

**NORFOLK COUNTY COUNCIL**

**Town and Country Planning Act, 1990**

**Town and Country Planning (Development Management Procedure) Order 2015**

To: Egon Environmental  
52 Neatherd Road  
Dereham  
Norfolk  
NR20 4AQ

Particulars of Proposed Development

Location: Newall Plant Limited, Heron Farm, Bunwell Road, Besthorpe,  
NR17 2LN  
Applicant: Newall Plant Limited  
Agent: Egon Environmental  
Proposal: Proposed Aggregate and Soil Recovery Facility (Part  
Retrospective).

The Norfolk County Council hereby gives notice of its decision to GRANT PLANNING PERMISSION for the development specified in the application received as valid on 20 June 2023, subject to compliance with the conditions set out on the attached sheet.

The reasons for the grant of permission and for the conditions are also set out on the attached sheets.

Signed: N Johnson Date: 7 February 2024

For EXECUTIVE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES

Norfolk County Council  
County Hall  
Martineau Lane  
Norwich  
NR1 2SG

**SEE NOTES**

## NOTES

### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

### Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the District or Borough Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

### Byelaws

- Any planning permission is subject to compliance with the byelaws (Local Acts, Orders Regulations) and any general statutory provisions in force.

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Conditions and Reasons for Conditions:

1. The development must be carried out in strict accordance with the application form, plans and documents as received by the County Planning Authority as detailed below:
  - Planning statement dated June 2023, and supplementary information titled 'Response to Norfolk County Council's request for supplementary comments in respect of ground level operations and landscape concerns set out in the email of 5th September 2023'.
  - Site Location Plan, Drawing No.001, Rev B, dated 12/10/22.
  - Site Layout Plan, Drawing No.002, Rev D, dated 9/11/22.
  - Landscape Proposals, Drawing No.2021-417-004, Rev D, dated December 2021.

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

2. No more than 60,000 tonnes of C, D & E non-hazardous inert waste shall be imported to the site per annum. Records shall be kept of waste imported to and exported from the site and shall be made available to the County Planning Authority upon request. All records shall be kept for a minimum of 24 months.

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

3. No operation authorised or required under this permission shall take place on Sundays or public holidays, or other than during the following periods:  
Monday to Friday: 07.00 - 18.00 Saturday: 07.00 - 13.00

With the exception of the operation of plant which shall not take place at any time on Saturdays, Sundays, Bank Holidays or Public Holidays or outside the hours of: Monday to Friday 07:30 - 16:30.

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

4. The landscaping scheme shown on the Landscape Proposals, Drawing No.2021-417-004, Rev D, dated December 2021, required under Breckland District Council planning permission Ref 3PL/2022/0333/F, shall be implemented in full and retained for the life of the development.

Reason: To protect the visual amenities of the surrounding area in accordance with Policies GEN02 and COM01 of the Breckland Council Local Plan (2019),

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Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026, and sections 2 and 15 of the National Planning Policy Framework (2021).

5. No additional lighting shall be installed on site unless first agreed in writing with the County Planning Authority.

Reason: In the interest of the amenities of nearby residents in accordance with Breckland Local Plan (2019) Policy COM 03 and Policy DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

6. No further importation of waste or recycling operations shall take place until the applicant has submitted and agreed with the County Planning Authority, a HGV Management Plan for the routing of HGVs to and from the site. The Plan shall thereafter be implemented as approved before any further waste importation or recycling operations commence on the site.

The plan shall make provision for: -

- Monitoring of the approved arrangements during the life of the site.
- Ensuring that all drivers of vehicles under the control of the Applicant are made aware of the approved arrangements.
- The disciplinary steps that will be exercised in the event of a default.
- Appropriate signage, details to be approved by the Local Highway Authority and erected advising drivers of the vehicle routes agreed with the Local Highway Authority.

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

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

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

8. No materials shall be stacked or deposited on the site such that its height exceeds 5 metres above its base level, or such that it would be visible above the perimeter bunds.

Reason: To protect the amenities and character of the surrounding area, in accordance with Policies DM8 and DM12 of the Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

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2LN

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### Positive and Proactive Statement

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015:

The local planning authority has worked with the applicant to ensure that the application contains sufficient information to enable this to be validated.

The local planning authority has passed on to the applicant specific issues raised by third parties during the application processing period to enable the applicant to be aware of these issues and to address these if necessary.

### Informatives

#### **Norfolk County Council (Ecology)**

Where any additional vegetation clearance is proposed, it is important that no removal of vegetation should take place between 1st March and 31st August inclusive, unless the site has first been surveyed by a competent ecologist and it is evidenced that no nesting birds are present, noting it is an offence to remove, damage or destroy the nest of any wild bird while the nest is in use or being built, as set out under the Wildlife & Countryside Act 1981 (as amended).

#### **Environment Agency**

Emissions from the waste activities, including noise, vibration and dust, will be regulated under the permit and must not exceed levels likely to cause a pollution outside of the site. Appropriate measures to minimise emissions must be implemented and followed by the operator.