Waste Recovery Plan:
Lakenheath Country Club Bund

Elveden Farms Limited

Lakenheath Country Club,
Hereford Road,
Brandon,
Suffolk,
IP27 9PP

Produced by Westbury Environmental Limited
On behalf of Elveden Farms Limited
Version 2. 6th November 2019

This Waste Recovery Plan was prepared by Westbury Environmental Limited on behalf of Elveden Farms Limited.

Document Control Table

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WESTBURY ENVIRONMENTAL

PROVIDING SOLUTIONS, ENSURING COMPLIANCE

T 01952 879705 E info@westburyenv.co.uk

A Agriculture House, Southwater Way
Telford, Shropshire, TF3 4NR

W www.westburyenv.co.uk

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Drawings

Lakenheath Country Club Location Plan, dated 21/07/06

Phasing Plans:

- Drawing No. SX97600001-48 Rev B, dated 02/07
- Drawing No. SX97600001-49 Rev B, dated 02/07
- Drawing No. SX97600001-50 Rev B, dated 02/07
- Drawing No. SX97600001-51 Rev A, dated 02/07
- Drawing No. SX97600001-52 Rev B, dated 02/07
- Drawing No. SX97600001-53 Rev B, dated 02/07
- Drawing No. SX97600001-54 Rev B, dated 02/07

Proposed Bund Volumes, Drawing No. TSES-20195-442-EGL-03, dated 06/11/19

Proposed Bund Sections A-A to F-F, Drawing No. TSES-20195-442-EGL-04, dated 06/11/19

Appendices

Appendix 1 Planning Permission F/2005/0015/FUL

Appendix 2 Planning Permission F/2009/0073/VAR

Appendix 3 Gregory Jones QC – Opinion TJR/SB/ELV6-8 16/07/2019 09:27:22

Appendix 4 Environmental Management Plan and Construction Method Statement

1. Introduction

1.1. This Waste Recovery Plan has been prepared in accordance with the Environmental Permitting (England and Wales) Regulations 2012 and guidance from the Environment Agency Website dated 18th October 2016 in support of an application for a Waste Recovery Permit.

1.2. This Waste Recovery Plan provides information on the construction of a bund at Lakenheath Country Club, Hereford Road, Brandon, Suffolk, IP27 9PP (Site), see Drawings: Location Plan.

1.3. The Site is located 2.4km to the southeast of Lakenheath. It is accessed via an access road off the A1065 (Brandon Road).

1.4. The Site is surrounded by agricultural land and protected habitat to the south and east and the RAF Lakenheath Base to the north and west.

1.5. The Site extends to approximately 35 Hectares. The works include for the construction of one bund around the perimeter of the Site. This will be constructed in 6 phases, see Phasing Plans - Drawing No.s SX97600001-48 – SX97600001-53.

1.6. Only part of the bund has been constructed to date. Aggregates produced under the WRAP Quality Protocol: Aggregates from inert waste and compressed tyres have been used in the construction works.

1.7. Lakenheath Country Club is home to a renowned clay shooting centre. Landscaping at the Country Club is required to:

- Dampen noise from the shooting centre. This is necessary, as a three storey dormitary for USAF personnel is located north of the shooting ground on the RAF Lakenheath Base.
- Provide security to the Country Club.
- Improve health and safety on Site and for those working on adjacent farmland.
- Increase vantage points for spectators of shooting events.
- Benefit wildlife in the surrounding protected area.

1.8. It is anticipated that the Site will be operated under a bespoke Environmental Permit. The Site was assessed for its suitability for a Standard Rules Environmental Permit, under SR 2015 No. 39 – “Use of waste in a deposit for Recovery Operation”. The volume of waste required in the construction of the bund means that a Standard Rules 2015 No. 39 Environmental Permit is not suitable for the Site.

1.9. Planning Permission F/2005/0015/FUL for “Erection of replacement clubhouse, storage building, three clay target towers, landscaped bunding and alterations to vehicular access” was granted on 7th August 2006 by Forest Heath District Council, see Appendix 1 Planning Permission F/2005/0015/FUL.

1.10. Planning Permission F/2005/0015/FUL allowed for bunding to be constructed to the north and west of the Country Club, to prevent noise from the shooting centre from disturbing residents at RAF Lakenheath.

1.11. In February 2008 a planning application was made to vary conditions of Planning Permission F/2005/0015/FUL to allow for bunding to be constructed to the east of the Country Club. This variation (Appliation Ref. F/2009/0073/VAR) was deemed necessary to protect workers on the adjacent farmlands from shooting taking place at the Country Club and to provide further security to the Site.

1.12. Planning permission F/2009/0073/VAR for "Variation of Conditions 2, 11 and 15 of planning permission F/2005/0015/FUL to allow for a section of bunding to be constructed on the eastern boundary of the site" was granted on 31st March 2009, see Appendix 2 Planning Permission F/2009/0073/VAR.

1.13. It is considered that there is a legal obligation for the bund at Lakenheath Country Club to be completed for the following reasons:

- Condition 1 of planning permission F/2005/0015/FUL states that *"The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission."* Construction of the bund was started within this time frame.
- The first informative of both planning permissions F/2005/0015/FUL and F/2009/0073/VAR states that: "*Any failure to adhere to the approved plans or to comply with the conditions attached to this permission/consent may lead to enforcement action being taken.*" The Phasing Plans, Drawing No.s SX97600001-46 to SX97600001-54 are plans included as part of Planning Permission F/2009/0073/VAR.
- Condition 16 of planning permission F/2005/0015/FUL states that "*The development shall be carried out and completed strictly in accordance with the approved details including the Environmental Statement and Additional information submitted relating to landscape impact, noise, phasing and source of material for the proposed bund and revised elevational treatment for the clubhouse, plans dated 23rd September 2005 to the satisfaction of the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority"*

1.14. Gregory Jones QC was consulted on whether there was a legal obligation for the bunding to be constructed. An Opinion on the RAF Lakenheath bund was provided, see Appendix 3 Gregory Jones QC – Opinion TJR/SB/ELV6-8 16/07/2019 09:27:22 . It is concluded within the Opinion document that *"there is no doubt that the construction of the bunding is a legal obligation under the planning permission".*

1.15. This Waste Recovery Plan demonstrates that construction of the bund constitutes a waste recovery activity and would therefore not be considered to be a waste disposal operation.

2. Benefits from the bund

2.1. The bund has been designed to reduce noise pollution, increase security, benefit nature and provide a raised vantage point at Lakenheath Country Club. This section of the Waste Recovery Plan addresses benefits to both Lakenheath Country Club and to the residents of the surrounding area.

2.2. The bund will act as a natural barrier for noise from the shooting range, dampening gun shot sounds by up to 16 dB. This is necessary to prevent disruption for USAF personnel residing in dormitaries to the north of the Country Club and to protect the owners of the Country Club and their investors from potential noise complaints that could threaten their business in the future.

2.3. The bund will provide added security to the Country Club, making it difficult to access from any direction other than the main entrance. It will also provide a physical barrier between the shooting ground and the agricultural land surrounding the Country Club, protecting agricultural workers from the shooting.

2.4. The bund will provide raised viewing areas at the shooting centre for spectators. The planning permission also permits new clay target towers to be built at the shooting centre which will allow the Country Club to offer all of the major shooting disciplines and to hold English/British championships in the future. The bund will provide more vantage points, allowing better press coverage at these events.

2.5. The bund has also been designed to provide benefits to nature. Slopes are intended to allow the growth of calcareous grassland communities, consistent with the surrounding protected areas. This will make it possible for the Stone Curlew that are known to breed in the area to continue as normal following the completion of the bund. The increased surface area provided by the bund will also provide more habitat suitable for reptiles and invertebrates.

3. Suitability of the Recovered Waste for the Intended Purpose

3.1. Environment Agency guidance requires that chemical and physical properties of the waste proposed to be used in this waste recovery operation are suitable for the intended purpose and will not cause pollution.

3.2. The assessment of the types of waste that will be suitable for use in this development has been made by Tracey Westbury, Director of Westbury Environmental Limited and is suitably qualified to make this assessment based on:

- Chartered status with the Chartered Institute of Waste Managers.
- Over 30 years' work experience within the environmental industry including chemical industry waste, contaminated land, waste water treatment and regulation.
- Qualified person status under the Development of Waste Code of Practice.
- Over 18 years' work experience acting as an environmental consultant dealing with both landfill and recovery permits.

3.3. The types of waste that will be used in the bund development will include soils, subsoils and minerals. These materials will not be classified as hazardous waste. These wastes will include the waste codes in Table 1 Waste Types.

Table 1 – Waste Types

Exclusions

Wastes having any of the following characteristics shall not be accepted:

- Consisting solely or mainly of dusts, powders or loose fibres
- Wastes that are in a form which is either sludge or liquid

Permitted waste types

Source	Sub-source	Waste code	Description	Additional restrictions
01 Waste resulting from exploration, mining, quarrying and physical and chemical treatment of minerals	01 01 wastes from mineral excavation	01 01 02	Wastes from mineral non-metalliferous excavation	Restricted to waste overburden and interburden only.
	01 04 wastes from physical and chemical processing of non-metalliferous minerals	01 04 08	Waste gravel and crushed rocks other than those mentioned in 01 04 06	
		01 04 09	Waste sand and clays	
02 Waste from agriculture, horticulture, aquaculture, forestry, hunting and fishing, food preparation and processing	02 04 wastes from sugar processing	02 04 01	Soil from cleaning and washing beet	
17 Construction and demolition wastes	17 01 concrete, bricks, tiles and ceramics	17 01 01	Concrete	
		17 01 02	Bricks	
		17 01 03	Tiles and ceramics	

		17 01 07	Mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06	Metal from reinforced concrete must have been removed.
	17 05 soil stones and dredging spoil	17 05 04	Soil and stones other than those mentioned in 17 05 03	Restricted to topsoil, peat, subsoil and stones only.
19 Wastes from waste management facilities	19 12 wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified	19 12 09	Minerals (for example sand, stones) only	Restricted to wastes from treatment of waste aggregates that are otherwise naturally occurring minerals. Does not include fines from treatment of any non-hazardous waste or gypsum from recovered plasterboard
		19 12 12	Other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11	Including crushed bricks, tiles, concrete and ceramics. Including soils from the mechanical treatment of construction / demolition waste. Metal from reinforced concrete must be removed. Does not include gypsum from recovered plasterboard.
20 Municipal wastes (household waste and similar commercial, industrial and institutional wastes) including separately collected fractions	20 02 garden and park wastes	20 02 02	Soils and stones	Restricted to topsoil, peat, subsoil and stones only.

3.4. The operator will apply strict waste acceptance procedures as part of the implementation of the Environmental Management System (EMS), in accordance with the requirements of the Environmental Permit for these operations. This will ensure that only suitable waste materials are imported for use in the construction works.

3.5. A Waste Acceptance Procedure will be included as part of the EMS that will control how waste is accepted to ensure that only suitable waste is deposited in the development. This procedure will be implemented via the EMS.

3.6. The proposed waste materials will replace the non-waste materials that would otherwise be used. These materials are largely the same despite one being defined as a waste and another not a waste. Aggregates produced under the WRAP Quality Protocol: Aggregates from Inert Waste would be used to restore the quarry if waste soils were not available. Recycled highways standard bulk fill products produced in accordance with the WRAP Quality Protocol have similar geotechnical properties to some types of sub-soils. Therefore, waste materials will have similar engineering properties as non-waste materials that would otherwise be used.

4. Minimal Amount of Waste Being Used to Achieve the Intended Benefit

4.1. A comparison of the ground levels on the Phasing Plans, Drawing No.s SX97600001-48 – SX9760001-53 and the ground levels recorded on a May 2019 toposurvey of the Site have been used to calculate the amount of waste that is required to be imported and deposited in the construction of the bund. The proposed levels and May 2019 ground levels are shown on Proposed Bund Volumes Drawing No. TSES-20195-442-EGL-03.

4.2. From Proposed Bund Volumes Drawing No. TSES-20195-442-EGL-03, it has been calculated that a total of 788,119.15 m^3 of waste will be needed to complete the construction of the bund.

4.3. Cross sections of the bund have been produced from the Proposed Bund Volumes Drawing No. TSES-20195-442-EGL-03, depicting the proposed ground levels, see Proposed Bund Sections, Drawing No. TSES-20195-442-EGL-04.

4.4. The density of the waste will determine the total tonnage used. A density of 1.5 tonnes per cubic metre has been used in the calculations. Therefore a total of 1,182,178.5 tonnes of waste is considered to be required in the construction of the bund.

4.5. The majority of Phase 1 of the bund has already been constructed to date using aggregates produced under the WRAP Quality Protocol: Aggregates from Inert Waste and from using baled tyres. There was no objection from Natural England nor the Environment Agency regarding the use of tyre bales in a part of the bund.

5. Proposal Completed to an Appropriate Standard

5.1. The proposed construction works will be completed in accordance with the two planning permissions obtained from Forest Heath District Council. The local planning authority will regulate the requirements of the planning permission.

5.2. Condition 13 of Planning Permission F/2005/0015/FUL states that: “Before any on site construction works commence, including site clearance (a) An environmental management plan and construction method statement shall have been submitted to, and approved in writing by, the local planning authority. This statement shall include: A timetable for each phase of the development including site clearance operations, details of the fill materials and the sources of the fill materials, routing of construction traffic, the phasing of the construction and erection of the bunding, the target towers and the clubhouse, routes for the movement of plant and materials around the site and actions necessary to avoid conflict with breeding birds and any other protected species. (b) The development shall be carried out in accordance with the approved details in its entirety.”

5.3. An Environmental Management Plan and Construction Method Statement was submitted to the planning authority in 2007 in order to discharge Condition 13 of Planning Permission F/2005/0015/FUL, see Appendix 4 Environmental Management Plan and Construction Method Statement. Condition 13 of Planning Permission F/2005/0015/FUL was subsequently discharged and there is a legal obligation for the construction work to follow the approved details of the Environmental Management Plan and Construction Method Statement.

5.4. Incoming waste will be controlled by the Operator by the implementation of strict Waste Acceptance Procedures. The recycling facility located to the southeast of the Site will provide materials for the bund.

5.5. The waste will be used to construct the bund in accordance with the contours shown on the Phasing Plans, Drawing No.s SX97600001-46 to SX97600001-53.

5.6. The imported waste will be deposited in accordance with best practice by experienced staff members. The final levels will be measured to ensure compliance with the planning permission requrements.

6. Conclusion

6.1. From the information provided within this Waste Recovery Plan, it has been demonstrated that:

- There is a clear benefit from the use of waste in the construction of the bund at Lakenheath Country Club to reduce noise pollution, improve security, benefit nature and to add a new vantage point for spectators.
- The type of waste to be used in the proposed development is suitable for its intended purpose and will not cause pollution to the environment.
- The amount of waste proposed to be used is appropriate in order to complete the development works to achieve the intended benefit.
- The proposed development at the site will be carried out and maintained to an appropriate standard which is enforced through the requirements of the planning permission and any Environmental Permit obtained to permit these works.

6.2. It is considered that there is a legal obligation for the construction of the bund to be carried out. It is therefore requested that approval is provided on this Waste Recovery Plan to allow an Environmental Permit application to be made to the Environment Agency. The Environmental Permit application will seek to allow a total of 788,119.15 m^3 of waste material to be deposited at the Site in order to construct the bund in accordance with the plans of Planning Permissions F/2005/0015/FUL and F/2009/0073/VAR.

Drawings

Lakenheath Country Club Location Plan, dated 21/07/06

Phasing Plans:

- Drawing No. SX97600001-48 Rev B, dated 02/07
- Drawing No. SX97600001-49 Rev B, dated 02/07
- Drawing No. SX97600001-50 Rev B, dated 02/07
- Drawing No. SX97600001-51 Rev A, dated 02/07
- Drawing No. SX97600001-52 Rev B, dated 02/07
- Drawing No. SX97600001-53 Rev B, dated 02/07
- Drawing No. SX97600001-54 Rev B, dated 02/07

Proposed Bund Volumes, Drawing No. TSES-20195-442-EGL-03, dated 06/11/19

Proposed Bund Sections A-A to F-F, Drawing No. TSES-20195-442-EGL-04, dated 06/11/19

Forest Heath District Council

Application No: F/2005/0015/FUL

Lakenheath Country Club Hereford Road Lakenheath (Parish of Eriswell)

Scale: 1:10003
Date: 21-Jul-06

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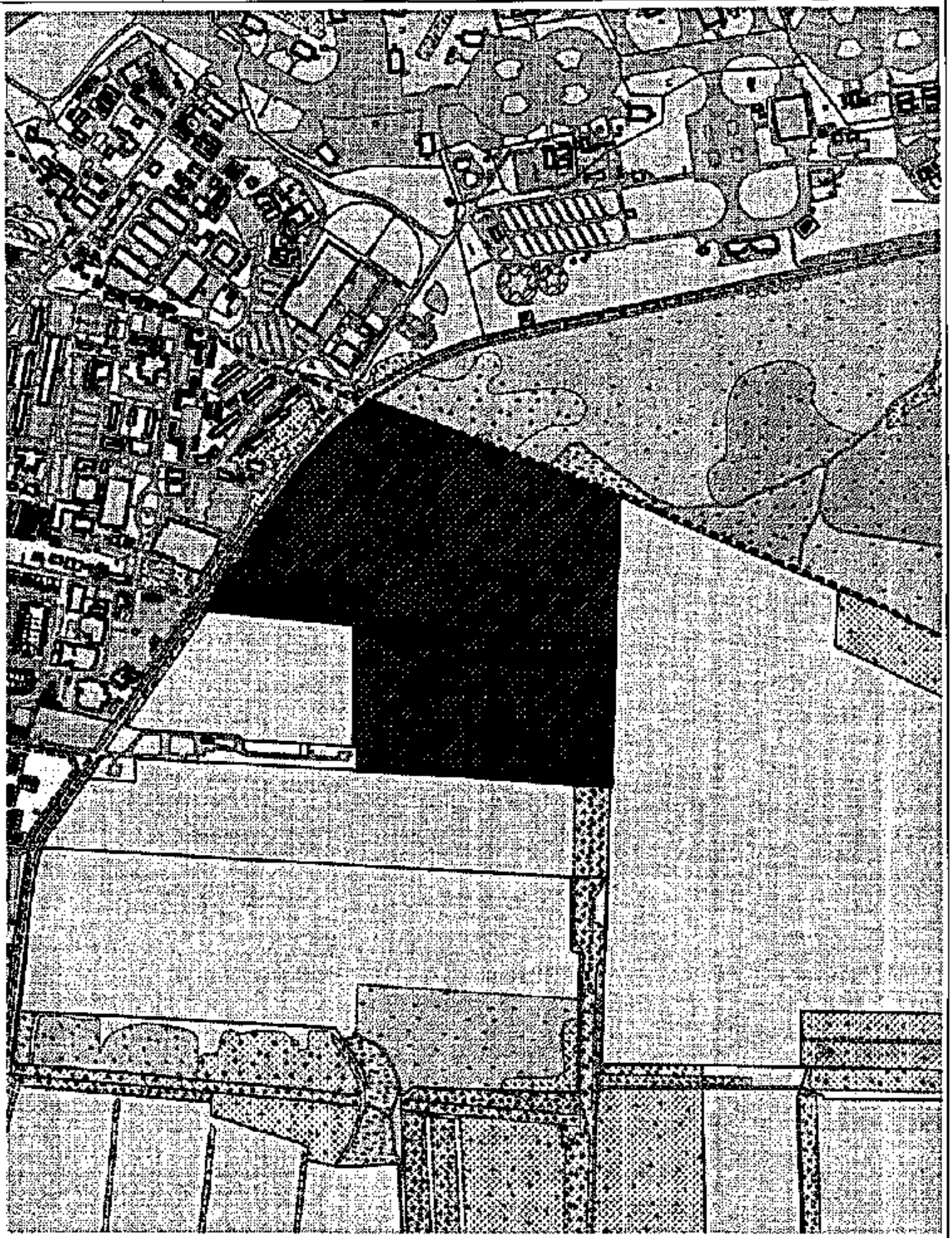

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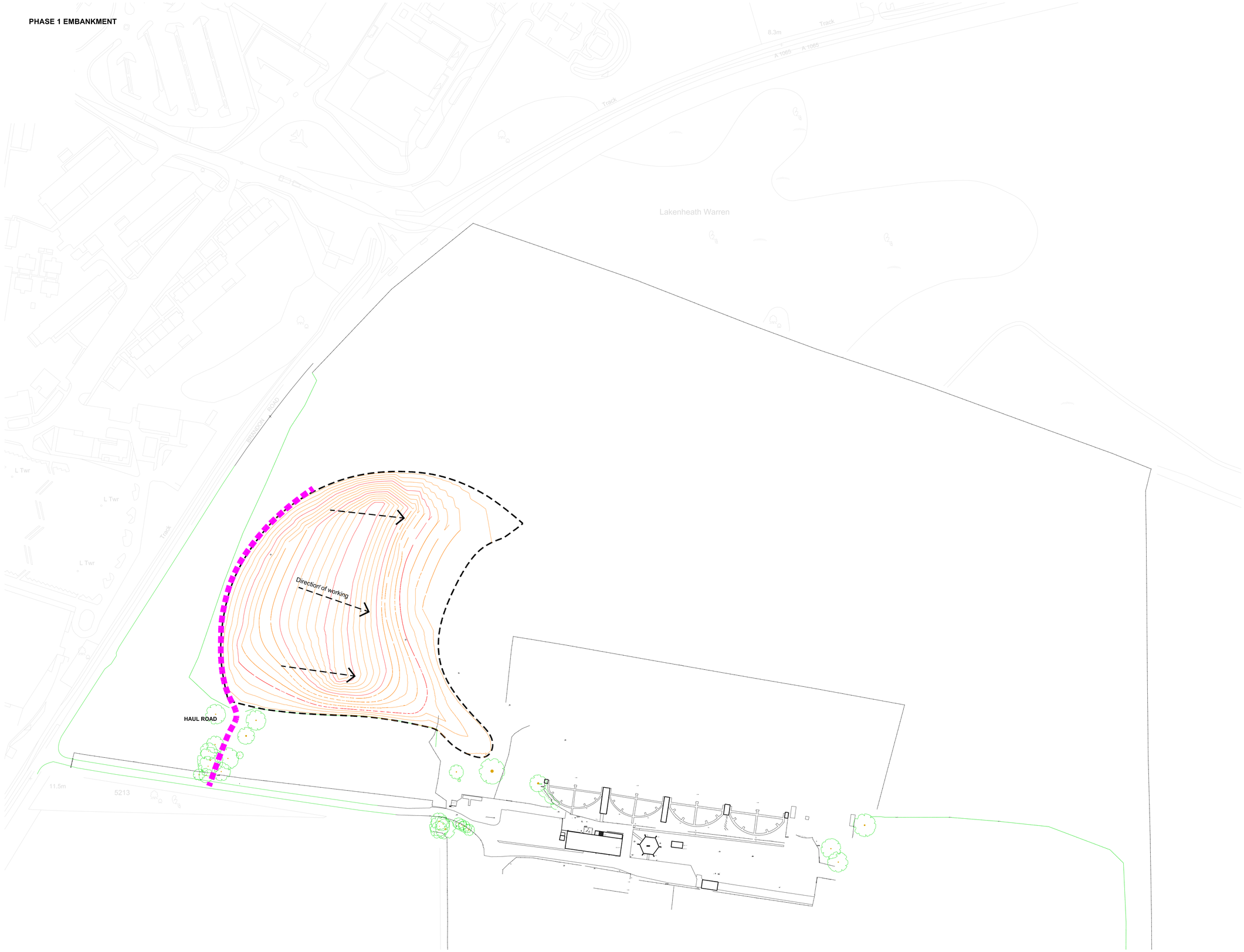
PHASE 1 EMBANKMENT



Lakenheath Country Club
Embankment - Phase 1

Drawing no.	SX97600001-48	Date	February 2007	Client	Lakenheath Country Club		
Revision	B	Scale	1:1250/2500 @ A1	Drawn by	LBL	Checked by	

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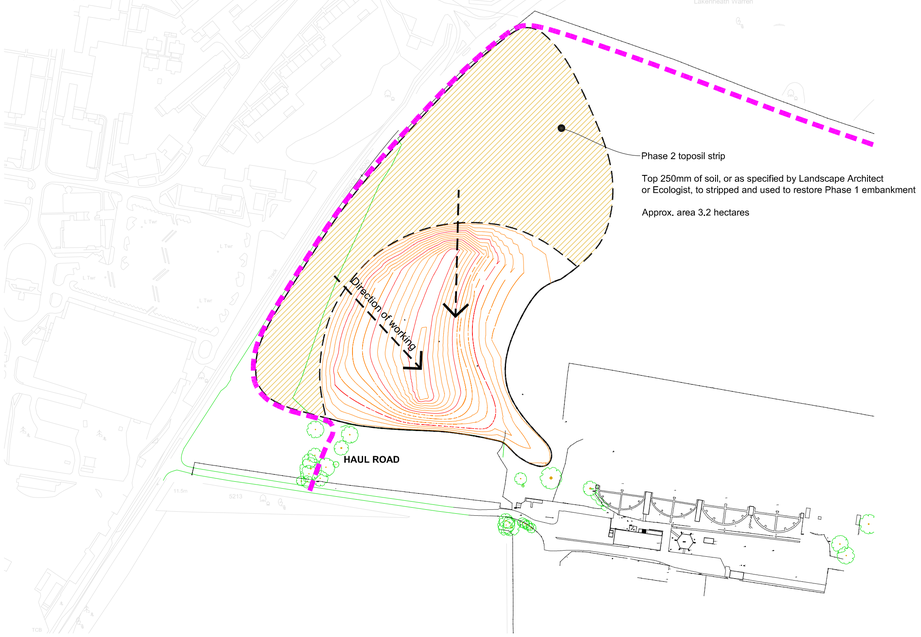
PHASE 2 TOPSOIL STRIP



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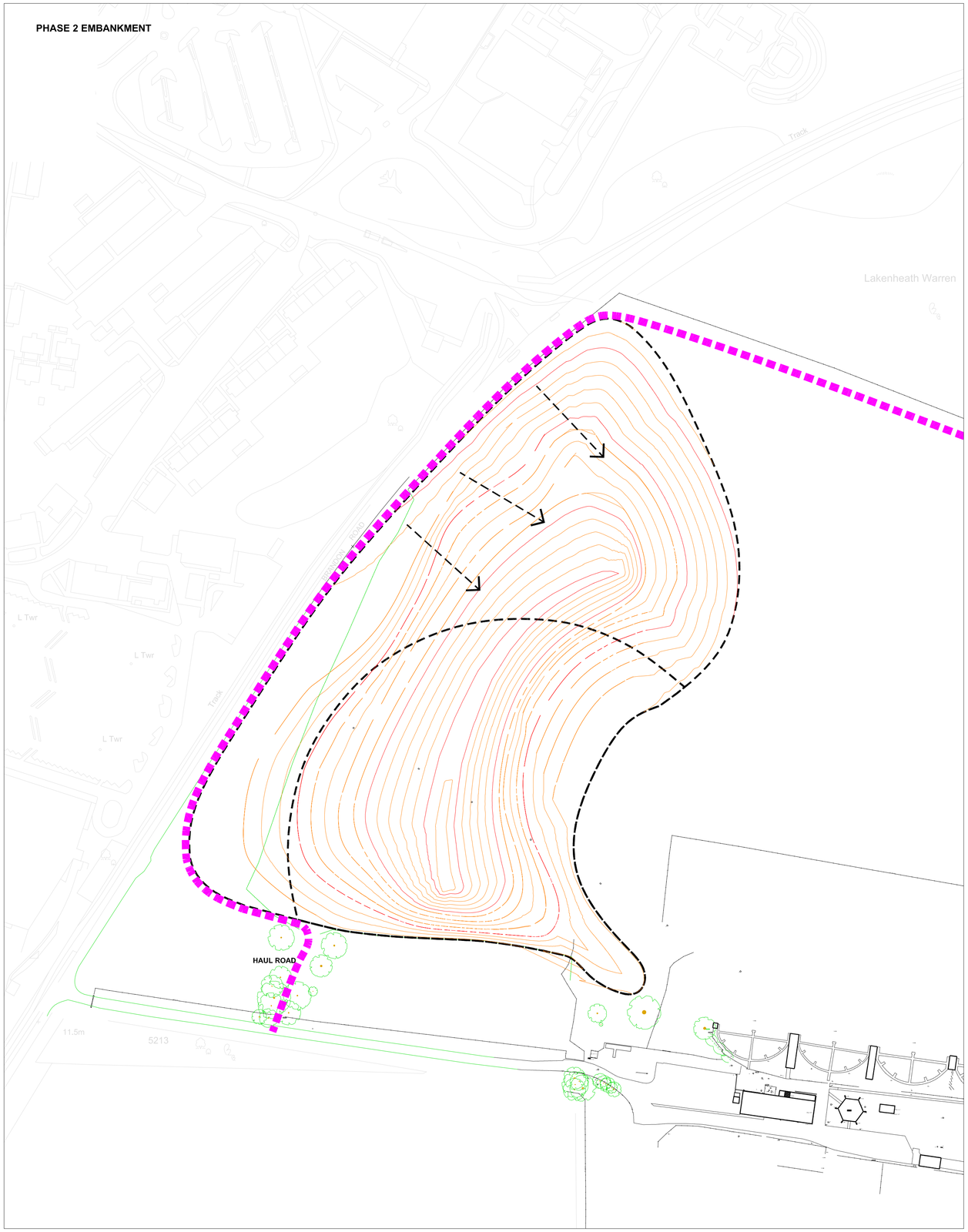

Lakenheath Country Club
Embankment - Phase 2

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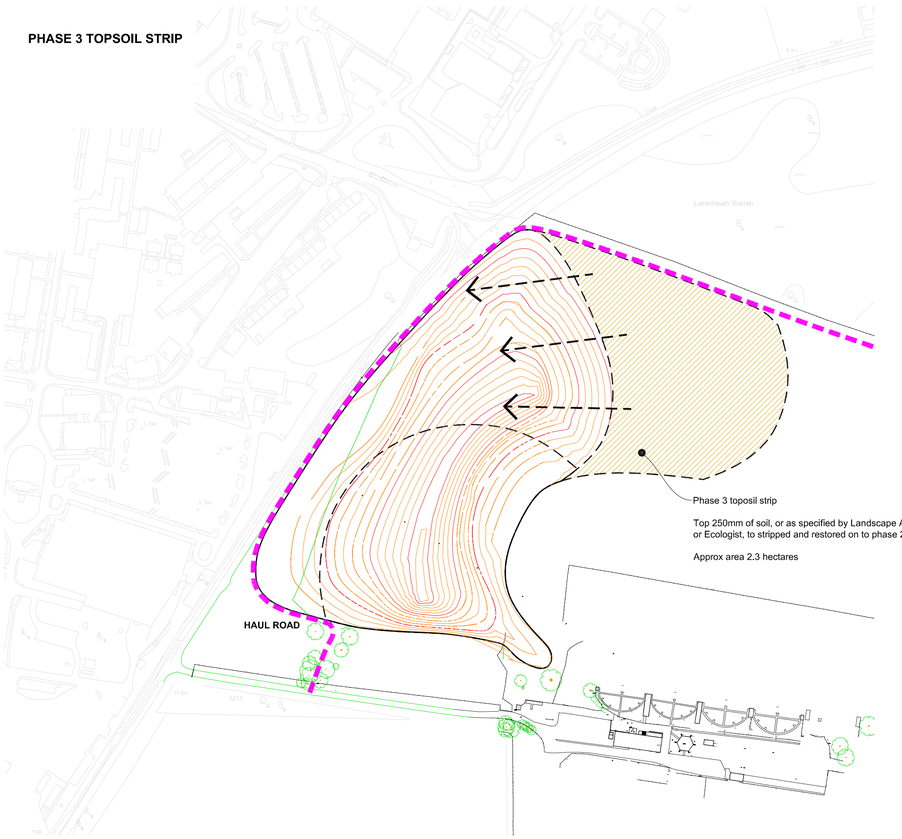
PHASE 3 TOPSOIL STRIP



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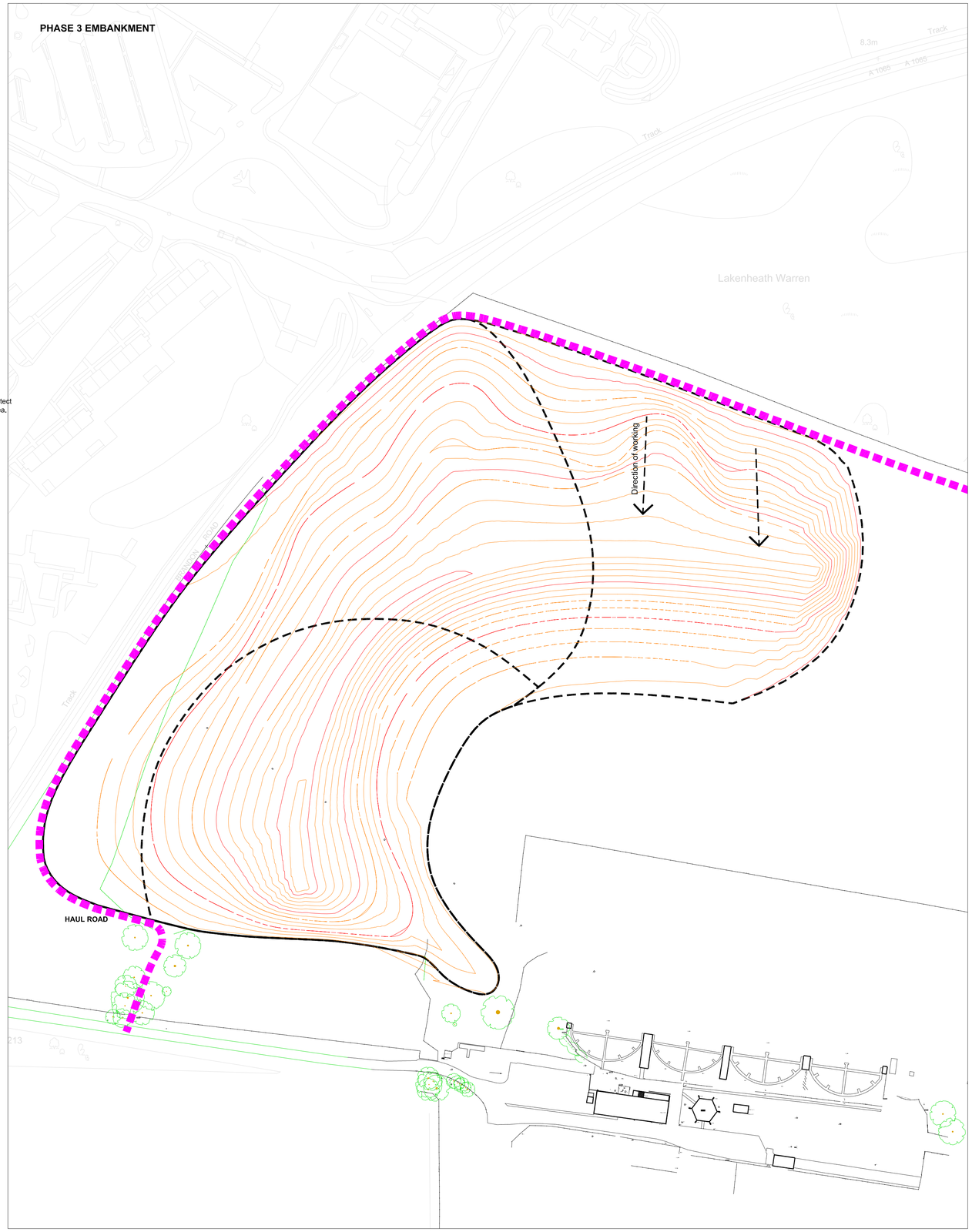

Lakenheath Country Club
Embankment - Phase 3

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Lakenheath Country Club
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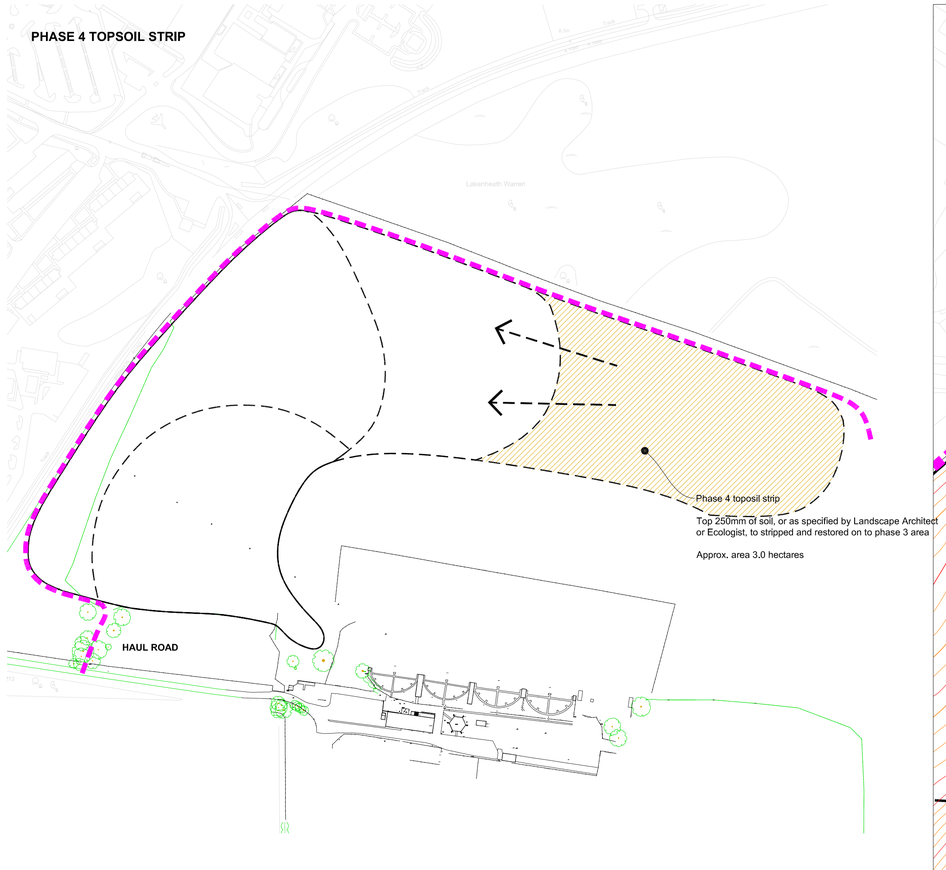
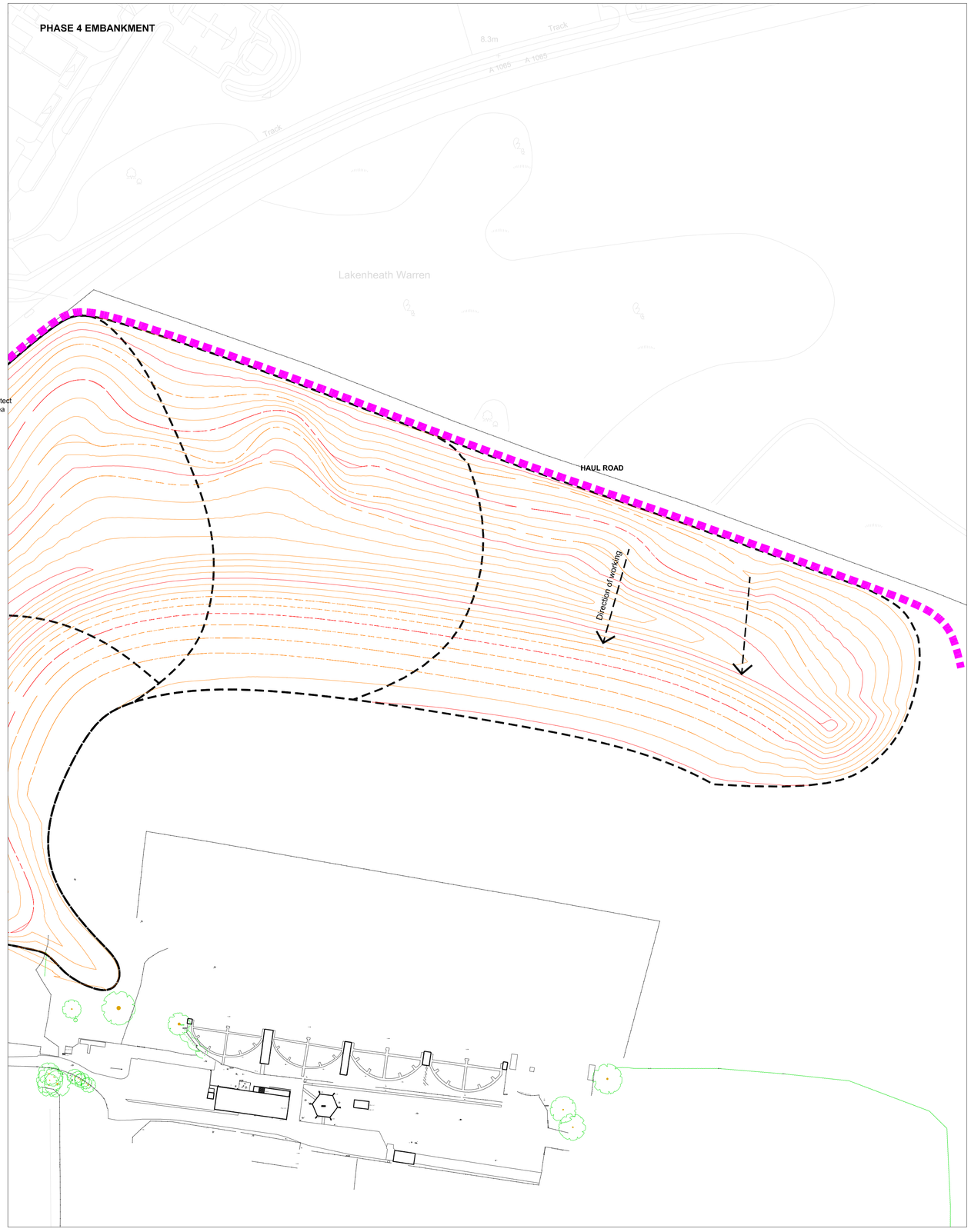
PHASE 4 TOPSOIL STRIP



Top 250mm of soil, or as specified by Landscape Architect or Ecologist, to stripped and restored on to phase 3 area

Approx. area 3.0 hectares

PHASE 4 EMBANKMENT



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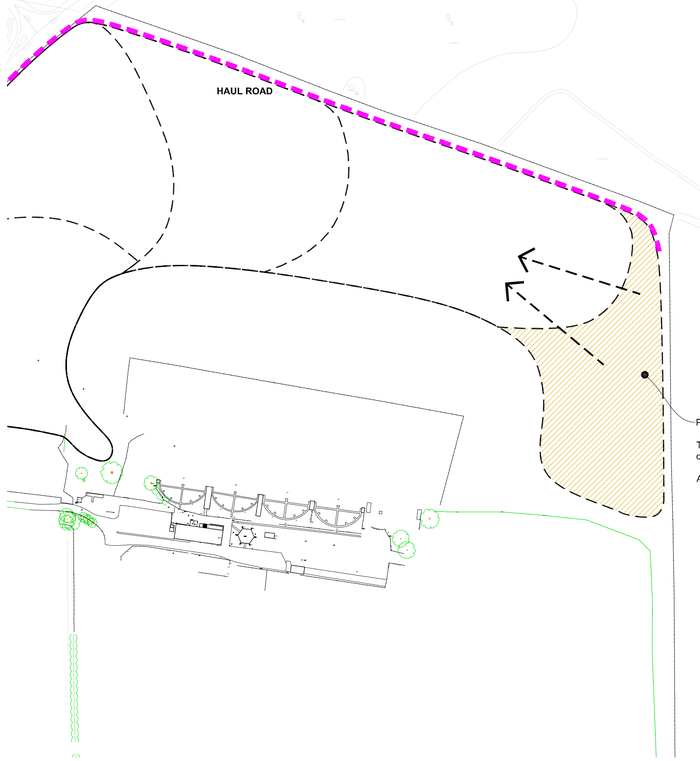
PHASE 5 TOPSOIL STRIP

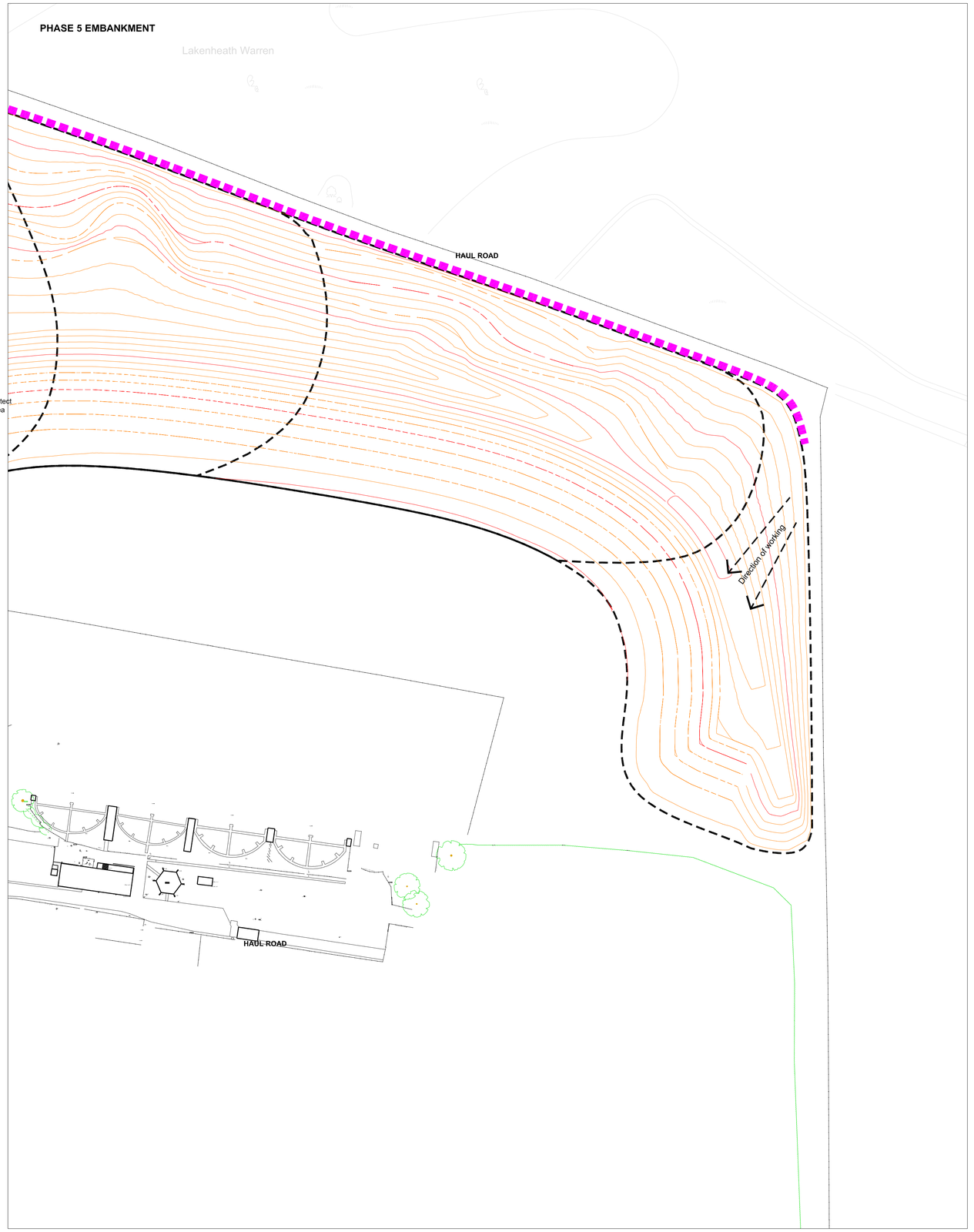


Phase 5 toposil strip

Top 250mm of soil, or as specified by Landscape Architect or Ecologist, to stripped and restored on to phase 4 area

Approx area 1.7 hectares

PHASE 5 EMBANKMENT



Lakenheath Country Club
Embankment - Phase 5

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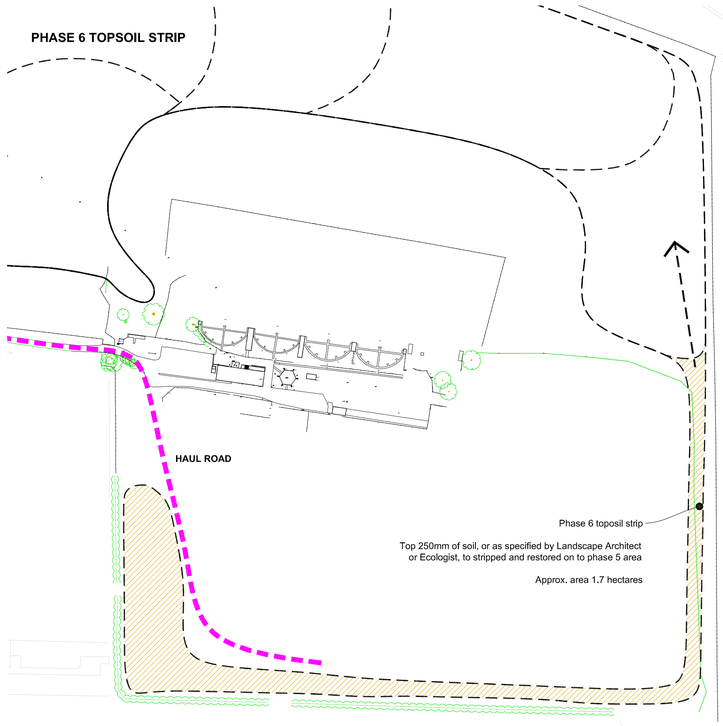

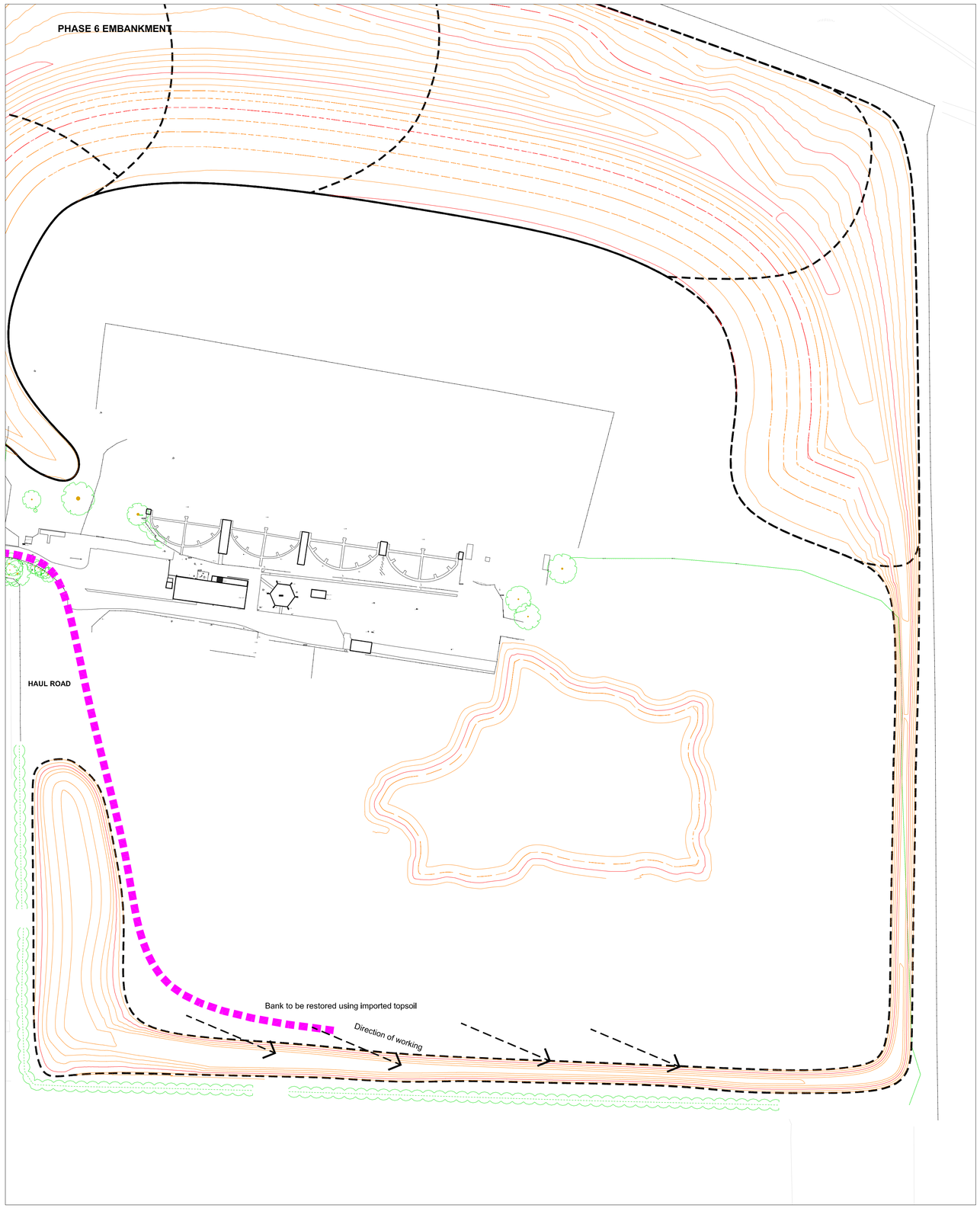

Lakenheath Country Club
Embankment - Phase 6

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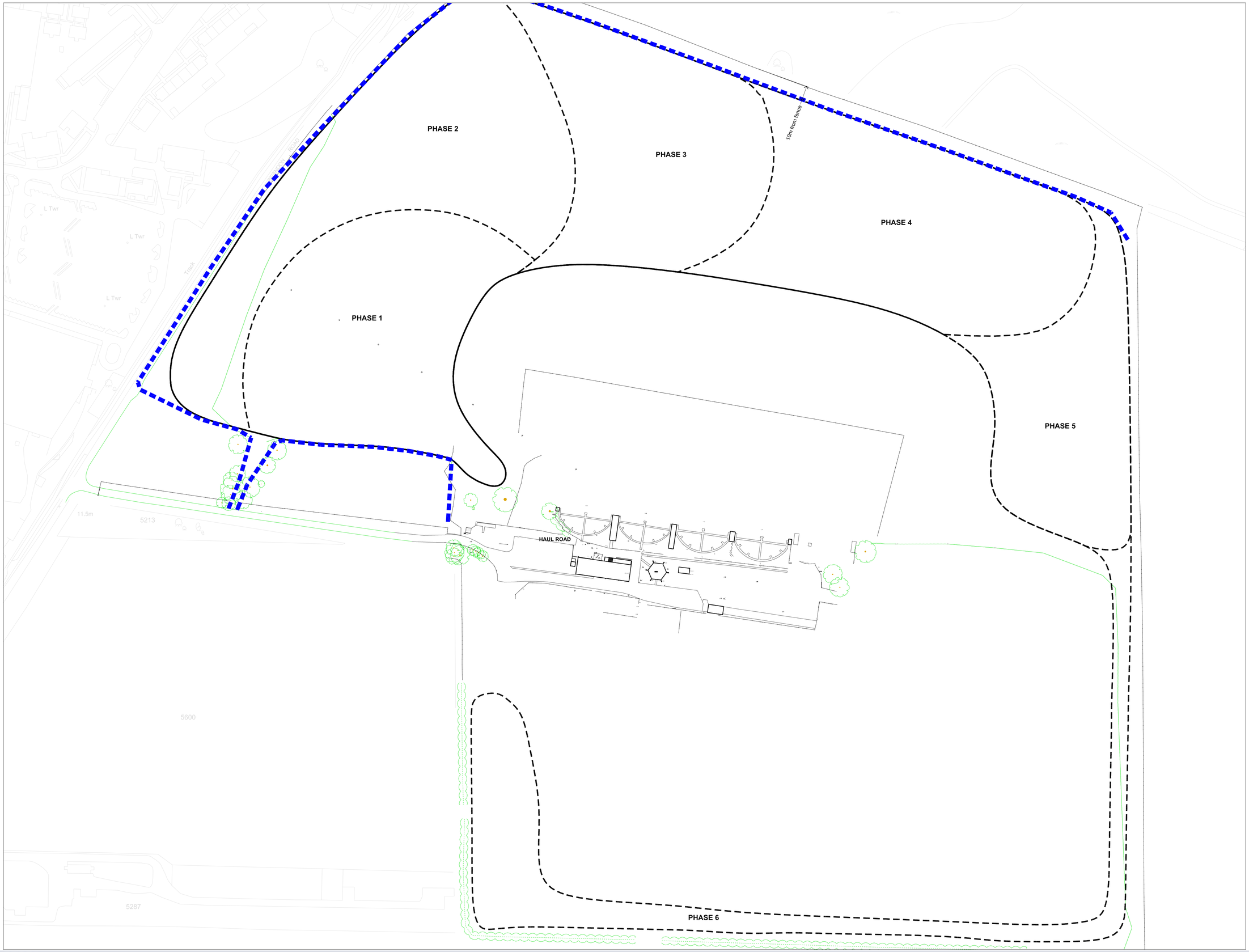
Lakenheath Country Club

Phasing + reptile fence location



Drawing no.	SX97600001-54	Date	February 2007	Client	Lakenheath Country Club
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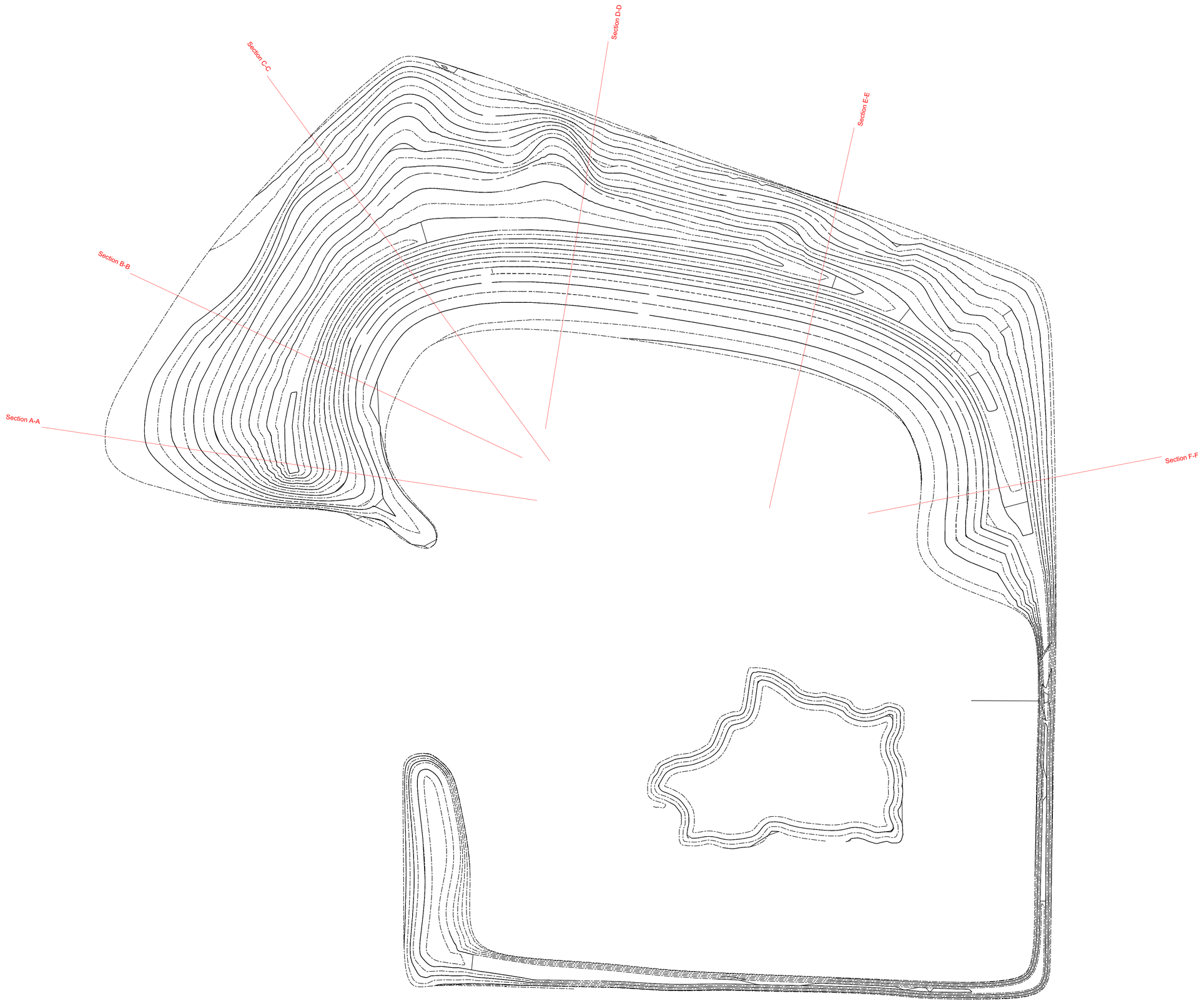
TSES- 20195- 442- EGL- 03 | -

Originator | Project Number | Type | Number | Revision



PRISM VOLUME : PROJECTION TO Bund Design					
Volume	Value	Area	Value	Avge Depth	Value
Fill	788119.15	Fill	165621.45	Fill	4.759

Scale Custom 0 28 56 83 111 139

EGL Notes:

Standard Abbreviations (where applicable)

AV	Air Valve	FH	Fire Hydrant	SP	Sign Post
BB	Bottom Bank	FP	Footpath	STAY	Stay
BH	Bore Hole	G	Gully Grate	SV	Sluice Valve
BL	Lit Bollard	GV	Gas Valve	TAC	Tactile Paving
BOL	Bollard	Hedge	Hedge	TB	Top Bank
BIN	Bin	IC	Inspection Cover	TBOX	Telephone Box
BS	Bus Stop	IL	Invert Level	TL	Traffic Light
Bushes	Bush	KO	Kerb Outlet	TOK	Top Of Kerb
BT	BT Box	LP	Lamp Post	TP	Telegraph Pole
CAB	Cabinet	MH	Manhole	TRK	Track
CHNL	Channel	MP	Marker Post	TS	Traffic Sign MH
CL	Centreline	NB	Name Board	VENT	Vent
CONC	Concrete	P/W	Partition Wall	W	Water Cover
COL	Column	PB	Post Box	WL	White Line
DB	Ditch Bottom	PM	Parking Meter	WO	Wash Out
DCHNL	Drainage Channel	PO	Post	YL	Yellow Line
Door	Door	RE	Rodding Eye		
EEB	Electric MH Cover	Ridge	Ridge Level		
EP	Electric Pole	RP	Reflector Post		
ER	Earth Rod	RS	Road Sign		
ET	EP+Transformer	SETTS	Granite Setts		
Feeder	Feeder Pillar	SF	Safety Fence		

FCB	Close Boarded		Control Station
FCL	Chain Link		Column
FHD	Hoarding	X.XX	Floor to Ceiling Height
FHR	Heras Fence	X.XX F/C	Floor to False Ceiling Height
FPL	Pallisade		
FPR	Post & Rail		
FPW	Post & Wire		
RAIL	Railings		

Features

Fences	FCB 1.8h	
Walls	Wall 1.2h	
Hedges	Hedge 1.2h	Average root line shown.
Overhead Line	OHL	Indicative position of cables.

Services

Foul Sewers	0.225ø FW MH	Pipe position and alignment is indicative only.
Storm Sewers	0.375ø SW MH	

Building Heights

Trees

Trees are drawn to scale on the survey
Trunk diameter and canopy spread

SURVEY CARRIED OUT USING TRIMBLE S9 TOTAL STATION & TRIMBLE R10 GPS.

THE SURVEY HAS BEEN ACCURATELY POSITIONED ON THE ORDNANCE SURVEY NATIONAL GRID SYSTEM USING GPS OBSERVATIONS TO THE OS ACTIVE NETWORK AND AND THE LATEST ORDNANCE SURVEY TRANSFORMATION (OSTN15/OSGM15)

LOCAL SCALE FACTOR HAS BEEN REMOVED TO TRANSFORM THE SURVEY TO A FLAT EARTH GRID (SCALE FACTOR 1.00000)

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REV	Date	Created By	Comments
-	06.11.19	TH	First Issue

Scale at A1: 1:1250

Project Number: 20195-442

Drawing Status

- [x] Existing Topographic Survey
- [ ] As Built Survey
- [ ] For Information

TARGET SITE ENGINEERING & SURVEYS LTD

2 Flint Cottages, Lackford,
Bury St Edmunds, Suffolk, IP28 6HW
t: 01284 711476
m: 07557 734388
e: info@targetltd.co.uk

Client: R J Holbrook

Project: Land at Eriswell Lodge
Lakenheath

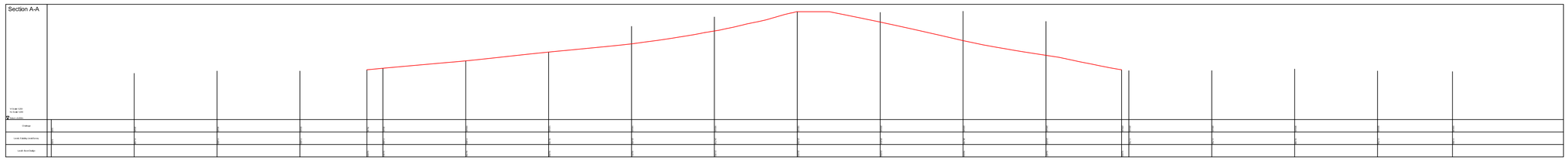
Title: Proposed Bund Volumes

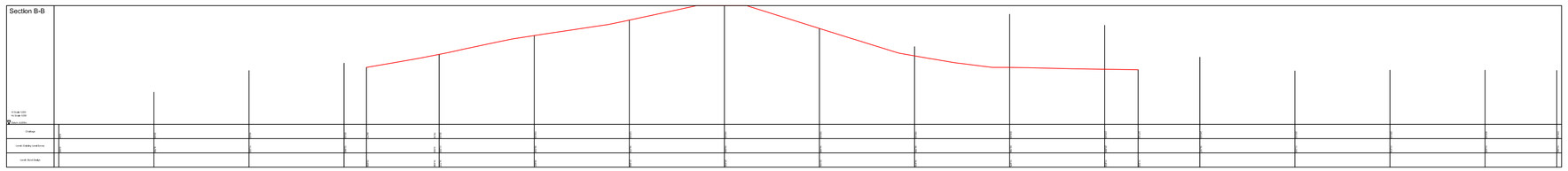
TSES- 20195- 442- EGL- 03 | -

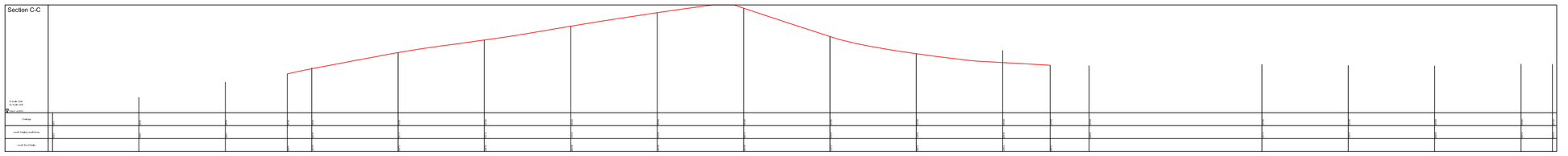
Originator | Project Number | Type | Number | Revision

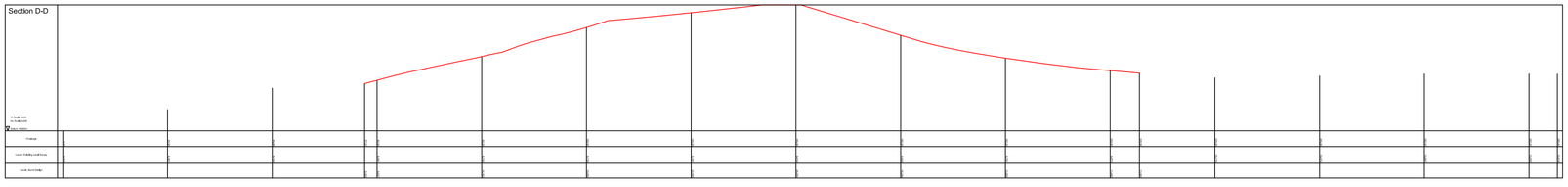
Note: The Property Of This Drawing Is Vested In TARGET SES LTD And Must Not Be Copied Or Reproduced In Any Way Without Their Written Consent

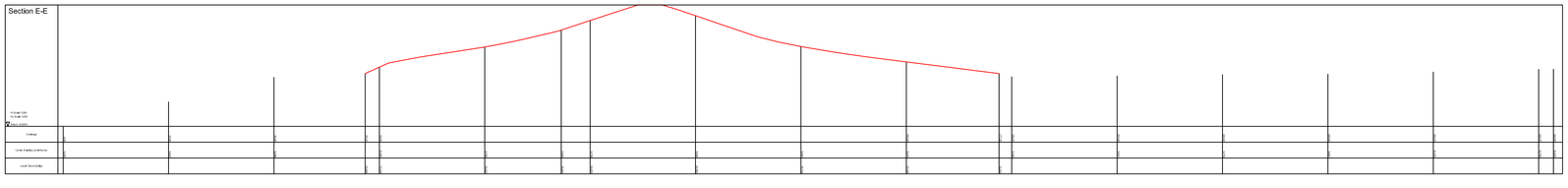
TSES- 20195- 442- EGL- 04 | - (Revision)
Originator | Project Number | Type | Number

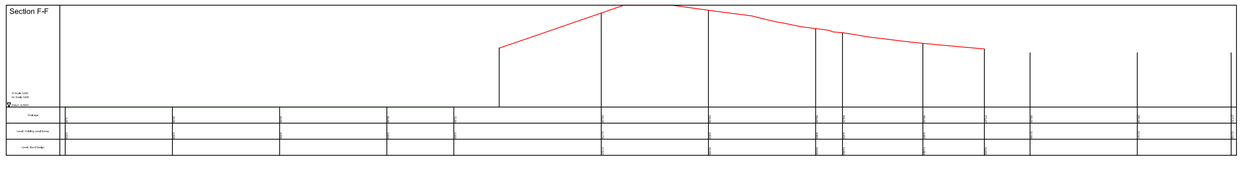












Existing
Proposed

Scale Custom 0 28 56 83 111 139

EGL Notes:

Standard Abbreviations (where applicable)

AV	Air Valve	FH	Fire Hydrant	SP	Sign Post
BB	Bottom Bank	FP	Footpath	STAY	Stay
BH	Bore Hole	G	Gully Grate	SV	Sluice Valve
BL	Lit Bollard	GV	Gas Valve	TAC	Tactile Paving
BOL	Bollard	Hedge	Hedge	TB	Top Bank
BIN	Bin	IC	Inspection Cover	TBOX	Telephone Box
BS	Bus Stop	IL	Invert Level	TL	Traffic Light
Bushes	Bush	KO	Kerb Outlet	TOK	Top Of Kerb
BT	BT Box	LP	Lamp Post	TP	Telegraph Pole
CAB	Cabinet	MH	Manhole	TRK	Track
CHNL	Channel	MP	Marker Post	TS	Traffic Sign MH
CL	Centreline	NB	Name Board	VENT	Vent
CONC	Concrete	P/W	Partition Wall	W	Water Cover
COL	Column	PB	Post Box	WL	White Line
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Building Heights

Trees

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Trunk diameter and canopy spread

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REV	Date	Created By	Comments
-	06.11.19	TH	First Issue

Scale at A1: 1:1250
Project Number: 20195-442

Drawing Status

X	Existing Topographic Survey
	As Built Survey
	For Information

TARGET SITE ENGINEERING & SURVEYS LTD
2 Flint Cottages, Lackford,
Bury St Edmunds, Suffolk, IP28 6HW
t: 01284 711476
m: 07557 734388
e: info@targetltd.co.uk

Client: R J Holbrook

Project: Land at Eriswell Lodge
Lakenheath

Title: Proposed Bund Sections
A-A to F-F

TSES- 20195- 442- EGL- 04 | -
Originator | Project Number | Type | Number | Revision

Sheet Size A1 841 x 594

Appendix 1

Planning Permission – F/2005/0015/FUL

Forest Heath District Council

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER, 1995

Planning Permission

Register Index No: F/2005/0015/FUL

Addressee :
Bidwells (S Worth)
Trumpington Road
Cambridge
CB2 2LD

Applicant :
Mr P Usher
Lakenheath Country Club
Hereford Road
Brandon
Suffolk
IP27 9PP

Permission is hereby **GRANTED** by the Forest Heath District Council as Local Planning Authority for the purposes of the above Act and Orders for development in accordance with the application dated 05 January 2005 and the plans and drawings attached thereto.

DESCRIPTION OF DEVELOPMENT: Resubmission: erection of replacement clubhouse, storage building, three clay target towers, landscaped bunding and alterations to vehicular access. (Major Development). (Environmental Statement submitted with the application) (Additional information submitted relating to landscape impact, noise, phasing and source of material for the proposed bund and revised elevational treatment for the clubhouse, plans dated 23rd September 2005

LOCATION: Lakenheath Country Club Hereford Road Lakenheath (Parish of Eriswell)

Subject to compliance with the following **CONDITIONS**

1	The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: To comply with Sections 91 and 92 of the Town and Country Planning Act 1990.
2	No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant for the prior, written approval of the Local Planning Authority. Reason: To ensure the proper recording of archaeological remains.
3	No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with 290.402.C17. Thereafter the access shall be retained in the specified form. Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.

:

Decision Date
7 August 2006

Nigel McCurdy – Head of Planning

4	The use shall not commence until the area(s) within the site shown on drawing number 290.402.C4B for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes. Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.
5	No development approved by this permission shall be commenced until a scheme for the provision of foul and surface water drainage works has been approved in writing by the Local planning Authority. Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to prevent pollution of the water environment.
6	No development shall take place until a scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include planting plans; written specifications; schedules of plants, noting species, plant sizes, proposed numbers/densities; implementation programme. The scheme shall also indicate all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in course of development. Reason: To safeguard the character of the area and to help to assimilate the development into its surroundings.
7	No development shall take place until a scheme of hard landscaping has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include proposed finished floor levels or contours; means of enclosure; car parking layouts; hard surfacing materials; street furniture; signs; lighting; proposed and existing functional services above and below ground (e.g. drainage, power, communications cables; pipelines etc. indication lines, manholes, support etc.); retained historic landscape features and proposals for restoration - where relevant. Reason: To safeguard the character of the area and to help to assimilate the development into its surroundings.
8	All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of planting, any trees or plants or any replacement planting is removed, uprooted, destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective) replacement trees and plants of the same species and size as that originally planted shall be planted in the new planting season, in the same place, unless the Local Planning Authority gives its written consent to any variation. Reason: To ensure a suitable scheme of implementation is agreed for the planting and to ensure the continued benefit of existing landscaping features.
9	Prior to any development, site works or clearance all the existing trees to be retained (as indicated by the approved plans) shall be protected by fences, of a type and position to be approved by the Local Planning Authority, erected around each tree or group of trees. Within the areas so fenced, the existing ground level shall be neither raised nor lowered and

	no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 50mm or more shall be left unsevered. (See British Standard BS 5837:1991 entitled "Trees in relation to construction"). Reason: To ensure that the existing landscaping features included on the site are retained and protected from damage during the course of construction works.
10	No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension/building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure that visually the development accords with neighbouring buildings to safeguard the character of the area.
11	No development shall commence until a scheme for the provision and implementation of pollution control measures has been submitted to and agreed in writing with the Local Planning Authority. Reason: To prevent pollution of the water and air environment.
12	Before any on site construction works commence, including site clearance, a scheme shall be agreed with the local planning authority which specifies the provisions to be made for the control of noise emanating from the site during construction. Reason: To protect the reasonable residential amenities of the occupiers of adjacent buildings.
13	Before any on site construction works commence, including site clearance (a) An environmental management plan and construction method statement shall have been submitted to, and approved in writing by, the local planning authority. This statement shall include: • A timetable for each phase of the development including site clearance operations, details of the fill materials and the sources of the fill materials, routing of construction traffic, the phasing of the construction and erection of the bunding, the target towers and the clubhouse, • routes for the movement of plant and materials around the site and • actions necessary to avoid conflict with breeding birds and any other protected species. (b) The development shall be carried out in accordance with the approved details in its entirety. Reason: To ensure that the development hereby approved is managed properly to ensure harm to this sensitive environment.
14	Before any on site construction works commence, including site clearance a detailed management plan for habitat creation shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details. Reason: To ensure that the development accords with the habitat creation policies contained in the accompanying Environmental Statement and to ensure that no harm is caused to this environmentally sensitive site.
15	No development shall commence until a scheme of community engagement and sports development has been submitted to and agreed in writing with the Local Planning

	Authority. Reason: To ensure active community involvement in this important sporting facility.
16	The development shall be carried out and completed strictly in accordance with the approved details including the Environmental Statement and Additional information submitted relating to landscape impact, noise, phasing and source of material for the proposed bund and revised elevational treatment for the clubhouse, plans dated 23rd September 2005 to the satisfaction of the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority. Reason: To ensure that a satisfactory form and quality of development is achieved for the site and to ensure that the development is carried out in accordance with the principles set out in the Environmental Statement including the additional information received 23rd September 2005 in order to minimise the adverse environmental effects of the development.

Informatives:
Any failure to adhere to the approved plans or to comply with the conditions attached to this permission/consent may lead to enforcement action being taken.

This permission refers only to the provisions of Part III of the Town and Country Planning Act, 1990 and attention is drawn to the necessity (where applicable) for obtaining consent under the Building Regulations to the proposed development.

Reasons for grant of planning permission
The application accords with the provisions of the development plan and does not give rise to demonstrable harm to interests of acknowledged importance.

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's West Area Manager should be contacted at Shire Hall, Bury St Edmunds, IP33 1RF. Telephone 01284 352000.

The following key policies are relevant to the determination of the application and/or the imposition of the conditions listed above:
Forest Heath Local Plan 1995:3.4, 5.7, 5.13, 6.11, 8.1, 8.6, 8.8, 8.10, 8.20, 8.34, 9.1, 9.2
Suffolk Structure Plan 2001: CS1, ECON12, ENV3, ENV4, ENV8, ENV5, ENV18, ENV19, ENV20, ENV22, REC3, T13 AND T14

Decision Date
7 August 2006

Nigel McCurdy – Head of Planning

Forest Heath District Council

NOTES

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the First Secretary of State (Office of the Deputy Prime Minister). The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

   Planning Applications: Section 78
   Town and Country Planning Act 1990

   Listed Building Applications: Section 20
   Planning (Listed Buildings and Conservation Areas) Act 1990

   Advertisement Applications: Section 78
   Town and Country Planning Act 1990
   Regulation 15
   Town and Country Planning (Control of Advertisements) Regulations 1992

   Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice, in all other cases, notice of appeal must be served within six months of this notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practise refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

   *The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

Appendix 2

Planning Permission – F/2009/0073/VAR

Forest Heath District Council

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER, 1995

Planning Permission

Register Index No: F/2009/0073/VAR

Addressee :
CgMs Ltd
Morley House
26 Holborn Viaduct
London
EC1A 2AT

Applicant :
Mr Michael Douglas - Elveden Farms Ltd

Permission is hereby **GRANTED** by the Forest Heath District Council as Local Planning Authority for the purposes of the above Act and Orders for development in accordance with the application dated 16 February 2009 and the plans and drawings attached thereto.

DESCRIPTION OF DEVELOPMENT: Variation of Conditions 2, 11 & 15 of planning permission F/2005/0015/FUL to allow for a section of bunding to be constructed on the eastern boundary of the site. (Major Development)

LOCATION: Lakenheath Country Club Hereford Road Lakenheath (Parish of Eriswell)

Subject to compliance with the following **CONDITIONS**:

1	No groundworks shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant for the prior written approval of the Local Planning Authority. Reason: To protect the architectural interest of the site.
2	Work shall not commence on the proposed replacement clubhouse element of the development and its associated car parking facilities until a scheme for the provision and implementation of pollution control measures has been submitted to and agreed in wring with the Local Planning Authority. Reason: To prevent pollution.
3	The proposed clubhouse and its associated facilities shall not be used/occupied until a scheme of community engagement and sports development has been submitted to and agreed in writing with the Local Planning Authority. Reason: To ensure active community involvement in this important sporting facility.

Informatives:
Any failure to adhere to the approved plans or to comply with the conditions attached to this permission/consent may lead to enforcement action being taken.

Decision Date
31 March 2009

Richard Watson – Head of Planning

This permission refers only to the provisions of Part III of the Town and Country Planning Act, 1990 and attention is drawn to the necessity (where applicable) for obtaining consent under the Building Regulations to the proposed development.

Reasons for grant of planning permission
The application accords with the provisions of the development plan and does not give rise to demonstrable harm to interests of acknowledged importance.

The following key policies are relevant to the determination of the application and/or the imposition of the conditions listed above:
PPG16 - Planning and Archaeology
PPG23 - Planning and Pollution Control

Except for the conditions hereby varied, all other conditions relating to F/2005/0015/FUL remain in place and applicable.

Decision Date
31 March 2009

Richard Watson – Head of Planning

Forest Heath District Council

NOTES

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

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   Planning (Listed Buildings and Conservation Areas) Act 1990

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2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

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Appendix 3

Gregory Jones QC – Opinion TJR/SB/ELV6-8 16/07/2019 09:27:22

ELVEDEN ESTATES LIMITED AND ELVEDEN FARMS LIMITED
IN THE MATTER OF LAKENEATH GUN CLUB

OPINION

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1. I am instructed by Roythornes Limited on behalf of Elveden Estates Limited and its agricultural tenant, Elveden Farms Limited.

2. In short, I am asked to advise whether the proposed construction if bunding amounts to a waste recovery or a waste disposal operation. In my opinion the proposal amounts to a waste recovery. I set out my reasons below.

Factual Background

3. The Elveden Estate is a substantial agricultural estate near Thetford, Norfolk. Part of its holding consists of a shooting school which was formerly let under a long lease but, following extensive litigation, the shooting school ("the School") has now come back in-hand.

4. In order to obtain planning permission for the shooting school, the construction of a very large bund was required around the school for a number of reasons, including visual amenity and to mitigate noise. The officer's report to committee noted that;

> "The proposed bunding of the site is extensive. To the north and the west of the skeet shooting range the bunding is proposed to be between 12 and 20 metres wide with a maximum height of 15 metres above the existing ground level – the main justification for these elements of the bund are noise related and addressed in the noise section of this report. The bunding to the east and south of the shooting range is much narrower and are at a maximum height of 6 metres – they are primarily for security, screening and operational purposes. There is also a central mound proposed within the site at a height of 6 metres with a flat top to accommodate and allow spectators to view the sporting layouts and the skeet range...
>
> …the size of those elements of the bund to the west and north of the skeet ranges has been justified and properly tested in terms of acoustic mitigation and the design of the bund has been altered to take into account comments from various consultees such as English Nature (in relation to

Stone Curlew habitat) and Defence Estates (in relation to security safeguarding). The remaining areas of bunding whilst serving purposes of security and screening also provide a replacement and enhancement of habitat which is a positive benefit." [Underlining added]

5. Planning permission was granted by Forest Heath Borough Council Ref: F/2005/0015/FUL 7 August 2009 was granted with a series of conditions, including:

> "16 The development shall be carried out and completed strictly in accordance with the approved details including the Environmental Statement and Additional information submitted relating to landscape impact, noise, phasing and source of material for the proposed bund and revised elevational treatment for the clubhouse, plans dated 23rd September 2005 to the satisfaction of the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority.
>
> Reason: To ensure that a satisfactory form and quality of development is achieved for the site and to ensure that the development is carried out in accordance with the principles set out in the Environmental Statement including the additional information received 23rd September 2005 in order to minimise the adverse environmental effects of the development."

6. RAF Lakenheath, one of the largest US airbases in the world is located on the other side of the road and I understand that the planning process proved to be particularly contentious.

7. I have been provided with copies of the following documents:-

a) 2006 officer's report relating to planning application Lakenheath Country Club, Hereford Road, Lakenheath;

b) Compilation of extract from the 2004 and 2005 re-submission application documents;

c) Forest Heath District Council planning application for bund around Lakenheath Shooting School;

d) Briefing documents produced following a pre-application meeting with the EA to discuss a proposed application for a permit for the nearby Lakenheath Recycling Store;

e) Bundle of emails passing between the Estate Office and Instructing Solicitors and their advisers and my Instructing Solicitors.

8. Elveden now seeks to continue to construct the bunds and are keen to learn what options the Environment Agency have in revisiting the scale of the bund if an application is made for a Waste Recovery Licence.

Analysis

The Law

9. Whether an operation constitutes 'recovery' or 'disposal' is to be determined in accordance with Article 3(15) of the Waste Framework Directive, which states: "'recovery' means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy. Annex II sets out a non-exhaustive list of recovery operations;…'

10. The Directive includes annexes setting out non-exhaustive lists of disposal operations (Annex I) and recovery operations (Annex II). D1 of Annex I describes the deposit of waste into or on to land (landfill) as a disposal operation, R10 of Annex II describes land treatment resulting in benefit to agriculture or ecological improvement as a recovery operation.

11. The Court of Justice of the European Union (CJEU) has previously considered the meaning of waste recovery under previous versions of the Directive. In particular, in case C-6/00 *Abfall Service AG (ASA) v Bundesminister fur Umwelt* the CJEU held that: 'the essential characteristic of a waste recovery

operation is that its principal objective is that the waste serve a useful purpose in replacing other materials which would have had to be used for that purpose thereby conserving natural resources.'

12. In England and Wales, the correct approach to the waste recovery/disposal issue has been addressed by the Court of Appeal in *R (Tarmac Aggregates) v SoS Environment Agency* [2015] EWCA Civ 1149.

13. Tarmac had unsuccessfully challenged the inspector's decision refusing the appeal in the High Court ([2015] EWHC 2388 (Admin). Tarmac then appealed the decision of the High Court to the Court of Appeal.

14. The central issue was whether the inspector's approach to the planning conditions had been rational. Tarmac argued that it had not. Planning conditions are only lawful if they are necessary. A fundamental principle of planning law is that a planning condition can only lawfully be imposed if it is *necessary* (*Newbury DC v Secretary of State for the Environment* [1981] AC 578). This was how the proposed benefit of the restoration scheme had been secured – restoration in accordance with the proposal was, therefore, necessary. Accordingly, in the present case it must also be presumed that the restoration scheme contained in the planning condition is "necessary" and required

for a planning purpose. Tarmac argued that even if the Secretary of State's interpretation of the Directive was correct, the proposed restoration of the quarry satisfied the test.

15. In particular, Tarmac took issue with the inspector's suggestion that if waste materials were not available, the financial cost of using non-waste materials would mean that other solutions would be used. The most realistic of these suggestions was, itself, totally unrealistic. It involved building a bridge structure from non-waste material to carry the footpath. Even leaving aside the fact that such a bridge would not have the desired effect of separating the two bodies of water and providing the necessary morphological re-modelling for the reed beds and shallows, the alternative bridge structure would also be made of non-waste materials. The use of waste to provide a land bridge would, therefore, still be replacing non-waste materials in the form of those used in the construction of the bridge.

16. The Tarmac site was just outside the Yorkshire village of Methley, near Leeds, is a former quarry. For decades, Lafarge Aggregates (now Tarmac) had worked and won sand and gravel from the quarry, and on 2 April 2012 Leeds City Council (the relevant mineral and waste planning authority) granted planning permission for an extension to the quarry, permitting the extraction of a further 432,700 tonnes of material.

17. The terms of that planning permission of interest to the present case because they required the extraction to be carefully phased to retain a footpath (No. 51) across the site for as long as possible (with excavation on both sides leaving the footpath to run along a land bridge). The conditions also required a full restoration scheme re-establishing the footpath and providing 'positive long-term benefits' in the form of water-based nature conservation habitats. The details of the scheme even had to be reworked at the request of Leeds City Council so as to provide greater environmental benefit to the local residents and, in particular, to reinstate footpath No. 51 so that residents had access between wetland areas. The restoration of the quarry was seen, both by the Council and the operator, as an opportunity to give something back to benefit the community that had lived near the quarry for so many years.

18. The issue in the Tarmac case concerns the status of the material to be used to execute the restoration scheme. Tarmac proposed (as they had done in the 2012 planning application) to use waste material to rebuild the land bridge, atop which the restored footpath No. 51 would run, and to provide the morphological remodeling required to separate the shallows and reed beds to be provided on one side of the footpath from the deep fishing lake on the other.

19. Tarmac argued that the use of this waste constituted a 'recovery' operation within the meaning of Directive 2008/98/EC (the Waste Framework Directive) and therefore applied to the Environment Agency for a 'standard rules' SR2010No8_100Kte Use of waste in construction recovery permit to carry out the operation.

20. The EA refused the permit application. Their Recovery v Disposal Advice (RADA) record based its reasoning not so much on the test under the Directive as the EA's own guidance document EPR 13.

21. The debate before the Court concerned the meaning of the Directive's definition. On the one hand, it could mean that in order to constitute recovery, waste must be used in place of non-waste materials as part of a bona fide project, albeit one that would not necessarily take place if non-waste materials were not available (i.e. the purpose for which waste materials are replacing non-waste materials is the specific purpose proposed), or it could be confined more tightly so that an operation will constitute recovery only if the operation for which it is used would take place even if non-waste materials were not available. Tarmac argued for the former, the Secretary of State and Environment Agency the latter.

22. Allowing the appeal, Sales LJ held that the operation was one of recovery. He said:

> "It is obvious that substantial quantities of material would need to be used to construct the lakes, reed-beds, shallow water areas and land bridge [required by the restoration scheme under which the permit was issued]."

23. Sales LJ concluded that:

> "Accordingly it is clear that use of waste material for the function in question will indeed involve replacing other materials which would otherwise have been used to fulfil that function in accordance with the definition of 'recovery' under Article 3(15) of the Directive."

24. The Court of Appeal quashed the inspector's decision stating that: "the backfill operation to create the lakes and the land bridge at the quarry site was a legitimate function which would have had to be carried out in any event, whether waste was used or not." The Court even directed that Tarmac be issued a standard rules recovery permit.

25. Subsequent to the Court of Appeal's judgment, the meaning of waste recovery under the Directive was considered by the CJEU in Case C-292/12 *Città Metropolitana di Bari, formerly Provincia di Bari v Edilizia Mastrodonato* (the 'Italian case') on the context if quarry backfilling. The reference to the CJEU arose because of an apparent conflict within Directive 2006/21 (the Mining Waste Directive). Article 10(1) of that Directive refers

to operators taking certain measures when placing extractive waste back into the excavation voids for rehabilitation and construction purposes, whereas Article 10(2) (depending on which language you are reading it in) provides that Directive 1999/31 (the Landfill Directive) shall continue to apply to the waste other than extractive waste used for filling in excavation voids [as appropriate].

26. That particular issue in relation to the Landfill Directive does not of course arise in the present case. However, CJEU did set out the circumstances in which the backfilling of a quarry using waste other than extractive waste may be regarded as a recovery operation, noting that the essential characteristic of a waste recovery operation is that its principal objective is that the waste serves a useful purpose in replacing other materials which would have had to be used for that purpose, thereby enabling natural resources to be preserved.

27. The main objective of the recovery operation must be the conservation of natural resources, hence, if the conservation of natural resources constitutes only a secondary effect of an operation, the principal objective of which is the disposal of waste, that operation will be a disposal operation. The CJEU gave some examples which might assist, stating that if it is established that the backfilling of the quarry in question would have taken place even if such waste had not been available and,

accordingly, other materials would have had to be used, that would be a recovery operation.

28. Furthermore, the fact that the operator of the quarry acquires such waste in exchange of payment to the waste producer or holder may indicate that the main objective of the operation in question is the recovery of such waste. But the backfilling of a quarry may not be regarded as a recovery operation unless, in the light of the most recent state of scientific and technical knowledge, the waste used is suitable for that purpose.

29. It is to be recalled that in *Tarmac* the Court of Appeal found that: "On the evidence before him…the Inspector clearly should have found that the backfill operation…was a legitimate function which would have had to be carried out in any event, whether waste was used or not" and without the restoration in that form "key ecological and recreational benefits to be achieved would not be achieved." The Court of Appeal's judgment is thus consistent with that of the CJEU in the Italian case.

Guidance

30. As a result of the *Tarmac* case the EA revised its advice.[1] The Agency's advice does not represent a definitive statement of the

[1] https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities

law. It sets out the approach the EA proposes to take. It is to be noted that in a covering letter to the draft guidance sent to the environment and waste policy executive of the Mineral Products Association, dated 8 April 2016, the Agency says:

> "Our position remains that the judgment in *R (Tarmac Aggregates Ltd) v Secretary of State for Environment, Food and Rural Affairs*…supports the 'substitution test' and that, in order for an activity to be considered recovery, an applicant must demonstrate that they would carry out the proposal in the same way using non-waste materials if they could not use waste. However, we now accept that where an applicant can demonstrate they are subject to a legal obligation to carry out an activity as proposed, whether with waste or non-waste material, then this alone is sufficient to demonstrate recovery. A planning permission for mineral extraction which includes a condition requiring restoration, whatever the 'waste/non-waste' status of the infill, may in some cases constitute such a legal obligation..." [Underlining added]

31. The EA guidance sets out the things that it expects to be included in a Waste Recovery Plan where, as here, a specific obligation is to be fulfilled. I do not comment upon whether I consider this guidance goes beyond what is lawfully required to demonstrate a recovery operation because it is apparent in the present case that these conditions are capable of being satisfied in a future waste recovery application.

> **"Obligations to do work: evidence**
> You could provide evidence that you're obliged to carry out the work.

This could be because a regulator has imposed a requirement on you. For example, you operate a quarry and are required by planning conditions to restore it according to an approved plan. This isn't the same as planning permission, which allows you to do certain work without setting obligations.

If there's an existing planning condition or obligation the Environment Agency will look at all the available information. This may include:

- the extent to which the local planning authority was directly involved in the design of the scheme when planning was granted and the condition imposed
- whether the local planning authority would be likely to agree anything significantly different

Specific obligations

Obligations may specify the work you have to carry out. If you have specific obligations to do the work proposed, your waste recovery plan must include:

- evidence of the obligation
- plans and cross sections that show your proposal matches the obligation on you
- evidence that the waste is suitable for the intended purpose."

Application to the Facts

32. In the present case, there is no doubt that the construction of the bunding is a legal obligation under the planning permission (see e.g. planning condition 16 set out above). It is also to be noted that the supporting documentation accompanying the planning application also makes clear that there is a desire for the material to constructed as soon as possible.

33. The bunding is principally required for acoustic mitigation of the noise of the shooting but also for security and landscaping. The reason for the condition also makes clear that it is "in order to minimise the adverse environmental effects of the development." This reason for the imposition of such a requirement is consistent with the overarching principles of the Directive and EU environmental law.

34. The accompanying evidence as acknowledged by the officer's report to committee confirmed that the size and design of the bunds is necessary in order to provide the required acoustic benefits.

35. The evidence shows that the local planning authority was fully consulted in respect of the design and extent of the bunding. The officer's report to committee sets out the balance in terms of ensuring that the bunds are large enough to ensure they carry out their required mitigation functions but the minimum necessary in terms of their impact upon the landscape. This evidence also demonstrates that the local planning authority is not likely to consider approving an alternative solution which is significantly different.

36. Accordingly, I am of the view that the proposal contained the Waste Recovery Plan in this matter is a properly to be regarded as a waste recovery operation pursuant to the Regulation and the Directive. This is consistent with the approach that the EA

has taken to recovery licences (e.g. Permit EPR/EB3400MB Blockade Services Limited, South Godstone Brickworks).

37. I have nothing further to advise as presently instructed. I am happy to advise further on any aspect arising from this Opinion whether by telephone or as those instructing me consider appropriate.

GREGORY JONES QC
Francis Taylor Building
Temple

19 September, 2019

TJR/SB/ELV6-8 16/07/2019 09:27:22

ELVEDEN ESTATES LIMITED & ELVEDEN FARMS LTD

IN THE MATTER OF LAKENEATH GUN CLUB

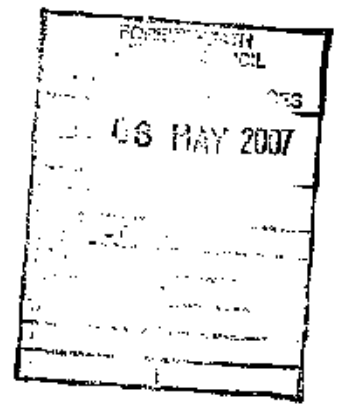
OPINION

Roythornes Limited
Enterprise Way
Pinchbeck
Spalding
Lincolnshire
PE11 3YR
DX 744230 SPALDING 6
Tel: 01775-842500
Fax: 01775-842562
Ref: TJR/SB/ELV6-8

Appendix 4

Environmental Management Plan and Construction Method Statement

Mr PJ Usher



Lakenheath Clay Target Centre, Brandon, Suffolk: environmental bunding

Environmental management plan and construction method statement, including landscape proposals

Planning conditions:
6, 8, 9, 11, 13, 14
Ref F/2005/0015/FUL

2007

Catherine Bickmore Associates
ENVIRONMENTAL CONSULTANCY

LFG5 Lafone House,
Leathermarket Street,
London SE1 3HN

[redacted]

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DWINGS

SX97600001-54 REV B
SX9760001-47
SX97600001-55D

SUMMARY

Lakenheath County Club in Suffolk is located in an area of European importance for breeding stone curlew and lowland heath. Planning consent for the replacement of the club house, the erection of target towers, and bunding for acoustic mitigation included a number of conditions which have been addressed in an environmental management plan. The plan covers aspects relating to wildlife and tree protection, landscape works in addition to other environmental considerations. The plan has been subdivided into the phases of the works including the enabling/site clearance works, operational procedures, restoration, after care and monitoring. The bunding will be under taken in a sequence divided into six phases as shown on a series of plans. The planting plan for the new Club house is provided within the report.

The compliance with legislation relating to protected species forms an important consideration within the enabling works in relation to reptiles, and breeding birds, inparticular the stone curlew. Works for reptile will include their relocation, habitat enhancement and the erection of exclusion fencing during the period of the works.

During the period of the works the operator will be inducted with respect to protected species and special procedures will apply. A programme of monitoring will be underlaken to ensure that stone curlew are not present in the working area, with measures taken to avoid disturbance if any are recorded. Fencing will be erected to protect trees from the working operations of bund formation.

Formal reporting will be established as part of monitoring work including the condition and repairs of the reptile and tree protection fences.

1 INTRODUCTION

1.1 Lakenheath Country Club is located adjacent to RAF Lakenheath, Suffolk. The A1065 (Brandon Road) forms the western boundary of the northern part of the grounds with arable land and/or soil storage areas bounding the southern part. RAF Lakenheath fronts the west side of the A1065. The Club focuses on provision of target shooting.

1.2 In August 2006, planning consent (ref F/2005/0015/FUL) was given for the replacement of the clubhouse and associated buildings, the erection of three clay target towers and associated bunding for acoustic mitigation. The consent included a number of conditions. This environmental management plan has been produced to discharge conditions nos. 6, 8, 9, 11, 13 and 14. These conditions are interrelated covering landscape and wildlife management, in particular in association with the formation and restoration of the bunding. For ease of reference the condition is listed in italics by the appropriate paragraphs.

Outline

1.3 There follows by way of background in section 2 an outline of the development and the main environmental constraints. Section 3 and 4 presents details of the enabling works to be undertaken prior to the start of mound creation with section 5 discussing procedures during the construction period. Section 6 relates to the restoration and habitat creation. Training and responsibilities are covered in section 8 and 9 with the final section relating to the club house. By way of background Appendix I provide a copy of the decision notice, and Appendix II forms the Lakenheath Warren SSSI citation.

2 DESCRIPTION OF THE DEVELOPMENT AND SITE CONTEXT

Description of the works

2.1 Bunding is required to mitigate against noise associated with the target shooting. The bunds will be created with inert surplus soils from local building projects within a 15-30 mile radius - to encompass Thetford, Bury St Edmunds, Mildenhall and Cambridge for Category A materials *(condition 13: sources of materials)*.

Ecological constraints

2.2 The Country Club is located in the Breckland Natural Area. Much of the grounds form part of Breckland Farmland SSSI with the neighbouring heathland to the north designated as Lakenheath Warren SSSI. Both SSSIs are incorporated into the very extensive Breckland Special Protection Area (SPA) with Lakenheath Warren also included within the Breckland Special Area of Conservation (SAC). The Breckland forms a very significant breeding site for the British population of stone curlew with the SPA giving special protection to this bird. Stone curlew is associated with short impoverished grasslands established over sandy soils away from trees and disturbance such as lighting and roads.

2.3 Reptiles have been recorded in parts of the Country Club however more detailed survey work is programmed for the next available survey period in April 2007 to confirm their presence, distribution and the size of the population. For the purposes of this document the proposals for construction works assume that reptiles are present and the workings have been designed to accommodate them and additionally provide enhanced habitat *(condition 13: protected species)*.

2.4 The Club is contained by belts of trees including relatively recent planting alongside the main road and mature lines of the locally characteristic Scots pine along the south and eastern boundaries. With the exception of the young trees along the A1065 road and those covered by an existing felling licence, other trees will be protected from construction works (Dwing SX97600001-65D) *(condition 9: retained trees)*.

Planning the works

2.5 A maximum capacity of inert fill material (building waste – hardcore, soils and subsoils) in area is approximately 50,000 tonnes/year, with an anticipated period of 20 years to the completion of the bunding. However, the flow of suitable soils is dependant on the extent of construction works within the local vicinity and cannot be guaranteed. This has implications when discussing the programme for the works and therefore reference is made to phases of the bund creation rather than set dates *(Condition 13 details and sources of fill materials and timetable)*.

2.6 Phasing plans (Dwing SX 97600001-54 revB) have been produced in relation to the creation of the bunding and the access between the phases. The plans accommodate landscape and acoustic priorities and also relate to the volume of material required to create each phase. They show the routes for the movement of vehicles and plant around the site *(Condition 13 routing of construction traffic, phasing and construction of bunding)*.

2.7 Where appropriate in all but the first phase, progressive restoration of the mounds will be undertaken to reduce the need for storage of top soil. In addition to providing acoustic protection, the restoration of the bunds aims to create habitat to complement the adjacent SSSIs in particular to benefit stone curlew *(condition 14: habitat creation)*.

2.8 The construction of the clubhouse and target towers is independent of the mound formation. The towers will take a month to complete starting in January 2008. The clubhouse is programmed to start in January 2009 and will take 12 months to compete *(Condition 13 timetable)*.

3 ENABLING WORKS INCLUDING SITE CLEARANCE

Reptiles (condition 13 avoiding conflict with protected species and site clearance condition 14)

3.1 Reptiles adder, lizard and grass snake are all protected under the Wildlife and Countryside Act 1981 (as amended). These animals are protected against killing or injuring even during lawful development. To prevent a breach in legislation 'reasonable effort' needs to be made in order to avoid killing or injuring reptiles.

Base line reptile survey

3.2 Prior to the start of works a base line reptile survey will be undertaken in April 2007 to confirm the location and size of any reptile populations that will be affected by the works. The survey will cover eight sample areas within each of the phases and will be undertaken in appropriate weather conditions with searches on at least five separate occasions. The base line survey will be updated for phase 6 if the elapsed time between completing phase 5 and starting phase 6 exceeds 5 years from the time of the original base line survey. A report describing the findings of the survey will be submitted to the local planning authority and Natural England.

Reptile fencing and relocation works

3.3 Prior to the start of the works strategic reptile fencing will be constructed in the northern part of the site and be retained in situ for the duration of phases 1-5 along:

the northern boundary and

the northern side of the tree belt outside the canopy spread

3.4 On the basis that the strategic reptile fencing will be retained for a number of years a black geotextile material will be used with a width of plastic along the top. The fencing will also provide some localised protection for dust (condition 11: air environment). Similar fencing will be used alongside the tree belts elsewhere on the site and will also act to prevent reptiles entering into the area of bund formation- reptiles can be attracted to loosely piled earth (Dwing SX 97600001-54 Rev B: phasing and reptile fence location).

3.5 Along the length of the northern boundary strategic reptile fencing will create a 10m wide buffer zone adjacent to Lakenheath Warren SSSI and incorporating the historic field boundary bank (18C). It will be enhanced with log piles placed at intervals across the width of the buffer area as refugia. The entire length will be fenced off from the rest of the site with reptile fencing. The fencing will be erected in order to prevent reptiles from straying from the heathland forming Lakenheath Warren SSSI into the site from the heathland and regardless of a nil record by the reptile survey. If reptiles are recorded in areas affected by construction works the buffer area will provide a receptor site for the duration of the works in phases 1-5.

3.6 Strategic reptile fencing along the tree belt and either side of the haul road within the belt will prevent reptiles from straying onto the area of works.

3.7 Assuming details of the reptile survey are available prior to the start of the works special fencing will be required to prevent reptiles entering each phase. This internal fencing will be needed for shorter periods and will be either plastic or geotextile material. Following the completion of restoration works on each phase the reptile fencing can be removed.

3.8 There are certain areas of habitat where the conditions are such that it is unlikely that reptiles will be present. This enables the start of phase 1 whilst any necessary relocation work is being undertaken elsewhere on subsequent phases. Following precautionary principles whilst survey findings are awaited these less suitable areas will be maintained as unsuitable reptile habitat by manipulation through cutting the grass.

3.9 Subject to the findings of the survey and size of any populations, relocation of reptiles will require a density of 3-400 tins/ha in suitable habitat will be used over a period of 70 suitable days. Over larger areas internal drift fencing will supplement the external fencing to aid capture.

3.10 April to June and September are some of the most effective times of the year for capture and relocation. Relocation work would not be undertaken during the winter period. The daily records of captures will be monitored to check for a decline in capture rates in relation to suitable conditions.

3.11 In locations where the habitat was considered unsuitablefor reptiles precaution will be exercised immediately prior to the time of the soil strip through the use of destructive searches of natural refugia and rabbit burrows. These searches will be supervised by an ecologist.

3.12 Subject to the survey findings, in the southern part of the site reptile fencing will be required to contain the complete area affected by bunding works for phase 6. The rough grassland in the south western part will provide an alternative/additional receptor site, in particular it will be more practical. The receptor site will be enhanced by the construction of log piles as refugia.

3.13 Reptile fencing will be maintained throughout the period of its use. Routine checks of the integrity of the fence will be undertaken by the operator on a weekly basis, with repairs completed within six days of the inspection. In addition an ecologist will inspect the fence on a monthly basis. A log of the inspections and repairs will be submitted to the local authority no less then every three months.

Breeding birds *(condition 13 avoiding conflict with protected species and site clearance condition 14)*

3.14 Stone curlew is included under Annex I of the Bird's Directive. Under the UK Wildlife and Countryside Act, and the Habitats Regulations such species are protected from:

'Deliberate killing or capture

Deliberate destruction of, or damage to, their nests and eggs or removal of their nests

Taking their eggs...

Deliberate disturbance particularly during the period of breeding and rearing in so far as disturbance would be significant having regard to the objectives of this Directive.'

3.15 There are no records of stone curlew nests from the previous two years (2005-6) within a distance of 450m of the Club grounds. Works associated with the bund creation will be undertaken in the summer months during the hours of daylight and therefore enabling any night time feeding activity of stone curlew to continue on areas outside the works, or awaiting works. Such disturbance from day time noise is unlikely to constitute significant disturbance under the terms of the Directive.

3.16 There is a risk that birds could be attracted to the working area in particular in the east (phases 3, 4 & 5). A procedure will be established to check for the presence of stone curlew. Over the period from March to September it will be implemented:

prior to the start of any topsoil strip including for any extensive archaeological investigation,

following a resumption of working after slack periods of over two weeks, for example as a result of intervals in the supply of material causing a temporary halt to mound formation.

3.17 A record sheet of each search will be kept as part of the environmental monitoring (the record will provide a minimum of information covering on the time and location of the visit, weather conditions, number of stone curlew birds observed, their activity and approx location with a notes section describing site conditions). As surveying for stone-curlew is in itself disturbing, the surveys will need to be carried out by a person with a licence for such disturbance.

3.18 In the event that stone curlew is nesting in the working area, an alternative working area will be sought and /or the extent of the phase adapted in accordance with advice from the RSPB stone-curlew project and Natural England. The nest will be marked and the immediate area will be cordoned off to allow nesting to continue undisturbed until it had fledged, and in compliance with the Habitat Regulations. Hatching generally takes a period of some three weeks, with fledging completed in around five weeks.

3.19 The area subject to protection around the nest will relate to existing features/land forms affecting sight lines and types of movement, for example birds are less disturbed by vehicles than by people walking. The zone for vehicles could extend to around 200m but this will also depend on frequency of use. The extent of the zone will need to be dependant on local conditions and will be agreed with NaturalEngland (a predictive model has been developed which could assist with this process (Taylor et al 2007). Note: stone curlew become tolerant of noise including agricultural mechanisations and the taxing of aircraft.

Other breeding birds *(condition 13 avoiding conflict with protected species and site clearance condition 14)*

3.20 The Wildlife and Countryside Act 1981 (as amended) protects all breeding birds. There is potential for breeding birds to be associated with the young tree belt along the western side of the site scheduled for removal, with potential for ground nesting birds elsewhere such as skylark and possibly woodlark. Maintenance of a short grass sward during the nesting period will reduce the risk of certain ground nesting birds and will be undertaken on land adjoining the active phase subject to any reptile populations. Note: woodlarks like short grass.

3.21 The immature tree belt along the western boundary of the site will be removed outside the bird nesting season or else immediately following (within 24 hours) of any checks that confirmed the trees are not being used by breeding birds. Likewise checks for breeding birds will be made prior to soil stripping over the period March to the end of August. In the event that a bird is found nesting the nest will be marked off and the area will be avoided until the nest had fledged. Grass will be maintained as short in the each area adjoining a working phase to reduce this risk.

Archaeological investigation *(cross ref to condition 2)*

3.22 Extensive archaeological investigations will follow the signing off of land as cleared of reptiles. The procedure will depend on the extent of the investigations i.e. strip trenches or large areas. Destructive searches may be possible for strip trenches, but large areas will require relocation of reptiles in advance of the soil strip.

4 ENABLING WORKS: TREE PROTECTION

4.1 Tree protection will relate to retained trees adjacent to any working phase (phase 1, 2 and 6) (*condition 6 and 9*). Within at least one week prior to the commencement of tipping, 1m high-visibility 'Barricade' mesh fencing will be erected outside the line of the canopy and/or along side the strategic reptile fencing as appropriate (Dwing SX9760000-55D). Individual panels of the fencing will be bolted together and the footings will be firmly secured in the ground. The high visibility fencing will be retained in situ until the completion of earthworks in that phase. The working area in phase I will be outside the canopy spread of the trees along the southern entrance track.

4.2 No vehicles involved with the earthworks or construction operations will be allowed within the *fenced off area and notices* will be erected on the fence to this effect. The fenced off areas will not be used for any storage associated with the works. Following the completion of restoration earthworks for phases 1, 2 and 6 the high visibility fencing can be relocated along the next phase as appropriate. A weekly inspection will be undertaken of the fence and repairs completed within six days. The log of the inspections will be submitted with that of the reptile fence inspections (para. 3.13).

4.3 In addition to the above, for phases 1 to 5 inclusive a secure hemas type fence will be erected either side of the haul route through the trees belt in the south western part of the site. Although the access road is able to use a gap between trees, roots of remaining trees will be vulnerable to compaction. A *no dig construction method will be used for the track* (special surface material for example or similar) to protect the tree roots from vehicles. The land either side of the track will be securely fenced applying recommendations from BS: 5837:2005 with the fence integrated with *reptile fencing*. Any low branches over hanging the access track will be pruned back to enable a 1m clearance over the height of lorries.

5 METHOD OF OPERATION

Introduction

5.1 This section describes the operational phase of condition 13 *(movement of material)* bunding with implications for restoration.

Operational procedure

5.2 Material arriving at the site will be arranged by one waste producer who will be responsible for certifying the waste is inert *(condition 11 water environment)*. A ticketing system will be used to sign in the delivery of each lorry load as per the waste transfer notice. 20 tonne is the maximum size of lorry that will be used.

5.3 Once on site, tipping will be undertaken in specified areas of the operational phase with the material subsequently spread onto the mounds using either a bulldozer or a 360 excavator. It is likely that one such vehicle will remain on site throughout the project.

Operation of phases

5.4 Prior to the commencement of each phase and to accommodate any changes in habitat over the period of the works further follow up survey in the summer season will be undertaken to:

peg out selected areas of turf for direct transfer,

establish the depth of soil required for finishing (placement) over completed previous formations/mounding.

5.5 Dwing SX 97600001-54 rev B locates the distribution of phases. Note: on account of the potential for breeding birds there will be some flexibility between adjacent phases subject to written agreement from Natural England).

5.6 The depth of the strip of the topsoil will be determined by the depth of the organic horizon. Note: on account of the unknown location of the Warren archaeological requirements limit the depth of excavation to a maximum of 0.3m. This requirement can be relaxed in specified areas once the Warren has been located and/or in areas where it is considered the Warren is unlikely to be located.

5.7 The depth of soil varies throughout the area although on average is around 0.3m. The stripped topsoil either will be:

stored in labelled mounds not exceeding 2m, along side the phase for re use

or direct placement on subsequent phases i.e. soil stripped from phase 2 will be placed on phase 1.

The topsoil will only be relocated outside periods when the soil is saturated.

5.8 On account of the increased surface area of the mounding there will inevitably be a shortfall in topsoil. The depth of the capping layer including any topsoil will be 0.5m. The subsoil layer will be formed of earths, predominantly sand or chalk. Such material will either be imported, or excavated from the site. In either case, where necessary, a separate storage area will be created along the edge of the working phase.

5.9 All soil stores will be clearly labelled either as subsoil or topsoil so as not to become mixed with the imported fill. The soil mounds will not exceed 2m in height. The herb cover will be cut at least once a year and any noxious weeds will be controlled either through cutting or through spot application of chemicals.

5.10 Depending on the supply of material and to accommodate periods when none is available, there is potential for vegetation to establish on the imported placed material. Where established (over 0.5m in height), it will be checked on a monthly basis during the growing season for scheduled weeds such as Japanese knotweed. Regenerating vegetation will either be ploughed in, or cut in cases where it exceeds a height of 1m and a surface cover of 75%.

5.11 In the event of Japanese knotweed or other scheduled weeds being recorded, the immediate area will be isolated from further filling and a programme of treatment undertaken through the development of a management plan following Environment Agency's guidelines. Note the supply of the material will be strictly regulated and any deposited material should not include contaminated waste. However, a very small fragment of knotweed is capable of growing and could be hidden in the material- thus vigilance will be operated in this respect.

5.12 To ensure that the phases are restored in sequence the filling of a new phase will only take place once the final capping layer has been placed over the subsequent phase. This procedure allows the enabling works to be undertaken before filling. Exceptions will be permitted if the phasing has to be reordered to accommodate nesting birds and with the written authorisation from Natural England.

5.13 Monitoring during the operational phase will relate to breeding birds (ref section 3), and to the checking of the integrity of the reptile and tree protection fencing.

Dust prevention

5.14 In dry conditions the surface of the working area and the access road will be sprayed to reduce the risk of dust. A road sweeper will be used along the main access road as/when necessary. A wheel spinner will be available for cleaning wheels to cover instances where lorries need to traffic over imported material. Trafficking over sands is unlikely to result in the build up of material on the wheels reducing the risk of build up of mud. This is not the case with chalk *(condition 11: air environment)*.

Litter

5.15 The operational phase will be kept free of litter. Although no litter is anticipated checks will be made for any build-up of litter/fly tipping and it will be removed *(condition 11)*.

6 RESTORATION AND AFTER CARE

Restoration *(condition 14 habitat creation and 6 soft landscape)*

6.1 Subsequent to the completion of the levels of each phase the imported material will be graded to the final land form and covered with a 0.5m depth of capping layer made up of either predominantly sand or chalk together with the stripped topsoil. The nature of the capping layer will determine the subsequent treatment of the topsoil.

6.2 Where the capping is predominantly chalk, it will be restored to calcareous grassland. The stripped topsoil will be ploughed into the upper surface of the subsoil to provide a chalky soil as appropriate.

6.3 Where the capping is predominantly sand, it will be restored to acid grassland or heath land. The soil should include a scatter of sods of more diverse grassland as inoculants within the final finished layer. The areas of more diverse grassland will have been identified and pegged out prior to stripping. A light mulch of cut heather will be applied over the surface and will have the dual function of encouraging the establishment of heathland and providing erosion control. To prevent dust blow during periods of drought and should heather not be available, owing to seasonal constraints, the mound will be either covered with a biodegradable mat or the surface will be irrigated *(condition 11 air environment)*.

6.4 In the case of sandy soils analysis will check the pH and if necessary sulphur will be incorporated into the final surface to lower the acidity (Walker *et al* 2004; Owen & Marrs 1999). The application of sulphur can reduce likelihood of establishment of ruderal (weed) species (Owen & Marrs 1999).

6.5 Particularly on southern and western facing slopes the finished surface will include some areas with an irregular micro-topography (rough finish) attractive to solitary wasp species.

6.6 The restored surface of the mound will be left to natural regeneration. The final details of the restoration will be subject to the situation at the time and as advised by the ecological supervisor/consultant.

6.7 On bunds with a northern or eastern aspect (phases 3-5), the finish of the surface layer will aim to establish stone curlew nesting habitat. A short grassland sward will be established and include an irregular cover of flints at a rate of approx 3 tonnes /ha. but to accommodate any subsequent need to top(cut) the vegetation. The flints will be either obtained ex works or from adjacent farmland.

6.8 Once cultivations of the finished surface layers have been completed, log piles will be built. The surrounding reptile fence may be dismantled/ breached to allow reptiles to re-colonise provided that the adjacent phase has protection. The strategic reptile fences will only be dismantled on the completion of the final capping layers of phases 1-5.

Aftercare *(condition 8)*

6.9 Following the establishment of vegetation to a cover of at least 75 per cent of the ground will be maintained as a low sward. If required (on account of the reduced rabbit population) it will either be grazed occasionally by sheep, or cut. At the completion of the works all the geotextile/plastic element of the fencing will be removed off site. The fence posts may be retained as a basis for livestock fencing as appropriate; alternatively electric fencing can be used to focus grazing with the use of portable cattle grids.

Table 6.1 Summary of annual seasonal schedule of works

Operation	Jan-Feb	Mar/ April	May/ June	July/ August	Sept/ Oct.	Nov/ Dec.	Non seasonal operation
Check for stone curlew		X	X	X			
Check for other breeding birds		X	X	X			
Base line reptile survey and report in 2007 and 2012		X	X		x		
Check integrity of reptile and tree fences/repair	X	X	X	X	X	X	
Destructive search of rabbit holes and natural refugia		x	x	x	x		
Check quality of sward on mounds/stores and cut if necessary			x	x	X		
Cut grassland in adjacent phase/restored areas		x	x	x	x		
Monitor establishment of vegetation on restored land			x	x			X
Weed control on placed material/ around planting			x	x	x		
Pruning of planting	x	x				x	
Confirm soil capping depth/placement							X
Annual monitoring/review report	x					x	X

Key: X- essential task in the period

x- task may be required in the period

7 MONITORING

7.1 A monitoring and reporting procedure will be an essential part of the environmental management plan *(condition 13 &14)*. It will included a certification process of checks for protected species relating to phases of the works, in addition to checking the effectiveness of the restoration/ habitat creation and subsequent after care.

7.2 Monitoring of the establishment of vegetation will be undertaken to assess the development of the sward, the need for further enhancement with implications/feed back for placement for proceeding phases.

7.3 Records will be kept of monitoring with a report issued at the end of each year copied to Natural England and the planning authority. The report will include recommendations as necessary and may require the updating of items in the environmental management plan.

7.4 Monitoring will be undertaken for a period of 5 years following completion of each part of the site i.e. to the north (phase 1-5) and south of the club buildings (phase 6).

8 PROVISION OF TRAINING AND INFORMATION ABOUT THE IMPORTANCE OF WILDLIFE TO ALL CONSTRUCTION PERSONNEL ON SITE

8.1 The use of one supplier of waste has the advantage that the number of personnel will be limited and therefore familiarisation with the environmental conditions of the site will be easier.

8.2 The Site Manager will be provided with a copy of the Environmental Management Plan, a copy of which will be kept in the site office (Club House). The Site Manager will be instructed in the signs of protected species recorded on site including for example, stone curlew, adder, grass snake, lizard and Japanese knotweed. Inducted persons will be registered as such.

8.3 As part of the site induction for the construction contract all users of the site will be informed that the fencing defines the site boundary and that access beyond is prohibited (Dwings SX7760000 1-55D). Other land so specified shall not be entered or the fence moved without prior consent.

9 PERSONS RESPONSIBLE

9.1 The line of communication is as set out in the Schedule of Works. Mr Nick Sibbett is Natural England's representative at their Bury St Edmunds Office.

9.2 The waste operator or equivalent contractor is responsible for:

- *Compliance with legal consents including planning conditions relating to nature conservation (Appendix 1)*
- *Installation of physical protection measures during bund formation*
- *Regular inspection and monitoring working practices during the bund formation*
- *Provision of training and information about the importance of protected species and any areas established for wildlife to all works foremen on site.*

9.3 The ecological supervisor/consultant will be responsible for undertaking and reporting on monitoring visits. Monitoring for breeding stone curlew and reptile will be undertaken by appropriately qualified ecologists.

10 CLUB HOUSE

10.1 The soft landscape scheme for the site is shown in Dwing SX9780001-47 and relates to the area around the Club House *(condition 6, 8)*. The plan provides the specification and planting schedules as required for condition 6 and will be undertaken in the first available planting season following construction of the car park area.

10.2 Trees and shrubs established around the Club House will be maintained for an initial 5 year period following planting such that a close canopy is achieved. The annual maintenance works will include maintaining a weed free 1m radius around the base of all shrubs and trees. Any gaps on account of failed or removed planting will be replaced *(condition 8)*.

REFERENCES

British Standard (1989) *BS 3998:1989 Recommendations for tree work*

British Standard (2005) *BS5837:2005 Trees in relation to construction-Recommendations*

English Nature (1998) *Breckland Natural Area Profile*. English Nature, Norwich.

English Nature (2003) *Stone curlew news issue 1 spring 2003*. English Nature, Suffolk.

Gent & Gibson (2003) *Herpetofauna workers manual* JNCC

Green R.E, Tyler G.A & Bowden C.G.R (2000) 'Habitat selection, ranging behaviour and diet of the stone curlew *(Burhinus oedicnemus)* in southern England'. J.Zool., Lond. **250**: 161-183.

HMSO (1994) *Planning Policy Guidance 9: Nature Conservation. HMSO, London*

HMSO (1994) *The Conservation (Natural Habitats, &c.) Regulations, 1994*, HMSO, London.

ODPM (2005) Planning policy statement 9 Biodiversity and geological conservation

Owen, K.M and Marrs, R.H (1988) 'Creation of heathland on former arable land at Minsmere , Suffolk, UK: the effects of soil acidification on the establishment of *Calluna* and ruderal species'. *Biological Conservation* **93**: 9-18

Patch and Dobson (1996) Driveways close to trees *Arboricultural Practise notes1*

Preston, C.D, Pearman, D.A and Dines, T.D (2002) *New atlas of the British Isles and Ireland* Oxford University Press, Oxford

Taylor, E, Green R and Perrins J (2007) Stone curlew and disturbance: developing a management tool for access. *Ibis* 2007 149

Walker, K.J, Pywell, R.F, Warman, E.A, Fowbert, J.A, Bhogal, A & Chambers, B.J (2004) 'The importance of former land use in determining successful re-creation of lowland heath in southern England'. *Biological Conservation*. **116**: 299-303

APPENDIX I: PLANNING DECISION NOTICE

Forest Heath District Council

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER, 1995

Planning Permission

Register Index No:
F/2005/0015/FUL

Addressee :
Bidwells (S Worth)
Trumpington Road
Cambridge
CB2 2LD

Applicant :
Mr P Usher
Lakenheath Country Club
Hereford Road
Brandon
Suffolk
IP27 9PP

Permission is hereby **GRANTED** by the Forest Heath District Council as Local Planning Authority for the purposes of the above Act and Orders for development in accordance with the application dated 05 January 2005 and the plans and drawings attached thereto.

DESCRIPTION OF DEVELOPMENT: Resubmission: erection of replacement clubhouse, storage building, three clay target towers, landscaped bunding and alterations to vehicular access. (Major Development). (Environmental Statement submitted with the application) (Additional information submitted relating to landscape impact, noise, phasing and source of material for the proposed bund and revised elevational treatment for the clubhouse, plans dated 23rd September 2005

LOCATION: Lakenheath Country Club Hereford Road Lakenheath (Parish of Eriswell)

Subject to compliance with the following **CONDITIONS**

1	The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: To comply with Sections 91 and 92 of the Town and Country Planning Act 1990.
2	No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant for the prior, written approval of the Local Planning Authority. Reason: To ensure the proper recording of archaeological remains.
3	No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with 290.402.C17. Thereafter the access shall be retained in the specified form. Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.

[redacted]

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7 August 2006

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4	The use shall not commence until the area(s) within the site shown on drawing number 290.402.C4B for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes. Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.
5	No development approved by this permission shall be commenced until a scheme for the provision of foul and surface water drainage works has been approved in writing by the Local planning Authority. Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to prevent pollution of the water environment.
6	No development shall take place until a scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include planting plans; written specifications; schedules of plants, noting species, plant sizes, proposed numbers/densities; implementation programme. The scheme shall also indicate all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in course of development. Reason: To safeguard the character of the area and to help to assimilate the development into its surroundings.
7	No development shall take place until a scheme of hard landscaping has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include proposed finished floor levels or contours; means of enclosure; car parking layouts; hard surfacing materials; street furniture; signs; lighting; proposed and existing functional services above and below ground (e.g. drainage, power, communications cables; pipelines etc. indication lines, manholes, support etc.); retained historic landscape features and proposals for restoration - where relevant. Reason: To safeguard the character of the area and to help to assimilate the development into its surroundings.
8	All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of planting, any trees or plants or any replacement planting is removed, uprooted, destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective) replacement trees and plants of the same species and size as that originally planted shall be planted in the new planting season, in the same place, unless the Local Planning Authority gives its written consent to any variation. Reason: To ensure a suitable scheme of implementation is agreed for the planting and to ensure the continued benefit of existing landscaping features.
9	Prior to any development, site works or clearance all the existing trees to be retained (as indicated by the approved plans) shall be protected by fences, of a type and position to be approved by the Local Planning Authority, erected around each tree or group of trees. Within the areas so fenced, the existing ground level shall be neither raised nor lowered and

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	no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 50mm or more shall be left unsevered. (See British Standard BS 5837:1991 entitled "Trees in relation to construction"). Reason: To ensure that the existing landscaping features included on the site are retained and protected from damage during the course of construction works.
10	No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension/building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure that visually the development accords with neighbouring buildings to safeguard the character of the area.
11	No development shall commence until a scheme for the provision and implementation of pollution control measures has been submitted to and agreed in writing with the Local Planning Authority. Reason: To prevent pollution of the water and air environment.
12	Before any on site construction works commence, including site clearance, a scheme shall be agreed with the local planning authority which specifies the provisions to be made for the control of noise emanating from the site during construction. Reason: To protect the reasonable residential amenities of the occupiers of adjacent buildings.
13	Before any on site construction works commence, including site clearance (a) An environmental management plan and construction method statement shall have been submitted to, and approved in writing by, the local planning authority. This statement shall include: • A timetable for each phase of the development including site clearance operations, details of the fill materials and the sources of the fill materials, routing of construction traffic, the phasing of the construction and erection of the bunding, the target towers and the clubhouse, • routes for the movement of plant and materials around the site and • actions necessary to avoid conflict with breeding birds and any other protected species. (b) The development shall be carried out in accordance with the approved details in its entirety. Reason: To ensure that the development hereby approved is managed properly to ensure harm to this sensitive environment.
14	Before any on site construction works commence, including site clearance a detailed management plan for habitat creation shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details. Reason: To ensure that the development accords with the habitat creation policies contained in the accompanying Environmental Statement and to ensure that no harm is caused to this environmentally sensitive site.
15	No development shall commence until a scheme of community engagement and sports development has been submitted to and agreed in writing with the Local Planning

[redacted]

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	Authority. Reason: To ensure active community involvement in this important sporting facility.
16	The development shall be carried out and completed strictly in accordance with the approved details including the Environmental Statement and Additional information submitted relating to landscape impact, noise, phasing and source of material for the proposed bund and revised elevational treatment for the clubhouse, plans dated 23rd September 2005 to the satisfaction of the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority. Reason: To ensure that a satisfactory form and quality of development is achieved for the site and to ensure that the development is carried out in accordance with the principles set out in the Environmental Statement including the additional information received 23rd September 2005 in order to minimise the adverse environmental effects of the development.

Informatives:
Any failure to adhere to the approved plans or to comply with the conditions attached to this permission/consent may lead to enforcement action being taken.

This permission refers only to the provisions of Part III of the Town and Country Planning Act, 1990 and attention is drawn to the necessity (where applicable) for obtaining consent under the Building Regulations to the proposed development.

Reasons for grant of planning permission
The application accords with the provisions of the development plan and does not give rise to demonstrable harm to interests of acknowledged importance.

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's West Area Manager should be contacted at Shire Hall, Bury St Edmunds, IP33 1RF. Telephone 01284 352000.

The following key policies are relevant to the determination of the application and/or the imposition of the conditions listed above:
Forest Heath Local Plan 1995:3.4, 5.7, 5.13, 6.11, 8.1, 8.6, 8.8, 8.10, 8.20, 8.34, 9.1, 9.2
Suffolk Structure Plan 2001: CS1, ECON12, ENV3, ENV4, ENV8, ENV5, ENV18, ENV19, ENV20, ENV22, REC3, T13 AND T14

[redacted]

Decision Date
7 August 2006

Nigel McCurdy – Head of Planning

Forest Heath District Council

NOTES

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the First Secretary of State (Office of the Deputy Prime Minister). The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications:	Section 78 Town and Country Planning Act 1990
Listed Building Applications:	Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990
Advertisement Applications:	Section 78 Town and Country Planning Act 1990 Regulation 15 Town and Country Planning (Control of Advertisements) Regulations 1992

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice, in all other cases, notice of appeal must be served within six months of this notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practise refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

APPENDIX II: LAKEN HEATH WARREN SSSI CITATION

Date notified: 14th November 1986

COUNTY: SUFFOLK SITE NAME: LAKENHEATH WARREN

DISTRICT: FOREST HEATH

Status: Site of Special Scientific Interest (SSSI) notified under Section 28 of the Wildlife and Countryside Act 1981

Local Planning Authority: FOREST HEATH DISTRICT COUNCIL

National Grid Reference: TL 767805 Area: 570.6 (ha.) 1410.0 (ac.)

Ordnance Survey Sheet 1:50,000: 143/144 1:10,000: TL 77 NE/NW, TL 78 SW TL 87 NW

Date Notified (Under 1949 Act): 1954 Date of Last Revision: 1975

Date Notified (Under 1981 Act): 1986 Date of Last Revision: –

Other Information:

Description and Reasons for Notification:
Lakenheath Warren is the largest heathland site remaining in the Suffolk Breckland. It is the only area containing the full range of Breck grass-heath types, which reflects the wide range of soil pH and is the type locality for Dr Watt's classic studies on these habitats. The site has a well documented history of use as a rabbit warren and an area of sheep grazing from the mid 13th century until the second World War. The Warren supports an assemblage of rare, notable and uncommon plants as well as a variety of breeding birds typical of lowland heath.

The grassland types range from calcareous through to acidic. All are unimproved and have had little grazing pressure in recent years. Bracken *Pteridium aquilinum*, Sand Sedge *Carex arenaria* and invasive trees such as Scots Pine *Pinus sylvestris* all dominate substantial parts of the site. Sheep's Fescue *Festuca ovina*, with some Bent grasses *Agrostis* spp. are abundant across the full range of grasslands. The different grassland types are distinguished by the occurrence and abundance of the various associated species.

Calcareous grassland is the least widespread and is the location of many of the rare and uncommon plants. South-west of Warren Lodge is situated a small but floristically rich area that has highly calcareous shallow soil where some bare chalk is exposed. Moonwort *Botrychium lunaria*, Spanish Catchfly *Silene otites*, Wall Bedstraw *Galium parisiense* and *Carex ericetorum* are found here as well as an unusual range of lichens (over a dozen species including several rare ones) and mosses. The remaining calcareous grassland has a continuous vegetation cover. Species diversity is highest here (80 vascular plants) and many calcicolous species such as Purging Flax *Linum catharticum*, Purple Milk-vetch *Astragalus danicus*, Hairy Rock-cress *Arabis hirsuta*, Stemless Thistle *Cirsium acaulon* and Quaking Grass *Briza media* are evident.

The neutral and acidic grasslands constitute the main grassy components of the Warren. Grasses grow more vigorously here. There is a reduction in the species diversity and abundance of herbs in the neutral grassland and this area is characterised by the abundance of Harebell *Campanula rotundifolia*, Lady's Bedstraw *Galium verum*, *Carex praecox* and the moss *Pleurozium schieberi*. Wavy Hair Grass *Deschampsia flexuosa* is dominant over wide areas of acidic grassland and Sand Sedge is abundant here. Sheep's Sorrel *Rumex acetosella*, Shepherd's Cress *Teesdalia nudicaulis*, Field Woodrush *Luzula campestris* and lichens *Cladonia impexa*, *C. arbuscula* and *Cetraria aculeata* are amongst the other species frequently found.

At the north and western edges of the Warren, and at other small localised sites, a mosaic of lichen bryophyte and Agrostis/Fescue grassland is found. The lichen *Cladonia sylvatica* is dominant here and few vascular plants occur although large patches of Heath Bedstraw *Galium saxatile* are typical. Patches of Heather *Calluna vulgaris* dominated vegetation occur around the edge of the Warren particularly prominent at the north-west corner.

Of the 50 species of breeding birds, the most important include Long-eared Owl, Short-eared Owl, Nightjar, Curlew, Wheatear, Stonechat, Whinchat and Grasshopper Warbler. Lakenheath Warren is also a regular winter roost for six to eleven Hen Harriers. The rare and notable plant species occurring on the Warren, other than those already mentioned include Field Southernwort *Artemisia campestris*, Perennial Knawel *Scleranthus perennis*, Spring Speedwell *Veronica vernal*, *V. praecox*, *Thymus serpyllum*, Small Medick *Medicago minimal*, fine-leaved Sandwort *Minuartia hybrida*, *Crassula tillaea*, Striated Catchfly *Silene conical*, Suffocated Clover *Trifolium suffocatum*, Sickle Medick *Medicago falcata* and Böhmers Cat's-tail *Phleum phleoides*.

PHASE 1 EMBANKMENT

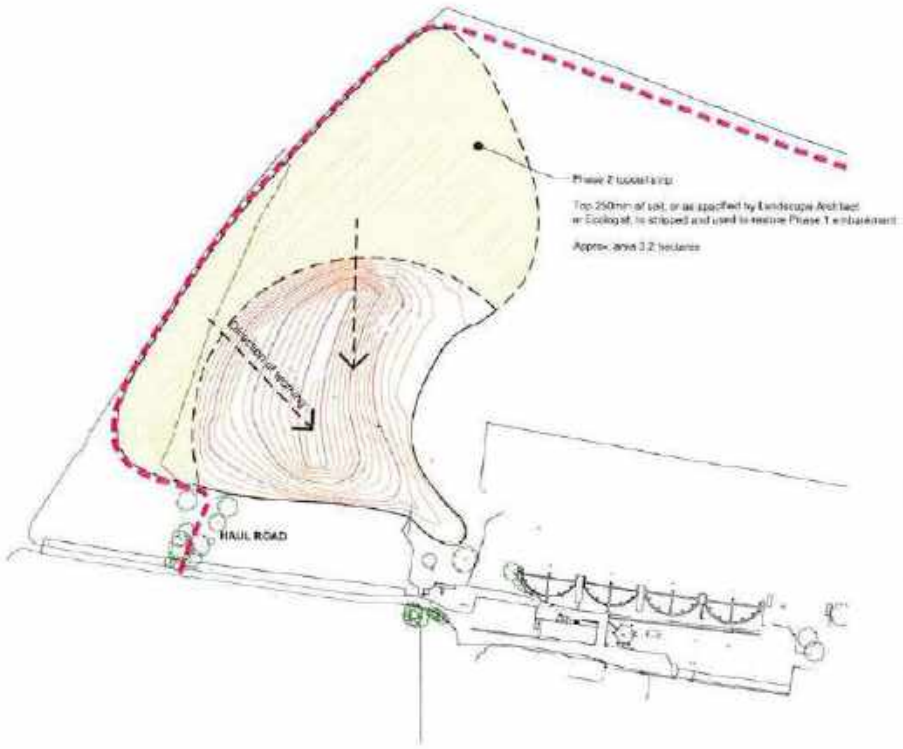
Lakenheath Country Club
Embankment - Phase 1

Drawing no.	SX97600001-48	Date	February 2007	Client	Lakenheath Country Club
Revision	B	Scale	1:1250/2500 @ A1	Drawn by	LBL Checked by

Upper King Street
Norwich
NR3 1HA
01603 763939
www.bidwells.co.uk

BIDWELLS

PHASE 2 TOPSOIL STRIP



PHASE 2 EMBANKMENT

FOREST HEATH DISTRICT COUNCIL
DEVELOPMENT
08 MAY 2007

Lakenheath Country Club
Embankment - Phase 2

Drawing no. SX97600001-49 | Date February 2007 | Client Lakenheath Country Club
Revision B | Scale 1:1250/2500 @ A1 | Drawn by LBL | Checked by

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BIDWELLS

PHASE 3 TOPSOIL STRIP

PHASE 3 EMBANKMENT

Lakenheath Country Club
Embankment - Phase 3

Drawing no. SX97600001-50	Date February 2007	Client Lakenheath Country Club	
Revision B	Scale 1:1250/2500 @ A1	Drawn by LBL	Checked by

Upper King Street
Norwich
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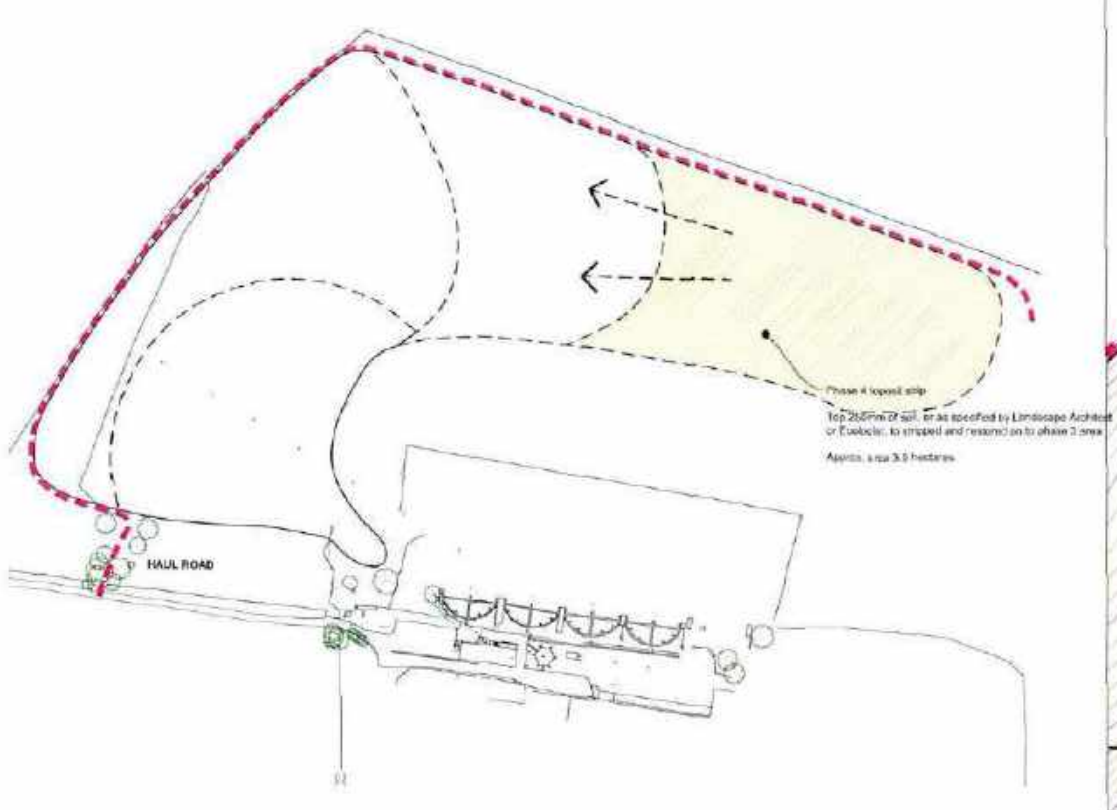
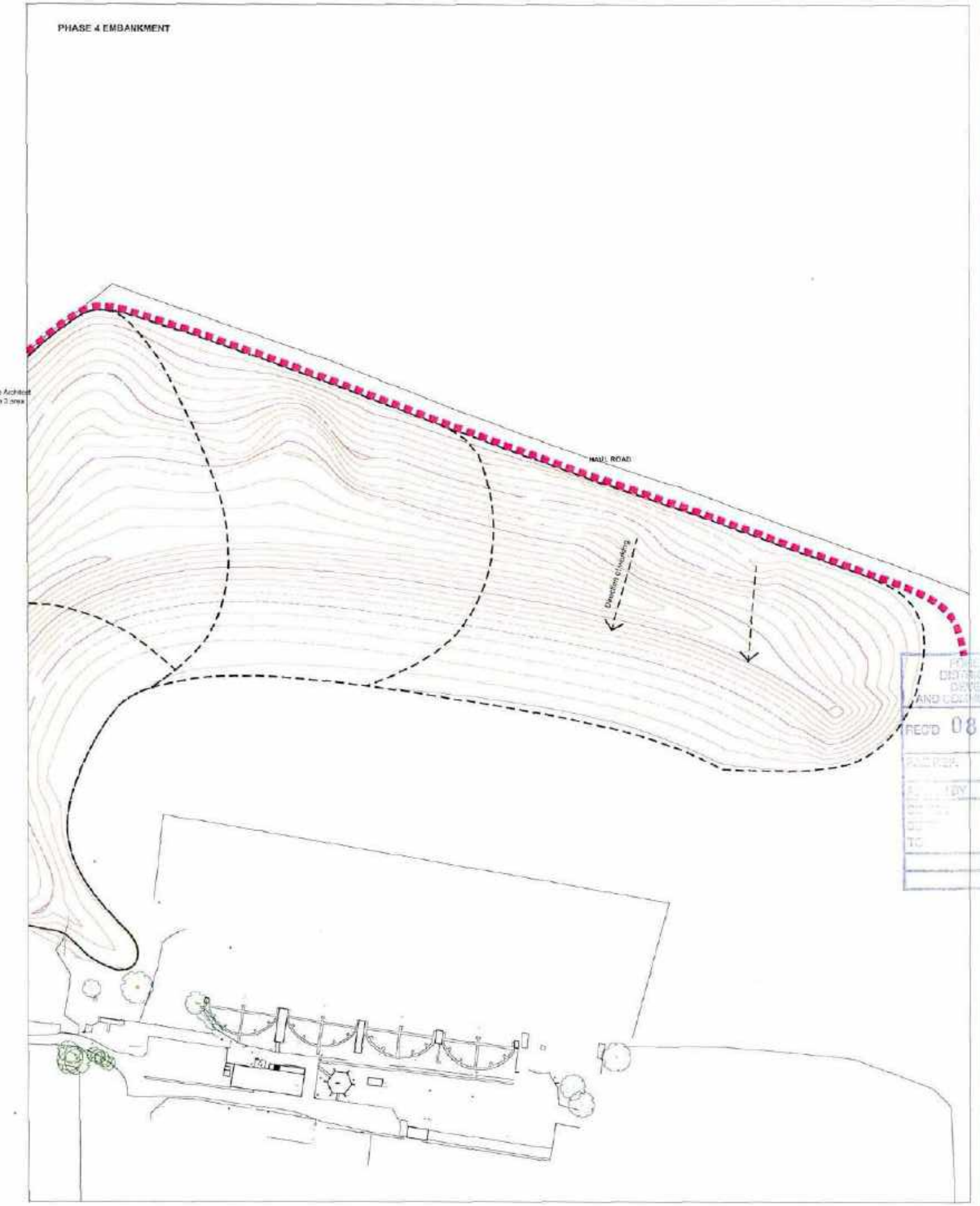
BIDWELLS

PHASE 4 TOPSOIL STRIP



PHASE 4 EMBANKMENT



RECD 08 MAY 2007

Lakenheath Country Club

Emnakment - Phase 4

Drawing no.	SX97600001-51	Date	February 2007	Client	Lakenheath Country Club
Revision	A	Scale	1:1250/2500 @ A1	Drawn by	LBL Checked by

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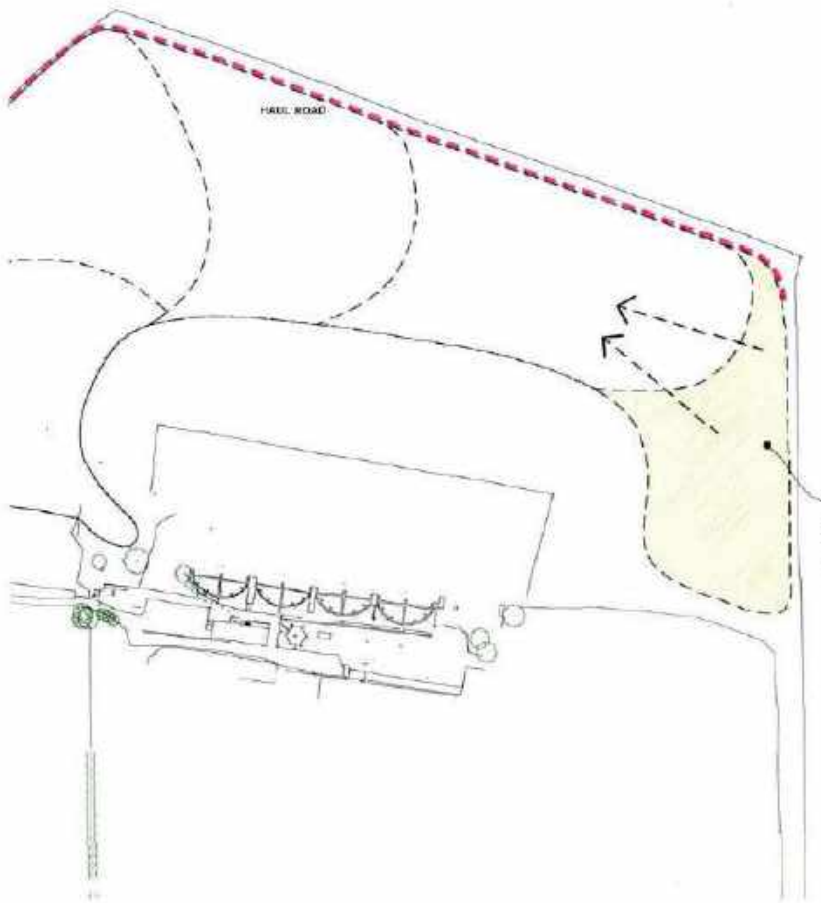
BIDWELLS

PHASE 5 TOPSOIL STRIP



PHASE 5 EMBANKMENT

RECEIVED
08 MAY 2007

Lakenheath Country Club

Embankment - Phase 5

Drawing no.	SX97600001-52	Date	February 2007	Client	Lakenheath Country Club
Revision	B	Scale	1:1250/2500 @ A1	Drawn by	LBL Checked by

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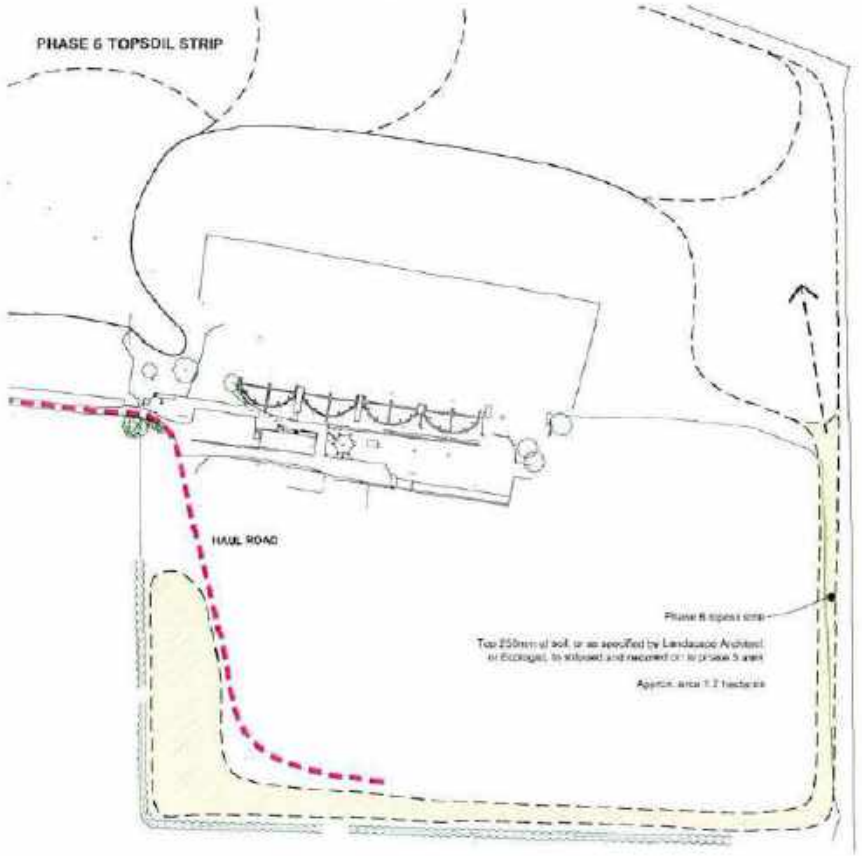

Lakenheath Country Club
Embankment - Phase 6

Drawing no.	SX97600001-53	Date	February 2007	Client	Lakenheath Country Club
Revision	B	Scale	1:1250/2500 @ A1	Drawn by	LBL Checked by

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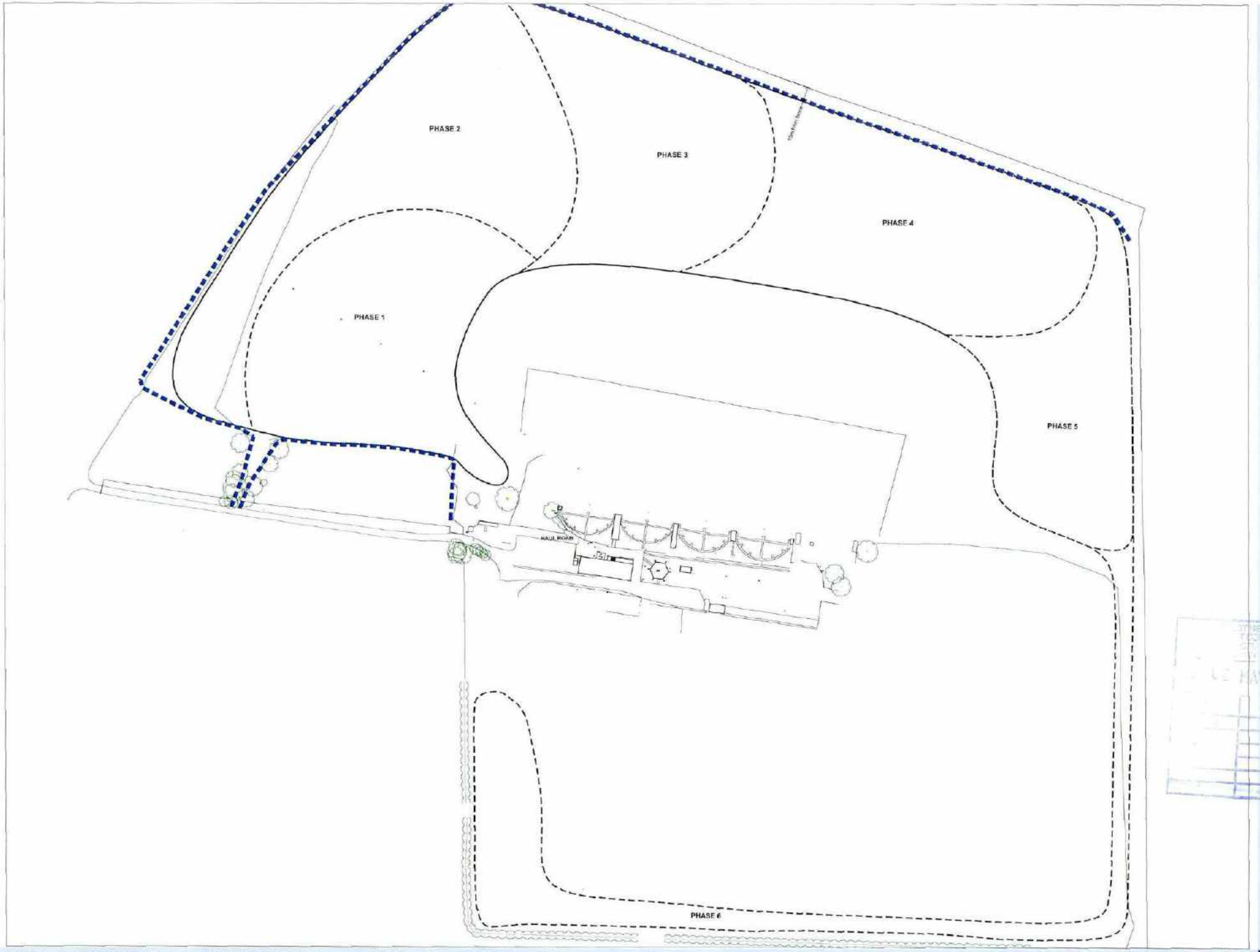
BIDWELLS

Lakenheath Country Club

Phasing + reptile fence location



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15 MAY 2007

Drawing no.	SX97600001-54	Date	February 2007	Client	Lakenheath Country Club
Revision	B	Scale	1:1250 @ A1	Drawn by	LBL
				Checked by	

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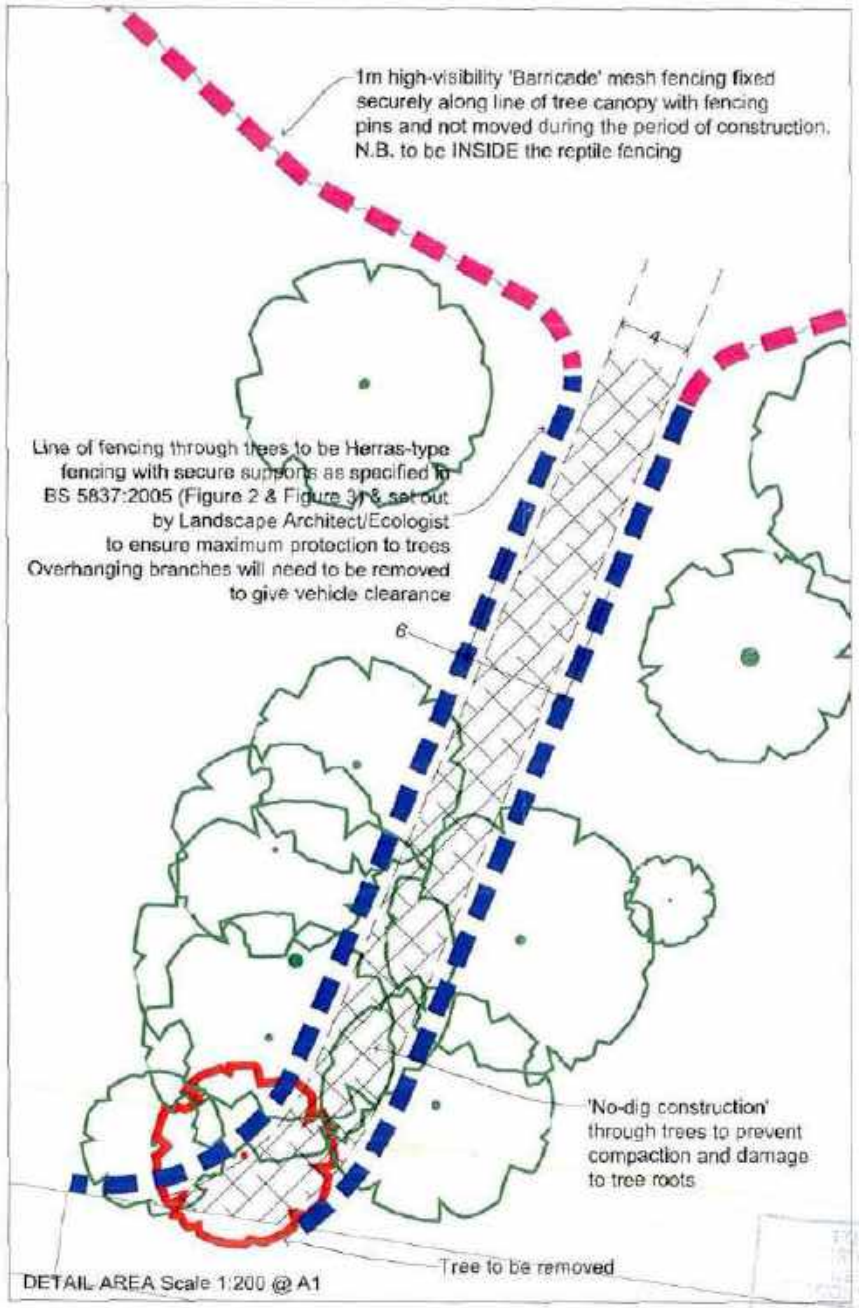
BIDWELLS



'Barricade' fencing along tree canopy

Herras-type fencing along haul road through trees

SITE LOCATION Scale 1:1000 @ A1

08 MAY 2

Lakenheath Country Club

Tree protection plan

Drawing no.	SX97600001-55	Date	April 2007	Client	Lakenheath Country Club
Revision	D	Scale	as shown	Drawn by	LBL Checked by

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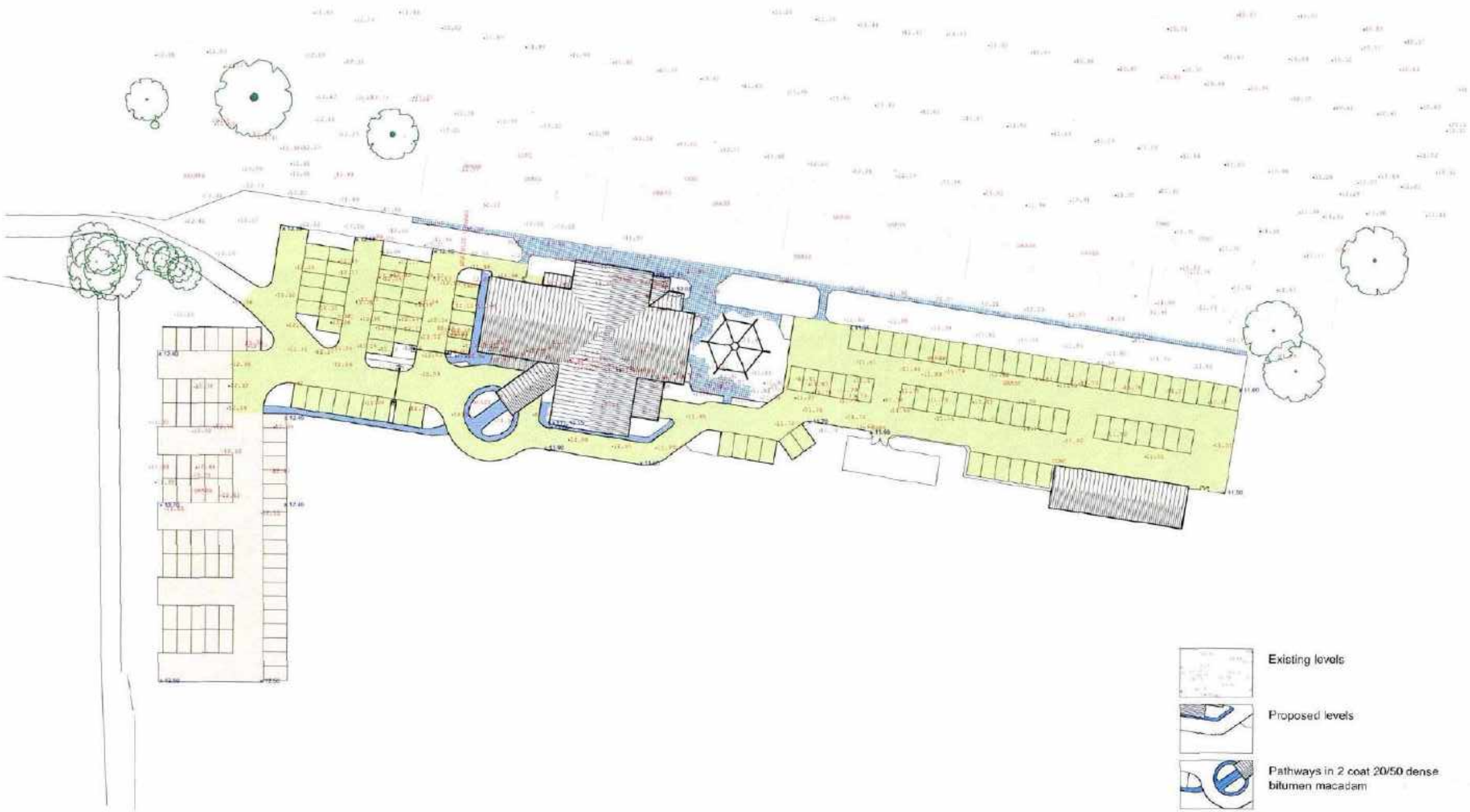
BIDWELLS

Lakenheath Country Club

Proposed Levels and Surfacing



Existing levels

Proposed levels

Pathways in 2 coat 20/50 dense bitumen macadam

Access and parking in 2 coat 40/60 dense bitumen macadam

Overspill parking in dressed gravel to min 45mm compacted thickness

Paths and patios in precast concrete paving slabs 450 x 450 x 40mm

MAY 2007

Drawing no. SX97600001-56	Date April 2007	Client Lakenheath Country Club	
Revision	Scale 1:500 @ A1	Drawn by LBL	Checked by

Upper King Street
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BIDWELLS

From: Almond, Rachel
To: Alex Christopher
Subject: RE: Lakenheath County Club (F/2009/0073/VAR) - and F/2005/0015/FUL
Date: 03 April 2009 13:34:36

Dear Alex,

I have reviewed the planning file F/2005/0015/FUL in conjunction with the recent application F/2009/0073/VAR and can confirm that all pre-commencement conditions namely 5, 6, 7, 10, 13 and 14 have been discharged subject to satisfactory implementation.

Conditions 2, 11 and 15 of the original 2005 consent have been varied in accordance with application reference F/2009/0073/VAR.

Regards

Rachel Almond
Principal Planner
01638 719455

-----Original Message-----
From: Alex Christopher [mailto:alex.christopher@cgms.co.uk]
Sent: 31 March 2009 10:48
To: Almond, Rachel
Cc: Richard Tilley
Subject: Lakenheath County Club (F/2009/0073/VAR)

Dear Rachel,

I write with regard to the above site and further to previous correspondence and the recent grant of planning permission (F/2009/0073/VAR) for the alteration to the wording of conditions 2, 11 and 15 of planning permission F/2005/0015/FUL.

As you are aware, Richard Plowman gave Elveden Farms Ltd consent (via email dated 11/12/08) to use tyre bales in a section of bund in the south eastern corner of the site with a caveat that all pre-commencement conditions on the original planning permission should have been discharged. I would be grateful therefore if you could please confirm that all relevant pre-commencement conditions have been satisfactorily discharged and that works many now commence on site.

I would be very grateful if you could please confirm this as a matter of urgency in light of current enforcement issues on the Barnham site.

Kind regards

Alex Christopher

Alex Christopher
Planner
Direct Dial: 020 7583 6767
Email Address: alex.christopher@cgms.co.uk

CgMs Consulting
Planning, Archaeology & Historic Buildings Consultants
Morley House, 26 Holborn Viaduct, London EC1A 2AT
Tel: 020 7583 6767
Fax: 020 7583 2231
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