

A47/A11 Thickthorn Junction

Scheme Number: TR010037

Volume 6

6.3 Environmental Statement Appendices

Appendix 10.1 – Legislation and Policy Framework

APFP Regulation 5(2)(a)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009

March 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009**

The A47/A11 Thickthorn Junction
Development Consent Order 202[x]

ENVIRONMENTAL STATEMENT APPENDICES
Appendix 10.1 – Legislation and Policy Framework

Regulation Number:	Regulation 5(2)(a)
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Appendix 10.1 Legislation and policy framework

10.1. Legislation

10.1.1. The following relevant European, national and local policies have been considered as part of the material assets and waste assessment as part of Chapter 10 of the Environmental Statement (ES) (**TR010037/APP/6.1**). They have been considered where these have informed the identification of receptors, resources and their sensitivity, the assessment methodology, the potential for significant environmental effects and required mitigation and enhancement measures:

European legislation

- European Union (EU) Waste Framework Directive 2008/98/EC (WFD 2008) (published November 2008)

National legislation

- The Waste (England and Wales) Regulations 2011 (published March 2011) (as amended)
- Hazardous Waste (England and Wales) Regulations 2005 (published March 2005) (as amended) - implements the Hazardous Waste Directive (91/689/EC)
- Hazardous Waste (Miscellaneous Amendments) Regulations 2015 (published June 2015) - forms the current legal framework covering the appropriate assessment of waste
- Environmental Permitting (England and Wales) Regulations 2016 (published December 2016) (as amended).
- Environment Agency Standard Rules SR2015 No 39 (published February 2016) - use of waste in a deposit for recovery operation
- Department for Environment Food and Rural Affairs (Defra) Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, (published September 2009)
- Environmental Protection Act 1990, Part II, Section 34 (published November 1990) - sets out the legal framework for 'duty of care'

10.2. National strategy and planning policy

National strategy

- Resources and Waste Strategy for England (published December 2018)

National policy statement for national networks (NPS NN) (published December 2014)

NPSNN paragraph: 5.42 and 5.43 (waste management)

- 10.2.1. Requirement of the NPS NN: The applicant should set out the arrangements that are proposed for managing any waste produced. The arrangements described should include information on the proposed waste recovery and disposal system for all waste generated by the development. The applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that the alternative is the best overall environmental outcome.
- 10.2.2. Location where information addresses policy requirements:
- Section 10.9 (design, mitigation and enhancement measures)
 - Environmental Management Plan (EMP) (**TR010037/APP/7.4**)

National planning policy

- 10.2.3. In addition to NPS NN, other policies can have weight as relevant and important matters in decision making:
- National Planning Policy Framework (NPPF) (published March 2012): Sets out the Government's planning policies for England and how these should be applied, the document was updated in February 2019 and Chapter 17: facilitating the sustainable use of minerals, paragraph 204, is of relevance to the Proposed Scheme.
 - The Waste Management Plan for England (published December 2013): Fulfills EU Waste Framework Directive 2008/98/EC (WFD 2008) (published November 2008) Article 28 mandatory requirements, and other required content as set out in Schedule 1 to the Waste (England and Wales) Regulations 2011 (published March 2011).
 - National Planning Policy for Waste (NPPW) (published October 2014): sets out the government's detailed waste planning policies.
 - The National and Regional Guidelines for Aggregates Provision in England 2005 to 2020 (published June 2009): Contains the relevant regional recycled aggregates target given in Table E/1.2 of LA 110.

10.3. Local planning policy

- 10.3.1. Norfolk County Council have adopted the Norfolk Minerals and Waste Development Framework comprising three policy plans.
- Norfolk Core Strategy and Minerals and Waste Development Management Plan 2010-2026 (published September 2011) sets out the spatial vision for future mineral extraction and associated development and waste management facilities in Norfolk. It contains strategic objectives and policies

dictating the location of sustainable mineral extraction and waste management facility developments. The strategy identifies Mineral Safeguarding Areas.

- Minerals Site Specific Allocations Development Plan (adopted October 2013, amended 2017) identifies allocated sand and gravel extractions sites within the South Norfolk District.
- The Waste Site Specific Allocations Development Plan (published September 2013, adopted October 2013) lists allocated sites within the county.

10.3.2. Norfolk County Council are preparing to consolidate the three policy plans into one Norfolk Minerals and Waste Local Plan with an extension of the plan period from 2026 to 2036. As part of this consolidation, Norfolk County Council have published Norfolk County Council Norfolk Minerals and Waste Plan Preferred Options document (published July 2019).