

## **Norfolk Minerals and Waste Local Plan**

Minerals Site Specific Allocations DPD –  
Single Issue Silica Sand Review

Pre-Submission Addendum: Modifications  
Representations Feedback Report

November 2016



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Single Issue Silica Sand Review

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November 2016

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## Introduction

This document contains the main issues raised in responses to the representations period on the 'Pre-Submission Addendum: Modifications' document on the Single Issue Silica Sand Review of the Minerals Site Specific Allocations DPD. The representations period ran for six weeks from 14 September to 27 October 2016.

The table below details the number of responses received to each of the modifications.

Document section	Respondents	Objectors	Support	Object	Comment	Total representations
Actions to be taken	1	1	0	1	0	1
Modifications to the Silica Sand Review	8	0	1	0	7	8
AOS A	3	2	1	2	0	3
AOS D	50	45	2	46	3	51
Specific Site SIL01 Policy	4	2	2	2	0	4
Areas of Search Policy	2	0	2	0	0	2
Changes to Habitats Regulations Assessment	1	0	0	0	1	1
Changes to Sustainability Appraisal Report – Part B	1	0	0	0	1	1
<b>TOTAL</b>	<b>57</b>	<b>46</b>	<b>8</b>	<b>51</b>	<b>12</b>	<b>71</b>

The majority of the respondents to the 'Pre-Submission Addendum: Modifications' were individuals objecting to area of search AOS D. These individuals were not objecting to the modification to the boundary of AOS D, but they were objecting to the allocation of AOS D.

A petition, objecting to silica sand extraction within AOS D, was also received, with 117 signatures.

The main issues raised in the representations from organisations and individuals, on each section of the Modifications document, along with Norfolk County Council's Planning Officer response, are contained in this report.

The following specific consultation bodies responded to the representations period:

- Borough Council of King's Lynn and West Norfolk (supported all four modifications – see report)
- Kent County Council (supported the approach taken in the Silica Sand Review, but had no comments to make on the modifications - see report)
- Peterborough City Council (no comments)
- Norwich City Council (no comments)
- Leziate Parish Council (objected to the route from AOS D to the processing plant – see report)

- Old Catton Parish Council (no comments)
- Middleton Parish Council (objected to traffic movements from AOS D to the processing plant – see report)
- East Winch Parish Council (objected to AOS D – see report)
- Natural England (considered the proposed modifications to be sound and justified and commented on the Habitats Regulations Assessment and Sustainability Appraisal Report – see report)
- Historic England (supported the modifications to the Areas of Search Policy, Policy SIL01, and to the boundary of AOS D – see report)
- Anglian Water Services Ltd (commented on the location of the water main in relation to AOS D - see report)

The following general consultation bodies responded to this representations period:

- Middle Level Commissioners IDB (no comments)
- Sibelco UK Ltd (objected to the modification to not allocate AOS A, objected to the modification to policy SIL01 - see report)
- Mineral Products Association (objected to the modification to not allocate AOS A, objected to the modification to the boundary of AOS D, objected to the modification to policy SIL01 - see report)

## Modifications as a whole

Main Issues Raised	NCC Planning Officer response
<p><b>Kent County Council</b> support the approach adopted by Norfolk County Council in planning for the sustainable supply of silica sand in the area into the future to meet national planning requirements while striving to maintain the protection of the environment and local social conditions and amenity.</p>	Noted
<p><b>Natural England</b> considers the proposed modifications to be sound and justified.</p>	Noted
<p><b>Historic England</b> said that the Council has taken measures to better incorporate an assessment of the significance of designated and non-designated assets within the proposed areas of search. Whilst some requested revisions to better protect and enhance the historic environment have not been incorporated into the revised document, many others have. The matters considered in the Pre-Submission Addendum, are now considered to have been satisfactorily addressed with regard to the historic environment.</p>	Noted

## Actions to be taken

Main Issues Raised	NCC Planning Officer response
<p><b>Mineral Products Association</b> objected to the 3rd paragraph on page 9 (about the NPPF) and said that they trust it will not appear in the final version of the silica sand review.</p> <p>The MPA question how the County Council would plan for "a steady and adequate supply of industrial minerals" without the use of Site Specific allocations, Preferred Areas, and/or Areas of Search.</p> <p>This is also at odds with the County Council's own statement at Paragraph 2.1 of the Pre-submission Addendum: Modifications Document (Sept 2016). It would also depart from PPG (paragraphs 27-008/009).</p> <p>This is also at odds with the Inspector's report dated 22nd July 2013</p>	<p>The statement referred to will not appear in the final version of the Silica Sand Review as it did not form part of the Pre-Submission Silica Sand Review and does not form part of the proposed modifications to the Pre-Submission Silica Sand Review.</p> <p>The County Council is allocating specific sites and areas of search to plan for silica sand in Norfolk.</p> <p>The quotation from paragraph 146 of the NPPF is correct. The quote from the PPG (paragraphs 27-008/009) is also correct. Paragraph 2.1 of the Modifications document is quoted from the PPG (paragraph 27-008).</p> <p>Noted.</p>

## Not allocating Area of Search A – land west of Snettisham, Ingoldisthorpe and Dersingham

Main Issues Raised	NCC Planning Officer response
<p><b>Borough Council of King’s Lynn and West Norfolk</b> said that the change to delete AOS A is supported because they objected strongly to this area of search.</p>	Noted
<p><b>Sibelco UK Ltd</b> objected to the modification to not allocate AOS A for the following reasons: NCC’s Sustainability Report (Part B, March 2016) raised no concerns with respect to Areas of Search on land within 5km of the Norfolk Coast AONB and (on page 49) recorded negative effects of excluding this land (negative effects on economic growth, mineral resources and transport impacts) and reducing the area of land available to be considered for an area of search, providing fewer options for future locations of silica sand extraction. Excluding land within 5km of the AONB would lead to increased pressure for development on the areas of the resource outside this 5km area.</p> <p>The exclusion of land outside the AONB is at odds with NPPF paragraph 144. There is no reference to ‘setting’ within NPPF paragraph 144. Para 144 states that landbanks should be maintained outside these areas ‘as far as practical’. However, NPPF para 116 states that proposals within AONB should be refused except in exceptional circumstances, therefore an AONB can be a suitable location for mineral extraction.</p> <p>AOS A is outside the AONB. There is a silica sand operation in England within an AONB designation. There will be no incentive for studies in AOS A to prove one way or another if silica sand of suitable quality for clear glass sand production is present.</p> <p>The remaining areas of search would only provide sufficient land for future silica sand extraction is there is proven to be sand of suitable quality for glass manufacture in these areas.</p>	<p>This is correct and informed the methodology used to define the areas of search that were included in the Preferred Options stage of the Silica Sand Review. The areas of search have been further revised taking into account additional constraints and consultee responses, such as the representation from the Norfolk Coast Partnership, which is responsible for coordinating the management of the AONB. Whilst AOS A is located outside the AONB, the Norfolk Coast Partnership and Borough Council of King’s Lynn and West Norfolk objected to the AOS A due to potential adverse effects on landscape character, including the setting of the AONB. When compared to the Sustainability Appraisal findings for all of the other areas of search, AOS A, AOS B and AOS C have the most negative scores and therefore are the least preferable alternatives. None of these areas of search are allocated.</p> <p>The quotations from paragraphs 144 and 116 of the NPPF are correct and it is recognised that the NPPF does not refer to the setting of the AONB. The methodology used to define the areas of search excluded the AONB because paragraph 116 of the NPPF directs development away from the AONB except in exceptional circumstances. The AONB designation would be a significant development constraint and therefore land within the AONB was excluded from areas of search.</p> <p>Noted.</p> <p>Noted. The areas of search are located on the Leziat Bed Silica Sand Resource. Without AOS A, the specific site and five areas of search cover 1,032 hectares of land, to meet a forecast need of approximately 40 hectares</p>

Main Issues Raised	NCC Planning Officer response
<p>There is no evidence that NCC has consulted on the proposed modifications with other relevant MPAs in accordance with the duty to cooperate.</p>	<p>over the plan period. It is therefore considered that sufficient areas of search remain allocated in the Silica Sand Review.</p> <p>The relevant MPAs were notified of the Modifications to the Silica Sand Review and none have raised concerns regarding the duty to cooperate. The Silica Sand Review seeks to provide for all the identified demand for silica sand in the adopted Norfolk Minerals and Waste Core Strategy from within the Norfolk MPA Area, through the allocation of specific sites and areas of search. Therefore there is no requirement for another MPA to help meet Norfolk's demand for silica sand for the feedstock for the processing plant at Leziate. Therefore we do not consider that there are any strategic cross-boundary planning issues between Norfolk County Council and other MPAs regarding the Silica Sand Review.</p>
<p><b>Mineral Products Association</b> objected to the modification to not allocate AOS A for the following reasons: The justification for not allocating AOS A would appear to be at odds with the findings of the Sustainability Appraisal and no consideration arising from the modifications has been given to economic or social considerations at the local or national scale, or the fact that minerals are essential to support economic growth and our quality of life. Being 'the least preferable' is no justification for removing the AOS in its own right.</p> <p>NPPF para 144 is quoted. There is no reference to 'setting' within NPPF paragraph 144. Para 144 states that landbanks should be</p>	<p>The findings of the Sustainability Appraisal informed the methodology used to define the areas of search that were included in the Preferred Options stage of the Silica Sand Review. The areas of search have been further revised taking into account additional constraints and consultee responses, such as the representation from the Norfolk Coast Partnership, which is responsible for coordinating the management of the AONB. When compared to the Sustainability Appraisal findings for all of the other areas of search, AOS A, AOS B and AOS C have the most negative scores and therefore are the least preferable alternatives. None of these areas of search are allocated. Without AOS A, the five areas of search and specific site cover 1,032 hectares of land, to meet a forecast need of approximately 40 hectares over the plan period. It is therefore considered that sufficient areas of search remain allocated in the Silica Sand Review for the non-allocated of AOS A to not lead to adverse economic or social impacts. The Silica Sand Review recognises that minerals are essential to support economic growth and our quality of life. This is why NCC has defined areas of search for silica sand extraction when insufficient suitable sites for silica sand extraction have been proposed.</p> <p>The quotations from paragraphs 144 and 116 of the NPPF are correct and it is recognised that the NPPF does not refer to the setting of</p>

Main Issues Raised	NCC Planning Officer response
<p>maintained outside these areas 'as far as practical'. However, NPPF para 116 states that proposals within AONB should be refused except in exceptional circumstances, therefore an AONB is not a 'no go' area for mineral extraction.</p> <p>AOS A is not within an AONB. Minerals can only be worked where they exist and will only be worked where the quality is such that saleable products can be produced to satisfy customer requirements and meet the needs of society. AOS A is located on Cretaceous Lower Greensand, a geological horizon which is known to contained high quality silica sand in Norfolk.</p> <p>Reserves and resources of silica sand are extremely limited in the UK with only five quarries capable of supplying sand for the manufacture of clear glass products, only three of which are in England. One of these quarries is scheduled to cease production in the next few years. There is less than 10 years of permitted reserves at each of the remaining two sites.</p> <p>A nationally important supply of silica sand is currently supplied from within an AONB in Surrey, supporting the premise that AONBs are not no-go areas, where exception circumstances prevail.</p> <p>NPPF paragraph 15 is clear that policies in Local Plans should follow the approach of the presumption in favour of sustainable development and the decision not to allocate AOS A has not been based upon the principles of sustainable development.</p>	<p>the AONB. The methodology used to define the areas of search excluded the AONB because paragraph 116 of the NPPF directs development away from the AONB except in exceptional circumstances. The AONB designation would be a significant development constraint and therefore land within the AONB was excluded from areas of search.</p> <p>Noted.</p> <p>Noted. However, the supply of permitted reserves is dependent on planning applications coming forward. The most recent planning application for a new silica sand extraction site in Norfolk (Grandcourt Farm) was determined in 2007. A planning application has not been submitted to date for silica sand site allocation MIN 40 contained in the Minerals Site Specific Allocations DPD, adopted in 2013.</p> <p>Noted.</p> <p>Natural England has stated that AOS A would require an appropriate assessment at the planning application stage. The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined (paragraph 119 of the NPPF).</p>

## AOS D – land in the vicinity of West Bilney Wood

Main Issues Raised	NCC Planning Officer response
<p><b>Historic England</b> welcomes the removal of that part of AOS D that previously extended south of West Bilney Wood. This has overcome the previous objection raised in consideration of the Pre-Submission document and the likely impact to the setting and significance of Pentney Priory. The wording now better reflects the national policy requirement to sustain and enhance the significance of heritage assets.</p> <p>Historic England said that the requested wording that addresses the setting as well as the significance of designated and non-designated assets has not been incorporated into the supporting text for AOS D. They reiterate that the following wording is important to include with Paragraph D.4 to ensure that any future planning application is supported by an appropriate understanding of the historic environment: <i>“Future applications must be informed by an appropriate historic landscape/ characterisation study and archaeological studies to inform the understanding of significance of designated and non-designated heritage assets, particularly Pentney Priory and its setting.”</i></p>	<p>Noted</p> <p>We do not consider it necessary to amend the supporting text as requested. The supporting text already states that, at the planning application stage, a Heritage Statement assessing the setting of heritage assets will be required and an assessment of the significance of archaeological deposits will be required. The Areas of Search Policy requires a Heritage Statement, an archaeological assessment and a Landscape and Visual Impact Assessment at the planning application stage. These documents are also required as part of the Local List of Validation of Planning Applications and would meet the requirements of the additional text proposed by Historic England.</p>
<p><b>Borough Council of King’s Lynn and West Norfolk</b> said that they support the change as it will add a more reasonable boundary to AOS D.</p>	<p>Noted</p>
<p><b>Anglian Water Services Ltd</b> said that they have no assets within AOS D. Their nearest mains water asset is located on Common Road. Anglian Water would require the standard protected easement width for this asset and for any requests for alteration or removal to be conducted in accordance with the Water Industry Act 1991.</p>	<p>Noted</p>
<p><b>Mineral Products Association</b> objected to the amendment of the southern boundary of AOS D for the following reasons: Historic England’s view that “they could not envisage that any workings within the section of AOS D south of West Bilney Wood could be acceptably mitigated” is at odds with those of the NCC Planning Officer, but NCC still chose to modify the boundary.</p>	<p>Whilst planning officers consider that the possibility of successful mitigation exists, the boundary has been modified to make the change requested to the plan by Historic England, a statutory consultee. As Areas of Search are large areas within which permission for silica sand extraction may be granted on a smaller area of land, it is not the intention of the Plan for the whole of an AoS to be extracted. Therefore it was considered that modifying the southern boundary of AOS D would not adversely affect its potential as an area of search.</p>

Main Issues Raised	NCC Planning Officer response
<p>The 'significant barriers' to the grant of a future planning application have not been detailed.</p> <p>The modification does not reflect the sustainability appraisal.</p> <p>Mineral extraction is recognised as temporary development and any impact on setting would be made to be temporary if the life of the workings is restricted and any extraction proposals are suitable screened by appropriate planting and bunding.</p>	<p>The 'significant barriers' referred to are the need to overcome an objection from Historic England to silica sand extraction within the section of AOS D south of West Bilney Wood. The sustainability appraisal considered the location of the remains of Pentney Priory and a negative impact was scored for the historic environment. Whilst the sustainability appraisal considered that appropriate mitigation to the settings of historic assets should be possible, the representation from Historic England, disagreed with this conclusion, in relation to the land south of West Bilney Wood. Therefore the boundary of AOS D has been modified.</p> <p>Noted. However, the restored site could permanently change the setting of the Scheduled Monument and listed buildings.</p>
<p><b>East Winch Parish Council</b> said their letter puts forward the views of the residents of East Winch and West Bilney, expressing concern about AOS D. It is therefore general comment rather than a response to the modification proposals.</p> <p>The proposed arrangements for transporting sand gave concern to all present. Lorries taking sand from a site to the processing plant make numerous trips there and back every day. Common Road is indeed used by heavy vehicles, but it is narrow and there is already an issue with tractors and lorries destroying the verges when they pass each other. There are two blind corners, no speed limit and no pavement. Walkers use the road every day, particularly the stretch in East Winch, which runs through the Common, an SSSI. A huge increase in the number of heavy vehicles will ruin the road and verges, increase risk for cyclists and pedestrians and make dog walking an impossibility.</p> <p>Furthermore, it is inevitable that there will be delays at the junction with the A47 as lorries turn in and out, backing up traffic in all directions and making life more difficult and unsafe for people living along the A47. Accidents already occur with depressing frequency at both junctions. Pedestrian crossings on the A47, already highly desirable, will become a necessity. People trying to access the A47 from other side roads, particularly Station Rd, will experience longer waits and a greater degree of</p>	<p>Noted</p> <p>The concerns raised are noted. The Highway Authority considers that Common Road is suitable in principle for HGV use and it is a designated HGV route in the Norfolk route hierarchy. If land within AOS D is developed for silica sand extraction then the access point for vehicles onto Common Road would depend on the location of the mineral extraction site. It is possible that access could be towards the northern end of Common Road which would reduce the distance that additional HGVs would travel along Common Road, it is also possible, at the planning application stage, for an alternative access to be proposed, by the applicant.</p> <p>If a planning application is made for silica sand extraction within AOS D, a Transport Assessment or Statement would need to be submitted in accordance with the Areas of Search Policy and adopted policy DM10. The Transport Assessment or Statement would need to consider the potential for transport impacts and identifies appropriate mitigation measures to address these impacts, including ensuring that HGV movements to not generate unacceptable risks to the safety of road users and pedestrians, unacceptable physical impacts on the highway network (such as road damage) or unacceptable impacts on the</p>

Main Issues Raised	NCC Planning Officer response
<p>frustration. In West Bilney 19 households and on the A47 at least 24 will be directly affected. Similar problems will be created in Middleton. Solutions to these problems need working out before the planning process for any extraction starts.</p> <p>Residents will need answers to questions, e.g. What is the daily tonnage likely to be extracted? What is the estimated axle count? For how long might excavation continue?</p> <p>Has NCC considered other routes and other methods of transport?</p>	<p>capacity of the road network. It would be for the case officer, determining any future planning application for silica sand extraction, to consider what level of vehicle movements from an extraction site within any of the areas of search would be appropriate, based on a Transport Assessment and in consultation with the Highway Authority and Highways England. However, the Highway Authority considers that an acceptable technical solution could be found in principle. The A47 is a Trunk Road and this class of road is the preferred route for HGV traffic. Information from Highways England indicates that a daily average of approximately 14,000 vehicles each way use the A47 between the Hardwick roundabout and Pentney Common. Information collected by the Highway Authority indicates that five accidents, all of which were classified as slight, occurred in the vicinity of the Common Road junction in the last four years.</p> <p>As stated in the Pre-Submission document, the Highway Authority considers that improvements to the junction with Common Road and the A47 are likely to be required.</p> <p>As there is not currently a planning application for silica sand extraction within any of the areas of search we do not have specific figures for the rate of mineral extraction, additional vehicle movements, or the timescale for mineral extraction. This information would be provided at the planning application stage and assessed as part of the determination of any future planning application. The Traffic Assessment/Statement which would support any future planning application would assess the level of additional traffic considered to be acceptable along with any required junction improvements. There is the potential that planning conditions on any planning permission granted, could control the rate of extraction or vehicle movements from the extraction site if this was considered necessary.</p> <p>As stated in the Addendum: Modifications document, there is the potential that other transportation options, such as a conveyor or pipeline to the existing processing plant, may be considered. The Addendum: Modifications document details the preferred route for the transportation of sand from AOS D to the processing plant, however, it is also possible,</p>

Main Issues Raised	NCC Planning Officer response
<p>West Bilney residents, living close to or right in the middle of the area of search have other concerns as well.</p> <p>a) The area is an attractive and varied landscape. What will happen to the excavated land? Is it proposed to reinstate it or to make lakes? People do not want to be surrounded by more lakes than there are already.</p> <p>b) If the area of search becomes a similar area of investigation there will be serious consequences for wildlife. Bilney Forest has a wide range of interesting fauna, particularly birds and insects. As the area of search includes more than half the forest, excavation over this area would significantly reduce wildlife diversity.</p> <p>c) Residents of Denton's Farm are concerned about the search process as well as possible future excavation. The bridleway/restricted byway - the only access to Denton's Farm - is covered by the area of search. Therefore they do not want drilling or other invasive search methods used on or near the track. Telephone cables and water pipes are laid under the track, and can easily be severed. Residents are responsible for the upkeep of the track as a byway and do not want it damaged by heavy vehicles.</p>	<p>at the planning application stage, for an alternative access to be proposed, by the applicant.</p> <p>As there is not currently a planning application for silica sand extraction within any of the areas of search, we do not currently have any detailed restoration proposals. However, the restoration of mineral extraction sites is a key component of modern planning applications and a restoration plan would need to be agreed as part of such an application and would form part of the planning conditions of any subsequent permission to ensure compliance. Due to the depth of silica sand and the height of the water table in existing silica sand workings it is likely that silica sand extraction sites would largely be restored to water. However, restoration on previous silica sand extraction sites in Norfolk have seen designated as County Wildlife Sites.</p> <p>Areas of search are large areas within which permission for silica sand extraction may be granted on a smaller area of land. If a planning application is made for silica sand extraction within AOS D, a Biodiversity Survey and Report would need to be submitted. The Areas of Search Policy also required a planning application for silica sand extraction within an area of search to include a protected species assessment and if protected species are found on the proposed extraction site then appropriate mitigation will be required. Any planning application would be determined in accordance with Policy CS14 and DM1 of the adopted Minerals and Waste Core Strategy which cover Environmental Protection and Nature Conservation.</p> <p>As Areas of Search are large areas within which permission for silica sand extraction may be granted on a smaller area of land it is not the intention of the Plan for the whole of an AoS to be extracted. Approximately 20 hectares would need to come forward from within the five AoS proposed. If exploratory drilling took place within AoS D then the use of scanners to locate services prior to any drilling is normal procedure to prevent damage. As any potential future extraction site would be significantly smaller than the total area of AOS D there is significant flexibility with regard to the location of any extraction site to ensure</p>

Main Issues Raised	NCC Planning Officer response
<p>d) There are health and safety concerns. It is accepted that silica sand particulates are too large to be a health hazard, but concerns have been raised that other matter in an area being excavated may well consist of much smaller, damaging particulates. Your comments on this would be welcome.</p> <p>e) The area of search may cover items of heritage value. There is a tradition that Cromwell bombarded Pentney Abbey from the forest area, and stone cannonballs have been found by the Nar. The arm running north from the forest has in it a Victorian pumping station, one of the last remnants of the old Bilney Hall where General Allenby of WW1 fame spent much of his happy childhood.</p> <p>f) Property values will be blighted for the next ten years and during the period of excavation.</p> <p>Astonishment that different criteria appear to apply to West Bilney and to the Snettisham/Dersingham areas.</p> <p>There is no objection to the modification, as far as the reduction of the area of search is concerned.</p>	<p>retained access and services to the dwellings currently accessed by Warren Track.</p> <p>The extraction of silica sand does not generate significant quantities of dust. The sand is generally damp on extraction, there are not large quantities of smaller particles within the sand. The Areas of Search Policy requires any planning application within an area of search to submit an air quality assessment together with mitigation measures to address any potential impacts. The boundaries of all the areas of search are at least 250 metres from the nearest residential dwellings because this represents the distance at which amenity impacts, such as noise and dust, could be mitigated at source to acceptable levels with the minimum of controls.</p> <p>The Areas of Search Policy requires a planning application for silica sand extraction within an area of search to include a Heritage Statement, an archaeological assessment and a Landscape and Visual Impact Assessment, together with suitable mitigation measures. These documents are also required as part of the Local List of Validation for Planning Applications.</p> <p>Property prices are not a material consideration in the planning system, as development value was nationalised by the 1947 Planning Act. The allocation of areas of search for future mineral extraction does not fall within any of the definitions of 'blighted land' contained in Schedule 13 of the Town and Country Planning Act (as amended by the Planning and Compulsory Purchase Act 2004).</p> <p>The modification to not allocate Area of Search A (land to the west of Snettisham, Ingoldisthorpe and Dersingham) is because of the potential for silica sand extraction within AOS A to affect the setting of the AONB. In comparison, AOS D at West Bilney is not in proximity to the AONB.</p> <p>Noted</p>
<p><b>Leziate Parish Council</b> objects to the potential route from AOS D to the Leziate processing plant because of impact on the major routes to</p>	<p>The major routes into King's Lynn (A10, A149 and A47) are all main distributor routes and are therefore suitable roads for HGV traffic. We</p>

Main Issues Raised	NCC Planning Officer response
<p>King's Lynn (A10, A149 and A47). The proposed route is longer than necessary passing two access points that are already used. The route is not effective. The proposed route passes the Fair Green turn which is the preferred HGV route at the moment. It would be more straightforward to turn into the Grandcourt Quarry off the A47 and join up with the haul roads that already exist that go straight into the processing plant.</p>	<p>recognise that the proposed route from AOS to the processing plant is not the shortest route. However, the reason for the proposed route is to avoid lorries accessing the existing silica sand processing plant via Brow of the Hill, Fair Green or Middleton. Fair Green is <b>not</b> a preferred route for HGVs because it is within a lower access class in the route hierarchy. There is a preference for HGVs to make use of the strategic highway network where possible. Access is not available from the A47 into the existing Grandcourt Farm extraction site and therefore it would not be possible for sand to be transported to the existing processing plant via this route.</p>
<p><b>Middleton Parish Council</b> stated that they have no particular objection to the modifications and the sites for extraction, but do have concerns about the extra traffic movements caused by the quarry proposed at West Bilney along the proposed route of Common Lane, East Winch onto the A47. Middleton PC asked whether the lorries carrying the sand will access the processing plant via Station Road, Middleton. If so, what is the proposed numbers of extra lorry trips per day that would take place?</p> <p>Station Road is already used as a haulage route for silica sand extraction and the junction of Station Road with the A47 is not big enough to adequately allow lorries to turn in or out of the junction. In some instances, lorries mount the kerb on the opposite side of the road as they exit the junction and when they are waiting at the junction to exit station Road, they prevent other traffic from turning into Station Road from the A47. This situation is already unsafe. What plans are there to mitigate this if these proposals go ahead?</p>	<p>The preferred route from AOS D to the existing processing plant at Leziat is <b>not</b> by accessing Station Road from the A47. Paragraph D.2 of the Silica Sand Review and the Areas of Search Policy detail the preferred route from AOS D to the processing plant, via the A47, north onto the A149, east along the B1145 and then using an off-road haul route. Utilising an off-road haul route would avoid lorries accessing the processing plant via Brow of the Hill, Fair Green or Middleton and therefore mitigate amenity impacts.</p> <p>As there is not a planning application for silica sand extraction within any of the areas of search we do not have specific figures for vehicle movements. In accordance with adopted planning policies CS15 and DM10 any planning application would need to include a transport assessment which would detail vehicle movements and vehicle routing and would be assessed as part of the determination of a planning application. A routing agreement could form part of the conditions for any potential future planning permission. A routing agreement would show the approved route from the extraction site to the processing plant. Routing agreements have been used successfully in Norfolk at other mineral extraction sites. As planning conditions, they are enforceable and Norfolk County Council's monitoring and enforcement team could take action to ensure operators comply.</p>
<p><b>King's Lynn Mountain Bike Club</b> objected on the basis that they arrange two social rides per week, either at West Bilney or Shouldham</p>	<p>An area of search is a large area within which planning permission for silica sand extraction may be granted on a smaller area of land.</p>

Main Issues Raised	NCC Planning Officer response
<p>Warren throughout the year. Also Winter Series mountain bike endurance events include these locations. There is significant demand from people to enjoy cycling away from the busy roads. Riding in a forest is far safer than on the road, especially for children. It is an important area for activities for health and well-being that will not be returned to this use. Where will people go for their outdoor activities?</p>	<p>There is no intention within the Silica Sand Review for extraction to take place on the whole 85 hectares of AOS D. Therefore not all of the woodland would be put out of use by extraction, in the same way that areas of commercial forestry such as West Bilney Wood, and Shouldham Warren are closed to the public when forestry operations take place.</p> <p>The restoration of mineral extraction sites is a key component of modern planning applications. The potential exists on restoration for improvements in the quality of public access and the facilities themselves. Whitlingham Country Park near Norwich is an example of a modern post extraction restoration to improve public access.</p> <p>The adopted Policy DM14 on restoration and afteruse states that proposals must demonstrate due consideration has been given to opportunities to improve public access.</p>
<p>In addition to the issues raised by the Parish Councils, <b>local residents also raised the following issues:</b></p>	
<p>A petition was received which objected to silica sand extraction within AOS D as follows:</p> <p>“The woods should be protected to preserve the trees, plants and wildlife that live within, and for the local people that enjoy it.</p> <p>Action petitioned for: We, the undersigned, are concerned citizens who urge our leaders to act now to refuse planning permission on the proposed excavation of West Bilney Woods.”</p>	<p>There is not currently a planning application being determined for mineral extraction at West Bilney Wood and therefore it is not possible for the action petitioned for to take place at the current time. Land in the vicinity of West Bilney Wood is currently included as an area of search (AOS D) for future silica sand extraction within the Silica Sand Review.</p> <p>If a developer wants to extract silica sand from land within AOS D they would need to apply for and be granted planning permission before mineral extraction can take place. The planning application process includes public consultation.</p> <p>If a planning application is made for silica sand extraction within AOS D, a Biodiversity Survey and Report would need to be submitted. Any planning application would be determined in accordance with Policy CS14 and DM1 of the adopted Minerals and Waste Core Strategy which cover Environmental Protection and Nature Conservation.</p>
<p>Objections because Warren Track runs in a south-westerly direction from Common Road through the centre of AOS D. It is a Restricted Byway and Bridleway and the only means of vehicular access to five residential properties. Mains water and telephone services to the same</p>	<p>As Areas of Search are large areas within which permission for silica sand extraction may be granted on a smaller area of land; it is not the intention of the Plan for the whole of AOS D to be extracted. Approximately 20 hectares would need to come forward from within the</p>

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<p>properties follow this route (sometimes beneath the track and sometimes alongside). In places these services are just below the surface and prone to damage. Mineral extraction within West Bilney Wood would cut off access, water supply and telephone connection to the properties that are accessed by Warren Track. The Forestry Commission do not contribute to the maintenance of the track which is therefore the sole responsibility of the owners of the five properties.</p>	<p>five allocated areas of search proposed. If exploratory drilling took place within AOS D then the use of scanners to locate services prior to any drilling is normal procedure to prevent damage. As any potential future extraction site would be significantly smaller than the total area of AOS D there is significant flexibility with regard to the location of any extraction site to ensure retained access and services to the dwellings currently accessed by Warren Track.</p>
<p>Objections to the use of Common Road for access for the following reasons:</p> <p>It is a single road lane with no footpaths.</p> <p>The level of commercial vehicles using Common Road already exceed safe levels and is too high, furthermore it is having a detrimental effect on the road surface which is already in a state of disrepair with mud and debris on the road. An increase in commercial vehicles will make this worse</p> <p>Volumes of traffic and speed of vehicles will make it increasingly dangerous to walk along Common Road with increased risk of accidents to people, pets, wildlife and horses. Pedestrians, cyclists and motorists will also be at increased risk.</p> <p>Common Road is a country lane and already carries traffic to Pentney Abbey, an increasingly used venue and to Pentney Lakes, making a significant increase in traffic.</p>	<p>The Highway Authority considers that Common Road is suitable in principal for HGV use and it is a designated HGV route in the Norfolk route hierarchy. Much of Common Road is not a single road lane and does have sufficient width for a car and a HGV to pass each other. If land within AOS D is developed in for silica sand extraction, then the access point for vehicles onto Common Road would depend on the location of the mineral extraction site. It is possible that access could be towards the northern end of Common Road which would reduce the distance that additional HGVs would travel along Common Road. It is also possible, at the planning application stage, for an alternative access to be proposed, by the applicant. The Pre-Submission document states that there is the potential for sand to be transported by a conveyor or pipeline instead of by road.</p> <p>If a planning application is made for silica sand extraction within AOS D, a Transport Assessment or Statement would need to be submitted in accordance with the Areas of Search Policy and adopted policy DM10 and CS12. Policy CS12 requires HGV movements to not generate unacceptable risks to the safety of road users and pedestrians, or unacceptable physical impacts on the highway network (such as road damage).</p> <p>The Transport Assessment/Statement would take into account the existing vehicle movements when assessing the transport impact of the proposed development. NCC as Highway Authority takes into account existing vehicle movements when assessing the suitability of a planning application for mineral extraction.</p>
<p>Concerns about an increase in air pollution from increased HGV traffic movements and dust in the local area.</p>	<p>The Areas of Search Policy requires any planning application within an area of search to include an air quality assessment, together with</p>

Main Issues Raised	NCC Planning Officer response
	suitable mitigation measures to address any potential impacts.
Concerns about the impact likely to local road traffic. Cross-country conveyor or tramway must be used to move the sand to avoid increase in HGV traffic using Hill Road to access Leziate from the A47.	Hill Road, Middleton, joins Station Road, Middleton which continues north to the Leziate processing plant. Neither Hill Road nor Station Road is the preferred route contained in the Pre-Submission document for the transport of sand from AOS D to the processing plant. The preference is for lorries to avoid accessing the processing plant via Fair Green, Middleton or Brow of the Hill. Any future planning application would need to specify and justify the proposed transport route as part of a Transport Statement or Assessment. The Pre-Submission document states that there is the potential for sand to be transported by a conveyor or pipeline instead of by road.
A representation referred to the objections raised by NCC as Highway Authority to two recent minor planning applications on Abbey Road and the objections over traffic conditions, in particular to Pentney Lakes.	<p>With regards to application 16/01133/F at Land South of Abbey Road, Pentney, NCC as Highway Authority did not object on the grounds that traffic associated with the use is likely to be low.</p> <p>With regards to application 16/01449/F at Land North East of the Pines, Abbey Road, Pentney, NSS as Highway Authority responded on 4 October 2016 with concerns about the point of access onto Abbey Road. NCC's response does not make any reference to Common Road.</p> <p>With regards to application 15/02068/CU for 31 holiday lodges at Pentney Lakes Leisure Park, NCC as Highway Authority did not object to the planning application.</p> <p>With regards to application 15/00456/CU for standing of 20 camper vans and caravans at Common Road, West Bilney, NCC as Highway Authority requested further information about the access point onto Common Road. The application was withdrawn before the Highway Authority gave a final response on the suitability of the access onto Common Road.</p>
<p>Objections due to the following transport reasons:</p> <p>The existing volume of traffic on the A47 must cause loss of income to businesses which rely on road travel. Also frustration and anxiety for motorists as they are delayed. Hundreds more lorries on the A47 would de-incentivise people from moving here or setting up business here.</p>	<p>The A47 is a Trunk Road and this class of road is the preferred route for HGV traffic. Information from Highways England indicates that a daily average of approximately 14,000 vehicles each way use the A47 between the Hardwick roundabout and Pentney Common. The estimated number of vehicle movements from a silica sand extraction operation would be less than 1.5% of the current vehicle movements on the A47. The Highway</p>

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<p>Additional lorries would increase traffic problems on A47. The volume of traffic on A47 is already stretched to the limit.</p> <p>Objections to any increase in heavy vehicle traffic on Common Road, the A47, B1145 or the Gayton Road.</p> <p>The junction between Common Road and A47 is dangerous for lorries to turn and would cause traffic on A47 to stop.</p> <p>Additional traffic would increase the time taken to wait to turn out of Common Road onto the A47.</p> <p>Modifications to Common Road and the A47 junction would be very difficult due to proximity of properties and the number of trees with preservation orders on them.</p> <p>The short stretch of road running past the end of Common Road on the A47, is a notorious back spot, this area has been the cause of many deaths in recent years. The narrow cross road junction exiting from Common Road onto the A47 and from A47 into Common Road, and in particular from Station Road into Common Road are particularly difficult to negotiate. Extra commercial traffic will greatly increase the risk of serious accidents and more deaths.</p> <p>Concerns that junctions on the proposed route from AOS D to the processing plant are dangerous already.</p> <p>The traffic will cause increased chaos at the Hardwick roundabout and along the busy A149 which during the summer is already at a standstill with holiday traffic. At the QE hospital roundabout it will then turn on to the Bawsey road, which again has no footpath, and is dangerous. Someone was killed there only last week. Then it will turn round and travel all the way back.</p>	<p>Authority and Highways England would assess any planning application for silica sand extraction within AOS D regarding the suitability and capacity of the roads and junctions to be used to access the extraction site.</p> <p>Information collected by the Highway Authority indicates that five accidents, all of which were classified as slight, occurred in the vicinity of the Common Road junction in the last four years. The preferred route for the transport of silica sand from any extraction site within the Areas of search Policy is for the roads classified as most suitable for HGV traffic. Therefore Trunk Roads, A roads and distributor roads such as the B1145 are preferable to a shorter cross-country route which would use less suitable roads.</p> <p>If a planning application is made for silica sand extraction within AOS D, a Transport Assessment or Statement would need to be submitted in accordance with the Areas of Search Policy and adopted policy DM10. The Transport Assessment or Statement would need to consider the potential for transport impacts and identify appropriate mitigation measures to address these impacts. It would be for the case officer, determining any future planning application for silica sand extraction, to consider what level of vehicle movements from an extraction site within any of the areas of search would be appropriate, based on a Transport Assessment and in consultation with the Highway Authority and Highways England. However, the Highway Authority considers that an acceptable technical solution could be found in principle. There is the potential that planning conditions on any planning permission granted, could control the rate of extraction or vehicle movements from the extraction site if this was considered necessary.</p> <p>As stated in the Pre-Submission document, the Highway Authority considers that improvements to the junction with Common Road and the A47 are likely to be required.</p>
<p>Objection comparing West Bilney AOS D and AOS A (land west of Snettisham, Ingoldisthorpe and Dersingham) – “Key issues which led to the withdrawal of the Snettisham site included transportation along the A149 and potential damage to the local natural protected environment.”</p>	<p>Transportation from AOS A to the existing processing plant at Leziat is <b>not</b> a reason that the AoS is no longer proposed to be allocated. The ‘Pre-Submission Addendum: Modifications’ did not allocate AOS A due to the potential for silica sand extraction within AOS A to affect the setting of the Norfolk Coast AONB. In</p>

Main Issues Raised	NCC Planning Officer response
	<p>comparison, AOS D is located over 7.5 km from the AONB (as the crow flies) which is to the north of King's Lynn.</p>
<p>Concern about adverse impacts on East Winch Common SSSI and County Wildlife Sites.</p> <p>Concern that junction improvements from Common Road onto A47 would adversely affect the SSSI.</p>	<p>The Addendum: Modifications document (para D.7) notes that there are three County Wildlife Sites close to AOS D. The potential for adverse impacts will need to be assessed as part of a planning application and mitigation measures proposed.</p> <p>Para D.8 states that AOS D is within the hydrological catchment of East Winch Common SSSI, but it is down gradient of the site. If mineral extraction in the area of search were to go below the water table and/or dewatering is proposed a hydrogeological risk assessment will be necessary to identify potential risks and appropriate mitigation.</p> <p>The Areas of Search Policy requires any planning application, for silica sand extraction within an area of search, to provide a Hydrogeological Risk Assessment and to propose appropriate mitigation measures.</p> <p>If a planning application was submitted for mineral extraction within AOS D, which proposed improvements to the junction between Common Road and the A47, the impact of the junction improvements on the SSSI would be assessed as part of the determination of the planning application. This assessment would include consultation with Natural England.</p>
<p>Concerns about an unknown impact of particles that are likely to be emitted on the agricultural land.</p>	<p>Silica sand is an inert material. Silica sand is used in a number of ways due to its inert nature, for example as a water filtration material by the water industry for public drinking water supplies, in horticulture and as play sand. The Areas of Search Policy requires a planning application for silica sand extraction within any areas of search to include an air quality assessment of the potential for any emissions, including dust, together with suitable mitigation measures to address any impacts.</p>
<p>Bilney Woods are a much used local amenity, utilised by dog walkers, horse riders, cyclists, running, bird watching, picnickers, joggers, scouts and at certain times of the year shooters. Losing this area would reduce the facilities for free healthy outdoor pursuits in the local community.</p>	<p>The current public use of West Bilney Wood is noted. We understand that there is no shooting tenant at West Bilney (stated in the Shouldham and Bilney Forest Plan).</p> <p>An area of search is a large area of land within which planning permission for silica sand extraction may be granted on a smaller area of</p>

Main Issues Raised	NCC Planning Officer response
	<p>land. There is no intention within the Silica Sand Review for extraction to take place on the whole 85 hectares of AOS D.</p> <p>Therefore not all of the woodland would be put out of use by extraction, in the same way that areas of commercial forestry such as West Bilney Wood are closed to the public when forestry operations take place.</p> <p>The effect of development on public rights of way and 'open access land' are material considerations in the determination of a planning application and would be taken into account at the planning application stage.</p> <p>It is possible for public rights of way to be diverted, and this has happened in relation to other mineral extraction operations in Norfolk. A formal legal process has to take place in order for public rights of way to be diverted or extinguished and this process includes consultation.</p> <p>The restoration of mineral extraction sites is a key component of modern planning applications. The potential exists on restoration for improvements in the quality of public access and the facilities themselves.</p> <p>The adopted Policy DM14 on restoration and afteruse states that proposals must demonstrate due consideration has been given to opportunities to improve public access.</p>
<p>Objections on the grounds that the woodland is an important habitat and source of biodiversity and flora and fauna would be destroyed by extraction. The woodland is home to many species of wildlife including Fallow deer, Muntjac deer, badgers and endangered bird species; woodlark, nightjar, cuckoo, buzzards, kingfishers. Little owls, barn owls and tawny owls, have been sighted and known to nest in the area.</p> <p>There is a high probability of disrupting the feeding corridors of bat colonies present in the area. There is a pump house on the site which is thought to house bats.</p>	<p>The species list is noted. If a planning application is made for silica sand extraction within AOS D, a Biodiversity Survey and Report would need to be submitted. The Areas of Search Policy also required a planning application for silica sand extraction within an area of search to include a protected species assessment and if protected species are found on the proposed extraction site then the appropriate mitigation will be required. Any planning application would be determined in accordance with Policy CS14 and Policy DM1 of the adopted Minerals and Waste Core Strategy which cover Environmental Protection and Nature Conservation. West Bilney Wood is a commercial conifer plantation and the Forestry Commission plans to clearfell the conifers to harvest the timber, in stages, followed by restocking.</p>
<p>Concerns that once extraction has taken place it would be an open scar on the local landscape, with no public access.</p>	<p>The restoration of mineral extraction sites is a key component of modern planning applications and a restoration plan would need</p>

<b>Main Issues Raised</b>	<b>NCC Planning Officer response</b>
<p>Would the extraction site become a landfill site?</p>	<p>to be agreed as part of such an application would form part of the planning conditions of any subsequent permission to ensure compliance. Restoration plans for mineral workings can provide positive enhancement to the environment and tourism, such as at Pensthorpe Natural Park and Whitlingham Country Park.</p> <p>The adopted Policy DM14 on restoration and afteruse states that proposals must demonstrate due consideration has been given to opportunities to improve public access.</p> <p>There are no proposals for any mineral extraction site with the areas of search to be restored using waste.</p>
<p>Concerns about increased noise for local residents from extraction operations.</p>	<p>The boundary of AOS D is 250 metres from the nearest residential dwellings because this represents the distance at which amenity impacts, such as noise, could be mitigated to acceptable levels with the minimum of controls. The Areas of Search Policy requires a planning application within an area of search to provide a programme of mitigation measures to deal appropriately with any potential amenity impacts, including noise, to comply with the requirements of adopted policy DM12.</p>
<p>Concerns about noise – preventative noise measures at existing Pentney Quarry less than 1km away still wake local residents due to noise at 7.30 am and therefore do not consider that noise mitigation measures within West Bilney Wood will be effective. Noise would be an infringement on current quality of life due to current tranquillity.</p>	<p>Norfolk County Council has not received any formal complaints about Pentney Quarry since 1998.</p> <p>Well-designed mineral extraction proposals which comply with the adopted Minerals and Waste Development management policies would appropriately mitigate potential impacts to amenity (such as noise) such that it is considered that no unacceptable adverse impacts would occur. Planning conditions can and are placed on extraction proposals to limit the noise emitted from sites. Mitigation measures can include hours of working, approval of machinery to those which have lower noise emissions, the use of ‘white-noise’ or radio-controlled proximity alarms carried by employees and installed in vehicles.</p>
<p>Concerns that local residents of Common Road and Denton’s Farm were not notified about the Silica Sand Review.</p>	<p>The following properties on Common Road were contacted at the following stages of the Silica Sand Review process:</p> <p>Preferred Options consultation period: 3 Southview Cottages, Denton’s Cottage, Home Farm, Woodcroft, The Retreat, The Old Lodge, Warren Cottage, Valetta.</p>

Main Issues Raised	NCC Planning Officer response
<p>Concerns that the residents of Pentney Lakes were not notified about the Silica Sand Review.</p> <p>Concerns that the communities of East Winch and West Bilney have not been consulted.</p>	<p>Pre-Submission and Modifications representations periods: 3 Southview Cottages, Denton's Cottage, Home Farm, Woodcroft, The Retreat, The Old Lodge, Warren Cottage, The Hayloft, Conkers, Eastside Grange, Whitehouse Farm.</p> <p>The lodges at Pentney Lakes were not written to as part of the Silica Sand Review process. This is because the lodges are holiday accommodation and not permanent residences. The planning permission for the lodges at Pentney Lakes is for occupancy for only eleven months of the year and for the site to be used for holiday purposes only. The lodges cannot be used as the sole or main residence of any of the occupants, as required by the planning conditions of the relevant planning permissions. In addition, all of the holiday lodges are more than 250 metres from the boundary of AOS D.</p> <p>The Manager of Pentney Lakes was contacted at the Preferred Options, Pre-Submission and Modifications stages of the Silica Sand Review process and did not raise any objections.</p> <p>All of the Parish and Town Councils in Norfolk were contacted at each stage of the Silica Sand Review process.</p>
<p>Objections on the grounds that AOS is largely unstudied in archaeological terms and it is highly likely, given already discovered sites, that there are historically important remains in the area.</p>	<p>Paragraph D.4 of the Silica Sand Review recognises this and states that "A detailed assessment of the significance of archaeological deposits will be required by field evaluation at the planning application stage, in order to protect and mitigate the impact of mineral extraction in this area of search."</p> <p>The Areas of Search Policy requires a planning application within an area of search to provide an appropriate archaeological assessment, which may initially be desk-based, but may need to be followed-up with field surveys and trial trenching. The archaeological assessment will suggest appropriate mitigation measures and be compliant with adopted Policy DM9.</p>
<p>Objection on the grounds that AOS includes a Public Right of Way, which leads to the Nar Valley Way which is a National Trail receiving high levels of footfall each year.</p>	<p>This is recognised in paragraph D.5 of the Silica Sand Review. The effect of development on a public right of way is a material consideration in the determination of a planning application. Therefore the consequences of the development on existing public rights of way would be taken into account at the planning application stage.</p>

Main Issues Raised	NCC Planning Officer response
	<p>An area of search is a large area of land within which planning permission for silica sand extraction may be granted on a smaller area of land. There is no intention within the Silica Sand Review for extraction to take place on the whole 85 hectares of AOS D.</p> <p>It is possible for public rights of way to be diverted, and this has happened in relation to other mineral extraction operations in Norfolk. A formal legal process has to take place in order for public rights of way to be diverted or extinguished and this process includes consultation.</p>
<p>Objection on the grounds that there is an Open Access Area in West Bilney Wood established under CROW Act 2000. It is unclear whether these Rights of Way will be affected by the proposed workings.</p>	<p>The open access land in West Bilney Wood is recognised in paragraph D.5 of the Silica Sand Review.</p> <p>In principle, the existence of an open access area does not mean that development cannot take place on the land, subject to the grant of planning permission. The consequences of the development on an existing open access area would be taken into account at the planning application stage.</p> <p>An area of search is a large area of land within which planning permission for silica sand extraction may be granted on a smaller area of land. There is no intention within the Silica Sand Review for extraction to take place on the whole 85 hectares of AOS D.</p>
<p>It appears that an area West of Sandringham and North of King's Lynn also has deposits. It appears to be just an area of farmland running to the coast that is, agricultural land with very few houses. Access could be easily attained to King's Lynn and the Industrial area. This area may better meet your needs without destroying what is a diminishing natural environment.</p>	<p>The Areas of Search were defined by using the extent of the Leziat Bed silica sand resource and then removing land which constituted key planning constraints (the methodology is explained in paragraph 2.7 of the Pre-Submission document).</p> <p>The land referred to in this comment is in the area that constituted Area of Search AOS A (land west of Snettisham, Ingoldisthorpe and Dersingham). Whilst AOS A was included in the Pre-Submission version of the Silica Sand Review, the 'Pre-Submission Addendum: Modifications' did not allocate AOS A due to potential for silica sand extraction within AOS A to affect the setting of the Norfolk Coast AONB. Therefore the suitability of this area has been considered for silica sand extraction and it has been discounted.</p> <p>In comparison, AOS D also consists of agricultural land and a commercial conifer plantation.</p>

Main Issues Raised	NCC Planning Officer response
<p>Concerns about the effect on the water table in the local area due to extraction, possible contamination of local water courses and possible serious side effects on SSSIs and land drainage.</p>	<p>The potential for impacts on hydrogeology (watertable) are considered for all potential mineral extraction sites and appropriate mitigation measures put in place where necessary. The adopted Development Management Policy DM3 requires a Hydrogeological Risk Assessment for all applications where the potential for impacts exists, which would proposed mitigation measures. It is considered that silica sand extraction could take place without unacceptable adverse impacts occurring to water sensitive features in locations close to the Areas of Search. Measures to mitigate could include wet working, or by the use of artificial recharge techniques to protect water-sensitive features from the effects of any dewatering. Chapter 8 of the Preferred Options Consultation (October 2015) contains further information.</p> <p>Planning conditions are routinely used to require the containment of containers/tanks used for the storage of oil etc. which are needed for plant and equipment to prevent pollution.</p>
<p>It was said that this was an obvious area for extraction because we already had extensive quarrying and extraction, that's no justification at all, this area has suffered enough, dangerous quarries and lakes exist all over it. How will we attract people to live and work here when the back drop is a mess of extraction works?</p>	<p>Minerals can only be extracted where they naturally occur. Therefore the National Planning Practice Guidance recognises that location options for the economically viable and environmentally acceptable extraction of minerals may be limited. This means that there are some parts of Norfolk that have been the location for successive mineral developments over a number of years.</p> <p>The Sustainability Appraisal has considered potential cumulative effects from the Silica Sand Review. It is considered that potential cumulative impacts could be mitigated by appropriate planning conditions. The cumulative impact of mineral development can be a material planning consideration in the determination of a planning application. Adopted policy DM15 requires planning applications to include information demonstrating how any cumulative effects are proposed to be mitigated satisfactorily.</p> <p>The restoration of mineral extraction sites is a key component of modern planning applications and a restoration plan would need to be agreed as part of such an application and would form part of the planning conditions of</p>

Main Issues Raised	NCC Planning Officer response
	<p>any subsequent permission to ensure compliance. There are a number of historic extraction sites in Norfolk which were granted permission before such conditions formed part of the planning system (prior to the 1980s). Most of the Bawsey Pits were the subject of an Interim Development Order planning permission given in 1947 and were largely excavated by the 1970s. It is important therefore to compare potential restoration with previously worked sites which have benefited from a restoration plan. Restoration plans for mineral workings can provide positive enhancement to the environment and tourism.</p>
<p>Concerns that many of the houses will be in very close proximity and there could be health risks due to the particle size of the sand. Have any assessments been made to the potential dust impact and particle spread? Concerns about the effect on the health of asthmatics. Concern about the mental health of local residents constantly worrying about their own health.</p>	<p>Whilst fear of adverse health impacts is a material planning consideration, it is considered that this is not supported by objective evidence.</p> <p>The boundaries of all the areas of search are at least 250 metres from the nearest residential dwelling because this represents the distance at which amenity impacts, such as dust, could be mitigated at source to acceptable levels with the minimum of controls.</p> <p>The extraction of silica sand does not generate significant quantities of dust. The sand is generally damp on extraction, there are not large quantities of smaller particles within the sand, and indeed small particles within the resource would reduce its suitability as glass sand. Silica dust is usually generated from operations which work stone, such as stone masonry, demolition, or blasting operations, such as hard rick quarries where stone is pulverised. None of these operations would take place at silica sand excavation sites in Norfolk. The view of the Health and Safety Executive is that the working of silica sand does not cause a health risk to the general public. The Health and Safety Executive have stated that: <i>“Silicosis is a disease that has only been seen in workers from industries where there is a significant exposure to silica dust, such as in quarries, foundries, the potteries etc.”</i></p> <p>There have been a number of silica sand extraction sites in Norfolk and nationally which have operated closer to residential areas than the 250 metres used to define the boundaries of the areas of search in the Silica Sand review. These sites have operated for a number of years and the Health and Safety Executive have stated <i>“No cases of silicosis have been documented</i></p>

Main Issues Raised	NCC Planning Officer response
	<p><i>among members of the general public in Great Britain, indicating that environmental exposures to silica dust are not sufficient high to cause this occupational disease.”</i></p> <p>The Areas of Search Policy requires any planning application within an area of search to submit an air quality assessment of the potential for any emissions, including dust, together with mitigation measures to address any potential impacts.</p>
<p>Objection on the grounds that properties near to AOS D would be hard to sell and property values would drop.</p>	<p>Property prices are not a material consideration in the planning system, as development value was nationalised by the 1947 Planning Act.</p>
<p>Objection on the grounds that it is possible that after many years of uncertainty the Forestry Commission may not wish to sell the part of AOS D site which belongs to them, and our many years of concern would have been unnecessary.</p>	<p>The definition of Areas of Search in the National Planning Practice Guidance specifically excludes the requirement for landowners to be supportive of minerals development. It is recognised that there is no guarantee that operators or landowners are interested in developing within the areas of search for silica sand extraction. This is the reason why areas of search are much larger than the actual area of land that is needed for extraction. It is because insufficient specific sites and preferred areas have been proposed, by landowners or mineral operators, that we have needed to define areas of search in the Silica Sand Review.</p> <p>The Forestry Commission have been consulted at every stage of the Silica Sand Review and have not raised any objections to West Bilney Wood being included as part of an area of search for silica sand extraction.</p>
<p>Concerns that this close and friendly community will be cut in half, with some on one side of the quarry, others on the other.</p>	<p>Areas of search are large areas within which permission for silica sand extraction may be granted on a smaller area of land; it is not the intention of the Plan for the whole of AOS D to be extracted. Approximately 20 hectares would need to come forward from within the five allocated areas of search proposed. As any potential future extraction site would be significantly smaller than the total area of AOS D there is significant flexibility with regard to the location of any extraction site to ensure retained access and services to the dwellings currently accessed by Warren Track.</p>
<p>Objections because this area is already covered with a large number of lakes, left after quarrying. The water table has changed significantly over recent years, and we are concerned on the impact of such a vast amount of quarrying/lakes in a confined area.</p>	<p>The potential for impacts on the water table (hydrology) from mineral extraction are considered for all potential mineral extraction sites at the planning application stage and appropriate mitigation measures put in place where necessary. A Hydrological Risk Assessment is required to be submitted with</p>

Main Issues Raised	NCC Planning Officer response
	any planning application where the potential for impacts exists. Measures to mitigate impacts could include wet working, or by use of artificial recharge techniques if necessary to protect water-sensitive features from the effects of dewatering.
<p>The detrimental impact on the neighbourhood and landscape, would far outweigh the value of the sand extracted.</p>	<p>Silica sand for glass making is a nationally important, scarce, resource; with only three active extraction sites in England, one of which is due to close shortly. England is largely self-sufficient in glass manufacture. Norfolk supplies around half the material required for window glass manufacture in England. High quality window glass is a vital resource for the construction industry, and the potential exists that a shortfall in material could adversely affect the construction of new homes and business, and costs, at a national scale. Silica sand from Norfolk supplies a number of glassworks in England, providing many jobs both directly and indirectly through downstream hobs such as manufacturing, haulage and the construction sector.</p> <p>It is considered that, in principle, silica sand extraction could take place on a smaller parcel of land within the areas of search without unacceptable adverse impacts. It is also considered that the adopted Minerals and Waste Core Strategy and Development Management Policies, together with the Areas of Search Policy would be appropriate for addressing these issues at the planning application stage.</p>
<p>Objections because the area is directly opposite Pentney Lakes which is a leisure and recreation wildlife site. Pentney Lakes is also a designated County Wildlife Site. The proposed extraction is in direct conflict with people enjoying Pentney Lakes and a threat to local wildlife.</p> <p>Pentney Lakes is described as a holiday development in the document you provide. It is in fact lived in by many of the residents on a full time basis and the properties make a village larger in number than the whole of West Bilney.</p> <p>Pentney Lakes complex currently consists of</p>	<p>The location of the County Wildlife Site is recognised. If a planning application is made for silica sand extraction within AOS D, a Biodiversity Survey and Report would need to be submitted. Any planning application would be determined in accordance with Policy CS14 and DM1 of the adopted Minerals and Waste Core Strategy which cover Environmental Protection and Nature Conservation.</p> <p>The planning permission for the lodges at Pentney Lakes is for occupancy for only eleven months of the year and for the site to be used for holiday purposes only. The lodges cannot be used as the sole or main residence of any of the occupants, as required by the planning conditions of the relevant planning permissions.</p> <p>The outline permission at Pentney Lakes was</p>

Main Issues Raised	NCC Planning Officer response
<p>nearly 50 properties with proposal for another 31 properties; this forms a substantial amount of people who will be impacted by the destruction of West Bilney Wood.</p> <p>Concerns that people will not want to holiday at Pentney Lakes if mineral extraction takes place within West Bilney Wood. If people do not want to holiday at Pentney Lakes then this will lead to job losses by those employed at Pentney Lakes and associated businesses.</p>	<p>for 63 holiday lodges. 40 lodges received full and reserved permissions prior to the expiry of the outline permission. Two other plots have been lawful. The current proposal for 31 holiday lodges includes 21 plots which never received full or reserved matters permission. This would result in a total of 73 holiday lodges. The location of Pentney Lakes is recognised. Well-designed mineral extraction proposals which comply with the adopted Minerals and Waste Development Management policies would appropriately mitigate potential impacts to landscape and amenity (such as noise and air quality) such that it is considered that no unacceptable adverse impacts would occur that would be likely to compromise the attractiveness of the area for tourism. Positive restoration benefits for tourism may occur in the medium-long term, as has happened at other former mineral workings in Norfolk, such as Pensthorpe Natural Park. Pentney Lakes itself is an area of previous mineral workings, which provide positive ecological and tourism benefits.</p>
<p>Objections on the grounds of the destruction of good agricultural land</p>	<p>Part of AOS D is located on agricultural land. The agricultural land is classed as grade 4 agricultural land which is described as 'poor'. <b>The Silica Sand Review document incorrectly describes the land as Grade 3. This error will be corrected.</b></p>
<p>A representation quoted the following sections from the Forestry Commission 'Shouldham and Bilney Forest Plan 2016-2026', signed in April 2016:</p> <p>'Forestry Commission's priorities are to make sure that trees and woodlands help in meeting Government's goals for....a better quality of life for all' p.5</p> <p>'The woods offer well-used opportunities to access the countryside in an otherwise intensively farmed landscape' p.5</p> <p>'this Forest Plan recognises the importance of ...Bilney Woods as an informal recreation facility...' p.6</p> <p>'the Corporate Plan Aim is to extend access and expand opportunities for communities to become involved with the public forests and woodlands, and take part in activities that improve quality of life, health and learning' p.6</p> <p>'Nightjars are ground nesting birds and ....Bilney Woods provide habitat between the population in Thetford Forest and North Norfolk. They are recorded nesting in the transient open</p>	<p>The quotes from the Forestry Commission's 'Shouldham and Bilney Forest Plan 2016-2026' are noted. The Forestry Commission has been consulted at each stage of the Silica Sand Review and has not objected to the inclusion of Bilney Forest as part of AOS D.</p> <p>In terms of the issues raised in the quotations from the Shouldham and Bilney Forest Plan:</p> <p>An area of search is a large area within which planning permission for silica sand extraction may be granted on a smaller area of land. There is no intention within the Silica Sand Review for extraction to take place on the whole 85 hectares of AOS D. Therefore not all of the woodland would be put out of use by extraction, in the same way that areas of commercial forestry such as West Bilney Wood are closed to the public when forestry operations take place.</p> <p>The effect of development on public rights of way and 'open access land' are material considerations in the determination of a planning application and would be taken into</p>

Main Issues Raised	NCC Planning Officer response
<p>space'p.10  'Safeguarding the Heritage: ...Bilney Woods are situated ....in an area with a long history of settlement throughout human history..'p.10  'The woods....are an important resource for these communities' p.11  'Only West Bilney Woods are freehold and are dedicated under the Countryside and Rights of way Act 2000 for unrestricted public access on foot. No formal visitor facilities are provided but rides are well -used by walkers' p.11</p>	<p>account at the planning application stage.</p> <p>It is possible for public rights of way to be diverted, and this has happened in relation to other mineral extraction operations in Norfolk. A formal legal process has to take place in order for public rights of way to be diverted or extinguished and this process includes consultation.</p> <p>The restoration of mineral extraction sites is a key component of modern planning applications. The potential exists on restoration for improvements in the quality of public access and the facilities themselves.</p> <p>The adopted Policy DM14 on restoration and afteruse states that proposals must demonstrate due consideration has been given to opportunities to improve public access.</p> <p>If a planning application is made for silica sand extraction within AOS D, a Biodiversity Survey and Report would need to be submitted. The Areas of Search Policy also requires a planning application for silica sand extraction within an area of search to include a protected species assessment and if protected species are found on the proposed extraction site then appropriate mitigation will be required. Any planning application would be determined in accordance with Policy CS14 and DM1 of the adopted Minerals and Waste Core Strategy which cover Environmental Protection and Nature Conservation.</p> <p>The Areas of Search Policy requires a planning application for silica sand extraction within an area of search to include a Heritage Statement, an archaeological assessment and a Landscape and Visual Impact Assessment, together with suitable mitigation measures.</p>
<p>Concerns about the destruction of trees and hedgerows adjacent to the road side.</p>	<p>If a planning application is made for silica sand extraction within AOS D, a Biodiversity Survey and Report would need to be submitted. Any planning application would be determined in accordance with Policy CS14 and DM1 of the adopted Minerals and Waste Core Strategy which cover Environmental Protection and Nature Conservation. If necessary, an Arboricultural Impact Assessment can also be required at the planning application stage, in accordance with the adopted Local List for Validation of Planning Applications.</p>
<p>Objection due to significant damage to the visual impact on the local area. One of the key</p>	<p>It is not considered that AOS D is a key gateway to the Norfolk Coast AONB as the</p>

Main Issues Raised	NCC Planning Officer response
<p>gateways to the AONB. Whilst it is noted that groundworks will be undertaken to minimise visual impact to the area there is no mitigation strategy for those travelling to the area by air and those using the landing strip in East Winch.</p>	<p>nearest part of the AONB is north of King's Lynn approximately 7.5km away. The Areas of Search Policy requires a Landscape and Visual Impact Assessment to be submitted with any planning application within an area of search. An LVIA is also required as part of the Local List of Validation of Planning Applications. The LVIA would include proposed mitigation measures, such as screening, landscape and/or design. Applications for mineral extraction would include assessments for potential impacts on the landscape both during extraction and on restoration.</p>
<p>Objection on the grounds that mineral extraction within AOS D is uniquely compromised by sustainability challenges. The proposals seek to remove or damage around 100 acres of woodland (a locally significant contributor to carbon capture), extract 1000s of tonnes of silica (in a highly energy intensive industrial process) then transport this product (again a highly energy intensive process) for eventual conversion into products such as glass. The CO2 footprint for this will be significantly affected by the compromised transportation and removal of a major woodland area in Bilney.</p>	<p>AOS D consists of 85 hectares of land. Some of this land is a commercial conifer plantation and some of it is agricultural land. An area of search is a large area of land within which planning permission for silica sand extraction may be granted on a smaller area of land. There is no intention within the Silica Sand Review for extraction to take place on the whole 85 hectares of AOS D. As a commercial conifer plantation, the Forestry Commission plans to clearfell the conifers to harvest the timber, in stages, followed by restocking. The energy used to extract silica sand is expected to be similar within any of the areas of search in the Silica Sand Review. Silica sand is usually extracted using a tracked excavator, which is not a highly energy intensive process and comparable to agricultural or forestry operations. The silica sand would then be transported to the existing processing plant at Leziate. Whilst this is considered likely to take place by road, there is the potential that other transportation options, such as a conveyor or pipeline may be considered. The energy involved in processing the silica sand would be similar for sand extracted from within any of the areas of search in the Silica Sand Review. The majority of the processed silica sand is transported by rail to the glass factories. Silica sand can only be extracted where it naturally occurs, which may not be in proximity to existing glass factories. The production of window glass offers significant efficiency and sustainability advantages for energy consumption in buildings. The use of recycled glass in the manufacture of container glass requires a certain proportion of high quality silica sand to</p>

Main Issues Raised	NCC Planning Officer response
<p>The lakes that have already been left as a result of quarrying are in a real state, lots of debris, not enough tree planting around and unsafe to children who play in the area.</p> <p>Many quarries not restored as was promised when planning permission was granted</p> <p>Previous mineral extraction in the area has led to changes to the local landscape, water table and in many cases poor or insignificant landscaping reinstatement.</p>	<p>produce acceptable products.</p> <p>The restoration of mineral extraction sites is a key component of modern planning applications and a restoration plan would need to be agreed as part of such an application and would form part of the planning conditions of any subsequent permission to ensure compliance. There are a number of historic extraction sites in Norfolk which were granted permission before such conditions formed part of the planning system (prior to the 1980s). Most of the Bawsey Pits were the subject of an Interim Development Order planning permission given in 1947 and were largely excavated by the 1970s. It is important therefore to compare potential restoration with previously worked sites which have benefited from a restoration plan. Restoration plans for mineral workings can provide positive enhancement to the environment and tourism, such as at Pensthorpe Natural Park and Whitlingham Country Park. The Pentney Lakes leisure development is a restored former quarry.</p>

## Areas of Search Policy

Main issues raised	NCC Planning Officer response
<b>Borough Council of King's Lynn and West Norfolk</b> said that they support the change to the policy.	Noted.
<b>Historic England</b> said that they are encouraged that the aims of their proposed changes have been included. The altered wording better reflects adopted Policy DM8 of the adopted CS & DM Policies.	Noted.

## Specific Site Allocation Policy SIL01

Main issues raised	NCC Planning Officer response
<b>Borough Council of King's Lynn and West Norfolk</b> said that they support the change to the policy.	Noted.
<b>Historic England</b> said they welcome the amendments to the policy to include the conservation of non-designated assets and the increased emphasis to conserve the significance of all assets. The altered wording better reflects adopted Policy DM8 of the adopted CS & DM Policies.	Noted.
<b>Sibelco UK Ltd</b> objected to the modification to policy SIL01 because they consider that the change is not justified, positively prepared or consistent with national policy in NPPF paragraphs 132 and 128.	We consider that the modification requested by Historic England is consistent with NPPF paragraphs 132 and 128. The policy does not require the applicant to provide a level of detail that is not proportionate to the assets' importance or more than is sufficient to understand the potential impact of the proposal on their significance. An existing bullet point in Policy SIL01 details the requirements for an archaeological assessment.
<b>Mineral Products Association</b> objected to the modification to policy SIL01 which they state does not accord with NPPF paragraphs 126, 128 and 132. The policy needs to recognise that any conservation must be appropriate to the significance of the heritage asset and recognise that there may be benefits that outweigh any harm or loss of the asset. The MPA propose that the bullet point should be amended as follows: "The Landscape and Visual Impact Assessment will include Scheduled Monuments, Listed Buildings, archaeological assets and non-designated assets and their settings, <u>where these are as affected and their settings, providing details proportionate to the assets' importance and, where appropriate, together with detailing suitable mitigation measures to i) address the impacts and ii) conserve the significance, of those assets.</u> "	We consider that the modification requested by Historic England is consistent with NPPF paragraphs 126, 128 and 132. The policy does not require the applicant to provide a level of detail that is not proportionate to the assets' importance or more than is sufficient to understand the potential impact of the proposal on their significance. The policy details the information required to be provided with a planning application for silica sand extraction at site SIL01. The policy does not determine the weight to be given to any positive or negative effects that may occur as a result of mineral extraction at SIL01. These effects will be assessed and balanced to come to a decision at the planning application stage, taking into account relevant planning policy and legislation. Therefore, we do not consider that the amendments to the bullet point proposed by the MPA are necessary.

## Habitats Regulations Assessment

Main issues raised	NCC Planning Officer response
<b>Natural England</b> said that with the proposed removal of AOS A, NE notes that t project level HRA would only be required for any future planning applications in the site specific allocation SIL01. We have no further comments to make.	Noted

## Sustainability Appraisal

Main issues raised	NCC Planning Officer response
<b>Natural England</b> said that the proposed modifications do not alter our previous comments made on 27 June 2016 and we have no further comments to make on the Sustainability Appraisal.	Noted