Norfolk County Council

Norfolk Minerals and Waste Local Plan

Representations received on the Proposed Main Modifications in document order

Export: 21 January 2025

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19 representors submitted 101 representations about the proposed Main Modifications to the Norfolk Minerals and Waste Local Plan

- 16 of the representations were in support
- 49 of the representations were comments
- 36 of the representations were objections

The representations are also available to view online at:
https://norfolk.oc2.uk/document/67

99632 Comment

Document Element: Schedule of Proposed Main Modifications to the Norfolk Minerals and Waste Local Plan

Respondent: National Highways (Philip Porter, Assistant Spatial Planner) [21995]

Summary:

Thank you for consulting National Highways on the abovementioned Local Plan proposed modifications.

National Highways is a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN).

It has been noted that once adopted, the modifications to the Minerals and Waste Local Plan will become a material consideration in the determination of planning applications. Where relevant, National Highways will be a statutory consultee on future planning applications within the area and will assess the impact on the SRN of a planning application accordingly.

Notwithstanding the above comments, we have reviewed the document and note that the details set out within the document are unlikely to have an severe impact on the operation of the trunk road and we offer No Comment.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99633 Comment

Document Element: Schedule of Proposed Main Modifications to the Norfolk Minerals and Waste Local Plan

Respondent: Surrey County Council (Dustin Lees, Minerals and Waste Policy Team Leader) [21999]

Summary:

Thank you for consulting Surrey County Council as the Minerals and Waste Planning Authority (MWPA) regarding the proposed main modifications of the Norfolk Minerals and Waste Local Plan (NM&WLP). The MWPA have no comments to make.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99634 Comment

Document Element: Schedule of Proposed Main Modifications to the Norfolk Minerals and Waste Local Plan

Respondent: Anglian Water (Tessa Saunders, Spatial and Strategic Planning Manager -Sustainable Growth) [21901]

Summary:

1. Anglian Water and Minerals and Waste Plans

1.1. Anglian Water is the statutory water and sewerage undertaker for the majority of Norfolk and a statutory consultee under The Town and Country Planning (Local Planning) (England) Regulations 2012. Anglian Water wants to proactively engage with the local plan process to ensure the plan delivers benefits for residents and visitors to the area, and in doing so protect the environment and water resources. As a purpose-led company, we are committed to seeking positive environmental and social outcomes for our region.

Anglian Water has engaged with Norfolk County Council throughout the preparation of the Norfolk and Minerals Waste Plan, as documented in the Statement of Common Ground (SoCG) [A19] and our hearing statement for the examination [F28].

3. Fens Reservoir – Nationally Significant Infrastructure Project

3.1 As the Council will be aware, Anglian Water and Cambridge Water are progressing the Fens Reservoir through the RAPID gated process, recognising the need to plan long term for our region's future water needs. Fens Reservoir is a 55 million cubic metres (MCM) raw water reservoir, with a useable volume of 50 MCM, located to the north of Chatteris, with a useable volume of 50 MCM.

3.2 Anglian Water recently undertook a second stage non-statutory consultation on the Fens Reservoir. As the host authority for some of the associated infrastructure to bring water into the Anglian Water network – with a pipeline around Downham Market and service reservoir at Bexwell – Norfolk County Council has indicated in their submission the Minerals and Waste implications. These include safeguarded mineral resources within the pipeline corridor and service reservoir polygon.

3.3 Anglian Water acknowledges that further investigation and assessment will be required through the DCO process to determine whether the construction of the associated infrastructure will result in the extraction of silica sand and carstone suitable for commercial use or reuse in the Project.

3.4 Following review of the main modifications, we do not consider that they present any additional constraints to the delivery of the Project that will help support sustainable growth in the region.

4. Conclusion

4.1 Anglian Water welcomes the opportunity to comment on the main modifications, which we generally support, given our engagement with the Council throughout the plan-making process.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

NM&WLP Main Modifications Anglian Water Response - https://norfolk.oc2.uk/a/svnh

99635 Comment

Document Element: Schedule of Proposed Main Modifications to the Norfolk Minerals and Waste Local Plan

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

Thank you for consulting Historic England about the Proposed Modifications to the Norfolk Minerals and Waste Local Plan. We have the following comments to make on the suggested changes to the Plan:-
We welcome many of the Proposed Modifications. Our detailed comments on the proposed Main Modifications and Additional Modifications to the Plan are set out in Appendix A.
There is just one minor issue that we raise in relation addition of the words 'where appropriate' in Policy MP5 Core River Valleys. See Appendix A for details. We recommend these words are deleted.
We continue to have concerns regarding the allocation at Haddiscoe but welcome the additional policy wording in relation to site restoration.
Finally, we should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise where we consider that these would have an adverse effect upon the historic environment.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England's comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99640 Comment

Document Element: Schedule of Proposed Main Modifications to the Norfolk Minerals and Waste Local Plan

Respondent: Norwich City Council (Mrs Joy Brown, Senior Planner (Policy)) [21952]

Summary:

Thank you for making us aware of the publication of the proposed main modifications and additional modifications for the Norfolk Minerals and Waste Local Plan.

Within our statement of common ground there were three matters. We can see that the first two matters, both relating to defining the 'agent of change', have been addressed and incorporated which we support.

However we note that the third matter remains unresolved. Norwich City Council would still like to see the acknowledgement of 'strategic regeneration opportunities' within the supplementary text of policy MP10 as contextual information.

Change suggested by respondent:

As per our previous representations we would suggest that an additional modification is made to paragraph MP10.3 to amend the second sentence to read: "Each decision will take into account the particular use of the safeguarded site, the nature of the proposed development, including its policy context and relationship to strategic regeneration opportunities....."

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99642 Comment

Document Element: Schedule of Proposed Main Modifications to the Norfolk Minerals and Waste Local Plan

Respondent: East Suffolk Council (Mr Ian Johns, Planner (Policy)) [21848]

Summary:

Having considered the documents carefully, the Council has no specific comments to make in response to the Main Modifications Consultation and does not wish to raise any objections.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

East Suffolk representation letter - https://norfolk.oc2.uk/a/svnk

99643 Comment

Document Element: Schedule of Proposed Main Modifications to the Norfolk Minerals and Waste Local Plan

Respondent: South Wootton parish council (Mr Ivan Jordan, Chairman) [16422]

Summary:

Thank you for the opportunity to comment on the above consultation.

The parish council have examined the latest documents and have no further comment to make.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99593 Comment

Document Element: MM01 - Vision, Page 19

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM01.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99616 Object

Document Element: MM01 - Vision, Page 19

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

It is beyond the role of the planning system to specify which vehicles can and cannot be used to transport minerals. The planning system can promote use, but this could not be enforced.
Also, Minerals can only be worked where they are found and as such, unlike waste developments, their locations are constrained by geology.

Change suggested by respondent:

Amend the wording to read:
"Mineral development and waste management within Norfolk will be undertaken in ways that minimise and mitigate their contribution to climate change, including reducing methane emissions and reducing carbon emissions to contribute to net zero carbon targets. [insert: The Council will promote the] movement of minerals and waste [delete: will use] [insert: using] sustainable transport methods where these are available, including low or zero emission vehicles."

Amend the wording to read:
Mineral development and waste management facilities will be designed and, [insert: where the geology permits,] located to reduce the risk from and adapt to climatic effects, such as flooding."

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99547 Comment

Document Element: MM01 - Vision, Page 19

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We welcome the requirement for all developments to provide a measurable biodiversity net gain but recommend that a more ambitious target of 20% is set.
We recommend that the text "wherever possible" is removed from the sentence relating to the contribution to the delivery of the national Nature Recovery Network objectives.
We support the requirement for the use of sustainable transport

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99548 Comment

Document Element: MM02 - Waste Strategic Objectives WSO7, Page 20

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We welcome the requirement for all developments to provide a measurable biodiversity net gain but recommend that a more ambitious target of 20% is set (see our comments relating to MM01)
We support the requirement for any temporary developments to make a contribution to the delivery of the national Nature Recovery Network objectives.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99594 Comment

Document Element: MM03 - Minerals Strategic Objectives, Page 21

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM03.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99617 Object

Document Element: MM03 - Minerals Strategic Objectives, Page 21

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

The amendments should reflect the requirements of the NPPF and avoid the use of loose or superfluous wording. For example, the words “where practicable” are not within the NPPF with respect to Industrial sands and the p.

Change suggested by respondent:

Amend the wording of objective MS01 to read
"To provide a steady and adequate supply of aggregate minerals, by identifying adequate mineral extraction sites within Norfolk sufficient to meet the forecast need, based on the Local Aggregate Assessment; by maintaining a landbank of at least 7 years for sand and gravel and at least 10 years for Carstone; and safeguarding [insert: mineral resources and] existing [insert: and planned] extraction sites and infrastructure.”
Amend the wording of objective MS02 to read
"To provide a steady and adequate supply of industrial minerals by identifying adequate mineral extraction sites within Norfolk and through the inclusion of 'criteria-based' locational policies, sufficient to meet the forecast need; by maintaining a stock of permitted reserves of silica sand of at least 10 years [insert: for individual silica sand sites and at least 15 years for silica sand sites where significant new capital is required;] [delete: where practicable] and safeguarding [insert: mineral resources and] existing [insert: and planned] extraction sites and infrastructure."

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99549 Comment

Document Element: MM03 - Minerals Strategic Objectives, Page 21

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We welcome the requirement for all developments to provide a measurable biodiversity net gain but recommend that a more ambitious target of 20% is set (see our comments relating to MM01). We support the requirement for any temporary developments to make a contribution to the delivery of the national Nature Recovery Network objectives.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99581 Object

Document Element: MM03 - Minerals Strategic Objectives, Page 21

Respondent: Sibelco UK Ltd (Mr David Walton, Head of Planning and Estates) [21989]

Summary:

Proposed Modification to Mineral Strategic Objective MS02
The proposed wording put forward by NCC isn't consistent with national policy and is not positively prepared.

Change suggested by respondent:

As per our previous representations we suggest the wording should be amended to read as:
"MSO2. To provide a steady and adequate supply of industrial minerals by identifying adequate mineral extraction sites/areas within Norfolk sufficient to meet the forecast need and stocks of permitted reserves of silica sand of at least 10 years production for individual silica sites or at least 15 years where significant new capital is required and safeguarding existing infrastructure."

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments:

Sibelco Main Modifications response - https://norfolk.oc2.uk/a/svng

99550 Comment

Document Element: MM05 - Policy MW1. Development Management Criteria, Page 27

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We welcome the requirement for all developments to provide a measurable biodiversity net gain but recommend that a more ambitious target of 20% is set (see our comments relating to MM01)
We support the requirement for any temporary developments to make a contribution to the delivery of the national Nature Recovery Network objectives

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99595 Comment

Document Element: MM05 - Policy MW1. Development Management Criteria, Page 27

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM05.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99618 Object

Document Element: MM05 - Policy MW1. Development Management Criteria, Page 27

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

The wording is introducing text which it suggests is part of the historic environment policy requirements in the NPPF. This is not the case, nor does the wording appear in the Planning Practice Guidance.
In addition, unlike mandatory BNG, geodiversity may not always be practicable or possible to include and clearly it needs to be relevant to the surroundings, safe and geologically beneficial.

Change suggested by respondent:

Amend the proposed additional text to read:
"Subject to the development proposal meeting the NPPF historic environment policy requirements, the preferred mitigation for developments affecting archaeological assets of [delete: less than] national importance will be through the preservation of the archaeological remains in situ. Where in situ preservation is not justified, adequate provision must be made for excavation and recording including subsequent analysis, publication and archive deposition before or during development."

Amend the second bullet point as follows: "providing geodiversity gains [insert:, where practicable, geologically relevant and safe to do so;] providing a minimum measurable 10% biodiversity net gain and contributing to the delivery of the national Nature Recovery Network objectives"

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99570 Comment

Document Element: MM05 - Policy MW1. Development Management Criteria, Page 27

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

We welcome the new text at the end of the existing paragraph on the Historic Environment relating to archaeology.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England's comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99596 Comment

Document Element: MM06 - Policy MW2. Transport, Page 37

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM06.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99551 Support

Document Element: MM07 - Policy MW3. Climate change mitigation and adaption, Page 39

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We support the proposed new text around energy use and the inclusion of river flows.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99545 Object

Document Element: MM07 - Policy MW3. Climate change mitigation and adaption, Page 39

Respondent: Lead Local Flood Authority (Norfolk County Council) (Sarah Luff, Strategic Flood Risk Planning Officer) [21990]

Summary:

The LLFA has reviewed the main modifications as proposed and has the following comment to make.
In relation to MM07 Policy MW3, the LLFA notes there is no consideration of surface water flows. The LLFA notes that NPPF requires that all sources of flood risk must be considered in the development proposals. Therefore the LLFA requests the inclusion of Surface Water be added to the text.

Change suggested by respondent:

The LLFA requests the inclusion of Surface Water be added to the text.

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

99597 Comment

Document Element: MM07 - Policy MW3. Climate change mitigation and adaption, Page 39

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM07.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99619 Object

Document Element: MM07 - Policy MW3. Climate change mitigation and adaption, Page 39

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

Poor choice of wording. “Demonstrate” suggests a practical demonstration, whereas in reality, the Council will be seeking “a description or details of”

Change suggested by respondent:

Amend the wording to read:
"[delete: demonstrate] [insert: details] how the proposed development will minimise and manage energy use (through the submission of an energy, climate change and sustainability statement)…”

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99645 Comment

Document Element: MM07 - Policy MW3. Climate change mitigation and adaption, Page 39

Respondent: Environment Agency (Mr Harry Skinner, Sustainable Places - Planning Advisor) [22001]

Summary:

We note there is lack of reference to Groundwater in Main Modification 07 relating to Climate Change Mitigation and Adaptation and advise this be included. The inclusion of increased river flows is a sensible addition, particularly relating to flood risk. As mineral developments have the potential to impact groundwater resources, we suggest the addition "increasingly variable groundwater levels" or something similar to reflect the predicted climate impacts to groundwater due to Climate Change, inclusive of flood risk caused by high groundwater levels and droughts associated with low groundwater levels.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Environment Agency letter 27.12.2024 - https://norfolk.oc2.uk/a/svnm

99563 Comment

Document Element: MM14 - Policy MW4. The Brecks Protected Habitats and Species, Page 42

Respondent: Natural England (Miss Emma Hurrell, Lead Adviser) [21912]

Summary:

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.
Natural England welcomes the inclusion of the advice we provided on stone curlew and Breckland Special Protection Area (SPA) dated 18 September 2023. Our only comment refers to a typographical error. For clarity, we do advise this is amended.
1) MM14 – Policy MW4. The Brecks Protected Habitats and Species, page 42.
The first bullet point in this policy states, “More than 1,500km away from potential stone curlew nesting sites inside the SPA.” The distance needs to be amended to 1,500m.

Change suggested by respondent:

The distance needs to be amended to 1,500m.

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Natural England representation on proposed Modifications - https://norfolk.oc2.uk/a/svnx

99552 Support

Document Element: MM20 - Policy WP2. Spatial Strategy for Waste Management Facilities, Page 52

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We support the inclusion of irreplaceable habitat

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99571 Comment

Document Element: MM20 - Policy WP2. Spatial Strategy for Waste Management Facilities, Page 52

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

We welcome the additional references to conservation areas and also clarification with regard to significance and setting.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England's comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99586 Support

Document Element: MM21 - Policy WP3. Land suitable for waste management facilities, Page 54

Respondent: Anglian Water (Tessa Saunders, Spatial and Strategic Planning Manager -Sustainable Growth) [21901]

Summary:

Anglian Water supports the amendment to the policy to allow greater flexibility in how waste is managed at our sludge treatment centres. This represents the amendment agreed in the SoCG.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

NM&WLP Main Modifications Anglian Water Response - https://norfolk.oc2.uk/a/svnh

99553 Comment

Document Element: MM24 - Policy WP13. Landfill mining and reclamation, Page 63

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We support the new text but recommend setting a target of 20% BNG (see our comments relating to MM01)

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99572 Comment

Document Element: MM24 - Policy WP13. Landfill mining and reclamation, Page 63

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

We welcome the reference to the historic environment and restoration.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England's comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99591 Object

Document Element: MM25 - Policy WP14. Water Recycling Centres, Page 66

Respondent: Anglian Water (Tessa Saunders, Spatial and Strategic Planning Manager -Sustainable Growth) [21901]

Summary:

With regards to the MM to insert "and/or d. comply with new legislation and/or e. incorporate climate change adaption and mitigation measures (as detailed in Policy MW3)".

Anglian Water supports the amendment to the policy to insert clause d. to address that future development proposals at our water recycling centres (WRCs) that may include climate change mitigation and adaptation measures to help meet our Net Zero Strategy commitments. This represents the amendment agreed in the SoCG.

With regards to the MM to insert the following new text before the last sentence in the policy: "Where appropriate, applications will also need to demonstrate the contribution that the development would make to water quality improvement".

This additional clause did not form part of the agreed amendment specified in the SoCG for Policy WP14. Therefore, it does not clearly represent our previous submissions to the Local Plan consultation or examination.

We consider that the additional new text before the last sentence in Policy WP14 is unnecessary as the need to demonstrate the contribution that the development would make to water quality is part of the regulatory permitting system that is overseen by the Environment Agency and includes legislative requirements. Therefore, we object to the insertion of this text as it is subject to a separate permitting system which includes environmental obligations through our Water Industry National Environment Programme (WINEP) to ensure we deliver our fair share of water quality objectives.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

NM&WLP Main Modifications Anglian Water Response - https://norfolk.oc2.uk/a/svnh

99587 Support

Document Element: MM26 - Paragraph W15.2, Page 64

Respondent: Anglian Water (Tessa Saunders, Spatial and Strategic Planning Manager -Sustainable Growth) [21901]

Summary:

Anglian Water supports the modification which reflects the wording suggested in our hearing statement and aligns with our Business Plan and Asset Management Periods (AMP) of five years, that outline the investments being made during this period.
A minor clarification – should the final paragraph of the modification text be sub-paragraph c)?

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

NM&WLP Main Modifications Anglian Water Response - https://norfolk.oc2.uk/a/svnh

99588 Support

Document Element: MM27 - Paragraph W15.5, Page 64

Respondent: Anglian Water (Tessa Saunders, Spatial and Strategic Planning Manager -Sustainable Growth) [21901]

Summary:

Anglian Water supports the modification to Paragraph W15.5 which reflects the wording suggested in our hearing statement and our internal decision-making processes that must be followed to deliver planned investments at Whitlingham WRC during the AMP.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

NM&WLP Main Modifications Anglian Water Response - https://norfolk.oc2.uk/a/svnh

99589 Support

Document Element: MM28 - Policy WP15. Whitlingham Water Recycling Centre, Page 65

Respondent: Anglian Water (Tessa Saunders, Spatial and Strategic Planning Manager -Sustainable Growth) [21901]

Summary:

Anglian Water supports the modification to Policy WP15 that appropriately clarifies the medium-term strategy for Whitlingham WRC – consistent with the interpretation of this strategy in MM27.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

NM&WLP Main Modifications Anglian Water Response - https://norfolk.oc2.uk/a/svnh

99598 Comment

Document Element: MM29 - Paragraph MP1.3, Page 68

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM29.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99599 Object

Document Element: MM30 - Paragraph MP1.4, Page 68

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon objects to this Main Modification MM30. MM30 is not positively prepared and is not consistent with national policy.
Norfolk County Council ('NCC') has not taken into consideration Paragraph 226 of the National Planning Policy Framework (2024) ('NPPF') which states:
"Minerals planning authorities should plan for a steady and adequate supply of aggregates by:
a) preparing an annual Local Aggregate Assessment, either individually or jointly, to forecast future demand, based on a rolling average of 10 years' sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources)"
Breedon maintain that the Plan needs to reflect NCC's own finding for future aggregate demand set out in its own Local Aggregate Assessment (2022) ('LAA'). The LAA identifies significant housing demand, economic demand, population growth and infrastructure requirements.
To remove this objection, Breedon suggest the last sentence of MM30 is amended to read:
"However, in order to plan for future growth [insert: in line with the LAA], the 10-year sales average is considered to be [delete: slightly] too low to use when forecasting future need for a steady and adequate supply of aggregate in Norfolk."
This amendment will link the forecast to the LAA ensuring MM30 seeks to meet objectively assessed need so that it is positively prepared. It also ensures that MM30 is consistent with national policy. It avoids a scenario where NCC solely consider historic sales trends when considering future demand.

Change suggested by respondent:

To remove this objection, Breedon suggest the last sentence of MM30 is amended to read:
"However, in order to plan for future growth [insert: in line with the LAA], the 10-year sales average is considered to be [delete: slightly] too low to use when forecasting future need for a steady and adequate supply of aggregate in Norfolk."

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99620 Object

Document Element: MM30 - Paragraph MP1.4, Page 68

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

The proposed modification does not appear to accord with the requirements of the NPPF, be align with the LAA and the wording is subjective and therefore not positively prepared.

Change suggested by respondent:

We suggest amending the wording to read.
“However, in order to plan for future growth, [insert: in accordance with the LAA,] the 10-year sales average is considered to be [delete: slightly] too low to use when forecasting future need for a steady and adequate supply of aggregate in Norfolk."

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99600 Comment

Document Element: MM31 - Paragraph MP1.5, Page 68

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM31.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99605 Comment

Document Element: MM32 - Paragraph MP1.6, Page 68

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM32.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99601 Object

Document Element: MM33 - Paragraph MP1.7, Pages 68-69

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon objects to this Main Modification MM33. MM33 is not positively prepared and is not consistent with national policy.

NCC has updated its figures based on the note updating sand and gravel provision ['Update on the sand and gravel, carstone and silica sand provision within the Norfolk Minerals and Waste Local Plan']. However, NCC has failed to have regard to future demand for sand and gravel set out in the LAA, as discussed at the EIP and as Breedon set out in its Hearing Paper on Main Matter 3.

The 10% flexibility figure was discussed with the Inspector and regarded as a buffer against Specific Sites not coming forward for development. It was not regarded as a measure to meet future growth demand for sand and gravel, as is indicated by the housing allocations, economic growth, population growth and infrastructure projects outlined in the LAA. These indicators suggest growth beyond that experienced over the past 10 years.

Breedon contends that either a 20-year sales average or 10-years sales average plus a 20% buffer should be used in the calculations to ensure that the Plan meets future growth forecasts outlined in the LAA. This change is suggested as the Plan simply rolls forward historic demand. It does not plan or consider the scenario outlined in the LAA which indicates that growth will significantly increase.

This amendment will link the forecast need to the conclusions of the LAA ensuring MM33 seeks to meet objectively assessed need ensuring it is positively prepared. It also ensures that MM33 is consistent with national policy, noting Paragraph 226 of the NPPF.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99546 Object

Document Element: MM33 - Paragraph MP1.7, Pages 68-69

Respondent: Earsham Gravels Limited [4031]

Agent: Stephen M Daw Limited (Mr Stephen Daw) [143]

Summary:

The Respondent is disappointed the Plan has not been amended to adopt a minimum 20% buffer. A 20% buffer would still result in a small shortfall of 0.196mt,

Planned reserves at the end of the Plan period should be at least sufficient for 7 years production based on 10-year average sales figures at the time.

Should the Inspector to be minded to adopted a 20% buffer or a greater degree of flexibility or have sufficient reserve at the end of the Plan period, the Plan will need to allocate a larger quantity of sand and gravel.

Change suggested by respondent:

To adopt a minimum 20% buffer and make provision at the end of the Plan period when calculating a sand and gravel requirement and if necessary allocate more mineral. In this consideration should be given to the Respondents site MIN 212 Mundham which contains a reserve of 0.325mt and was a site 'considered suitable for sand and gravel extraction' at the Preferred Options stage.

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments: None

99621 Object

Document Element: MM33 - Paragraph MP1.7, Pages 68-69

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

We do not believe the Council has taken the essence of the 10% buffer in accordance with the discussions at the EIP. The Council does not appear to have made any effort to forecast demand and is simply using the “10% buffer” as a forecast. The figures should be revisited to forecast demand and then the 10% buffer added.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99554 Support

Document Element: MM34 - New paragraph before paragraph MP1.8, Page 69

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We support the inclusion of this paragraph.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99602 Comment

Document Element: MM34 - New paragraph before paragraph MP1.8, Page 69

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM34.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99622 Object

Document Element: MM41 - Paragraph MP1.18, Page 70

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

The Council needs to provide clarity on sales and production figures. Reference is made 10-years production and then 3-yearsproduction, followed by 10-years average sales data and 3-years sales data. It then refers to raw silica sand throughput of the plant. The wording requires clarity as these figures will undoubtedly be very different.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99582 Object

Document Element: MM41 - Paragraph MP1.18, Page 70

Respondent: Sibelco UK Ltd (Mr David Walton, Head of Planning and Estates) [21989]

Summary:

Sibelco notes the amendments and considers it provides some flexibility. However, it was clearly identified in the hearings that the Plan cannot limit this nationally important resource to one processing plant and to provide flexibility and consistency with the NPPF we consider that the wording needs to be amended to reflect this.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Sibelco Main Modifications response - https://norfolk.oc2.uk/a/svng

99623 Object

Document Element: MM42 - Paragraph MP1.20, Page 71

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

The wording does not reflect the NPPF or the wording of proposed amendment MM41. The latter states that “the quantity of silica sand to be planned for will be at least the current maximum lawful throughput of the Leziate processing plant site”. The proposed wording does not reflect “at least the current maximum”, it is precisely the quoted current maximum. The text should be amended to read:
"The permitted reserve of silica sand, at 31/12/2022 is estimated at 3.08 million tonnes. The permitted reserve therefore provides a [delete: landbank] [insert: stock of permitted reserves] of less than 10 years' worth of silica sand production, which is below the level required by the NPPF.
Further, the forecast is clearly an underestimate and is not being based upon true output but a “maximum throughput”. This is also wholly contrary to the discussions and agreement at the EIP. The amended text using the 10 year average clearly states silica sand production in Norfolk over the last 10 years (2013-2022) was 825,643 . It is this figure which should be used to forecast production over the next 16 years to ensure a steady and adequate supply of silica sand is maintained and avoid under-supply. Failure to deliver this will render the plan unsound.

Change suggested by respondent:

The bullet points should be amended to read.
• The forecast need for silica sand from 2023-2038 [insert: based upon the 10 years production] is [delete: therefore 0.754)] [insert: 0.826] million tpa x 16 years = [delete: 12.064] [insert:13.216] million tonnes
• Silica sand permitted reserve at 31/12/2022 = 3.08 million tonnes
• Total shortfall is the forecast need minus permitted reserve = [delete: 8.984] [insert: 10.136] million tonnes.

The total shortfall and the minimum quantity to be allocated is therefore [delete: 8.984] [insert: 10.136] million tonnes which is equivalent to the need for [delete: 11.9] [insert: 12.27] years' further supply over the period of the Minerals and Waste Local Plan."

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99583 Comment

Document Element: MM42 - Paragraph MP1.20, Page 71

Respondent: Sibelco UK Ltd (Mr David Walton, Head of Planning and Estates) [21989]

Summary:

Sibelco welcome the amendment to the figures.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Sibelco Main Modifications response - https://norfolk.oc2.uk/a/svng

99603 Object

Document Element: MM43 - Policy MP1. Provision for mineral extraction, Page 72

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon objects to this Main Modification MM43. MM43 is not positively prepared and is not consistent with national policy.

Breedon welcome the overall more positive approach and rewording to reflect that sand and gravel extraction will be supported and not resisted, however MM43 does not go far enough to ensure the steady and adequate supply of sand and gravel.

As already set out the use of 10-year sales plus a 10% buffer does not meet forecast growth outlined the LAA. Breedon suggests either a 20-year sales average or 10-year sales average plus a 20% buffer would better meet objectively assessed need.

The Council has an obligation to provide a steady and adequate supply of sand and gravel under Paragraph 226 of the NPPF which is defined as maintaining landbanks of at least 7 years for sand and gravel. As such supporting proposed extraction in a scenario where sand and gravel landbank is already below 7 years is in itself contrary to the NPPF. Policy MP1 must prevent this scenario from occurring rather than providing support where this important national policy is breached. Therefore, MM43 should be changed so that NNC support mineral extraction outside of allocated sites where the development is required to maintain a 7-year landbank.

Breedon also considers the criteria used in MP1 of overriding benefit, overriding justification and proposed extraction to maintain the landbank of permitted sand and gravel above 7 years should be met individually and therefore 'or' should be used rather than 'and/or' within the policy wording. Breedon suggests amending the wording such that it may be possible for development to meet one or more criterion with an overarching requirement to be consistent with all other relevant policies set out in the Development Plan.

This is especially pertinent given the recent publication of the NPPF and the delivery of 1.5 million homes and increased growth and development aspirations. This is not considered by the current LAA (notwithstanding our concern that the Plan does not fully consider demand outlined in the LAA) therefore it is essential that increased flexibility is introduced into MP1 because demand for sand and gravel is likely to increase significantly.

Change suggested by respondent:

Breedon suggest MM43 should be revised and amended as follows:

"Mineral extraction for sand and gravel outside of allocated sites will be supported by the Mineral Planning Authority where [insert: the proposal is consistent with all other relevant policies set out in the Development Plan and] the applicant can demonstrate [insert: one or more of the following]:

a) There is overriding benefit for the proposed extraction [delete: and/]; or

b) There is overriding justification for the proposed extraction [delete: and]; or

c) [delete: the landbank of permitted reserves of sand and gravel in Norfolk is below seven years;] [insert: The proposed extraction is required to maintain the landbank of permitted sand and gravel above 7 years.]

[delete: The proposal is consistent with all other relevant policies set out in the Development Plan]"

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99624 Object

Document Element: MM43 - Policy MP1. Provision for mineral extraction, Page 72

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

Whilst we recognise a more positive wording, as highlighted above, we have concerns over the forecast for growth which has not been predicted and is limited to an arbitrary 10% buffer.

Change suggested by respondent:

We would suggest amending bullet point a) to read:
There is an overriding justification and/or [delete: overriding] benefit for the proposed extraction; and/or [delete: the landbank of permitted reserves of sand and gravel in Norfolk is below seven years; and] [insert: to maintain the landbank of permitted sand and gravel of at least 7 years].

In addition, the silica sand text needs to be amended to reflect the forecast highlighted above and the discussions and agreement at the EIP.
“For silica sand, sufficient sites to deliver at least [delete: 8.98] [insert: 10.136] million tonnes of silica sand resources will be required during the Plan period."

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99646 Comment

Document Element: MM43 - Policy MP1. Provision for mineral extraction, Page 72

Respondent: Environment Agency (Mr Harry Skinner, Sustainable Places - Planning Advisor) [22001]

Summary:

We note that the main policy changes relevant to Groundwater and Contaminated Land are around the changing of position to one of supporting new sites not currently allocated in the waste and mineral plans. Whilst we recognise that this gives flexibilty within the planning regime to increase the reserves of minerals going forward, the risk that we will not have a chance to comment on the suitability of the site via the waste and mineral plan site allocations consultation will exist. We would question if any sites put forward for planning approval that are not allocated within the waste and mineral plan carry the same weight of 'presumption of being granted planning permission' as those currently allocated. Most of the relevant change in policy wording link to Carstone and Silica sand reserves rather than the sands and gravels. It would appear that the sands and gravel reserves are 'healthy' i,e above target, whereas the carstone reserves are about on target with the silica sand reserves being below target based on currently allocated sites. Pressure to grant planning permission potentially on unseen sites for carstone and silica sands production is of concern, especially as these sites, given their limited geographical extent, tend to require substantial amounts of de-watering within the principal aquifer and can be associated with sensitive surface water receptors. This point mentioned is just to be highlighted for yourself and does not form any opposition to the plan.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Environment Agency letter 27.12.2024 - https://norfolk.oc2.uk/a/svnm

99604 Object

Document Element: MM44 - Paragraph MP1.25, Page 72

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon objects to this Main Modification MM44. MM44 is not positively prepared and is not consistent with national policy.

Breedon has set out that further flexibility is required to respond to increasing demand for sand and gravel. Indeed the Inspector asked NCC at the EIP to add examples of overriding planning reasons to provide flexibility to respond to changes in demand. MM44 does not provide examples of scenarios where there would be overriding planning reasons due to increase growth or demand rather isolated examples which might coincidentally increase supply. Breedon does not consider that NCC has met the Inspector's request. The NCC examples given, agricultural irrigation schemes and extraction prior to sterilisation are windfall sites, where prior extraction can take place rather than the mineral extracted to meet overriding need or public benefit.

This is especially pertinent given the recent publication of the NPPF and the delivery of 1.5 million homes and increased growth and development aspirations. This is not considered by the current LAA (notwithstanding our concern that the Plan does not fully consider demand outlined in the LAA) therefore it is essential that increased flexibility is introduced into the supporting text of MP1 because demand for sand and gravel is likely to increase significantly.

Change suggested by respondent:

To reflect Paragraph 226 of the NPPF and Footnote 79 Breedon suggest MM44 is amended as follow to include additional overriding planning reasons:

"Examples of potential overriding planning reasons for mineral extraction to occur on unallocated sites may occur include, but are not limited to in relation to:

• Agricultural irrigation reservoirs - where mineral is extracted and exported to create the reservoir landform,

• Borrow pits - where extraction takes place over a limited period for the exclusive use of a specific construction project such as for a specific road scheme,

• Prior extraction to prevent mineral sterilisation - this may be required on occasions where significant development takes place (on a site of over 2 hectares) and where a workable mineral resource could otherwise be permanently lost through sterilisation.,

• [insert: Conclusions of the latest annual local aggregate assessment identifying a shortage of sand and gravel supply,

• Significant forecasted growth due to levels of planned construction and house building,

• Insufficient production capacity of other permitted sites.]"

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99625 Object

Document Element: MM44 - Paragraph MP1.25, Page 72

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

We believe the identification of overriding planning reasons should be broadened to reflect spatial planning issues and planning policy requirements.

Change suggested by respondent:

Amend the wording to include:

• Agricultural irrigation reservoirs - where mineral is extracted and exported to create the reservoir landform,

• Borrow pits - where extraction takes place over a limited period for the exclusive use of a specific construction project such as for a specific road scheme,

• Prior extraction to prevent mineral sterilisation - this may be required on occasions where significant development takes place (on a site of over 2 hectares) and where a workable mineral resource could otherwise be permanently lost through sterilisation.

• [Insert: Conclusions of the latest annual Local Aggregate Assessment identifying a shortage of sand and gravel supply,

• Significant forecasted growth due to levels of planned construction, house building and or infrastructure development,

• Insufficient production capacity of other permitted sites.]”

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99543 Object

Document Element: MM44 - Paragraph MP1.25, Page 72

Respondent: Folkes Plant & Aggregates Limited [17581]

Agent: Stephen M Daw Limited (Mr Stephen Daw) [143]

Summary:

Remove all reference to examples of potential overriding planning reasons to allow extraction on unallocated sites where all other policy requirements are met.

Alternatively, amend to include an additional overriding planning reason, i.e. a shortfall of aggregate supply in a sub-area and specifically Great Yarmouth and Gorleston-on-Sea which has no identified allocated mineral.

This would enable the mineral planning authority to react to a landbank shortfall in a sub-area and avoid the need for transportation from one sub-area to another, with its associated carbon emissions. This would bring the Plan into line with policy and the global climate emergency.

Change suggested by respondent:

Remove all reference to examples of potential overriding planning reasons to allow extraction on unallocated sites where all other policy requirements are met or alternatively, amend to include an additional overriding planning reason, i.e. a shortfall of aggregate supply in a sub-area such as the Great Yarmouth and Gorleston-on-Sea which has no identified allocated mineral.

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments: None

99544 Object

Document Element: MM44 - Paragraph MP1.25, Page 72

Respondent: McLeod Aggregates Limited [21904]

Agent: Stephen M Daw Limited (Mr Stephen Daw) [143]

Summary:

The proposed modifications do not address concerns made in the Respondents Hearing Statement (Rep 99083). The Respondent seeks the entire removal of all reference to specific circumstances. This would give the MPA more flexibility to approve imaginative schemes benefiting the environment or meeting the circumstances of an operator, whilst still complying with the Development Plan. As modified the Plan does not give the degree of flexibility required by the NPPF nor that sought by the Respondent to proceed, confident that an application will be considered on its merits and not simply refused because it doesn't meet a specific circumstance.

Change suggested by respondent:

The Respondent seeks the entire removal of all reference to specific circumstances in Paragraph MP1.25, Page 72

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments: None

99606 Comment

Document Element: MM45 - Paragraph MP1.26, Page 72 / 73

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM45.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99626 Object

Document Element: MM47 - Paragraph MP2.4, Page 74

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

We believe the amended wording is overly restrictive linking future and lacks flexibility.

Change suggested by respondent:

"Silica sand is mostly exported out of Norfolk by train, for glass production elsewhere. [delete: Therefore,] within the confines of the available mineral resource, the spatial preference for new silica sand extraction sites is for sites which would be able to access the existing processing plant at Leziate (or another silica sand processing plant in Norfolk if one was to be built) and [insert: where appropriate and practicable, the] railhead via conveyor, pipeline or off-public haul routes. [insert: However, it is recognised that minerals can only be worked where they are found and any proposals for a new silica sand site and processing plant will be considered on its merits in accordance with the policies of the plan.] Whilst Policy MP2 identifies the overall spatial strategy for silica sand extraction, Policy MPSS1 sets out the detailed requirements for applications for silica sand extraction on unallocated sites to address."

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99584 Object

Document Element: MM47 - Paragraph MP2.4, Page 74

Respondent: Sibelco UK Ltd (Mr David Walton, Head of Planning and Estates) [21989]

Summary:

The proposed additional wording is ill placed and appears designed to cause confusion rather than address the Inspectors comments and those of Sibelco at the Hearings. In particularly the placement in brackets of "(or another silica sand processing plant in Norfolk if one was to be built)" is nonsensical and doesn't link to the remainder of the sentence or point that is attempting to be made. This goes against the discussions and representations at the Hearings. It still tries to impose a restrictive hierarchy in terms of extraction of silica sand at new sites. At the Hearings it was clear that a new processing plant may be required to come forward due to the mineral only being able to be worked where it is found and that an amended Policy MPSS1 would have the hierarchy of controls to ensure only applications that do not have demonstrable significant impacts on the environment will achieve planning consents.
There is no basis or justification for imposing this restriction as a new mineral site could be a significant distance from the Leziate Plant Site which might mean that the only viable or the most sustainable option to provide a steady and adequate supply of silica sand is to build a new processing plant or warehousing facility.
We suggest the Planning Inspector amends the wording of this paragraph to something which better represents the positive approach required by the NPPF and will make the plan sound.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments:

Sibelco Main Modifications response - https://norfolk.oc2.uk/a/svng

99555 Support

Document Element: MM49 - Policy MP2. Spatial Strategy for Minerals Extraction, Page 75

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We support the inclusion of irreplaceable habitat

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99627 Object

Document Element: MM49 - Policy MP2. Spatial Strategy for Minerals Extraction, Page 75

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

As referenced above, the spatial element is overly restrictive.

Change suggested by respondent:

The wording should be amended to read
"Within the resource area identified on the key diagram, or in other locations where borehole data is submitted to demonstrate a viable silica sand resource, specific sites for silica sand should be located where they are able to access the existing processing plant at Leziate (or another processing plant in Norfolk if one was to be built) and [insert: where appropriate and practicable, the] railhead via conveyor, pipeline or off-public highway haul route. [insert: However, it is recognised that minerals can only be worked where they are found and any proposals for a new silica sand site and processing plant will be considered on its merits in accordance with the policies of the plan.]"

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99573 Comment

Document Element: MM49 - Policy MP2. Spatial Strategy for Minerals Extraction, Page 75

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

We welcome the additional reference to conservation areas and also clarification with regard to significance and setting.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England's comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99590 Support

Document Element: MM50 - Policy MPSS1. Silica Sand Extraction Sites, Page 77

Respondent: Anglian Water (Tessa Saunders, Spatial and Strategic Planning Manager -Sustainable Growth) [21901]

Summary:

Anglian Water supports the modification to Policy MPSS1 requirement (i) to ensure appropriate measures are taken regarding the protection of our assets.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

NM&WLP Main Modifications Anglian Water Response - https://norfolk.oc2.uk/a/svnh

99628 Object

Document Element: MM50 - Policy MPSS1. Silica Sand Extraction Sites, Page 77

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

The proposed amendment (i) errs in law. It is not for the planning system to state who will be required to pay for water main or sewer diversions. This will be a commercial decision between two private companies and dependant upon any wayleave or easement requirements.
Proposed amendment (m) is too prescriptive. Our proposed amendment also makes more sense in light of the second sentence. In addition, surely a right turn lane would be dependent upon the source of sand supply:

Change suggested by respondent:

Amend the text (l) to read: "A sufficient stand-off distance around any water main or foul sewer that crosses the site or diversion of the water main/sewer [delete: at the developer's cost and] to the satisfaction of [insert: the utility provider.] [delete: Anglian Water]"

Amend the text (m) to read: "The processing plant and railhead should [insert:, where appropriate and practicable,] be accessed via conveyor, pipeline or off-public haul routes. However, if silica sand is proposed to be transported to the existing processing plant at Leziate using the public highway, then there will be a preference for a transport route which minimises amenity impacts through the use of off-highway haul routes from the B1145 to the processing plant. A right-turn lane at the junction with the B1145 [delete: would probably] [insert: may] be required to provide a suitable junction."

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99585 Object

Document Element: MM50 - Policy MPSS1. Silica Sand Extraction Sites, Page 77

Respondent: Sibelco UK Ltd (Mr David Walton, Head of Planning and Estates) [21989]

Summary:

The amended wording is not justified, inconsistent with national planning policy and not positively prepared. It doesn't reflect the evidence presented at the hearings and the issues identified by the Planning Inspector.
We suggest that sub clause A is amended to read:
"(a) To address the shortfall in silica sand supply to meet the requirements of the NPPF"
We suggest Sub Clause (M) is deleted as this is an attempt to limit silica sand production to one processing site and this is not in accordance with the NPPF. Transport impacts of any potential future site should be subject to sub clause (N) which required the submission of an acceptable Transport Statement or Assessment.

Change suggested by respondent:

We suggest that sub clause A is amended to read:
"(a) To address the shortfall in silica sand supply to meet the requirements of the NPPF"
We suggest Sub Clause (M) is deleted as this is an attempt to limit silica sand production to one processing site and this is not in accordance with the NPPF. Transport impacts of any potential future site should be subject to sub clause (N) which required the submission of an acceptable Transport Statement or Assessment.

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments:

Sibelco Main Modifications response - https://norfolk.oc2.uk/a/svng

99556 Comment

Document Element: MM52 - Policy MP5. Core River Valleys, Page 79

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We recommend including 20% BNG (see our comments relating to MM01).

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99574 Object

Document Element: MM52 - Policy MP5. Core River Valleys, Page 79

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

In the second bullet point the introduction of the words 'where appropriate' changes the meaning of the previous draft policy and waters it down. Therefore, we advise that the words 'where appropriate' should be deleted.

Change suggested by respondent:

In second bullet point delete 'where appropriate'

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England's comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99557 Comment

Document Element: MM54 - Policy MP7. Progressive Working, Restoration and Afteruse, page 82

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We support the inclusion of the LNRS

We recommend 20% BNG target (see our comments relating to MM01).

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99575 Comment

Document Element: MM54 - Policy MP7. Progressive Working, Restoration and Afteruse, page 82

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

We welcome the reference to historic landscape characterisation.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England's comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99607 Comment

Document Element: MM54 - Policy MP7. Progressive Working, Restoration and Afteruse, page 82

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM54. It should be noted that measurable 10% biodiversity gain will not need to use the biodiversity net gain matrix calculator where the development proposal is exempt from BNG under the BNG Regulations.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99647 Comment

Document Element: MM54 - Policy MP7. Progressive Working, Restoration and Afteruse, page 82

Respondent: Environment Agency (Mr Harry Skinner, Sustainable Places - Planning Advisor) [22001]

Summary:

This is unlikely to be the correct time to suggest inclusion of additional changes, but the lack of reference to subsurface conditions in MP7 could be considered for inclusion at the next review. Post-works remediation needs to consider the subsurface and groundwater environments in that it should be restored to reflect the pre-works hydrogeological conditions.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Environment Agency letter 27.12.2024 - https://norfolk.oc2.uk/a/svnm

99608 Comment

Document Element: MM55 - Paragraph MP8.1, Page 83

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM55.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99558 Support

Document Element: MM56 - Paragraph MP8.3, Page 83

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We support the new text and welcome the recognition that restoration schemes for biodiversity are likely to require after care of more than 5 years.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99609 Comment

Document Element: MM56 - Paragraph MP8.3, Page 83

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM56.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99631 Object

Document Element: MM56 - Paragraph MP8.3, Page 83

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

The proposed wording is cumbersome and non-compliant with the legislation. Planning conditions cannot be used to secure aftercare periods in excess of 5 years. The whole section requires re-writing.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99610 Comment

Document Element: MM57 - Policy MP8. Aftercare, page 83

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM57.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99629 Object

Document Element: MM57 - Policy MP8. Aftercare, page 83

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

It is wholly acceptable to require a restoration strategy to agriculture, forestry, amenity by condition and not prior to determination.
Amend the text accordingly

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99611 Comment

Document Element: MM58 - Paragraph MP11.4, Page 85

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM58.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99559 Support

Document Element: MM59 - Implementation Monitoring and Review table, Pages 88 to 99

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We support the inclusion of the new target relating to climate change.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99612 Comment

Document Element: MM60 - Mineral extraction sites - sand and gravel table, Pages 100 and 101

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon has no objection to this Main Modification MM60.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99630 Object

Document Element: MM62 - Mineral extraction sites - silica sand, Page 102

Respondent: Mineral Products Association (Mr Nick Horsley, Director of Planning, Industrial Minerals) [21998]

Summary:

As detailed above, there is a recognised shortfall in the forecast and the figures require amendment. As detailed above, there is a recognised shortfall in the forecast and the figures require amendment. The figure requires amendment to accord with the discussions and agreement at the EIP.

Change suggested by respondent:

The figure requires amendment to accord with the discussions and agreement at the EIP.
"These two sites would not meet the forecast need of [delete: 8.98] [insert: 10.136] million tonnes of silica sand during the plan period."

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Mineral Products Association representations - https://norfolk.oc2.uk/a/svnj

99560 Support

Document Element: MM63 - Policy MIN 12. Land North of Chapel Lane, Beetley, page 107

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We welcome and support this addition.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99565 Comment

Document Element: MM63 - Policy MIN 12. Land North of Chapel Lane, Beetley, page 107

Respondent: Water Management Alliance (Eleanor Roberts, Senior Sustainable Development Officer) [21936]

Summary:

Thank you for consulting the Water Management Alliance (WMA) on the Norfolk Minerals and Waste Local Plan: Publication of proposed Main Modifications and Additional Modifications.
Parts of Norfolk coincide with parts of the Internal Drainage Districts (IDD) of the Broads (2006) Internal Drainage Board (IDB), King's Lynn IDB, Norfolk Rivers IDB and the Waveney, Lower Yare and Lothingland IDB, members of the WMA. Therefore, the Board's Byelaws apply to any development within a Board's area.
The principal function of the IDBs is to provide flood protection within the Board's area. Certain watercourses within the IDD receive maintenance by the Board. The maintenance of a watercourse by the IDB is an acknowledgement by the Board that the watercourse is of arterial importance to the IDD. Main Rivers within the IDB are regulated by the Environment Agency. Therefore, I recommend that an applicant proposing a discharge or any other works affecting a main river to contact the Environment Agency.
The area outside the Boards' IDDs falls within the Boards' watershed catchments (meaning water from the site will

eventually enter the IDD). The Board will comment on planning for all major developments (10 or more properties) within the IDD watershed that are likely to discharge surface water into a watercourse within the IDD. Under certain circumstances, some major developments outside the IDD boundary may also be regulated by the Board's byelaws. We request that the Board is consulted as any planning application comes forward relating to any of the identified allocation sites. For any development site, we recommend that a drainage strategy is supplied which has been considered in line with the Planning Practice Guidance SuDS discharge location hierarchy [https://www.gov.uk/guidance/flood-risk-and-coastal-change].
Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991 and the Board's Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required Land Drainage Consents. As such I strongly recommend that the required consent is sought prior to determination of the planning application.
Please see the list overleaf of the proposed sites for development which we consider may impact a Board's area. The Board would seek to comment on these should they come forward for planning permission, alongside an explanation of any potentially required consents should these sites be developed. Please note that this list is not exhaustive and the Board may or may not choose to comment on additional site allocations if and when more information is presented.

MIN 12 – near Norfolk Rivers IDD
MIN 08, MIN 51 and MIN 13 – near Norfolk Rivers IDD
MIN 64 – near Norfolk Rivers IDD
MIN 37 – near Norfolk Rivers IDD
MIN 65 – near Norfolk Rivers IDD
MIN 96 – near Norfolk Rivers IDD
MIN 202 – near Norfolk Rivers IDD
MIN 06 – near King's Lynn IDD
MIN 40 – adjacent to King's Lynn IDD
SIL01 – near King's Lynn IDD
MIN 115 - near Norfolk Rivers IDD
MIN 25 – near Waveney, Lower Yare and Lothingland IDD

Minerals and waste works close to a Board's boundary may impact the IDD either directly or indirectly, therefore the Board would comment to promote sustainable drainage. Consent may be required if a discharge is proposed to a Board's IDD.
For developments outside a Board's IDD but within its watershed catchment, where surface water discharges have the potential to indirectly affect the Board's IDD, we would offer the following advice:
• If it is proposed that a site disposes of surface water via infiltration, we recommend that the viability of this proposal is evidenced. As such we would recommend that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency.
• If it is proposed to discharge surface water or product of dewatering to a watercourse within the watershed catchment of the Board's IDD, we request that this discharge is facilitated in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS)
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf], specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.
The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 167 of the National Planning Policy Framework). For further information regarding the Board's involvement in the planning process please see our Planning and Byelaw Strategy, available online.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Water Management Alliance representation letter 12.11.2024 - https://norfolk.oc2.uk/a/svnw

99648 Support

Document Element: MM63 - Policy MIN 12. Land North of Chapel Lane, Beetley, page 107

Respondent: Environment Agency (Mr Harry Skinner, Sustainable Places - Planning Advisor) [22001]

Summary:

Generally, the inclusion of conditions that certain sand and gravel minerals sites are to be worked above the water table are something we support, as impacts to groundwater by quarried sites can be detrimental to groundwater dependent sites and watercourses in an already water-stressed area.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Environment Agency letter 27.12.2024 - https://norfolk.oc2.uk/a/svnm

99561 Support

Document Element: MM64 - Policy MIN 51/ MIN13/ MIN 08. Land West of Bilney Road, Beetley, page 111

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We welcome and support this addition.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99566 Comment

Document Element: MM64 - Policy MIN 51/ MIN13/ MIN 08. Land West of Bilney Road, Beetley, page 111

Respondent: Water Management Alliance (Eleanor Roberts, Senior Sustainable Development Officer) [21936]

Summary:

Thank you for consulting the Water Management Alliance (WMA) on the Norfolk Minerals and Waste Local Plan: Publication of proposed Main Modifications and Additional Modifications.

Parts of Norfolk coincide with parts of the Internal Drainage Districts (IDD) of the Broads (2006) Internal Drainage Board (IDB), King's Lynn IDB, Norfolk Rivers IDB and the Waveney, Lower Yare and Lothingland IDB, members of the WMA. Therefore, the Board's Byelaws apply to any development within a Board's area.

The principal function of the IDBs is to provide flood protection within the Board's area. Certain watercourses within the

IDD receive maintenance by the Board. The maintenance of a watercourse by the IDB is an acknowledgement by the Board that the watercourse is of arterial importance to the IDD. Main Rivers within the IDB are regulated by the Environment Agency. Therefore, I recommend that an applicant proposing a discharge or any other works affecting a main river to contact the Environment Agency.
The area outside the Boards' IDDs falls within the Boards' watershed catchments (meaning water from the site will eventually enter the IDD). The Board will comment on planning for all major developments (10 or more properties) within the IDD watershed that are likely to discharge surface water into a watercourse within the IDD. Under certain circumstances, some major developments outside the IDD boundary may also be regulated by the Board's byelaws. We request that the Board is consulted as any planning application comes forward relating to any of the identified allocation sites. For any development site, we recommend that a drainage strategy is supplied which has been considered in line with the Planning Practice Guidance SuDS discharge location hierarchy [https://www.gov.uk/guidance/flood-risk-and-coastal-change].
Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991 and the Board's Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required Land Drainage Consents. As such I strongly recommend that the required consent is sought prior to determination of the planning application.
Please see the list overleaf of the proposed sites for development which we consider may impact a Board's area. The Board would seek to comment on these should they come forward for planning permission, alongside an explanation of any potentially required consents should these sites be developed. Please note that this list is not exhaustive and the Board may or may not choose to comment on additional site allocations if and when more information is presented.

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MIN 37 – near Norfolk Rivers IDD
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MIN 202 – near Norfolk Rivers IDD
MIN 06 – near King's Lynn IDD
MIN 40 – adjacent to King's Lynn IDD
SIL01 – near King's Lynn IDD
MIN 115 - near Norfolk Rivers IDD
MIN 25 – near Waveney, Lower Yare and Lothingland IDD

Minerals and waste works close to a Board's boundary may impact the IDD either directly or indirectly, therefore the Board would comment to promote sustainable drainage. Consent may be required if a discharge is proposed to a Board's IDD.
For developments outside a Board's IDD but within its watershed catchment, where surface water discharges have the potential to indirectly affect the Board's IDD, we would offer the following advice:
• If it is proposed that a site disposes of surface water via infiltration, we recommend that the viability of this proposal is evidenced. As such we would recommend that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency.
• If it is proposed to discharge surface water or product of dewatering to a watercourse within the watershed catchment of the Board's IDD, we request that this discharge is facilitated in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS)
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf], specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.
The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 167 of

the National Planning Policy Framework). For further information regarding the Board's involvement in the planning process please see our Planning and Byelaw Strategy, available online.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Water Management Alliance representation letter 12.11.2024 - https://norfolk.oc2.uk/a/svnw

99649 Support

Document Element: MM64 - Policy MIN 51/ MIN13/ MIN 08. Land West of Bilney Road, Beetley, page 111

Respondent: Environment Agency (Mr Harry Skinner, Sustainable Places - Planning Advisor) [22001]

Summary:

Generally, the inclusion of conditions that certain sand and gravel minerals sites are to be worked above the water table are something we support, as impacts to groundwater by quarried sites can be detrimental to groundwater dependent sites and watercourses in an already water-stressed area.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Environment Agency letter 27.12.2024 - https://norfolk.oc2.uk/a/svnm

99576 Comment

Document Element: MM65 - Paragraph M96.4, Page 136

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

We welcome the proposed modification to Paragraph M96.4 to clarify what mitigation measures are required at Grange Farm, Spixworth to protect the setting of nearby listed buildings following the recommendations of the HIA.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England's comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99577 Comment

Document Element: MM66 - Policy MIN 96. Land at Grange Farm, Spixworth, page 140

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

We welcome the proposed modification to clarify what mitigation measures are required at Grange Farm, Spixworth to protect the setting of nearby listed buildings following the recommendations of the HIA.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England's comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99578 Comment

Document Element: MM67 - Policy SIL01, Land at Mintlyn South, Bawsey, Page 159

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

We welcome the proposed modification to Policy SIL 01 to make reference to the listed font nearby.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England's comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99613 Object

Document Element: MM68 - Paragraph M25.1, Page 180

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon objects to this as a Main Modification MM68. MM68 is not justified and is not consistent with national policy. The Inspector requested an additional amendment (AM) was made to paragraph 180 to take account of the distance of the proposed extraction area from the dwellings (as set out in application FUL/2022/0056). In the EIP it was agreed that a buffer distance is not an appropriate measure and that the distance that extraction takes place from a sensitive receptor should be set out in accordance with the noise or air quality assessments and any mitigation measures. Continuing use of arbitrary buffers is not justified and not consistent with the NPPF. The proposed MM70 wording of Site Specific Policy MIN 25a below reflects this as the buffer distance has been removed. MM68 should be amended in a similar fashion.

In addition, Breedon considers that the Council should remove reference to numbers of sensitive receptors as this will vary according to the planning application submitted and the design of the scheme.

Change suggested by respondent:

As such Breedon request that MM68 is further amended as follows:

"The nearest residential property is 19m from [insert: MIN 25] site boundary. There are 55 sensitive receptors within 250m of the [insert: allocation] site boundary, [insert: as shown on MIN25 Proposals Plan], and 15 of these are within 100m of the site boundary. Many of these properties are within the settlement of Haddiscoe, which is 55m away. [delete: However, the site proposer has stated that land within 100 metres of the nearest sensitive receptors will not be extracted. Therefore, there are 47 sensitive receptors (buildings) within 250m of the proposed extraction area and none within 100m of the proposed extraction area]. Even without mitigation, adverse dust impacts from sand and gravel sites are uncommon beyond 250m from the nearest dust generating activities. The greatest impacts will be within 100 metres of a source, if uncontrolled. [delete: The operational area of the site would need to be set back approximately 100 metres from the nearest residential properties.] Any planning application for mineral extraction at the site would need to include noise and dust assessments and mitigation measures to deal appropriately with any amenity impacts."

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99636 Object

Document Element: MM68 - Paragraph M25.1, Page 180

Respondent: Haddiscoe Parish Council (Cllr Chris Chidgey, Chairman of Haddiscoe Parish Council) [22000]

Summary:

NCC M&WP development methodology is significantly flawed, as it relies exclusively on Developers to propose sites. Where sites are proven to be unsuitable or have even been rejected by the Councils own Planning Committee, NCC continue to be developer led and inflexible in the identification of other sites. Other Councils (e.g. Suffolk and Essex County Council) seek landowners directly to propose sites at the start of their planning process, proactively seek out potential sites and therefore cast the net wider in the identification of potential sites.

MIN 25 is unsuitable as it is on the boundary of the Broadlands National Park and causes substantial harm to two Grade 1 listed National Treasure (St Mary's and St Matthias Churches). It also sits on the North East boundary of the settlement of Haddiscoe and is too close to residents houses. Heritage England have raised significant concerns with the development of this site. The Broads Authority have stated "Although just outside the BA boundary, the proximity, scale and nature of the proposals in the context of a sensitive landscape mean that there would be some adverse effects on the Broads ….."

At the NCC Planning Meeting on the 24th May, members of the committee unanimously rejected the site and request that the site be declared as "unsuitable". They were advised not to by the NCC Planning Officer. Given at least 3 other sites were declared unsuitable, given the significant issues with MIN25, these should now be revisited, and other potential sites reviewed by NCC.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: No

Attachments: None

99562 Support

Document Element: MM69 - Paragraph M25.23 Restoration, page 184

Respondent: Norfolk Wildlife Trust (Dr Sarah Eglington, Planning and Advocacy Advisor) [21991]

Summary:

We support the inclusion of the text requiring boundary features such as hedges to be retained.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

99614 Object

Document Element: MM69 - Paragraph M25.23 Restoration, page 184

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon object to this Main Modification MM69. MM69 is not justified this is because as the supporting text makes clear the allocated site is part of a 20th-century agricultural landscape. Indeed, the boundary hedgerows which the text seeks to retain under historic field boundaries were planted in the last 30 years. NCC need to clarify with Historic England, whom are behind the suggested modification, from which century they wish to see hedgerows re-established within the site. NCC needs to identify and understand which historic landscape hedgerows they want reinstated and what the benefits would be, before including the above wording. Breedon considers reinstatement of certain historic hedgerows may have disadvantages, that have not been considered by the council, such as blocking views from Bridleway BR5.

Change suggested by respondent:

Breedon suggests that the paragraph text is amended and replaced with the following to read:
"Restoration shall include the retention of boundary hedgerows and trees and [delete: the reinstatement of historic hedgerows and field boundaries informed by Historic Landscape Characterisation] [insert: shall include additional hedgerows and planting. Any restoration planting shall be informed by national and local biodiversity strategies, local landscape and historic landscape characterisation, where appropriate.]"

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99579 Comment

Document Element: MM69 - Paragraph M25.23 Restoration, page 184

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

Although we continue to have concerns regarding the impact of the proposed development on the Grade I listed Haddiscoe Church and other heritage assets, we welcome the proposed modification to paragraph M25.23 in relation to site restoration.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England's comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99637 Object

Document Element: MM69 - Paragraph M25.23 Restoration, page 184

Respondent: Haddiscoe Parish Council (Cllr Chris Chidgey, Chairman of Haddiscoe Parish Council) [22000]

Summary:

NCC M&WP development methodology is significantly flawed, as it relies exclusively on Developers to propose sites. Where sites are proven to be unsuitable or have even been rejected by the Councils own Planning Committee, NCC continue to be developer led and inflexible in the identification of other sites. Other Councils (e.g. Suffolk and Essex County Council) seek landowners directly to propose sites at the start of their planning process, proactively seek out potential sites and therefore cast the net wider in the identification of potential sites.

MIN 25 is unsuitable as it is on the boundary of the Broadlands National Park and causes substantial harm to two Grade 1 listed National Treasure (St Mary's and St Matthias Churches). It also sits on the North East boundary of the settlement of Haddiscoe and is too close to residents houses. Heritage England have raised significant concerns with the development of this site. The Broads Authority have stated "Although just outside the BA boundary, the proximity, scale and nature of the proposals in the context of a sensitive landscape mean that there would be some adverse effects on the Broads ….."

At the NCC Planning Meeting on the 24th May, members of the committee unanimously rejected the site and request that the site be declared as "unsuitable". They were advised not to by the NCC Planning Officer. Given at least 3 other sites were declared unsuitable, given the significant issues with MIN25, these should now be revisited, and other potential sites reviewed by NCC.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: No

Attachments: None

99567 Comment

Document Element: MM70 - Policy MIN 25, land at Manor Farm, Haddiscoe, Page 184

Respondent: Water Management Alliance (Eleanor Roberts, Senior Sustainable Development Officer) [21936]

Summary:

Thank you for consulting the Water Management Alliance (WMA) on the Norfolk Minerals and Waste Local Plan: Publication of proposed Main Modifications and Additional Modifications.

Parts of Norfolk coincide with parts of the Internal Drainage Districts (IDD) of the Broads (2006) Internal Drainage Board (IDB), King's Lynn IDB, Norfolk Rivers IDB and the Waveney, Lower Yare and Lothingland IDB, members of the WMA. Therefore, the Board's Byelaws apply to any development within a Board's area.

The principal function of the IDBs is to provide flood protection within the Board's area. Certain watercourses within the IDD receive maintenance by the Board. The maintenance of a watercourse by the IDB is an acknowledgement by the Board that the watercourse is of arterial importance to the IDD. Main Rivers within the IDB are regulated by the Environment Agency. Therefore, I recommend that an applicant proposing a discharge or any other works affecting a main river to contact the Environment Agency.

The area outside the Boards' IDDs falls within the Boards' watershed catchments (meaning water from the site will eventually enter the IDD). The Board will comment on planning for all major developments (10 or more properties) within the IDD watershed that are likely to discharge surface water into a watercourse within the IDD. Under certain circumstances, some major developments outside the IDD boundary may also be regulated by the Board's byelaws. We request that the Board is consulted as any planning application comes forward relating to any of the identified allocation sites. For any development site, we recommend that a drainage strategy is supplied which has been considered in line with the Planning Practice Guidance SuDS discharge location hierarchy [https://www.gov.uk/guidance/flood-risk-and-

coastal-change].
Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991 and the Board's Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required Land Drainage Consents. As such I strongly recommend that the required consent is sought prior to determination of the planning application.
Please see the list overleaf of the proposed sites for development which we consider may impact a Board's area. The Board would seek to comment on these should they come forward for planning permission, alongside an explanation of any potentially required consents should these sites be developed. Please note that this list is not exhaustive and the Board may or may not choose to comment on additional site allocations if and when more information is presented.
MIN 12 – near Norfolk Rivers IDD
MIN 08, MIN 51 and MIN 13 – near Norfolk Rivers IDD
MIN 64 – near Norfolk Rivers IDD
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MIN 40 – adjacent to King's Lynn IDD
SIL01 – near King's Lynn IDD
MIN 115 - near Norfolk Rivers IDD
MIN 25 – near Waveney, Lower Yare and Lothingland IDD
Minerals and waste works close to a Board's boundary may impact the IDD either directly or indirectly, therefore the Board would comment to promote sustainable drainage. Consent may be required if a discharge is proposed to a Board's IDD.
For developments outside a Board's IDD but within its watershed catchment, where surface water discharges have the potential to indirectly affect the Board's IDD, we would offer the following advice:
• If it is proposed that a site disposes of surface water via infiltration, we recommend that the viability of this proposal is evidenced. As such we would recommend that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency.
• If it is proposed to discharge surface water or product of dewatering to a watercourse within the watershed catchment of the Board's IDD, we request that this discharge is facilitated in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS) [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf], specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 167 of the National Planning Policy Framework). For further information regarding the Board's involvement in the planning process please see our Planning and Byelaw Strategy, available online.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Water Management Alliance representation letter 12.11.2024 - https://norfolk.oc2.uk/a/svnw

99615 Comment

Document Element: MM70 - Policy MIN 25, land at Manor Farm, Haddiscoe, Page 184

Respondent: Breedon Trading Limited (Mr Lewis Williams, Planning and Estates Manager) [21996]

Summary:

Breedon does not object to this Main Modification MM70 but suggests “where appropriate” is added after “Historic Landscape Characterisation”, such that the policy requirement (c) reads as follows:
“The submission of an acceptable phased working and progressive restoration scheme to a nature conservation after use, including retention of boundary hedgerows and trees, to provide landscape and biodiversity gains and the reinstatement of historic hedgerows and field boundaries informed by Historic Landscape Characterisation [insert: where appropriate]".

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

Breedon representations document - https://norfolk.oc2.uk/a/svnz

99580 Comment

Document Element: MM70 - Policy MIN 25, land at Manor Farm, Haddiscoe, Page 184

Respondent: Historic England (Ms Debbie Mack, Historic Environment Planning Advisor) [17619]

Summary:

Although we continue to have concerns regarding the impact of the proposed development on the Grade I listed Haddiscoe Church and other heritage assets, we welcome the proposed modification to Policy MIN25 in relation to site restoration.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments:

Appendix A: Table of Historic England’s comments on the Proposed Main Modifications and Additional Modifications - https://norfolk.oc2.uk/a/svnf

99638 Object

Document Element: MM70 - Policy MIN 25, land at Manor Farm, Haddiscoe, Page 184

Respondent: Haddiscoe Parish Council (Cllr Chris Chidgey, Chairman of Haddiscoe Parish Council) [22000]

Summary:

NCC M&WP development methodology is significantly flawed, as it relies exclusively on Developers to propose sites. Where sites are proven to be unsuitable or have even been rejected by the Councils own Planning Committee, NCC continue to be developer led and inflexible in the identification of other sites. Other Councils (e.g. Suffolk and Essex County Council) seek landowners directly to propose sites at the start of their planning process, proactively seek out potential sites and therefore cast the net wider in the identification of potential sites.

MIN 25 is unsuitable as it is on the boundary of the Broadlands National Park and causes substantial harm to two Grade 1 listed National Treasure (St Mary's and St Matthias Churches). It also sits on the North East boundary of the settlement of Haddiscoe and is too close to residents houses. Heritage England have raised significant concerns with the development of this site. The Broads Authority have stated "Although just outside the BA boundary, the proximity, scale and nature of the proposals in the context of a sensitive landscape mean that there would be some adverse effects on the Broads ….."

At the NCC Planning Meeting on the 24th May, members of the committee unanimously rejected the site and request that the site be declared as "unsuitable". They were advised not to by the NCC Planning Officer. Given at least 3 other sites were declared unsuitable, given the significant issues with MIN25, these should now be revisited, and other potential sites reviewed by NCC.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: No

Attachments: None

99639 Object

Document Element: MM70 - Policy MIN 25, land at Manor Farm, Haddiscoe, Page 184

Respondent: Haddiscoe Parish Council (Cllr Chris Chidgey, Chairman of Haddiscoe Parish Council) [22000]

Summary:

NPPF (para 96c) states that planning decisions should support healthy lifestyles, especially where this would address identified local health and wellbeing needs.
MIN25/Crab Apple Lane site is on the boundary of the village of Haddiscoe and of all the sites proposed has the highest residential impact. NCC MIN25 Policies included a 100m stand-off area in recognition of this residential impact.
There are large uncertainties with dust assessments. The 100m buffer zone provides the residents with at least a definite level of protection, whereas a site-specific distance would be based on an assessment with a large amount of uncertainty attached to it.
IAQM guidance on the assessment of dust from demolition and construction (January 2024: Version 2.2 para 4.2.2), "according to MRl (2006) the overall fraction of PM2.5 in PM10 of construction emissions varies between 5% and 15%. Given the settlement by the UK Government to Ella Adoo-Kissi-Debrah PM2.5 is a real issue and residents should be appropriately protected by a minimum of a 100m buffer to the curtilage/boundary of their properties as a matter of policy (which has been removed under the MM), not just to residential receptor buildings as stated in MM68

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None