
STATEMENT OF COMMON GROUND



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(JZM/BXB/234862.0001)

INTRODUCTION

1. This Statement of Common Ground relates to the appeal against South Norfolk District Council's ("the **Council**") refusal to grant planning permission under reference 2022/1108 ("the **Refused Application**") for the development of land at Deal Farm, Kenninghall Road, Bressingham ("the **Site**") on 14 December 2022. The appeal was lodged by Deal Farm Biogas Limited ("the **Appellant**") and was given reference APP/L2630/W/23/3324060 ("the **Appeal**") by the Planning Inspectorate. This Statement of Common Ground confirms: those matters agreed between the parties; those matters in dispute focusing on the reasons for refusal; and the conditions that the parties agree should be annexed to the planning permission if this Appeal is allowed.

APPEAL SITE

2. The Site is situated approximately 1.5km to the north of Bressingham village. The main part of the Site lies to the north of Kenninghall Road and west of Common Road, immediately north east of Deal Farm; the Site also encompasses two lagoon sites, one to the east of Common Road, and one to the south of The Oaks, which lies to the south of Kenninghall Road.
3. The Site is irregularly shaped, measuring 5.5 hectares. The main part of the site on which the anaerobic digester plant is to be located comprises some 4.25 hectares, including a new access road leading to the site from Common Road; together with two 'satellite' sites (approximately 0.7 hectares each) to contain the associated digestate storage lagoons.
4. The Site lies in Flood Zone 1.

PROPOSED DEVELOPMENT

5. The Refused Application sought outline planning permission for:

"Construction of an Anaerobic Digestion facility (part retrospective), comprising: 1 no. digester tank and 1 no. secondary digester/digestate storage tank, silage clamps, liquid and dry feed system; digestate separation, handling and pasteurization, biogas upgrading and mains gas-grid connection; carbon capture, CHP, agricultural building; office buildings, weighbridge, 2 no. covered digestate storage lagoons, and associated plant, vehicular accesses, roads and landscaping (including earth bunds). Revised application following withdrawn planning application 2021/2788." ("the **Development**")

RELEVANT PLANNING HISTORY

2015 Permission

6. The Council granted planning permission for "*Construction of a farm agricultural anaerobic digestion facility*" at the Site on 22 October 2015 under reference 2015/0595 ("the **2015 Permission**").
7. The 2015 Permission was subject to a condition (condition 1) which required the development to begin by 22 October 2018 (i.e. three years from the date the 2015 Permission was granted).
8. Pursuant to an application made on 3 October 2018 and allocated reference 2018/2179, Conditions 6, 8 and 15 of the 2015 Permission were discharged by the Council by decision dated 19 October 2018.
9. Pursuant to an application made on 17 August 2021 and allocated reference 2021/1886, Conditions 3 and 14 of the 2015 Permission were discharged by the Council by decision dated 22 September 2021.
10. An application for the discharge of Conditions 4 and 5 of the 2015 Permission (validated on 11 October 2021 and allocated reference 2021/2251) is pending determination.
11. It is agreed that the 2015 Permission is not a fallback to be considered in the appeal however it is agreed this is a relevant material consideration in the planning balance. The parties disagree as to the amount of weight which it should be given.

S.73 Application

12. The Appellant submitted an application to the Council to vary condition 2 on the 2015 Permission to amend the plans listed in this condition in order to regularise the position in respect of the unauthorised works that has been carried out in 2021. The Council validated this application on 9 September 2021 and assigned it reference 2021/2036 ("the **S.73 Application**").
13. The Appellant withdrew the S.73 Application on 11 November 2021. The withdrawal of the S.73 Application was expressed by the Appellant to be on a without prejudice basis to the Appellant's position that the Permission was lawfully implemented and remains extant.
14. The Appellant now accepts that the 2015 Permission cannot be built out and is not a fallback for this appeal.

Withdrawn Application

15. The Appellant submitted an application to the Council for "Construction of an Anaerobic Digestion facility (part retrospective), comprising 1 no. digester tank and 1 no. secondary digester/digestate storage tank, silage clamps, liquid and dry feed system, digestate separation, handling and pasteurization, biogas upgrading and mains gas-grid connection, carbon capture, CHP. Agricultural building, office buildings, weighbridge; 3 no. covered digestate storage lagoons, and associated plant, vehicular accesses, roads and landscaping (including earth bunds)". The Council validated this application on 23 December 2021 and assigned it reference 2021/2788 ("the **Withdrawn Application**").
16. The Withdrawn Application was withdrawn by the Appellant on 9 June 2022.

Refused Application

17. The Refused Application was submitted on the same day that the Withdrawn Application was withdrawn, on 9 June 2022. It was validated by the Council on 23 June 2022 and given reference 2022/1108.
18. The Application was refused unanimously (in accordance with the Officer's recommendation) by Committee on 14 December 2022 ("the **Refusal**"). A decision notice was issued the same day.

Certificate of Lawfulness

19. The Appellant submitted an application for a Certificate of Lawfulness for Proposed Use or Development ("the **CLOPUD Application**") to the Council under section 192 of the Act to confirm the Site benefits from a lawfully implemented 2015 Permission that is capable of being built out at any point, following removal of any unauthorised development.
20. The CLOPUD Application was refused by the Council on 22 June 2023 and the Appellant has not appealed that refusal.

Resubmission

21. The Appellant submitted a further application to the Council on 18 January 2023, which was validated on 6 June 2023 and given reference 2023/0087 for: "*Construction of an Anaerobic Digestion facility (part retrospective), comprising: 1 no. digester tank and 1 no. secondary digester/digestate storage tank, silage clamps, liquid and dry feed system; digestate separation, handling and pasteurization, biogas upgrading and mains gas-grid connection; carbon capture, CHP, agricultural building; office buildings, weighbridge, up to 2 no. covered digestate storage lagoons, and associated*

works and infrastructure, plant, vehicular accesses, roads and landscaping (including earth bunds). [Revised application following refusal of planning application 2022/1108, to include revised digester roof design and lagoon options]" ("the Resubmission").

22. The Resubmission proposes a reduction in dome heights by 4.28 metres (shown on plan 27249/630 Rev U) and an amended red line allowing the option for the provision of a single extended southern lagoon in place of the two lagoons (northern and southern) proposed in the Refused Application.
23. The Resubmission remains undetermined. A number of technical consultees, including the Highway Authority and the Landscape Consultant employed by the Council, have sought further clarification and information which the Appellant is seeking to address.

LOCAL AND NATIONAL POLICY AND GUIDANCE

24. The relevant policies are set out in Appendix 2

REASONS FOR REFUSAL

25. The Refused Application for the Development was refused for the following reasons ("the **Reasons for Refusal**"):
 1. *The highway network serving the site is considered to be inadequate to serve the development proposed, by reasons of its poor alignment, restricted width, lack of passing provision, substandard construction and restricted forward visibility. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety contrary to policy DM3.11 of the Local Plan. Furthermore, the development would not accord with paragraph 110 of the NPPF as a safe and suitable access to the site cannot be achieved for all users, and paragraph 111 as there would be an unacceptable impact on highway safety.*
 2. *The application is not supported by sufficient transport information to demonstrate that the proposed development will not be prejudicial to the satisfactory functioning of the highway and highway safety also contrary to policy DM3.11 of the Local Plan.*
 3. *The proposed development would result in significant adverse impacts on the distinctive landscape characteristics of the area as even after the proposed mitigation planting has matured the digestion plant domes will still be a detracting feature on longer distance views and are of a scale and shape that are atypical of*

the architectural built form qualities that emphasise the largely rural character of the landscape whilst the West Lagoon will appear as an engineered landscape feature in the landscape which will be accentuated by the proposed mitigation measures. As a consequence the proposed development will be contrary to policy DM4.5 of the Local Plan.

4. *As a consequence it is considered that the development would result in significant adverse effects that outweigh the benefits of the renewable energy generated by the development and therefore the development does not comply with policy DM4.1 of the Local Plan.*

MATTERS AGREED

26. The parties also agree that the 2015 Permission does not constitute a legitimate fallback but remains a relevant material consideration. The weight to be given to that material consideration is in dispute.

MATTERS IN DISPUTE

27. The following are the principal matters in dispute between the parties:
 - 27.1 Those matters stated in the Reasons for Refusal, and whether the Development complies with policies DM3.11, DM4.1 and DM4.5 of the Development Plan and paragraphs 110 and 111 of the NPPF;
 - 27.2 The need and benefits of the Development and the weight to be given to those benefits;
 - 27.3 Those matters stated in the Council's SoC including in relation to the inadequacy of the highway network, the inadequacy of transport information, the visual and landscape impact, and the operation of the anaerobic digestion facility;
 - 27.4 Whether, even if a conflict with the above policies is found, the Development Plan is complied with as a whole; and
 - 27.5 Whether there are material considerations which justify the grant of planning permission for the Development.

CORE DOCUMENTS

28. The current list of core documents is at Appendix 1. This is an open list which may be added to or amended up until the date of rebuttal proofs, at which date an agreed finalised list will be provided. The parties agree that any further documents after this will be agreed between the parties and the inspector.

Signature:

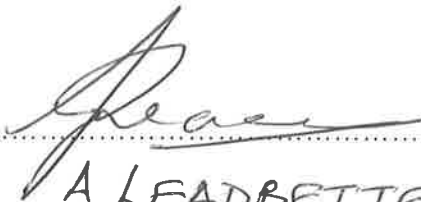


Name: Tim Barker

9th January 2024

On behalf of South Norfolk District Council

Signature:



Name:

A LEADBETTER

On behalf of the Appellant

11/1/2024

APPENDIX 1 – CORE DOCUMENTS

DRAFT LIST OF CORE DOCUMENTS

CD1 List of Original Plans and Reports submitted with the Application

	Date	Reference No.	Plan Title
1.1	09 Jun 2022	27402 – sk06 rev g	Proposed Lagoon Pipework Routes
1.2	09 Jun 2022	27402 - 504 rev a	Proposed Digestate Storage Lagoon B (West) GA Details
1.3	09 Jun 2022	27402 - 503 rev 0	Proposed Digestate Storage Lagoon A (North) GA Details
1.4	09 Jun 2022	27402 - 154 rev b	Site Location Plan - Proposed Digestate Lagoon B (West)
1.5	09 Jun 2022	27402 - 153 rev a	Site Location Plan - Proposed Digestate Lagoon A (North)
1.6	09 Jun 2022	27402 - 100 rev 0	Proposed Digestate Lagoon Construction Details
1.7	09 Jun 2022	27402 - 014 rev b	Proposed Digestate Storage Lagoon B (West) Site Layout
1.8	09 Jun 2022	27402 - 013 rev a	Proposed Digestate Storage Lagoon A (North) Site Layout
1.9	09 Jun 2022	27249 - 630 rev r	Proposed Site Sections (superseded)
1.10	09 Jun 2022	27249 - 628 rev a	Proposed CO2 Tanks, Building & Delivery Elevations
1.11	09 Jun 2022	27249 - 612 rev b	Proposed Site Layout Overview
1.12	09 Jun 2022	2021-413-005 - rev g	Landscape Proposals
1.13	23 Jun 2022	27249 - 611 rev f	Proposed Site Layout
1.14	23 Jun 2022	27249 - 620 rev b	Proposed Manure Store Elevations
1.15	23 Jun 2022	27249 - 621 rev b	Proposed Manure Store Floorplan
1.16	23 Jun 2022	27249 - 625 rev f	Proposed Plant Elevations - Sheet 1 of 2
1.17	23 Jun 2022	27249 - 626 rev d	Proposed Plant Elevations - Sheet 2 of 2
1.18	23 Jun 2022	27249 - 627 rev e	Storage Digester Elevations
1.19	23 Jun 2022	27249 - 645 rev 0	Proposed Lined Fire Water Holding Lagoon Elevations

	Report Title	Author	Date/No.	Ref
1.20	Archaeological Desk Based Assessment	Wardell Armstrong	May 2022	Be10226
1.21	Nutrient Neutrality Assessment Technical Note	enzygo	27 May 2022	
1.22	Stage 1 HRA Screening and Stage 2 Appropriate Assessment	enzygo	May 2022	
1.23	The Biodiversity Metric 3.0 – Calculation Tool	Enzygo	13 June 2022	
1.24	Ecological Impact Assessment	enzygo	13 June 2022	
1.25	Landscape and Visual Appraisal	Broom Lynne	May 2022	
1.26	Supplementary Landscape and Visual Assessment	Broom Lynne	May 2022	
1.27	Landscape Management Plan	Broom Lynne	May 2022	
1.28	Superseded New Proposed Lighting	Ansell Lighting	19 November 2021	Rev b
1.29	Lighting Design Criteria	Ansell Lighting		
1.30	Noise Impact Assessment	Professional Consult – Future Environments	13 June 2022	
1.31	Drainage Design Strategy and Philosophy Statement	Plandescil	June 2022	Rev a
1.32	Transport Statement	Plandescil	June 2022	
1.33	Flood Risk Assessment – Proposed Anaerobic Digestion Facility	Plandescil	June 2022	27249 rev c
1.34	Flood Risk Assessment – Proposed Digestate Lagoon – Land East of Common Road	Plandescil	June 2022	27402.1 rev a
1.35	Flood Risk Assessment – Proposed Digestate Lagoon – Land East of Lady's Lane	Plandescil	June 2022	27402.2 rev a
1.36	Odour Assessment for Planning Permission	enzygo	June 2022	

1.37	Air Quality Assessment	enzygo	June 2022
1.38	Design and Access/Planning Statement	Cornerstone Planning Limited	02 June 2022

CD2 List of Additional Plans and Reports Submitted to the LPA during determination of the Application

	Report Title	Author	Date/No	Ref
2.1	New Proposed Lighting	Ansell Lighting	21 July 2022	Rev c
2.2	Drainage Design Strategy and Philosophy Statement	Plandescil	August 2022	Rev b
2.3	Hydraulic Modelling Technical Note for Deal Farm, Bressingham	Royal HaskoningDHV	15 September 2022	
2.4	Greenfield Runoff Rates 1	Innovyze	27 September 2022	
2.5	Greenfield Runoff Rates 2	Innovyze	27 September 2022	
2.6	Planning Balance Note		October 2022	
2.7	Transport Statement Addendum	Royal HaskoningDHV	27 October 2022	
2.8	Response to Natural England and Suffolk Wildlife Trust Comments	enzygo	12 October 2022	
2.9	Stage 1 Habitat Regulations Assessment Screening Report	enzygo	12 October 2022	
2.10	Air Quality Assessment for Planning Permisson	enzygo	October 2022	
2.11	Response to SNC Landscape and Visual Appraisal	Broom Lynne	23 October 2022	
2.12	Stage 1 Road Safety Audit	Royal HaskoningDHV	8 November 2022	
2.13	Air Quality Assessment Technical Addendum	enzygo	30 November 2022	

2.14	Response to Public Right of Way Officer	Cornerstone Planning Limited	2 August 2022
2.15	Response to LLFA	Plandescil	16 August 2022
2.16	Response to Elizabeth Truss MP	Biowatt	18 August 2022
2.17	Response to CPRE	Biowatt	18 August 2022
2.18	Committee Briefing Note	Biowatt	

CD3 Planning Application Consultee Responses

3.1	Norfolk Constabulary	28 June 2022
3.2	Palgrave Parish Council	11 July 2022
3.3	Public Right of Way Officer	12 July 2022
3.4	Richard Bacon MP	13 July 2022
3.5	The Countryside Charity Norfolk	14 July 2022
3.6	Tibenham Parish Clerk	14 July 2022
3.7	Winfarthing Parish Council	15 July 2022
3.8	Breckland Council Ward Member	18 July 2022
3.9	River Waveney Trust	18 July 2022
3.10	Natural England	18 July 2022
3.11	Breckland Council Ward Member	19 July 2022
3.12	Lead Local Flood Authority	19 July 2022
3.13	Bressingham and Fersfield Parish Council	22 July 2022
3.14	Shelfanger Parish Council	24 July 2022
3.15	Ward Member	25 July 2022
3.16	Buckenam & Banham Ward Member	26 July 2022
3.17	Winfarthing Parish Council	27 July 2022

3.18	Natural England	29 July 2022
3.19	Environmental Quality	2 August 2022
3.20	Roydon Parish Council	9 August 2022
3.21	The Countryside Charity Norfolk	23 August 2022
3.22	NCC Highways	25 August 2022
3.23	Suffolk Wildlife Trust	6 September 2022
3.24	Norfolk Wildlife Trust	9 September 2022
3.25	Natural England	13 September 2022
3.26	Lead Local Flood Authority	3 October 2022
3.27	SNC Senior Heritage and Design Officer	3 October 2022
3.28	Landscape Consultant Advising SNC	3 October 2022
3.29	Harling Parish Council	31 October 2022
3.30	Old Buckenham Aerodrome	1 November 2022
3.31	Water Management	2 November 2022
3.32	Historic England	2 November 2022
3.34	Designing Out Crime Officer	2 November 2022
3.35	Anglian Water	4 November 2022
3.36	District Member	8 November 2022
3.37	Bressingham and Fersfield Parish Council	9 November 2022
3.38	SNC Landscape Consultant Further Comments	10 November 2022
3.39	Heritage and Design Comments	10 November 2022
3.40	Environment Agency	15 November 2022
3.41	Ministry of Defence	16 November 2022
3.42	Parish/Town Council	17 November 2022
3.43	Shalfanger Parish Council	17 November 2022

3.44	Richard Bacon MP	18 November 2022
3.45	Public Rights of Way Officer	22 November 2022
3.46	Roydon Parish Council	24 November 2022
3.47	Ecology Comments	24 November 2022
3.48	Ashleigh House	25 November 2022
3.49	Natural England	25 November 2022
3.50	Poachers Cottage	28 November 2022
3.51	NCC Highways	29 November 2022
3.52	SNC Landscape Consultant Further Comments	6 December 2022
3.53	Natural England	7 December 2022

CD4 Determination Documents

	Document Title	Date
4.1	Development Management Committee Report and Minutes	14 December 2022
4.2	Addendum Report	
4.3	Decision Notice	14 December 2022

CD5 Appeal Documents

	Document Title	Date
5.1	Appellant's Statement of Case	13 June 2023
5.2	LPA Statement of Case	16 October 2023
5.3	Further Submissions on Behalf of the Appellant	22 November 2023
5.4	Pre-inquiry meeting note	19 December 2023
5.5	Further Submissions on Behalf of the LPA	21 December 2023
5.6	Draft Section 106 Agreement	

5.7 Statement of Common Ground

5.8	Response to Letter Dated 28 November 2022	Royal HaskoningDHV	20 January 2023	
5.9	Royal Haskoning Transport Statement part 1 of 2	Royal HaskoningDHV	7 June 2023	PC4115-RHD-ZZ-XX-RP-Z-0002
5.10	Royal Haskoning Transport Statement part 2 of 2	Royal HaskoningDHV	7 June 2023	PC4115-RHD-ZZ-XX-RP-Z-0002
5.11	Planning Benefit and Need Analysis	Quod	13 June 2023	
5.12	Proposed Site Sections	Plandescil	26 June 2023	27249-630-Rev U
5.13	Section 106 Agreement & Planning Condition Heads of Terms and Supplementary Note	Howes Percival LLP	17 January 2023	
5.14	Landscape and Visual Impact Assessment	ShielsFlynn	June 2023	
5.15	Royal Haskoning Transport Planning Skeleton Proof and Appendices	Royal HaskoningDHV	20 December 2023	PC5403-RHD-XX-XX-CO-X-0001

CD6 Relevant Site History

	Document	Ref	Date
6.1	Development Management Committee Report	2015/0595	22 July 2015
6.2	Decision Notice	2015/0595	22 October 2015
6.3	Site location map, area zoning map & aerial view	PI01	16 March 2015
6.4	Existing topography survey	PI02	16 March 2015

6.5	Proposed design concept and photographic analysis	PI03	16 March 2015
6.6	Proposed site layout	PI04	16 July 2015
6.7	Proposed site elevations and sections	PI05	16 March 2015
6.8	Proposed drainage layout	PI06	16 March 2015
6.9	Proposed cgi images and existing entrance layout	PI07	16 March 2015
6.10	Existing and proposed photomontage views	PI08	16 March 2015
6.11	Proposed technical details 1	PI09	16 March 2015
6.12	Proposed technical details 2	PI10	16 March 2015
6.13	Proposed process flow layout	PI11	16 March 2015
6.14	Proposed access road	L-AVE-001- PAR	13 March 2015
6.15	Proposed boundary plan	L-ave-001-bp	13 March 2015
6.16	Landscaping plan	L-AVE-001-LP REV A	16 July 2015
6.17	Discharge of Condition Decision Notice	2018/2179	19 October 2018
6.18	Discharge of Condition Decision Notice	2021/1886	22 September 2021
6.19	Application for Discharge of Condition	2021/2251	8 October 2021
6.20	Planning, Design and Access Statement	2021/2036	9 September 2021
6.21	Withdrawal Email	2021/2036	11 November 2021
6.22	Planning, Design and Access Statement	2021/2788	December 2021
6.23	Withdrawal Email	2021/2788	9 June 2022
6.24	Delegated Report	2023/1375	22 June 2023
6.25	Decision Notice	2023/1375	22 June 2023

CD7 The Development Plan and Evidence Base

- 7.1 The Adopted South Norfolk Local Plan 2011 – 2026 (June 2022)
- 7.2 The Norfolk Minerals and Waste Core Strategy & Development Management Policies DPD (2011)
- 7.3 South Norfolk District Landscape Character Assessment (April 2006)

CD8 National Policy and Guidance

- 8.1 The National Planning Policy Framework (2023)
- 8.2 Planning Practice Guidance for Renewable and Low Carbon Energy (2013)
- 8.3 Guidelines for Landscape and Visual Impact Assessment, Third Edition (2013)
- 8.4 TGN 02-21: Assessing Landscape Value Outside National Designations (2021)
- 8.5 Net Zero – The UK's contribution to stopping global warming (2019)
- 8.6 Overarching National Policy Statement for Energy (EN 1) (2023)
- 8.7 National Policy Statement for Renewable Energy Infrastructure (EN-3) (2023)
- 8.8 Green Belt Protection and Intentional Unauthorised Development – ministerial statement (17 December 2015)

CD9 Appeal Decisions

- 9.1 Crouchland Farm, Plaistow Road, Kirdford (Appeal ref: 3133236 & 3133237)
 - 9.2 47 Portsmouth Road, Thames Ditton, Surrey (Appeal ref: 3313510)
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CD10 Case Law

- 10.1 MR Dean & Sons (Edgware) Ltd v First Secretary of State [2007] EWCA Civ 1083
- 10.2 R. (on the application of Langley Park School for Girls Governors) v Bromley LBC [2009] EWCA Civ 734

CD11 Proofs of Evidence

	Title	Author	Date
11.1	Anaerobic Digestion Proof of Evidence	Les Gornall	
11.2	Anaerobic Digestion Proof of Evidence	Mark Richards	
11.3	Landscape and Visual Proof of Evidence	Martina Sechi	
11.4	Landscape and Visual Proof of Evidence	Eoghan Sheils	
11.5	Highways Proof of Evidence	Jonathan Hanner	
11.6	Highways Proof of Evidence	Sarah Taylor	
11.7	Planning Proof of Evidence	Tim Barker	
11.8	Planning Proof of Evidence	Matthew Sharpe	
11.9	Rule 6 Proof of Evidence	Dr McMurray	

APPENDIX 2

Local Planning Policy

1. The Council's Development Plan (in so far as is relevant to this appeal) is made up of the Joint Core Strategy (January 2014), the South Norfolk Local Plan Development Management Policies (October 2015) and the Norfolk Minerals and Waste Core Strategy & Development Management Policies DPD (2011) ("the **Development Plan**").
2. The relevant policies of each Development Plan document are set out below:
 - 2.1 Joint Core Strategy
 - 2.1.1 Policy 1: Addressing climate change and protecting environmental assets
 - 2.1.2 Policy 2: Promoting good design
 - 2.1.3 Policy 3: Energy and water
 - 2.1.4 Policy 5: The Economy
 - 2.1.5 Policy 6: Access and transportation
 - 2.1.6 Policy 17: Small rural communities and the countryside
 - 2.1.7 Policy 20: Implementation
 - 2.2 South Norfolk Local Plan Development Management Policies
 - 2.2.1 DM1.1: Ensuring Development Management contributes to achieving sustainable development in South Norfolk
 - 2.2.2 DM1.3: The sustainable location of new development
 - 2.2.3 DM1.4: Environmental Quality and local distinctiveness
 - 2.2.4 DM2.1: Employment and business development
 - 2.2.5 DM3.8: Design Principles applying to all development
 - 2.2.6 DM3.11: Road safety and the free flow of traffic
 - 2.2.7 DM3.12: Provision of vehicle parking
 - 2.2.8 DM3.13: Amenity, noise, quality of life
 - 2.2.9 DM3.14: Pollution, health and safety

- 2.2.10 DM4.1: Renewable energy
- 2.2.11 DM4.2: Sustainable drainage and water management
- 2.2.12 DM4.4: Natural environmental assets – designated and locally important spaces
- 2.2.13 DM4.5: Landscape character areas and river valleys
- 2.2.14 DM4.9: Incorporating landscape into design
- 2.2.15 DM4.10: Heritage Assets
- 2.3 The Council does not consider that the proposal is a waste management facility given the fact that the majority of the feedstock proposed is non-waste and the application is not a county matter. The Council therefore did not consider the application against the Norfolk Minerals and Waste Core Strategy & Development Management Policies DPD (2011). If the policies in that document are relevant, the following policies would be relevant to the decision:
 - 2.3.1 Policy CS3 – Waste Management Capacity to be provided
 - 2.3.2 Policy CS4 – New waste management capacity to be provided
 - 2.3.3 Policy CS5 – General Location of Waste Management Facilities
 - 2.3.4 Policy CS6 - General Waste Management Considerations
 - 2.3.5 Policy CS7 - recycling, composting, anaerobic digestion, and waste transfer stations
 - 2.3.6 Policy CS13 - Climate change and renewable energy generation
 - 2.3.7 Policy CS14 - Environmental Protection
 - 2.3.8 Policy CS15 – Transport
 - 2.3.9 Policy DM1 – Nature Conservation
 - 2.3.10 Policy DM3 – Groundwater and Surface Water
 - 2.3.11 Policy DM4 – Flood Risk
 - 2.3.12 Policy DM8 – Design, local landscape and townscape character
 - 2.3.13 Policy DM9 – Archaeological Sites
 - 2.3.14 Policy DM10 - Transport

2.3.15 Policy DM12 - Amenity

2.3.16 Policy DM13 – Air Quality

2.4 As these policies have been addressed by the Appellant, the Council will address the policies in its evidence at the Inquiry.