

Planning (Regulatory) Committee

Item No: 5

Report Title: FUL/2022/0056: Land off Crab Apple Lane, Haddiscoe, Norfolk, NR14 6SJ

Date of Meeting: 24 May 2024

Proposal & Applicant: Extraction of sand and gravel with low level restoration to meadow species rich grassland with ephemeral water body (Breedon Trading Limited)

Full details of the Planning Application Ref. FUL/2022/0056, including the consultation responses and representations can be found online through the following link:
<https://eplanning.norfolk.gov.uk/Planning/Display/FUL/2022/0056#undefined>

There are ten updates since the planning application committee report was published:

Organization	Comment	Officer Response
Applicant	Requests amendment to draft Condition No. 5 to state: <i>"No excavations shall be carried at a depth greater than 0m AOD".</i>	This is to correct the reference to the maximum depth of working. Recommended that the requested amendment is accepted.
Applicant	Requests an amendment to the wording used in Condition Nos. 7, 10, 11, 12. 27 to state: <i>"Prior to the commencement of mineral extraction..."</i> in relation to the time for compliance.	This is requested to provide greater clarity. Recommended that the requested amendments are accepted.

Organization	Comment	Officer Response
Applicant	Requests that Condition no. 26 be amended by the deletion of the second paragraph referring to the analysis, publication and dissemination of the results of the Archaeological Written Scheme of Investigation (WSI) prior to the on the basis that this is set out in the WSI itself, and because much of this work is undertaken while extraction is taking place.	Recommended that the wording of the condition be amended to state: "The site investigation and post investigation assessment shall be completed in accordance with the Archaeological Written Scheme of Investigation and provision made for the analysis, publication, and dissemination of the results and archive deposition, to be undertaken in accordance with a programme, details of which shall be submitted to and agreed in writing by the Mineral Planning Authority, prior to the commencement of mineral extraction".
Applicant	Requests that Condition Nos. 33 and 34 be amended to allows 12 months instead 3 months for the submission of a revised Concept Restoration Plan and Landscape Planting and Aftercare Plan, to allow more time to prepare these.	3 months was initially recommended as reasonable period of time, but the applicant has asked if this can be extended in case the revised drawing/plan take longer to prepare. It is Recommended that the requested amendment is accepted.
Applicant	Requests that Condition No. 38 be amended to state: <i>"Prior to the commencement of works in Phase 3, details of the alignment..."</i> to allow more time to prepare the details of the bridleway diversion.	As long as the details are improved into time to enable the bridleway diversion when required, there is no reason to object to this request. It is recommended that the requested amendment is accepted.
Richard Buxton Solicitors	Have submitted an additional representation which in summary makes the following points: 1. That that the revision of the extraction boundary will reduce the amount of mineral extracted by 20,000 tonnes but this is not	Further advice has been sought from the South Norfolk District Council Environmental Quality Officer (see below). They have advised that inclusion of the additional properties does not change their advice.

Organization	Comment	Officer Response
	<p>support by any evidence;</p> <ol style="list-style-type: none"> 2. There remain a number of properties that are less than 100m from the extraction boundary; 3. There are four missing dust sensitive receptors, three of which lie within 100m of the extraction boundary (shown on a plan - which is attached); and one Manor Farm, that it is stated is not 100m from the extraction boundary; <p>The letter additionally requests that a further Regulation 25 Request for Further Information should be served on the applicant to obtain details of the missing dust receptors; and it identifies what it considers to be a number of policy breaches.</p> <p>The full text of the letter is available on-line through the link shown at the top of this update.</p>	
Breedon Trading Limited (The Applicant)	<p>The applicant has provided additional comments in response to comments from Richard Buxton Solicitors comprising a further report from their air quality consultant, which addresses the points set out above. The submission includes plan showing the distances from the nearest dust receptors (which is attached).</p>	

Organization	Comment	Officer Response
	<p>The full text of the applicant's response is available on-line through the link shown at the top of this update.</p>	
<p>South Norfolk District Council Environmental Quality Officer</p>	<p>Has reviewed the submission from Richard Buxton Solicitors and advised that their previous comments remain valid.</p> <p>The response is available on-line through the link shown at the top of this update.</p>	<p>This does not give rise to any reason to change the recommendation set out in the report.</p>
<p>Objector</p>	<p>Further representation stating that the Devils End Meadow County Wildlife Site (CWS) and adjacent land contains habitats of principle importance e.g. ancient wood pasture and parkland with veteran pollarded oaks and wet woodland and also many species of flora and fauna all regarded as species of principal importance.</p> <p>Full details of this representation is available on-line through the link shown at the top of this update.</p>	<p>This does not give rise to any reason to change the recommendation set out in the report.</p>
<p>Richard Buxton Solicitors</p>	<p>Further letter from Richard Buxton solicitor raising issues relating to weight to be given to the emerging plan, dust and air quality, heritage and the mineral shortfall.</p> <p>The letter included an attachment of an earlier technical rebuttal of the Air Quality Assessment.</p> <p>(This submission is also understood to have been sent to Members on 22 May 2024).</p>	<p>The issues raised largely relate to the weight to be given to different material considerations in the planning balance. This has already been addressed in the committee report with officers providing advice on the weight to be given to the respective matters.</p> <p>With respect to the Air Quality Issues, as set out above, further advice has already been sought from the South Norfolk District Council Environmental Quality Officer who have not altered their advice, not to object subject to</p>

Organization	Comment	Officer Response
		conditions, which is set out in the committee report.

There are five amendments since the planning application committee report was published:

Paragraph	Issue	Amendment
Executive Summary	Update the final sentence of the second paragraph of page 2 of the report to state:	<i>"In addition, there have been 554 third-party submissions from 178 named individuals or organisations, with some making multiple representations, of which 550 relate to representations offering objection, 1 supports and 3 provide comments without stating either support or an objection".</i>
11.2 Conditions	Amend the wording of Condition No. 12, to correct the typographical error.	"Soil stripping shall not commence until the off-site highway improvements works...".
11.2 Conditions	Correction of typographical error in condition 30.	Insert reference to 'Condition No. 27'
11.2 Conditions	Amend the wording of the Reason for Condition No. 41 on removal of permitted development rights.	'...on the Broads Authority area natural environment and human health...'
11.2 Conditions	Amend the wording of the Reason for Condition No. 43 on geological recording.	To refer only to Policy NMWDF&CS Policy DM14