

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.

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 future demand.**
- 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.**

The Norfolk Sustainability Appraisal (Document A3.2) with its 13 sustainability objectives appears to have been a key tool used to assess the sites put forward to the next stage of the Norfolk Minerals and Waste Plan. The methodology and findings of the Sustainability Appraisal undertaken for the submission Plan (Document A1) is contained Document A3.2. It also provides the scoring system and criteria applied for assessing sites. Sites are scored at the extraction and restoration phases. The assessment results are written up in Sustainability Assessment Appendix B (Document A3.4), and a comparative site scoring table provided in Table 6.1 of the main Sustainability Assessment report (Document A3.2)

Table 6.1 of the Sustainability Assessment (Document A3.2) provides a summary score of the sites considered at the pre-submission stage of the Plan, but it is difficult to interpret why some sites based on this scoring made it through to allocation within the submission Plan (Document A1) and others were rejected. Many of the sites allocated have a similar or worse score to those not allocated. The commentary made in the Sustainability Assessment Appendix B (Document A3.4) for each site assessed against the sustainability criteria is similar for many of the sites assessed and at this strategic level of assessment, this commentary is informative, but not sufficient to select sites.

For example, Stratton Strawless MIN213 is not allocated in the submission Plan (A1) although it scored only 2 double negative scores in Table 6.1 – one on noise and one on historic environment – where mitigation measures are possible to resolve these issues. MIN 65 scored 3 double negative scores and only one double positive but was allocated. This appears incoherent. The Sustainability Appraisal fulfils the requirements of a higher-level strategic assessment as to whether a site meets certain overarching environmental, economic and social criteria, but is a rather simplistic tool. It does not address detailed environmental and amenity characteristics of an individual site or consider mitigation measures as to whether it can successful be worked for sand and gravel extraction.

However, the Sustainability Assessment Report (Document A3.2) appears to be the only report where a final commentary is provided on whether a site is included in the submission Plan (A1) or not. There are reasons given in Section 4.6 of the Sustainability

Appraisal Report Part B (Document A3.2) for allocation or exclusion from the Plan, in but it is difficult to tell from this short commentary whether sites have been assessed fairly and on an equal basis.

Breedon consider that in the sound preparation of a plan, a comparative assessment of each site characteristic should be undertaken and provided as evidence. Providing comparative information as to whether each site can achieve a safe access and highway route, for example. Weighting should also be applied to environmental designations when assessing whether to allocate sites, as to whether they merit national or local protection. These are key factors in whether a successful sand and gravel operation can be secured. This type of assessment may have been undertaken by Norfolk County Council (NCC), as the Site Specific Policies in Document A1 for the allocated sites, are detailed and descriptive, but any such analysis for the rejected site has not been published as evidence or a detailed comparison provided as to why the sites were excluded.

In addition to an assessment of the environmental and amenity characteristics, any site assessment should set out whether and which mitigation measures NCC has considered could potentially be applied. As stated above the only insight into the assessment undertaken by NCC is the written summary in Document A3.2 as to whether a site has been allocated or rejected. The methodology for inclusion and exclusion is not clear, with some sites rejected on a clear basis, but others rejected, where mitigation measures may have overcome certain “adverse” impacts for rejected sites.

For example, Stratton Strawless MIN 213 is excluded based on an extant planning permission for a holiday lodge complex, but no consideration is given to the fact that the landowner may be willing to restore the site to a different land-use. This appears to be a flimsy reason for excluding a site, when simple discussion with the operator would clarify this position and overcome this issue.

In conclusion, Breedon consider that the final site selection criteria applied by NCC is not open and explicit. The submission Plan site allocation is not fully justified and conflicts with NPPF paragraph 35b in that the plan preparation should apply an appropriate strategy, consider reasonable alternatives, based on proportionate evidence. A summary comparative table published as evidence would make it clearer how alternative sites were considered, and why some were allocated and some excluded in the submission Plan (A1). The summary table should record the environmental and amenity characteristics compared, their relative weighting and what mitigation measures have been considered.

This assessment should also assess operative and potential productive ability of sites to deliver sales across the Plan period. It is not apparent from the site selection that any analysis has been given to mineral quality, productive capacity or when sites would become available to be worked. Any analysis seems to solely rest on whether or not a seven-year landbank will be maintained.

Breedon would like the comparative site assessment information made available at the Examination in Public as evidence.

3. Specific Site Allocation MIN51/MIN13/MIN08 – land west of Bilney Road, Beetley – Does the site assessment adequately consider the cumulative traffic impact of the mineral extraction operators, including traffic?

NCC has tried to address cumulative impact particularly in terms of traffic at MIN12 and MIN51/MIN13/MIN08 by stating that the production could be limited through any planning permission granted. However, in reducing production at these sites, it ignores that MIN12 has a potential reserve of 1,120,000 million tonnes and MIN51/MIN13/MIN08 a reserve of 1,480,000 million tonnes.

These would be two significant contributors to what would appear to make a healthy Norfolk sand and gravel landbank. However, if production is limited at each site to minimise cumulative traffic impacts, in reality each site would only be contributing a small amount to annual sales.

It may also be the case, that as the sites are owned separately, the applicant would not want the production to be restricted. It may be the case that only one allocated site can be worked at a time to avoid cumulative impacts on the location in terms of traffic, landscape etc.

Both the above scenarios indicate that further sites should be allocated to provide flexibility to annual sand and gravel sales, as cumulative impacts of closely located sites may be a limiting factor to annual production available from the existing sites allocated.

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

The Plan (Document A1) allocates some 545,000 tonnes of sand and gravel to be worked at land south of Reepham Road, Attlebridge (MIN202). The submission Plan (A1) in the Site Specific Policy MIN202 sets out clearly in the that under Landscape and Ecology that Mileplain Ancient Woodland provides a landscape screen to the northern, eastern and western boundaries of the 17.36ha site. The Ecological description in the Policy identifies that Mileplain Plantation is adjacent to the proposal site on the northern, eastern and western boundaries and that these are within the boundary of the site in some places. Mileplain Plantation is identified as plantation woodland replanted (PAWS) on an ancient woodland site in the Norfolk Minerals and Waste Plan inset plans. The Sustainability Appraisal (A3.4) acknowledges this designation and identifies that ancient woodlands are irreplaceable habitats and therefore any mineral extraction proposal must not result in the loss or deterioration of the ancient woodland.

The National Planning Policy Framework (NPPF) (2023) sets out in paragraph 186 that c) development resulting in the loss or deterioration of irreplaceable habitats (such as

ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

Breedon acknowledge this important environmental designation and the important policy criteria must be met when it applies. As such Breedon would design any sand and gravel extraction scheme to protect any ancient woodland and ensure that any working or restoration scheme does not adversely impact upon it.

The 17.36ha Attlebridge site actually contains some 2,200,000 tonnes of sand and gravel. However, this would involve a very deep workings and extraction close up to the boundaries. NCC acknowledge this in the Plan (A1) Site Allocation and set this out in the main characteristics of the site – identifying that this depth of working would be difficult to deliver a suitable restoration scheme. The reserve allocation is revised down from this and down again from 1,000,000 to 545,000 tonnes.

Previously, planning permission for the winning and working of sand and gravel has existed in relation to this allocated site for many years. The first permission being granted in 1996 (ref. no. C/5/1991/0068), with the permission being implemented and sand and gravel extraction commencing. The completion date for this development was extended in December 2003 (ref. no. C/5/2003/5005) and December 2008 (ref. no. C/5/2008/5016). A further application to extend the completion date for the development to 31st December 2017 was submitted in June 2013 (ref. no. C/5/2013/5013), although this was undetermined and as such permission has now lapsed. As a result, a further planning application was made in 2018 under (C/5/2018/5004) for extraction of 545,000 tonnes of sand and gravel from the site, but this was withdrawn by Breedon in 2021 who took over ownership of the site in 2020.

Breedon believe that the previous planning permissions and the submission Plan Site Specific Policy MIN202 have made suitable allowance for working the site and ensuring that any proposal would not result in loss or deterioration of the PAWS.

Indeed, the previous application submitted in 2018 included an ecological report which disputed that Mileplain Plantation is infact a PAWS. This paper is appended as BRE Appendix 1. The paper was prepared by AECOL Consultancy who have considerable experience AECOL is an independent ecological consultancy specialising in services to the quarrying industry. The practice has competence in Preliminary Ecological Appraisal, Ecological Impact Assessment, Habitat Regulations Assessment, habitat and species surveillance, as well as habitat restoration, monitoring and management (see www.aecol.co.uk).

The AECOL ecological report concludes that “Although it is cited as a Plantation on Ancient Woodland Site (PAWS) within the Ancient Woodland Inventory (AWI), there is no evidence that the woodland known as Mileplain Plantation accords with the definition of PAWS within Standing Advice.

The Ecological Impact Assessment (EclA) was performed entirely in accordance with the criteria of *The Town and Country Planning (Environmental Impact Assessment) Regulations 2017* and to the highest standard.

Notwithstanding the evidence that Mileplain Plantation is not an ancient site and should not be listed on the Ancient Woodland Inventory, the mitigation is entirely in accordance with the criteria of *Standing Advice: Ancient Woodland, ancient trees and veteran trees: protecting them from development*.

The conclusion was that there were no grounds to predict the development will result in significant negative residual effects upon on- or off-site Valued Ecological Receptors (VER), nor are there grounds to suggest potential cumulative significant negative effects in combination with concurrent developments.

All the weight of the considerable evidence reviewed and provided to the Mineral Planning Authority supported the conclusion of the EclA, which is that there were no grounds to predict a likely significant effect upon Mileplain Plantation or the faunal species that may occupy the PAWS.”

As such Breedon believe that they can design a suitable working method to extract the sand and gravel, as guided by ecological, arboriculture, air quality and hydrogeological assessments without significant impact on Mileplain Plantation and will not conflict with the NPPF or Development Plan policy.

The current operator Breedon is in a position to pursue an application for the allocated site and consider that a working scheme for extraction of some 545,000 tonnes of sand and gravel can be designed and guided by environmental assessments, to ensure that there are no significant impacts on Mileplain Plantation or the County Wildlife Site.

These detailed environmental assessments would identify the potential significant adverse effects of any extraction and restoration and the mitigation required whether it be distance or operational management issues to protect the Mileplain Plantation from any adverse impacts of sand and gravel extraction and ensure no deterioration from extraction to the plantation soils, or on the ecology of the site from noise, dust or hydrogeological changes.

In terms of hydrological impacts to the Mileplain Plantation previous assessments of the Attlebridge Site have shown that ground water level is at least 15m bgl and that any sand and gravel extraction based on previous schemes would be to a depth around 4-5m and so any extraction could be worked dry and would involve no dewatering.

In conclusion Breedon consider that MIN202 should be an allocated site in the adopted Plan. The plantation ancient woodland area on the edge and boundary of the site, is a disputed PAWS. Even if the PAWS designation is proven, Breedon consider, it can be protected from working and a scheme can be designed to ensure the “woodland” is protected from significant adverse impact and that its condition does not deteriorate

during working or restoration. This would be in accordance with NPPF updated guidance on protection of ancient woodland, if the PAWS designation is upheld.

7. Specific Site Allocation MIN25 – 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?

Haddiscoe (MIN25) is considered, as with the other sites in relation to the 13 SA objectives and is identified to have issues in relation to noise (proximity to dwellings) and heritage and during extraction and post restoration and rights of way in the appraisal.

As is discussed above, NCC has not made explicit its consideration of whether a safe access can be achieved at a site or a working scheme with suitable mitigation measures. The text in the Sustainability Appraisal which states that Haddiscoe can be included in the submission Plan (A1) outlines the issues and assessments that any application for Haddiscoe would need to overcome.

The Site Specific Policy MIN25 for land at Manor Farm, Haddiscoe in the submission Plan, identifies that any application would need to address the impacts on the historic landscape character of the site and its wider setting and on the four listed buildings within 250m of the site. The policy also describes that there are some 55 residential properties within 250m of the site boundary and 15 of these are within 100m. It states in paragraph MIN25.1 *“The operational area of the site would need to be set back approximately 100 metres from the nearest residential properties. A planning application for mineral extraction at this site would need to include noise and dust assessments and mitigation measures to deal appropriately with any amenity impacts.”*

In terms of tourism, the allocation identifies that there is a bridleway which crosses the application site, although this is used by the local community as well as tourists. No specific mention is made of tourism within the allocation, but the location of Broads to the north of the site, the bridleway and the location of the listed buildings would all be considerations in any planning application.

Indeed, Breedon submitted a planning application to work Haddiscoe MIN25 in 2022 under planning application reference FUL/2022/0056. The application documents including the Environmental Statement can be viewed on Norfolk County Council’s website under this reference. The application may be considered at Norfolk Regulatory Planning Committee in May 2024 before the EIP.

The application site meets the criteria of the Minerals and Waste Local Plan allocation requirements and the Development Plan Policy. It includes 100m extraction boundary stand-off from the nearest residential properties, and includes full amenity assessments of noise, air quality/dust, hydrogeology and flood risk, traffic and rights of way and visual impact in terms of amenity. It also assesses health. The application includes a detailed heritage impact assessment looking at the impact of extracting sand and gravel on archaeology and associated operations from Haddiscoe on the historic landscape and on the listed buildings. It considers the impacts of traffic, noise, dust and visual impacts

of working on the listed buildings and their setting during extraction and once the site is restored. It also considers the landscape character impacts of the site during extraction on the listed buildings and their setting and the impact that the site would have once restored. Impacts of temporarily diverting the bridleway are considered and the reinstatement of the bridleway on the restored site, including whether views are impacted of the historic buildings are also addressed.

In addition to Breedon’s assessment as part of the application submission NCC has produced its own Heritage Assessment (Document B19) which concludes that:

“The proposed specific site allocation MIN 25 will play a part in meeting the forecast need for sand and gravel during the Plan Period to 2038. It is considered that the site allocation can achieve this without causing unacceptable impacts and specific to this assessment will not result in unacceptable harms to the significance of the built heritage assets in proximity to the site. For archaeology, acceptable mitigation measures have already been agreed in relation to the planning application, and the NMW&WLP policies would require a similar approach should the current application not be granted.

The proposed site allocation policy is justified in terms of its potential impacts and appropriate mitigation measures, is deliverable, and is consistent with the NPPF including the need to conserve heritage assets, including archaeology, in a manner appropriate to their significance.”

Breedon consider that NCC have identified the relevant issues in relation to heritage, amenity and rights of way, in addition to other effects that any planning application would need to assess and mitigate. Breedon consider that they have designed an operational extraction and management scheme which addresses these concerns as set out in the submitted planning application.

Appendix 1 – AECoI RESPONSE TO AN OBJECTION RAISED BY WOODLAND TRUST IN RESPECT OF: THE PROPOSED CONTINUATION OF A QUARRY DEVELOPMENT AT THE EXISTING ATTLEBRIDGE QUARRY, ATTLEBRIDGE, NORFOLK NR9 5TD

Appendix 2 – Woodland Trust Objection to THE PROPOSED CONTINUATION OF A QUARRY DEVELOPMENT AT THE EXISTING ATTLEBRIDGE QUARRY, ATTLEBRIDGE, NORFOLK NR9 5TD.