

Norfolk Minerals and Waste Development Framework

Monitoring Report 2015-2016

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

November 2016

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Contents

		Page
1	Introduction	4
2	Review of the MWDS	5
2.1	Minerals and Waste Development Scheme	5
2.2	Consultation Participation and Response	7
2.3	Duty to co-operate	8
3	Policy Performance 2015/16	11
3.1	Summary of Policy used in Reasons for Approval/Refusal	11
3.2	Refused Applications	13
3.3	Appeals	14
3.4	Applications Approved Contrary to Policy	15
4	Monitoring the implementation of Core Strategy and Development Management Policies – 2015/16	18
5	Policy conclusions	28
6	Monitoring and Enforcement	29
	Summary	29
6.1	Introduction	29
6.2	Site monitoring programme	29
6.3	Inspections	30
6.4	Monitoring of non-hazardous landfill sites	32
6.5	Targets	32
6.6	Liaison arrangements	33
6.7	Enforcement	34
6.8	Aftercare programme	36
	Appendix 1 – landfill site progress	37

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 2015 to 31 March 2016.

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 2015 to March 2016:

- 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

2.0 Review of the Minerals and Waste Development Scheme

2.1 Minerals and Waste Development Scheme (MWDS)

The MWDS (updated on 1 June 2016) sets out the timetable for producing the minerals and waste planning policy documents which form Norfolk's Minerals and Waste Local Plan.

The Minerals Site Specific Allocations Development Plan Document was adopted by Norfolk County Council in October 2013. Norfolk County Council has agreed to an early review of the Minerals Site Specific Allocations DPD in recognition of an under allocation of silica sand extraction sites. The timetable for the Silica Sand Single Issue Review is contained in the MWDS and in Table 1 below.

Table 1: MWDS timetable for the Minerals Site Specific Allocations DPD - Single Issue Silica Sand Review to be produced compared with actual date produced/to be produced		
Stage	Date timetabled in the Development Scheme	Actual date produced/ anticipated production date
Preparation of Local Plan Consultation (Regulation 18)	Initial Consultation: March to April 2015 Preferred Options Consultation: November to December 2015	Initial Consultation: March to April 2015 Preferred Options Consultation: November to December 2015
Pre-Submission representations period (Regulation 19)	May to June 2016	May to June 2016 September to October 2016 (Modifications)
Submission (Regulation 22)	September 2016	December 2016
Hearing commencement (Regulation 24)	November 2016	February 2017
Inspector's Report	January 2017	April 2017
Adoption (Regulation 26)	April 2017	June 2017

The submission of the Silica Sand Review was delayed because, following the Pre-Submission representations period in May and June 2016, it was decided to make modifications to the Pre-Submission document. The regulations require a formal six week representations period to take place on main modifications to the Pre-Submission document. The adopted Scheme did not include a representations period on modifications to the Pre-Submission document because the decision to make modifications was not expected when the Scheme was adopted. The consequence of the representations period on the modifications was to delay the submission of the Silica Sand Review until early December 2016. The delayed submission date will have a knock-on effect on the date of the examination hearings, the Inspector's report and adoption of the Silica Sand Review.

Due to the differences between the recently adopted Scheme and the expected production dates for the remaining stages of the Silica Sand Review, a revised MWDS will need to be prepared.

The Norfolk 'Core Strategy and Minerals and Waste Development Management Policies DPD' 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 will be carried out to ensure that the policies within them remain up-to-date, to extend the plan period to 2036 and to consolidate the three existing DPDs into one Norfolk Minerals and Waste Local Plan, in accordance with national planning policy. The timetable for the Review of the Minerals and Waste Local plan is contained in the MWDS and in Table 2 below:

Table 2: MWDS timetable for the Review of the Minerals and Waste Local Plan to be produced compared with actual date to be produced		
Stage	Date timetabled in the Development Scheme	Actual date produced/ anticipated production date
Preparation of Local Plan Consultation (Regulation 18 Stage)	Initial Consultation: June to August 2017	Initial Consultation: June to August 2017
	Preferred Options Consultation: February to March 2018	Preferred Options Consultation: February to March 2018
Pre-Submission representations period (Regulation 19 Stage)	November to December 2018	November to December 2018
Submission (Regulation 22)	March 2019	March 2019
Hearing commencement (Regulation 24)	May 2019	May 2019
Inspector's report	August 2019	August 2019
Adoption (Regulation 26)	October 2019	October 2019

2.2 Consultation Participation and Response

Minerals Site Specific Allocations DPD - Single Issue Silica Sand Review

In this reporting period (April 2015 to March 2016) a Preferred Options Consultation took place on the Single Issue Silica Sand Review of the Minerals Site Specific Allocations DPD (for six weeks from 6 November to 21 December 2015) (Regulation 18 stage).

A total of 26 organisations and 11 individuals responded to this consultation. The respondents made 95 representations on the Preferred Options Consultation. Three respondents commented on the Initial Sustainability Appraisal Report and one respondent (Natural England) commented on the Habitats Regulations Assessment (Task 1).

Responses were received from the following Local Planning Authorities: King's Lynn and West Norfolk, Breckland, Broadland, South Norfolk and Waveney.

Responses were received from the following Mineral Planning Authorities: Worcestershire County Council, Surrey County Council, Kent County Council, Peterborough City Council.

The table below summarises the number of responses received to the Silica Sand Review Preferred Options Consultation. The contents of the responses were recorded separately in the Preferred Options Consultation Feedback Report, which was published in January 2016.

Representations received to Silica Sand Review Preferred Options Consultation 2015

Section	Respondents	Support	Object	Comment	Representations
General comments	16	1	1	14	16
Chapter 1. Introduction	1	0	0	1	1
Chapter 4. What happens next	1	0	0	1	1
Chapter 8. Potential impacts of silica sand extraction and mitigation	1	0	0	1	1
Chapter 9. Site SIL 01	9	0	1	8	9
Chapter 10. Areas of Search Process	2	0	0	2	2
Area of Search A	7	0	2	5	7
Area of Search B	7	0	2	5	7
Area of Search C	7	0	2	5	7
Area of Search D	8	0	2	7	9
Area of Search E	7	0	0	7	7
Area of Search F	5	0	0	5	5
Area of Search G	6	0	1	5	6
Area of Search H	6	0	1	5	6
Area of Search I	5	0	0	5	5
Area of Search J	5	0	0	5	5
Total	30	1	12	82	95

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 2015/16 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 2015/16 a six week Preferred Options Consultation took place on the Single Issue Silica Sand Review of the Minerals Site Specific Allocations DPD. The council has also 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 (EoEWTAB).

In addition to the County Councils adjacent to Norfolk in the East of England (Suffolk and Cambridgeshire), the meetings of the EoEWTAB include representatives of Essex and Hertfordshire County Councils, Central Bedfordshire, Bedford Borough, Luton, Thurrock, Southend-on-Sea and Peterborough Councils. The EoEWTAB 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 (EoEAWP).

In addition to the County Councils adjacent to Norfolk in the East of England (Suffolk and Cambridgeshire), the meetings of EoEAWP include representatives of Essex and Hertfordshire County Councils, Central Bedfordshire, Bedford Borough, Luton, Thurrock, Southend-on-Sea and Peterborough Councils. The EoEAWP also includes a representative of DCLG, the London Aggregates Working Party, and the South East Aggregates Working Party. The data and information collected by EoEAWP from its constituent MPAs is collated and published in Annual Monitoring Reports (AMR).

Norfolk

Within Norfolk, a **Norfolk Strategic Services Coordinating Group** was established in 2008, comprising quarterly meetings with the Norfolk district level authorities, the Highways Agency, Environment Agency, Anglian Water, UK Power Networks, Norfolk Fire Service, NHS and representatives of Norfolk's Childrens' and

Community Services, Library and Information Service, and the County Council as a Highway Authority and a Minerals and Waste Planning Authority.

In addition, 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. In addition to this group, meetings are held between the County Council and individual Districts to discuss strategic planning issues including minerals and waste, and to liaise over the planning and provision of services by the County Council.

In addition, a quarterly **Norfolk Strategic Planning Member Forum** has been meeting since October 2013. The purpose of the forum is for members to discuss the strategic issues that are planning related and affect all or the majority of local planning authorities and others affected by the Localism Act's 'Duty to Cooperate'. The forum membership includes the portfolio holders for Strategic Planning 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 will discuss the implications of these issues for plan-making, or other activities that contribute towards plan-making under the duty (such as evidence base studies) and work to achieve a common understanding or approach to that issue. The Forum meets on a quarterly cycle, with additional meetings to discuss single issues arranged on an ad-hoc basis. It 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 October 2016) 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.

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 2015/16 financial year

During the 2015/16 financial year, a six week Preferred Options Consultation on the Single Issue Silica Sand Review of the Minerals Site Specific Allocations DPD took place, as detailed in section 2.2 of this report.

Co-operation with other relevant planning authorities also continued through participation in:

- Norfolk Strategic Services Co-ordinating Group
- 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 and Cheshire East Council.

3.0 Policy Implementation 2015-2016

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 Development Plan Document (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 73 planning applications for minerals and waste development determined between 1 April 2015 and 31 March 2016. All but one application was approved. The policies referred to in the reasons for approval or refusals were as follows:

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

Policy Number	Policy Description	Number of Times Used	
		Approval	Refusal
CS1	Minerals Extraction	19	0
CS2	Locations for Mineral Extraction	20	0
CS3	Waste Management Capacity	11	0
CS4	New Waste Management Capacity	12	0
CS5	Location of Waste Management Facilities	30	1
CS6	Waste Management Considerations	52	1
CS7	Recycling, Composting, Anaerobic Digestion and Waste Transfer Stations	22	0
CS8	Residual Waste Treatment	0	0
CS9	Inert Waste Landfill	0	0
CS10	Non-Hazardous and Hazardous Waste Landfill	0	0
CS11	Waste Water and Sewage Facilities	3	0
CS12	Whitlingham Waste Water Treatment Works	0	0
CS13	Climate Change and Renewable Energy	24	0
CS14	Environmental Protection	65	1
CS15	Transport	68	1
CS16	Safeguarding Sites	7	0
CS17	Secondary and Recycled Aggregates	2	0
DM1	Nature Conservation	41	0
DM2	Core River Valleys	5	0

Policy Number	Policy Description	Number of Times Used	
		Approval	Refusal
DM3	Groundwater and Surface Water	57	1
DM4	Flood Risk	54	0
DM5	Borrow Pits and Water Reservoirs	0	0
DM6	Household Waste Recycling Centres	0	0
DM7	Safeguarding Aerodromes	9	0
DM8	Design Local Landscape and Townscape Character	68	0
DM9	Archaeological Sites	13	0
DM10	Transport	63	1
DM11	Sustainable Development	11	0
DM12	Amenity	70	1
DM13	Air Quality	20	0
DM14	Progressive Working, Restoration and Afteruse	27	0
DM15	Cumulative Impacts	23	0
DM16	Soils	19	0

On 28 October 2013, the Norfolk Minerals Site Specific Allocations DPD and the Norfolk Waste Site Specific Allocations 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 planning permission for a new waste management facility was granted on a waste site specific allocation in 2015/16. However, the permission was for an inert recycling facility and the site was allocated for anaerobic digestion or composting.

Minerals Site Specific Allocations DPD

Planning permission was granted for three of the minerals site specific allocations in 2015/16, as follows:

In accordance with Policy MIN 10, planning permission was granted for the extraction of 680,000 tonnes of sand and gravel from land south of School Road, East Bilney, Beetley, Dereham. This permission is for part of the site allocated in the Minerals SSA. The estimated resource in the whole site in the Minerals SSA is 2,400,000 tonnes.

In accordance with Policy MIN 75, planning permission was granted for the extraction of 335,000 tonnes of sand and gravel from land at Watlington Quarry, Tottenhill Row, Watlington.

In accordance with Policy MIN 81, planning permission was granted for the extraction of 960,000 tonnes of sand and gravel from land at Mangreen Quarry, Swardeston. The estimated resource in this site in the Minerals SSA was 955,000 tonnes.

3.2 Refused Applications

One planning application was refused approval due to non-compliance with policy in the period between 1 April 2015 and 31 March 2016.

Location/ Planning App. Ref.	Proposal	Policies used in grounds for refusal	
Buxton Road, Hainford, NR12 7NQ C/5/2015/5009	Use of site for recycling of inert waste from the construction industry including crushed concrete, brick and tarmac, stone, topsoil and sand.	CS5 CS6 CS15 DM10 DM12 CS14 DM3	General location of waste management facilities General waste management considerations Transport Transport Amenity Environmental Protection Groundwater and Surface Water

J T Few Plant Hire Ltd: Old Quarry, 7 Buxton Road, Hainford, NR12 7NQ. Use of site for recycling of inert waste from the construction industry including crushed concrete, brick and tarmac, stone, topsoil and sand.

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

1. Development plan policy requires proposals in locations that are less well related to the major centres of population (such as this site) to demonstrate that they are well-related to the major road network; or take advantage of cross border opportunities for the efficient management of waste; or enable the re-use of brownfield sites unsuitable for other uses. The site under consideration does not satisfy any of these requirements and is therefore not considered to be in a suitable or sustainable location for such a use. The proposal is therefore contrary to policy CS5: General location of waste management facilities of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026.
2. The application site is a former mineral working where provision for restoration has been made through development control procedures. The proposed site is contrary to Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026 Policy CS6: General waste management considerations which requires waste sites to be developed 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 Development Plan Document;
 - c) other previously developed land; and,

d) contaminated or derelict land.

The proposed site does not fulfil any of these locational criteria and there are not sufficient material considerations to justify a departure from this policy.

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 and lack of pedestrian footways. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety, contrary to Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026 policies CS15: Transport and DM10: Transport, and Broadland District Council Development Management DPD Policy TS3: Highway safety.
4. The application site is identified as being outside of the development limits defined within the Broadland District Local Plan Proposals Map (2006). The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety. As a result, the proposal is not considered to be in accordance with Policy GC2 of the Broadland District Council Development Management DPD (2015).
5. The application documentation has failed to provide sufficient information with regards to noise emissions, to demonstrate that operation of the site would not have an unacceptable impact on local amenity. As a result the proposal is not considered to be in accordance with policies CS14: Environmental Protection and DM12: Amenity of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026, Broadland District Council Development Management DPD (2015) Policy EN4: Pollution, National Planning Policy for Waste, and paragraphs 109 and 120 of the National Planning Policy Framework.
6. The application documentation has failed to provide sufficient information with regards to surface water disposal, to demonstrate that operation of the site would not have an unacceptable impact on groundwater and surface water. As a result, the proposal is considered contrary to the requirements of policy DM3: groundwater and surface water, of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026, Broadland District Council Development Management DPD (2015) Policy EN4: Pollution, National Planning Policy for Waste, and paragraphs 109 and 120 of the National Planning Policy Framework.

3.3 Appeals

No appeals were determined in the period between 1 April 2015 and 31 March 2016.

3.4 Applications Approved Contrary to Policy

The following planning applications were granted approval contrary to policy in the period between 1 April 2015 and 31 March 2016:

C/2/2014/2026 – British Sugar plc - Cornerway Farm, College Road, Stoke Ferry, PE33 9AZ

The proposal was for the continued use and extension of land for topsoil recycling for a temporary period of 10 years.

The application was considered to be a departure from Minerals and Waste Core Strategy Policy CS6: *General waste management considerations* because part of the application site is currently agricultural land and not located on any of the suitable types of land specified in the policy. The majority of the site (approximately three quarters) has planning permission for soil recycling and in this respect would be considered as already being within waste management use, and would be in line with policy CS6, however the extension areas are currently agricultural land and would therefore not accord with the land designations favoured for waste developments.

However the additional land is well related to the existing operations, a need has been demonstrated and the proposals are for a temporary period only, with the land being returned to agricultural use following the cessation of this proposal. On balance it is therefore considered that the proposals are acceptable in principle, and wouldn't lead to the permanent loss of valuable grade 2 and 3 agricultural land. It is considered that the proposals would not have any unacceptable impacts in terms of landscape, highways, amenity and flood risk.

Therefore, whilst the application represents a departure from the development plan, this is not considered significant in terms of the extension land area in comparison to that which is already in use for recycling operations. It was considered that the benefits of this proposal justified a departure from the development plan.

C/2/2015/2022 – Anglian Water - Land off Church Lane, Ashwicken

The proposal was for the erection of a sewage pumping station including construction of a new layby.

The application was considered to be a departure from Minerals and Waste Core Strategy Policy CS6: *General waste management considerations* because it is located on a greenfield site. However, Policy CS11: *Wastewater/sewage infrastructure and treatment facilities* states that new or extended facilities will be acceptable where proposals aim to treat a greater quantity of wastewater providing the developer can demonstrate that the proposal can be located and operated without giving rise to unacceptable impacts. The scheme is an essential element of a first time rural sewage scheme which would provide mains drainage for residents of Ashwicken that currently do not have this facility and it would also improve local groundwater quality.

Therefore, whilst the application represents a departure from the development plan in that it would be developing a greenfield site in the countryside, it would not be practical to allow these developments only on brownfield land, given the required site

conditions and limited number of locations which can practically provide a compatible site, which is likely to be in the countryside. It was considered that the benefits of this proposal justified a departure from the development plan.

C/2/2015/2010 – Warren Power Ltd – Methwold Farm, Methwold to proposed compound site north of Mundford Road (2.8 km pipeline)

The proposal was for an underground gas pipeline and associated compound/structures (additional works in conjunction with approved anaerobic digestion plant).

The application was considered to be a departure from Minerals and Waste Core Strategy Policy CS6: General waste management considerations because the pipeline and the compound will be located in the open countryside on a greenfield site. However, the pipeline will be buried underground and the land reinstated to its previous condition above the pipeline. The only above ground development would be the compound to facilitate the connection to the gas grid network.

There are a number of material considerations that justify a departure from the development plan: The compound site is relatively small at only 0.0128 of a hectare and would be suitably landscaped; the location of the compound is necessitated by the point at which the pipeline needs to be connected to the gas grid network; and the application would facilitate the export of energy created from waste into the national grid, as would be generated by the AD plant permitted to be built at Methwold Farm. As a result, this would be moving waste up the waste hierarchy, as set out in the National Planning Policy Framework, given that the waste used in the AD plant would be diverted from landfill and energy created from gas as a result of the AD process. On this basis the departure is considered to be justified. The proposed development is considered acceptable and there are no other material considerations why it should not be permitted.

C/2/2015/2043 – M & M Services - The Nursery, Marsh Road, Walpole St Andrew, King's Lynn, PE14 7JN

The proposal was for the change of use of a paddock area to form part of the transfer station and the change of use of another part of the transfer station to provide agricultural use, along with the erection of a covered bay for sorting waste and the installation of a weighbridge.

The application was considered to be a departure from Minerals and Waste Core Strategy Policy CS6: *General waste management considerations* because the site is located wholly within the open countryside and therefore any expansion or alteration of the boundaries extends the site into the surrounding agricultural land. Therefore the additional land is not any of the suitable types of land specified in the policy.

However, the loss of the 216sqm area of land to be used as part of the skip hire business would be minimal in terms of overall land use and more than outweighed by the return of 267sqm of land containing agricultural buildings to an agricultural use. This would result in a neutral impact on the surrounding countryside in terms of landscape character or land use.

Therefore, whilst the application represents a departure from the development plan, the scale of the change proposed was minimal and would have a neutral impact. It

is considered that the proposal would not create any adverse impacts and there are no material considerations that justify that the application should be refused.

C/3/2014/3003 - Attleborough Skip Hire - Hills End Farm, Wroo Road, Attleborough, NR17 1AR

The proposal was for the retrospective use of land for the importation, sorting and transfer of skip waste including retrospective use of a waste recycling building, storage of empty skips and containers and site entrance visibility splay improvements.

The application was considered to be a departure from Minerals and Waste Core Strategy Policy CS6: *General waste management considerations* because the site is located in the countryside and is not on any of the suitable types of land specified in the policy. Although the site is on land previously used for farming, this is considered beyond what could be deemed as a 'curtilage' of the agricultural building.

However, the proposal would move the management of waste up the waste hierarchy and divert it from landfill, in accordance with the National Planning Policy for Waste. Given the small scale nature of the facility (only dealing with 2,000 tonnes of waste per annum) and that there is evidence that a waste facility has operated here without complaint for a considerable period of time, the location of the site in the countryside, whilst finely balance, is considered acceptable.

Therefore, whilst the application represents a departure from the development plan, there are material considerations that justify approval of the proposal and there are no material considerations that justify that the application should be refused.

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 2016.

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
Ensure steady and adequate provision of primary, and increasingly recycling and secondary minerals to meet requirements	CS1	Landbank for sand and gravel	Performance against these indicators will be reported in the Local Aggregate Assessment and Silica Sand Assessment
		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)		
	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)	No major applications approved on Mineral Safeguarding Areas in the face of sustained objections on mineral safeguarding grounds. No relevant planning permissions

Objective	Relevant policies	Indicator	Performance
		Proposed additional indicator of: Number of Neighbourhood Plans containing policies relating to mineral safeguarding.	<p>granted for housing contained conditions to require mineral assessment and prior extraction and reuse, although there are four applications to be determined where such a condition has been agreed.</p> <p>Three Neighbourhood Plans in force in Norfolk by the end of 2014 – Cringleford, Strumpshaw and Sprowston. All three NPs have addressed mineral safeguarding, and contain policies where appropriate.</p> <p>Five additional neighbourhood plans were in force in Norfolk by the end of 2015 – Acle, Great and Little Plumstead, Mulbarton, Brancaster, South Wootton. NCC considered that the NP for South Wootton did not meet the basic conditions test because it did not take into account Policy CS16 on mineral safeguarding. However, the Independent Examiner did not consider that any modification to the plan was required in this regard or make any reference to this policy in his report. All other NPs have addressed mineral safeguarding, and contain policies where appropriate.</p> <p>Four additional Neighbourhood plans were in force in Norfolk by the end of September 2016 – Brundall, Old Catton, Drayton, Blofield. As none of these NPs allocate sites, they do not need to contain any policies regarding mineral safeguarding.</p>
	CS17	Number of district council LDFs containing a policy in accordance with CS17: use of secondary and recycled aggregates.	The Norfolk Minerals and Waste Core Strategy was adopted in September 2011. The following Norfolk Local Planning Authorities had

Objective	Relevant policies	Indicator	Performance
			<p>adopted their Core Strategies before September 2011: North Norfolk, Breckland, King's Lynn & West Norfolk, Norwich, Broadland, South Norfolk and the Broads Authority.</p> <p>North Norfolk and Breckland had adopted their Development Management Policies prior to September 2011 and the Broads Authority adopted their DM policies in November 2011.</p> <p>The following planning policy documents have been adopted since the Minerals and Waste Core Strategy:</p> <p>Norwich City's DM policies document (2014) does not contain a policy in accordance with CS17. Broadland's DM policies document (2015) contains policy GC4 which requires developments to make efficient use of resources and South Norfolk's DM policies document (2015) contains policy DM1.4 which refers to recycling building materials. Great Yarmouth's Core Strategy (2015) contains policy CS12 which promotes the use of secondary and recycled aggregates in all new non-residential developments. These policies are considered to be in accordance with CS17.</p> <p>King's Lynn and West Norfolk DM Policies and Site Allocations (2016) does not contain a policy in accordance with CS17.</p> <p>Long Stratton AAP (2016) does not contain a policy in accordance with CS17, but development within Long Stratton would be covered by South Norfolk's Policy DM1.4.</p>

Objective	Relevant policies	Indicator	Performance
			Broadland Growth Triangle AAP (2016) does not contain a policy in accordance with CS17, but development within the Growth Triangle would be covered by Broadland's Policy GC4.
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
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
Ensure mineral extraction and associated development and waste management facilities takes place as close as	CS2 CS5 CS9	Location of allocation sites and distance from main settlements and market towns	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

Objective	Relevant policies	Indicator	Performance
reasonably possible to where these resources are used, and then waste is treated as close as reasonably possible to where it is generated	CS10		<p>existing sites (in accordance with policy CS6) and one is for small scale composting.</p> <p>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.</p>
		<p>Distance of mineral extraction and associated development and waste management facilities from main settlements and market towns for which planning permission has been granted</p> <p>[This indicator has been monitored for planning permissions granted for new sites, not for changes to existing sites]</p>	<p>Minerals applications 2015/16 – 3 permissions for extraction. All sites located in accordance with policy CS2.</p> <p>Waste applications 2015/16 – four new waste management facilities. Two sites are located in accordance with policy CS5. One site at Tattersett is located over 5 miles from the nearest market town and over 10 miles from King’s Lynn. However, it is adjacent to the existing stockpile of tyres that the facility will be recycling.</p> <p>One site at Stoke Ferry is more than 5 miles from the nearest market town and more than 10 miles from King’s Lynn. However, it is close to the sugar factory which is the sole source of the waste soil being recycled.</p>
Increase the use and availability of sustainable transport in accessing waste and/or minerals facilities	CS15 DM10	<p>Number of minerals and waste planning applications approved to utilise transport methods via road, rail or water</p> <p>[This indicator has been monitored for planning permissions granted for new sites, not for changes to existing sites]</p>	<p>Minerals applications 2015/16 – 3 permissions for extraction. Transport by road.</p> <p>Waste applications 2015/16 – four permissions for new sites all use road transport.</p>

Objective	Relevant policies	Indicator	Performance
Mitigate the adverse traffic impacts of mineral extraction and associated development and waste management facilities	CS15 DM10	Number of reported accidents involving HGVs [This indicator is monitored in relation to all accidents in Norfolk]	2015/16 – 65 accidents of which 7 were fatal and 11 serious.
		Number of minerals or waste planning applications granted that involve highway infrastructure upgrades/improvements Number of mineral or waste planning applications granted that include direct access to corridors of movement [Trunk roads, such as the A11/A47/A10 and A class roads are designated as corridors of movement] [The original indicator has been split into two to improve the clarity of what is being reported]	Minerals 2015/16 – 3 permissions for extraction. One includes continued direct access to a corridor of movement (A140 just south of Norwich). Two applications required highway infrastructure improvements in the form of improved surfacing to the access roads. Waste 2015/16 – four new waste management facilities. None include direct access to corridors of movement. None required highway infrastructure upgrades or improvements.
		Number of substantiated complaints concerning lorry traffic	2015/16 – 0 complaints
		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	DM1 CS14 DM2 DM8
Number of minerals and waste sites within 5km of a Special Protection Area (SPA)	16 safeguarded mineral sites 31 safeguarded waste sites 21 WWTWs		
Number of minerals and waste sites within 5km of a Ramsar site	14 safeguarded mineral sites 22 safeguarded waste sites 17 WWTWs		
Number of minerals and waste sites within 2km of a Site of Special Scientific Interest (SSSI)	40 safeguarded mineral sites 50 safeguarded waste sites 28 WWTWs		
Number of minerals and waste sites within 2km of a National Nature Reserve (NNR)	0 safeguarded mineral sites 4 safeguarded waste site		

Objective	Relevant policies	Indicator	Performance
			8 WWTWs
		Number of minerals and waste sites adjacent to a Local nature Reserve	0 safeguarded mineral sites 1 safeguarded waste site 2 WWTWs
		Number of minerals and waste sites adjacent to a County Wildlife Site	23 safeguarded mineral sites 11 safeguarded waste sites 22 WWTWs
		Number of minerals and waste sites adjacent to a RIGS	1 safeguarded mineral site 0 safeguarded waste sites 0 WWTWs
		Number of minerals and waste sites within the Area of Outstanding Natural Beauty (AONB)	2 safeguarded mineral sites 3 safeguarded waste sites 6 WWTWs
		Number of minerals and waste sites within the Heritage Coast	Nil
		Number of minerals and waste sites within the Broads Authority Executive Area	1 safeguarded mineral site 3 safeguarded waste site 4 WWTWs
		Number of minerals and waste sites within a Core River Valley	11 safeguarded mineral sites 8 safeguarded waste sites 12 WWTWs
		Number of minerals and waste planning applications refused on grounds of design or landscape	No applications refused on these grounds in 2015/16
		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 WWTW
		Number of minerals and waste sites within or adjacent to Conservation Areas	6 safeguarded mineral sites 7 safeguarded waste sites 11 WWTWs
		Number of minerals and waste sites adjacent to listed buildings	15 safeguarded mineral sites 7 safeguarded waste sites 22 WWTWs
	DM9	Number of archaeological sites adversely affected by minerals	No archaeological sites were adversely affected by new

Objective	Relevant policies	Indicator	Performance
		extraction and associated development or waste management facilities.	planning permissions for minerals extraction and associated development or waste management facilities in 2015/16.
	DM14	<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.]</p>	<p>Minerals 2015/16 – 3 permissions granted for mineral extraction. One site at East Bilney is currently an agricultural field and will not lead to the loss of any BAP habitat. Land will be restored back to agriculture with area of wetland to the north providing a biodiversity gain.</p> <p>One site at Swardeston is currently agricultural fields and will not lead to the loss of any BAP habitat. The site will be largely restored to agriculture with the addition of field pond, field margins and a new area of broadleaved woodland at the south eastern boundary providing a biodiversity gain.</p> <p>One site at Watlington is currently agricultural land and will not lead to the loss of any BAP habitat. Restoration will be to nature conservation use; a mixture of open water, reedbed, wet and dry grassland and natural regeneration, providing a biodiversity gain.</p> <p>Waste 2015/16 – four new waste management facilities. No BAP habitat will be lost.</p>
	DM14	% of mineral workings covered by progressive restoration schemes	3 permissions granted for mineral extraction in 2015/16; all with progressive restoration schemes.
	DM11	Number of applications demonstrating a good standard of design, use of sustainable materials and water efficient design	Minerals 2015/16 – 3 permissions granted for mineral extraction sites. Policy DM11 was not considered to be applicable for these planning

Objective	Relevant policies	Indicator	Performance
		[Amend indicator to refer to permissions instead of applications]	<p>applications.</p> <p>Waste 2015/16 – Policy DM11 was not considered to be applicable to the new waste management facilities permitted.</p> <p>It should be noted that most of the developments do not include new buildings and therefore Policy DM11 was not considered to apply to these applications.</p>
Minimise soil and water contamination and flood risk arising from minerals and waste activities	CS14 DM3 DM4	Number of minerals and waste sites within groundwater Source Protection Zone 1	<p>3 safeguarded mineral sites</p> <p>5 safeguarded waste sites</p> <p>1 WWTW</p>
	CS13	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 2015/16 policy DM3 was listed in the reasons for approval 57 times.
		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.
<p>Reduce methane and CO2 emissions from mineral extraction and associated development and waste management facilities</p> <p>Contribute to the renewables obligation and targets for renewable energy by increasing the proportion of energy recovery from waste</p>	CS13 CS8	% of methane emissions from landfill sites escaping into the atmosphere	Performance against these indicators will be reported in the Waste Data Monitoring Report
	DM11	% of methane emissions from landfill sites used in power generation	
		Renewable energy generation capacity at waste management facilities	
		Quantity of waste management through processes generating renewable energy	
		Number of minerals and waste operations securing at least 10% of their energy on site from renewable or low-carbon	Minerals 2015/16 – three permissions for extraction. None of these sites provide any

Objective	Relevant policies	Indicator	Performance
		sources	on-site energy. Waste 2015/16 – four new waste management facilities. One is providing PV panels on the building. It is not known if this will meet 10% of the on-site energy. The other three sites are not providing any on-site energy.
Ensure that minerals and waste facilities and transportation do not lead to AQMAs and that emissions are reduced	CS15 DM13	Number of minerals and waste management sites within an AQMA	None
		Number of AQMAs within Norfolk [Indicator to be amended to report the area of AQMAs within Norfolk because three separate AQMAs in Norwich have now been replaced by one larger central Norwich AQMA.]	Three – one in Norwich and two in King's Lynn which have all been declared for exceeding limits of nitrogen dioxide from traffic sources. The total area of all AQMAs in Norfolk is 282.3 hectares, the largest of which covers 274.6 hectares of Norwich City centre.
Mitigate adverse impacts on amenity resulting from mineral extraction and associated development and waste management facilities	CS14 DM12 DM10	Number of substantiated complaints about amenity impacts from minerals and waste activities	2015/16 – 10 complaints
	CS15 DM8 DM15 CS7 CS12 CS11 CS16	Number of non-minerals and waste planning applications granted by local planning authorities within safeguarded areas <i>which are not exempt from Policy CS16 and do not take account of safeguarding.</i> [Amend indicator to more accurately reflect Policy CS16 as detailed above]	There were 19 non-minerals and waste planning applications on Mineral Safeguarding Areas in 2015/2016 where CS16 was relevant and the Mineral Planning Authority made a consultation response. The application granted, did not require a Minerals Management Plan.

5. Policy Conclusions

The key findings from the Monitoring Report for 2015/16 are:

Implementation of the Minerals and Waste Development Scheme

During the 2015/16 reporting period a Preferred Options Consultation (Regulation 18) took place as part of the production of the Single Issue Silica Sand Review of the Minerals Site Specific Allocations DPD.

A revised MWDS was adopted on 1 June 2016. However, the remaining stages of the Silica Sand Review process (submission, examination and adoption) will not be in accordance with the timetable in the MWDS, due to the decision to make modifications to the Pre-Submission document. This decision led to a three month delay in the submission of the Silica Sand Review. A formal revision to the MWDS will therefore be necessary.

Policy Performance

Five planning applications were approved contrary to Policy CS6 in the adopted Core Strategy and Minerals and Waste Development Management Policies DPD during 2015/16. In all cases it was considered that a departure from the development plan was justified and that no material considerations justified that the applications should be refused. No appeals were determined during 2015/16.

One planning permission for a new waste management facility was granted on a waste site specific allocation in 2015/16. However, the permission was for an inert recycling facility and the site was allocated for anaerobic digestion or composting.

Planning permission was granted for three of the minerals site specific allocations in 2015/16, providing 1.975 million tonnes of permitted reserves of sand and gravel.

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

Policy CS2 – three permissions were granted for mineral extraction and all of these sites are located in accordance with policy CS2.

Policy CS5 - four permissions were granted for new waste management facilities. Two sites were not located in accordance with policy CS2, but both sites are located close to the source of the waste to be treated.

Policy CS13 - three permissions were granted for mineral extraction. None of them provides any on-site energy. Permissions were granted for four new waste management facilities; three do not provide any 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 2015 to 31 March 2016. As an overview of performance achieved to date:

Levels of complaints received in 2015/2016 have increased from the previous level, with 58 received.

Planning applications received as a result of monitoring have remained at a high level with 50 out of a total 170 applications received and 19 discharge of condition applications out of a total of 70 received. The chargeable inspection regime continues to operate successfully with inspections generating £62,674 representing an increase of £2,655 over the previous year.

All complaints received have been actioned in 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.

Local liaison meetings have remained at 7. Liaison meetings with other authorities are ongoing.

The remaining 2 landfill sites have now stopped accepting non-hazardous waste, with five former sites restored satisfactorily. Surveys indicate a general compliance with agreed pre-settlement contour plans (Appendix 1).

The number of aftercare and long term management meetings relating to restoration has remained relatively constant with a slight reduction in the number of aftercare meetings to 17 from 18 in the previous year.

Fifteen Planning Contravention Notices were served 2015/2016. On 17 March 2016 a waste operator was sentenced to 15 months imprisonment for running an illegal waste site in North Runcton. Two cases associated with the Proceeds of Crime Act 2002 are currently ongoing from previous years.

6.1 Introduction

This is the latest of the annual briefing note on progress with minerals, waste and Regulation 3 (County Council development) sites monitoring. The Minerals and Waste Core Strategy, agreed as part of the Local Development Framework 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.

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 figure 1). The effective resources used to monitor active sites are also helping to maintain the number of complaints at a low level (see figure 2).

6.3 Inspections

Over 596 programmed inspections were undertaken during 2015/2016 (see figure 1) and 97 inspections were undertaken as a result of ongoing complaint investigations (see figure 2).

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 £62,674 (see figure 3).

Levels of complaints received have increased from the previous level, with 53 minerals and waste related complaints and 5 Regulation 3 complaints received. However, many of these complaints require a number of investigation actions to fully resolve matters. A number of actions also in relation to pre-existing complaints at Manor Farm, North Runcton and Cornish Way, North Walsham continue to use disproportionate staff resources when responding with an appropriate response. (see figure 2).



Figure 1

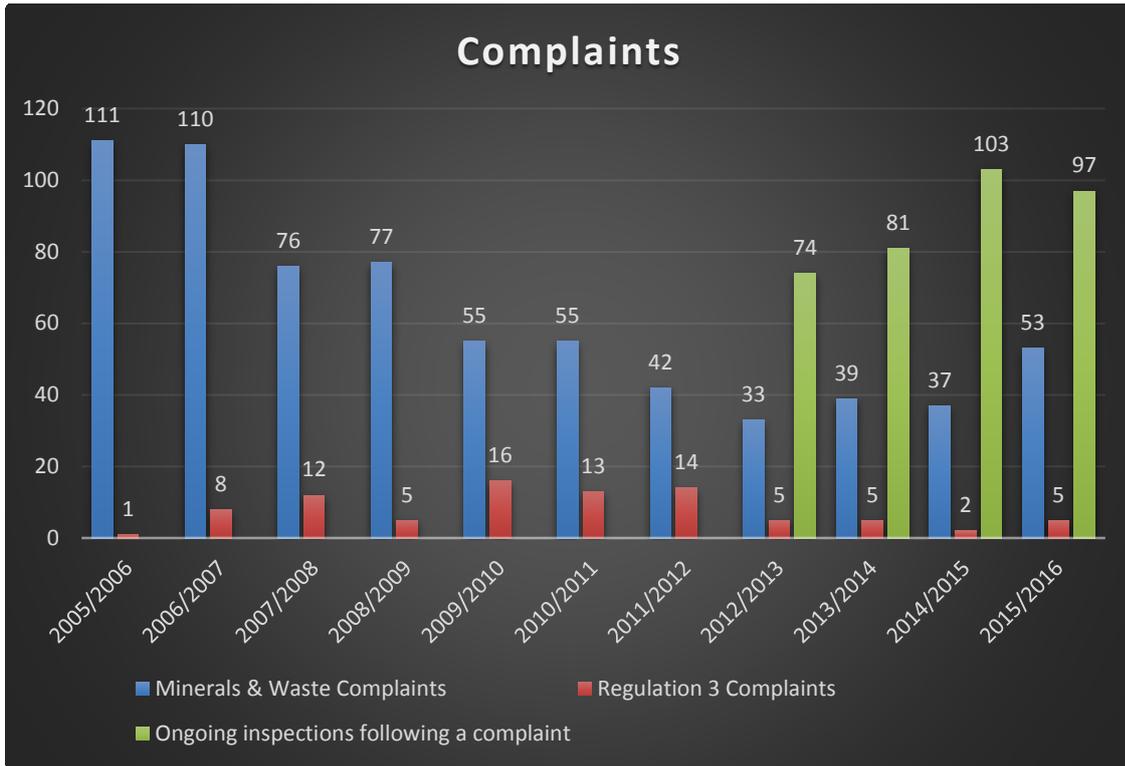


Figure 2

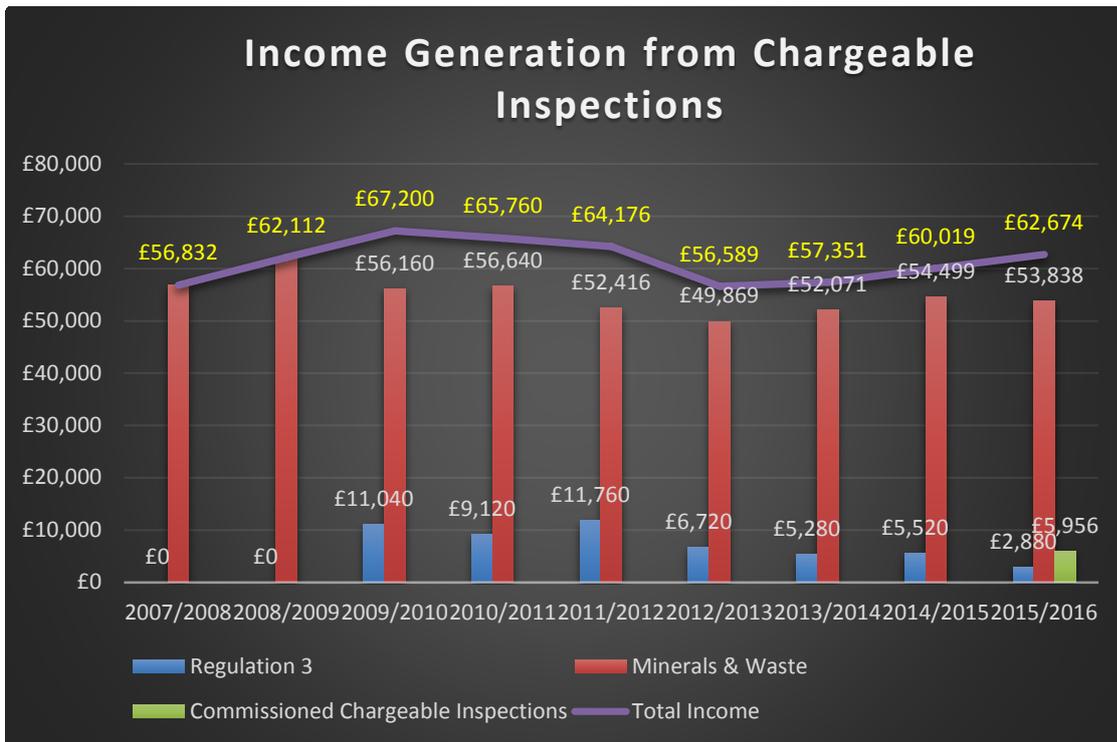


Figure 3

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 50 of the total 170

applications received and 19 discharge of condition applications out of a total of 70 received (see figure 4).

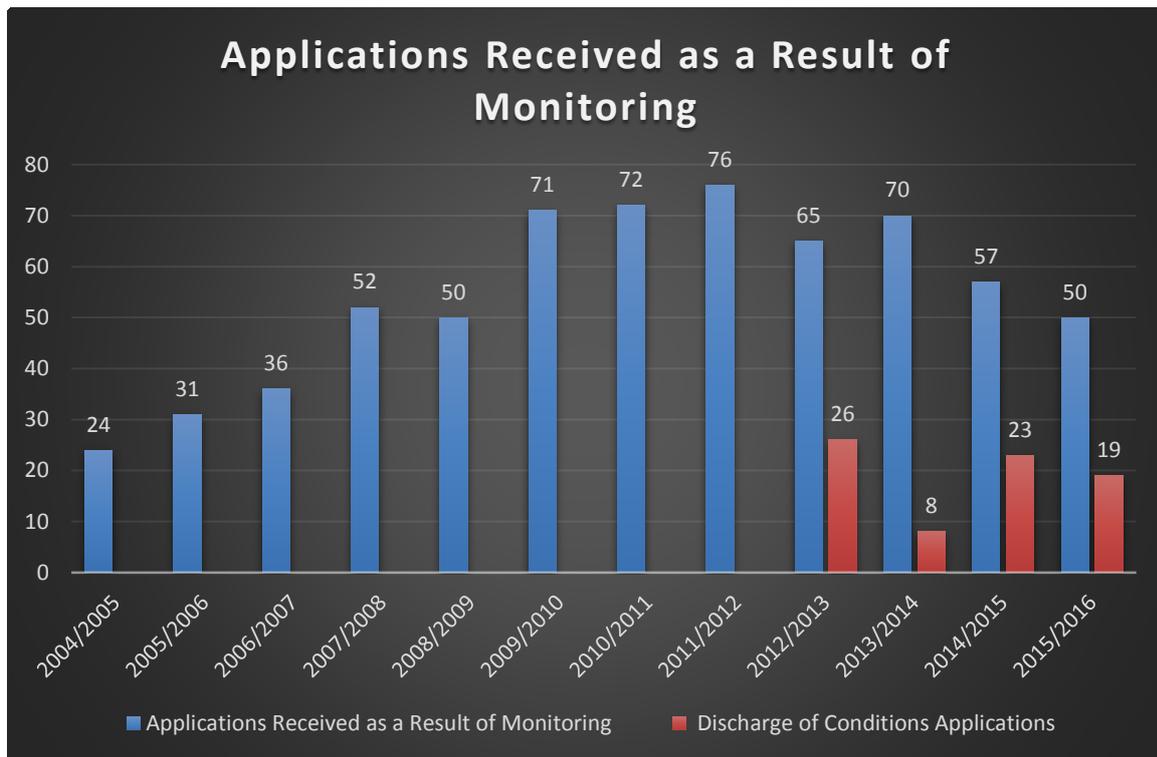


Figure 4

6.4 Monitoring of Non-hazardous Landfill Sites

The inspection programme together with the use of more modern survey equipment has helped identify more quickly those landfill sites that have been tipped above agreed contours. Progress would usually be reported annually in a separate report but as a number of the landfill sites are no longer accepting waste the information is enclosed in Appendix 1 attached to this report.

The NORSE Group have now completed the filling for the landfill site at Edgefield. However, they continue to operate the Materials Recycling Facility at Costessey and the green waste treatment centre at Marsham. The remaining 'closed' landfills at 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 (see figure 5 below). 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. However, the proactive presence on site, together with regular inspections as part of a programme is continuing to forestall complaints to either maintain or reduce previous levels of complaint. This is further evidenced in figures 1 and 2.

It is acknowledged that fewer complaints, particularly in relation to minerals and waste sites allow for more resources for pro-active site monitoring. The monitoring team can now quantify matters that have been raised as a result of pro-active monitoring and this will continue in future updates. (see figure 1).

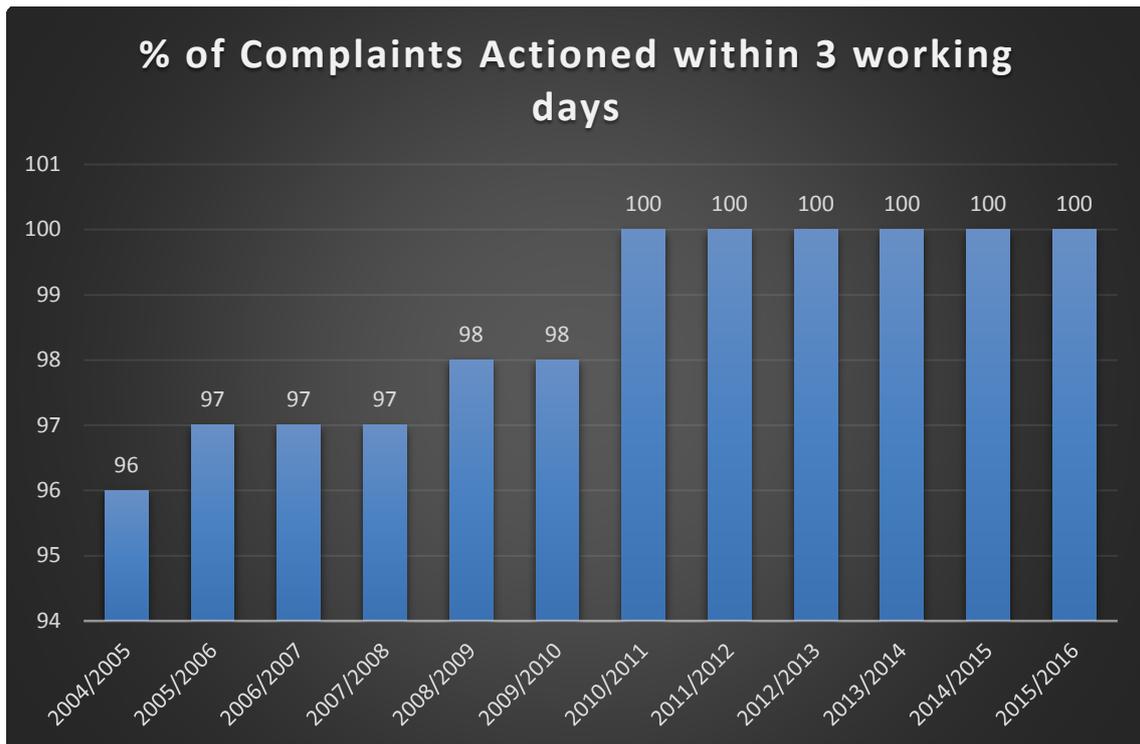


Figure 5

Since the inception of the new fees regime, the Council's has maintained sufficient staff resources, to ensure that previous high levels of pro-active monitoring and all agreed chargeable visits are carried out. The fee income recovered to date contributes significantly to funding this resource. However, over the last 3 years the monitoring regime has sought to target those sites where there is a greater risk to the environment. The targeting of sites will help to maintain a regular but reduced site inspection regime.

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 are serviced by liaison meetings are shown below (see figure 6). These currently number 7 and include, Leziate, Coxford, Aldeby Landfill, Tottenhill, Mangreen, Stody and Stanninghall. The number of liaison meetings has been maintained at the same level despite landfilling being completed at Attlebridge

and Blackborough End. Liaison meetings on these former sites have been replaced by new sites e.g. Stanninghall Quarry. Liaison meetings are also held on a regular basis with other authorities including the Environment Agency and district councils.

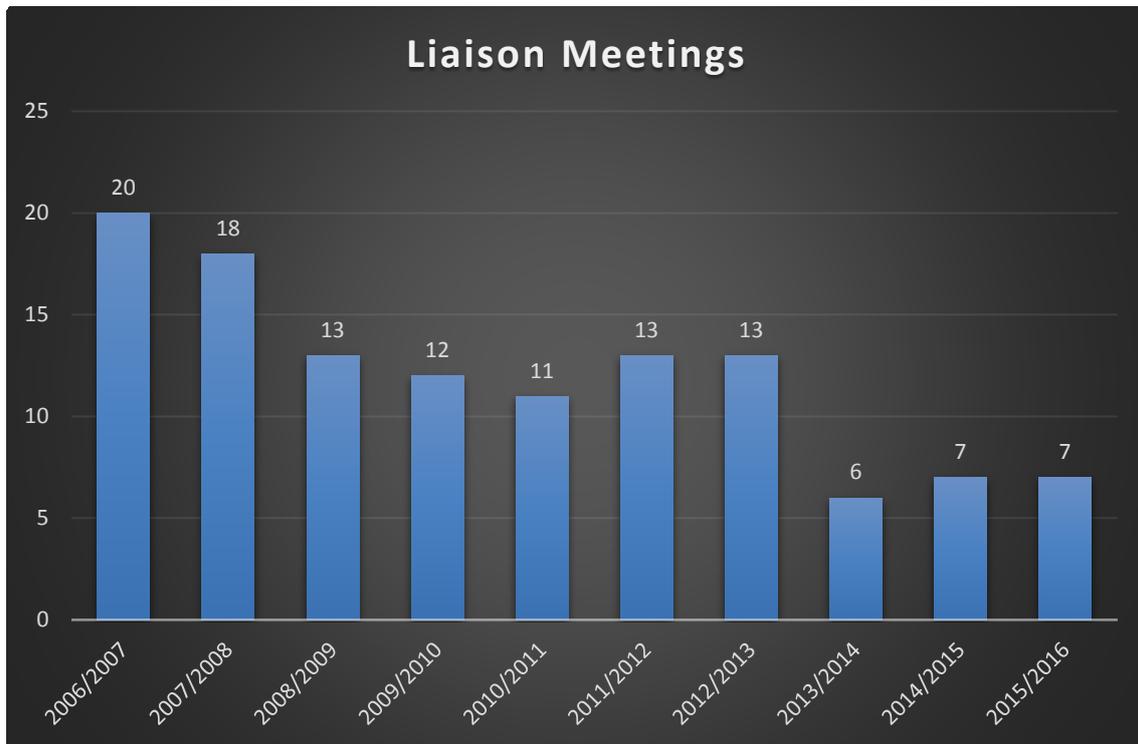


Figure 6

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 figures 2 and 5, 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.

It is acknowledged that a cost may be involved when operators seek to raise environmental standards. Good environmental practice can also save money. However, 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.

Fifteen Breach of Condition Notices were served in 2015/2016 (see figure 7).

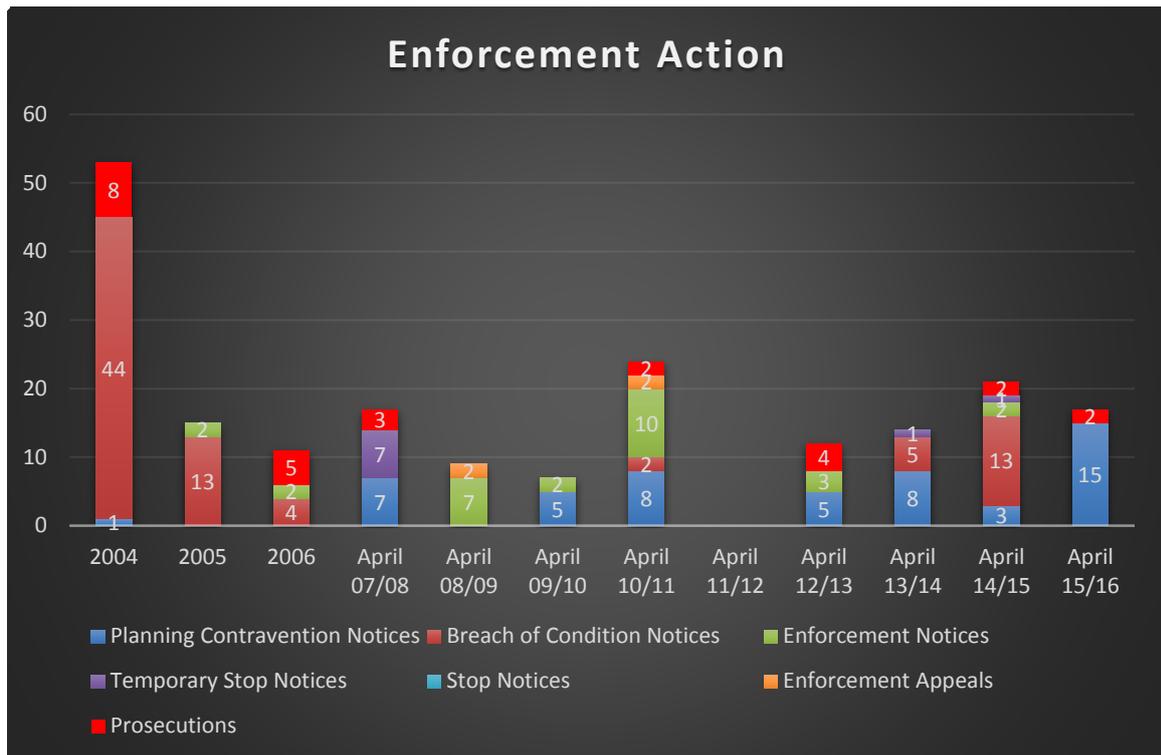


Figure 7

On 17 March 2016 waste operator Mark Edward Fuller was sentenced to 15 months imprisonment for running an illegal waste site in North Runcton.

Norwich Crown Court heard that he ran the illegal site for more than a year from Manor Farm in Common Lane without planning permission and without an environmental permit to deposit, store, dispose and treat waste.

In September 2010 Norfolk County Council served an enforcement notice on Mr Fuller requiring him to stop taking waste onto the land and processing the waste. The waste included construction and wood waste. The enforcement notice was issued because the unauthorised uses were in the open countryside and their scale, form and mass cause harm to the landscape and amenity.

The notice was appealed by Mr Fuller in August 2011, the court heard, but the Planning Inspector upheld the enforcement notice. Mr Fuller then lodged an unsuccessful application for permission to appeal against the Inspector’s decision with the High Court which delayed the effective date of the Enforcement Notice.

Mr Mark Watson, prosecuting on behalf of Norfolk County Council and the Environment Agency, told the court that despite correspondence, discussions, meetings and site visits by Norfolk County Council and Environment Agency officers, Mr Fuller failed to respond to advice and continued to operate illegally.

In November 2012, Council and Environment Agency officers inspected the site and found there was a large stockpile of wood waste, amounting to many thousands of tonnes and between 12 and 15 metres in height. Additionally there had been thousands of tonnes of waste soil and construction and demolition waste imported and stockpiled.

This is a case that has stretched the powers of planning enforcement to the limit. The defendant refused to engage with the planning system; appeals, including High Court challenges with very little merit were designed to frustrate the enforcement procedure and have lengthened and increased the cost of this process. Three days after pleading guilty, Norfolk County Council's investigations confirmed that Mr Fuller was continuing to breach the Enforcement Notice. The Council is determined that this type of activity will not be allowed to continue in such a sensitive location.

An investigation under the Proceeds of Crime Act 2002 is ongoing regarding the site at Manor Farm, North Runcton and at Strayground Lane, Wymondham.

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. Aftercare inspections and meetings, largely concerning agricultural restorations, form a significant proportion of monitoring activity, particularly during the March/May period.

Management meetings are often associated with legal agreements where restoration, often required beyond the statutory 5 years becomes necessary. These currently number 8, but we expect the number will increase as biodiversity initiatives and general nature conservation replace agriculture on some sites. These meetings normally take place during spring and summer each year.

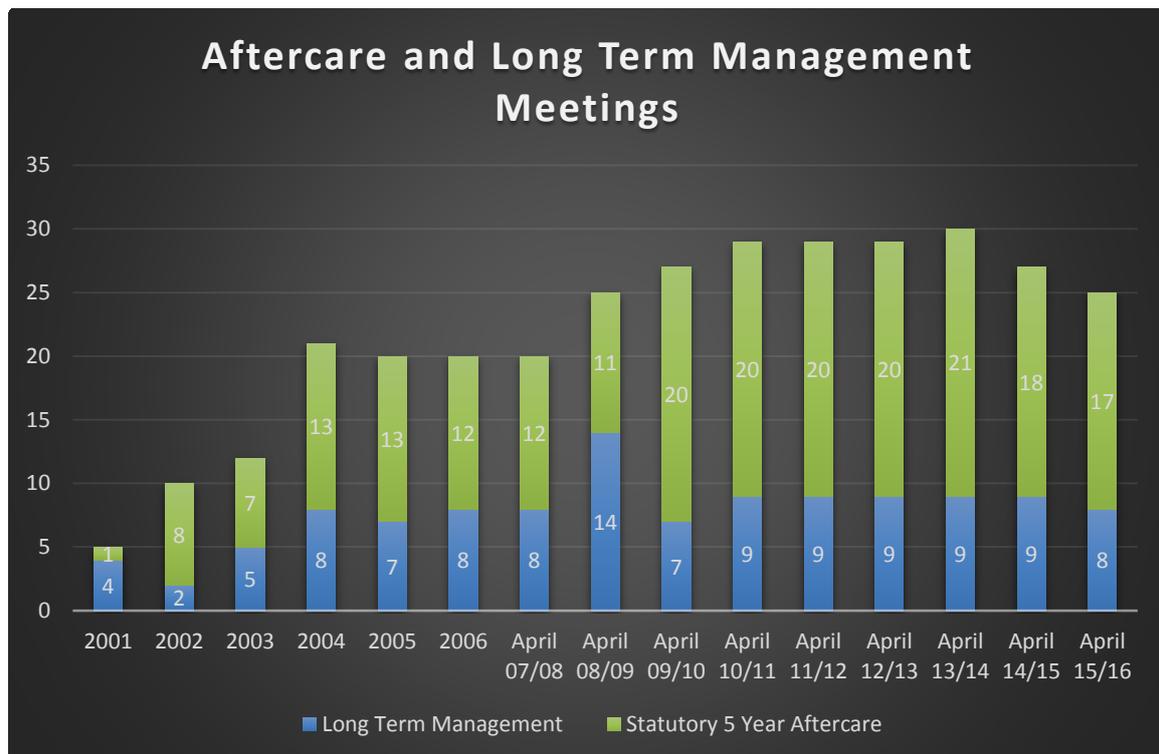


Figure 8

APPENDIX 1- Waste sites progress

Aldeby – FCC

A planning application was approved in October 2014 to provide for the revised newly formed site contours. Landfilling progress is currently on track to complete the landfilling and restoration by July 2018, with filling works now complete and restoration currently ongoing. A local liaison group will continue to meet until the restoration works are substantially complete. A further survey would be required this year to check that the site has been filled to the agreed level.

A planning application was approved in July 2015 for the retention of the purpose built site haul road until completion of landfilling in 2018.

Feltwell – FCC

The site is currently moth-balled and in 'care and maintenance'. This has necessitated the import of soils to complete the capping and restoration of phase 2.

Blackborough End - FCC

The currently agreed 'domed' restoration scheme was approved on appeal. However, surveys carried out over the last two years have indicated non-compliance with the pre-settlement plan. A planning application to revise the contours has received but is invalid. Further information has been requested. The new scheme would include a 'valley' feature running in an east-west direction. Landfilling progress was completed in cell 12, when it was decided to suspend any further landfilling. Capping and restoration works using imported soils are ongoing in order to complete the last phase of filling. A further survey would be required this year to check that the last landfilling phase has been completed to level.

In August 2015, planning permission was granted for a temporary waste transfer pad until December 2020.

Blackborough End – W M George

No further filling has taken place for a number of years, and the completed areas are now in the five year aftercare and management period.

A Breach of Condition Notice (BCN) to prevent the import and disposal of any further waste remains in force. Failure to comply with this notice would lead to prosecution in the magistrates' court.

Attlebridge – BIFFA Waste Services Limited

Landfilling has been completed, with previous surveys indicating compliance with the approved scheme. Part of the site is now in the five year aftercare and management period. The remainder has received final soils suitable for final restoration. A further survey would be required this year to check that the site has been satisfactorily completed.

Stoke Ferry – Pearsons and Formerly Acacia waste, north and south of the A143 respectively

The northern site has settled over a number of years since landfilling was completed, and is less intrusive in the surrounding landscape. Grass cutting takes place on a regular basis.

The southern site has been completed and restored recently following pressure by the County Council to see a timely resolution. The site has now entered the five year aftercare and management period.

Mayton Wood – Norfolk County Council Waste Management

Landfilling has been completed, with surveys indicating compliance with the approved scheme. The site is now in the five year aftercare and management period.

Edgefield - NEWS

Landfilling has been completed with surveys indicating compliance with the approved scheme. Final seeding and planting has been completed and the site has entered the five year aftercare and management period.

Planning applications were approved to retain the existing site cabins for use associated with the site and fencing on the northern aspect. A northern perimeter road will remain for use associated with gas plant and waste treatment facility on adjacent land.

Beetley, Costessey and Docking

Landfilling has been completed, with surveys indicating compliance with the approved scheme. These sites have now successfully completed the five year aftercare and management period.

The office accommodation on Costessey has been retained and will require planning permission.

Snetterton - Norfolk County Council Waste Management/NEWS

Putrescible landfilling on the site has ceased. The agreed contour plan indicates that the whole site will be filled. However, due to changes in legislation this is not now achievable. Alternative methods of restoration of the site are being considered.