

A47 North Tuddenham to Easton Dualling

Scheme Number: TR010038

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 North Tuddenham to Easton
Development Consent Order 202[x]

ENVIRONMENTAL STATEMENT APPENDICES
Appendix 10.1 - Legislation and policy framework

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Appendix 10.1 Legislation and policy framework

10.1.1. Legislation, standards, best practice guidelines and regional policy relevant to this assessment are as follows:

10.1. Legislation

European legislation

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

National legislation

- The Waste (England and Wales) Regulations 2011 (as amended)
- Hazardous Waste (England and Wales) Regulations 2005 (as amended) - implements the Hazardous Waste Directive (91/689/EC)
- Hazardous Waste (Miscellaneous Amendments) Regulations 2015 - forms the current legal framework covering the appropriate assessment of waste
- Environmental Permitting (England and Wales) Regulations 2016 (as amended).
- Environment Agency Standard Rules SR2015 No 39 - 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, September 2009
- Environmental Protection Act 1990, Part II, Section 34 - 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 (NPSNN)

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) of the Environmental Statement (**TR010038/APP/6.1**).
- Environmental management plan (EMP) (**TR010038/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): 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 (December 2013): Fulfills EU Waste Framework Directive 2008/98/EC (WFD 2008) Article 28 mandatory requirements, and other required content as set out in Schedule 1 to the Waste (England and Wales) Regulations 2011.
- The National and Regional Guidelines for Aggregates Provision in England 2005 to 2020: 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 (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 Breckland District of Norfolk.
- The Waste Site Specific Allocations Development Plan (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 (July 2019).