



Ms Caroline Jeffery
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Our ref: PL00460522

Telephone: 01223 582775

14 December 2022

Dear Ms Jeffery

**Norfolk Minerals and Waste Local Plan – Pre-submission Publication Draft Reg
19 December 2022**

Thank you for consulting Historic England on the Norfolk Minerals and Waste Local Plan – Further Consultation Draft. As a statutory consultee, our role is to ensure that the conservation of the historic environment is fully integrated into planning policy and that any policy documents make provision for a positive strategy for the conservation and enjoyment of the historic environment.

Our comments below should be read with reference to our previous comments dated 31st August 2018 and 30th October 2019.

Please also see our detailed comments in the attached table, Appendix 1.

SUMMARY

Whilst we welcome many of the changes you have made in this latest draft of the Plan and consider many aspects of the plan to be sound, we have identified issues with some of the policies and site allocations which remain and do compromise the overall soundness of the plan.

Under paragraph 35 of the NPPF some aspects of this Plan are unsound as they have not been positively prepared, are not justified, effective, or consistent with national policy. We have identified below some of the key areas where we find the Plan **unsound** and what measures are needed to make the Plan sound.

In summary we highlight the following key issues:

a) Insufficient Historic Environment Policy (MW1, WP2 and MP2)

Whilst we appreciate that you have made some changes to policy **MW1** to include more references to the historic environment, which is welcome, it is





still our view that there is currently insufficient policy provision for the historic environment in the Plan. Normally we would expect to see a specific separate policy for the historic environment in a Minerals and Waste Local Plan. This policy is insufficient as it stands. We are particularly concerned about the lack of detail in relation to below ground archaeology.

We have also raised concerns about the wording in relation to harm to the historic environment in policies **WP2** and **MP2**.

In order to make these policies consistent with the NPPF and effective in securing sustainable development, we suggest that the policy wording is amended.

Further detail is set out in the attached table.

b) Site allocations requiring further assessment/proportionate evidence

Thank you for the helpful update on the status of the various sites where we had previously requested a Heritage Impact Assessment (HIA). We appreciate that for some of those sites an HIA is no longer necessary (for example the site is no longer allocated).

However, we continue to have concerns about sites where permission has been granted but not yet implemented, and also a couple of sites where an application is due.

MIN207 Briston and MIN65 Stanninghall Quarry

We understand from the Council that planning permission has now been granted for these sites and to that end the principle of development has been established.

Nevertheless, it is still important for the policy to set out an appropriate policy framework for the protection of the historic environment as the extant planning permission may not be implemented and an alternative application may be submitted.

In order to make these policies effective, we recommend that the policies would be improved by specifically referencing mitigation measures identified through the planning application process.

MIN96 Spixworth and MIN25 Haddiscoe

We continue to have concerns regarding the potential impact of these allocations on heritage assets. We consider that there is insufficient historic environment evidence to justify their allocation.





Whilst we appreciate that an application is due shortly, we would still expect the preparation of a heritage impact assessment to inform the policy wording in the Local Plan, particularly, in respect of potential mitigation for the site.

Prepare a proportionate HIA now ahead of the application and EiP to consider the suitability or otherwise of the site and inform its extent and any potential heritage mitigation. The findings of the HIA would then need to inform the policy and supporting text.

In order to justify these allocations, ensure consistency with the NPPF and to make the policy wording effective, for these sites we **recommend an HIA is prepared now in advance of the EiP**. This should provide a robust evidence base for the plan. Any evidence needs to be proportionate and need not necessarily be particularly onerous. For these sites a fairly brief HIA will suffice. Our site allocations advice note <https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/> provides further advice in this respect and we would be happy to discuss the matter further and advise on a suitable way forward.

Further details of each of these main areas are set out in the attached table.

We have suggested a series of other changes to the Plan. Many of these changes do not go to the heart of the Plan's soundness, but instead are intended to improve upon it. We believe that these comments can be addressed by changes to wording in the plan.

Sustainability Appraisal

We do not have the capacity to review the Sustainability Appraisal report in any detail but did note that for a number of sites including MIN 96, 40, 207, 25 and 65) significant negative effects (--) were identified but there was no explanation of these effects, simply a comment that a heritage statement would be required at application. It is our view that wherever possible appropriate mitigation should be identified at this stage through an HIA to inform the Local Plan policy.

In preparation of the forthcoming local plan, we encourage you to draw on the knowledge of local conservation officers, the county archaeologist and local heritage groups.

Please note that absence of a comment on a policy, allocation or document in this letter does not mean that Historic England is content that the policy, allocation or document is devoid of historic environment issues. We should like to stress that this response 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 as a result of





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this plan, where we consider that these would have an adverse effect upon the historic environment.

If you have any questions with regards to the comments made, then please do get back to me. We suggest it might be helpful to set up a meeting to discuss any outstanding issues and begin work on a Statement of Common Ground. Please suggest some potential meeting times (noting my part time hours). In the meantime, we look forward to continuing to work with you and your colleagues.

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