 33 HGV accidents of which 1 was fatal and 11 were serious.  Goods vehicles where the class has not been noted: 77 accidents of which 1 was fatal and 17 serious. As the class of goods vehicle has not been noted, these figures may include accidents involving HGVs.

Objective	Relevant policies	Indicator	Performance
6. Mitigate the adverse traffic impacts of mineral extraction and associated development and waste management facilities	CS15 DM10	<p>Number of minerals or waste planning applications granted that involve highway infrastructure upgrades/improvements</p> <p>Number of mineral or waste planning applications granted that include direct access to corridors of movement</p> <p>[Trunk roads, such as the A11/A47/A10 and A class roads are designated as corridors of movement]</p> <p>[The original indicator has been split into two to improve the clarity of what is being reported]</p>	<p>4 new mineral extraction were sites permitted in 2021/22. 0 highway improvements were required. 1 site had direct access to a corridor of movement.</p> <p>9 new or extended waste management facilities were permitted in 2021/22. 1 site involves highway improvement works. 3 sites had direct access to a corridor of movement.</p>
6. Mitigate the adverse traffic impacts of mineral extraction and associated development and waste management facilities	CS15 DM10	Number of substantiated complaints concerning lorry traffic	2021/22 – 5 complaints
7. Minimise the impact of mineral extraction and associated development and waste management facilities on the environment by promoting innovative opportunities to enhance and protect biodiversity, landscape and geodiversity, water supply, the wider countryside and cultural heritage	CS14 DM1 DM8	Number of minerals and waste sites within 5km of a Special Area of Conservation (SAC)	<p>23 safeguarded mineral sites</p> <p>52 safeguarded waste sites</p> <p>34 safeguarded WRCs</p>
7. As above	CS14 DM1 DM8	Number of minerals and waste sites within 5km of a Special Protection Area (SPA)	<p>13 safeguarded mineral sites</p> <p>26 safeguarded waste sites</p> <p>23 WRCs</p>
7. As above	CS14 DM1 DM8	Number of minerals and waste sites within 5km of a Ramsar site	<p>10 safeguarded mineral sites</p> <p>17 safeguarded waste sites</p> <p>17 WRCs</p>

<b>Objective</b>	<b>Relevant policies</b>	<b>Indicator</b>	<b>Performance</b>
7. As above	CS14 DM1 DM8	Number of minerals and waste sites within 2km of a Site of Special Scientific Interest (SSSI)	28 safeguarded mineral sites 41 safeguarded waste sites 28 WRCs
7. As above	CS14 DM1 DM8	Number of minerals and waste sites within 2km of a National Nature Reserve (NNR)	0 safeguarded mineral sites 4 safeguarded waste sites 8 WRCs
7. As above	CS14 DM1 DM8	Number of minerals and waste sites adjacent to a Local nature Reserve	0 safeguarded mineral sites 1 safeguarded waste site 2 WRCs
7. As above	CS14 DM1 DM8	Number of minerals and waste sites adjacent to a County Wildlife Site	18 safeguarded mineral sites 9 safeguarded waste sites 21 WRCs
7. As above	CS14 DM1 DM8	Number of minerals and waste sites adjacent to a RIGS (now County Geodiversity sites)	1 safeguarded mineral site 0 safeguarded waste sites 0 WRCs
7. As above	CS14 DM8	Number of minerals and waste sites within the Area of Outstanding Natural Beauty (AONB)	2 safeguarded mineral sites 3 safeguarded waste sites 6 WRCs
7. As above	CS14 DM8	Number of minerals and waste sites within the Heritage Coast	Nil
7. As above	CS14 DM1 DM8	Number of minerals and waste sites within the Broads Authority Executive Area	1 safeguarded mineral site 2 safeguarded waste sites 4 WRCs
7. As above	CS14 DM2	Number of minerals and waste sites within a Core River Valley	5 safeguarded mineral sites 6 safeguarded waste sites 12 WRCs
7. As above	CS14 DM8	Number of minerals and waste planning applications refused on grounds of design or landscape	2 applications were refused on these grounds in 2021/22.
7. As above	CS14 DM8 DM9	Number of minerals and waste sites in or adjacent to a registered historic park or garden	0 safeguarded mineral sites 0 safeguarded waste sites 1 WRC
7. As above	CS14 DM8 DM9	Number of minerals and waste sites within or adjacent to Conservation Areas	5 safeguarded mineral sites 8 safeguarded waste sites 11 WRCs
7. As above	CS14 DM8 DM9	Number of minerals and waste sites adjacent to listed buildings	12 safeguarded mineral sites 4 safeguarded waste sites 22 WRCs

Objective	Relevant policies	Indicator	Performance
7. As above	CS14 DM1	<p>Area of Biodiversity Action Plan (BAP) habitat lost to, or created by, minerals extraction and associated development and waste management activities</p> <p>[Amend indicator to refer to new permissions only and planned restoration]</p> <p>[Note that performance against this indicator has been assessed qualitatively as it has not been possible to assess the area of BAP habitats affected quantitatively. BAP habitats were replaced by priority habitats in 2012]</p>	<p>Four new mineral extraction sites were permitted in 2021/22.</p> <p>At Horstead Quarry 20m of hedgerow will be removed, but reinstated on restoration. There will be a new area of woodland planting in the NE corner of the site. Restoration will include arable field margins.</p> <p>At Stanninghall Quarry the restoration will offer (10.76ha) 41% greater surface area of priority habitat. Lowland mixed deciduous woodland will increase from 19.45ha to 24.5ha on restoration. Lowland meadows will increase from 3.89ha to 9.6ha on restoration. Hedgerows will reduce from 3.18ha to 1.68ha on restoration. Arable field margins will increase from 0ha to 1.5 ha on restoration.</p> <p>The Leziate site is calculated to provide 13% biodiversity net gain on restoration. The restored extraction area will comprise: 6.16 hectares of acid grassland / heath / inland dune, 0.16 hectares of retained geological exposure; and 8.94 hectares of water (including marginal wetland).</p> <p>At Mayton Wood Quarry, on restoration, broadleaf woodland will extend to 10ha (or 31% of the site) whilst acid grassland/heath will extend to 5.6ha (or 18% of the site).</p> <p>Nine new or extended waste management facilities were permitted in 2021/22. None of them will cause a loss of priority habitats or the creation of priority habitats.</p>



Objective	Relevant policies	Indicator	Performance
7. As above	CS14 DM9	Number of archaeological sites adversely affected by minerals extraction and associated development or waste management facilities.	No archaeological sites were adversely affected by planning permissions for new or extended waste management facilities in 2021/22. No archaeological sites were adversely affected by three of the new mineral extraction sites permitted in 2021/22. One of the new mineral extraction sites (Mayton Wood Quarry) has the potential to adversely affect the significance of archaeological assets on site and the development must be carried in accordance with an approved written scheme of archaeological investigation.
7. As above	DM14	% of mineral workings covered by progressive restoration schemes	Four new mineral extraction sites were permitted in 2021/22, all four sites with progressive restoration.
7. As above	DM11	Number of applications demonstrating a good standard of design, use of sustainable materials and water efficient design [Amend indicator to refer to permissions instead of applications]	Four new mineral extraction sites were permitted in 2021/22; all were considered to be in compliance with the Policy. Nine new or extended waste management facilities were permitted in 2021/22. Policy DM11 was not considered to be applicable to three of the waste management facilities, but the other six were considered to be in compliance with the Policy.
8. Minimise soil and water contamination and flood risk arising from minerals and waste activities	CS14 DM3	Number of minerals and waste sites within groundwater Source Protection Zone 1	5 safeguarded mineral sites 7 safeguarded waste sites 0 WRC
8. Minimise soil and water contamination and flood risk arising from minerals and waste activities	CS14 DM3	Groundwater and surface water quality	The policy is effective and due regard has been paid to groundwater and surface water in the determination of planning applications. In 2021/22 policy DM3 was listed in the reasons for approval 18 times.
8. Minimise soil and water contamination and flood risk arising from minerals and waste activities	DM4 CS13	Number of minerals and waste planning permissions granted contrary to the advice of the Environment Agency on flood risk grounds	No planning applications were granted contrary to Environment Agency advice on flood risk grounds.



Objective	Relevant policies	Indicator	Performance
<p>9. Reduce methane and CO2 emissions from mineral extraction and associated development and waste management facilities</p> <p>10. Contribute to the renewables obligation and targets for renewable energy by increasing the proportion of energy recovery from waste</p>	<p>CS13 CS8 DM11</p>	<p>% of methane emissions from landfill sites escaping into the atmosphere</p> <p>% of methane emissions from landfill sites used in power generation</p> <p>Renewable energy generation capacity at waste management facilities</p> <p>Quantity of waste management through processes generating renewable energy</p>	<p>Performance against these indicators will be reported in the Waste Data Monitoring Report</p>
<p>9. and 10. As above</p>	<p>CS13 CS8 DM11</p>	<p>Number of minerals and waste operations securing at least 10% of their energy on site from renewable or low-carbon sources</p>	<p>Four new mineral extraction sites were permitted in 2021/22; None of them proposed the production of renewable energy.</p> <p>Nine new or extended waste management facilities were permitted in 2021/22. One of them proposed the production of renewable energy.</p>
<p>11. Ensure that minerals and waste facilities and transportation do not lead to AQMAs and that emissions are reduced</p>	<p>CS15 DM13</p>	<p>Number of minerals and waste management sites within an Air Quality Management Area (AQMA)</p>	<p>None</p>
<p>11. Ensure that minerals and waste facilities and transportation do not lead to AQMAs and that emissions are reduced</p>	<p>CS15 DM13</p>	<p>Number of AQMAs within Norfolk</p> <p>[Indicator to be amended to report the <b>area</b> of AQMAs within Norfolk because three separate AQMAs in Norwich have now been replaced by one larger central Norwich AQMA.]</p>	<p>Four – one in Norwich, two in King's Lynn and one in Swaffham which have all been declared for exceeding limits of nitrogen dioxide from traffic sources.</p> <p>The total area of all AQMAs in Norfolk is 284.7 hectares, the largest of which covers 274.07 hectares of Norwich City centre.</p>

Objective	Relevant policies	Indicator	Performance
12. Mitigate adverse impacts on amenity resulting from mineral extraction and associated development and waste management facilities	CS14 DM12 DM10 CS15 DM8 DM15 CS7 CS12 CS11	Number of substantiated complaints about amenity impacts from minerals and waste activities	2021/22 – 5 complaints
12. Mitigate adverse impacts on amenity resulting from mineral extraction and associated development and waste management facilities	CS16	Number of non-minerals and waste planning applications granted by local planning authorities within safeguarded areas <b>which are not exempt from Policy CS16 and do not take account of safeguarding.</b> [Amend indicator to more accurately reflect Policy CS16 as detailed above]	None There were 30 non-minerals and waste planning applications on Mineral Safeguarding Areas in 2021/2022 where CS16 was relevant and the Mineral Planning Authority made a consultation response. Of these 14 have been granted, 1 refused, 1 withdrawn and 14 were not determined by end of December 2022. There was not a sustained mineral objection to the applications that were granted.

## 5. Policy Conclusions

The key findings from the Monitoring Report for 2021/22 are:

### **Implementation of the Minerals and Waste Development Scheme**

The Pre-Submission representations period on the emerging Norfolk Minerals and Waste Local Plan was planned to take place in May and June 2020 but is now expected to take place in October and November 2022. This will have a knock-on effect on the remaining stages of the Local Plan process. A formal revision to the MWDS has therefore been carried out and the new MWDS was adopted in October 2022.

### **Policy Performance**

Two planning applications were granted approved contrary to policy during 2021/22.

One planning appeal was determined during 2021/22 and the Planning Inspector dismissed the appeal.

Three planning permissions were granted for minerals site allocations in 2021/22:

- 0.65 million tonnes of sand and gravel extraction at site MIN 64 at Horstead
- 1.45 million tonnes of sand and gravel extraction at site MIN 37 at Mayton Wood
- 1.094 million tonnes of silica sand extraction at site SIL01 at Bawsey.

Planning permission was granted in 2021/22 on one waste site allocation for inert recycling and restoration of a mineral working at site WAS 68 at Mayton Wood.

The main findings from monitoring the indicators contained in the adopted Core Strategy were:

Policy CS2 – Four permissions were granted for new mineral extraction sites in 2021/22. All are located in accordance with policy CS2.

Policy CS5 - Nine permissions were granted for new or extended waste management facilities in 2021/22; seven are located in accordance with Policy CS5 and two are not. However both these inert waste recycling sites are located at an existing mineral working.

Policy CS13 – Four permissions were granted for new mineral extraction sites in 2021/22; none of them proposed the production of on-site renewable energy. Permissions were granted for nine new or extended waste management facilities; one of them include the production of on-site energy.

Policy CS16 - No major applications were approved on Mineral Safeguarding Areas in the face of sustained objections on mineral safeguarding grounds.

## 6. Monitoring and Enforcement

### Summary

Annual monitoring report on the monitoring and enforcement progress of mineral, waste and Regulation 3 sites for the period from 1 April 2021 to 31 March 2022.

The Monitoring and Control Team has been subject to a resourcing shortage through the reporting period. It has been necessary to prioritise the workload as follows:

- Complaints
- Known or anticipated breaches of planning control
- Routine preventive work that generates income
- Other routine preventive work

As an overview of performance achieved to date:

Levels of complaints received in 2021/2022 have reduced from the levels experienced in previous years, with 23 received.

Planning applications received as a result of monitoring have reduced although they still make up a sizable proportion of the applications received; 21 out of a total of 76 applications received and 1 discharge of condition application out of a total of 44 received. The chargeable inspection regime has generated £5,161 of income.

All complaints received have been actioned within 3 working days. This is above the 80% target proposed as regional guidance best practice. The impact of future complaints will be assessed for risk and actions and inspection carried out accordingly.

Attendance at local liaison meetings has reduced to two meetings in the reporting year. Future attendance at liaison meetings will be directed to those meetings where quantifiable value can be gained from attendance.

Attendance at aftercare meetings has been reduced; priority has been given to sites where restoration to agriculture was specified.

Four Enforcement Notices, two Planning Contravention Notices and three Breach of Condition Notices were served in the reporting period.

### 6.1 Introduction

This is the latest of the annual briefing on progress with minerals, waste and Regulation 3 (County Council development) sites monitoring. The adopted Minerals and Waste Core Strategy contains policies committing the Authority to achieving high standards of operations and restoration and ensuring effective monitoring, enforcement and education to achieve them. Further details are included in the County Council's approved enforcement policy. When operators are complying fully with all conditions, then it is accepted that operators are working to a high standard. Complaints can be a reasonable indicator of performance on site, and pro-active monitoring seeks to reduce complaints by maintaining the standard of full compliance. Since 2019 there has been a reduction in monitoring resource, from 4 FTE (full time equivalents) to 2.8 FTE, which includes a new monitoring officer, who was still in training during 2021/22. Therefore, less programmed site inspections took place in 2021/22 than in 2018/19 when there was a higher monitoring officer resource in post.

## 6.2 Site Monitoring Programme

The Council continues to be pro-active in dealing with planning problems on sites. The Council is continuing with a risk-based approach to the monitoring of minerals, waste and Regulation 3 development, with visits/inspections carried out over a prescribed scale. This helps to ensure a consistent, even handed and preventative approach when dealing with all mineral and waste development sites across the County. It also targets those sites where there is likely to be a greater impact on the environment, in the event of non-compliance. This pro-active approach allowed officers to identify non-compliances, and this has helped to forestall complaints from the public (see table 6.1). The effective resources used to monitor active sites are also helping to maintain the number of complaints at a low level (see table 6.2).

## 6.3 Inspections

70 programmed inspections were undertaken during 2021/2022 (see table 6.1) and 38 inspections were undertaken as a result of ongoing complaint investigations (see table 6.2). No programmed inspections took place during 2020/21 due to the covid-19 pandemic restrictions. The chargeable inspection regime has necessitated a more prescriptive monitoring approach requiring a formal reporting arrangement, and invoicing system. This increases the average amount of officer time taken up with each visit. The chargeable site monitoring regime has generated £5,191 (see table 6.3). The chargeable fee, set by the government for site inspections, is £397 per inspection of active sites and £132 for dormant/mothballed sites.

Year / inspection type	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Minerals and waste inspections	504	551	558	549	574	536	523	100	0	70
Regulation 3 inspections	41	41	45	47	54	37	34	10	0	0
None-compliances noted during routine inspections	258	237	217	224	260	203	212	43	0	27

**Table 6.1 Site Inspections**

Levels of complaints received have reduced from 33 in 2020/21 to 23 in 2021/22 with minerals and waste related complaints reducing to 19 and Regulation 3 complaints reducing to 4. However, many of these complaints require several investigation actions to fully resolve matters. Actions taken in relation to pre-existing complaints continue to use staff resources when providing an appropriate response (see table 6.2).

Year / complaint type	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Minerals and waste complaints	33	39	37	53	45	40	43	32	23	19
Regulation 3 complaints	5	5	2	5	2	7	4	6	10	4
Inspections following a complaint	74	81	103	97	83	67	102	61	34	38

**Table 6.2 Complaints received**

Year / inspection type	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Minerals and waste inspections	£49,869	£52,071	£54,499	£53,838	£52,184	£55,949	£56,413	£19,397	£0	£5,191
Regulation 3 inspections	£6,720	£5,280	£5,520	£2,880	£2,400	£2,640	£2,400	£960	£0	£0
Commissioned chargeable inspections	£0	£0	£0	£5,958	£5,958	£5,958	£6,352	£0	£0	£0
Total income	£56,589	£57,351	£60,019	£62,676	£60,542	£64,547	£65,165	£20,357	£0	£5,191

**Table 6.3 income generated from chargeable site inspections**

Regular site inspections and associated follow up actions are having an influence on the way in which the industry adheres to conditions and seeks to regularise breaches quickly. It has also generated more planning applications, with 21 of the total 76 applications received and 1 discharge of condition application out of a total of 44 received (see table 6.4).

Year / application type	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Planning applications received as result of monitoring	65	70	57	50	45	45	35	27	20	21
Discharge of conditions applications	26	8	23	19	21	7	9	6	5	1

**Table 6.4 Applications received as a result of monitoring**

## 6.4 Monitoring of Non-hazardous Landfill Sites

The inspection programme together with the use of modern survey equipment has helped identify more quickly those landfill sites that have been tipped above agreed contours.

Capping of Aldeby has been completed and restoration is substantially complete. The site was surveyed in early 2019 and found to be in compliance with the approved restoration profile. Final landscape planting is still outstanding and this will be taken up with the site operator.

The non-hazardous landfill site at Blackborough End has re-opened for the deposit of waste. One small cell has been engineered and the deposit of waste started in late 2019. Deposits of waste continue at this site.

Closed (completed) landfills at Edgefield, Costessey, Snetterton, Mayton Wood, Beetley, Docking and Blackborough End (phase 1) are the responsibility of the Community and Environmental Services department of Norfolk County Council.

## 6.5 Targets

Complaints are initially assessed for impact on the environment and are prioritised accordingly. The performance target of dealing with complaints of high priority is to acknowledge and initiate action within three working days. Priority is given to dealing with complaints quickly. In this respect 100% of high priority complaints currently received are actioned within three working days. Complainants and other relevant consultees, such as the Environment Agency, District and Parish Councils are kept informed of progress and action.

Additionally, there is an increasing awareness by the general public about mineral and waste development and a higher expectation about the way in which sites operate. The proactive presence on site, together with regular inspections as part of a programme is designed to forestall complaints; the resourcing issues currently being experienced may lead to additional complaints in the future.

## 6.6 Liaison Arrangements

Local Liaison arrangements are a valuable method of keeping local communities informed about mineral and waste development of a local nature and dealing with problems quickly and effectively before they get out of hand.

The number of sites that may be serviced by liaison meetings are shown below (see table 6.5). These currently number 10 and include Leziate, Beeston Regis, Coxford, Aldeby landfill, Tottenhill, Mangreen, Stody, Stanninghall, Ketteringham and West Dereham. Attendance at liaison meetings has reduced but will be resumed as soon as resources allow. Liaison meetings are also held on a regular basis with other authorities including the Environment Agency.

Year	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Number of meetings	13	6	7	7	10	8	8	2	3	2

**Table 6.5 Number of liaison meetings attended**

## 6.7 Enforcement

The County Council has continued to monitor mineral and waste development and regulation 3 development to secure compliance with planning conditions and Legal Agreements. Enforcement action may be taken, if necessary, to deal with unauthorised activities, but subject to prior negotiation.

Additionally, when we receive complaints, as represented in table 6.2, we often consult with the District Council and Environment Agency and co-operate with them in deciding any action. If necessary, we may take enforcement action to control and possibly stop unauthorised development. Where companies do not comply with existing conditions, enforcement action can result. Low levels of performance can also undermine competing operators who are complying with their planning permission.

Two Planning Contravention Notices and three Breach of Condition Notices were served in 2021/2022. In addition, four Enforcement Notices were served in relation to activities at sites in West Winch, Weeting, Hilgay and Heacham (see table 6.6).



Appeals were lodged against the Enforcement Notices served at West Winch and Heacham. The West Winch appeal was successfully defended; the Heacham appeal is yet to be determined.

Year / complaint type	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Planning contravention notices	5	8	3	15	11	1	11	3	0	2
Breach of condition notices	0	5	13	0	19	9	1	2	0	3
Enforcement notices	3	0	2	0	5	0	0	0	0	4
Temporary stop notices	0	1	1	0	0	0	4	0	0	0
Enforcement appeals	0	0	0	0	1	0	0	0	0	2
Prosecutions	4	0	1	0	0	2	0	0	2	0

**Table 6.6 Enforcement action**

## 6.8 Aftercare Programme

The aftercare programme operated by the Council is a vital part of ensuring that mineral and waste sites are restored properly and managed to ensure beneficial and productive after-use. The aftercare inspections during the reporting period were targeted at agricultural restoration schemes to ensure that the return of land to agriculture is not delayed.

Meetings relating to long-term aftercare schemes have been held in abeyance but will resume as soon as resource is available. Sites that are subject to ongoing site management currently number 12, and it is expected that this number will continue to increase as biodiversity initiatives and general nature conservation replace agriculture on some sites. Management meetings normally take place during spring and summer each year.

Year / meeting type	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Aftercare meetings	20	21	18	17	16	16	16	3	2	3
Management meetings	9	9	9	8	12	12	12	0	0	0

**Table 6.7 Aftercare and long-term management meetings**