



Norfolk County Council

Norfolk Minerals and Waste Local Plan

Main Matter 4 – Whether the Mineral Extraction Sites proposed for sand and gravel, carstone and silica sand extraction are acceptable in planning and environmental terms and are deliverable

Norfolk County Council

Hearing Statement

May 2024

Issue: Whether the methodology for the identification of future sites is robust and whether the identified sites are acceptable in planning and environmental terms and are deliverable.

1. Do the assessments for each mineral extraction site proposed to be allocated in the Plan provide an appropriate and robust methodology for the identification of the allocated sites to meet the future demand.

NCC response:

1.1 Yes, the proposed site allocations have been robustly assessed. For each allocated site the Publication Norfolk Minerals and Waste Local Plan (NM&WLP) contains: the site size, estimated mineral resource, proposed start date for extraction, proposed extraction rate per annum, agricultural land classification, distance from the nearest towns or city, assessment of amenity, highway access, historic environment (including the historic landscape character, listed buildings, scheduled monuments, conservation areas, registered parks and gardens), archaeology, landscape and visual impact, public rights of way, ecology (including international, national and locally designated sites and ancient woodland sites), geodiversity, flood risk, hydrogeology, water framework directive, utilities infrastructure, aerodrome safeguarding, and restoration proposals together with a conclusion and the specific site allocation policy which includes the requirements necessary to ensure there are no unacceptable adverse impacts from the proposed development, and that the proposed site allocations are appropriate. Where this cannot be achieved, such that objections in principle would be likely for the proposed development, then a site would be considered unsuitable for allocation.

1.2 The assessment of the site, taking into consideration a range of planning constraints, draws on information from various data sources and responses from consultees, as the basis for analysis by planning officers drafting the NM&WLP.

1.3 The assessment within the Publication NM&WLP is supported by the Sustainability Appraisal (SA) Appendix B - 'appraisal tables of proposed mineral extraction sites and areas of search' (document A3.4) which examined all the sites submitted to the NM&WLP review process against the SA objectives and applied a combination of quantitative and qualitative assessment to them. This assessment is an iterative process developed through the plan-making process, and the conclusion summarises any changes made between the Regulation 18 and Regulation 19 stages. The scoring factors used for the assessment of proposed minerals sites and areas is set out in Table 2 (page 20) of the Sustainability Appraisal Report (document A3.2).

1.4 The Sustainability Appraisal includes the Sequential Test for Flood Risk at potential minerals sites (document A3.2 page 118 to 130).

1.5 A Habitats Regulation Assessment – Test of Likely Significant Effects (document A8) also supports the assessment of all the sites allocated in the Publication NM&WLP. This process assessed whether allocated sites had the potential for Likely Significant Effects either alone or in combination.

1.6 The assessment of sites MIN 96 and MIN 25 included a Heritage Impact Assessment, as advised by Historic England (documents B18 and B19).

2. Does the Plan adequately explain how the assessment was applied to any sites that were proposed by mineral operators but were not allocated in the Plan.

NCC response:

2.1 The Publication NM&WLP as submitted contains only those mineral extraction sites which are considered suitable for allocation and sound. The proposed specific site allocations are an appropriate method to meet the forecast need for sand and gravel, and carstone. For silica sand, the specific site allocations proposed for inclusion partially meet the forecast need; there being insufficient sites put forward which are concluded to be suitable for allocation. The Publication NM&WLP contains at paragraph MPSS1.1-1.2 a summary of the reasoning for the decision not to continue to designate Areas of Search. Further detail is contained within the Silica Sand Topic Paper (document B1).

2.2 The Publication NM&WLP is supported by the Sustainability Appraisal (SA) Appendix B - 'appraisal tables of proposed mineral extraction sites and areas of search' (document A3.4) which examined all the sites submitted to the NM&WLP review process against the SA objectives and applied a combination of quantitative and qualitative assessment to them. The assessment of sites and areas of search which have not been allocated in the submitted NM&WLP is contained within this document. This assessment is an iterative process developed through the plan-making process, and the conclusion summarises any changes made between the Regulation 18 and Regulation 19 stages. The scoring factors used for the assessment of proposed minerals sites and areas is set out in Table 2 (page 20) of the Sustainability Appraisal Report (document A3.2). Section 6.3 of the Sustainability Appraisal Report sets out the conclusions on the suitability of all sites and areas proposed through the NM&WLP process, for both the allocated sites and the unallocated sites and areas through the consideration of alternatives.

2.3 The Sustainability Appraisal includes the Sequential Test for Flood Risk of potential minerals sites (document A3.2 page 118 to 130).

2.4 The Preferred Options stage of the NM&WLP (document C9.2) contains the following assessment, for all sites submitted to the NM&WLP process: the site size, estimated mineral resource, proposed start date for extraction, proposed extraction rate per annum, agricultural land classification, distance from the nearest towns or city, assessment of amenity, highway access, historic environment (including the historic landscape character, listed buildings, scheduled monuments, conservation areas, registered parks and gardens), archaeology, landscape and visual impact, public rights of way, ecology (including international, national and locally designated sites and ancient woodland sites), geodiversity, flood risk, hydrogeology, water framework directive, utilities infrastructure, aerodrome safeguarding, and restoration proposals together with a conclusion. For each site a conclusion is made which includes whether a site is considered suitable for allocation or not.

3. Specific Site Allocation MIN 51/MIN 13/MIN 08 – land west of Bilney Road, Beetley – Does the site assessment adequately consider the cumulative impact of mineral extraction operations, including traffic?

NCC response:

3.1 The assessment of the site within the Publication version of the NM&WLP (A1) does not refer to potential cumulative impacts of mineral extraction operations at this site. However, the Sustainability Appraisal Report assesses the potential cumulative impacts of mineral extraction at site MIN 12 and site MIN51/MIN13/MIN08 at Beetley (document A3.2 page 93), including traffic.

3.2 The Sustainability Appraisal assessment states: "Beetley sites: Site MIN 12 and sites MIN51/ MIN 13/ MIN 08 are located in proximity to each other and to other mineral workings. Site MIN 51/ MIN 13/ MIN 08 are located opposite the processing plant site for MIN 12. It is considered that the sites could both be appropriately screened to mitigate any unacceptable adverse landscape impacts and both sites would be restored to agriculture with wide field margins, hedgerows and additional woodland to provide landscape and biodiversity net gains. With regards to the cumulative traffic impact from additional HGV movements from sites MIN51/MIN 13/MIN 08 in addition to the continuation of existing traffic movements from MIN 12 as an extension to the existing mineral workings, the Highway Authority consider that the site access is suitable and a Transport Assessment would be required at the planning application stage. If it was deemed necessary at the planning application stage, the annual production rate at the site could be limited by planning condition to limit the associated traffic movements. It is also considered that there are sufficient policy requirements regarding landscape and amenity mitigation to ensure no unacceptable adverse cumulative impacts."

3.3 Planning permission (reference FUL/2022/0021 - document B15) was granted in January 2024 for 1.55 million tonnes of sand and gravel extraction at site MIN51/MIN13/MIN 08 at a rate of 70,000 tpa, increasing to 110,000 tpa.

3.4 The Planning (Regulatory) Committee Report (document D3) included sections on traffic and highway safety and on cumulative effects with the existing mineral extraction site at East Bilney Quarry and the following information is based on the committee report. The planning application included a Transport Assessment which stated that there would be an average of between two and three two-way HGV movements per hour (this is higher than the figures used in the NM&WLP). The Transport Assessment accompanying the planning application identified that two-way average HGV volumes on the B1146 were recorded as being 302 vehicles per hour. On this basis the threshold for assessing highway capacity would be based on an addition of 30 two-way trips in any one hour. The proposed development would generate far fewer trips than this threshold and therefore the impact of highway capacity over and above the existing conditions is identified as being negligible. The Highway Authority therefore advised that the application demonstrates that HGV movement to and from the site can be achieved without causing conditions that may be detrimental to road safety or the locality of the site and its junction with the B1146 Fakenham Road. The Highway Authority also stated that the visibility splays at the junction of Rawhall Lane and B1146 Fakenham Road are suitable and do not require further improvement.

3.5 In terms of cumulative traffic impacts, it is relevant to note that allocated site MIN 12 at Beetley is proposed as an extension to the existing operation mineral extraction site (East Bilney Quarry) and the daily HGV movements from MIN 12 are therefore expected to remain the same as the existing movements from the operational site. Therefore, the Transport Assessment for application FUL/2022/0021 would have included the existing HGV movements from East Bilney Quarry.

3.6 The Planning (Regulatory) Committee Report also assessed cumulative impacts in paragraph 3.210, as follows: "The Environmental Statement includes an overall assessment of cumulative effects, as well as an assessment in each of the technical chapters of the ES. These conclude that there will not be significant combined effects on receptors as a result of the proposal or as the result of the proposal in combination with other nearby development, including East Bilney Quarry, subject to the identified mitigation measures proposed being implemented."

4. Specific Site Allocation MIN 202 – land south of Reepham Road, Attlebridge – Does the site assessment adequately consider the impact of mineral extraction on ancient woodland?

NCC response:

4.1 The site assessment adequately considers the impact of mineral extraction at site MIN 202 on ancient woodland. The assessment is contained in paragraph M202.12 of the Publication NM&WLP, which includes: "The nearest ancient woodland site is Mileplan Plantation, which is a Plantation on Ancient Woodland Site (PAWS) and is adjacent to the site boundary, and in some places is within the site boundary. ... The working area of the site would therefore need to be set back from the ancient woodland by at least 15-metres to provide a buffer zone. The buffer zone should be planted with native tree species..." In response to a planning application for mineral extraction at site MIN 202 (reference C/5/2018/5004 - subsequently withdrawn in March 2022), the Forestry Commission (in 2019) proposed that the 15-metre buffer zone around the proposed site boundary (equivalent to roughly 2 hectares) be planted with an equal number of oak, silver birch, sweet chestnut and rowan trees as part of the restoration because allowing natural regeneration would not be appropriate in this case due to the site restoration overall being to heathland.

4.2 Specific Site Allocation Policy MIN 202 contains a requirement (d) for a minimum 15 metre buffer to be left unworked adjacent to the ancient woodland and for this buffer to be planted with native woodland species as part of the site restoration. Allocation requirements are only applicable to the area covered by the site plan; therefore, to be able to influence the nature of the restoration within the buffer it needs to be within the site allocation boundary. Policy MIN 202 also contains a requirement (c) for the submission of an acceptable Arboricultural Impact Assessment to identify the impact of the development on existing trees and identify appropriate mitigation measures if required.

4.3 The Sustainability Appraisal Appendix B (document A3.4, page B51) also assesses the potential impact of mineral extraction at site MIN 202 on Mileplan Plantation Ancient Woodland. The assessment of the extraction phase is "The proposed extraction site would be worked dry (above the water table), therefore there would be no adverse effects on the hydrology of the PAWS. There is the potential for impacts from dust deposition. The working area of the site must be

set back from the boundary of the PAWS by at least 15 metres otherwise there could be a permanent loss of ancient woodland soils." The assessment of the post extraction phase is "If the extraction includes part of the PWAS then there could be a permanent loss of ancient woodland soils. If the extraction area excludes the PAWS then no adverse impacts to ancient woodland are expected post extraction."

5. Specific Site Allocation MIN 64 – land at Grange Farm, Buxton Road, Horstead – Is the extent of the allocation sufficient to contribute to sand and gravel supply for the Plan period?

NCC response: The NM&WLP is planning for a steady and adequate supply of aggregate minerals within Norfolk as a whole during the Plan period to 2038 and this approach does not need or require each individual mineral extraction site to be operational throughout the whole Plan period. Site MIN 64 was granted planning permission (reference FUL/2020/0045) for mineral extraction in May 2021 (B9) with mineral extraction at the site required, by condition, to cease and the site to be restored within 15 years of the commencement of the development. Mineral extraction at the site commenced in June 2021. Therefore, the permission covers the period to June 2036. The planning application stated that the site had a sand and gravel resource of 650,000 tonnes which would be extracted at an average rate of 50,000 tonnes per annum. Therefore, the extent of the allocated site MIN 64 is sufficient to contribute 650,000 tonnes to the sand and gravel supply for the Plan period. No other land was submitted to be considered in the Norfolk Minerals and Waste Local Plan process by Longwater Gravel Ltd at Horstead.

6. Specific Site Allocation MIN 96 – land at Grange Farm, Spixworth – Does the assessment adequately consider the impact of mineral extraction operations on housing and employment allocations identified, in the Greater Norwich Local Plan and take into account the Spixworth Neighbourhood Plan?

NCC response:

6.1 The assessments of site MIN 96 contained in the Publication NM&WLP and the Sustainability Appraisal do not refer to the employment and housing allocations identified in the Greater Norwich Local Plan (GNLP), however, they are all more than 0.5km from the site boundary of MIN 96.

6.2 The GNLP (adopted March 2024) does not allocate any sites within the parish of Spixworth. The GNLP does allocate land in the parish of Horsham St Faith and Newton St Faith for housing development: land west of West Lane, Horsham St Faith (Policy B.HS.1) and land east of Manor Road, Newton St Faith (Policy B.HS.2). The GNLP also allocates land for commercial development in the parish of Horsham St Faith and Newton St Faith: land at Abbey Farm Commercial (Policy B.HS.3) and land at east of the A140 and north of Norwich International Airport (Policy STR.14). However, site allocations B.HS.1 and B.HS.3 are located on the opposite side of the village of Horsham St Faith to the proposed mineral site allocation MIN 96 and over 1.1km from the boundary of MIN 96. Site STR.14 is on the opposite side to the A1270 and over 0.5km from the boundary of MIN 96, and site B.HS.2 is over 1.2km from the boundary of MIN 96. Therefore, no adverse effects are expected from mineral extraction at MIN 96 on any of these sites due to distance.

6.3 The assessments of site MIN 96 contained in the Publication NM&WLP and the Sustainability Appraisal do not specifically refer to the Spixworth Neighbourhood Plan. Only the south-eastern part of site MIN 96 is within the parish of Spixworth. The Spixworth Neighbourhood Plan does not allocate land in proximity to site MIN 96, and mineral operations would be unlikely to cause unacceptable adverse impacts within Spixworth village due to distance (the settlement boundary of Spixworth is over 0.55km away) and that HGV access would be via the A1270 roundabout to the west. Neighbourhood Plans cannot include policies or proposals that relate to any of the categories of excluded development; mineral extraction is excluded development. Spixworth Neighbourhood Plan forms part of the Development Plan for the parish of Spixworth, and any future planning application would need to be determined in accordance with the relevant policies of the Development Plan.

6.4 Spixworth Neighbourhood Plan contains the following 12 policies:

- Policy 1: Traffic Impact – relevant to site MIN 96 and would be assessed at the planning application stage when detailed information on the proposed development would be available.
- Policy 2: Sustainable Transport – not relevant to mineral extraction at site MIN 96 which is located outside the village of Spixworth.
- Policy 3: Flood Risk – relevant to MIN 96 and would be assessed at the planning application stage when detailed information on the proposed development would be available.
- Policy 4: Biodiversity – relevant to MIN 96 and would be assessed at the planning application stage when detailed information on the proposed development would be available.
- Policy 5: Designation of Local Green Space – not applicable to site MIN 96.
- Policy 6: Open Space Management – not applicable to restoration proposal for site MIN 96.
- Policy 7: Great places to live – not applicable to mineral extraction
- Policy 8: Home design – not applicable to mineral extraction
- Policy 9: Landscape development to preserve and enhance its setting – relevant to MIN 96 and would be assessed at the planning application stage when detailed information on the proposed development would be available.
- Policy 10: Roads and parking – not applicable to mineral extraction.
- Policy 11: Employment opportunities – relevant to MIN 96 and would be assessed at the planning application stage when detailed information on the proposed development would be available.
- Policy 12: Commercial premises – not applicable to mineral extraction

6.5 Therefore, no changes are required to the Publication NM&WLP or the Sustainability Appraisal regarding the GNLP site allocations or the Spixworth Neighbourhood Plan.

7. Specific Site Allocation MIN 25 – land at Manor Farm, Haddiscoe - Does the assessment adequately consider the impact of mineral extraction operations on heritage assets, the living conditions of nearby residents and tourism?

NCC response:

7.1 Assessment of the proposed allocation MIN 25 is contained in the Publication NM&WLP supporting text for the site allocation policy and in the Sustainability Appraisal Appendix B – ‘appraisal tables of proposed mineral extraction sites and areas of search’ (document A3.4), which has been carried out as an iterative process through the various stages of the NM&WLP. The SA provides an assessment of each proposed mineral extraction site against the SA objectives. The results of the SA then feed into the site assessment in the NM&WLP. The SA Objectives include ones related to air quality, noise, vibration, visual intrusion, health, and amenity.

Assessment of the impact of mineral extraction operations on heritage assets

7.2 As advised by Historic England, a Heritage Impact Assessment (HIA) has been prepared for site MIN 25 (document B19). The HIA includes an archaeological desk-based assessment and an assessment of potential visual, noise, dust, vibration and traffic impacts on built heritage and mitigation measures. The HIA concludes that impacts on archaeological assets can be appropriately mitigated. For built heritage, it concludes that the level of harm (including from HGV traffic) would be less than substantial for three listed buildings, and neutral for all of the other heritage assets within 1km of the allocation site. The HIA includes measures to mitigate the potential harm to the heritage assets. The HIA relates not only to visual impacts, but also to noise, dust and lighting.

7.3 Specific Site Allocation Policy MIN 25 (a) requires a planning application for development of the site to include “the submission of an acceptable Heritage Statement to identify heritage assets and their settings, assess the potential for impacts and identify appropriate mitigation measures if required”, and “the submission of an appropriate archaeological assessment, which must be prepared in consultation with Norfolk County Council; this may initially be desk-based but may need to be followed up with field surveys and trial-trenching. The archaeological assessment will be used by Norfolk County Council/Historic Environment Service to agree appropriate mitigation measures at the planning application stage”. These requirements are to ensure that a planning application would need to demonstrate that there would not be an unacceptable impact on the historic environment, including heritage and archaeological assets and their settings. However, at the site allocation stage, existing site screening and experience from other mineral workings indicates that an appropriate scheme could be arrived at which would not result in unacceptable impacts on the heritage assets. The Specific Site Allocation Policy MIN 25 states that the working area should be set back 100m from the nearest residential properties and requires the retention of the boundary hedgerows and trees.

Assessment of the impact of mineral extraction operations on the living conditions of nearby residents

7.4 The assessment considers the location of properties, including residential dwellings, in relation to the allocation site (paragraph M25.1). The Specific Site Allocation policy MIN 25 incorporates indicative buffer/standoff areas to remain unworked and the existing screening boundary hedges to give a potential extraction limit. If this limit is applied there are no residential properties within 100m, and 45 residential properties within 250m of the extraction area. The assessment takes into account the Institute of Air Quality Management 'Guidance on the assessment of mineral dust impacts for planning' (2016). This guidance states that impacts from fugitive dust rarely cause impacts beyond 250m from the source, even if uncontrolled by mitigation measures.

7.5 The assessment takes into account the fact that distance is not the only effective mitigation measure to prevent unacceptable impacts from extraction; with modern dust control measures, including water suppression, impacts from fugitive dust would be appropriately mitigated at far shorter distances.

7.6 Based on this assessment, Specific Site Allocation Policy MIN 25 (a) requires "the submission of acceptable noise and dust assessments and a programme of mitigation measures to deal appropriately with any amenity impacts" at the planning application stage. A planning application would need to demonstrate that there would not be an unacceptable adverse impact on local amenity and health (including noise, air quality and dust). These assessments would be prepared in accordance with national guidance and considered by an Environmental Health Officer as part of the process to decide the suitability of the proposed extraction. The assessment took into account that normal planning conditions for mineral extraction require mitigation measures for noise and dust. As such, the potential for these impacts and appropriate mitigation would be identified for all relevant receptors.

7.7 Norfolk County Council's 'Validation Requirements for Minerals and Waste Planning Applications' (June 2023) requires a Health Impact Assessment to be submitted with planning applications for mineral extraction operations. A Health Impact Assessment will assess the potential health impacts (including on mental health and wellbeing) from the proposed development and where appropriate identify mitigation measures to avoid or minimise negative consequence such that no unacceptable impacts occur.

7.8 The site assessment considered that the validation requirements mentioned above would require a Lighting Assessment at the planning application stage, if external lighting is proposed at a development. A planning application would need to provide lighting details and an assessment of potential impacts and mitigation as part of the planning application process. The mitigation measures to ensure that unacceptable adverse impacts do not occur, would be conditioned as part of any planning permission. An example planning condition would be to require any external lighting to not cause glare beyond the site boundary and to require that lighting is not used at night when the site is not operational. The site assessment took into account that such planning conditions have been successful on permitted sites.

7.9 The site assessment of amenity impacts also considered that planning conditions controlling the operational hours of mineral extraction sites are routinely including on planning permissions.

7.10 The site assessment has considered highway access (paragraph M25.2) and the likely level of HGV traffic from the proposed development, taking into account the level of existing traffic and the proposed route from the allocation site to the existing processing plant at Norton Subcourse. The Highway Authority has also been consulted throughout the plan-making process and provided responses. The conclusion is that the highway access would be suitable, subject to appropriate road improvements. The requirements within the allocation policy include 'The submission of an acceptable Transport Assessment or Statement to assess the impact of HGV traffic along the access route, and appropriate mitigation for any potential impacts to the highway', and 'Provision of a highway access that is considered suitable by the Highway Authority'.

7.11 Issues regarding potential visual intrusion have been assessed as part of the plan-making process (paragraphs M25.7 to M25.11) and consideration taken of responses submitted through the consultation process. The allocation policy contains a requirement for 'The submission of an acceptable LVIA which will identify any potential impacts to the wider landscape and suggest appropriate mitigation measures; particularly regarding views from nearby properties, surrounding roads and provide protection of the setting of nearby listed buildings. The mitigation measures should include a combination of advanced planting with native species and bunds'. It is concluded that this requirement will enable the proposed development to take place without resulting in unacceptable adverse visual impacts.

Assessment of the impact of mineral extraction operations on tourism

7.12 The assessments of site MIN 25 contained in the Publication NM&WLP and the Sustainability Appraisal do not specifically refer to the potential impact of mineral extraction operations on tourism. However, the planning system is not in place to protect private business interests. In planning terms, it is whether the proposed development would have an unacceptable adverse impact on local amenity, and on the existing use of land and buildings which ought to be protected in the public interest. The potential impacts on amenity which may result from mineral extraction operations at site MIN 25 are discussed in the paragraphs above on the assessment of the impact on living conditions.

7.13 In conclusion, the assessment of site MIN 25 at Haddiscoe does adequately consider the impact of mineral extraction operations on heritage assets, the living conditions of nearby residents and tourism.