



Norfolk County Council

Norfolk Minerals and Waste Development Framework

Monitoring Report 2019-2020

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



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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 2019 to 31 March 2020.

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 2019 to March 2020:

- Review of the Norfolk Minerals and Waste Development Scheme (MWDS)
- Policy Performance, including a review of policy implementation
- Monitoring and enforcement
- Mineral 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 (updated in 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 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 is being 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 (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 compared with actual and anticipated production date

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 July 2018 Preferred Options Consultation: Aug to Sept 2019	Initial Consultation: June to August 2018 Preferred Options Consultation: Sept to Oct 2019
Pre-Submission representations period (Regulation 19 Stage)	May to June 2020	September to October 2021
Submission (Reg 22)	September 2020	December 2021
Hearing commencement (Reg 24)	January 2021	April 2022
Inspector’s report	July 2021	October 2022
Adoption (Reg 26)	September 2021	December 2022

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 2021. This delay was due to several factors including: the large volume of responses (over 5,600) received to the Preferred Options consultation, an increased 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 NM&WLP process. A revised timetable is shown in Table 2 above. Due to the differences between the adopted Scheme and the expected production dates of the NM&WLP, a revised MWDS will need to be prepared.

2.2 Consultation Participation and Response

Norfolk Minerals and Waste Local Plan Review

In this reporting period (April 2019 to March 2020) a consultation period took place on the Preferred Options for the Norfolk Minerals and Waste Local Plan Review (for six weeks from 18 September to 30 October 2019) (Regulation 18 stage). There were 3525 respondents to the consultation and one petition signed by 104 local residents objecting to proposed site MIN213 at Mansom Plantation, Stratton Strawless. The majority of responses were from individuals.

Responses were received from the following 8 Local Planning Authorities:

Borough Council of King's Lynn and West Norfolk, Broadland District Council, Broads Authority, East Suffolk Council, Great Yarmouth Borough Council, North Norfolk District Council, Norwich City Council, South Norfolk District Council.

Responses were received from the following three Minerals and Waste Planning Authorities:

Cumbria County Council, Essex County Council, Suffolk County Council.

Responses were received from the following 23 town and parish councils:

Beeston with Bittering, Beetley, Clenchwarton, Cranworth, Earsham, Fritton and St Olaves, Great Witchingham, Gressenhall, Haddiscoe, Hainford, Hingham, Horsham St Faith and Newton St Faith, Marham, North Walsham, Shipdham, Shouldham, Sprowston, Stratton Strawless, Tasburgh, Tottenhill, West Winch, Weston Longville, Wormegay.

Responses were also received from the following other specific consultation bodies:

Environment Agency, Natural England, Historic England, Anglian Water Services Ltd, National Grid, Ministry of Defence (Defence Infrastructure Organisation), the Marine Management Organisation. Norfolk County Council also responded in its roles as the Lead Local Flood Authority, Waste Disposal Authority, Highway Authority, and Natural Environment Team (ecology, arboriculture, landscape)

Responses were also received from the following general consultation bodies:

Norfolk Wildlife Trust, CPRE Norfolk, Forestry Commission England, Mineral Products Association, UK Onshore Oil and Gas (UK OOG), Norfolk Coast Partnership, Middle Level Commissioners (IDB), East of Ouse, Polver & Nar Internal Drainage Board, Open Spaces Society.

The table below summarises the number of responses received to the Preferred Options Consultation on the Norfolk Minerals and Waste Local Plan Review. It should be noted that many respondents and objectors made representations on more than one site or policy and therefore the total number of respondents and objectors to the plan as a whole does not equal the sum of the number of respondents and objectors in each row of the table. The contents of the responses are available to view on consultation website at: <https://norfolk.oc2.uk/document/49>

Representations received to Preferred Options Consultation on the Norfolk Minerals and Waste Local Plan Review

Section name	Respondents	Objectors	Support	Object	Comments	Total representations
1. Introduction / whole document	15	4	0	7	12	19
2. The consultation process	2	2	0	2	0	2
3. The process so far	4	1	0	1	3	4
4. What happens next	1	0	0	0	1	1
5. Norfolk Spatial Portrait	3	1	0	1	2	3
6. The Strategy – Vision and Strategic Objectives	15	4	8	9	10	27
General Policies	N/A	N/A	N/A	N/A	N/A	N/A
Presumption in favour of sustainable development	6	3	1	4	2	7
MW2 Development Management Criteria (Policy MW2)	19	6	3	12	24	39
MW3 Transport (Policy MW3)	11	2	0	2	9	11
MW4 Climate change adoption and mitigation (Policy MW4)	15	5	2	6	8	16
MW5 The Brecks Protected Habitats and Species (Policy MW5)	4	3	1	3	0	4
MW6 Agricultural Soils (Policy MW6)	9	3	2	3	4	9
Waste Management Specific Policies	N/A	N/A	N/A	N/A	N/A	N/A
W1. Waste management capacity to be provided (Policy WP1)	9	4	0	5	6	11
W2. Spatial strategy for waste management facilities (Policy WP2)	12	4	2	4	6	12
W3. Land potentially suitable for waste management facilities (Policy WP3)	11	3	1	3	7	11
W4. Recycling or transfer of inert CD&E waste (Policy WP4)	6	3	0	3	3	6
W5. Waste transfer stations, materials recycling facilities, ELV facilities and WEEE recovery facilities (Policy WP5)	2	1	0	1	1	2
W6. Transfer, storage, processing and treatment of hazardous waste (Policy WP6)	4	1	0	1	3	4

Section name	Respondents	Objectors	Support	Object	Comments	Total representations
W7. Household Waste Recycling Centres (Policy WP7)	4	0	0	0	4	4
W8. Composting (Policy WP8)	0	0	0	0	0	0
W9. Aerobic digestion (Policy WP9)	1	0	0	0	1	1
W10. Residual waste treatment facilities (Policy WP10)	43	39	2	39	2	43
W11. Disposal of inert waste by landfill (Policy WP11)	2	1	1	1	0	2
W12. Non-hazardous and hazardous waste landfill (Policy WP12)	3	2	0	2	1	3
W13. Landfill mining and reclamation (Policy WP13)	2	0	0	0	2	2
W14. Water Recycling Centres (Policy WP14)	1	0	0	0	1	1
W15. Whitlingham Water Recycling Centre (Policy WP15)	5	3	0	3	2	5
W16. Design of waste management facilities (Policy WP16)	2	0	1	0	1	2
W17. Safeguarding of waste management facilities (Policy WP17)	4	0	0	0	4	4
Minerals Specific Policies	N/A	N/A	N/A	N/A	N/A	N/A
MP1. Provision for minerals extraction (Policy MP1)	14	9	3	13	5	21
MP2. Spatial strategy for mineral extraction (Policy MP2)	16	8	0	8	8	16
MP3. Borrow Pits (Policy MP3)	1	0	0	0	1	1
MP4. Agricultural or potable water reservoirs (Policy MP4)	2	1	0	1	1	2
MP5. Core River Valleys (Policy MP5)	8	4	1	4	3	8
MP6. Cumulative impact and phasing of workings (Policy MP6)	5	3	1	1	3	5
MP7. Progressive working, restoration and afteruse (Policy MP7)	9	4	1	4	4	9

Section name	Respondents	Objectors	Support	Object	Comments	Total representations
MP8. Aftercare (Policy MP8)	4	0	1	0	3	4
MP9. Concrete Batching and asphalt plants (Policy MP9)	2	0	0	0	2	2
MP10. Safeguarding of port and rail facilities, and facilities for the manufacture of concrete, asphalt and recycled materials (Policy MP10)	5	0	0	0	5	5
MP11. Minerals Safeguarding Areas and Minerals Consultation Areas (Policy MP11)	8	3	0	3	5	8
MP12. Energy minerals (Policy MP12)	37	33	0	33	4	37
Appendices to the policies	N/A	N/A	N/A	N/A	N/A	N/A
Appendix 1 – Existing Core Strategy and Development Management Policies	0	0	0	0	0	0
Appendix 2 – Existing Minerals Site Specific Allocations and Areas of Search Policies	0	0	0	0	0	0
Appendix 3 - Existing Waste Site Specific Allocations Policies	4	1	0	1	3	4
Appendix 4 - Development excluded from safeguarding provisions	1	0	0	0	1	1
Appendix 5 – Safeguarded mineral infrastructure	0	0	0	0	0	0
Appendix 6 – Safeguarded mineral extraction sites	0	0	0	0	0	0
Appendix 7 – Safeguarded waste management facilities	0	0	0	0	0	0
Appendix 8 – Safeguarded Water Recycling Centres	0	0	0	0	0	0
Appendix 9 – Forecast waste arisings	1	0	0	0	1	1
Appendix 10 – Proposed waste management sites	2	0	0	0	2	2
WS1. Land at Summer Lane, Carbrooke	0	0	0	0	0	0
WS2. Former mineral working at Heath Road, Snetterton	1	0	1	0	0	1
WS3. Land at Atlas Works, Norwich Road, Lenwade	5	4	1	4	0	5
WS4. Land off Long Lane, Ludham	0	0	0	0	0	0

Section name	Respondents	Objectors	Support	Object	Comments	Total representations
WS5. Land east of Mill Drove at Blackborough End landfill site	2	0	0	0	2	2
WS6. Land north of Main Road, Crimbleham	2	1	0	1	1	2
Appendix 11 – Glossary	1	1	0	1	0	1
Proposed mineral extraction sites in Breckland	N/A	N/A	N/A	N/A	N/A	N/A
MIN 12. land north of Chapel Lane, Beetley	13	6	5	6	2	13
MIN 51 & MIN 13. land west of Bilney Road, Beetley	7	4	4	4	2	10
MIN 08. land north of Stoney Lane, Beetley	6	4	0	4	2	6
MIN 23. land north of Back Lane, Beeston	4	3	0	3	1	4
MIN 200. land west of Cuckoo Lane, Carbrooke	5	1	2	1	3	6
MIN 116. land at Woodrising Road, Cranworth	39	39	0	39	0	39
MIN 35. land at Heath Road, Eccles, Quidenham	5	3	1	3	1	5
MIN 102. land at North Farm, south of the River Thet, Snetterton	2	1	0	1	1	2
MIN 201. land at Swangey Farm, north of North Road, Snetterton	4	1	1	1	2	4
Proposed mineral extraction sites in Broadland	N/A	N/A	N/A	N/A	N/A	N/A
MIN 55. land at Keeper's Cottage, Attlebridge	2	0	1	0	1	2
MIN 202. land south of Reepham Road, Attlebridge	5	0	1	0	4	5
MIN 48. land at Swannington Bottom Plantation, Felthorpe	1	1	0	1	0	1
MIN 37. land at Mayton Wood, Coltishall Road, Buxton	7	2	0	2	5	7
MIN 64. land at Grange Farm, Buxton Road, Horstead	4	1	0	1	3	4
MIN 65. land north of Stanninghall Quarry	6	4	0	4	2	6
MIN 96. land at Grange Farm, (between Spixworth Road and Coltishall Lane) Spixworth.	8	4	0	4	4	8
MIN 213. land at Mansom Plantation, Stratton Strawless	64	55	1	57	8	66

Section name	Respondents	Objectors	Support	Object	Comments	Total representations
Proposed mineral extraction sites in Great Yarmouth	N/A	N/A	N/A	N/A	N/A	N/A
MIN 203. land north of Welcome Pit, Burgh Castle	2	0	1	0	1	2
MIN 38. land at Waveney Forest, Fritton	42	38	1	41	3	45
Proposed mineral extraction sites in King's Lynn and West Norfolk	N/A	N/A	N/A	N/A	N/A	N/A
MIN 6. Land off East Winch Road, Mill Drove, Middleton	9	3	2	3	5	10
MIN 45. Land north of Coxford Abbey Quarry, East Rudham	4	2	0	2	2	4
MIN 204. Land north of Lodge Road, Feltwell	5	1	0	1	4	5
MIN 19 & MIN 205. Land north of the River Nar, Pentney	5	2	1	2	2	5
MIN 74. Land at Turf Field, Watlington Road, Tottenhill	47	44	1	44	2	47
MIN 77. Land at Runns Wood, south of Whin Common Road, Tottenhill	43	40	4	40	2	43
MIN 206. Land at Oak Field, West of Lynn Road, Tottenhill	47	42	0	42	5	47
MIN 32. Land west of Lime Kiln Road, West Dereham	10	6	2	6	2	10
Proposed silica sand extraction sites and areas of search	N/A	N/A	N/A	N/A	N/A	N/A
MIN 40. land east of Grandcourt Farm, East Winch	10	3	2	4	5	11
SIL 01. Land at Mintlyn South, Bawsey	14	4	2	4	8	14
AOS E. land to the north of Shoudlham	3229	3222	2	3343	5	3350
AOS F. land to the north of Stow Bardolph	14	7	1	7	6	14
AOS I. land to the east of South Runcton	53	45	2	45	6	53
AOS J. land to the east of Tottenhill	64	55	2	55	7	64
Policy MP13: Areas of search for silica sand extraction	6	2	2	2	2	6
SIL 02. land at Shouldham and Marham	1262	1255	2	1273	5	1280

Section name	Respondents	Objectors	Support	Object	Comments	Total representations
Proposed mineral extraction sites in North Norfolk	N/A	N/A	N/A	N/A	N/A	N/A
MIN 69. land north of Holt Road, Aylmerton	8	1	1	1	6	8
MIN 71. land west of Norwich Road, Holt	5	2	1	2	2	5
MIN 115. land at Lord Anson's Wood, near North Walsham	11	5	0	5	6	11
MIN 207. land at Pinkney Field, Briston	4	1	0	1	3	4
MIN 208. land south of Holt Road, East Beckham	4	1	1	1	2	4
Proposed mineral extraction sites in South Norfolk	N/A	N/A	N/A	N/A	N/A	N/A
MIN 209. land adjacent to the A143, Earsham (extn area 1)	7	2	4	2	1	7
MIN 210. land adjacent to the A143, Earsham (extn area 2)	6	1	4	1	1	6
MIN 211. land west of Bath Hills Road, Earsham (extn area 3)	7	1	4	1	2	7
Specific Site Allocation Policy MIN 209/ MIN 210 /MIN 211 (Earsham sites)	3	1	1	1	1	3
MIN 25. land at Manor Farm (between Loddon Road and Thorpe Road) Haddiscoe	23	18	2	18	3	23
MIN 92. land east of Ferry Lane, Heckingham	3	3	0	3	0	3
MIN 212. land south of Mundham Road, Mundham	5	2	2	2	2	6
MIN 79. land north of Hickling Lane, Swardeston	1	1	0	1	0	1
Implementation, Monitoring and Review	1	0	0	0	1	1
TOTALS	3525	3478	93	5267	314	5674

Background documents

Document	Respondents	Objectors	Support	Object	Comments	Total representations
Waste Management Capacity Assessment 2017	1	0	0	0	1	1
Sustainability Appraisal Report (Parts A and B)	7	3	1	3	3	7
Habitats Regulations Assessment	2	1	1	1	0	2

2.2.1 Consultation feedback

In response to the Preferred Options Consultation a number of responses were received which raised concerns about how the consultation was publicised and the consultation methods used.

Issues about the consultation methods used were raised in responses received to the following proposed mineral extraction sites: SIL 02 at Shouldham and Marham, MIN 12 at Beetley, MIN 116 at Cranworth, MIN 37 at Buxton, MIN 65 at Stanninghall and MIN 74 at Tottenham. Issues about the consultation were also raised in responses to silica sand Area of Search E which is within the parishes of Marham, Shouldham, Shouldham Thorpe and Wormegay,

The main issues raised were:

1. Norfolk County Council (NCC) continues to employ a public consultation process without scrutinising its efficiency and that is clearly not fit for purpose.

NCC response: The public consultation process meets the requirements of Norfolk County Council's Statement of Community Involvement and the government's guidance and regulations for Local Plan preparation. The suitability of the consultation process is assessed in the Annual Monitoring Reports.

2. In relation to SIL 02: The Mineral Plan states that the "responses received have been considered in the production of the second public consultation document, the Preferred Options", however the 'Preferred Options' only reflected the concerns of the MOD and Historical Environment Services. NONE of the concerns raised by residents were taken into account or addressed. There is no evidence of taking the feedback and public concerns into account.

NCC response: All responses made to the Initial Consultation were read by the Minerals and Waste Policy team and the issues raised investigated and taken into account in the Preferred Options document. A Feedback Report has been published for the Initial Consultation stage setting out all the issues raised and the Planning Officer's response to those issues. Proposed site SIL 02 was concluded to be unsuitable to allocate in the Preferred Options document.

3. "An accessible consultation should not be written in incomprehensible language and should not require 1000s of hours of effort to understand and participate. It should not rely on concerned members of the public informing the wider

community or rallying various consultee groups to respond. It should not require the public to defend and ensure existing government policies are complied with. It should not require an MP's involvement to ensure that public concern is registered and addressed.”

NCC response: We aim to make the language in the document as clear as possible and we will continue to work on this in future planning policy documents. The local plan is a statutory document and will contain some technical language in order to be robust for dealing with future planning applications. Technical terms used should all be included in the glossary of the consultation document. The public consultation process meets the requirements of Norfolk County Council’s Statement of Community Involvement and the government’s guidance and regulations for Local Plan preparation. All town and parish councils within Norfolk and all addresses within 250m of the proposed site boundary were informed in writing of the Preferred Options Consultation. A distance of 250 metres was used because this represents a distance at which amenity impacts (such as noise and dust) from mineral extraction could be mitigated to acceptable levels with the minimum of controls. In addition, a public notice was published in the Eastern Daily Press and at least one site notice was erected at each proposed site. When the Publication version of the Norfolk Minerals and Waste Local Plan is submitted to the Planning Inspectorate for examination, the independent inspector will assess whether the plan and the plan-making process is legally compliant and meets the tests of ‘soundness’ set out in the National Planning Policy Framework.

4. Inclusivity (groups of the community are not excluded) –

In relation to site SIL 02: NCC deemed it reasonable to only send 10 letters to residents within an arbitrary 250m boundary of the site SIL 02, despite the proposed silica mine being the largest in the country and affecting thousands of people, including disadvantaged and minorities, and the thousands of people who come to the Warren to enjoy the little nature that is left in West Norfolk.

In relation to site MIN 65 at Stanninghall: Why have only 13 sensitive receptors within 250m of the site boundary (Stanninghall) been contacted? There are hundreds more properties within the village of Horstead.

In relation to sites MIN 74, MIN 77 and MIN 206: The notification of residents within a 250 metre radius of proposed sites is not a large enough radius.

Residents of Tottenhill Row have been badly affected by noise from MIN 76 as well as MIN 75. The noise created over the last summer from MIN 75 has been particularly bad, the eastern end of Tottenhill Row is well over 900 metres from MIN 75. People lead busy lives and it is not enough to rely on residents in areas potentially affected areas seeing a very small notice on a telegraph pole whilst driving (and not everyone has access to the internet and facebook to get notifications of planning matters making the process discriminatory as it stands.). Property at 44 Lynn Road, Tottenhill is within 250m of a site boundary and did not receive a letter.

In relation to site MIN 37 at Mayton Wood: Not all properties at The Heath received letters and are surely within 250m of the site boundary.

NCC response: All town and parish councils within Norfolk and all addresses within 250m of the proposed site boundary were informed in writing of the Preferred Options Consultation. A distance of 250 metres was used because this represents a distance at which amenity impacts (such as noise and dust) from mineral extraction could be mitigated to acceptable levels with the minimum of controls. With regards to site MIN 37

letters were sent to nine properties at The Heath which are within 250m of the site boundary; not all properties at The Heath are within 250m of the proposed site boundary. With regards to the property at 44 Lynn Road, Tottenhill, it is located more than 250m from the proposed site boundary of the nearest site MIN 74.

5. Ineffective methodology for consultation resulting in low responses. In the 2015 consultation, AOS E received 7 responses; in the 2018 consultation, due to the efforts of CATSS local campaign group, AOS E and SIL02 received 460 responses. Other areas resulted in the same low level response (SIL01 - 8, AOS F - 3, AOS I - 4, AOS J - 6), because NCC continues to use ineffective methods of engagement with the residents of Norfolk.

NCC response: All town and parish councils within Norfolk and all addresses within 250m of the proposed site boundary were informed in writing of the Preferred Options Consultation. A distance of 250 metres was used because this represents a distance at which amenity impacts (such as noise and dust) from mineral extraction could be mitigated to acceptable levels with the minimum of controls. In addition, a public notice was published in the Eastern Daily Press and at least one site notice was erected at each proposed site. The consultation was carried out in accordance with Norfolk County Council's adopted Statement of Community Involvement.

6. Difficulty finding where to comment on the website, the URL to the consultation is too long.

NCC response: The consultation website follows the AA Web Content Accessibility Guidelines (WCAG) standards and is made as accessible as possible whilst meeting the needs of the statutory planning system and the requirements of the Planning Inspectorate. The URL for the consultation published on the site notices is www.norfolk.gov.uk/nmwdf which we do not consider is too long. The same URL was used in the letters and emails sent out to inform people and organisations of the consultation. In addition, the letters and emails contained the URL for the consultation website on which to make responses online, which was: norfolk.jdi-consult.net/localplan/ which we also do not consider is too long.

7. "The on-line consultation process seems so complex and time consuming as to dissuade the general public from commenting on the proposals."

NCC response: The online consultation system used for the Minerals and Waste Local Plan consultations is a nationally recognised system for Local Plan consultations used by over 30 Local Planning Authorities and it has been made as straightforward as possible whilst meeting the needs of a statutory planning system and the requirements of the Planning Inspectorate. Whilst the on-line consultation system is our preferred method for response to be received, there was no requirement for consultees to use it and responses by letter and email were also accepted.

8. The online consultation system seems to only allow 100 words in the objection box therefore rendering the process inadequate.

NCC response: The online consultation system does not limit responses to 100 words. If a response is longer than 100 words, then a summary of the response is less than 100 words is also required to be provided.

9. In regard to site MIN 12 at Beetley: The proposal would result in the breach of my Human Rights Act 1988. Protocol 1, Article 1 your right to enjoy your property peacefully. No assessment has been made or referred to in the assessment characteristics of this site, regarding the Human Rights implications. The consultation is considered flawed as no regard or assessment has been made and appropriate legal action will be pursued.

NCC response: The site assessments were written by Planning Officers at Norfolk County Council. Statutory and non-statutory bodies and individuals were consulted as part of the Preferred Options Consultation and the comments received will be taken into account in the drafting of the Pre-Submission Publication version of the Minerals and Waste Local Plan. The Minerals and Waste Local Plan will be subject to an examination in public by an independent Planning Inspector on behalf of the Secretary of State. The Planning Inspector will decide whether the plan is 'sound' and legally compliant. Article 2, Article 8 and Protocol 1 of the European Convention on Human Rights are known as 'qualified rights' in that a legal framework (the planning system) exists to consider these rights against the needs of society as a whole. An equality impact assessment will be produced to inform the Publication stage of the emerging Minerals and Waste Local Plan process.

10. Lack of information given to residents. Only recognised a Planning Notice on the Traffic Sign post specific to MIN 12. Only found out about MIN 12 due to communication between residents. One small notice put up at the entrance to the site could be argued to be the minimum permitted

NCC response: All town and parish councils within Norfolk and all addresses within 250m of the proposed site boundary were informed in writing of the Preferred Options Consultation. A distance of 250 metres was used because this represents a distance at which amenity impacts (such as noise and dust) from mineral extraction could be mitigated to acceptable levels with the minimum of controls. In addition, a public notice was published in the Eastern Daily Press and at least one site notice was erected at each proposed site. The consultation was carried out in accordance with Norfolk County Council's adopted Statement of Community Involvement.

11. In relation to MIN 37 (land at Mayton Wood): There are two separate start dates; one for 2019, the other for 2021, and this only for the adoption of the plan. If the 2019 date is correct, then it would appear that all permissions and planning applications have already been approved. If this is so, then why this consultation?

NCC response: The proposer of site MIN 37 (land at Mayton Wood) gave a potential start date of 2019 when they proposed the site for allocation in the NM&WLP. Site MIN 37 is already allocated for mineral extraction in the existing adopted Minerals Site Specific Allocations Plan which was adopted in 2013. All of the allocated sites in that document are being reviewed as part of the NM&WLP process, which includes public consultation stages. Gaining planning permission is a separate process to the NM&WLP. The mineral operator would still need to apply for planning permission in order to be able to extract mineral from the site. The suitability of the planning application would be considered against the requirements of the site allocation policy. A valid planning application was submitted for mineral extraction at site MIN 37 in January 2020.

12. Despite NCC announcing that SIL 02 has not been allocated, a third of it is now/still included in AOS E. The overlap of the two sites is entirely misleading to

residents and statutory consultees, created unnecessary confusion and wasted people's time in trying to understand the boundaries and consequences for consultees. It is clear that NCC needs to do a lot more beyond merely satisfying the minimum legal obligations in this process, to ensure public participation given the magnitude, longevity, and detrimental impact of the projects proposed.

13. How can a significant part of the previously preferred area SIL02, with proven silica deposits, now be moved into an Area of Search (AOS E)? It is misleading for NCC to say that SIL 02 has been designated as unsuitable when in fact a third of that area has simply been reclassified as AOS E. This is misleading and does not represent openness and transparency in the consultation process.

NCC response: Area of Search (AOS) E was adopted as part of the Silica Sand Review of the Minerals Site Specific Allocations Plan in 2017. The boundary of AOS E has not changed. SIL 02 is a proposed specific site allocation that was submitted by Sibelco UK Ltd in response to the 'call for sites' for the NM&WLP. Part of the proposed site SIL 02 falls within the area of land covered by AOS E. In response to the Initial Consultation on the NM&WLP the Ministry of Defence (Defence Infrastructure Organisation) objected to proposed site of SIL 02 due to the proposed wet working but did not object to AOS E at that time because further details would be required about the proposed working and restoration before the MOD could make a definitive response. Therefore, whilst SIL 02 was concluded unsuitable to allocate at the Preferred Options stage, AOS E was still included. We recognise that, whilst the overlap between the boundaries of SIL 02 and AOS E were clearly shown on the interactive maps on the e-consultation website, unfortunately this was not shown on the maps contained within the printable version of the Preferred Options document.

14. The Norfolk County Council Infrastructure and Development Select Committee, when considering the plan, stated that "Members were concerned that the consultation distance of 250 metres was not far reaching enough especially when some of the proposed sites are in locations which had not experienced anything similar before. The sites had the potential to affect whole communities, some of which are further away than 250 metres from the proposed site". The concern of members has not been reflected in the plan.

NCC Response: The issues raised in the I&D Select Committee were included in the report to the County Council's Cabinet meeting on 5 August 2019. At the Cabinet meeting on 5 August 2019, the Cabinet decided to continue with the consultation approach of writing to properties located within 250m of each proposed site boundary. A distance of 250 metres was used because this represents a distance at which amenity impacts (such as noise and dust) from mineral extraction could be mitigated to acceptable levels with the minimum of controls. The Institute of Air Quality Management 'Guidance on the Assessment of Mineral Dust Impacts for Planning' document states "adverse dust impacts from sand and gravel sites are uncommon beyond 250 metres measured from the nearest dust generating activities.

15. Given the strong criticisms already levelled at NCC regarding this current consultation, the sheer breadth of misinformation now goes beyond the pale of honest mistakes or poor communication and starts to suggest a coordinated effort to dissuade members of the public from participating in this process. Examples provided are that NCC and Borough Councillors have incorrectly advised residents

that no more than 3 people can object from any single address and weighting is given to objections from residents living within 250m of the proposed sites.

NCC Response: NCC's Planning Officers are unable to comment on what advice was provided to residents from County or Borough Councillors. However, we are able to advise that there is not a maximum number of residents that can object from a single address and that no weighting is given to objections on the basis of where the person making the objection lives. There has not been a co-ordinated effort to dissuade members of the public from participating in this process. The local plan consultation process has followed the government guidance and the regulations regarding local plan preparation and the adopted Norfolk Statement of Community Involvement.

16. The process of public consultation conducted by NCC was conducted poorly, lacked transparency and inclusivity, and failed to reflect the views of residents.

NCC Response: The local plan consultation process follows the government guidance, the regulations regarding local plan preparation and Norfolk County Council's Statement of Community Involvement. All responses made at the Initial Consultation and Preferred Options Consultation stages will be considered in the next stage of the plan making process.

17. Why was the RSPB not consulted?

AOS D (West Bilney) as well as AOS E (Shouldham Warren) both fall under the Forestry England plan but Forestry England have not commented as a consultee.

NCC Response: Forestry England have been consulted at both the Initial and Preferred Options consultation stages and are aware of the Area of Search. The RSPB were also consulted at both the Initial and Preferred Options consultation stages. It is a matter for Forestry England and the RSPB as to whether they choose to respond to such consultations.

18. In regards to AOS E and SIL 02: "NCC stacks the cards against the public by restricting what it considers a 'valid objection', the public has spoken in unprecedented numbers and their voice has been supported by those of the general and statutory consultees."

NCC Response: SIL 02 was concluded to be unsuitable to allocate for mineral extraction in the Preferred Options consultation. In terms of whether an objection raises a valid planning issue, this is based on whether it is a material planning consideration. The government's national planning practice guidance states that "A material planning consideration is one which is relevant to making the planning decision in question. The scope of what can constitute a material planning consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests, such as the impact on a development on the value of a neighbouring property or loss of private rights to light could not be material considerations." Planning decisions relate to the use of the land and do not relate to who the applicant/site proposer/developer is.

19. "The six-week consultation period is not long enough for local residents to research the proposal and understand the impact."

NCC response: There is a legal requirement for the formal representations period on the Publication version of a Local Plan to be for a minimum six-week period. As a six-week representations period is set out in legislation as sufficient for the Publication (Regulation 19) stage of the local plan process, it is considered that a six-week consultation period at the earlier Initial Consultation stage and also at the Preferred Options stage of the local plan process would also be sufficient.

20. “Despite NCC's commitment to consult with the community as set out in their Statement of Community Involvement (SCI), the process to date has lacked transparency and was executed so poorly, that communities of Marham and Shouldham were denied a fair and reasonable chance to be involved and most people had no knowledge of the on-going process and had little or no time to respond”

NCC Response: All town and parish councils in Norfolk and all addresses within 250m of the proposed site boundary were informed in writing of the Preferred Options Consultation. A distance of 250 metres was used because this represents a distance at which amenity impacts (such as noise and dust) from mineral extraction could be mitigated to acceptable levels with the minimum of controls. In addition, a public notice was published in the Eastern Daily Press and at least one site notice was erected as each of the proposed sites. The consultation was carried out in accordance with Norfolk County Council’s adopted Statement of Community Involvement. At the Preferred Options stage, everyone who responded to the Initial Consultation in 2018 was also written to and informed of the Preferred Options consultation. The Initial Consultation and the Preferred Options consultation periods each ran for a six week period.

Actions to take for the representations period for the Publication (Regulation 19) Stage:

Action to be taken at the Publication (Regulation 19) representations period stage	Any change from Preferred Options Consultation?	Comparison with the consultation process for planning applications for mineral extraction
Write to all residential addresses within 250 metres of an allocated site boundary	Slight change. At the Initial Consultation and Preferred Options Consultation stages we wrote to all residential addresses within 250m of the boundary of all sites submitted for inclusion in the Local Plan (47 sites/areas at the PO stage). At the Publication stage only residential addresses within 250m of the boundary of the sites allocated in the M&WLP (19 sites) will be written to.	At the officer’s discretion Norfolk County Council (NCC) may write to occupiers of immediate adjoining residential and commercial properties to inform them that a planning application has been submitted.

Action to be taken at the Publication (Regulation 19) representations period stage	Any change from Preferred Options Consultation?	Comparison with the consultation process for planning applications for mineral extraction
Write to everyone who responded to either the Initial Consultation or the Preferred Options Consultation to inform them of the representations period for the Publication stage.	No change. Same as Preferred Options stage, although due to the high number of responses received at the Preferred Options stage this will result in significantly more people being written to about the representations period on the Publication stage.	Planning applications can be subject to re-consultation due to additional information being provided by the applicant. NCC may write to people who responded to the original consultation period, to inform them of the re-consultation, but this is at the officer's discretion, and it depends on the type of additional information that has been submitted.
Write to all town and parish councils within and adjacent to Norfolk, write to all Local Planning Authorities within and adjacent to Norfolk to inform them of the representations period for the Publication stage.	No change. Same as Initial Consultation and Preferred Options Consultation stages.	The Local Planning Authority and the town or parish council for the area that the planning application is located in are consulted. Neighbouring councils are consulted where relevant.
Write to specific consultation bodies, general consultation bodies and other consultation bodies as detailed in the Statement of Community Involvement.	No change. Same as Initial Consultation and Preferred Options Consultation stages.	Relevant statutory bodies are consulted in accordance with the Development Management Procedure Order and other relevant bodies are consulted at the case officer's discretion.
A public notice will be published in the EDP.	No change. A public notice was published in the EDP.	A public notice is published in the EDP.
A press release will be produced to publicise the representations period for the Publication stage.	No change. A press release was produced to publicise the Preferred Options Consultation stage.	NCC does not use press releases to publicise consultations on planning applications for mineral extraction.
At least one site notice erected on or near each site allocated in the Publication version of the M&WLP.	Slight change from the Preferred Options stage. At the Publication stage site notices will only be erected on or near sites that are allocated in the M&WLP (19 sites at the Publication stage), instead of all sites submitted for consideration (47 sites / areas at the Preferred Options stage).	At least one site notice is erected on or near the land to which the application relates.

Action to be taken at the Publication (Regulation 19) representations period stage	Any change from Preferred Options Consultation?	Comparison with the consultation process for planning applications for mineral extraction
The formal representations period on the Publication stage will be for six weeks.	No change. The consultation periods for the Initial Consultation and the Preferred Options Consultation were each six weeks long.	The statutory consultation period is 30 days for development that requires and Environmental Statement under the EIA Regulations and 21 days for planning applications for other mineral extraction. The period for re-consultation is 14 days. People and organisations can request an extension of time in which to respond. NCC will consider all representations submitted on a planning application up to the date on which the application is determined.
The consultation documents will be available to view online. A hard copy will be available to view at County Hall Norwich and at the main office of each of the eight Local Planning Authorities in Norfolk.	No change from the Preferred Options Consultation stage. Hard copies of the documents will not be available to view in Norfolk's public libraries, but as the consultation documents are available to view online, they can be viewed on the library computers if required.	Planning application documents are available to view electronically on NCC's website. Hard copies are not currently made available to view because all planning applications are now submitted electronically. When hard copies were available to view, they were only held at County Hall in Norwich and the main office of the relevant district council.
Social media will be used to publicise the formal representations period on the Publication version of the M&WLP.	No change. Social media was used to publicise the Preferred Options Consultation stage.	NCC, as the Mineral Planning Authority, does not social media to publicise consultations on planning applications for mineral extraction.

In the table above, the consultation methods for the Local Plan have been compared with the consultation methods used for planning applications for mineral extraction. The consultation methods for the Local Plan are very similar to, and in some cases exceed, the methods used for planning applications for mineral extraction.

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 2019/20 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 2019/20 a six-week consultation period took place on the Preferred Options for the Norfolk Minerals and Waste Local Plan Review. 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

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 2019/20 financial year

During the 2019/20 financial year a six-week consultation period on the Preferred Options for the Norfolk Minerals and Waste Local Plan Review 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 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 2019-2020

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 29 planning applications for minerals and waste development determined between 1 April 2019 and 31 March 2020. All applications were approved. The policies referred to in the reasons for approval 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	Number of times used: Refusal
CS1	Minerals Extraction	8	0
CS2	Locations for Mineral Extraction	7	0
CS3	Waste Management Capacity	5	0
CS4	New Waste Management Capacity	4	0
CS5	Location of Waste Management Facilities	16	0
CS6	Waste Management Considerations	19	0
CS7	Recycling, Composting, Anaerobic Digestion and Waste Transfer Stations	17	0
CS8	Residual Waste Treatment	0	0
CS9	Inert Waste Landfill	0	0
CS10	Non-Hazardous and Hazardous Waste Landfill	1	0
CS11	Wastewater and Sewage Facilities	3	0
CS12	Whitlingham Wastewater Treatment Works	2	0
CS13	Climate Change and Renewable Energy	18	0
CS14	Environmental Protection	28	0
CS15	Transport	25	0
CS16	Safeguarding Sites	3	0
CS17	Secondary and Recycled Aggregates	3	0
DM1	Nature Conservation	24	0
DM2	Core River Valleys	1	0
DM3	Groundwater and Surface Water	28	0
DM4	Flood Risk	27	0

Policy Number	Policy Description	Number of times used: Approval	Number of times used: Refusal
DM5	Borrow Pits and Water Reservoirs	3	0
DM6	Household Waste Recycling Centres	3	0
DM7	Safeguarding Aerodromes	9	0
DM8	Design Local Landscape and Townscape Character	29	0
DM9	Archaeological Sites	15	0
DM10	Transport	27	0
DM11	Sustainable Development	17	0
DM12	Amenity	29	0
DM13	Air Quality	15	0
DM14	Progressive Working, Restoration and Afteruse	11	0
DM15	Cumulative Impacts	11	0
DM16	Soils	11	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

Planning permission was granted in 2019/20 on part of waste site allocation WAS 47 at Attleborough and on part of waste site allocation WAS 94 at North Walsham (although site WAS 94 was allocated for composting or anaerobic digestion and the planning permission is for the storage and screening of soil and hardcore).

Minerals Site Specific Allocations DPD

One new planning permission was granted for a mineral site allocation in 2019/20. In accordance with Policy MIN 76, planning permission was granted for the extraction of 285,000 tonnes of sand and gravel from land at West Field, Tottenhill Row, Watlington.

3.2 Refused Applications

No planning applications were refused due to non-compliance with policy in the period between 1 April 2019 and 31 March 2020.

3.3 Appeals

No planning appeals were determined in the period between 1 April 2019 and 31 March 2020.

3.4 Applications Approved Contrary to Policy

The following two planning applications were granted approval contrary to policy in the period between 1 April 2019 and 31 March 2020:

C/3/2018/3010 - Walnut Tree Farm, Silver Street, Besthorpe NR17 2LF

The application was for an extension of an existing waste transfer station, provision of processing plant, infrastructure improvements and associated works (part retrospective); change of use of agricultural land so as to provide screen bunding; demolition of existing waste recycling building and erection of new waste recycling building; reconfiguration of bunding and landscaping; increased waste throughputs; extended hours of operation; off-site highway improvements.

The application was advertised as a departure from the development plan due to non-compliance with policy CS6 'General Waste Management Considerations' of the adopted Norfolk Minerals and Waste Core Strategy. The application is not in accordance with Policy CS6 because parts of the landscaping area are not formally allocated for industrial/employment uses or waste development, and lie within agricultural land, i.e. open countryside.

Whilst it is considered that the development is a departure from the Development Plan, it is considered that there are other material planning considerations which, on balance, justify a recommendation of approval for this development, as follows:

- The proposal seeks expansion (including additional employees) of an existing waste management business occupying a rural location, serving a local market. With regard to Breckland Core Strategy Policy CP 14 '*Sustainable Rural Communities*', it is concluded that there are no significant environmental, landscape, conservation or highway impacts.
- Overall, it is considered, that a case has been made by the applicant for extending the site to use some unallocated land, and there are no strong grounds for maintaining an objection in the context of Breckland Core Strategy policy DC 7 '*Employment Development Outside of General Employment Areas*'.
- The proposal is considered to be consistent with the objectives of Breckland Core Strategy Policy DC 20 '*Conversion of buildings in the countryside*' because it seeks the change of use of an existing workshop building for maintenance/repair of vehicles, plant and equipment associated with an adjacent, established waste management business and, for continued private use.
- Given that the property no longer operates as a farm and the precedent for diversification from farm to waste management was established when planning permission for the existing waste transfer station was granted in 2001, it is considered that a case for refusal on grounds of conflict with Breckland Core Strategy Policy DC 21 '*Farm Diversification*' would be difficult to substantiate.
- The proposal involves recycling of waste, consistent with the overarching thrust of *National Planning Policy for Waste* in dealing with waste in a more sustainable manner, i.e. through driving waste management up the waste hierarchy.

It was concluded that the extension onto greenfield land is not significant and would facilitate the implementation of additional landscaping to screen the site and help preserve the setting of the two nearby scheduled monuments. In addition, the proposal would allow the applicant to co-locate the extended area with their existing facility and would also create seven full-time jobs.

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

C/2/2019/2009 - Land Adjacent to Riverside Farm, Garage Lane, Setchey, PE33 0BE

The application was for a retrospective change of use of agricultural land to extension of existing waste facility for storage purposes and screening operations for soils and hardcore to remove aggregates for resale and create screened topsoil with additional associated landscaping.

The application was advertised as a departure from the development plan because it is contrary to NMWDF Core Strategy Policy CS6: *General waste management considerations*. The application site is a greenfield site in the open countryside, it does not have any extant planning permission, it is not allocated for waste management uses and was previously undeveloped agricultural land. Policy CS6 requires waste management sites to be developed on: land already in waste management use, existing industrial/employment land or land identified for these uses in a Local Plan, other previously developed land, or contaminated or derelict land. The application site is therefore not in accordance with this policy.

The proposed site does not fulfil any of the criteria of Policy CS6. The application was recommended for refusal in the officer's report to Planning (Regulatory) Committee because it was considered that there were not sufficient material considerations (including a need for the facility) to justify a departure from this policy.

The application was determined at the Planning (Regulatory) Committee meeting of 6 September 2019. The Committee resolved to grant planning permission for the development. The reasons for the Committee's resolution were that the following material considerations outweighed the departure from the development plan:

1. The need for the waste management facility at this location;
2. The employment the waste management facility provides; and
3. That there were no objections from statutory consultees.

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

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 2020:</p> <ul style="list-style-type: none"> • One major application has been approved on Mineral Safeguarding Areas in the face of sustained objections on mineral safeguarding grounds (At Downham Market on silica sand resource). • A total of 129 major applications have received a detailed mineral safeguarding response. • 25 relevant planning permissions granted for housing contained conditions to require mineral assessment and prior extraction and reuse, • there are also 17 applications to be determined where such a condition has either been proposed or agreed, and • 12 applications were refused for other reasons, although a mineral safeguarding condition had been agreed. <p>In the monitoring year up to 31 March 2020, 19 major applications received a detailed mineral and waste safeguarding response, with 16 of those proposing a condition for either further assessment and 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 2019/20 have addressed mineral safeguarding, and contain policies where appropriate: Swaffham, Aylsham, Sedgeford, Corpusty & Saxthorpe, Swanton Morley.

Objective	Relevant policies	Indicator	Performance
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]	<p>The following Local Plans have been adopted in Norfolk during 2019/20:</p> <p>Breckland District Council Local Plan (Nov 2019) – does not contain a policy in accordance with CS17</p> <p>Local Plan for the Broads (May 2019) – does not contain a policy in accordance with CS17.</p>
2. Increase the proportion of waste recycling, composting and energy recovery	CS4 CS7 CS8 CS9 CS10 CS13 CS17 DM11	<p>New waste management capacity</p> <p>% of local authority collected municipal waste :</p> <ul style="list-style-type: none"> - Recycled - Composted - Energy recovery <p>% of waste received at waste management facilities in Norfolk that is recycled/ recovered</p> <p>Renewable energy generation capacity at waste management facilities (MW)</p> <p>Quantity of recycled and secondary aggregate produced in Norfolk</p>	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	<p>% of local authority collected municipal waste landfilled</p> <p>Waste input to non-hazardous landfill (tonnes)</p> <p>Waste input to hazardous landfill (tonnes)</p> <p>Waste input to inert landfill (tonnes)</p> <p>Inert, non-hazardous and hazardous landfill capacity (cubic metres and years)</p> <p>Quantity of London waste disposed of in Norfolk (tonnes)</p>	Performance against these indicators will be reported in the Waste Data Monitoring Report

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.
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]	Three new mineral extraction sites were permitted in 2019/20; all were located in accordance with Policy CS5. Four new or extended waste management facilities were permitted in 2019/20; all are located in accordance with Policy CS5.
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]	Three new mineral extraction sites were permitted in 2019/20; all use road transport. Four new or extended waste management facilities permitted in 2019/20; all use road transport.

Objective	Relevant policies	Indicator	Performance
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]	2019/20 – 36 HGV accidents of which 10 were fatal and 11 were serious. Goods vehicles where the class has not been noted: 125 accidents of which 0 were fatal and 15 serious. As the class of goods vehicle has not been noted, these figures may include accidents involving HGVs.
6. Mitigate the adverse traffic impacts of mineral extraction and associated development and waste management facilities	CS15 DM10	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]	Three new mineral extraction were sites permitted in 2019/20. No highway improvements were required. No sites had direct access to a corridor of movement. Four new or extended waste management facilities were permitted in 2019/20. One site involves highway improvement works in the form of passing places. No sites had direct access to a corridor of movement.
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	2019/20 – 4 complaints

Objective	Relevant policies	Indicator	Performance
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)	24 safeguarded mineral sites 51 safeguarded waste sites 34 safeguarded WWTWs
7. As above	CS14 DM1 DM8	Number of minerals and waste sites within 5km of a Special Protection Area (SPA)	13 safeguarded mineral sites 28 safeguarded waste sites 23 WWTWs
7. As above	CS14 DM1 DM8	Number of minerals and waste sites within 5km of a Ramsar site	12 safeguarded mineral sites 19 safeguarded waste sites 17 WWTWs
7. As above	CS14 DM1 DM8	Number of minerals and waste sites within 2km of a Site of Special Scientific Interest (SSSI)	30 safeguarded mineral sites 43 safeguarded waste sites 28 WWTWs
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 site 8 WWTWs
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 WWTWs
7. As above	CS14 DM1 DM8	Number of minerals and waste sites adjacent to a County Wildlife Site	17 safeguarded mineral sites 11 safeguarded waste sites 21 WWTWs
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 WWTWs

Objective	Relevant policies	Indicator	Performance
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 WWTWs
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 site 4 WWTWs
7. As above	CS14 DM2	Number of minerals and waste sites within a Core River Valley	5 safeguarded mineral sites 7 safeguarded waste sites 12 WWTWs
7. As above	CS14 DM8	Number of minerals and waste planning applications refused on grounds of design or landscape	No applications were refused on these grounds in 2019/20.
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 WWTW
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 WWTWs
7. As above	CS14 DM8 DM9	Number of minerals and waste sites adjacent to listed buildings	14 safeguarded mineral sites 5 safeguarded waste sites 22 WWTWs
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 2019/20. No archaeological sites were adversely affected by two of the new mineral extraction sites permitted in 2019/20. One of the new mineral extraction sites was expected to have a slight effect on archaeology.

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>Three new mineral extraction sites were permitted in 2019/20. No priority habitat will be lost as all three sites are on existing agricultural land.</p> <p>Four new or extended waste management facilities were permitted in 2019/20. No priority habitat will be lost because three of the sites are on existing industrial land and one is for retrospective development on arable agricultural land.</p>
7. As above	DM14	% of mineral workings covered by progressive restoration schemes	Three new mineral extraction sites were permitted in 2019/20, two with progressive restoration and one being restored to an agricultural reservoir.
7. As above	DM11	<p>Number of applications demonstrating a good standard of design, use of sustainable materials and water efficient design</p> <p>[Amend indicator to refer to permissions instead of applications]</p>	<p>Three new mineral extraction sites were permitted in 2019/20; all were considered to be in compliance with the Policy.</p> <p>Four new or extended waste management facilities were permitted in 2019/20. Policy DM11 was not considered to be applicable to two of the waste management facilities, but the other two were considered to be in compliance with the Policy.</p>
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	<p>3 safeguarded mineral sites</p> <p>7 safeguarded waste sites</p> <p>0 WWTW</p>
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 2019/20 policy DM3 was listed in the reasons for approval 28 times.

Objective	Relevant policies	Indicator	Performance
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.
9. Reduce methane and CO2 emissions from mineral extraction and associated development and waste management facilities 10. Contribute to the renewables obligation and targets for renewable energy by increasing the proportion of energy recovery from waste	CS13 CS8 DM11	% of methane emissions from landfill sites escaping into the atmosphere % 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	Performance against these indicators will be reported in the Waste Data Monitoring Report
9. and 10. As above	CS13 CS8 DM11	Number of minerals and waste operations securing at least 10% of their energy on site from renewable or low-carbon sources	Three new mineral extraction sites were permitted in 2019/20; none of them proposed the production of renewable energy. Four new or extended waste management facilities were permitted in 2019/20. Only one proposed the production of renewable energy.
11. 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
11. Ensure that minerals and waste facilities and transportation do not lead to AQMAs and that emissions are reduced	CS15 DM13	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.]	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. The total area of all AQMAs in Norfolk is 284.7 hectares, the largest of which covers 274.06 hectares of Norwich City centre.

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	2019/20 – 15 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 <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]	None There were 19 non-minerals and waste planning applications on Mineral Safeguarding Areas in 2019/2020 where CS16 was relevant and the Mineral Planning Authority made a consultation response. Of these 3 have been granted, 2 refused, 1 withdrawn and 13 were not determined by end of March 2020. There was not a sustained mineral objection to the applications that were granted.

5. Policy Conclusions

The key findings from the Monitoring Report for 2019/20 are:

Implementation of the Minerals and Waste Development Scheme

During the 2019/20 reporting period a six-week representations period took place on the Preferred Options (Regulation 18) stage of the Minerals and Waste Local Plan.

The Pre-Submission representations period on the emerging Norfolk Minerals and Waste Local Plan Review was planned to take place in May and June 2020 but is now expected to take place in 2021. This delay was due to several factors including: the large volume of responses (over 5,600) received to the Preferred Options consultation, an increased mineral safeguarding workload providing consultation responses to non-mineral planning applications submitted to Local Planning Authorities, and the Covid-19 pandemic. This delay will have a knock-on effect on the remaining stages of the NM&WLP process. A formal revision to the MWDS will therefore be necessary.

Policy Performance

Two planning applications were granted approved contrary to policy during 2019/20.

No appeals were determined during 2019/20.

One planning permission was granted for a minerals site allocation (MIN 76) in 2019/20.

Planning permission was granted in 2019/20 on part of waste site allocation WAS 47 at Attleborough and on part of waste site allocation WAS 94 at North Walsham (although site WAS 94 was allocated for composting or anaerobic digestion and the planning permission is for the storage and screening of soil and hardcore).

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

Policy CS2 – three permissions were granted for new mineral extraction sites in 2019/20. All are located in accordance with policy CS2.

Policy CS5 - four permissions were granted for new waste management facilities in 2019/20. All are located in accordance with policy CS5.

Policy CS13 – three permissions were granted for new mineral extraction sites. Permissions were granted for four new waste management facilities, only one of them include the production of 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 2019 to 31 March 2020.

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 2019/2020 have reduced slightly from the levels experienced in previous years, with 38 received.

Planning applications received as a result of monitoring have reduced although they still make up a sizable proportion of the applications received; 27 out of a total of 79 applications received and 6 discharge of condition applications out of a total of 34 received. The income received through the chargeable inspection regime has reduced with inspections generating £20,357.

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.

Three Planning Contravention Notices and two Breach of Condition Notices were served in the reporting period.

6.1 Introduction

This is the latest of the annual briefing notes 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.

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

104 programmed inspections were undertaken during 2019/2020 (see table 6.1) and 61 inspections were undertaken as a result of ongoing complaint investigations (see table 6.2).

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 £20,357 (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. The income from chargeable inspections dropped in 2019/20 because less inspections were carried out. No commissioned chargeable site inspections were carried out in 2019/20 and therefore no income was generated.

Year / inspection type	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Minerals and waste inspections	578	574	504	551	558	549	574	536	523	100
Regulation 3 inspections	38	60	41	41	45	47	54	37	34	10
Non-compliances noted during inspections	No data	265	258	237	217	224	260	203	212	43

Table 6.1 Site inspections

Levels of complaints received have reduced from 47 to 38 with minerals and waste related complaints reducing to 32 and Regulation 3 complaints increasing to 6. However, many of these complaints require several investigation actions to fully resolve matters. A number of actions also in relation to pre-existing complaints continue to use staff resources when providing an appropriate response (see table 6.2).

Year / complaint type	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Minerals and waste complaints	55	42	33	39	37	53	45	40	43	32
Regulation 3 complaints	13	14	5	5	2	5	2	7	4	6
Inspections following a complaint	No data	No data	74	81	103	97	83	67	102	61

Table 6.2 Complaints received

Year / inspection type	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Minerals and waste inspections	£56,640	£52,416	£49,869	£52,071	£54,499	£53,838	£52,184	£55,949	£56,413	£19,397
Regulation 3 inspections	£9,120	£11,760	£6,720	£5,280	£5,520	£2,880	£2,400	£2,640	£2,400	£960
Commissioned chargeable inspections	£0	£0	£0	£0	£0	£5,958	£5,958	£5,958	£6,352	£0
Total income	£65,760	£64,176	£56,589	£57,351	£60,019	£62,676	£60,542	£64,547	£65,165	£20,357

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 27 of the total 79 applications received and 6 discharge of condition applications out of a total of 34 received (see table 6.4).

Year / Application type	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Planning applications received as a result of monitoring	72	76	65	70	57	50	45	45	35	27
Discharge of conditions applications	No data	No data	26	8	23	19	21	7	9	6

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.

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.

The restored landfill at Edgefield is in the last year of aftercare. 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. 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 9 and include, Leziate, 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	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Number of meetings	11	13	13	6	7	7	10	8	8	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 figure 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.

Three Planning Contravention Notices and two Breach of Condition Notices were served in 2019/2020 (see table 6.6).

Year / enforcement type	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Planning contravention notices	8	0	5	8	3	15	11	1	11	3
Breach of condition notices	2	0	0	5	13	0	19	9	1	2
Enforcement notices	10	0	3	0	2	0	5	0	0	0
Temporary stop notices	0	0	0	1	1	0	0	0	4	0
Prosecutions	2	0	4	0	1	0	0	2	0	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	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Aftercare meetings	20	20	20	21	18	17	16	16	16	3
Management meetings	9	9	9	9	9	8	12	12	12	0

Table 6.7. Aftercare and long-term management meetings