

McLEOD AGGREGATES LIMITED

EXAMINATION OF THE NORFOLK MINERALS AND WASTE LOCAL PLAN

HEARING STATEMENT (REP 99083) PROVISION FOR MINERAL EXTRACTION

ON BEHALF OF McLEOD AGGREGATES LIMITED

MAY 2024

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Hearing Statement (Rep 99083) :
Policy MP1: Provision for Mineral Extraction

Main Matter 3 – Whether the Plan makes adequate provision for the steady and adequate supply of aggregate and industrial minerals.

In response to Q7.

1. As regards national policy, the NPPF gives no advice to mineral planning authorities when preparing Local Plans on the need to impose specific circumstances when planning permission can be given to unallocated sites. To the contrary, the NPPF puts considerable emphasis on maintaining supply; encouraging prior extraction of minerals, especially where that extraction can take place without unacceptable adverse impacts on the natural environment and human health.
2. As drafted the Plan seeks to impose three specific circumstances where extraction on unallocated sites can occur, i.e. agricultural irrigation reservoirs, borrow pits and where prior extraction would prevent mineral sterilisation.
3. The imposition of specific circumstances and especially so few and such restrictive circumstances is unnecessary given national planning guidance. The imposition will also introduce a considerable degree of inflexibility in the Plan and the ability to react to circumstances where allowing mineral extraction could result in a positive outcome.
4. The imposition of specific circumstances is notably contrary to the approach taken in Local Plans prepared by other mineral planning authorities. For example, the Suffolk Minerals & Waste Local Plan, adopted in July 2020, does not discourage applications and the granting of consent for unallocated sites where all other policy requirements are met.
5. Ideally, the Respondent would wish to see the Plan amended to no longer impose specific circumstances but instead be willing to allow extraction on unallocated sites, as is the case in neighbouring Suffolk. This approach would enable the mineral planning authority to approve imaginative schemes which could, for example be of benefit to the environment by means of a particularly attractive restoration scheme or meet the particular circumstances of a mineral operator, such is the case with the Respondent.

6. The Respondents circumstances are pressing and site-specific and could not be met if the Plan remains as drafted. Bittering Quarry is a long-standing mineral operation working a deposit having a higher-than-average silt content which requires a ready supply of clean silt-free water to wash the aggregate and a suitable location to dispose of the washed silt. The Quarry has a remaining permitted reserve of circa 1.5 million tonnes which has an average silt content of 10%, equivalent to 150,000 tonnes or 93,750 cubic metres. The current area within the Plant Site available for silt disposal is nearing capacity with the only alternative to be use of the current clean water lagoon.
7. The Respondent would wish instead to end us of the current silt disposal facility and restore the area in accordance with the approved scheme and instead pursue a planning application for the formation of clean water and silt lagoons on land immediately adjoining quarry site. This would involve the removal of an estimated 150,000 tonnes of sand and gravel over a period of three years to a depth of 4 metres to form one void for silt and another void for fresh water. In common with the existing silt disposal area the land would be restored on completion to a mixture of open water, scrub and wet woodland. It should be noted that the proposed site is some 2.8ha in size; adjoins the Quarry Plant Site; is well screened by existing woodland and is remote from residences. In a pre-application enquiry with the Mineral Planning Authority, validation requirements for a planning application were sought and have been provided.
8. It should be emphasised, the primary driver for the proposal is the need for additional silt disposal capacity and a source of clean water, not the mineral of which the Respondent already has an adequate reserve. The extraction of mineral is a necessary element in order to form the below-ground voids required for the silt and a lagoon to hold clean recirculated water.
9. However, the Respondent is mindful that such a proposal would not meet one of the specific requirements of the draft Plan given the site is unallocated and the Respondent is therefore reluctant to go to the time and expense of submitting a planning application which would stand little prospect of receiving consent. This impasse does leave the Respondent with a genuine problem of being able to satisfactorily process the permitted mineral reserve and produce a high-quality and saleable product.
10. It is worth pointing out that at the time of the 'call for sites' in August 2017 the particular need for additional silt and clean water capacity was not apparent, hence no request for the site to be allocated was made at the time.
11. On behalf of the Respondent, I would request a strong preference for the draft Plan to be amended to allow extraction on unallocated sites where all other policy requirements are met. Alternatively, the Respondent would request the draft Plan is amended to include the additional circumstance requested by the Respondent, i.e. to allow extraction to provide additional silt disposal capacity and a source of clean water.