

Proposed Additional Modifications (AM) to the Norfolk Minerals & Waste Local Plan

This document sets out a list of potential additional minor modifications to the Publication version of the Norfolk Minerals and Waste Local Plan which the Council are proposed for consideration throughout the examination. These additional modifications are based on a review of suggested modifications put forward in representations at the Regulation 19 stage. A summary of these representations and the Council’s responses are set out in the Regulation 19 Statement of Consultation and full details are available in the Regulation 19 Representations Feedback Report.

During the Examination of the Norfolk Minerals and Waste Local Plan, the Council will request the appointed Inspector to consider the following amendments as proposed additional modifications. The Council has suggested most of the following modifications in order to address concerns raised by those who made representations on the Plan. Additional minor modifications are those that do not materially affect policies and could be considered clarifications and corrections. No representation has been made, that in the view of planning officers would render the Plan unsound or give rise to sufficient cause at this stage to undertake a further consultation, however, it will ultimately be at the Inspector’s discretion whether these suggested modifications are necessary and appropriately worded.

Additional text is shown as **bold and underlined**.

Mod ref. no.	Policy / Paragraph	Proposed modification	Reason
AM1	Paragraph 1.2	Amend the following sentence to delete ‘district councils’ and replace with ‘Norfolk Local Planning Authorities’: “Therefore, the NM&WLP is a consideration in the determination of planning applications lodged with <u>Norfolk Local Planning Authorities</u> , where there is the potential for those proposals to impact on safeguarded minerals and waste developments.”	Factual correction to ensure the Broads Authority is not excluded
AM2	New paragraphs before 3.21	Additional text: <u>“It is a matter of fact that minerals can only be extracted where they are found. Therefore, it is important to understand the geology of Norfolk and the distribution of mineral across the county.</u> <u>The structure of Norfolk geology can be split into two broad groups, Bedrock and Superficial deposits. The bedrock geology dips as you move eastwards towards the North Sea basin, and the oldest bedrock deposits are found in the west with the deposits becoming more recent as they dip towards the North Sea. The far west of the county has bedrock composed of Kimmeridge and Amphill clay formations, these give way to relatively narrow north-south bands of Silica sand,</u>	To provide further factual geological information

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		<p><u>Carstone, Gault clay and Red Chalk deposits, some of which are partially overlain by each other, and which represent an ancient cliff line which has been significantly eroded by more recent geological events.</u></p> <p><u>These give way to white chalk deposits which form the bedrock across the central third of the county before giving way to Crag (Norwich and Wroxham) deposits generally to the east of Norwich. The bedrock deposits in the west of the county were laid down in the Jurassic and Lower Cretaceous periods (160 - 100 million years ago), with the central chalk deposits being Upper Cretaceous deposits (99 - 65 million years ago).</u></p> <p><u>The Crag deposits by contrast only date from around 2 million to 0.5 million years ago. They were formed in a shallow marine environment and their westward extent indicates the coastline at that time. While the interpretation of the bedrock deposits is straightforward this is not the case for the superficial deposits which overlie the majority of the County and are a rich source of sand and gravel. These have all been deposited within the Pleistocene (last 800,000 years), with the Hunstanton Till being the youngest of these at 20,000 years old. These superficial deposits are the result of the complex interaction of marine, fluvial and glaciofluvial deposition events. The youngest superficial deposits are the Holocene peat beds in the far west and east of the County which have been laid down in the last 10,000 years. In the far west of the county peat deposits have formed over parts of the western clay deposits, as a result of the embayment of the Wash due to changes in relative sea and land levels since the end of the last Ice Age, to create the Fens. In the east, peat deposits formed around the basins of the various river systems as they meandered over the relatively flat landscape towards the North Sea. These deposits were extensively extracted in the Medieval period for fuel, and the subsequent flooding of these workings led to the formation of the Norfolk Broads.</u></p> <p><u>Ancient fluvial and glaciofluvial events have also provided rich deposits across the County in the form of outwash features and terraces which have been</u></p>	

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		<p><u>subsequently overlain by more recent deposits. Parts of the Superficial deposits have provided rich deposits of sand and gravel. Historic mineral workings in the river valleys have caused extensive landscape change through the formation of a large amount of open water in the former pits. Extraction in the widespread glaciofluvial deposits is generally above the groundwater level, which is often in the Chalk.</u></p> <p><u>In terms of hydrocarbons, Mineral Planning Authorities are only required to include policies on hydrocarbon extraction if they are within a petroleum licence area and there are no petroleum licences currently (June 2024) in Norfolk. In addition, British Geological Survey research does not identify Norfolk as being potentially viable for the commercial extraction of shale gas.”</u></p>	
AM3	Paragraph 3.34	<p>Delete the first two sentences and replace with the following text: <u>“Clay and chalk are also extracted in Norfolk. The superficial clay deposits in Norfolk consist of Kimmeridge, Amptill, Gault and London Clays; as well as ‘boulder clays’ such as the Lowestoft Till, and Hunstanton Till. The Kimmeridge Clay deposits occur in West Norfolk, and the locations for the clay working occur within this area. London Clay occurs in a small area within the Yare Valley and there have not been recent workings.</u></p> <p><u>The various Till deposits have been subject to historic workings for various uses, including chalky boulder clay as ‘marl’ (used in agriculture as a soil conditioner and at one time in the production of mortar), and sandy boulder clay for brickmaking. However, there have not been any workings for these uses in many years.</u></p> <p><u>Information from planning applications for the clay extraction sites in Norfolk state that the clay is currently used in connection with flood defence works, lining of various types of lagoons and reservoirs and lining and capping landfill sites. The clay extracted in Norfolk is not currently used for brickmaking purposes, and there are no operational brickworks within Norfolk.</u></p>	To provide further factual detail on chalk and clay extraction in Norfolk.

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		<u>Chalk occurs at the surface in several locations across the county; principally as a plateau in West Norfolk, around Norwich where the river valleys have exposed outcrops, and along the North Norfolk Coast. The chalk strata in Norfolk can be of significant thickness, in some cases approximately 500m. The chalk extracted in Norfolk is primarily used as agricultural lime, with some small-scale production of heritage mortar at one site. The existing chalk workings all have permission for extraction until 2042.</u>	
AM4	Vision	Amend last sentence of seventh paragraph to state: Opportunities to enhance such features will be supported. All developments will provide a minimum measurable 10% biodiversity net gain and wherever possible contribute to the delivery of the national Nature Recovery Network objectives.	Reference to the provision of the minimum measurable 10% biodiversity net gain and Nature Recovery Networks were requested by Natural England in representation 99423.
AM5	Waste Strategic Objectives WSO7	Amend to the last sentence to state: “All developments will provide a minimum measurable 10% biodiversity net gain and temporary developments will contribute to the delivery of the national Nature Recovery Network objectives on restoration ”.	Reference to the provision of the minimum measurable 10% biodiversity net gain and Nature Recovery Networks were requested by Natural England in representation 21912
AM6	Minerals Strategic Objectives MSO9	Amend to the last sentence to state: “The restoration scheme and aftercare will protect and enhance the environment, including landscape improvements, contributing to the delivery of the national Nature Recovery Network objectives and the provision of a minimum measurable 10% biodiversity net gain ”.	Reference to the provision of the minimum measurable 10% biodiversity net gain and Nature Recovery Networks were requested by Natural England in representation 99424

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AM7	Key diagram	Amend the Key Diagram to delete Sheringham and to include Holt. Delete the stone curlew mitigation zone and the 'grid cells with less than 50% survey coverage' for stone curlews.	Sheringham was incorrectly included in the Key Diagram, whilst Holt was incorrectly excluded from the Key Diagram which was not in accordance with spatial strategy policies WP2 and MP2. The removal of the stone curlew mitigation zone and 'grid cells with less than 50% survey coverage' is in line with revised Natural England guidance (see representation 99422)
AM8	Paragraph 6.3	delete 'Local List for Validation of Planning Applications' and replace with ' <u>National and Local Validation Requirements for Minerals and Waste Planning Applications</u> '.	Factual update
AM9	Paragraph 6.16	Amend the fifth bullet point as follows: "minimising the use of external lighting <u>and only use lighting if necessary and justified</u> , use hooded/cowled lighting to direct light downwards, <u>only have lighting on when it is needed (through use of timers, on/off switches or motion sensors), make sure the intensity is appropriate for the lighting task,</u> and contain light within the site."	To provide additional information on lighting as requested by the Broads Authority in representation 99143.
AM10	Paragraph 6.19	Amend the first sentence of this paragraph to delete "District, Borough or City Local Plans" and replace with " <u>Norfolk Local Planning Authorities' Local Plans</u> ".	Factual correction to ensure the Broads Authority is not excluded
AM11	Paragraph 6.21	Insert the following new sentence immediately before the last sentence in the paragraph " <u>Geodiversity gains will be assessed on a case-by-case basis informed by the context of each application.</u> "	For clarity as requested by Anglian Water in relation to representation 99271.
AM12	Paragraph 6.22	Delete the existing text and replace with the following text: " <u>A Biodiversity Survey and Assessment will be required for certain planning applications in accordance with the requirements set out in Norfolk County Council's adopted 'National and Local Validation Requirements for Minerals and Waste Planning Applications.'</u> "	Factual update for consistency with Norfolk County Council's adopted 'National and Local Validation Requirements for Minerals and Waste Planning Applications.'

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AM13	Paragraph 6.25	Delete the three bullet points. Amend the last sentence to state: <u>“A Landscape and Visual Impact Assessment will be required at the planning application stage for any proposal that due to its size, scale or location may have a significant visual impact upon the surrounding landscape.”</u>	Factual update for consistency with Norfolk County Council’s adopted ‘National and Local Validation Requirements for Minerals and Waste Planning Applications.’
AM14	Paragraph 6.30	Delete the sentence: “A Heritage and Archaeology Statement must include a desk-based assessment containing:” and the four bullet points which follow that sentence. Add the following new text to the end of the existing paragraph <u>“... in accordance with the requirements set out in Norfolk County Council’s adopted National and Local Validation Requirements for Minerals and Waste Planning Applications.”</u>	Factual update for consistency with the ‘National and Local Validation Requirements for Minerals and Waste Planning Applications.’
AM15	Paragraph 6.31	Add a new paragraph after paragraph 6.31: <u>“Both the direct and indirect impacts on archaeological remains, that may occur from proposed mineral extraction, need to be considered. This includes the potential for the works to alter the groundwater levels within the areas of the proposed works and in adjacent areas, which may affect the movement of water through archaeological deposits, or the preservation conditions. If this occurs it can result in the damage or even loss of vulnerable archaeological remains, such as waterlogged wood, leather or palaeoenvironmental remains, or effect the preservation of archaeological materials (e.g. peat). With regards to below ground archaeology, Historic England has produced the following relevant guidance documents on materials that may be present and how the potential impacts (such as changes to the groundwater levels or chemistry in the area) could be investigated): Preservation of Archaeological Remains (2016), Environmental Archaeology (2011) and Geoarchaeology (2015), Mineral Extraction and Archaeology Advice Note 13 (2020).”</u>	To provide additional information on below ground archaeology as requested by Historic England in representation 99224

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AM16	Paragraph 6.40	New sentences to be added to the end of the current paragraph as follows: <u>“Developers are legally required to have a consent or permit if the development will, permanently or temporarily, affect the flow or cross-sectional area of a watercourse. If work begins without a consent or permit in place the developer could be asked to change or remove the works. A watercourse consent application is managed outside the planning process. For further information visit Consent for work on ordinary watercourses - Norfolk County Council”</u>	Factual change as advised by the Lead Local Flood Authority in representation 99159
AM17	Paragraph 6.49	Amend to include a new sentence at the end of this paragraph to state <u>“It may be necessary for bird hazard mitigation to be secured through planning condition and/or planning obligation.”</u>	Factual change as suggested by Ministry of Defence (Defence Infrastructure Organisation) representation 99469.
AM18	Paragraph 7.8	Amend the date of the ‘Safe, Sustainable Development’ document from November 2019 to <u>July 2022</u>	Factual update
AM19	Paragraph 8.5	Amend first sentence to state: “Norfolk is one of the driest counties in the UK and there is a need to minimise demands on potable water resources, <u>and water resources in general</u> , particularly in the context of climate change”.	As advised by the Environment Agency at the Preferred Options stage to include all water resources.
AM20	New paragraph after 8.8	Add the following new text: <u>“Over the life of the NM&WLP Norfolk County Council will seek to encourage the use and adoption of low or zero emission vehicles for the movement of minerals and waste, however, it is recognised that future uptake and use is dependent on technological development, standards and government legislation which fall outside the scope of the planning system”.</u>	Additional information regarding the use of low or zero emission vehicles.
AM21	Policy MW3	Amend point (e) to state: “take account of potential changes in climate including rising sea levels, <u>larger river flows</u> and coastal erosion;	As advised by the Environment Agency at the Preferred Options stage to include larger river flows.
AM22	Paragraph 9.1	In the second sentence, after (SPA) add <u>“(and known as Breckland SPA)”</u> also delete the word ‘habitat’ after ‘The Brecks’. Delete the last sentence which states: ‘SSSIs and NNRs make up 40% of the total area’.	For clarity and factual correction, as advised by Natural England.

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AM23	Paragraph 9.2	Delete the last sentence which states “Such circumstances may include the use of existing buildings and development where completely masked from the SPA by existing development”.	As advised by Natural England as the assessment can be more complex than this wording suggests.
AM24	Paragraph 9.3	Delete the whole paragraph.	As advised by Natural England in representation 99422 and further correspondence regarding their revised guidance.
AM25	Paragraph 9.4	Delete the whole paragraph.	Paragraph 9.4 specifically relates to development within the area detailed in paragraph 9.3, which is to be deleted due to updated Natural England guidance.
AM26	Paragraph 9.5	Delete the last sentence which states “Within this zone additional built development is likely to have a significant effect on the SPA.”	Reason: As advised by Natural England as it is more complex than the existing wording suggests.
AM27	New paragraph after paragraph 9.5	Add the following new text: <u>“Stone Curlews are also found outside of the SPA. Stone Curlew are a protected species listed in Schedule 1 of the Wildlife and Countryside Act 1981 so any direct or indirect impacts (such as disturbance up to 1,500m away) to non-SPA stone curlew will still need to be assessed and if necessary mitigated / compensated for outside of the Habitats Regulations process”.</u>	Reason: As advised by Natural England to advise on impacts to non-SPA stone curlews.

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AM28	Paragraph 9.6	<p>Delete the following text from the end of the paragraph “Due to the sample size and the number of buildings identified, there needs to be an element of caution applied to the results, however, the research indicates that there was no evidence of a negative impact of agricultural or commercial buildings. As such, the analysis suggests that project level HRA for non-residential development in the SPA buffer zones may be able to demonstrate that adverse effects can be ruled out.”</p> <p>Replace with the following new text at the end of the paragraph: <u>“The research indicates that the effect of buildings is from residential rather than other building types. However, due to the sample size and number of buildings identified, there needs to be an element of caution applied to the results. As such, proposed non-residential building developments in the 1,500m buffer zone should be carefully considered. Any project level HRA undertaken should ensure it can demonstrate adverse effects can be ruled out.”</u></p>	As advised by Natural England in correspondence regarding their revised guidance.
AM29	New paragraph after paragraph 10.2	Add the following new text: <u>“A soils management and handling strategy must be submitted to the County Planning Authority for applications where development is proposed on agricultural land. The strategy should contain a comprehensive soil assessment including a detailed soil survey to identify soil types, profiles and depths and details to demonstrate how the proposal will undertake any soil operations including stripping, storage and replacement”</u> .	Clarification
AM30	Policy MW5	Replace the reference to Defra’s ‘Good Practice Guide for Handling Soils’ with the <u>Institute of Quarrying’s ‘Good Practice Guide for Handling Soils in Mineral Workings (2021)’</u> .	Factual update to refer to current guidance document which has replaced earlier guidance document.
AM31	Map 2 (and policies map)	Delete the mitigation zone for Stone Curlew (orange hatching) and the 1km grid cells where less than half the area surveyed (squares outlined in orange)	As advised by Natural England in representation 99422 and further correspondence regarding their revised guidance.

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AM32	Paragraph W0.4	Add the following new text at the end of the paragraph: <u>“This is recognised in the National Planning Practice Guidance for Waste (Paragraph: 007 Reference ID: 28-007-20141016)”</u>	Update to replace reference to the Waste Framework Directive in paragraph W0.5 with reference to the National Planning Practice Guidance in this paragraph.
AM33	Paragraph W0.5	Delete the current paragraph	Update to replace reference to the Waste Framework Directive with reference to the National Planning Practice Guidance (added to the end of paragraph W0.4).
AM34	Policy WP1	Amend header row to state (‘000 tonnes <u>per annum</u>) for each waste type and total	Reason: For clarity
AM35	Paragraph W2.1	Add new bullet point e) (and amend existing bullet point e to f) to state <u>“there are a significant number of both non-designated and designated heritage assets across Norfolk, including more than 430 Scheduled Monuments, more than 10,890 Listed Buildings, 53 Registered Parks and Gardens and 352 Conservation Areas.”</u>	To include information on how the historic environment has been considered in the spatial strategy.
AM36	Paragraph W2.4	Insert additional text after the word ‘SACs’ as follows: <u>“(defined as habitats sites in the Conservation of Habitats and Species Regulations 2017).”</u>	For clarity
AM37	Paragraph W2.5	Delete the first sentence of this paragraph and replace it with the following new sentences: <u>“The NPPF (2023) sets out how to consider impacts of proposed development on the significance of a heritage asset. In accordance with NPPF (2023) paragraph 202, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.”</u> Amend the start of the current second sentence to start ‘Norfolk’s’ instead of ‘These’.	The information in the first sentence to be deleted will instead be in new bullet point e of paragraph W2.1. The additional text is for clarification on the approach to less than substantial harm in accordance with the NPPF, as requested by Historic England in representation 99226.

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AM38	Paragraph W3.1	Add the following new sentence to the end of the paragraph: <u>“The National Planning Policy for Waste (2014) states that, when identifying appropriate locations for waste management facilities, priority should be given to the reuse of previously developed land, sites identified for employment uses and redundant agricultural and forestry buildings and their curtilages, as well as looking for opportunities to co-locate waste management facilities together and with complementary activities.”</u>	To include national policy justification for the types of land included in Policy WP3.
AM39	Paragraph W3.6	Amend the last sentence of the paragraph to read as follows: “Therefore, Policy WP3 identifies suitable types of land for the location of <u>non-hazardous</u> waste management facilities, <u>excluding landfill sites (which are covered by Policies WP11 and WP12) and Water Recycling Centres (which are covered by Policy WP14)</u> . Further details are provided in the following policies that would apply to planning applications for particular types of waste management facilities.”	For clarity
AM40	Policy WP6	amend criteria c) to state ‘which is <u>previously developed (brownfield)</u> land, or’	For clarity and consistency with the NPPF.
AM41	Paragraph W7.5	Amend the last sentence of the paragraph to state: “In these cases, <u>where this has been demonstrated through an alternative site assessment</u> , Policy WP7 will allow an appropriate proposal to be determined positively”.	For clarity on the policy requirement.
AM42	Paragraph W9.1	Insert the following two new sentences after the current first sentence: <u>“The Waste Management Plan for England (2021) states that the government continues to support anaerobic digestion as the most effective way to treat separately collected food waste to produce energy and valuable bio-fertiliser. This ensures that food waste is diverted from landfill and reduces greenhouse gas emissions”</u> .	To provide national policy context support for anaerobic digestion of food waste.

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AM43	Paragraph W9.1	Delete the current sentence which states “This process produces methane gas that is normally used to drive a diesel generator and export the electricity to the grid.” Replace with new sentence as follows: “ <u>Anaerobic digestion produces biogas (a mixture of around 60% methane and 40% carbon dioxide) and digestate. The biogas can be burned directly in a gas boiler to produce heat or burnt in a combined heat and power (CHP) unit to produce heat and electricity. Alternatively, the biogas can be cleaned to remove the carbon dioxide and other substances, to produce biomethane, which can be injected into the national gas grid to be used in the same way as natural gas or used as a vehicle fuel.</u> ”	To provide more detailed information about anaerobic digestion as suggested by Anglian Water representation 99526.
AM44	Paragraph W10.2	Add a new paragraph after W10.2 as follows: ‘ <u>The Waste Management Plan for England (2021) states that “the government supports efficient energy recovery from residual waste – energy from waste is generally the best management option for waste that cannot be reused or recycled in terms of environmental impact and getting values from the waste as a resource”.</u> ’	To include the national policy context on residual waste treatment.
AM45	Paragraph W11.1	Amend the first sentence to read as follows: “Many inert wastes can <u>and should be</u> reused or recycled <u>whenever possible</u> ”.	For greater consistency with the waste hierarchy.
AM46	Paragraph W11.6	Amend the first sentence to state: “Planning obligations and/or conditions will be used to ensure that restoration and commencement of <u>a beneficial</u> after-use takes place <u>at the earliest opportunity</u> and within an appropriate timeframe”.	For clarity and consistency with the National Planning Policy for Waste.
AM47	Paragraph W14.2	Amend the second sentence of this paragraphs as follows: [delete: Although changes to permitted development rights have sought to remove the need for planning applications for very small developments] [insert: ‘ <u>Permitted development rights exist for certain types of water and sewerage development which are set out in the General Permitted Development Rights Order 2015 (as amended).</u> ’] [Insert: ‘ <u>However</u> ’], there are still applications that will need to be determined [insert: ‘ <u>beyond the thresholds for permitted development</u> ’].	Factual correction as requested in Anglian Water representation 99276

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AM48	Paragraph W15	Delete the last sentence in this paragraph and replace with the following new text: <u>“However, Anglian Water has committed investment at Whitlingham WRC to accommodate further growth including an accelerated infrastructure project to reduce nutrients to technically achievable limits”.</u>	Factual correction as requested in Anglian Water representation 99285
AM49	Paragraph W15.4	Amend the paragraph as follows “[delete: ‘It is proposed’] [insert: The Council proposes] that the Whitlingham Local Liaison Group [insert: is re-established], with the purpose of discussing both operational matters and Anglian Water’s future plans for the site [delete: ‘should hold meetings on a regular basis (perhaps quarterly or six-monthly)’]. The following parties should form part of the Local Liaison Group: Kirby Bedon Parish Council, Trowse Parish Council, Postwick Parish Council, Thorpe St Andrew Council, local residents, Anglian Water, the Environment Agency, Norfolk County Council, South Norfolk Council, the Broads Authority, [delete: ‘and’] Crown Point Estate [insert: and any other relevant organisation]. [Delete: ‘The Liaison Group should consider requests from other organisations to join the group.’]”	For clarity, as requested by Anglian Water in relation to their representation 99279.
AM50	Paragraph W15.5	Replace the existing sentence in this paragraph which states “Anglian Water is planning to publish a Drainage and Waste Water Management Plan in 2022 covering the period 2025-2050” with the following new text: “Anglian Water published a Drainage and Wastewater Management Plan (DWMP) in May 2023 which outlines how their water recycling service will cope with growth and climate change over the period from 2025-2050 and supports Anglian Water’s Long Term Delivery Strategy. The DWMP sets out that the medium-term plans (to 2035) for Whitlingham are to increase the network capacity and the long-term plans (2050) are for a new Water Recycling Centre or infiltration removal, or a new permit and increase capacity along with 25% surface water removal.” Amend the last sentence to state: “However, there is still a need for Anglian Water to develop a longer-term masterplan/ implementation strategy (covering a period of at least 5 years) for the Whitlingham WRC site...”	To include updated information on the Drainage and Wastewater Management Plan (Anglian Water representation 99280) and to clarify the timescale to be covered by the masterplan.

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AM51	Paragraph W16.1	Add a new sentence to the end of this paragraph as follows: <u>“The National Planning Policy for Waste (2014) states that waste planning authorities should ‘ensure that waste management facilities in themselves are well-designed so that they contribute positively to the character and quality in the area in which they are located’.”</u>	To include reference to the National Planning Policy for Waste in the policy justification.
AM52	Paragraph MP1.7	Add the following new text to the end of the paragraph: <u>“Therefore, the sites listed in the mineral extraction sites table on pages 100 and 101 are allocated for sand and gravel extraction in the Plan.”</u>	To make it clear which sites are allocated to meet the forecast need for sand and gravel extraction set out in Policy MP1.
AM53	Paragraph MP1.15	Add the following new text to the end of the last sentence to read: <u>“Therefore, it is considered that for the plan to be positively prepared, a site for carstone extraction should be allocated <u>and site MIN 06 at Middleton is allocated for this purpose.”</u></u>	To make it clear which sites are allocated to meet the forecast need for Carstone extraction set out in Policy MP1.
AM54	Paragraph MP1.22	Replace the last sentence in the paragraph with the following text: <u>“Any planning applications that may come forward for clay or chalk extraction would be determined on their merits in accordance with the relevant policies in the plan including MW1 (DM criteria), MW2 (transport), MW3 (climate change), MW4 (The Brecks), MW5 (agricultural soils), MP6 (cumulative impacts), MP7 (restoration), MP8 (aftercare).”</u>	For clarity on the approach to applications for chalk or clay extraction.
AM55	Paragraph MP2.1	add new bullet point i) (and amend existing bullet point i and j to j and k) to state <u>“there are a significant number of both non-designated and designated heritage assets across Norfolk, including more than 430 Scheduled Monuments, more than 10,890 Listed Buildings, 53 Registered Parks and Gardens and 352 Conservation Areas.”</u>	To include information on how the historic environment has been considered in the spatial strategy as requested by Historic England in representation 99232

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AM56	Paragraph MP2.9	Delete the first sentence of this paragraph and replace it with the following new sentences: <u>“The NPPF (2023) sets out how to consider impacts of proposed development on the significance of a heritage asset. In accordance with NPPF (2023) paragraph 202, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.”</u> Amend the start of the current second sentence to start <u>‘Norfolk’s’</u> instead of ‘These’.	The information in deleted first sentence will instead be in new bullet point i of paragraph MP2.1. The additional text is for clarification on the approach to less than substantial harm in accordance with the NPPF, as requested by Historic England in representation 99233.
AM57	Policy MP5	Amend 2nd bullet point to read ‘[delete: enhance the] <u>provide a measurable net gain in</u> the biodiversity of the river valley (either immediately or on restoration); and’	Consistency of wording with biodiversity net gain requirements
AM58	Paragraph MP7.2	Add a new fifth sentence (after the existing sentence ending ‘flood alleviation or water supply’) to state: <u>“Restoration to areas of open water must be designed and located to take account of aviation safety.”</u> Amend last sentence to state “... must provide <u>a minimum 10% measurable</u> biodiversity net gain in accordance with the requirements of the Environment Act 2021.”	For clarity and consistency with the NPPF regarding aviation safety and for clarity regarding the legal requirements of the Environment Act 2021.
AM59	Paragraph MP7.5	amend the last sentence to state “maintaining” instead of “maintain”.	typing error
AM60	New paragraph after paragraph MP7.2	Add the following new text: <u>“Norfolk’s Local Planning Authorities have published local Landscape Character Assessments (LCAs). Landscape character assessment (LCA) is the process of identifying and describing variation in character of the landscape. LCA documents identify and explain the unique combination of elements and features that make landscapes distinctive by mapping and describing character types and areas. They also show how the landscape is perceived, experienced and valued by people. Where Policy MP7 refers to ‘locally distinctive landscapes’ this means landscapes that are in accordance with the distinctive character of the local area, as detailed in the published local LCAs. High quality landscapes will be assessed through a review of the submitted</u>	For clarity

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		<u>Landscape and Visual Impact Assessment, in line with the Landscape Institute’s relevant Technical Guidance Note, considering context, value sensitivity and character and including: whether the scheme’s design would assimilate with the landscape, choice of materials and planting pallet, the design of public access to the restored site and a justified rational for the restoration choices”.</u>	
AM61	Policy MP7	Amend the 7th bullet point to state “The scheme provides for a minimum 10% measurable biodiversity net gain, primarily through the creation or enhancement of priority habitats and linkages to local ecological networks and green infrastructure corridors.”	For consistency with the legal requirements of the Environment Act 2021 as requested by Natural England (representation 99421)
AM62	Policy MP7	Amend the last bullet point of the policy to insert the phrase ‘historic landscape characterisation and’ as follows “the scheme has been informed by the historic environment, historic landscape characterisation and landscape character assessments and the restoration enhances the historic environment.”	Technical clarity requested by Historic England (representation 99238)
AM63	Paragraph MP8.2	Add the following text to the end of this paragraph: <u>“The national Planning Practice Guidance (paragraphs 27-056-20140306 and 27-057-20140306) contains further details on the information that should be contained within the outline aftercare strategy and the detailed aftercare programme: “The detailed programme should: elaborate on the outline strategy for work to be carried out in the forthcoming year; confirm that steps already specified in detail in the outline strategy will be carried out as originally intended; and to include any modifications to original proposals, eg due to difficulties between actual and anticipated site conditions.” This information would be contained in the annual management report with the purpose to set out the measures required to achieve the aftercare strategy and the agreed restoration scheme. The content of the report will enable the MPA to assess compliance with planning conditions and/or legal agreements requiring the restoration to meet an approved scheme.”</u>	Clarification on the content and purpose of the annual management report.

Mod ref. no.	Policy / Paragraph	Proposed modification	Reason
AM64	Paragraph MP8.3	Add the following new text after the first sentence in the paragraph to state: <u>“The approved aftercare would be secured by planning condition or a legal agreement as appropriate. Examples of afteruses that would be likely to require aftercare beyond 5 years include forestry and amenity (including biodiversity), such as restoration to heathland habitat or to species-rich grassland. Planning conditions and/or longer-term planning obligations will be used to ensure that an aftercare strategy of greater than five years and/or longer-term management is secured where required.”</u>	Clarification to set out the circumstances where aftercare beyond the 5 years may be necessary and the mechanism by which this would be achieved. As raised by Norfolk Wildlife Trust in representation 99431.
AM65	Paragraph MP11.1	Amend the first sentence to add ‘and Mineral Consultation Areas’ as follows: “The NPPF (paragraph 216 (c)) states that in preparing local plans, local authorities should: “safeguard minerals resources by defining Mineral Safeguarding Areas and Mineral Consultation Areas ; and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development where this should be avoided (whilst not creating a presumption that the resources defined will be worked)”.”	To include the full text from paragraph 216 (c) of the NPPF (December 2023) for clarity.
AM66	Paragraph MP11.4	Add the following new text before the last sentence of the paragraph: <u>“The justification for the 250m consultation area is that 250m represents a distance at which amenity impacts (such as noise and dust) could be mitigated to acceptable levels with the minimum of controls. The Institute of Air Quality Management’s ‘Guidance on the Assessment of Mineral Dust Impact for Planning’ (2016) states that adverse dust impacts from sand and gravel sites are uncommon beyond 250m measured from the nearest dust generating activities and it is commonly accepted that the greatest impacts will be within 100m of a source.”</u>	For clarification – to explain the reason for a 250m consultation area.
AM67	Implementation Monitoring and Review table	Number each indicator.	For ease of reference.

Mod ref. no.	Policy / Paragraph	Proposed modification	Reason
AM68	Implementation Monitoring and Review table	<p>Add Policy MW3 into the 'related policy' column for the following indicators:</p> <ul style="list-style-type: none"> • % local authority collected waste managed by each waste management method • % waste received at waste management facilities in Norfolk that is recycled/recovered • Waste input to landfill (tonnes) • Distance of new mineral extraction sites and waste management facilities from main settlements and market towns. 	For clarity.
AM69	Implementation Monitoring and Review table	<p>Include a new indicator to record the percentage of planning applications determined per annum that are compliant with Policy MW3.</p> <p>Related policy: Policy MW3</p> <p>Target: To ensure that minerals and waste development takes a proactive approach to mitigating and adapting to climate change.</p> <p>Agency responsible: NCC</p> <p>Implementation Mechanism: Development Management decisions taken on planning applications</p> <p>Data Source: Determined planning applications for minerals and waste</p>	To provide additional monitoring data for Policy MW3.
AM70	Implementation Monitoring and Review table	In the Data Source column, delete all references to 'Annual NCC waste survey returns' and replace with 'Environment Agency Waste Data Interrogator'	Factual correction to reflect current practice

Mod ref. no.	Policy / Paragraph	Proposed modification	Reason
AM71	Mineral extraction sites – sand and gravel table	<ul style="list-style-type: none"> • Amend the right-hand cell of the header row of the table to state 'Planning status at <u>31.12.2023</u>'. • Amend the planning status cell for site MIN 12 to state '<u>Planning application valid in November 2023 and being determined</u>'. • Amend the estimated total resource (tonnes) for site MIN 12 to state <u>992,000</u> • Amend the estimated resource (tonnes) available during the plan period for site MIN 12 to <u>992,000</u> • Amend the planning status cell for 'land west of Bilney Road' to state '<u>Planning application valid in July 2022 and being determined.</u>' • Amend the estimated total resource (tonnes) for 'land west of Bilney Road' to state <u>1,551,000</u> • Amend the estimated resource (tonnes) available during the plan period for 'land west of Bilney Road' to state <u>1,490,000</u>. • Amend the planning status cell for site MIN 202 to state '<u>No planning application</u>'. • Amend the planning status cell for site MIN 25 to state '<u>Planning application valid in December 2022 and being determined</u>'. • Amend the planning status cell for site MIN 206 to state '<u>Permission granted October 2023</u>'. • Amend the total estimated total estimated resource (tonnes) from 18,165,000 to <u>17,703,000</u> • Amend the total estimated resource (tonnes) available during the plan period from 15,400,000 to <u>15,282,000</u> 	<p>Factual update of the planning status as at the end of 2023 for all sites.</p> <p>Factual update on the estimated total resource in sites MIN 12 and MIN 15/13/08 and the quantity available during the plan period to 2038.</p>
AM72	Mineral extraction sites – carstone table	<ul style="list-style-type: none"> • Amend the right-hand cell of the header row of the table to state 'Planning status at <u>31.12.2023</u>'. • Amend the estimated resource available during the plan period from '1,120,000' to '<u>960,000</u>' 	<p>Update to reflect later potential start date as advised by site proposer.</p>

Mod ref. no.	Policy / Paragraph	Proposed modification	Reason
AM73	Mineral extraction sites – silica sand	<ul style="list-style-type: none"> Amend the right-hand cell of the header row of the table to state 'Planning status at 31.12.2023'. Amend the planning status of site MIN 40 to 'Permission granted June 2023'. 	Factual update.
AM74	MIN 12 – site characteristics	<p>In the second bullet point, amend the estimate sand and gravel resource at the site from 1,830,000 to 992,000.</p> <p>In the third bullet point replace 2022 with 2026, replace 15 years with 13 years and replace 1,120,000 tonnes with 992,000 tonnes</p>	Factual amendment to reflect the amount of mineral reserve that planning permission has been applied for and that extraction is now expected to start in 2026.
AM75	MIN 51/ MIN 13/ MIN 08 - site characteristics	<p>In the second bullet point, amend the estimate sand and gravel resource at the site from 1,830,000 to 1,551,000.</p> <p>In the third bullet point replace 2022 with 2024, replace for the first seven years with until 2027 and replace 1,480,000 tonnes with 1,490,000 tonnes.</p>	Factual amendment to reflect the amount of mineral reserve that has been granted planning permission and that the earliest extraction could start is 2024.
AM76	MIN 202 site characteristics	In the third bullet point, replace '2023' with ' 2025 '	To reflect the fact that the earliest extraction could start is 2025.
AM77	MIN 37 site characteristics	In the third bullet point, delete "but had not been implemented by December 2021".	Factual correct as the permission has been implemented.
AM78	MIN 64 Site Characteristics	In the third bullet point, delete "but had not been implemented by December 2021".	Factual correction as the permission has been implemented.
AM79	MIN 96 - site characteristics	In the third bullet point replace '2023' with ' 2025 '.	To reflect the fact that the earliest extraction could start is 2025.
AM80	Paragraph M96.4	Add the following new sentence to the end of the paragraph: " Mitigation measures should include landscaping, screen planting and/or bunding as appropriate, particularly along the north-western and south-eastern boundaries of the site ".	To clarify what appropriate mitigation measures would be for the setting of heritage assets, as requested by Historic England.

Mod ref. no.	Policy / Paragraph	Proposed modification	Reason
AM81	Paragraph M96.19 Restoration	Amend the third sentence of this paragraph as follows: “The restoration scheme should seek to retain screen planting and include the restoration and reinstatement of historic hedgerows and field boundaries informed by Historic Landscape Characterisation. ”	To clarify the heritage enhancement on restoration as requested by Historic England.
AM82	MIN 06 – site characteristics	In the third bullet point amend the potential start date from ‘2025’ to ‘2027’ . Replace ‘1,120,000’ with ‘960,000’ .	To reflect later potential start date as advised by site proposer.
AM83	MIN 206 – site characteristics	In the third bullet point amend the potential start date from ‘2022’ to ‘2024’ .	Factual update to reflect earliest potential start date following grant of planning permission in October 2023.
AM84	MIN 40 – site characteristics	In the third bullet point amend the potential start date from ‘2022’ to ‘2024’ . Add ‘Planning permission was granted for mineral extraction at this site in June 2023’ .	Factual update to reflect earliest potential start date following grant of planning permission in June 2023.
AM85	Policy SIL 01	Amend the first sentence of requirement c to include reference to the Grade II Font against south façade of White House Farm, as follows: “The submission of an acceptable Heritage Statement to identify heritage assets and their settings (including the Grade II* Ruins of Church of St Michael and the Grade II Font against south façade of White House Farm), assess the potential for impacts and identify appropriate mitigation if required.”	Clarification of heritage assets as requested by Historic England in representation 99252
AM86	Paragraph MIN 69 Site characteristics	Add the following text to the end of the third bullet point: “and this permitted tonnage is already included in the sand and gravel landbank”	For clarity as requested by Norfolk Gravel in representation 99316
AM87	Paragraph M69.1	Add a new sentence at the end of the current paragraph to state “There are existing emissions to air and noise arising from traffic movements on the A148” .	Clarity regarding the existing amenity impacts arising from traffic using the A148

Mod ref. no.	Policy / Paragraph	Proposed modification	Reason
AM88	Paragraph M69.5	Add the following new sentence to the end of the current paragraph: <u>“Trial trenching was carried out in the permitted northern part of the site in 2019 which found archaeological remains likely to be related to later Anglo-Saxon to early medieval iron ore processing activity including charcoal production.”</u>	Factual update as requested by Norfolk Gravel in representation 99319.
AM89	Paragraph M69.6	Amend the second sentence to delete ‘an active’.	Factual update as mineral extraction has ceased in the adjacent site.
AM90	Paragraph M69.7	Delete the existing text and replace with the following updated text: <u>“The site would form an extension to the existing Briton’s Lane quarry which has been operational since the 1940s. Mineral extraction at the original quarry has ceased and restoration of the site, by 31 December 2034, is secured through permission FUL/2016/0002. The existing quarry site contains a ready-mix concrete production plant along with other buildings which have permission to be permanently retained.”</u>	Factual update following the grant of planning permissions FUL/2019/0001 and FUL/2019/0002 in October 2020 which have been implemented.
AM91	Paragraph M69.9	Amend the first bullet point to state <u>“The presence of the existing site with permanent permission for concrete manufacture and associated employment”</u> . Amend the third bullet point to state: <u>“The opportunity to increase the scale of local nature conservation habitats by facilitating a high-quality biodiversity led restoration for site MIN 69, with connectivity to the approved restoration of the adjacent quarry site”</u> .	Factual update following the grant of planning permissions FUL/2019/0001 and FUL/2019/0002 in October 2020 which have been implemented.
AM92	Paragraph M69.11	Amend the last sentence of this paragraph as follows: <u>“The PRoWs within the site will need to be diverted during mineral extraction operations and reinstated as part of the restoration of the site. Some footpath diversions have already been secured as part of the working of the minerals consented under permission FUL/2019/0001.”</u>	Factual update
AM93	Paragraph M69.19	Amend text of fifth sentence to state <u>“Given the site’s importance, a ‘watching brief’ during the extraction phase is likely to be required”</u> .	Clarification, as proposed in Norfolk Gravel’s representation 99322.

Mod ref. no.	Policy / Paragraph	Proposed modification	Reason
AM94	Specific Site Allocation Policy MIN 69	Amend criteria j to state: “Advanced planting (or allowing current trees and hedges to thicken up) along the southern and eastern boundaries of land in the applicant’s ownership (some of which would be outside the area of MIN 69) will <u>need to be maintained</u> to screen the site from public viewpoints, including views from the A148”	Proposed in representation 99323 by Norfolk Gravel because the advanced planting is already in place.
AM95	MIN 115 – site characteristics	In the third bullet point, amend the last sentence to state: “If mineral extraction started in <u>2025</u> , then <u>840,000</u> tonnes could be extracted within the plan period.”	Update to reflect earliest potential start date for extraction.
AM96	MIN 25 – site characteristics	In the third bullet point, amend the potential start date from ‘2022’ to <u>‘2025’</u> .	Update to reflect earliest potential start date for extraction.
AM97	Paragraph M25.23 Restoration	Add the following new sentence to the paragraph: “ <u>Restoration shall include the retention of boundary hedgerows and trees and the reinstatement of historic hedgerows and field boundaries informed by Historic Landscape Characterisation.</u> ”	To clarify the heritage enhancement on restoration as requested by Historic England.
AM98	Appendix 1	Add a new sentence after the heading and before the table: “ <u>The following table lists all the existing policies in the Core Strategy and Development Management Policies DPD that will be replaced by policies in this Minerals and Waste Local Plan.</u> ”	Clarity to explain what Appendix 1 is showing.
AM99	Appendix 1	In the row for Policy CS14 amend the title of the new local plan policy from ‘MW4: Breckland SPA’ to <u>‘MW4: The Brecks Protected Habitats and Species’</u>	Factual correction to policy title.
AM100	Appendix 2	Add a new sentence after the heading and before the table: “ <u>The following table lists all the existing policies in the Minerals Site Specific Allocations DPD that will either be replaced by policies in this Minerals and Waste Local Plan or deleted on adoption of this Minerals and Waste Local Plan along with the reason for deletion</u> ”.	Clarity to explain what Appendix 2 is showing.

Mod ref. no.	Policy / Paragraph	Proposed modification	Reason
AM101	Appendix 3	Add a new sentence after the heading and before the table: <u>“The following table lists all the existing policies in the Waste Site Specific Allocations DPD that will either be replaced by policies in this Minerals and Waste Local Plan or deleted on adoption of this minerals and Waste Local Plan and the reason for deletion”.</u>	Clarity to explain what Appendix 3 is showing.
AM102	Appendix 5	Update the list of safeguarded mineral infrastructure sites from December 2021 to December 2023 and include grid references.	Factual update from December 2021 to December 2023 and additional site details
AM103	Appendix 6	Update the list of safeguarded mineral extraction sites from December 2021 to December 2023 and include grid references.	Factual update from December 2021 to December 2023 and additional site details
AM104	Appendix 7	Update the list of safeguarded waste management sites from December 2021, to December 2023 and include site addresses and grid references.	Factual update from December 2021 to December 2023 and additional site details
AM105	Appendix 12 Glossary	Amend definition of amenity to say: <u>“the quality or character of a property or area and elements that contribute to the enjoyment of a property or area.”</u>	Clarity
AM106	Appendix 12 Glossary	Add a definition for ‘agent of change principle’ – <u>“existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”</u>	Clarity
AM107	various	Update all references to specific NPPF paragraph numbers to the paragraph numbers in the December 2023 NPPF.	Factual update due to NPPF December 2023.