

Reference: 06/18/0384/F

Parish: Mautby

Officer: Mrs G Manthorpe

Expiry Date: 13-09-19

Applicant: Norfolk County Council

Proposal: Relocation of wood yard with erection of building with associated hardstanding and retention of existing wood storage areas

Site: Mautby Lane, Decoy Wood (Land at)

REPORT

1. Background / History:-

- 1.1 The site comprises 0.90 hectares and proposes the erection of a building, improvements to the road and hardstanding. The building has been reduced in size during the application process and is now proposed to measure 30mx20m giving a floor area of 600m². The eaves are proposed 4.6m and the proposed ridge height is stated to be 7.3m.
- 1.2 The application seeks to use areas for covered and open wood storage, including a main working area. The supporting statement states that the application has been submitted by Norfolk County Council (NCC) and the existing tenant of a woodyard business has recognised that it would be beneficial to relocate the business to another site within the parish. The application site is, according to the supporting information, more than 400m from the current site.
- 1.3 There is no history for the site specific; however there is history for the use of the wood yard to the north which comprises agricultural determinations, applications for planning permission including change of use of land to the south of the site (existing site not application site) and an application for established use, reference 06/16/0280/EU for existing use of site importing, cutting, splitting, storage and distribution of firewood which was granted in 2016.
- 1.4 The site is located adjacent a scheduled monument, the Second World War Heavy Anti-Aircraft (HAA) Battery located 345m east of Decoy Farm, Mautby which is a

material consideration in the determination of the application and will form a major part of the assessment.

2 Consultations:- All consultation responses received are available online or at the Town Hall during opening hours.

2.1 Parish Council – The Parish Council have objected to the application and provided (31st May 2019) the following comments:

Mautby Parish Council would in general wish to support local business and employment and would have no objections in principle were it not for the proximity to and potential effects on neighbours of the site.

The PC thus requests that the reasonable concerns and view of the neighbours are fully taken into account when determining the application. The PC further notes that it considers things would have been better all round had the applicant (Norfolk County Council) been able to propose a more suitable location for the development.

2.2 Neighbours – There have been 33 objections to the application from residents, societies members/historians and the local gun club, they are summarised below, and a selection is included at the end of this report:

- The development will have a significant adverse impact on the setting of the Scheduled Monument.
- The application is contrary to paragraphs 193, 194 and 195 of the National Planning Policy Framework.
- The monument is rare and has the potential to improve the understanding of the this type of military site.
- As a close neighbour I feel there must be other sites where this business could expand to without disrupting the lives of neighbours.
- The application does not allow for any parking for gun club members or the public (reference the statement that they will allow access for the public to the monument)
- It would be in the public interest to maintain the woodland as it is with the exception of removing trees that are impacting the existing buildings.
- Changing a green site to a brown site is not supported.
- The access is dangerous.
- The increase in traffic will cause disturbance to nearby occupiers.
- There are bats, owls and badgers (not an exhaustive list) on the site.
- The submitted reports are out of date and/or out of sync with each other.

- The application has a various inaccuracy, for example the application states that there is no hazardous waste on site although hard and softwood dust arising from the cutting of wood is a carcinogen. This is covered by the control of substances hazardous to health.
- The application states that there is no water course within 20m which is untrue.
- The application states that the site has been used for wood storage since 2005 – there is no evidence to support this.
- The noise assessment is incorrect and contains arithmetic errors.
- Should the Planning Authority approve the application conditions should be appended (list of 13 suggested).
- Trees should be protected and preserved, there is a national campaign to do more to protect wildlife.
- The information submitted with the application states that 47 trees will be removed, there is no mention of other trees to be removed throughout the rest of the site.
- Backing out of the site, with a banksman, cannot be correct.
- An easterly wind will cause noise to travel, the noise report is incorrect and the removal of trees will exacerbate the noise.

Local residents also commissioned a health and safety report on the proposed site activities.

There have been 4 letters in support of the application, three from neighbours and one from a now councillor which are summarised below:

- The application is entirely comprehensive and affords neighbours the consultation that was previously denied.
- The Hall Farm Site is established as under a CLUED (Certificate of Lawful or Established use).
- The application could be conditioned re working hours and noise.
- The application has considered points such as access, screening, distance from dwellings etc.
- As a council you should be supporting rural business in rural areas.
- All of the necessary checks have been carried out.
- This application will allow the 'old gun site' to be maintained to a degree.
- This would provide employment in rural areas.
- This would free up another small holding at Hall Farm for possible further employment.
- There are no difficulties on the surrounding road network.
- This is an ideal secluded spot.
- The application, if approved, would prevent further degradation of the structures.

2.3 Highways – No objection to the application.

- 2.4 Broads Authority - Object to the application, comments in full attached to this report.
- 2.5 Strategic Planning – Notes the significance of the schedule monument and trees.
- 2.6 Assistant Grounds Manager and Arboricultural Officer – If the tree loss is off set with suitable replacement planting this will be acceptable to maintain the amenity value of the woodland.
- 2.7 Natural England – Natural England considers that the proposed development will not have significant adverse impacts on Natura 2000 sites or Sites of Special Scientific Interest.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status for conserving landscape and scenic beauty in National Parks, the Broads and AONBS, which have the highest status of protection in relation to these issues. The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this proposal.

You should have regard for those statutory purposes in carrying out their functions (section 11A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)).

- 2.8 Environmental Health – Great Yarmouth Borough Council Environmental Services gives the following advice and potential planning conditions with respect to the above referenced proposal.

Noise

Clearly the proposed development/relocation, is one that will be a source of noise, and this noise will be audible at times to some of the properties in the vicinity. Indeed, the Parish Council, and residents may be aware that the Council has investigated complaints about noise from the existing woodyard location, over several years. However, the Council has not witnessed a statutory noise nuisance (where it may serve a noise abatement notice to control the noise), from the existing operation, and nor is it likely to in future, with the current activities.

The proposed development/relocation would be further from residential properties than it is at present, and would also include some physical noise attenuation measures, as well as mitigation, which are not included within the existing site and operations. Considering this, it is highly unlikely that a statutory noise nuisance would be created by the development. However, separately from these Environmental Health matters, the Council's Local Planning Authority would

consider, and decide whether this noise would be detrimental to the amenities of the area, and thus whether to grant, or refuse planning consent.

The Acoustics consultant is known to the Council, and in measuring, and calculating the potential noise from the development, they have made reasonable assumptions in the report.

Should the Local Planning Authority desire the noise levels to be reduced further than proposed by the applicant, then this would be possible with more physical noise attenuation, such as installing larger acoustic barriers. However, this could increase the visual impact of the development.

Should the Local Planning Authority grant planning consent for the proposed development, then it is essential that the Noise Mitigation Strategy and measures on pages 24-25 and Appendix E of the applicant's acoustic report, are conditioned as requirements. Additionally, to eliminate the annoying beeping reversing alarm noise, a better alternative than using a 'white noise' or broadband noise reversing alarm, would be for all vehicles on site to have 'in-cab' reversing noise from sensors, which is best practice for noise and health and safety, and similarly to those now found in private cars. Also, if consent were granted, restrictions should be placed via planning conditions to prevent the business – and thereby the potential for noise – from growing further, by preventing an increase in the number of full time equivalent employees, throughput, and output of wood, or any extension to working hours.

- 2.9 Forestry Commission – Confirmed that they are not a statutory consultee as the site does not comprise ancient woodland.
- 2.10 Twentieth Century Society – The development would harm a scheduled ancient monument, an asset of the highest significance. The Society's concern is that the proposed development will detrimentally affect this rare and recently designated site, both by directly affecting the visual appearance of the site and destroying the legibility of the remains.
- 2.11 Historic England – Objects to the application and recommends refusal – full response attached to this report.
- 2.12 Brandon Lewis MP- Object, full comments attached to this report. Objection echo's the recommendation for refusal from Historic England and states that the monument, in its entirety, must be preserved for the benefit of future generations.

3 National Policy:- National Planning Policy Framework (NPPF)

- 3.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 3.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 3.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 3.4 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 3.5 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.
- 3.6 Paragraph 83. Planning policies and decisions should enable:(partial)
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses;
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- 3.7 Paragraph 84. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 3.8 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 3.9 Paragraph 179. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 3.10 Paragraph 180. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

3.11 Paragraph 193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

3.12 Paragraph 194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional⁶³.

Footnote 63: Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

3.13 Paragraph 195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

- 3.14 Paragraph 196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 3.15 Paragraph 197. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 3.16 Paragraph 198. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
- 3.17 Paragraph 199. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible⁶⁴. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.
- 3.18 Paragraph 200. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 3.19 Paragraph 201. Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.
- 3.20 Paragraph 202. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

4 Core Strategy – Adopted 21st December 2015

- 4.1 Policy CS2: Growth within the borough must be delivered in a sustainable manner in accordance with Policy CS1 by balancing the delivery of new homes with new jobs and service provision, creating resilient, self-contained communities and reducing the need to travel. To help achieve sustainable growth the Council will: (partial)

c) Ensure that new commercial development for employment, retail and tourism uses is distributed in accordance with Policies CS6, CS7, CS8 and CS16

- 4.2 Policy CS6 – Supporting the local economy

The Borough of Great Yarmouth has a diverse local economy. It is the main service base in England for the offshore energy industry and has a thriving seasonal visitor economy. To ensure that the conditions are right for new and existing businesses to thrive and grow, there is a need to continue to strengthen the local economy and make it less seasonally dependent. This will be achieved by: (partial)

h) Encouraging the development of small scale business units, including those that support the rural economy and rural diversification.

j) Minimising the potential loss of the best and most versatile agricultural land by ensuring that development on such land is only permitted if it can be demonstrated that there is an overriding sustainability benefit from the development and there are no realistic opportunities for accommodating the development elsewhere.

- 4.3 Policy CS9 – Encouraging well-designed, distinctive places

High quality, distinctive places are an essential part in attracting and retaining residents, businesses, visitors and developers. As such, the Council will ensure that all new developments within the borough.

- 4.4 Policy CS10 – Safeguarding local heritage assets

The character of the borough is derived from the rich diversity of architectural styles and the landscape and settlement patterns that have developed over the centuries. In managing future growth and change, the Council will work with other agencies, such as the Broads Authority and Historic England, to promote the conservation, enhancement and enjoyment of this historic environment by: (partial)

a) Conserving and enhancing the significance of the borough's heritage assets and their settings, such as Conservation Areas, Listed Buildings, Scheduled Ancient Monuments, archaeological sites, historic landscapes including historic parks and gardens, and other assets of local historic value

b) Promoting heritage-led regeneration and seeking appropriate beneficial uses and enhancements to historic buildings, spaces and areas, especially heritage assets that are deemed at risk

c) Ensuring that access to historic assets is maintained and improved where possible

4.5 Policy CS11: The Council will work with other partner authorities and agencies to improve the borough's natural environment and avoid any harmful impacts of development on its biodiversity, geodiversity, landscape assets, priority habitats and species. This will be achieved by: (partial)

d) Ensuring that the Norfolk Coast Area of Outstanding Natural Beauty (AONB), the Broads and their settings are protected and enhanced

g) Ensuring that all new development takes measures to avoid or reduce adverse impacts on existing biodiversity and geodiversity assets. Where adverse impacts are unavoidable, suitable measures will be required to mitigate any adverse impacts. Where mitigation is not possible, the Council will require that full compensatory provision be made

h) Ensuring that all new development appropriately contributes to the creation of biodiversity and/or geodiversity features through the use of landscaping, building and construction features, sustainable drainage systems and geological exposures

4.6 Policy CS12 – Utilising natural resources

The use and protection of natural resources is essential to the overall quality of life of the borough and to support wider social and economic sustainability objectives. This will be achieved by:

a) Ensuring that all new non-residential developments maximise the level of energy efficiency achieved through passive design and construction techniques, and with appropriate consideration given to the reduction of construction waste, siting, massing, orientation, internal design, use of materials, insulation and heat recovery

b) Encouraging all new non-residential developments to incorporate an element of renewable, low carbon energy in the final scheme

4.6 Policy CS14: New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will: (a to f)

e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures.

5 Local Policy :-

5.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):

5.2 Paragraph 213 of the National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

5.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.

5. Policy emp18:

Proposals for small scale businesses within existing settlements will be permitted provided the applicant can demonstrate that:

(A) The proposed use would be compatible with and not significantly detrimental to adjoining and/or surrounding land uses, or result in adverse affects to occupiers of neighbouring premises; and,

(b) Adequate access, parking and service arrangements can be provided;

6 Emerging policy – Local Plan Part 2:-

6.1 SETTLEMENT OVERVIEW

The settlement area of Mautby comprises a handful of small farmsteads, barn conversions and sporadic individual dwellings which do not relate to a discernible centre. No allocations are proposed in Mautby. Any new development considered in Mautby, where this lies within the Great Yarmouth plan area, will be treated as the countryside (without defined development limits) and will be judged against the policies in the Core Strategy and Development Policies in this plan, specifically Policy G1-dp. Draft

7 Habitat Regulations Assessment considerations:

- 7.1 “European” or “Natura 2000” sites are those that are designated for their wildlife interest(s) through the Conservation of Habitats and Species Regulations 2017 and constitute the most important wildlife and habitat sites within the European Union. The Council has an adopted policy approach, the Habitats Monitoring and Mitigation Strategy, prepared alongside the Part 1 Local Plan (and most recently updated at the Policy & Resources Committee meeting on 5th February 2019).
- 7.2 The application is for a commercial venture and while the proximity to designated areas is noted this has not triggered the need for a bespoke shadows habitat regulation assessment.

8 Relevant legislation: Copies of relevant sections at Appendix A1.

- 8.1 Planning (Listed Buildings and Conservation Areas) Act 1990
- 8.2 Ancient Monuments and Archaeological Areas Act 1979
- 8.3 National Parks and Access to the Countryside Act 1949

9 Designation:- Full listing at appendix A2.

- 9.1 Heritage Category: Scheduled Monument
List Entry Number: 1455654
Date first listed: 23-Jul-2018
Date of most recent amendment: 18-Dec-2018

- 9.2 Summary
The standing, buried and earthwork remains of a Second World War heavy anti-aircraft gun battery known as YH4 in military records. It is located to the east of Decoy Farm, Mautby Lane, within a wooded area on high ground to the north of the lower-lying marshland of the River Bure, and comprises four gun emplacements, a command post and a sample of its access road.

10 Local finance considerations:-

- 10.1 Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or the Community Infrastructure Levy. The application has been assessed and there are no financial implications that would impact the determination of the application.

11 Assessment

- 11.1 The proposal seeks approval for the relocation of wood yard with the erection of a building with associated hardstanding and retention of existing wood storage areas. The application has undergone revisions over the past year to seek to overcome objections from statutory consultees. During the time that the application has been with the Local Planning Authority, the 'Second World War Heavy Anti Aircraft (HAA) Battery' has been scheduled under the Ancient Monuments and Archaeological Areas Act 1979 as amended as it appears to the Secretary of State to be of national importance. The details within the list entry at the paragraph 9-9.5 of this report. It is noted within the objection received from Historic England that the application site includes an area designated as a scheduled monument and no application has been made for Scheduled Monument Consent which would be required before any works within this area were undertaken. Historic England also state that given their concerns about the application as a whole, it is unlikely that they would recommended to the Secretary of State that consent be granted should an application be submitted.
- 11.2 The supporting statement submitted in support of the application states that the application's revisions have reduced the size of the development and made a number of amendments in order to seek to overcome the objections. The amendments included the reduction in size of the structure, widening and re-use of the existing access to Mautby Lane and to locate access some 15 metres to the north of the existing access to serve the wood yard activity and agricultural activity with the closure of the existing access and new hedge planting. The plans also stated that the access would be re-configured to exclude any part of the ancient monument designation however at 11.1 above Historic England note that there is still infringement on the designated site.
- 11.3 The application site forms an area of woodland. The Forestry Commission have responded to the application stating that the woodland is not ancient woodland and that they are not statutory consultees. They have provided additional information to assist although, as they have assessed, this is not truly applicable to the application in question.
- 11.4 The supporting statement includes reference to the land having been used for storage of timber products, cut timber, logs and wood within specific areas for a number of years, primarily using existing hardstanding areas. There is no planning history for the site and no application for established use has been submitted. As such this statement is not agreed with and has very limited weight in support of the application.

11.5 The revised application has sought to overcome the various objections, including the objection from the Broads Authority. The Broads Authority executive area is given a status equivalent to a National Park. The amended plans set a tree line between the proposed building and the boundary of the site with additional planting. In addition, there is a proposed 2.5m high acoustic fence proposed forward of the building line to the south west of the proposed building. The application site is approximately 10 metres from the boundary with the Broads Authority.

11.6 The Broads Authority have objected to the application on the grounds of the significant adverse impact on the Broads Authority Executive Area and on the grounds of the impact on the scheduled monument. The Broads Authority's objections are attached in full at the end of this report and the salient points are below:

‘ I am of the view that the construction of a building of a very significant size and scale here will have an adverse impact on the appearance of the area, due to its intrinsic visibility with the landscape, and will consequently also have an adverse impact on the character of the area. Whilst there are other buildings within this area, particularly on the valley sides, they tend to be small scale and isolated (often of an historic nature, such as churches) or farm buildings, rather than industrial as is proposed here.

The impact on the landscape will be exacerbated by the activities associated with the operation, with the stored raw materials and finished product representing an incongruous intrusion in this rural landscape, whilst the noise and dust resulting from the industrial processes will impact adversely on the rural character to the detriment of the tranquillity currently experienced. It is accepted that there are agricultural activities and operations locally which do generate noise and disturbance, however these tend to be intermittent and are to be expected within a very rural and agricultural area. It is not considered that a commercial industrial operation such as that proposed here is comparable.

The Broads is designated as of equivalent status to a National Park and its landscape is accorded the highest level of protection. The introduction of the development proposed adjacent to the Broads boundary (on three sides) would adversely affect the character and appearance of the landscape and the experiential qualities of it. For these reasons the Broads Authority raises a strong objection to the application.’

11.7 When assessing the application, the impact on the Broads Authority is a material consideration that holds substantial weight. As can be seen from the comments above, the assessment is that the impact of the development as a whole is viewed as detrimental to the Broads Authority Area and should be refused for this reason.

The Broads Authority comments make an important distinction between agricultural use and the industrial use applied for. While the definition of agriculture includes the use of land as woodland as per below:

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly;

- 11.8 The use of the land for a wood yard with associated activities would introduce an industrial use into the countryside. While the National Planning Policy Framework supports the diversification of rural enterprise and taking into account that this is a relocation of an established use situated approximately 440m to the north of the application site the assessment as to the appropriateness of the use should be made. The application is accompanied by an acoustic assessment and while there are no objections from Environmental Health they do make a note that should the Local Planning Authority want to reduce the impact of the noise further this may be possible with additional physical noise attenuation. Environmental Health do not object to the application although state that the mitigation as put forward within the assessment submitted on behalf of the application is essential. The mitigation suggested includes an acoustic fence which is considered detrimental to the character of the area. It is assessed that the application should not fail on the grounds of noise; although, further confirmation regarding the potential levels should the trees be removed may be required. The impact of the physical attenuation is sufficiently adverse to the setting of the scheduled monument when assessed in conjunction with the other aspects of the development to be significantly detrimental.
- 11.9 The application proposes to remove 47 trees from the site. According to the information submitted in support of the application, the trees to be removed are category B and C trees. The trees, as per the consultation from the Forestry Commission do not form part of an ancient woodland however they do form part of the existing landscape which is important to the setting of the Broads. The value of the trees is noted by the Assistant Grounds Manager and Arboricultural Officer. It is accepted that the applicant has sought to mitigate the impact of the loss of the trees by demonstrating replanting; however, it is assessed, on balance, that the trees contribute significantly to the value of the area with specific regard the Broads Authority Executive Area and the Scheduled Monument and their removal to enable this application is not supported. In addition their removal would have a detrimental impact on the biodiversity of the area and is therefore contrary to policy CS11 of the Core Strategy.

- 11.10 The development lies adjacent to the scheduled monument described as 'The standing, buried and earthwork remains of a Second World War heavy anti-aircraft gun battery known as YH4 in military records' which, among other points, 'provides an exceptional insight into the development of anti-aircraft measures during the Second World War, with it being a significant, visible reminder of the nature of home defence during the conflict.' Scheduled monuments are afforded the highest level of protection and significant weight should be applied to their preservation and protection.
- 11.11 Historic England have objected to the application, as has the Historic Environment Service from Norfolk County Council owing to the adverse impact on the scheduled monument and surrounding area. Historic England comments, in full at the end of this report detail at length the reasoning for the objection and the reason that they are requesting refusal of the application. These comments are adopted by the Local Planning Authority and should be read as forming part of this report.
- 11.12 In addition to the comments which have been received from Historic England, the comments below from the Norfolk County Council Community and Environment Service, which again form part of the Local Planning Authorities assessment of the applicant and are agreed with in full:
- 11.13 'As stated in our previous advice the proposed development is located within the boundary of a known heritage asset - the site of a Second World War Heavy Anti-Aircraft gun battery - part of which is protected as a designated heritage asset (scheduled monument). The original proposal lay partly within the boundary of the scheduled monument. Although the development proposal has been amended so that it lies outside of the boundary of the scheduled monument it is still located in very close proximity to this designated heritage asset and wholly within the boundary of the associated non-designated heritage asset.
- 11.14 The size of the proposed building has been reduced and its position slightly amended. However, the proposed building is still of such a scale, and in such proximity to, the designated heritage asset that it will have an adverse impact upon its setting. The eaves height of the proposed building is 4.6m. The ridge height is not specified on the amended drawings, but is stated in the amended supporting statement as being approximately 7.3m. To put this in context, the Second World War structures within the scheduled monument (the command post building and gun emplacements) are all approximately 1.5m in height. Consequently, the proposed building will be approximately five times the height of the structures within the adjacent designated heritage asset and will have a footprint roughly twice that of the command post building.

- 11.15 The amended proposal includes a new access road that will pass through the area of the former sewage treatment plant associated with the HAA battery site. The remains of the sewage treatment plant form part of the non-designated heritage asset. The proposed access road would result in the removal of all three of the surviving above-ground Second World War structures in this area. As indicated in our previous advice, the western part of the overall HAA battery site, which comprises the non-designated heritage asset, contributes to the understanding and significance of the designated heritage asset (scheduled monument). We wish to reiterate that any further harm to, or loss of, the non-designated elements of the overall heritage asset would therefore have an adverse impact on the significance of the designated heritage asset. The now-proposed removal of surviving structures within the non-designated heritage asset would actually have a greater physical impact on the overall heritage asset than in the original proposal and would, in turn, have an additional adverse impact on the significance of the scheduled monument.
- 11.16 Paragraph 194 (2019) requires that, “any harm to, or loss of, the significance of a designated heritage asset (from alteration or destruction, or from development within its setting), should require clear and convincing justification. No clear justification is given in the amended supporting statement for the harm to the designated heritage asset that would occur through the loss of the adjacent non-designated structures associated with the former sewage treatment plant or, indeed, the impact of the new building upon its setting
- 11.17 The amended supporting statement argues that the proposed development, will “secure an optimum viable use for the site”. From a historic environment perspective we do not consider this to be the case. It had not been demonstrated that the potential for alternative uses with greater public-benefit have been fully explored with respect to paragraphs 192 and 196 of NPPF (2019).
- 11.18 Having considered the amended proposal, we do not believe that it has significantly reduced the harm to the setting of the designated heritage asset. Through increased physical impact on the non-designated elements of the overall heritage asset the amended proposal has, in reality, increased the aggregate adverse impact on the designated heritage asset.
- 11.19 With this in mind we consider that, when weighed against the requirements of paragraphs 193 – 197 of NPPF (2019), there is still insufficient justification for the harm that will occur to both the designated and non-designated elements of the heritage asset at the proposed development site. We agree with the comments and recommendations made by Historic England on the amended details and concur that the application should not be approved in its current form.’

11.20 The applicant has submitted and had updated reports pertaining to arboriculture, ecology and roosting in support of the application. This information submitted in support of the application is beneficial as it has sought to alleviate concerns regarding the impact on protected species, bats specifically, and the value of trees. While the application has demonstrable significant adverse impacts that cannot be overcome the supporting information is acknowledged as received and relevant to specific aspects of the application and would hold more weight were a positive recommendation being made.

12 RECOMMENDATION: -

12.1 The National Planning Policy Framework recognises the support for rural enterprise at paragraphs 83 and 84. The proposed use is a use suited to a rural location provided that the impact is not so significant that the harms would outweigh the benefits of a business that could be deemed a diversification from agricultural land use. The size of the business proposed at the location subject to the application will cause an industrial processing and storage and distribution site to be developed within the countryside. The site, as detailed above, is bounded by the Broads Authority area which is to be treated in the same manner as a national park and adjacent to a scheduled monument, a designation that is afforded the highest level of protection within the country.

12.2 When assessing the application it is found that, on balance, the harm to the scheduled monument and to the Broads Authority Executive Area is sufficient to outweigh any positive outcomes that the application may bring and it is recommended that, for the reasons given above, given by statutory consultees and as attached to this report, the application be refused.

Appendix

A1 Relevant legislation:

A1.1 Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72 General duty as respects conservation areas in exercise of planning functions.

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any [F1 functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

A1.2 Ancient Monuments and Archaeological Areas Act 1979

A1.3 1 Schedule of monuments.

(1) [F1 The Secretary of State] [F1 Historic Environment Scotland] shall compile and maintain for the purposes of this Act (in such form as [F2 he] [F2 it] thinks fit) a schedule of monuments (referred to below in this Act as “the Schedule”).

(2) The Secretary of State shall on first compiling the Schedule include therein—
(a) any monument included in the list last published before the commencement of this Act under section 12 of the M1 Ancient Monuments Consolidation and Amendment Act 1913; and
(b) any monument in respect of which the Secretary of State has before the commencement of this Act served notice on any person in accordance with section 6(1) of the M2 Ancient Monuments Act 1931 of his intention to include it in a list to be published under section 12.

(3) Subject to subsection (4) below, [F3 the Secretary of State] [F3 Historic Environment Scotland] may on first compiling the Schedule or at any time thereafter include therein any monument which appears to [F4 him] [F4 it] to be of national importance. [F5 The Secretary of State shall consult the Historic Buildings and Monuments Commission for England (in this Act referred to as “ the Commission ”) before he includes in the Schedule a monument situated in England.]

A1.4 Section 2 Control of works affecting scheduled monuments.

(1) If any person executes or causes or permits to be executed any works to which this section applies he shall be guilty of an offence unless the works are authorised under this Part of this Act [F20 or by development consent].

(2) This section applies to any of the following works, that is to say—

(a) any works resulting in the demolition or destruction of or any damage to a scheduled monument;

(b) any works for the purpose of removing or repairing a scheduled monument or any part of it or of making any alterations or additions thereto; and

(c) any flooding or tipping operations on land in, on or under which there is a scheduled monument.

(3) Without prejudice to any other authority to execute works conferred under this Part of this Act, works to which this section applies are authorised under this Part of this Act if—

(a) the Secretary of State [F21 or Historic Environment Scotland] has granted [F22 written] consent (referred to below in this Act as “scheduled monument consent”) for the execution of the works; and

(b) the works are executed in accordance with the terms of the consent and of any conditions attached to the consent.

[F23 (3A) If—

(a) works to which this section applies have been executed without being authorised under this Part; and

(b) [F24 the Scottish Ministers grant consent for the retention of the works,] [F24 consent for the retention of the works is granted by the Scottish Ministers or by Historic Environment Scotland, the works are authorised under this Part of this Act from the grant of the consent.

(3B) References in this Act to scheduled monument consent include consent under subsection (3A) above.]

A1.5 National Parks and Access to the Countryside Act 1949

A1.6 11A Duty of certain bodies and persons to have regard to the purposes for which National Parks are designated.

(1) A National Park authority, in pursuing in relation to the National Park the purposes specified in subsection (1) of section five of this Act, shall seek to foster

the economic and social well-being of local communities within the National Park F38... and shall for that purpose co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of the National Park.

(2) In exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority shall have regard to the purposes specified in subsection (1) of section five of this Act and, if it appears that there is a conflict between those purposes, shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.

A2 Designation:-

A2.1 Heritage Category: Scheduled Monument

List Entry Number: 1455654

Date first listed: 23-Jul-2018

Date of most recent amendment: 18-Dec-2018

A2.2 Summary

The standing, buried and earthwork remains of a Second World War heavy anti-aircraft gun battery known as YH4 in military records. It is located to the east of Decoy Farm, Mautby Lane, within a wooded area on high ground to the north of the lower-lying marshland of the River Bure, and comprises four gun emplacements, a command post and a sample of its access road.

A2.3 Reasons for Designation

The standing, buried and earthworks remains of the Second World War heavy anti-aircraft (HAA) battery at Mautby, comprising four gun emplacements, a command post and a sample of the site's access road, are scheduled for the following principal reasons:

* Survival: as a well-preserved Heavy Anti-Aircraft battery which retains its core structures including a command post and four gun emplacements, both retaining evidence of their original fittings;

* Rarity: not only has it been identified as one of a small number of complete or near complete Second World War gun batteries, but it is probably the most complete HAA battery in England constructed with four gun emplacements to the Directorate of Fortifications and Works (DWF) specification drawing DFW55483/1;

- * Period: as one of the few obvious and tangible facets of Britain's wartime air defence system, one which stands testament to a specific form of C20 warfare and to national defence policy;
- * Potential: the gun emplacements and command post will enhance our detailed understanding of the construction, function and use of this military site type in Britain, along with Aircraft Command's advances in gunnery and military tactics during the course of the conflict;
- * Diversity: although the domestic site and sewage treatment plant have been lost, it is still a legible ensemble, in which the functioning of the gun emplacements and command post is strongly sensed and the military experience readily captured;
- * Historic interest: it provides an exceptional insight into the development of anti-aircraft measures during the Second World War, with it being a significant, visible reminder of the nature of home defence during the conflict.

A2.4 History

One of the major threats to Britain during the Second World War was the strategic bombing campaigns of the German Luftwaffe. To combat this danger major installations and ports were provided with heavy anti-aircraft (HAA) gun sites and almost 1000 were constructed nationally. The standard weapons deployed at these sites were 3.7 inch and 4.5 inch calibre heavy anti-aircraft guns, operated by almost 275,000 men, supplemented by women soldiers from the Auxiliary Territorial Service (ATS) from 1941 onwards. Along with gun emplacements, which were usually arranged in groups of two, four or eight, the operational structures of a typical HAA gun site consisted of a standard set of components, including a command post, a radar platform, a gun store and a magazine for storing reserve ammunition. A variety of typical military hutting made up the domestic section of the site, usually a combination of Nissen and timber huts placed on concrete building platforms. Most domestic sites also had workshops and garages, and very often a sewage treatment plant. HAA sites were also provided with structures for their close defence, with light anti-aircraft (LAA) gun pits, searchlight emplacements and pillboxes being common. Due to their inflexibility, the majority of Second World War HAA sites were abandoned during the course of the war, but a small number were retained as part of the Nucleus Force and adapted for Cold War use.

As was the case elsewhere in the country (with the exception of London) Norfolk's HAA batteries were organised into Gun Defended Areas (GDAs), each protecting one or more targets or Vulnerable Areas (VAs). The battery at Mautby (known from military records as site YH4) was one of five HAA batteries deployed to defend Great Yarmouth as part of the Yarmouth and Lowestoft GDA. Its extent was

identified from an aerial photograph taken in 1945 as part of the Norfolk Coast National Mapping Programme (NMP), which was undertaken between 2002 and 2006. The photograph shows the battery occupying a rectangular-shaped area, aligned east-west, immediately to the east of Decoy Farm, on the edge of the higher ground to the north of the River Bure marshland. Four, square-shaped gun emplacements, placed in a semi-circle on the east side of a command post, are depicted at the east end of the site, while twenty-four domestic buildings with pitched roofs and concrete bases are recorded at the west end. A concrete service road is also documented, running from the site's main gate on Mautby Lane to a loop around the command post, with offshoots to each gun pit. An area of disturbed soil on the east side of the site was identified as the possible remains of a LAA gun pit for the ground defence of the site.

Although the date of the battery's construction is unknown, the square plan-form of the gun emplacements suggests that the operational element of the site was built after the Directorate of Fortifications and Works issued specification drawing DFW 55483/1 in September 1943 for a new form of emplacement that could accommodate 3.7 inch guns equipped with the No 11 Machine Fuze Setter (MFS). Trials undertaken in the summer and autumn of 1943 found that the existing octagonal-shaped emplacement (DFW 55414) gave insufficient space for ammunition storage in relation to the enhanced rate of fire obtained from the new equipment, while the design and siting of the ammunition recesses slowed the crew's ability to load the gun at the new pace made possible by the MFS. Following discussions at the War Office on 26 August 1943 to settle the final specification, it was concluded that a square-shaped emplacement was required as this form would allow more space for the larger number of spent cartridges created by the faster rate of fire, which could be accumulated in the corners of the gun pit during operation. The new design, of which variants were also probably built, was to have four ammunition recesses and, instead of an on-site magazine, a trench shelter was provided for each emplacement, together with a personnel shelter, to which the gun pit would have easy access.

While it is known from military records that the batteries deployed to defend Great Yarmouth were in existence by June 1942, it is not clear whether a battery at Mautby had been built by this date. An analysis of Great Yarmouth's Second World War defences, which was undertaken as part of the Norfolk Coast NMP, suggests that site YH4 was originally located at the town's racecourse, probably as a mobile HAA unit, before being moved 4km to the west, to Decoy Farm, Mautby, at a date post-September 1943.

An aerial photograph taken of the site in July 1946 shows that all the structures depicted on the 1945 photograph were still standing, with the presence of motor vehicles illustrating that the site was still in use. Under the Nucleus Force scheme three of Great Yarmouth's batteries were retained to form part of the post-war HAA

layout. The batteries at West Caister (YH1) and Gorleston (YH2) were Battle Headquarters (BHQs), with their weapons remaining in situ, while Mautby (YH4) was designated an 'Off site', with its weapons and fire-control instruments stored in nearby depots. However, with the development of nuclear weapons and surface-to-air missiles rendering conventional anti-aircraft artillery of this type obsolete, the site was abandoned shortly afterwards.

An aerial photograph taken in March 1955 shows that most of the domestic buildings and structures associated with the sewage treatment works had been demolished, while aerial photographs taken in September 1970 and June 1981 show that tree planting had taken place to the south of the access road, around the two southern emplacements and to the west of the command post. Tree planting has subsequently taken place around the two northern emplacements and in the area of the former domestic site.

Since the late C20 the command post has been used by a local gun club, with an internal wall being removed to create an indoor shooting range.

A2.5 Details

Principal elements: the standing, buried and earthwork remains of a Second World War heavy anti-aircraft gun battery known as YH4 in military records. It is located to the east of Decoy Farm, Mautby Lane, within a wooded area on high ground to the north of the lower-lying marshland of the River Bure, and comprises four gun emplacements, a command post and a sample of its access road.

Description: the remains of the HAA battery stand within an irregular shaped area with maximum dimensions of 207m east-west by 116m north-south. The four gun emplacements (centred at NGR TG 48807 10989, TG 48825 10968, TG 48820 10940 and TG 48803 10917) stand at the eastern end of the site, arranged in a semi-circle on the east side of the command post. Facing east towards Great Yarmouth, the emplacements, which measure 13m square, are all identical, with concrete block walls and a single gateway placed in the corner closest to the inner service road. The walls stand 1.7m high from the internal floor of the emplacement and are cement rendered externally. All are externally protected by earthen banks, which survive to a height of about 1.2m. The emplacements all retain gun holdfasts embedded within concrete centre sections of the emplacement floor. The presence of 10 vertical members protruding slightly above the floor of the gun pit suggests that the holdfasts are a version of Holdfast AA Mounting No 2 which was capable of accommodating both 3.7 inch and 4.5 inch guns. The remainder of the floor surface, although largely concealed by vegetation, is believed to be tarmac. Internal ammunition recesses with concrete block walls and reinforced concrete roofs project from the centre of each emplacement wall, with each emplacement having four recesses in total. Placed outside each emplacement, immediately to

the right-hand side of the entrance, is a semi-sunken crew shelter with concrete block walls and a reinforced concrete roof. Their entrances are positioned away from the emplacement and lie perpendicular to the emplacement entrance itself. The interiors, which are revetted with corrugated iron and brick, are accessed by a short flight of reinforced concrete steps set between concrete block blast walls. The command post (centred at NGR TG 48790 10955) stands at the centre of a 39.6m radius semi-circle formed by the gun emplacements. Constructed from brick with a reinforced concrete slab roof, it is a roughly rectangular, single-storey, semi-sunken structure with a north-south alignment. Although its design largely follows that of DFW 55402 (the main type of command post used for permanent 3.7 inch and 4.5 inch guns from 1941) the Mautby example differs slightly in that it has a different entrance arrangement and a flat-roofed annexe, probably a later addition, on its west side. The concrete bases of various instrument mountings survive in three linked areas on the east side of the building, which is enclosed but open to the sky. In operation these mountings would have housed an identification telescope, the predictor (a mechanical computer) and height finder. These open areas also provide access to the interior of the command post through three doorways. Two are now (2018) bricked-up, with the southernmost doorway adjacent to the height finder mounting now (2018) being the single point of access. Concrete steps descend into two square-shaped rooms at the south end of the building. These in turn provide access to the main interior space which comprises a long, rectangular room, the central part of which originally housed the plotting room. The internal walls that separated the plotting room from the transmission room to the south and the telephony room to the north were removed in the late C20 to create an indoor rifle range.

A concrete service road runs from the former site entrance on Mautby Lane (NGR TG 48471 10964), at the western end of the site, to the gun emplacements at the eastern end. From the former entrance (now enclosed by a late-C20 barred gate) it curves in a south-east alignment for a distance of about 207m before turning north-east to form a tear-drop shaped loop around the command post, with offshoots to each gun pit.

Extent of Scheduling: the area of protection, which is shown on the accompanying map extract, includes four gun emplacements, a command post and a sample of the battery's access road. It does not include the area formerly occupied by the domestic camp or sewage treatment plant, as the survival of these features is fragmentary.

The scheduled area is bounded to the east and part of the south side by field boundaries formed by tree lines and hedge rows. The remaining section of the south side opens onto woodland while the north side opens onto agricultural land. A 2m buffer has been included along the north and south sides of the access road for the support and protection of the monument.



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Great Yarmouth Borough Council

19 MAR 2019

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Our ref: P00951743



18 March 2019

Dear Mr Clarke

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**MAUTBY LANE DECOY WOOD (LAND AT), MAUTBY, NORFOLK NR29 3EJ
Application No. 06/18/0384/F - Relocation of wood yard with erection of building
with associated hardstanding and retention of existing wood storage areas**

Thank you for your letter of 26 February 2019 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

The application is for the relocation of a wood yard, which includes the erection of a new building and the creation of hard standing and associated infrastructure. We have considered all the information currently available and confirm that we have considerable concerns about this development. This is because of the impact that it would have upon the designated asset known as 'Second World War Heavy Anti-Aircraft (HAA) Battery, 345m east of Decoy Farm, Mautby' (List Entry Number: 1455654) and associated non-designated heritage assets and the high degree of harm it would cause to them. We therefore object to the application on heritage grounds and recommend your authority refuse this application.

Historic England Advice

The site is best described as 'the standing, buried and earthwork remains of a Second World War heavy anti-aircraft gun battery'. It is located to the east of Decoy Farm, in Mautby and on high ground with views over Great Yarmouth to the south and east. It is designated as a scheduled monument in recognition and values as a nationally important heritage site. Within the designated area are four gun emplacements, a command post building and part of its access road. The gun emplacements were used to house anti-aircraft guns which were laid out to defend the port of great Yarmouth from German bombing during the middle and latter part of WWII. To the west, although not part of the scheduled monument, are an equally important group of archaeological



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features that represent the concrete bases of an associated domestic camp, which would have consisted of living quarters, mess buildings as well as a sewage works. The remains here consist of the well preserved concrete bases of at least 18 buildings which were linked to the battery site via the sewage works along the connecting road. The road also survives and part of it is designated.

Together the gun battery and command post form an important collection of buildings and structures and are considered to be the most complete or near complete Second World War gun batteries in existence. Of the 1000 or so that were built, very few survive and therefore this site is considered to be very rare, partly for the extent and preservation of the of the gun emplacements themselves but also for the group value, with the command post, four gun emplacements and ancillary buildings surviving. The structures and command post also include good surviving evidence for original fixtures and fittings. It has also been described as one of the most 'obvious and tangible facets of Britain's wartime air defence system', and the site is an important reminder of how WWII was fought on home soil, and the unique role that places like Great Yarmouth and smaller places like Mautby played in the defence of Britain. The upstanding remains combined with the surviving domestic site and the sewage treatment plant makes a convincing and legible group of features and shows how these sites functioned, and were staffed and operated. It is clear from visiting the site that it is highly evocative and visible reminder of the nature of home defence during WWII, and its value as a heritage asset is strongly sensed. The site as a whole also provides an exceptional insight into the defensive tactics and the development anti-aircraft defences during this period.

The domestic quarters, sewage works form a clear and demonstrable part of the setting of the scheduled monument; the domestic and ancillary structures are the supporting element of the gun emplacement and in terms of setting and policy they should be considered as one archaeological site. In terms of the way the spatial layout of the site helps to inform our interpretation, it is about how the battery is approached from the west through the camp, past the sewage works. This defines the experience of visiting the gun emplacements and supports our understanding and interpretation of the asset and how it functioned. The setting is also felt with the wider landscape and although the site does not currently have views to the east over towards Great Yarmouth, the quiet and tranquil rural setting has helped to reinforce an appreciation of place and evoke a sense time passed since the war, where a more peaceful setting has been allowed to develop. This has also helped to protect the site to some degree.

In terms of designated heritage assets the site sits just to the north of the Halvergate Marshes Conservation Area, therefore the impact of the development on the setting of this designated assets also needs to be taken into consideration.



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In relation to the impacts of this scheme on the designated and non-designated heritage assets, our concerns centre around a threefold impact, there is a direct impact upon the scheduled monument from works, primarily a section of fencing and acoustic barriers, and an area of hard standing that would be within a part of the designated area. We are also concerned about the harm to the significance of the designated and non-designated heritage assets through a development within their setting, including the potential impact upon the Conservation Area which lies to the south. This is primarily from the erection of the new building, fence and the new hard standing would be on land immediately adjacent to the monument which would prevent the legibility of the site as a whole, and would place a new structure in a critical place in relation to the spatial layout of the designated and non-designated parts of the site. There is also a direct impact upon the significance of non-designated heritage assets of equivalent value to a scheduled monument; this is the development of an area of hard standing over a part of the domestic camp associated with the monument which we considered to have a high value and significance in its own right.

The National Planning Policy Framework (NPPF) in particular identifies protection and enhancement of the historic environment as an important element of sustainable development and establishes a presumption in favour of sustainable development in the planning system (paragraphs 7, 8, 10 and 11). The core planning principles of the NPPF are observed in paragraphs 8 and 11 which propose a presumption in favour of sustainable development. This includes the need to conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life for this and future generations as set out in Chapter 16.

Paragraph 189, requires the applicant to describe the significance of any heritage assets affected (both designated and non-designated) and that the level of detail should be sufficient to understand the potential impact of the proposal on their significance. Paragraph 192 says that account should be taken of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation' and, 'the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.

The NPPF paragraph 193 requires planning authorities to place 'great weight' on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be, 'this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Paragraph 194 also recognises that the significance of an asset can be harmed from development within the setting of an asset, and that 'any harm or loss should require clear and convincing justification'. It is also recognised in the NPPF (paragraph 196) that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed



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against the public benefits of the proposal. The NPPF (Paragraph 200) highlights the opportunity for local planning authorities to look for new development 'within the setting of heritage assets, to enhance or better reveal their significance.' Proposals that therefore preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably. Given the high significance of the designated heritage assets, any related archaeological remains particularly on land adjacent to the moat would have the potential to be of equivalent value, as set out in footnote 63 (see pp56). Although we note the results of the evaluation in that regard

As discussed above we have given a considerable thought to this application. We have identified that it would result in both direct and indirect impacts upon the scheduled monument and further direct impacts upon non-designated heritage assets of equivalent value to the scheduled monument. This application would result in a high degree of harm to the significance of the scheduled monument. We recognise there are circumstances in relation to this business that have led the applicant to seek a new location, however we have considerable concerns about this location and about this application on heritage grounds. We would therefore ask that your authority seek to refuse the application for the following reasons.

In our view the development as a whole would have a serious and detrimental impact upon the significance of an important and recently discovered WWII military heritage site. This site is considered to be nationally rare and has high heritage values. The site has only recently been recommended for designation, and it is rare that sites of this period are designated. This means that the heritage site has been rigorously assessed and we are confident that it reaches the very high bar set for protection. It is also clear from my site visit that it is an extraordinarily well preserved site, and one of the best of its kind I have seen. Not only are the main WWII structures very well preserved but the site retains so many original elements intact. This includes the main structures for the gun emplacements and command centre but also the elements of this sites which are very often lost such as the access road, and the associated domestic infrastructure (hut bases, administration buildings and the sewage works). Some of these elements are outside of the designation but together form a comprehensive and coherent surviving group of features.

We have an additional concern that the accompanying proposed site plans show that the red line area takes in part of the designated and protected area, which means that some of the development would be taking place within the scheduled monument. This includes part of the acoustic/ screen fence and the hard standing around the proposed building. Please be aware that Scheduled Monument Consent would be needed for any work in these areas and we can confirm that no application has been made. Given our concerns about the application as a whole it is unlikely that we would recommend to the Secretary of State that consent is granted.



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In terms of the impact upon the designated heritage asset, and as noted above, we are aware that the majority of the development is outside the scheduled monument, and therefore the primary concern is the harmful effect of the application on its significance through a development within its setting, and the direct impact of the development upon the non-designated heritage assets. The setting is however crucial to its understanding. The NPPF states that setting is related to our understanding and experience of the site, and we are concerned that the development of a building in the location indicated in this application would result in harm to this experience and understanding of the site. Primarily this is through the erection of the new building, the fence and the new hard standing which would be on land immediately adjacent to the monument, this would in our view prevent the legibility of the site as a whole, and would place newly built structures in a critical place in relation to the spatial layout of the designated and non-designated parts of the site. The new building would be visually dominant when seen in conjunction with the military structures and prevents there legibility. The new building would likewise erode the rural context of the monument and would bring significant new build elements into this landscape. Setting can also be changed and harmed through the impact of noise, lights and activity from timber processing and vehicle movements. These would also result in additional harmful changes to this setting and add to the cumulative impact.

The direct impacts on non-designated heritage assets would be from the creation of the hard standing on part of the site where there are known to be existing hut bases and surviving structures that relate to the military occupation of the site. The creation of the hard standing is likely to require the removal of, or significant change to, those remains and would seriously compromise our ability to understand and read that area of the site. Although the hut bases are considered as non-designated heritage assets there is a clear relationship between these assets and the designated gun emplacements and therefore in policy terms we would consider these to be non-designated heritage assets of equivalent value to a scheduled monument. This is set out in foot note 63 of the NPPF

In policy terms we have concluded that the application would be directly contrary to paragraph 192, 193 and 195 of the NPPF. We also consider the balance as set out under paragraph 196 would be against the application, particularly given the council is directed to give 'great weight' to the assets conservation under paragraph 193. Likewise we do not find sufficient enhancements protection or embedded mitigation and therefore the application would also fail paragraph 200. Given the overall failure of the heritage policies we are concerned that this application would not meet the primary tests for, and cannot be considered sustainable development as set out in paras 8 - 10.

In summary, we are concerned about the direct and indirect impacts upon the scheduled monument and that it would result in further direct impacts upon non-designated heritage assets of equivalent value to the scheduled monument. Overall



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the cumulative effect of this application results in a high degree of harm to these assets. Protecting these remains and preserving their setting is supported in local and national policy. The application would not result in preservation of the asset as a whole and would result in a high degree of harm to its setting and therefore it fails the same policies. We also find reasons to object on the ground of the potential impact on non-designated heritage assets of equivalent value to a scheduled monument as set out in the NPPF under footnote 63.

In addition we do not feel that the applicant has provided the clear and convincing justification necessary to offset the high degree of harm to the assets and their setting. Whilst we recognise this is an important local business, it does not need to be delivered at this location, in a way which results in a high degree of harm or in a way which failures local and national planning policy. We consider a more suitable location needs to be found. We would welcome the opportunity to work with the applicant and the planning authority to reduce the harm, to help to identify a more suitable location and to manage the heritage asset in a way which would benefit future generations. At present however this application does not meet these criteria therefore we confirm our in principle objection and recommend your authority use its powers to refuse the application

Recommendation

Historic England objects to the application on heritage grounds, and we consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 192, 193, 195, 196 and 200.

In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If, however, you propose to determine the application in its current form, please treat this as a letter of objection, inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Please contact me if we can be of further assistance.

Yours sincerely

Will Fletcher

Inspector of Ancient Monuments

e-mail: will.fletcher@HistoricEngland.org.uk



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Rt Hon. Brandon Lewis MP
Member of Parliament for Great Yarmouth
Office of Rt Hon. Brandon Lewis MP
20 Church Plain
Great Yarmouth
Norfolk
NR30 1NE

Mr Minns
Planning Department
GYBC
Town Hall
Great Yarmouth
NR30 2QF

13 May 2019

RE: Planning Application 06/18/0384/F

Dear Mr Minns,

I am writing in response to your recent invitation for comments on the revised application by Norfolk County Council for the relocation of wood yard with erection of building with associated hard-standings and retention of, and expansion of, existing wood storage areas.

As I am sure you appreciate, this application has generated a considerable degree of concern from the local community. I have considered carefully the concerns which have been raised by constituents and statutory bodies and therefore I am writing to place on the record my objection to this proposal.

The site is situated close to a designated heritage asset, which as I am sure you are aware is highly regarded. Historic England consider this asset to be the most complete and best preserved (or near complete) Second World War Gun Battery of its type still in existence in the country. Heritage facilities, such as this are not only important for historians but also for the wider community, as they provide a very real and tangible demonstration of the involvement of the entire nation during the Second World War. This monument, in its entirety, must be preserved for the benefit of future generations.

As members will be aware, Historic England have submitted a comprehensive report on this matter, recommending refusal. I would strongly echo this recommendation and hope that it is seriously considered by the committee.

The committee members will be aware of the numerous other objections that have been raised by local residents, many of which cite material planning objections; presenting a compelling case for refusal.

I would strongly recommend that the members of the committee refuse this application, and in doing so stand up for our history and heritage.

Yours sincerely

Rt Hon. Brandon Lewis MP
Member of Parliament for Great Yarmouth

Email: office@brandonlewis.co
Telephone: 01493 854550

Mr G Clarke
Planning Services
Development Control
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
NR30 2QF

Ms Cally Smith
Head of Planning
01603 756029
cally.smith@broads-authority.gov.uk

Date 10 August 2018

Our ref BA/2018/0287/NEIGHB

Your ref 06/18/0384/F

Dear Mr Clarke

Application No : BA/2018/0287/NEIGHB
Proposal : Relocation of wood yard with erection of building with associated
hardstanding and retention of existing wood storage areas
Address : Land At Decoy Wood, Mautby Lane, Mautby, Norfolk
Applicant :

I write further to the above planning application on which the Broads Authority has been consulted.

The proposal is to relocate an existing wood yard to a site off Mautby Lane in Mautby, with the construction of a new building measuring 42m x 20m x 4.6m at the eaves for the processing of the material and the retention of two areas of hardstanding to be used for wood, log and chippings storage. The site is located to the east of Mautby Lane.

The current land use is agricultural and whilst there is some vegetation much of this would need to be removed to accommodate the new building on the southern part of the site.

The site is located immediately adjacent to the Broads Authority boundary, which surrounds it on three sides. The Authority's Landscape Character Assessment identifies the area as essentially defined by the volume of marshland used for arable, noting the surviving curving dykes in the Mautby area, the traditional buildings dotting the valley sides at regular intervals and the small scale pattern of development.

The landscape here is wide and open with a strong sense of remoteness, although the perception of this is negatively affected by the noise of traffic movements along the A47 Acle Straight to the south.

I am of the view that the construction of a building of a very significant size and scale here will have an adverse impact on the appearance of the area, due to its intrinsic visibility with the landscape, and will consequently also have an adverse impact on the character of the area. Whilst there are other buildings within this area, particularly on the valley sides, they tend to be small scale and isolated (often of an historic nature, such as churches) or farm buildings, rather than industrial as is proposed here.

The impact on the landscape will be exacerbated by the activities associated with the operation, with the stored raw materials and finished product representing an incongruous intrusion in this rural landscape, whilst the noise and dust resulting from the industrial processes will impact adversely on the rural character to the detriment of the tranquillity currently experienced. It is accepted that there are agricultural activities and operations locally which do generate noise and disturbance, however these tend to be intermittent and are to be expected within a very rural and agricultural area. It is not considered that a commercial industrial operation such as that proposed here is comparable.

The Broads is designated as of equivalent status to a National Park and its landscape is accorded the highest level of protection. The introduction of the development proposed adjacent to the Broads boundary (on three sides) would adversely affect the character and appearance of the landscape and the experiential qualities of it. For these reasons the Broads Authority raises a strong objection to the application.

I hope the above is helpful. Please contact me if you would like any further information.

I would be grateful to receive a copy of the Decision Notice for my file in due course.

Yours sincerely



Cally Smith
Head of Planning

Mr G Clarke
Planning Services
Development Control
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
NR30 2QF

25 FEB 2019

Customer Services

Date 22 February 2019

Our ref BA/2018/0287/NEIGHB

Your ref 06/18/0384/F

Dear Mr Clarke

Land at Decoy Wood, Mautby Lane, Mautby

I write further to the above planning application. You will be aware that the Broads Authority has previously raised an objection to this application, and the grounds for this are set out in the letter dated 10 August 2018.

It has recently come to my attention that in July 2018 The Department for Digital, Culture, Media and Sport (DCMS) listed this site as a consequence of its national importance under the Ancient Monuments and Archaeological Areas Act 1979. Whilst I am aware that, following a challenge to that decision by the applicant, the area covered by the listing has been reduced, it is the case that the listing remains.

I am of the view that the location of a site identified as of national importance for its WW2 remains adjacent to the landscape of the Broads, which is itself designated as of national importance equivalent to a National Park, makes this a very important site.

I note that it is not proposed that the wood yard would be located within the area covered by the listing, but on the access to it. Whilst this would limit any direct physical impact on the site, it would have a significant impact on the context of the site, the way in which it is seen within the landscape and the experiential qualities and I consider that the impact on this context would be significantly detrimental and prejudice the site's interpretation. For these reasons the Broads Authority wishes to reiterate its objection to this application.

Great Yarmouth Borough has a very interesting history in respect of its role as a frontline defence through the centuries. The Great Estuary was the scene of battles with invaders from the north through the Dark Age, whilst the Medieval Town walls are some of the best in the country, and it is disappointing that this is not more widely known. The presence of the WW2 anti-aircraft battery continues this historic theme and represents a really good opportunity to look creatively at how to develop and explore this unique history in a way that benefits the

Great Yarmouth
Borough Council**25 FEB 2019**Planning
Department

Borough. As you will be aware, the Broads Authority is currently implementing a lottery funded 'Water, Mills and Marshes' project in this area and interpretation of the landscape is an important theme and we would be very happy to talk to the Borough Council and landowner about how to make the best use of this remarkable asset and protect it and its environs for future generations.

I hope the above has been helpful. Please contact me to discuss any of the above.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Cally Smith'.

Cally Smith
Head of Planning

**TWENTIETH
CENTURY
SOCIETY**



70 Cowcross Street
London EC1M 6EJ
Tel. 020 7250 3857

Gerald Chimbumu
Great Yarmouth Borough Council
Town Hall
Great Yarmouth
Norfolk
NR30 2QF

21 May 2019

Dear Gerald Chimbumu

Site: Gun Emplacements, Decoy Farm, Mautby, Norfolk

Application Ref: 06/18/0384/F

Our ref: 19 05 04

The Twentieth Century Society has been alerted to this application which causes harm to the setting of a Scheduled Monument dating from our period of remit. The Society objects to this application which proposes the erection of a new building which will, in our opinion, detrimentally affect the heritage asset and related non-designated heritage assets.

The earthworks and gun battery remains at Mautby have only recently been recognised as nationally important for their significance and historic value as rare survivors of Second World War fortifications. Due to their importance they have been designated as a Scheduled Monument which affords them a high level of protection under statute and does not contemplate the possibility of alteration or any other works that will affect their significance. This is much stronger legislation than that which affects listed buildings. The adjacent platforms that were part of the complex record the location of ancillary

The Twentieth Century Society is a company limited by guarantee, registered in England no 05330664

Registered office: 70 Cowcross Street, London EC1M 6EJ
Registered Charity no 1110244

Head of Casework
The Twentieth Century Society
70 Cowcross Street
London EC1M 6EJ
Tel 020 7250 3857
Fax 020 7251 8985
Clare@c20society.org.uk

Remit: The Twentieth Century Society was founded in 1979 and is the national amenity society concerned with the protection, appreciation, and study of post-1914 architecture, townscape and design. The Society is acknowledged in national planning guidance as the key organisation concerned with the modern period and is a constituent member of the Joint Committee of the National Amenity Societies. Under the procedures set out in *ODPM Circular 09/2005*, all English local planning authorities must inform the Twentieth Century Society when an application for listed building consent involving partial or total demolition is received, and they must notify us of the decisions taken on these applications.

The Twentieth Century Society, 70 Cowcross Street, London EC1M 6EJ – Tel 020 7250 3857

clare@c20society.org.uk
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Adrian D Thompson
Filby Post Office
Main Road ,
Filby
Great Yarmouth
Norfolk NR29 3AA.

12 March 2019

Reference to proposed Wood yard at Mautby/ Runham for Mr Steven Hewitt.

Dear sir,

I am writing to you in support of the proposed application for Mr Steven Hewitt at Mautby/ Runham.

I have lived in the area all my life and have known Steven and his family for over 40 years. He is a hard working honest man providing for his family.

As a council you should be supporting rural businesses in rural areas, providing it does not impact on local residents.

I have followed this application over the years and in my opinion all the necessary checks in terms of noise, smell ,screening and traffic access are satisfactory and the site is far enough away from anyone not to be a problem.

In addition to this the old "gun site" will at last be maintained to a degree by the applicant, and possibly open to educational visits at the discretion of the applicant.

Another plus is that by relocating to this site , this frees up another small holding at Hall Farm for further possible employment.

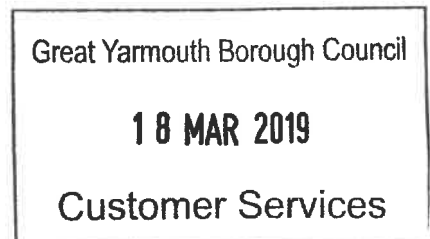
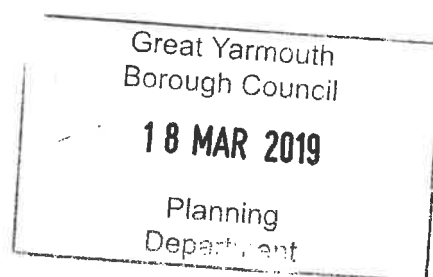
So in summary supporting this application, will provide employment in rural areas, protection of a historic site and provide another opportunity for other people to farm locally.

I hope you look favourably upon this application.

Yours sincerely,

Adrian David Thompson.

Chairman Filby Parish Council.



Mr Gerald Chibumbu
Planning Manager Great Yarmouth BC
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QS

Old Barn, Decoy Farm
Mautby Lane
Mautby
Great Yarmouth
Norfolk
NR29 3EJ

Date: 24th May 2019

Your Ref: Planning Application 06/12/0384/F

Dear Mr Chibumbu

I am writing to you again in relation to the above planning application submitted by Norfolk County Council (NCC) regarding the above reference, the re-location of an industrial scale log processing plant from Hall Farm Mautby onto the Heavy Anti-Aircraft Battery National Heritage site at Decoy Wood.

Further to my recent four letters of 14th and 20th May 2018, I am writing on behalf of concerned local residents regarding issues that have been identified with regards to the supporting documents submitted by the applicant in July 2018, namely the two commissioned pieces of work connected with Ecology.

The two reports in question are titled;

1. 'Decoy Wood, Mautby, Norfolk/Preliminary Ecological Appraisal' and
2. 'Decoy Wood, Mautby, Norfolk/Preliminary Roost Assessment.'

First, I will refer to the report at (1). It is a preliminary report, a point that I will return to. It appears to have been compiled in February 2018 and finalised in May 2018 following the bat survey as at (2). On page 4 at Para 1.9 Development Proposals it states "*The development proposals for the site, based on current plans provided by the client...*". The remainder of the paragraph focuses on the hardstanding and roofed structure, and recognises that "*A number of trees and ground flora will be lost to accommodate the structure. Other works on site may include disturbance to existing storage areas...*". It has now been revealed that the current plans submitted by the applicant will result in the loss of **at least 47 trees to expand the existing storage area. This is far beyond "including disturbance" to the existing storage area and has not been fully considered as part of the survey.**

On page 9 para 2.15 Under title "Data Validity and Limitations" it states; "*The protected species assessment provides a preliminary view of the likelihood of protected species occurring on the site. It should not be taken as providing a full and definitive survey of any protected species group. Additional surveys may be recommended if on the basis of the preliminary assessment or during subsequent surveys it is considered reasonable that protected species may be present*" and "*The ecological evaluation is preliminary and may*

change subject to the findings of further ecological surveys". Within this same section it describes the limitations of Desk Studies. This is important to note as both Ecology reports at (1) and (2) above relied, in part, on Desk Studies in existence at the time of the surveys.

With regards to the aforementioned Ecology survey as at (2) above, it is specifically focused on bats as a protected species. The survey was undertaken on 8th May 2018. At Para 1.1 it states that it is a "*Preliminary Roost Assessment to assess the presence or likely absence of bats within trees scheduled for removal at Decoy Wood..*" Note the phrase "*Scheduled for removal*" Since this study was commissioned the extent of tree felling required has changed significantly. Again at 1.2 "*The survey covers all trees scheduled for removal as part of the proposals within the planning application site boundary (hereon referred to as the site) as indicated on the plan provided by the client*".

At Para 1.4 under tile "Scope of Report" the report clearly states that "*The assessment is based on the following sources of information;*

- *A desk study for bat records within a 2km radius of the site*
- *A desk-based assessment of the surrounding habitats for their likely value to bats*
- *An assessment of the roost potential of any trees scheduled for removal or remedial works*

Of importance here is that Desk Studies are not full surveys conducted by the author, but a search for existing data on recognised databases for information recorded by others that have, in fact, conducted surveys. On Page 8 details of the desk study are published. At Para 3.1 it states that the records are from the county-wide Norfolk Bat Survey scheme. I will return to this shortly.

On page 11 para 5.4 the report clearly states; "*If plans change and further trees require removal, a suitably experienced ecologist should be consulted with regards to the potential risk to roosting bats. A detailed assessment of potential to support roosting bats and direct inspection of potential roost features may be required.*"

In September 2018 I commissioned a bat survey within a 1km grid reference TG4810 that includes the proposed development site. This was undertaken as part of the Norfolk Bat Survey scheme as mentioned above, in partnership with the British Trust for Ornithology (BTO). The equipment supplied to carry out the survey included a 32GB memory card, usually sufficient to record bat passes over the three-night period of any survey. On the first night of the survey (detector placed on Broads Authority west of the proposed development at Grid TG 48458 10872), 20GB of memory was used up. Consequently, a second memory card had to be provided. Over the period of the 2nd and 3rd nights of the survey, the detectors were placed directly adjacent to the proposed development areas where woodland is due to be destroyed under the current plans (Grid References TG48702 10938 and TG 48523 11011 to be precise). So many bat passes were recorded that the 32GB of data was used up by 1am on the third night. The data cards were then processed by the BTO staff for evaluation.

In summary, 52GB of data was recorded equating to a total of 24,214 recorded bat passes over the period of the survey. If sufficient memory storage had been provided to cover all of the 3rd night then this figure could easily have exceeded the 30,000 mark. Ten species of bat were positively identified including a rare migrant species, the Nathusius' pipistrelle. Four other species were possibly detected, but not confirmed. In other words 10 species, possibly 14 species of bats were detected on the site. It is recognised that there are only 17 species of bat residing in the UK so a high proportion of these species are using Decoy Wood. As an amateur naturalist I found the scale of these findings quite extraordinary. I have been informed that this data is now published and available of the Norfolk Biodiversity Database.

It is clear from the results of this study that the proposed site that Norfolk County Council wish to destroy is extremely important for bat populations in terms of foraging and their ability to thrive, and as migration routes for at least one species of bat. There is high potential for bat roosts to be present anywhere within the site due to the sheer numbers of bats utilising the woodland.

I have attached a full copy of the bat survey report with my letter for reference.

Since the aforementioned Preliminary Ecology and Bat Roost surveys were commissioned, the applicant has significantly changed their submitted plans. In my letter of 14th May 2019, I criticised the Arboricultural report due to the total lack of truth and detail regarding the numbers of trees to be felled to make way for the new hardstanding and the new access road through the existing woodland required to reach it. In addition, the scale of woodland destruction now required to make way for the increased wood storage area at the more western end of the site was not known when these surveys were undertaken. Concerned Mautby residents estimate that approximately 120 trees will have to be felled. The total number of trees that were subjected to a detailed inspection for evidence of roosting during the course of the ecology survey as at (2) above amounted to SIX.

In addition, the Desk Study undertaken by the ecologists is now out of date as result of the survey conducted in September 2018.

In summary, it is therefore essential that another FULL bat survey be conducted that takes into account each and every tree due to be felled or otherwise adapted to make way for this proposed development as per the most recently revised planning application. The ecologist conducting this survey should also be made aware of the Health and Safety report previously submitted by residents, and the potential for waste burning on the site as there are potential issues with regards to negative impact upon bat populations created by noise, light, dust and smoke pollution as well as general activity and movement of people and heavy machinery. The views of the ecologist should be sought regarding these factors, and any findings tailored specifically to the operations that will be carried out on the site. It is essential that this approach is taken in order that any Planning Committee are fully informed.

Bats are transient in their habits. The Broads Authority (BA) immediately borders the proposed development site. There may be a need to consult with a BA ecologist.

It is my understanding that The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 not only applies to protection of roosting sites with regards to bats but also the impact that any development will have on the ability of bat populations to forage and thrive, including disruption of migration routes of any species. I am sure that you are aware that any breaches of this legislation will result in the commission of criminal offences.

This issue relates directly to Material Objections potentially to be raised by myself and others in relation to the current live planning application. The current closure date for consultation regarding this application was 20th May 2019. I therefore request that this date be suspended until an appropriate response has been forthcoming from NCC and the response publicly disclosed. Following on from this, a suitable amount of time must be given for it to be considered by statutory agencies, residents living immediately adjacent to the proposed relocation site at Decoy Wood, and all other interested parties.

Please ensure that this correspondence, and the attached Bat Survey report, are published on the planning portal.

Yours sincerely,

Mr Stephen Short



Bat Survey results for TG4810 from 3 survey nights

Below you can find a summary of the main findings from your bat survey visits. Further information for individual visits can be found on the following pages.

The total number of recordings per night:



Bat species detected:

Our provisional analysis of the recordings detected the following species. The numbers relate to the number of bat passes rather than the number of individual bats.

Species	Total number of passes (all nights)
Barbastelle	17
Brown long-eared bat	57
Common pipistrelle	1264
Daubenton's bat	42
Leisler's bat	21
Nathusius' pipistrelle	12
Natterer's bat	34
Noctule	438
Serotine	268
Soprano pipistrelle	3122

Below are details of recordings that could not be assigned with confidence to a single species.

Species	Total number of passes (all nights)
Leisler's bat or Noctule	78
Myotis species	110
Pipistrelle species	3100
Whiskered or Brandt's bat	2

Note: Pipistrelle species = this refers to a recording of a bat in the genus *Pipistrellus* that cannot be identified to

species. In the UK, possible species include Common Pipistrelle, Soprano Pipistrelle and Nathusius' Pipistrelle. Myotis species = this refers to a recording of a bat in the genus *Myotis* that cannot be identified with confidence to species. In the UK this includes Natterer's, Daubenton's, Whiskered, Brandt's, Alcaho bat and Bechstein's bat.

Provisional analysis also detected possible songs of 1 bush-cricket species.

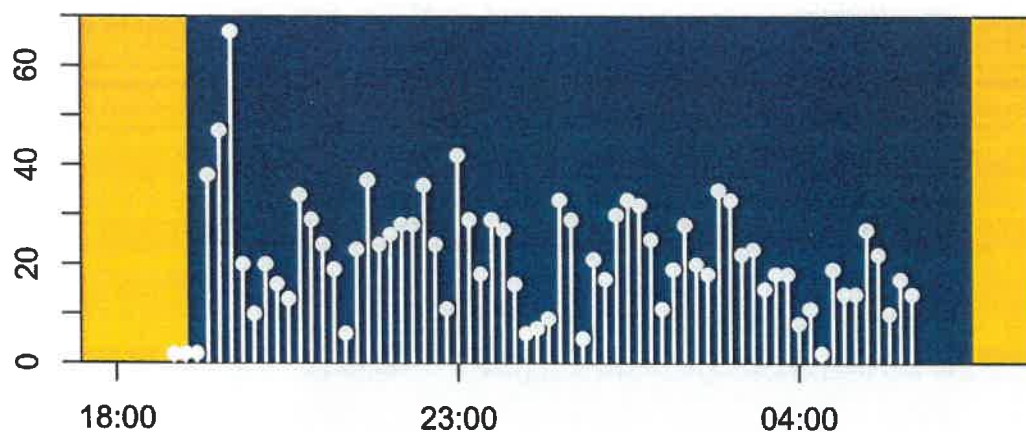
Visit information

Below and on the following pages you can see a summary of the bats detected on each recording night. This includes a graph for each night showing how the number of bat passes (all species) varied through the night. Dawn and dusk are indicated by the division between sun-yellow and midnight-blue areas.

Recording night: 18 Sep

Species	Total number of passes
Barbastelle	11
Brown long-eared bat	37
Common pipistrelle	10
Daubenton's bat	14
Leisler's bat	7
Leisler's bat or Noctule	14
Myotis species	15
Natterer's bat	12
Noctule	23
Pipistrelle species	513
Serotine	185
Soprano pipistrelle	571

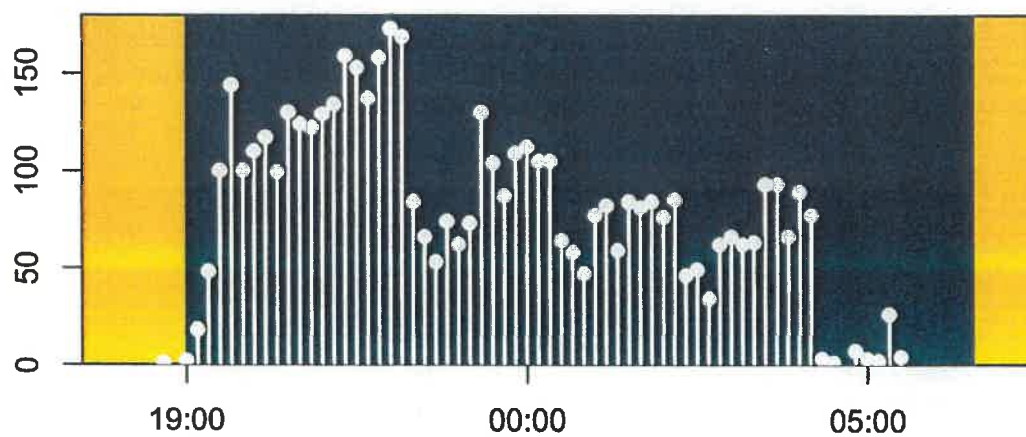
Number of bat passes per 10 minutes through the night:



Recording night: 19 Sep

Species	Total number of passes
Barbastelle	5
Brown long-eared bat	18
Common pipistrelle	960
Daubenton's bat	26
Leisler's bat	2
Leisler's bat or Noctule	47
Myotis species	78
Nathusius' pipistrelle	6
Natterer's bat	21
Noctule	158
Pipistrelle species	2121
Serotine	35
Soprano pipistrelle	1655
Whiskered or Brandt's bat	2

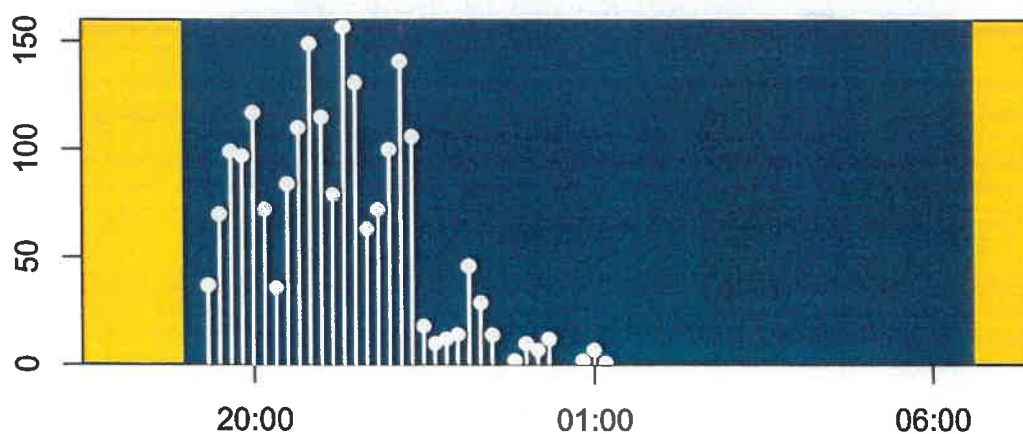
Number of bat passes per 10 minutes through the night:



Recording night: 20 Sep

Species	Total number of passes
Barbastelle	1
Brown long-eared bat	2
Common pipistrelle	294
Daubenton's bat	2
Leisler's bat	12
Leisler's bat or Noctule	17
Myotis species	17
Nathusius' pipistrelle	6
Natterer's bat	1
Noctule	257
Pipistrelle species	466
Serotine	48
Soprano pipistrelle	896

Number of bat passes per 10 minutes through the night:



Species Information sheet: Serotine



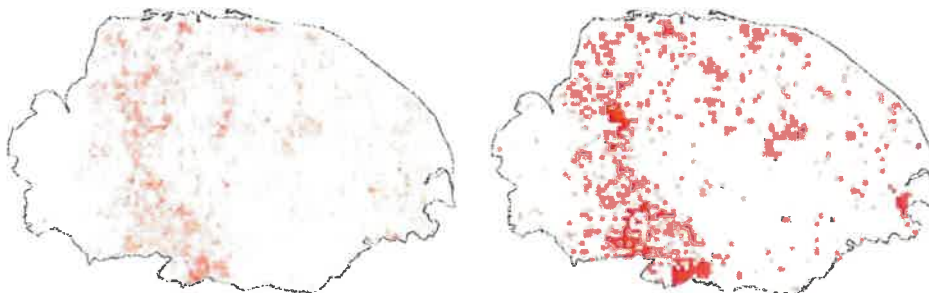
The Serotine is one of Britain's largest bat species and usually one of the first to appear in the evening, often emerging in good light. Its broad wings and a leisurely, highly manoeuvrable flapping flight with occasional short glides or steep descents are distinctive. (Photo by Charlotte Packman)

Sonogram



Distribution and Activity maps

The map on the left shows distribution and the map on the right (if present) shows patterns of activity. Deeper red indicates higher certainty of occurrence or greater activity. Maps are derived from statistical models using climate and land cover to explain and predict bat data.

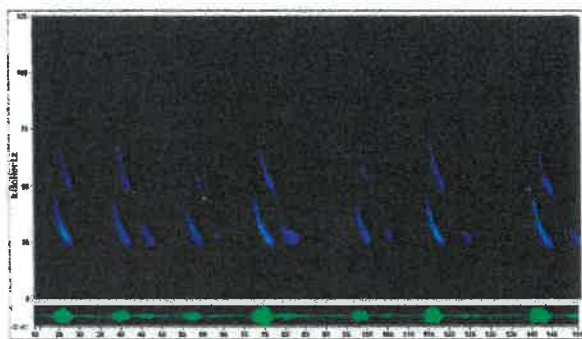


Species Information sheet: Brown long-eared bat



Brown long-eared bat is a medium-sized species. The ears are nearly as long as the body. Small prey is eaten in flight, but larger insects are taken to a 'perch'. Regularly used perches, which are frequently inside porches or barns, can be recognised by the accumulation of discarded insect remains, particularly the wings of moths such as yellow underwings. (Photo by Jan Svetlik)

Sonogram



Distribution and Activity maps

The map on the left shows distribution and the map on the right (if present) shows patterns of activity. Deeper red indicates higher certainty of occurrence or greater activity. Maps are derived from statistical models using climate and land cover to explain and predict bat data.

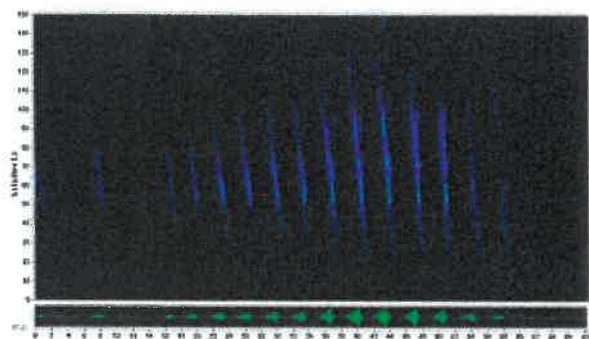


Species Information sheet: Natterer's bat



Natterer's bats have a slow to medium-paced flight, sometimes over water, but more often amongst trees, where their broad wings and tail membrane give them great manoeuvrability at slow speed. They normally fly at heights of less than 5m, but occasionally may reach 15m in the tree canopy. Much of the prey is taken from foliage and includes many flightless or day-flying insects. (photo by Jan Svetlik)

Sonogram



Distribution and Activity maps

The map on the left shows distribution and the map on the right (if present) shows patterns of activity. Deeper red indicates higher certainty of occurrence or greater activity. Maps are derived from statistical models using climate and land cover to explain and predict bat data.

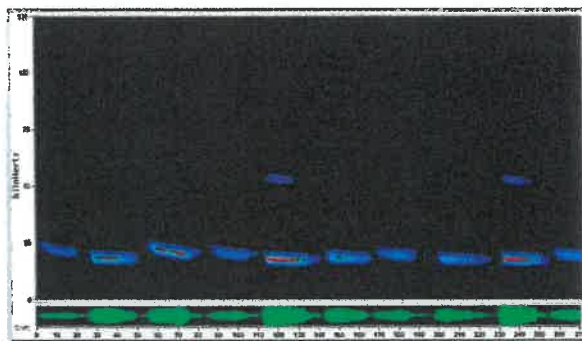


Species Information sheet: Noctule



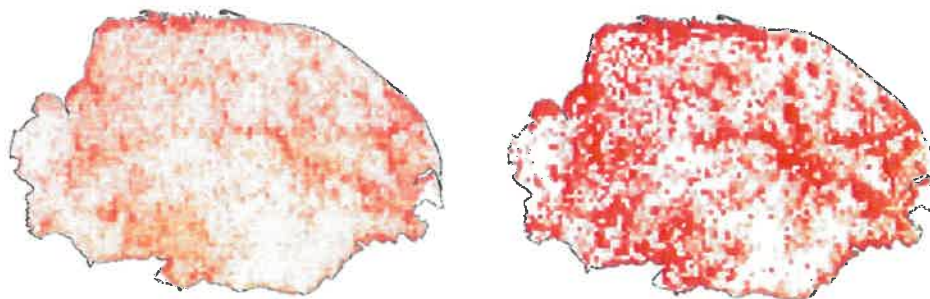
The Noctule is one of the largest British species and is usually the first bat to appear in the evening, sometimes even before sunset. They fly in the open, often well above tree-top level, with repeated steep dives when chasing insects. This species can fly at 50kph. (Photo by Jan Svetlik)

Sonogram



Distribution and Activity maps

The map on the left shows distribution and the map on the right (if present) shows patterns of activity. Deeper red indicates higher certainty of occurrence or greater activity. Maps are derived from statistical models using climate and land cover to explain and predict bat data.



Species Information sheet: Soprano pipistrelle



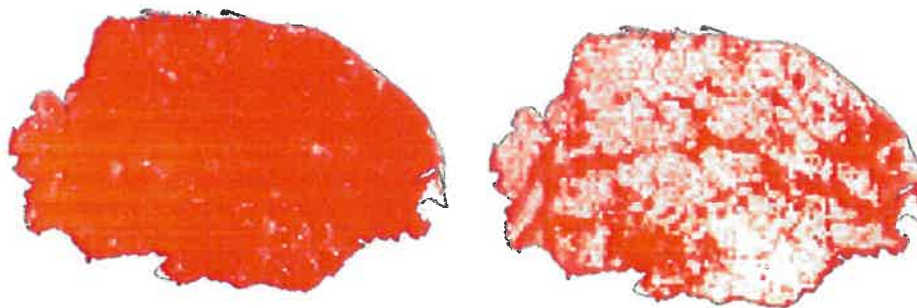
The two commonest pipistrelle species found in the UK, the Common and Soprano pipistrelles, were only identified as separate species in the 1990s. The two species look very similar and often the easiest way to tell them apart is from the frequency of their echolocation calls. (Photo by Paul Wetton)

Sonogram



Distribution and Activity maps

The map on the left shows distribution and the map on the right (if present) shows patterns of activity. Deeper red indicates higher certainty of occurrence or greater activity. Maps are derived from statistical models using climate and land cover to explain and predict bat data.

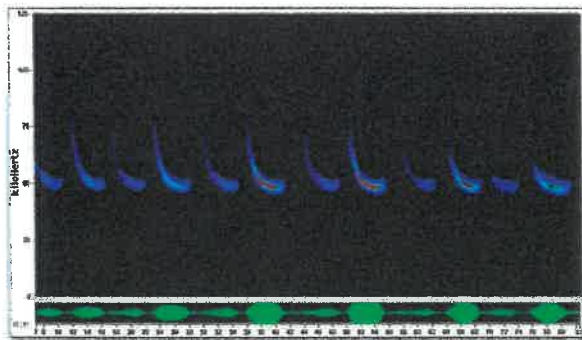


Species Information sheet: Common pipistrelle



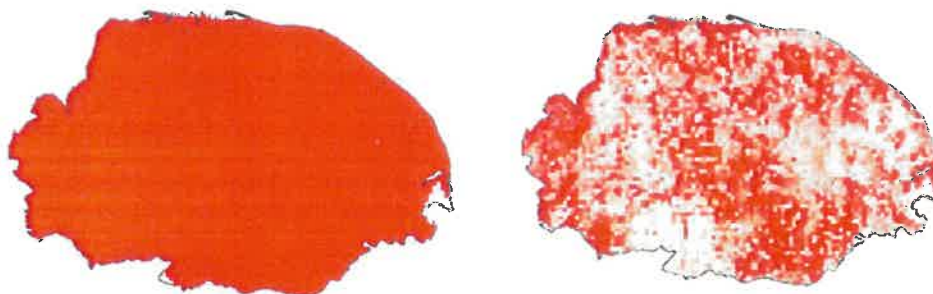
The commonest of all British bat species. There are two very similar species, Common and Soprano pipistrelle. They are the bats that you are most likely to see. They appear fast and jerky in flight as they dodge about pursuing small insects which the bats catch and eat on the wing. (Photo by Amy Lewis)

Sonogram



Distribution and Activity maps

The map on the left shows distribution and the map on the right (if present) shows patterns of activity. Deeper red indicates higher certainty of occurrence or greater activity. Maps are derived from statistical models using climate and land cover to explain and predict bat data.



Species Information sheet: Leisler's bat



Leisler's bat is similar to the Noctule, but smaller, with longer fur, particularly around the shoulders and upper back, giving it a lion's mane appearance. It was formerly known as the hairy-armed bat. They appear early in the evening. (Photo by Mark Carmody)

Sonogram



Distribution and Activity maps

The map on the left shows distribution and the map on the right (if present) shows patterns of activity. Deeper red indicates higher certainty of occurrence or greater activity. Maps are derived from statistical models using climate and land cover to explain and predict bat data.

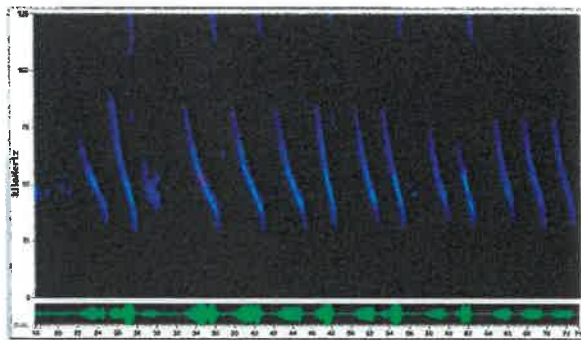


Species Information sheet: Daubenton's bat



Daubenton's bat is a medium-sized species. It has a steady flight, often within a few centimetres of the water surface and is reminiscent of a small hovercraft. They usually take insects from close to the water and have even been seen taking prey directly from the water surface, using their large feet as a gaff or the tail membrane as a scoop. (Photo by Jan Svetlik)

Sonogram

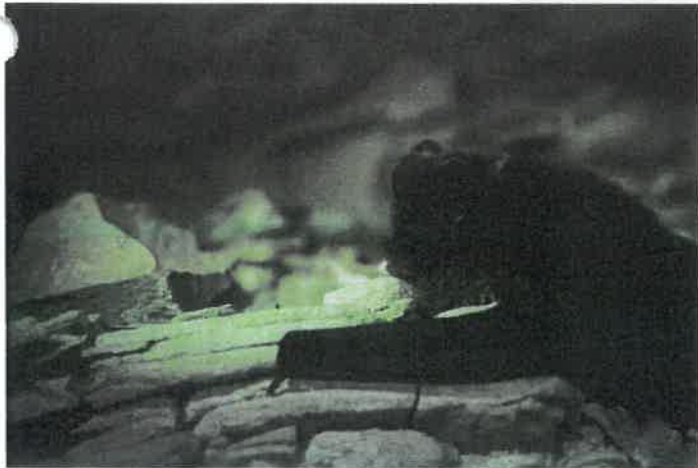


Distribution and Activity maps

The map on the left shows distribution and the map on the right (if present) shows patterns of activity. Deeper red indicates higher certainty of occurrence or greater activity. Maps are derived from statistical models using climate and land cover to explain and predict bat data.



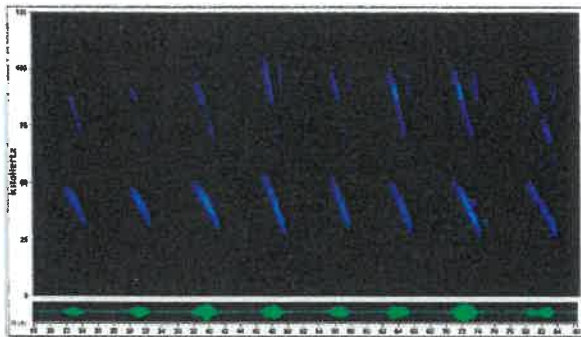
Species Information sheet: Barbastelle



Nicolas DULEX

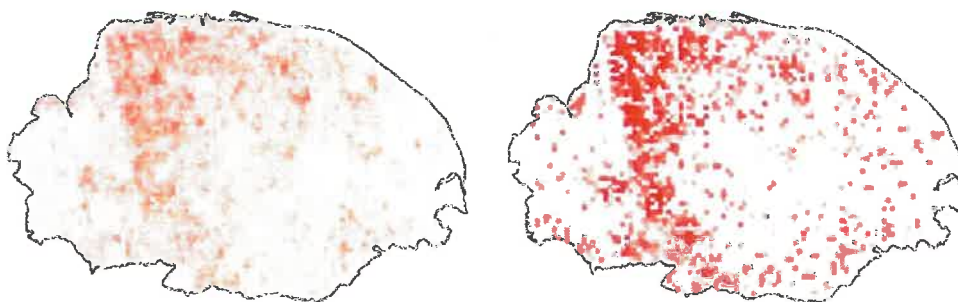
The Barbastelle is a medium-sized bat, distinctive by its pug-shaped nose. The ears are broad, joined across its head by skin, and covered in gingery-brown fur on the rear surface. Barbastelle bats tend to forage over a wide area. They are fast, agile flyers and specialist foragers in a range of habitats, swooping to drink from ponds or lakes. (Photo by Nicholas Dulex)

Sonogram



Distribution and Activity maps

The map on the left shows distribution and the map on the right (if present) shows patterns of activity. Deeper red indicates higher certainty of occurrence or greater activity. Maps are derived from statistical models using climate and land cover to explain and predict bat data.

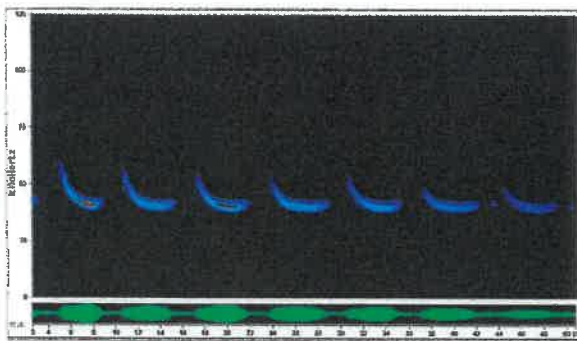


Species Information sheet: Nathusius' pipistrelle



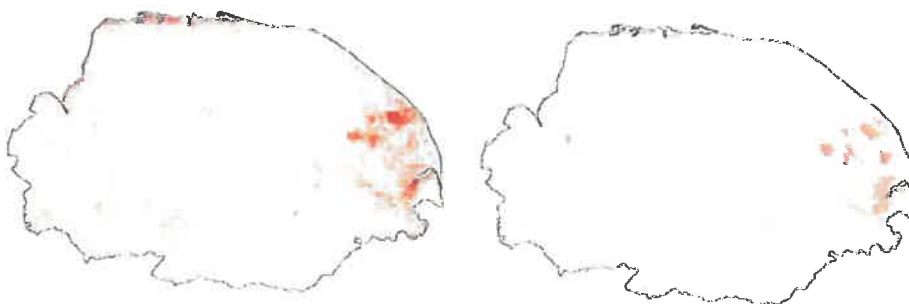
Nathusius' pipistrelle is a rare bat in the UK, though records have increased in recent years. It is a migratory species, and most bats are encountered in autumn, although some do remain all year and breed in the UK. It is similar in appearance to, but slightly larger than the much more commonly found Common and Soprano pipistrelles, and the fur on its back is longer, sometimes giving a shaggy appearance. (Photo by Rory Tallack)

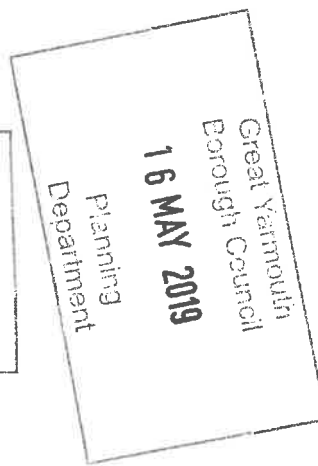
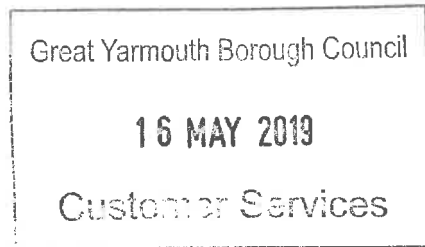
Sonogram



Distribution and Activity maps

The map on the left shows distribution and the map on the right (if present) shows patterns of activity. Deeper red indicates higher certainty of occurrence or greater activity. Maps are derived from statistical models using climate and land cover to explain and predict bat data.





38 Tolye Road,
Norwich,
NR5 9PR
Email:
Tel.
13 May 2019

Application: 06/18/0384/F

Proposal: Relocation of wood yard with erection of building with associated hardstanding and retention of existing wood storage areas

Location: Mautby Lane Decoy Wood (Land at) Mautby GREAT YARMOUTH NR29 3EJ

Dear Mr Chimbumu,

We are writing to you as specialists in modern conflict archaeology who have widely published in the subject area. As such, we are objecting to application 06/18/0384/F to relocate the wood yard and the erection of a building, acoustic screens and associated hardstanding at Mautby. This proposal involves the erection of a 30m x 20m x 4.6m open sided, pole barn shed, 3m and 2.5m high acoustic screens and laying a large concrete hardstanding within a designated heritage asset. The site, a Second World War heavy anti-aircraft (HAA) battery, was added to the list of Schedule Monuments in July 2018 (list entry number 1455654) and is of national significance. As the area of scheduling extends 2m from the access road, the construction of the hardstanding and the 2.5m high acoustic screen will impede into the designated monument.

As has been made clear in a recent professional report 'The Mautby battery was one of five HAA gun sites positioned to protect Great Yarmouth, with a further three sited around Lowestoft. It is recorded as battery YH4 but very little detailed information about its history and use is readily available ... The history and development of the Second World War HAA gun battery at Decoy Farm, Mautby is poorly understood from documentary sources' (Albone 2018 *An Archaeological Assessment of the Second World War Heavy Anti-Aircraft Battery at Decoy Farm, Mautby, Norfolk* pp. 6, 39). Due to the limited documentary evidence for the site, the archaeological remains are even more vital to our understanding of this nationally important heritage asset.

1 July 2018, the Department for Culture, Media and Sport (DCMS) added the Mautby HAA to the list of Schedule Monuments. 'Under the terms of the 1979 Act the Secretary of State has a duty to compile and maintain a schedule of ancient monuments of national importance' (DCMS 2013 *Scheduled Monuments & nationally important but non-scheduled monuments* p. 4 authors' emphasis).

The survival of the site as a 'legible ensemble' was one of the principal reasons it was added to the list of Schedule Monuments. This development will significantly detract from our understanding and appreciation of the layout of this nationally important site, which is 'probably the *most complete* HAA battery in England' (The National Heritage List for England no. 1455654 authors' emphasis). The construction of a new barn, the laying of a concrete slab and the erection of 3m and 2.5m acoustic screens will irreparably change the nature of the site. Furthermore, the construction of the 3m and 2.5m high acoustic screens will have a significant impact by splitting the site into two.

Following Mautby being added to the list of Schedule Monuments, NPS Property Consultants resubmitted their proposal to erect a building with hardstanding on the site. In this application, no concern was paid of the Scheduled Monument. Their proposals included a 2.5m fence extending approximately 2m into the scheduled area. In addition, approximately 2m x 51m of the concrete hardstanding would have been constructed within the scheduled area. Access to the wood processing plant, which is only 9m from the scheduled area, also meant traffic will have to go through the scheduled area. NPS Property Consultants plans completely disregarded the Scheduled Monument. It was not until objections to their plans were raised that they made minor alterations to their proposal. This was uploaded onto Great Yarmouth Borough Council's Planning Portal on 26 April 2019.

The new proposal remains complete unsatisfactory; not least as it splits the nationally important HAA battery at Mautby in two. The building, 2.5m high acoustic fence, and rail fence will irreparably change the nature of the site. In addition, the proposal to construct a new access roadway would destroy the archaeological remains of at least four buildings (STP1, STP2, STP3 and STP4). Although only the gun batteries were scheduled, the whole site is of national importance and operated as a single entity during the Second World War. NPS Property Consultants' proposal would irreparably damage the nature, character and

archaeology of the Scheduled Monument. It is our opinion that the plans put forward are not 'exceptional' enough to warrant the damage they will cause to this designate heritage asset.

According to the NPPF '[w]here a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should *refuse* consent' (NPPF 2018 paragraph 195 authors' emphasis). It is also a 'criminal offence to demolish, destroy, damage, remove, repair, alter or add to a Scheduled Monument, or to undertake flooding or tipping operations on land in, on or under which there is a Scheduled Monument, unless prior consent has been obtained from the Secretary of State in the form of Scheduled Monument Consent (SMC)' (DCMS 2013 *Scheduled Monuments & nationally important but non-scheduled monuments* p. 7).

It is therefore our view that the proposed development 06/18/0384/F would have a significant adverse impact on the Mautby HAA Schedule Monument. We therefore believe that planning permission should not be granted.

Yours sincerely,

Dr Derwin Gregory MA(cantab) MA PCIfA

Prof. Robert Liddiard MA PhD, FSA, FRHistS

D J & P A COLE
Anrok, Edward Road,
Winterton - on - sea
Nr. Gt. Yarmouth, Norfolk, NR29 4BX

Great Yarmouth
Borough Council

02 JUL 2019

Planning
Department

Mr Dean Minns,
Planning Services Department,
Town Hall,
Hall Plain,
Great Yarmouth, NR30 2QF.

Great Yarmouth Borough Council

2 JUL 2019

Customer Services

26th June 2019

Planning Reference Number 06/18/0384/F

Dear Sir,

Mautby Gun Site leased by Mautby and District Gun Club

As one of the founder members of the Mautby Gun Club I have enjoyed continuous use of the above premises since 1968, 50 years this past July.

I am writing to you regarding the above planning application to cut down a significant part of the woods by the Gun Site to form an industrial area in which to re locate the wood processing business currently situated opposite the home and cryogenic business of Mr Younge because of the alleged noise and nuisance factor of the wood business.

This perplexes me as looking on Google Earth the proposed relocation site is approximately as near to the dwellings at the entrance to the gun site as it currently is to Mr Younge's house !

The Eastern Daily Press highlighted this matter and I am aware that Mr Younge has a considerable amount of correspondence with Norfolk County Council and the Ombudsman claiming intolerable nuisance. Speaking to local people there is no doubt that this proposed move has caused considerable concern to the residents of the houses that would be affected and should the alleged noise nuisance be proven, they would use Mr Younges evidence plus their own, probably also involving the EDP, to find out why an industrial business was relocated as near to them and also why this has been done by destroying established woodland.

Superimposing the current footprint of the wood business – Google Earth, over the woodland this will mean the destruction of at least 100 trees and the loss of a habitat which is used by three species of deer and also several species of bats.

The current storage of wood, official or as rumours claim, unofficial, has resulted in the felling of a considerable area of woodland by the road leading to the gun site and damage to the concrete pad by the entrance by heavy lorries transporting the wood.

Apart from the destruction of established woodland to create an industrial site my main concern is the future of the gun club. I understand the reason for moving the wood business is the noise and nuisance created by the heavy vehicles and machinery on the existing site. Obviously for health

an safety and security the club could not have access through the proposed industrial site therefore In the proposed plans for this development has provision been made for an alternative vehicle access for the club ?

Since first penning this letter I have attended a meeting of Runham Parish Council on Wednesday 27th March when, after detailed discussion during which a representative of Norfolk County Council County Farms was present, the planning application was rejected.

Listening to all concerned I find this planning application bizarre and nonsensical !

Mr Steven Hewitt has a successful wood processing business and has security of tenure from Norfolk County Council on a large designated industrial site. This current site consists of a substantial reinforced concrete pad, which has direct access from the road and is amply large enough for the manoeuvring of articulated lorries and heavy machinery used by the business. This pad is bordered by two large buildings used by the business for storing wood, these have mains services. The electricity being a commercial supply. Also adjoining the site is a large area of open ground, which is also part of this industrial complex.

Regarding the alleged noise nuisance, Mr Hewitt's immediate neighbour, Mr Michael Jones of Paston Farm gave evidence at the Parish Meeting stating that there was no noise nuisance what so ever. His testimony will be on the Parish Council record. The complainant, Mr Younge, did not attend the meeting and therefore did not put his side forward. I was also given a report from Great Yarmouth Public Health department who have investigated this matter on several occasions and found no problem whatsoever.

Again, looking on Google Earth, the proposed development area is approximately half the area of current industrial site, the application is for one building only !!!, has no road access – the current 'war time track' certainly would not take the weight of articulated vehicles and anyway has no room for manoeuvre. There are no mains services (electricity, water) the nearest possible connection point being several hundred metres away on the public road. The obvious implication is that this application is the tip of the iceberg and a further section of established woodland will have to be destroyed to accommodate the existing business and erect another building.

This whole matter appears to hinge around an unsubstantiated allegation from one property. Mr Hewitt's immediate neighbour, Mr Jones, states that there is no noise nuisance and an investigation by great Yarmouth Council confirms this.

Norfolk County Council, for reasons beyond belief, appears to want to placate Mr Younge by making Mr Hewitt move and build an industrial site from scratch ! by destroying established woodland on agricultural land. I note the planning application requires Mr Hewitt to erect an acoustic screen around the proposed development ! If a gesture of goodwill to placate Mr Younge is required then surely the only sensible and logical answer is to put the acoustic screen on the border of the existing industrial unit facing Mr younge's property and leave things as they are.

Regarding the above paragraph, a point not to be overlooked is the fact that the land surrounding the proposed development is farmed by Stephen Hewitt's brother Dean Hewitt. This proposed development impacts on his farming by causing him to lose the use of some land.

The Hewitts father and grandfather have farmed the surrounding land for decades and they are a close family. This matter and indeed the way Norfolk County Council have gone about it have caused a bitter rift in what was a happy, united family.

The installation of a simple acoustic screen should placate the Younge's, allow Stephen Hewitt to continue his business on a tailor made industrial site without hassle. Will not impinge on Dean Hewitt's farming and hopefully reunite the Hewitt family.

I would appreciate your comments on the above and request that this letter is presented at the planning meeting.

Hopefully common sense will prevail, peace will be restored and the club will be able to enjoy the use of and unfettered access to the Gun Site for another 50 years.

Yours faithfully,

D J Cole.

From: Maureen Clarke
Sent: 04 March 2019 12:01
To: plan
Subject: relocation of wood yard

Application number 06/18/0384/F

Dear Mr. Minns,

Re the plans to relocate MTS timber processing plant to the area known as 'the bunkers'.

There is still a serious problem with the access to this location and a significant threat to the environment. Many bats and birds are supported by this woodland but will be disturbed by the operation of the plant and the removal of several trees.

I have expressed these concerns at greater length in previous correspondence but the greatest act of vandalism is the result of the council's disregard for local history. This site could be restored and used as a very inspiring educational resource for schools and others interested in WW2.

Doctor Derwin Gregory, lecturer in modern history at UEA, has described the site as 'unique'. He says that, although there are others throughout the country, this is special in that it has four gun emplacements and they are in comparatively good condition. Restored and put to good use, this recently scheduled National Monument could be a fitting memorial to those who manned it during WW2.

The council can surely not sanction the destruction of another important historic site in this area. We saw the wanton destruction of Margaret Mautby's medieval chapel in the 70's and now this WW2 Heavy Anti Aircraft Battery is to be sacrificed due to the council's maladministration.

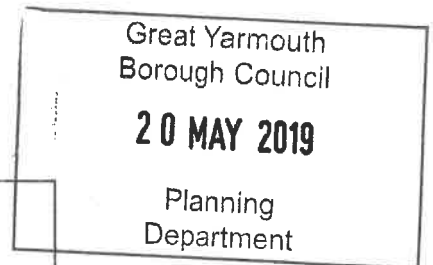
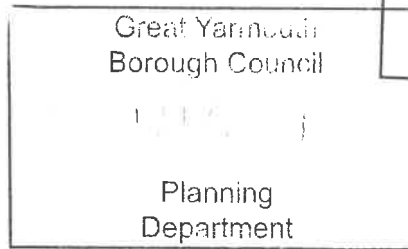
I wish to make it very clear that my objections to this plan are in no way the result of a personal dispute with Mr. Hewitt. I have known Steven since he climbed trees for the fun of it and admire the way he has built his business through sheer hard work, but I do feel that the Mautby woodland is not the best place for the location of a timber processing plant. My dispute is with Norfolk County Council who have succeeded in making such a mess of this situation through a cavalier attitude to the rules which, it would seem, only apply to others.

Maureen Clarke

Mautby and District Gun Club (MDGC)

GYBC Planning Department

**Attn: Mr D Minns
Group Manager Planning**



19 May 2019

Dear Mr Minns,

With reference to Mr Scales' opening application paperwork, titled background/introduction, page 3 1.1, he states NCC owns land including woodland to the east of Mautby Lane, Mautby. Is this true? I have always believed after 27plus years of being both a local parish and GYBC councillor that NCC do not own land. They are the administrators of the land on behalf of the people of Norfolk to ensure that it is used correctly and to the best financial good for the county.

**Re: Mr A Scales' response and support letter to Broads Authority re: trees
Objections to tree survey report
Planning reference: 06/18/0384/F**

Thank you for your letter, notifying me of the latest modified planning application Mautby wood lumber repositioning project. I have noticed in his supporting statement Mr Scales has made reference to items in his first supporting statement. Please be advised that I will also be making reference to my initial objection statement as all the points are still valid, which will also be added to my original as a prefix, just as Mr Scales has done.

The planning application no 06/18/0384/F is for the Mautby lumber yard, yet the drawing is marked version 'E'. I make the 'E' version to be the 5th application plus the original application, it would therefore make this application the 6th application. I assume that all those who objected to previous applications will be notified to resubmit their objections yet again.

I object to Mr Scales' constant misleading remarks.

It would also appear that Mr Scales has been misleading on previous statements made in his first supporting statement which he has repeated time and time again, statements which are totally untrue ie he maintains there is no access road to the gun pits. It states in his latest application the intention to not only use the existing access road but also to make it wider to suit the latest application.

Appendix 4

Page 1 or 19 / para 3

Mr Scales comments that the Broads Authority comments views are somewhat generic and do not reflect the actual nature of the proposal. These are Mr Scales' personal comments whereas the Broads Authority's are a concerted joint effort supported by all

those who wish to see that no harm comes to the natural outlook of the Broads' natural properties, not spoiled for the gain of a few individuals.

Page 1 or 19 / para 4

Mr Scales' comments are "with some vegetation but within a substantial block of woodland" which is what nature does. It is termed a natural ecological environment which is the habitat for many varied species, yet they are determined to tear it down to create a blot on the landscape and an annoyance to the local residents who live close by.

Having read the whole response letter, produced by Mr Scales, regarding Broads Authority concerns, it would seem that Mr Scales knows what is best for the Broads Authority, better than they do. The question is, is he qualified to raise these self-gratifying remarks!

Page 1 or 19 / para 7

Mr Scales' statement is correct that storage of wood has been taking place covertly for a few recent years, but unauthorised. Also the lumber processing, which is the reason why the historical road access to the gun pits is being destroyed. It stands to reason that because the activity was taking place covertly, and the Broads Authority not informed, they would not be aware of it. This is a simple example of a lack of interfacing between different organisations. It is simply a rerun of the initial problem that NCC found themselves in regarding the problems at Hall Farm lumber site, which would indicate that the lumber site owner has pulled the same scam twice. Free working site – with no rent.

In hind sight, would it not have been simpler and less costly to have taken a farmed field somewhere within a mile or so of the application and built the whole thing from scratch away from everybody where there would be no complaints. NCC have already taken land away from one farmer to achieve this project. It would be just as easy to do the same to another farmer if necessary. Besides, to build the whole project requirements in a rural setting, there would be no need to try to camouflage it as it would not be seen to be out of place.

Page 2 or 20 / para 1

I object to Mr Scales' statement that "the noise would only be intermittent which is to be expected in a rural area". Not correct. Most rural noises are seasonal and usually on the move. The application version 'E' is for a static site close to people's bedrooms.

Page 2 or 20 / para 2

I object to Mr Scales' statement "The site correctly has no public access and there is no opportunity to access the area". Once again Mr Scales pretends that the MDGC does not exist. The members have had unfettered access to the club for the past 50plus years via the original road built for ammunition transport to the gun pits.

The local village inhabitants are aware of the road and use it for quiet rural country walks, etc. There is also an unofficial access path to the gun pits from the public right of way located to the south of the bank, by way of a simple plank bridge, which is used by walkers coming from the east as a short cut to Mautby Lane via visiting the site. GYBC are aware of these accesses because at one time there was talk of including this access as part of the cycle path network.

because NCC has submitted yet another application, no 6 or 'E', which will require all the objectors to be notified, who have submitted their objections twice already, to do so again even though the application carries the same reference number, all be it different versions.

I felt that there was something seriously wrong with the first application when I had at first received notification from NCC planning that they wanted to build the largest building and work area completely over the WWII AA site, but assured me that it would not affect the operation of the MDGC of which I have been the secretary for 30 years. I naturally raised verbal objections as the idea to me was totally unthinkable. I did not submit a written objection because common sense indicated that this was going to be a long drawn out planning debacle with two councils involved and did not want to be forever writing objections as the basic fact was that if the lumber yard was build anywhere near MDGC despite NCC's constant assurance that it would not affect the MDGC. This was totally untrue and not thought through besides MDGC was never invited to any site visits for their input and was never totally supplied with ongoing information or mentioned in any of the planning submissions. NCC correspondence now refers to the heritage site with great respect whereas initially the planning application for building over the site was obviously an idea by someone at NCC who had no idea what the site was or represented historically.

I have attached this extra statement to my original statement as I am now required yet again to resubmit my objections. But, on this occasion, I am objecting to the quite unacceptable performance and inefficiency of both NCC and GYBC councils for a total lack of efficiency and total waste of tax payers' money by having objectors submitting time and time again basically the same applications with the same objectionable problems that are not thought out and totally flawed with the determination to do anything to get this project passed and the suspect rationale involved begs the question to be asked, why? It seems as if this application is for and on behalf of NCC and GYBC staff members personally. Why else would they behave as if the application is to their own personal advantage? Besides, those involved in both planning departments are not paying for all the time, effort and manpower involved, on behalf of the land recipient, the tax payer is. During all the years I have been involved with planning committees I have never known of two so called independent local councils conspiring together to ensure supposedly only one person gains from the planning application whilst many will have their quality of life diminished.

Although there does not seem to be any changes to the application, more a matter of just rearranging all the same points of concern to different positions but still relevant. This being so I have resubmitted my original objections with additional observations and notes as yet again NCC and GYBC have totally ignored the fact that the MDGC have not been mentioned and that the access to the club will still be through the lumber operation site. As will future visitors to the gun site monument.

I object on behalf of the MDGC most strongly to NCC/GYBC's planning department seemingly fanatical efforts to spend so much time, effort and money on this project using rate and tax payers' money being justified by the use of untruths and deliberate deceptions to obtain their objective. The question to be asked is why? Because with far less investment, would it not have been easier and cheaper to all involved to site the lumber processing plant in another NCC tenant's field somewhere out of the way inconveniencing nobody. What is so important about this site to warrant all the time, effort and money? They have taken away land already from one of their tenant farmers so it would be easier to do it again. How can the present plan be beneficial to the local inhabitants or to the Norfolk rate and taxpayers as a whole? There is now in force a national wide campaign to do more to protect wildlife and plant more trees. It appears both NCC/GYBC are out of step with modern day thinking.

There is something not squeaky clean about this planning application when NCC uses its own in-house specialist and contractors who see NCC as a highly valued customer to justify the project. The term 'cabal' springs to mind.

I most certainly object to the bullying and loss of job threats. Moral and psychological harassment by bullying, threats and actual job losses from senior council members to junior members because of their not being on side to the planning applications at Mautby.

After the latest application, no 6, it seems very strange that NCC and GYBC planning departments are so determined to ensure this application is approved despite all the opposition of many legally independent authorities engaged in saving an English Heritage site and the wonder of the Norfolk Broads with its varied bird and bat species, plus a very pleasant rural experience for any visitors. So much time, man hours and tax payers' money is still being used apparently for the benefit of one person who is to be the only financial gainer to the disadvantage of so many others; I assume!

Comments

I object to Mr A Scales' response to the Broads Authority comments, subject matter trees, in particular the number of trees, Mr Scales wants to chop down. There is no indication of the total amount of trees to be removed. It states the intent to remove 47 trees from the small site indicated, but the larger site, 0.15ha, no amount has been indicated by clever wording, which could be hundreds. No amount of procrastination by Mr Scales, no matter how much or how many pages of technical waffle he may produce to confuse and intimidate the planning committee to show his knowledge and skills of professionalism on the subject of trees, it does not alter the prominent fact that there are very large colonies of different species of bats that rely on the trees for their habitat and food source. It stands to common sense reasoning that if the bat numbers through breeding continue to increase there will be a need for more trees naturally located within the existing bat communities and feeding grounds. Mr Scales has mentioned replacing trees that are chopped down on his drawing version no 'E' will not be of any use to the bats, as it will take possibly 30 to 40 years for them to acquire the mature conditions suitable to accommodate the existing bat and other wildlife. Mr Scales mentioned in his supporting document that the existing trees and subsequent undergrowth have taken as much as possible 40 to 50 years to achieve the natural state as it is at present. This is called a naturally developed undergrowth, which you would expect in a rural area. It would seem that Mr Scales is trying to create a luxurious garden instead of a natural rural country side. There is of course the possibility that NCC could purchase mature trees to supplement the shortfall he is intent on creating. After all it is easy enough to obtain tax payers' money which is being used for the project.

Mr Scales' expert AT Coombes Ltd mentioned yet again that the tree roots could damage the gun site structures. We at MDGC have rented the larger structure within the site and the only problem we have experienced over the past 50 years plus is the minor subsidence on the southeast corner of the club and internal flooding. This was due to the roof drainage system downpipe which was smashed at some time and we at MDGC employed DIY skills to make a temporary repair, which is still working today. The building still floods occasionally today, depending on weather but only to a depth we can deal with using balers.

The flooding primarily is a result of the broken roof rainwater downpipe thus denying rain water access to the existing drainage underground pipe work system which consequently led to water running down the outside wall of the bunker, directly into the ground at the southeast corner of the structure and leaking into the ground envelope that the bunker sits in. The soil condition being basically sand, which with the addition over long periods of time, debris and vegetation, produces sandy/loamy soil prone to easy washout during rainy periods.

Mr Scales' tree report by AT Coombes Ltd is somewhat vague in places.

It mentions that some trees are actually growing on top of the gun site structures. This is true but this soil has been deliberately placed there after construction to act as camouflage and additional bomb/bullet protection and, most importantly, to help reduce heat loss from the temporary living quarters during the 24/7 duty periods of occupation of the operational crews. These are simply constructed using heavy corrugated formed galvanised sheets of superior steel, 'Anson Air Raid bomb shelter' material. No chance of roots penetrating them!

I also strongly object to NCC engaging a company, AT Coombes Ltd, to carry out a tree survey and GYBC planning for allowing this survey to be used as part of the application as it does not inform how many trees are to be cut down, which I believe was the very reason for the survey. This clever wording of the report is a deliberate attempt to deceive the planning committee, just another trick to fool the folk and waste tax payers' money.

I strongly object to the following. I put it to the planning committee that the survey carried out by AT Coombes Ltd is incomplete as only half of the information required has been submitted. The half which would affect a lot more trees I believe has been deliberately left out of the survey. I would like to remind the planning officers that to vote on a very contentious and important application when half of the vital information is not available. It would not be proper and very suspect as all applications must be judged on all the relevant information. If not, how can a correct decision be made when information available is not submitted in with the application? If not, why does the tax payer have to subsidise a survey which is not complete? 47 trees is a lot different to possibly 147 trees.

I may be incorrect but it seems that the tree surveyor has included a lone tree located in the northwest corner of the site in question. I believe the surveyor got confused because he mentions the Hawthorn hedge on the western edge of Mautby Lane, which is as shown on his Fig 1 - correct, and then the lone poplar tree in the north eastern corner, or does he mean the north western corner? I believe that this tree is in the field farmed by the farmer who has already lost a sizable area of his leased land to enable NCC to achieve their desired wish and at some financial loss to a hard working farmer's income. If I am right in my assumption, why is this professional surveyor surveying trees not relevant to the site in question, and being paid for it?

Whilst on the subject of soil and trees, I also object to the location of the new major building and hard stand to the south of the site, drawing number (not shown), which would indicate using shown scale that the hard stand accommodating the work shop and additional lumber storage area will be approximately 6' from the northern edge of the Broads Authority controlled land to the extreme south of the site.

Bearing in mind my earlier comments on soil state and condition, I believe that being sandy loamy soil prone to water pull down that under excessively wet and windy rainy weather conditions the soil under the concrete slab could become destabilised especially with the weight of the structure and tons of stored lumber thereupon. Plus the continual banging and dropping of very large pieces of lumber when unloading and processing could create a shock wave affect of breaking the friction hold of concrete/soil. With the intention of planting new trees to the south side of the site, which will break up the hard soil surface cohesion within the 6' strip thus weakening it, and the addition of a high fence, which would add wind vibration effect into the same area of soil. Incidentally, the fences will only serve to concentrate and divert the sound energy from the work area in to the air to be carried to the neighbouring tenants, east and west, depending on the wind direction.

Consequently, during periods of torrential rain, high winds blowing from a northern direction, the whole slab could become live. If soil is washed out on the south side there is then the possibility of a land slip, which in this scenario would be down the north valley slope to the public rights of way below and also filling the dyke alongside the walkway with debris affecting the dyke drainage system efficiency, possibly under prolonged monsoon type conditions flooding the marsh and fields to the south under the Broads Authority's control. In short, the concrete base pad is too close to the edge.

I object to Mr Scales' constant insistence that there is no access to the AA gun site. Yet, miraculously the existing heritage access road is now intended to be used as part of the application, which will be destroyed just like the sections now being used by lumber transport vehicles.

I also object to the indication that the existing national heritage site road is to be adapted to suit lumber handling by transit type vehicles which would never be able to handle the size of lumber being processed (see attached photographs). This being the case, it stands to reason to deliver the large items of lumber to be processed it would be necessary for very large transport vehicles to be used. How would these vehicles gain access to the storage pads to the east of the site?

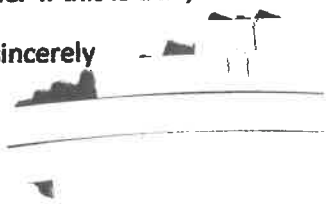
From Mr Scales' supporting letter and latest application, he has indicated that there will be no need for a vehicle turning area, that extra large transport vehicles will be backing out of the site aided by a banksman. Can I safely assume that NCC Highways have given their approval of this major change. There is also reference that transit type vehicles will be able to exit the site using the existing road. That would mean with no turning area they would have to drive eastward down the road through the gun site area, then back using the existing road. This cannot be correct? It also states that upon leaving the site the large transport vehicles will turn north up Mautby Lane, which means they will have to cross over the stabilising pipe between two broads which is now already showing severe signs of stress and subsidence.

I am forced to stop my objections at this point.

I strongly object to the method of this multiple planning application. It would appear that NCC are using their staff to process the relevant multiple applications in house, spending no one knows how much time and effort. Whereas we the objectors, because of the so called planning rules and regulations, are limited to a few days. Because of the size of the application from NCC using in house labour, it is virtually impossible for the public objector to read, understand and then write down their objections to what is going on within the time frame allowed. It is because I do not have enough time to complete all my objections to get this into the planning office in time for the deadline. I am unable to cover all my points of concern.

It has been brought to my attention though, that some organisations are given extensions of the deadline. If this is true, there is something wrong. All objectors should be treated the same.

Yours sincerely



TC Andrews

(secretary MDGC)

19/5/19

Mautby District Gun Club

Objections

to

Norfolk County Council's Planning Application

No: 06/18/0384/F

Mautby District Gun Club

Members/Secretary's Objections to Planning Application No: 06/18/0384/F

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Abbreviations

GYBC	Great Yarmouth Borough Council
MDGC	Mautby District Gun Club
NCC	Norfolk County Council
NCH	Norfolk County Highways
NCPS	Norfolk County Property Services
NPC	Norfolk Partnership Consultants
NPF	Norfolk Property Farms
NPPF	National Planning Policy Framework
DB	Decibel
HAA	Heavy Anti-Aircraft

Preface

Proposed development at Mautby Lane, Decoy Wood (Land at), Great Yarmouth

Relocation of lumber yard with erection of building Ref: 06/18/0384/F

Dear Mr Minns,

With reference to the planning application no 06/18/0384/F at Mautby Lane, I would like to make the following observations and comments.

Being the secretary of the Mautby District Gun Club (MDGC), which is located in the middle of the site being proposed for possible change of use and retrospective planning for the relocation of lumber processing activities and industrial type ancillary equipment.

Being the MDGC secretary, it was only recently that I was notified by NCC of any intentions to disrupt our activities as a gun club. Being a tenant for the past 50-plus years on NCC property, namely Mautby WWII heavy anti-aircraft gun site.

Upon receipt of your letter notifying me that the proposed planning application was available to inspect at the GYBC town hall upon request, I decided to take up the offer and spent time inspecting the same.

Being very concerned at what I consider to be incorrect and totally biased statements with both the application and supporting letters, I have with the sanction of the MDGC membership raised our concerns and objections to the proposed planning no 06/18/0384/F for the following reasons.

- 1) I have chosen to object to the application on behalf of MDGC membership and their concerns.
- 2) I also object to the information given on the planning application form no 06/18/0384/F as some statements appear suspect or untrue.
- 3) Likewise, I object utterly and totally with the officer's supporting statement on the grounds that it is in places factually incorrect and unashamedly biased. As one could expect from a NCC subsidiary company officer whose loyalty must be in line with the instructions given.

I have attempted to highlight my concerns and objections to both the planning application and supporting statement using the same format as the applicant's. My objections must be read in conjunction with the applicant's original item numbers, ie first read my objection, then compare with the original item statement application with the same number.

To alleviate any confusion, there are three individual objections,

- 1) MDGC's general planning concerns
- 2) the applicant's application for planning permission
- 3) the officer's supporting statement report plus appended photographs indicating size of lumber piles and possible safety hazards. A standard black dustbin lid has been used to gauge lumber diameters.

I would personally suggest that a site visit for this particular planning application would be very beneficial to the committee to allay any doubts or uncertainties.

If or when the application should be approved by GYBC, and sold to a private individual, whom should MDGC contact if, for whatever reason, the access to the heritage site / club house be blocked by lumber operations?

Please find attached various photographs, numbered 1 to 15 for your attention in the appendix.

Please note, unfortunately there is repetition in this objection submission. This is due to the same or similar statements in both the planning application and the supporting document.

I apologise for the staccato content of this objection, but there have been a great number of changes over the year and it has been very difficult to keep up to date with all the variations made.

Yours sincerely

TC Andrews

(secretary MDGC)

Mautby District Gun Club

**Objections to Norfolk County Council's Application Document for
not being totally accurate**

Mautby and District Gun Club (MDGC)

GYBC Planning Dept

20 March 2019

Dear Sir,

Planning reference number: 06/18/0384/F

Secretary's response on behalf of the membership

Being the secretary of the Mautby District Gun Club (MDGC) for 30 years, we would like to put forward our objections to the proposed planning application no 06/18/0384/F which are as follows: -

When at first we became aware of the planning application, I must confess we were surprised to finally be notified of said proposals as the only information we had previously received was with reference to the MDGC tenancy agreement and that MDGC would not be affected by the application. We were even more surprised regarding your later correspondence requesting any comments that we as a club may have. As there was no site plan accompanying your letter, when I became aware that a drawing existed I sourced one out locally, in the form of an aerial view of the proposed layout, indicating the work area would straddle the road we use to access the club. I contacted Mr Dean Minns of GYBC planning department who advised me not to respond until we received official notification of the proposal from GYBC.

The only information the members had to assess the implications involved was purely based on local gossip and hearsay, MDGC never having been involved with any of the many site meetings that have been taking place or mentioned in the application.

Primarily, that the proposed lumber processing facility in question will be re-positioned from its present easterly location to the tranquil/serene and diverse natural wildlife habitat in the area of the MDGC bunker shooting range and gun pits and the existing original ammunition supply road way. Apparently because of a noise complaint by close neighbours of industrial chainsaws, machinery, and loud hammering noise and movement of heavy lorries, etc.

It was only at a later stage that I became aware that one of the complainants was the cryogenic industrial site which in the past when in full operation. During the offshore oil/gas boom years ago, when this liquid gas processing plant when in operation, we could hear their compressor pumps and also the large petrol chain saws from the lumber yard clearly whilst we were active in the bunker. This did not affect the enjoyment of our chosen sport which by definition is quite noisy.

That being said, I and the members of MDGC would take issue if the proposed WWII gun pit area is used for the location of a lumber processing plant.

If located in the area proposed, the possibility of the intended objectivity exercise there is a high probability that the quiet surroundings' outcome, the planning application expects, will not be achieved as we can hear the use of powerful, portable chain saws just as much as the neighbours' compressor pumps, especially with an eastern wind blowing.

It therefore stands to reason after reflection that with the predominantly westerly winds the sound/noise of large and powerful chain saws and hammering noises from the proposed lumber processing plant as well as the noise of reversing warning alarms during vehicle movements will still be heard by the objecting neighbours due to the natural geography and topography of the land between the higher elevation of the proposed chipping processing operation in relation to the lower elevation of the neighbouring properties, which will result in a natural cascade eddy effect of pushing down the sound due to the contour elevation difference.

In short, the noise from the higher elevation will be blown down by the predominantly westerly wind to the lower elevation due to basic aero dynamics eddying effect of the prevailing westerly winds. In fact the saw mill at the moment is generating a reduced amount of noise compared to what it will produce, seeing that the proposed site will be much larger and therefore able to process far more lumber than at present after being relocated.

Having just received the latest version C, the wooden fences around the work areas to the south and north will only have the effect of making the noise raise up into the air only to be blown down to the original complaining neighbours to the east of the work site.

Incidentally, the decibel (DB) sound test carried out by the applicant from information received, cannot be valid. Apparently the largest type of portable petrol chain saw used by the lumber processing was not used as a test instrument. Also the trees and bushes in the test area were full of leaf acting as an absorption barrier which would make the test null and void. In fact, the removal of any trees on the whole planning application site would lead to exacerbating this noise problem.

The only difference will be that the relocation will result in lowering the standard of living conditions for more than just two people ie the number of residents affected and objecting to the west of the site, plus destroying an old well-established natural environmental habitat copse of much diverse flora and fauna. The results of years of efforts by the farmers Mr Dean Hewitt and his father, as well as the members of the MDGC who have spent 50 years endeavouring to enhance and encourage wildlife to this very pleasant quiet location very close to Great Yarmouth for the enjoyment of the local neighbours and others ie a quiet retreat and dog walk.

Incidentally, MDGC was supporting the Priory Centre, Ageless Opportunities Group, facilitating and instructing archery sessions on the sugar beet storage pads to the extreme western edge of the site. This activity was supported over the years by the various tenant farmers, who when asked for permission to use the sugar beet pads for archery were good enough to supply and stack their straw bales for us to use as a backstop. Unfortunately, recently MDGC were notified by NCC that we could no longer do this as this use of the sugar beet slabs was not in our contract, yet the farmers obviously had it in their contract as they had been storing sugar beet seasonally when necessary on these slabs for years, but always notified us, and, when possible, left space for us to carry out our Priory Centre Ageless Opportunities activity. Unfortunately, I had to notify the Priory Centre that the facility was no longer available to them.

We did not realise that the saw mill resettlement was intended to destroy the local surrounding wild life area, including the destruction of many trees which incidentally were originally planted by NCC using rate payers' money to cover up the memories of the 2nd WW, the Government has encouraged farmers and the like not to cut down but to plant trees, including hedgerows, etc, or is there a more sinister reason? The application may well be on the level but will it be possible to square the circle?

If the resettlement straddling the access road is approved it would be very detrimental to the MDGC function. For the last 50 years we have had unfettered access to the WWII bunker site by the use of the still existing WWII ammunition feed road way at all times and have always paid our rent one year in advance. Should the logging operation be permitted, the very nature of the activities of heavy lifting and cutting equipment would without doubt potentially create a very dangerous area to travel through or merely pass, especially considering that one of the local youth organisations, the 901 Winterton Marine Corps who are Freeman of the Borough and honorary members, are at liberty to visit the range on an ad-hoc basis as they have done for a number of years. Therefore we would seriously request that Health and Safety departments are engaged in a safety audit of the proposed lumber processing plant/operation.

It is also general/local knowledge that the proposed site location is strewn with a number of badly corroded old drainage system manhole covers. These service accesses have very deep drops of many feet and are difficult to locate after many years of growth covering them.

Also an unknown number of very old buried metal septic tanks exist on the site, location unknown. These must be in a very dangerous condition now and could possibly still be filled with who knows what but whatever it is, it will no doubt be a pollutant needing draining to safeguard the local environment.

We at MDGC have been assured a number of times that the proposed re-siting of the industrial lumber processing plant will not have an impact or effect on the club. This is not so, as according to the application they have not taken into account the car parking facilities for the members and the 901 Marine Cadets' access to the range which will be through a heavy industrial work site with all the dangers that incurs. The Ageless Opportunities Group aspect has already been stopped at this moment in time, and the access road to the range at present is being totally destroyed by the ongoing lumber operations and would now be very dangerous and difficult to walk along, especially in the dark. These conditions could possibly have an impact on our home-office approved activities' certificate, plus the Norfolk Chief Constable's approval.

We all agree and believe that this application by NCPS is totally unacceptable and that the loss of an established mature natural habitat and the diverse flora and fauna loss or disruption plus the changes to the local residents' rural life style to be verging on vandalism, and an exercise of attempting to placate the wishes of a few to the detriment of the many.

We at MDGC have noticed that on the NCPS planning application assumed NPF senior planning officer and also supported by Mr Scales there is no mention whatsoever of the existence of the MDGC. In fact most of the information we have accumulated has been provided by the local affected population.

We are totally against this development and having been made aware that secret meetings held on site with no involvement or mention of the MDGC could possibly indicate a political theme.

If sold, what guarantee do we have that the new landlord would not hike up our rent or give us notice to leave? Will there be any clauses in the purchase regarding sitting tenants? It was bad enough when we were told that we could no longer use the sugar beet storage slabs for archery sessions on summer evenings and Sunday mornings after years of cooperation with the tenant farmers. Also, we have been working with the Ageless Opportunities Group organisation run by the Great Yarmouth Priory Centre and are listed in their magazine as The Lincoln Green Group. For years the resident farmers have allowed us to use the sugar beet pads and helped to provide this service to the community. They supplied the straw bales to act as a backstop for these sessions. I have since notified this particular activity group that NCC have stopped us from using the site for this activity.

I would like to reiterate the following. We the MDGC are totally against this planning application No 06/18/0384/F on the grounds of loss of parking space, potential dangerous access through the site, which is not acceptable, especially at night times, when it becomes more difficult and dangerous. To access the club via the WWII road way which is becoming more and more destroyed by the recent activities of heavy lumber carrying vehicles, making it difficult for a safe footfall, especially in the dark.

It stands to reason that after reflection with the preceding westerly winds the sound/noise of large and powerful equipment, chain saws, etc, will still be heard by the objecting neighbours especially based on the geography and topography of the land between the higher elevation of the proposed re-siting of lumber processing in relation to the lower elevation neighbouring properties which will result in a natural cascade eddy effect of pushing down the sound due to the contour elevation difference. In short the noise from the higher elevation will be blown down to the lower elevation due to basic dynamics of the prevailing westerly winds. Also an easterly wind will push all noise to the neighbours situated close to the west of the site.

We object to the intended eradication of the wildlife, which we know to be there, ie an active herd of approx 15 red deer, roe deer, muntjac, and Chinese water deer. Rabbits, badgers, stoats and weasels, plus numerous species of butterflies and moths are also present, probably why there is a vast population of various species of bats.

I have recently been informed that a 3-day/night survey has been carried out by the British Trust of Ornithology/Bats organisation which has positively identified at least 10 species of bats by their sounds/calls and are investigating many more sounds. I personally have identified two species, long-eared and Pipistrelle, and I and other MDGC members have witnessed on many occasions over the last two years some very large bats, we estimate to have approx 12-15" wing span. The Ornithology survey indicated there were in excess of 24,000 bat movements in the immediate area during the 3-4day study. There is nothing more fascinating than to stand outside the club in the late summer evenings as the MDGC members do and observe the activities of these bats, which appear to be residing in the trees covered in ivy. At times they come very close to the watchers. I can honestly state that from the time I joined the club in the 70's the bat activities have greatly increased in the area of the gun pits and club bunker, as has the deer population.

During the early spring it is common to see very young newborn deer curled up in the early shooting grass, wheat or sugar beet on the periphery of the farmer's field close to the trees and road. In short the whole area is an example of a classical item of a valuable rural asset. A new non-farmer landlord could quite possibly initiate deer shooting on the site to support his income, to the detriment of all others.

If the resettlement is approved it would be very detrimental to the MDGC function. For the last 50 years we have had unfettered access to the WWII bunker system at all times. Should the logging operation be permitted the very nature of the activities of heavy lifting equipment would without doubt be a very dangerous area to travel past and I therefore would seriously request that Health and Safety department engage in a safety audit.

Especially considering that one of the local youth organisation, the 901 Marine Cadets, who are honorary member of the club, are at liberty to visit the range on an ad-hoc basis as they have done for a number of years.

We at MDGC have been assured a number of times that the proposed re-siting of the industrial lumber processing plant will not have an impact or effect on the club. This is not so as according to the application there will be no car parking facilities for the members and access to the range will be

though a heavy industry work site with all the dangers that creates. At this moment in time, the access road to the range is being totally destroyed by the lumber operations and would now be very dangerous to walk on in the dark. This could also have an impact on our home-office approval certificate status plus the Norfolk Chief Constable's approval.

Also MDGC has for a number of years, approx 45, conscientiously endeavoured to look after and ensure no damage occurs to the club bunker per se, and the gun pit structures nearby in general, by deterring inappropriate squatting type habitation and It is worth mentioning that over the years the MDGC members have stopped the detrimental use of the 4 gun pits accommodation shelters by vandals, youth gangs, squatters, dope den users, unsocial sexual activities and poaching.

I would like to challenge the problem highlighted by Mr Scales' supporting letter (page 11/point 6.2.5). It is correct, time has taken its toll on the structures, but unfortunately the NCPS original tenancy agreements forbade the MDGC from carrying out repairs to the external structures. I will admit, we did eradicate the ivy that was penetrating the external brickwork to stop the severe penetration destruction it was causing.

The MDGC has had cause to repair the roof in places because the rain water seals had weathered away. This prevented the large club bunker from filling with rainwater, originally to a depth of approximately 3 to 4 inches throughout, but it still fills slowly with water in bad weather conditions. I took it upon myself to use one of my weeks off work to completely partly dig out around the bunker to locate the damaged parts of the hard rubberoid envelope so as to repair and reseal it. There is still a slight leak problem but nothing as bad as originally. I make this observation because, whilst repairing the external envelope, I never encountered any tree roots.

The club members and I have also observed over the past 2-3 years that the levelling pipe between the two small broads passing under Mautby Lane is being exposed to possible damage due to dynamic impact of heavy lumber lorries depressing the marshy soil either side of the pipe. Should this pipe and surrounding road collapse preventing the west broad draining into the east broad causing overflowing, the localised area could possibly be flooded during the summer flash floods/rain storms, etc.

Mautby District Gun Club

**Reasons for Objections to Planning Application No:
06/18/0384/F**

Planning Application No: 06/18/0384/F

Mautby Lane, Decoy Wood (Land at), Mautby, Great Yarmouth

Second World War Heavy Anti-Aircraft (HAA) Battery, 345m East of Decoy Farm

Dear Mr Minns,

Mautby District Gun Club (MDGC) Objections to Planning Application no 06/18/0384/F

Please find attached MDGC's statements of objections.

Yours sincerely

T Andrews

Secretary

1) Applicant: Norfolk County Council (NCC) – no name on form, assumed senior NCC Planning Officer

2) Agent: Mr Andy Scales, Norfolk Property Consultants (NPC) Ltd – a division of NCC

It would appear that NCC officers have applied for planning permission and that a NCC officer has drawn up the supporting statement.

I appreciate that NPC is technically a totally different entity, being a limited company, one would assume paying their staff from their consultancy income and one would expect that these employees are all on the NPC payroll.

I feel that this combination would to the general members of the public be seen as a breach of the conflict of interest code, that this incestuous business arrangement must be totally explained to the planning committee.

Having just received the latest planning application no 4, identified as version C, I assume this is the same planning application no 06/18/0384/F as shown at the top of the page. It would appear that NCC and GYBC planning departments have engaged themselves and everyone else in an exercise of resubmitting an earlier version with the only changes being a shuffling of pad use, acoustic fencing and a reduced chipping storage area. Am I correct in my understanding that 'Historic England' originally objected to this earlier location layout?

This being the case, why has everybody who has already sent in their objections now been required to do this again, even though the application has the same registration number as the one originally issued? Is this intended that hopefully people will not or are not aware that they need to resubmit their letters of objection again, thereby reducing the numbers of people rejecting the plans?

3a) Answer YES but without GYBC planning approval or permission.

I have to admit that walking the gun pit road at least twice a week for the past 30 years, I do not have memories of activity that far back in time other than the occasional storage of small barrow load piles of wood chippings from time to time, no earlier than November 2011 (MDGC member witness).

3b) Answer NO! These two statements indicate that this planning application is really a retrospective planning application.

4) No comment.

5) Answer YES. It would appear that Mr Graham Clarke was well informed of the fact that the applicant was commencing work without GYBC planning permission, short circuiting the lawful planning process.

- 6) New pedestrian accesses – answer NO! There is an existing usable road through the site to the 4 AA gun pits. The road used during WWII to transport the ammunition from storage area to the guns. This is slowly being destroyed by the unplanned and current lumber operations now ongoing. Besides, if there is no intention or care as to road access from the public highway, how are the members of the MDGC supposed to access their range? Also, the destruction of the road will make the heritage site unavailable to the public on various open days as suggested by the applicant. Also the 901 Marine Cadets group, who are honorary members of MDGC, can use the range at any time they wish to under supervision.

Note: With reference site plan widening existing gateway to 5 metres; originally this north-western gate was the main access to the gun pits for MDGC. After a few years, this was blocked off and the south-western gate was initiated. This was done primarily to allow easier egress and access to the site for larger vehicles/machinery. Incidentally, on the latest site plan received, there is no indication of the Haul Road or turning circle as required to assist drive-out not back-out on safety grounds.

- 7) Answer NO! I find it hard to believe that an activity such as lumber reduced to chips operation with the machinery used would not generate waste, especially oil. I was under the impression that the wood chippings were to be stored then sold. Surely this in itself is recycling.
- 8) Authority employee/member - answer YES, see item 2 above. But no name on application form. Who is the applicant and what position does he or she hold within the NCC environment? Especially as planning law dictates that a councillor or any person must declare any interest in an application just as it is forbidden to vote on an application if they have not heard/seen all the evidence relating to the subject matter in question. But the operator will be working for NCC / GYBC.
- 9) Supplying additional information on plans – answer YES. What are these additional items of information and will they be submitted before any planning decision is taken? Where is the noise report, so far unseen. Passing judgement without all the information is open to suspect. How can anyone vote on a subject without knowing all the relevant facts?
- 10) No parking details were submitted. Again MDGC is totally excluded or considered regarding the application. This is how NCC treats their small tenants. Where do we or the public park if it becomes an official heritage site open to members of the general public? Originally MDGC members could drive down to the club but over time the road has become 4x4 access only due to damage to the road of late by heavy lumber loaded vehicles forcing MDGC members to use the concrete pads for parking and walk to the club.
- 11) Foul sewage disposal – answer OTHER. None of the listed normal methods are indicated. So where do the limited workforce go when necessary?
- 12) No comment. Other than after endless rain periods, the damaged westerly part of the access road becomes flooded with deep muddy water.

Additional observation: The two mini broads north of the site are connected via an equalising pipe under the nearby road, Mautby Lane. The road is now showing excessive stress due to high dynamic loading from very heavy vehicles. It is now quite obvious as the road surface damage is now clearly indicated by depressions either side of the pipe. Should the pipe collapse there could be induced flooding during periods of very heavy rain falls resulting in the mini broads to the west overflowing in heavy rain periods due to pipe damage and the inability to drain to the east, then to the major cut to the east flooding the road and local area could ensue. It would seem that Norfolk County Highways missed this on their survey.

13a) The answer is YES. There are a number of species of bats habituating in the trees at the entrance gate to the east, west and south sides of the gun pits. At dusk they fly in groups of what seems to be 100's. I personally have identified two species, Pipistrelle and long-eared. Recently, there has also been a very large bat in evidence. MDGC members and myself estimate their wing span to be approximately 12-15". A report on behalf of the Trust for Ornithology had recently been instigated which indicated that there were at least 10 species positively identified. The activities over a 3-night period showed over 24,000 activities. This information is easily available on request.

13b) No comment - see above.

13c) YES, the whole original site is existing from main entrance to gun pits, including the ammunition feed paths road, now being damaged by the unauthorised stacking and storage of lumber.

14) YES, it is. Again, no mention of the MDGC, a tenant of 50+ years with unfettered access to the gun pits bunker at any time.

YES. Seeing the site has been used for lumber activities using heavy mechanical equipment which requires constant maintenance, oil and water, etc. Contamination of site to varying degrees where lumber operations have taken place resulting in spills of machinery oil which have been noticed at times since unapproved lumber splitter operations have taken place. Sawdust from the process operation was used to soak up contamination spills, deposited where – unknown.

15) YES. From information received, ie the size of the building and location on the application plan. Plus the statement "a few trees will need to be removed" - in reality, a site visit would show that approx 50+ trees of various age and type would need to be removed. The very trees that the bats roost in, which supply the foliage and bark that contain the bugs the bats feed on.

16) YES, with heavy mechanical machinery. There is always the possibility of normal operating and maintenance oil spray-off, leaks and spillage, grease contamination and fuel spillage from mechanical petrol chain saws. Plus possible anti-freeze leakage/spillage from motorised vehicles, radiators, cooling systems, etc. The only safe but unpractical way is to saw and chop with hand tools.

17) No comment

18) **Loss of residential units.** Not residential, but used units by MDGC and the 901 Winterton Marine Cadets, who are honorary members of the club. If the application is approved, will

there be a separate path to the gun pits as access via the lumber road would be inappropriate and dangerous for MDGC members, 901 cadets and/or members of the public if it is intended to open the whole site to the public on set days.

- 19) Employees. How can GYBC and NCC planning justify using this argument for increasing jobs as this application is not a new enterprise but a relocation of an existing activity. This change of site location will not increase jobs as part of their justification to recommend the application. Especially as they have already indicated that there will be no toilet facilities. It is obviously a one-man operation now and will still be in the future, which raises the point if the site operator is generally out and about, cutting down trees or clearing wind felled trees off roads, etc at all times, night and day. This would indicate that at present the existing lumber site is still operating under the conditions mentioned above. How is it possible not to generate the excessive noise the neighbours are originally complaining about?

According to the later applications, the indication is that the site will be larger than the existing site at the moment. It therefore stands to reason that a larger site is indicating that more lumber is to be stored and processed at the proposed site to annoy more new neighbours to a greater degree with more work site activities.

- 20) Hours of openings – 07.30-18.00hrs and 08.00-18.00hrs and 08.00-12.00hrs.

These times make sense in the summer months when the day light hours are longer. But during the winter months, when it is dark at 15.00/16.00hrs depending on cloud cover, it is dangerous to be using mechanical equipment unless site floodlighting is used, creating constant generator noise and light pollution. Considering that the site will cater for the requirements of GYBC and NCC regarding falling trees on the roads due to wind and storms, will it be guaranteed that no processing of trees will take place outside the hours stated?

- 21) Again, as mentioned at no 19 above, increasing the working area would indicate the intention of carrying out even more heavy wood handling and storage with the increase of shunting of delivery and collection transport vehicles. This alone would increase the noise level with the addition of reversing flashing lights and warning horns.
- 22) No mention of the very large noisy petrol chainsaws and handling mechanical equipment normally used in the lumber processing operation.
Waste management development. Some would say that turning trees into chippings is a form of waste management.
- 23) Answer No, but should be YES – see item no 16. Oil, anti-freeze, petrol and diesel.
I do not believe that an operation of this type, size and mechanical equipment required would not generate hazardous substances, or that accidental spillages will never occur.
- 24) The answer should be YES. By the removal of trees planned, the building would be seen from Mautby Lane and most probably, because of its size, from the Acle Straight, especially during spring, autumn and winter periods.

**Objections to Mr A Scales' Supporting Statement for being
misleading and totally biased**

Dear Mr Minns

With reference to the Planning application no 06/18/0384/F

Mautby Lane, Decoy Wood (Land at), Mautby, Great Yarmouth

Second World War Heavy Anti-Aircraft (HAA) Battery, 345m East of Decoy Farm

Please find attached Mautby District Gun Club (MDGC) objections to Mr Scales' supporting statement.

Yours sincerely

T Andrews

Secretary

Dear Mr Minns,

Re: Objections to Mr A Scales' supporting document for planning application
No 06/18/0384/F – proposed lumber processing plant at
Mautby Lane, Decoy Wood (Land at), Mautby, Great Yarmouth
Second World War Heavy Anti-Aircraft (HAA) Battery, 345m East of Decoy Farm

Please find attached MDGC's statements of objections.

Having received your notification regarding the planning application, file no 06/18/0384/F, now available to read at the town hall, I took the option to do just that. Having read it at great length and not being satisfied at the amount of inaccuracies it contained, I have decided to respond to the comments of Mr A Scales' report point-by-point, using his ID numbers' guide.

Mr A Scales' supporting document is a simple attempt to enhance his argument and persuade the planning committee to see his biased point of view. My objections as the secretary of the Mautby District Gun Club (MDGC) which has been a tenant of Norfolk County Council (NCC) for 50 years, of which I have been a secretary of, for 35 years. I take issue with Mr Scales' comments for the following reasons, see items listed below.

Supporting Statement Document

PAGE 3

1.0 Background / Introduction

1.1

1.2

1.3 It states, 'NCC and the tenant recognised it would be beneficial to relocate the business to a location elsewhere in the parish'. Beneficial to whom? A lot of local people in the parish see this as not being beneficial to them, especially the farmer who will lose land/loss of income and his harvest sugar beet storage / concrete slab. MDGC will lose the road access to their club and parking area for their vehicles. Also the GYBC sponsored organisation, Ageless Opportunities Group, will lose their Sunday morning / summer evenings' engagement in the archery activity to keep fit, organised by MDGC. This outdoor activity has already been stopped by NCC.

1.4

1.5

1.6

True, the information meets the district council's local validation requirements with the exception of the important noise decibel checks. Initially, a test was carried out by the applicant, but as the chainsaw used was small and run from a tractor battery and whilst the trees between the test point and nearby houses were full of foliage, thereby making the test invalid. A subsequent test is being carried out by an independent body but at the time of writing no information has been supplied.

A decibel check has been submitted by an independent body but at the time of writing has apparently not been supplied in writing.

- 1.8 Acceptance surely has to be agreed by these local authorities and recorded values submitted if simply just to compare to an independently arranged test being carried out? By the neighbours?

PAGE 4

2.0 The Proposal

2.1

(a)

(b)

(c) Should read 'for the retention of the unplanned and inappropriate storage area'.

(d) The reference to the hard standing / beet pad is very interesting. NCC reference only confirm that they had originally allowed the pad for the storage of sugar beet to Mr B Hewitt senior, but upon his retirement the tenancy was transferred to his son Mr D Hewitt. At this point the beet pad was apparently removed from the lease. I mention this as I was informed that I could no longer carry out archery sessions Sunday mornings and fine summer evenings on what was known as the beet storage pad, on behalf of the Ageless Opportunities group based at the Great Yarmouth Priory Centre, which is now denied to Mr D Hewitt junior, who over the years was good enough to supply and stack the straw bales needed for a back stop.

The mention of using an existing hard standing beet pad adjacent to Mautby Lane is apparently not on Mr D Hewitt's contract of tenancy and he was refused the use of it to the detriment of his farming ability to harvest beet crop. Yet apparently it was on his father's (Mr B Hewitt) contract of tenancy. Therefore one can assume that originally NCC gave the nod to use them for farming purposes without GYBC's planning permission to use the slabs.

It would appear that NCC had pre-empted the relocation of the lumber yard prior to transferring this contract from father to son by tweaking it to suit their own interests for future plans, at a financial loss to Mr D Hewitt and the loss of a sporting activity for the Ageless Opportunities archery group leisure and keep-fit activities.

(e) See my comments from point 5.7.1 Access/Vehicle

It was also noticed that with Mr Scale's recommendation supporting letter which went into great detail as to how the large trucks would enter and leave via a new designed gate alleviating the need to back out on to Mautby Lane. According to the latest drawing (no: NPS-DR-A-(00)-003 version C) there is no indication of a truck road or turning circle to enable this action to take place.

This is a very important part of the proposed application. Without this information no vote would be proper or legal according to GYBC legal monitoring services department which gives constitutional advice to members, see appendix.

- (f) If this is the WWII road it would never survive the heavy tonnage weight of the lumber trucks or the necessary heavy equipment required for the chipping operation to function safely. Also part of the national heritage item would be lost for what logical reason other than denying the MDGC to gain access to a building we have faithfully looked after and maintained for over 50plus years now.
- (g)
- (h) Should read 'removal of illegal unplanned lumber now stored at this location amongst the trees'.
- (i)
- 2.2 A point to ponder, allowable processing hours stated 07.30hrs to 18.00hrs but in the autumn/winter months it becomes dark after 16.00hrs which would then require adequate industrial lighting to ensure safe operations for longer periods, resulting in light pollution at a location where there is none as well as additional noise from moving vehicles and mechanical equipment. The rules state that all heavy mechanical vehicles must have flashing reversing light accompanied by audible sirens, which would be very annoying to the neighbours.

PAGE 5

3.0 The Site and its Surroundings

3.1

- 3.2 Just because the site does not have any specific landscape protection at the moment, because it was never intended to be used for industrial purposes, but agricultural use (anti-aircraft gun site), means it can be destroyed at will. It seems only to serve the justification of re-siting an industrial activity on arable land, which has not been indicated within the application. Surely a change of use is required? If so, when was it given and by whom?

If the site is outside the settlement boundary defined in the GYBC development plan policy (but there are houses and people living within a few yards of the site), does this mean that, should at some time in the future the industrial lumber site cease to operate as intended, it could then be used some time in the future to build domestic properties without fear of rejection as it would now be deemed a brown-field site?

PAGE 6

4.0 Planning Policy

- 4.0.1 As pointed out by Mr A Scales the site is outwith the 1990 Planning Act. Regards the comment planning and compulsory purchase act 2004, does this mean NCC can compulsory purchase NCC citizens' / rate payers' property, then sell it off at any price they so desire? I do not think so, as that action would not be seen as correct by the local rate payers, who would expect NCC to use every legal means possible to raise as much revenue as best value for and on behalf of their initial investment. To sell it off below present market value would indicate a future financial problem.

Development Plan

On page 5 / 3.2 it states, the site is outside any settlement area defined in the Great Yarmouth Development Plan policy what material considerations would indicate otherwise? There are properties just yards away. Just because they are not recognised does not give GYBC planning the right to destroy these residences which presently enjoy idyllic rural surroundings.

4.1.1

4.1.2

4.1.3 Terms of core strategy considered relevant.

Policy nos:

CS6: supporting local economy. Which already exists for this activity elsewhere plus the information provided states it is a one-man operation

CS10: safe-guarding local heritage assets. This statement is only partly correct after being notified only recently of its existence. Plus the access road to the gun pits is still there in its entirety and is part of the whole site although some areas are now being destroyed by illegal lumber activities.

CS11: enhancing the natural environment. Not by destroying mature woodlands, (especially as this is the major food source for a number of various species of bats that feed on the insects that live in the canopy and hedgerows) of the well established diverse flora and fauna for convenience. A report on behalf of British Trust for Ornithology / Bats was instigated – see 4.2.1 below.

4.1.4 This is not true, just Mr Scales' preference. Nothing was identified because they, NCC, did not want anything to be identified – it would not be beneficial to NCC's/GYBC's planning application.

4.2 Central Government Advice

4.2.1 The NPPF government preferences of sustainable development, economic, social and environmental fail on all three counts indicated. Social and environmental destroy a naturally mature environmental location. I have recently been informed that the British Trust for Ornithology / Bats carried out a survey in Norfolk and instigated a 3-day investigation of the area in question regarding bats was carried out. The results were 10 different species were positively identified by their sound and others that were not. The activity of said bats over a 3-night period showed over 24,204 activities. This information is easily available on request.

It also will reduce the life style of the close neighbours as well as the value of their properties. MDGC members' will lose access to their club. 'Ageless Opportunities' have already lost their archery sessions because of NCC instructions.

All those who use the area for country walks, star gazing at night because of the lack of light pollution, etc will suffer with winter darkened nights because of industrial flood lighting. There will also be the annoyance of the mechanical operations and movement of heavy vehicles with obligatory flashing lights and reversing alarms to the local neighbours.

The economic aspect also fails as only one person is indicated on the application, (therefore no toilet requirements needed). It will only benefit the operator, who already has a working site in the area. There is apparently no benefit to anyone else. Is this correct?

Is the gold thread metaphor a reference to another metaphor namely 'follow the money'?

Promote diversification, agricultural and other diverse activities, by all means but not to the detriment of all surrounding neighbours. I may be wrong but surely archery and target shooting are diverse activities?

PAGE 7

4.2.2

- 4.2.3 If as stated the intention is to turn the site into one of national heritage considerations, it would be verging on to the realms of short changing the public and nation by only saving half the units. To most people a WWII site means the whole site not to lose some of it for the benefit of a single person. This would be the outcome if the east/west adjoining road used to transport ammunition from storage area to guns, which is still there and intact apart from the areas of severe damage now being created by the unapproved logging operations being carried out. How would potential visitors to the site get to the gun pits if there is no road? And where would these visitors park if any of the concrete hard stands which are also part of the heritage site are destroyed?

Also see Page 10 / 6.0.1

4.2.4 The Poison Chalice

With reference to paragraphs 133 and 134, it is obvious that the intention here is to not only confuse the committee but to enable NCC to argue between total loss of a significant heritage asset or less than substantial harm to significant heritage asset. This is the decision GYBC planning committee will have to make. The letter I have received from NNC states that the final decision will be made by GYBC planning department. Good luck, Great Yarmouth.

We at MDGC firmly believe that the site means the whole site, which includes the road as it is the only way we can reach the club. Also as mentioned the site may be open to the public on occasions and they will need access. Seeing that there is a road there already it seems ridiculous and a waste of more rate payers' money to destroy it and build a new one.

PAGE 8

5.0 The Proposed Development

- 5.0.1 The applicant seeks formal planning permission, which should read retrospective planning permission. Also the term wood yard is incorrect and misleading. The application is for a lumber processing plant, which is totally different to a timber yard. Lumber processing requires very large and noisy mechanical equipment to process large lumber sections or whole trees.

5.1 Use

- 5.1.1 The woodland does not cover the majority of the parish. The agricultural land does. This is partly true. After WWII, NCC purchased and planted at tax payers' expense trees to cover up

what was seen to be a WWII eye sore so as not to remind local residents of the just ended war.

As these trees were paid for and planted at a cost to the rate payers of NCC, one would assume that the removal of any or all of the trees would result in the trees being sold off at today's market prices, not to be given free of charge to a lumber merchant as a gift for cutting down the trees. This is not value for money on what was initially a timber investment.

Mr Scales' comment re the woodland forms "part of a larger underdeveloped area" as if a mature natural area of woodland and fauna is something not required. I would like to remind the committee that the new government drive is to improve the rural diversity and to plant more hedges and trees not to destroy well established natural environments. Especially, for one person's financial gain at the cost of local residents' loss of a rural environment.

Mr Scales' bracketed comment (mainly agricultural land) is surely a question type add-on, as he proposes to turn the natural agricultural site into an industrial site with all the problems that will incur. Question - if the industrial site lease is not being used for the intended purpose of application in the future, will the then brown field site be eligible for private housing use with guaranteed planning permission without the chance of objection to the loss of the rural diversification and to the detriment of the surrounding neighbours?

- 5.1.2 This too is partly correct, but he fails to mention that lumber is already being stored without planning permission and most of it stored as recently as the time that the proposal was first suggested by NCC prior to an agreement by GYBC planning department whose decision would be needed. The unapproved storage wood is still there at the time of writing. So much for the so-called power of Great Yarmouth planning control; obviously a done-deal.

This being the situation, it seems to me that this planning application is in fact a retrospective planning application highlighting the total lack of rational control or diligence power by both NCC and GYBC Borough Planning departments but certainly gives the impression of some form of collusion.

5.2 Amount

- 5.2.1 It would appear that the proposed site will be larger than the original one, suggesting more work activity, more noise, transportation movements and light pollution.

Note: Update 16.02.2019 – Due to the number of changes to the planning applications by NCC, I am not totally aware of the latest area of land being decided upon.

- 5.2.2 If this is correct, then the site will have to be cleared of all the original underground septic tanks within the location which will be over time badly corroded and may be still filled with who knows what contaminate still in place. Also there are many corroded manhole covers located outside the remains of the original drainage system. These manholes are very deep with a large diameter pipe work of the sewer/draining system and could well make the intended hard stand for the building unstable if left as subsoil voids. It would appear that a substantial raft would be needed to carry the lumber already on site. I would suggest that now being a National Heritage site, the draining/sewer system will need to be surveyed for posterity before it is destroyed by the proposed and planned lumber activities.

5.3 Layout

5.4 Landscape

- 5.4.1 The remark re mainly woodland self-sown means, any area returning back to its natural state which would be ideal if the area is possibly going to be open to the public on certain days. It would be pointless to turn the site into a wild garden if there is no road to access it.

His prepared arboricultural impact assessment (not yet received) will not cover the adjoining areas, ie all the wild life – badgers, deer, foxes, stoats, weasels, rabbits, and bats etc will be driven away by the noisy activities of the lumber processing plant. The local residents in the affected area see this particular site as community asset.

5.4.2

5.5 Scale

PAGE 9

- 5.5.1 A building of this size will be seen from the nearby road and possibly due to the higher elevation of the site from the Acle Straight during the autumn, winter and spring months when trees are bare, therefore being seen as a blot on the landscape breaking the natural skyline by visitors using the Acle Straight.

5.6 Appearance

5.6.1

5.6.2

5.7 Access / Vehicular Access

- 5.7.1 This is very interesting. Having been a member of the MDGC for 30-plus years, initially the entrance for the road to the club was by the north gate. This access does not incidentally enter any wood. A few years later the north gate access was blocked and the south gate established as the main entrance. This was done to facilitate easy access for larger vehicles to the site as the north gate limited the size of vehicles that could manoeuvre in the gate due to the narrow width of Mautby Lane.

- 5.7.2 The information here does not reflect the reality. Transit size movements would indicate transit type vans being used. The size of lumber stored to date could not be carried by a transit van. Photos exist of articulated vehicles carrying massive lumber sections. Using the roads on a regular basis, I can foresee a problem with the comings and goings of lumber carrying transportation. Photos of lumber stored – see attached.

Recently, I received NCC's latest letter/planning application (06.02.2019) and drawing no: NPS-DR-A-(00)-003 for the repositioning of the lumber processing plant. I noticed that it appeared to be a copy of the original rejected application with the additions of acoustic barriers to the various locations. I do not understand the rationale of resubmitting an already rejected layout as it appears that the proposed structures will still impinge on the national heritage site who are adamant that this should not happen.

Also, the latest drawing (see above) does not show or give any indication as to the turning area required for heavy duty trucks to be able to drive out of the site.

It is not possible or legal for a planning committee to come to a decision without all the very important and relevant information aspects of the application.

It would seem that NCC Highways overlooked a very valid point during their survey. Are they aware that there are two small broads either side of the road where the gates are? And between the two mini broads there is an equalising pipe under the road. Over the last 2-3 years I have noticed that either side of the pipe is slowly being driven down by the dynamic loading of heavy vehicles travelling over the pipe. This can be seen by the deep depressions either side of the position of the pipe. This equalising pipe is obviously there to ensure that one of the mini broads does not flood by overtopping with rainwater, etc. Should this pipe collapse there is a possibility that flooding will occur in the area, not to mention road repairs.

There seems to be no consideration given to the fact that there is a constant use locally of the road network by local traffic between Acle and Gt Yarmouth and nearby stables for horses and young riders. Also the fact that the roads in the area are now part of the National Bicycle network and well used as such. Speak to Mr Stephen Shepherd of the Cycle Forum Committee for confirmation.

- 5.7.3 The vehicle access times indicated by Mr Scales do not reflect the activity involved. The lumber processing includes working directly for NCC, GYBC and Forestry Commission at any time trees can come down and need to be removed, which would indicate that vehicles would use the site at any time, night or day, especially during stormy / windy weather conditions.
- 5.7.4 True, the WWII build road to the MDGC runs through part of the woodland, but sadly at one point it is being destroyed by the present unapproved lumber operations which are ongoing. The road is in such a condition that the original access by MDGC members is now only possible with the use of 4x4 vehicles or walking, using a damaged and often flooded road, which during the dark winter months can be quite hazardous.

PAGE 10

6.0 Assessment

The applicant seeks to show the site can be developed according to the policy codes, but only to the detriment of all those who already use the site or local area.

- 6.0.1 If the application seeks to show it can be developed in relation to impact on residential, heritage and other amenities, why is NCC trying to destroy the road and concrete pad to MDGC, now used for parking by MDGC patrons when they also mention on Page 12 / 6.6.4 most important WWII remains to possibly be accessible to the public on heritage days, car parking for visitors and MDGC members, but not if they destroy the road and pads.

If the above statement is true why was it that NCC was originally prepared to locate the site over the heritage site? This would indicate that not a lot of thought went into the original application - so what is the agenda motivation?

If the site can be developed to address specific site considerations from its location at present, it is an established lawful business within the parish operated by one person. Why does it need to be moved to a larger site affecting more people and social activities to the detriment and possible loss of a complete historic monument and rural setting?

Is there any possibility that the applicant may finish up with two sites carrying on the same work?

Also it would appear from information supplied, that the proposed site will be larger than the site used at present, indicating the intended generating of more work and therefore noise and dust and possibly more traffic movement than first estimated, especially if lumber is shipped in from outside the borough.

6.1 Principle of Development

6.1.1

6.1.2

- 6.1.3** The wood yard is technically really a lumber processing plant which means it is a heavy industry. Therefore should this cease in the future the site will be deemed a brown field site and available for housing with no chance of objection to the loss of rural diversification.

I find this whole statement to be cloaked in unknowns!

Again, the remark 'land hungry nature' of the work and limited employment value cannot be the only reason or consideration to justify the clarification of the diverse rural activity supporting the economy'. It is doing that already. Why move it? There must be a logical reason why NCC is devoting so many man hours and therefore cost to this planning application. It would be nice for the rate payers to know how much it is costing them, seeing it's their land and only managed by NCC/GYBC.

6.2 Impact on Heritage

- 6.2.1** The supporting document states, areas where structures existed and areas of little interest to them according to their plans.

This is very interesting as until quite recently historically NCC had no interest in the site apart from hiding it behind trees. The present day interest based by the planning application has brought it to awareness of the public and also historical groups. So to state that parts of the site are of no interest is only Mr Scales' opinion. If a site is to be preserved for historical reasons it seems almost criminal to ignore all the attributes and details thus denying future generations the ability to understand all the aspects of how the site functioned during WWII in its defence of Great Yarmouth and the realm.

PAGE 11

- 6.2.2** This is why NCC planted the trees originally. Now the woodland enhances the whole area, creating a heritage site worth seeing, as for compromising the setting on the remaining heritage assets, it enhances them creating an ideal leafy lane walk to a sit & ponder location. This location must warrant a site visit before any decision is made not to do so could be seen as a deliberate attempt to enhance NCC/GYBC's one and only argument. Does this not contradict items 6.2.2 and therefore showing how nature can transform ugliness into beauty over time. Mr Scales' negative attitude towards the natural environment is simply to try to justify destroying it to force a positive result for his personal services' gratification

6.2.3

- 6.2.4** Only if no further damage is caused on the existing road way and concrete slabs.

5 Deliberation.

Not correct. The original WWII service road is still there, intact. 50 years of soil deposits have covered and protected it. The only bit of road that is damaged is in the area of the unapproved logging activities. This section of road, because of heavy vehicles, has sunk and is prone to flooding in wet weather. NCC's original concerns regarding the site can be judged by their intention initially of siting the lumber yard totally over the heritage structures to the east.

- 6.2.6 Now NCC use the argument that the lumber yard could be screened by a woodland area. That is a good idea. Plant trees, etc – don't cut them down.

Re NPPF any harm to the site should be weighed against the wider benefits as outlined in 6.2.5 by whom? Opportunity for better stewardship and public access via open heritage days. Mr Scales' note to remove a business in the village to a more suitable location! Why did NCC, GYBC allow the business to be where they no longer consider it to be appropriate?

6.3 Residential Amenities

- 6.3.1 If as NCC believe only limited movements of vehicles will impact on the local residents, how do they know this, will times be regulated? Will transit type vehicles be the only type used/allowed? Some of the lumber stored at the moment would not fit in a Transit van-type vehicle. If it could, the vehicle most probably would not be able to move due to the weight.

As the process of producing wood chippings will digger-type vehicles with wide dozer blades be used to shovel up on the concrete daily to load waiting vehicles generating constant noisy scraping on the concrete?

- 6.3.2 Not true. The maneuvering of vehicles using the North gate entrance would create more noise as would the larger-type vehicles seen and photographed carrying large loads of tree trunks. The names on these vehicles would indicate out of county hauliers and thus various pick-up points.

How long does it take a thick hedge to become established resulting in enough density to shelter the nearby residents from the noise? One, two or three years?

PAGE 12

6.3.3

- 6.3.4 No independent noise assessment has been received yet at the time of writing. The initial attempt was carried out using a small battery driven chainsaw off a tractor when they should have used a large bladed petrol chainsaw, which they use most of the time. Also, at the time the trees and hedges were in full leaf between the sound and the receptor area, which meant the sound/noise was muffled and therefore not acceptable. Tests can only be carried out efficiently when trees and hedges are clear of leaf matter. If under this condition the test fails, it surely would indicate the operation must only be active during the summer months. Despite no large petrol chain saws being listed on the equipment used section. It would not be possible to prepare the lumber to a size to chop. How will this be achieved?

6.3.5

6.4 Access and Highway Considerations

- 1 So why move the existing processing yard? Norfolk County Highways (NCH) are wrong. The road is not typical. It is part of the national bicycle way. It is used regularly by local horse stables with mainly children learning to ride. It would appear that NCH are not aware of the small light bridge between two small broads within a hundred yards or so north of the gate which they intend to widen for larger articulated vehicles. Incidentally, crossing this bridge at least twice a week I have become aware that the through pipe from one broad to the other under the road is now being overstressed. This can be seen by the north and south sides of the pipe where the existing road way is being hammered down by the weight of vehicles driving down the road, indicating subsidence in these particular areas, exposing the through pipe to constant dynamic load hammering of wheeled vehicles which will in time fail, leading to major road repairs and possible flooding.
- 6.4.2 This item contradicts itself, movements will be predominantly made by transit-type van vehicles but on average 4 articulated lorries will service the site per month, which could be two or 6 vehicles a month?
- 6.4.3 Observation – access through the modified northern gate is not into a wood, it is directly onto the north-west concrete slab.
- 6.4.4 Correct. There is an existing access road way running from Mautby Lane to and around the gun positions. This was in excellent condition. Unfortunately, recently, damage has been caused to the road in places due to heavy vehicles maneuvering with large items of lumber. If this activity becomes the norm, the historic road will be totally destroyed and useless for foot users. If it is the intention at some stage in the future, to have the heritage site available to the general public on open days, it makes sense to ensure the road is not damaged in any shape or form, thereby allowing the visitors to walk safely down a secure road way to the main gun batteries. Also, it makes common sense to allow visitors to park on the concrete hard stands which they can only do if they are not destroyed.
- 6.5 Design Considerations
- 6.5.1 True. Only established after WWII, when trees were planted by NCC at the cost of the rate payer to enhance the rural scene to blot out a reminder of war.
- It is interesting that at one stage NCC planning was advocating cutting down trees on the site. Yet, there are various treed areas within the site where logging is already being illegally stored without planning permission.
- 6.5.2 The building will be seen from the road to the west and most probably from the Acle New Road to the south.
- 6.5.3 Considered by whom in the NPPF?
- If the consideration was based on Mr Scales' biased information then the NPPF design aspirations were stretched to the maximum distortion.
- 6.6 Other Considerations
- 6.6.1 One can assume that this wooded area planted by NCC using rate payers' money, if cut down, will be sold off at normal marked prices and not given away, which would be in violation of all council's 'value for money' policies. This logic would indicate a rationale that if trees are planted this year you can change your mind next year, ad infinitum.
- 6.6.2 This whole statement is biased as mentioned earlier. All wild life will be driven from the site by its industrial activities. There are bats in the woods, at least three species, pipistrelle,

long eared and a larger bat which we can't identify – we see them at dusk, which is the normal time to see them. Over the years I personally have witnessed these bats, and the larger bat, I do not know the name of, with a wingspan in flight approx 12-15".

6.6.3 Old existing Hall Farm site could return to its earlier agricultural use. So at the moment the operation of the lumber activities is spread over two sites. Is there any possibility that this situation could be the future outcome?

6.6.4

Note 1 / reference Appendix 1 – validation requirements

Final ecology consultancy will take place sometime in the future to confirm original reports. No mention of the herds of red, roe and muntjac deers then. In the spring/early summer time it is common to see the new born young deer in the surrounding greenery, grass or new growing grains. With regards to the statement, that it will not result in any unacceptable impact on the other wildlife in the woodland area, this is just a justification to remove the habitat of all the animals. I do not think the various bats in the area would think destroying their food source would be acceptable. Their primary food source is in the canopy of the woodland.

Note 2 reference Appendix 1

NCC/GYBC planning do not see light pollution as a problem. If they would take the time to make a night time site visit they would see that it is possibly the best place in the borough to star gaze. Loss of this facility must be seen as a loss to the local residents and therefore a diminishing of their local environment and enjoyment.

Note 3 reference Appendix 2 – List of Equipment used in wood yard business

No mention of large petrol-driven chainsaws, the tool mostly used and the noisiest.

Photos included. Copies of all piles of illegally stored lumber.

Later additional update

I recently received NCC's latest planning application no 4 (revision C) for the repositioning of the wood chipping lumber plant. I noticed that it was a copy of the original rejected application but with the addition of acoustic barriers to the west and south of the proposed work sites. I have also received information regarding the fencing and was impressed with the online issue of 64 pages of which 47 pages referred to the specialist's report complete with all the technical data information. I am assuming that this is intended to impress the planning committee who no doubt would be totally overwhelmed with all the various specifications, etc.

I, on the other hand, would like to make a comment or two. As a layman for easy understanding, the west and south acoustic fencing will only serve to channel/funnel the westerly noise carrying wind directly to the original complainant plus the others in the area, thus maintaining or possibly increasing the annoying sawing and hammering offensive noise as before.

Reason, the southern fencing will not allow the noise laden wind to dissipate over the lower level land to the south. Therefore, no dissipation equals increased pressure of live noise pushed faster to the east.

Incidentally, why was the test carried out on the original site and not at the proposed site? And which particular pieces of mechanical equipment were used? I could not find that information anywhere within the 64-page report.

Footnote:

Sound being a product mode of the conversion and disposal of energy (which cannot be destroyed) will be transported by the westerly wind along the south side fence to the original complainant.

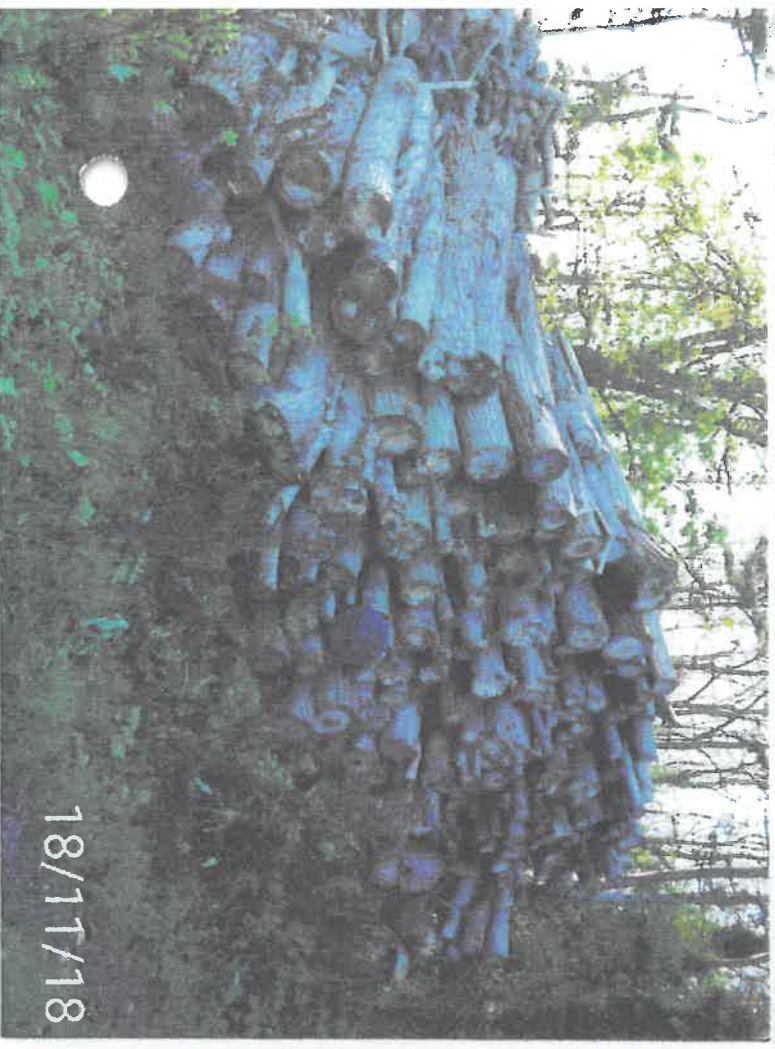
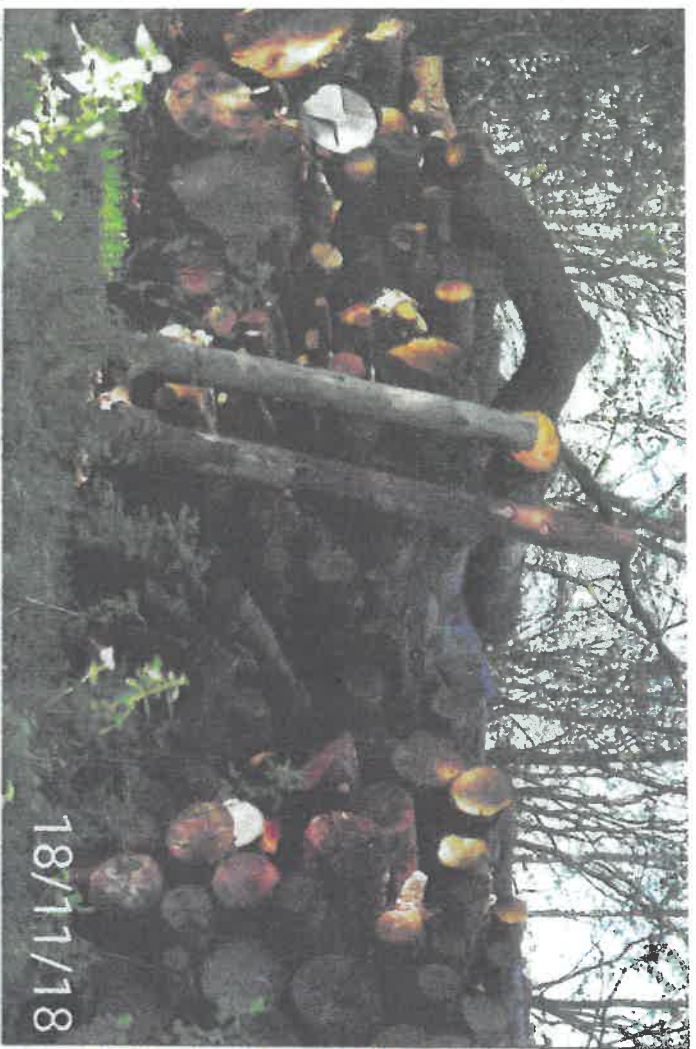
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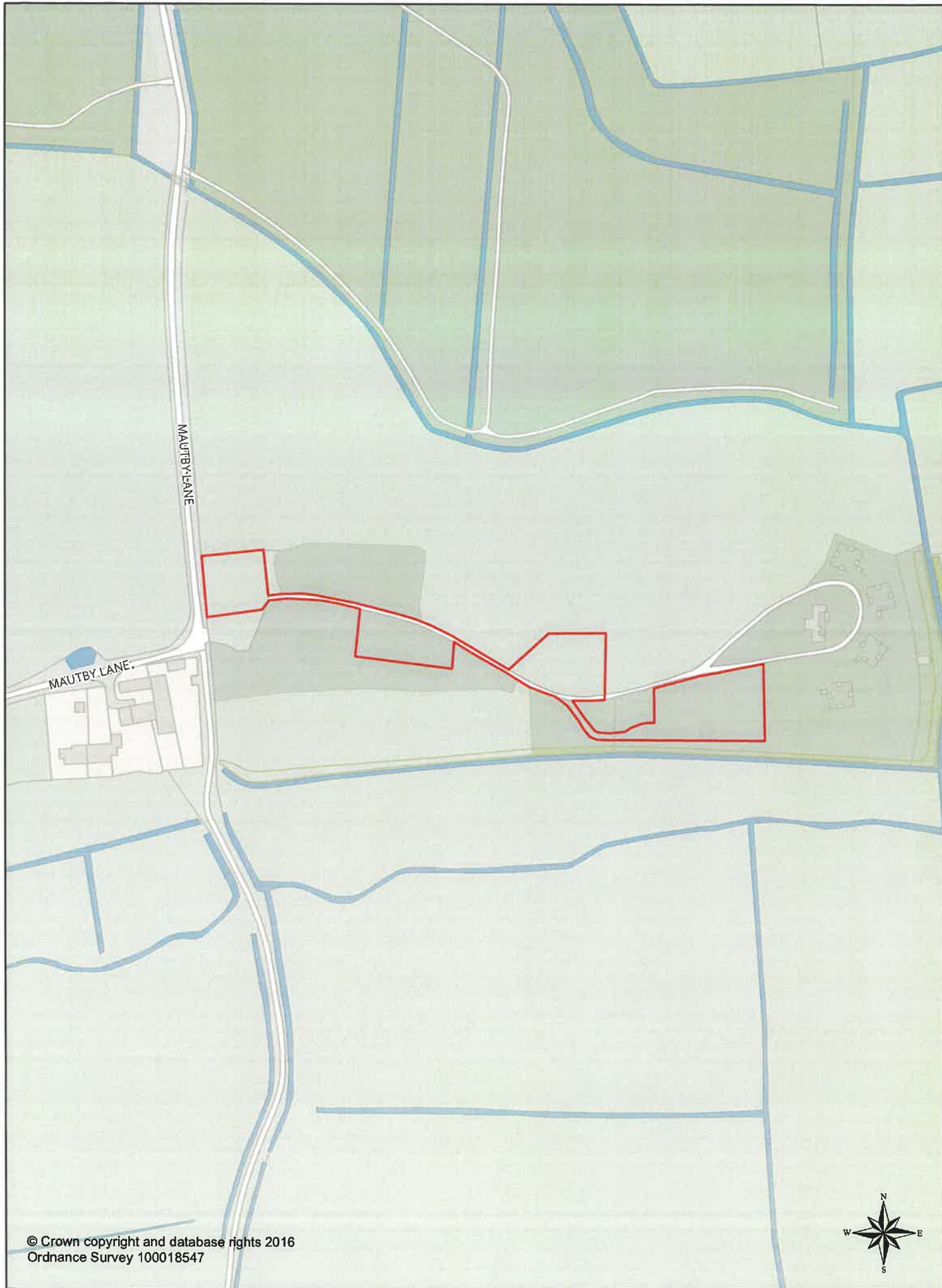
Appendix

15 Photographs of stacked lumber piles

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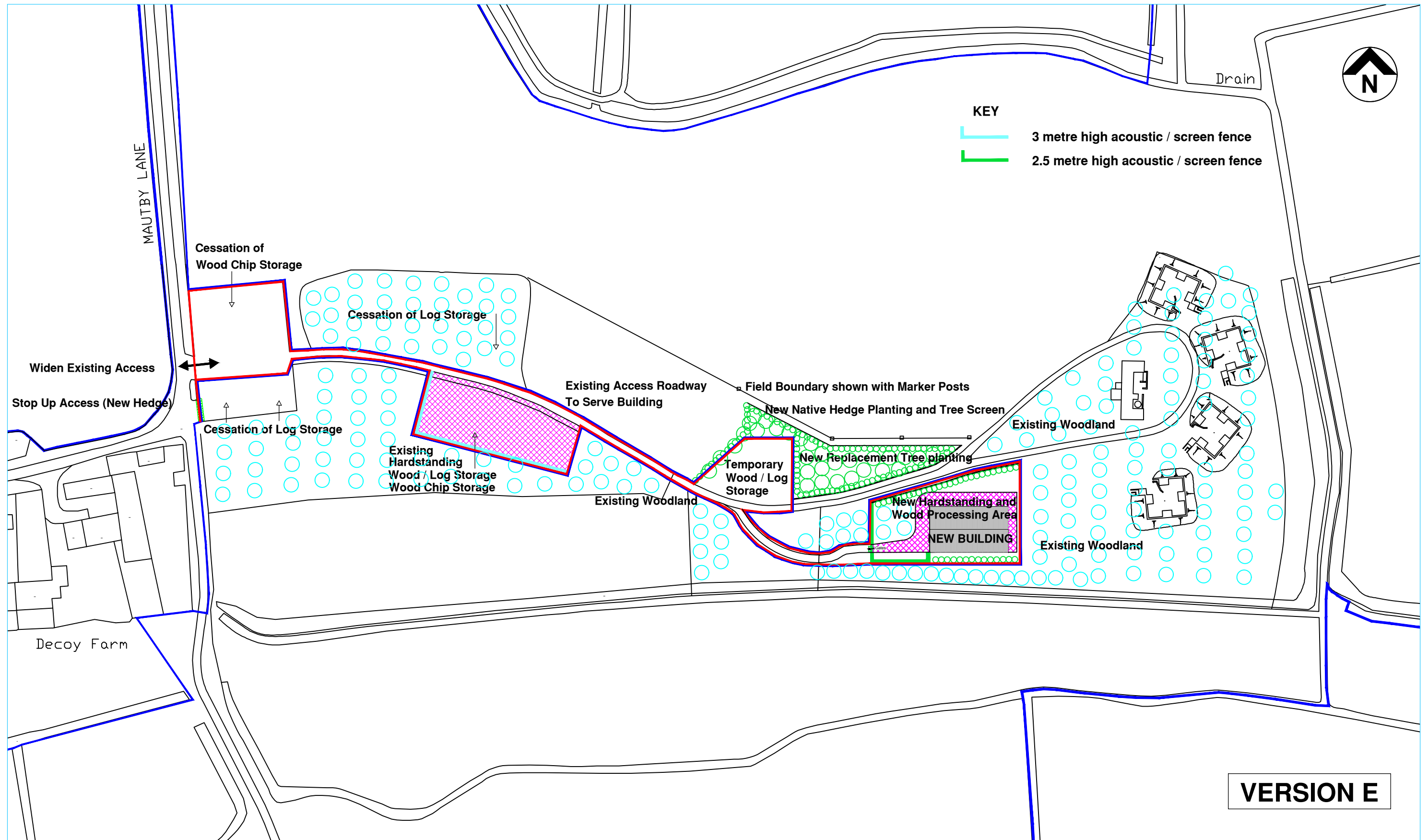
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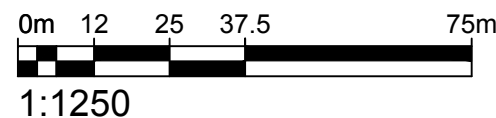
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REV	DRAWN	DATE	CHECKED	DATE	APPROVED	DATE

CLIENT
**Norfolk County Council
Farms**

PROJECT
Decoy Wood Mautby

TITLE
Proposed Site Plan



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Date Plotted: 05 April 2019 13:27:53

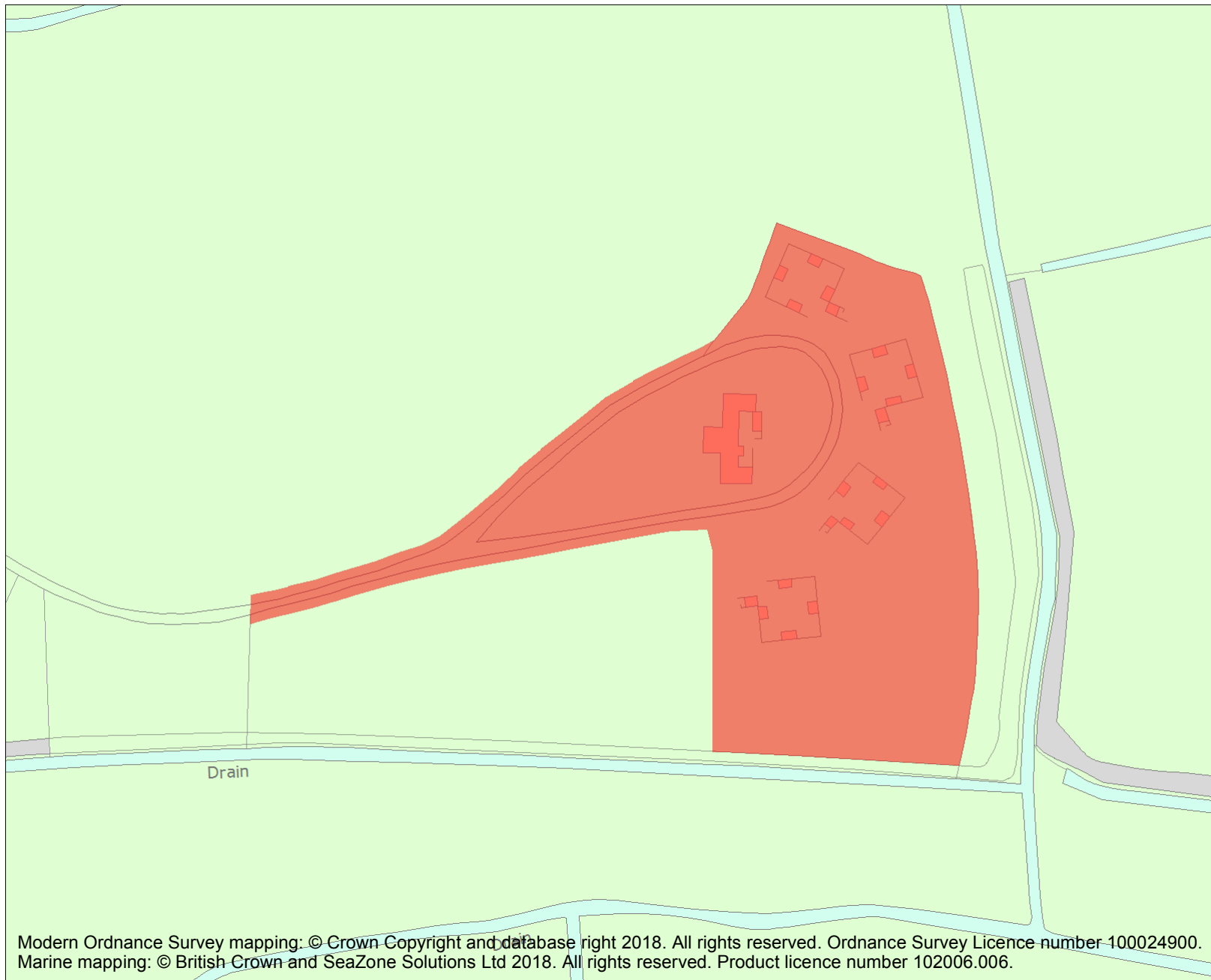
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List Entry No :

1455654

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District: Great Yarmouth

Parish: Mautby

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