

## Norfolk Minerals and Waste Local Plan

### Minerals Site Specific Allocations DPD – Single Issue Silica Sand Review

### **Statement of Consultation (Part 2)**

November 2016



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## **Statement of Consultation (Part 2)**

November 2016

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## **1. Introduction**

**1.1** Under the Planning and Compulsory Purchase Act 2004 (as amended), the County Council is required to produce a Minerals and Waste Local Plan. The Norfolk Minerals and Waste Local Plan consists of three adopted Development Plan Documents and a Policies Map:

- Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026 (adopted September 2011)
- Waste Site Specific Allocations DPD (adopted October 2013)
- Minerals Site Specific Allocations DPD (adopted October 2013)

**1.2** The purpose of the Single Issue Silica Sand Review of the adopted Minerals Site Specific Allocations Plan is to address an identified shortfall, of 2.6 million tonnes, in the quantity of silica sand resources in allocated sites compared with the target identified in the adopted Plan. The need for a Single Issue Silica Sand Review is included in the Minerals Site Specific Allocations DPD.

**1.3** This 'Statement of Consultation' is for the Single Issue Silica Sand Review of the Minerals Site Specific Allocations DPD. The Silica Sand Review has been through two consultation stages. The first consultation stage, referred to as the Initial Consultation, took place during March and April 2015. The second stage, referred to as the Preferred Options stage, took place during November and December 2015. A summary of these consultation stages and the representations received is contained within the 'Statement of Consultation' (February 2016).

**1.4** A Pre-Submission Silica Sand Review was published in May 2016 to allow representations on the soundness and legal compliance of the document to be made over a six week period. A 'Pre-Submission Addendum: Modifications' was published in September 2016 to allow representations on the soundness and legal compliance of modifications to the Pre-Submission document to be made over a six week period.

### **Statement of Consultation (Part 2)**

**1.5** This statement sets out how the representations period on the Pre-Submission Silica Sand Review and the Pre-Submission Addendum: Modifications were carried out. Details required are:

- Who was invited to make comments;
- How they were invited;
- A summary of the number of representations received; and
- A summary of the main issues raised by respondents.

**1.6** This document includes sections indicating:

- The specific, general and other consultation bodies who were contacted and invited to make representations;
- The inspection points where the Pre-Submission Silica Sand Review and supporting documents were available for public viewing;
- ;The inspection points where the Pre-Submission Addendum: Modifications were available for public viewing;
- A copy of the letter/email sent to consultees inviting representations

- A copy of the public notice which was published in the Eastern Daily Press detailing the inspection points
- The number of people and organisations that responded during each representations period and the number of responses received
- The main issues raised by the representations received.

## **2. Pre-Submission representations period 2016**

The Pre-Submission document was published for representations to be made on the soundness and legal compliance of the Silica Sand Review.

The Pre-Submission version of the Silica Sand Review allocated one specific site for silica sand extraction and six Areas of Search which have been defined by planning officers. The document also contained a specific site policy and an areas of search policy. The areas of search and specific site allocated in the Pre-Submission document are as follows:

Specific site SIL01 at Bawsey

AOS A- land west of Snettisham, Ingoldisthorpe and Dersingham

AOS D – land in the vicinity of West Bilney Wood

AOS E- Land to the north of Shouldham

AOS F- land to the north of Stow Bardolph

AOS I – land to the east of South Runcton

AOS J – land to the east of Tottenhill

The representations period ran for six weeks from 16 May to 27 June 2016 and used the following methods of engagement:

- A letter/email was sent to the consultees (a copy of the letter and the list of consultees can be found in this document)
- The documents were made available on the County Council's website
- An e-consultation portal on the County Council's website enabled direct online responses to be made
- Copies of the documents were available for public viewing at 47 libraries, and nine Local Planning Authority offices (including County Hall)

In addition to the Pre-Submission document, the following documents which provide information to support the policies in the Silica Sand Review have also been published:

- Revised Policies Map (illustrates the policies contained in the Norfolk Minerals and Waste Local Plan)
- Sustainability Appraisal Report (Parts A and B) (shows social, environmental and economic impacts of the Silica Sand Review)
- Sustainability Appraisal non-technical summary (summary of above)
- Habitats Regulations Assessment (of impacts on European-designated nature conservation sites)
- Pre-Submission Statement of Consultation (details consultees and their responses)
- Equality Impact Assessment (how different people will be affected by the Silica Sand Review process and policies)
- Flood Risk Sequential Test (demonstrates compliance with the requirements of paragraphs 100-101 of the National Planning Policy Framework)

## 2.1 Pre-Submission representations period 2016: list of consultees

### a. Specific consultation bodies

- Local Planning Authorities in Norfolk
- Local Planning Authorities adjoining Norfolk:
  - Suffolk County Council
  - Cambridgeshire County Council
  - Lincolnshire County Council
  - East Cambridgeshire District Council
  - Fenland District Council
  - Forest Heath & St Edmundsbury Council (West Suffolk)
  - Mid Suffolk District Council
  - Waveney District Council
  - South East Lincolnshire Planning Authority (South Holland and Boston Borough)
  
- Other relevant Mineral Planning Authorities:
  - Essex County Council
  - Hertfordshire County Council
  - Central Bedfordshire, Bedford Borough & Luton Borough Council Shared Minerals Planning Service
  - Thurrock Council
  - Southend-on-Sea Borough Council
  - Peterborough City Council
  - Kent County Council
  - North Lincolnshire Council
  - North Yorkshire County Council
  - Nottinghamshire County Council
  - Staffordshire County Council
  - Surrey County Council
  - Worcestershire County Council
  - Cheshire East Council
  - West Sussex County Council
  - South Downs National Park Authority
  
- All Parish and Town Councils in Norfolk
- All Parish and Town Councils adjoining Norfolk (see Table 1)
  
- Anglian Water Services Ltd
- BT Group plc
- Defence Infrastructure Organisation
- Department for Transport
- East of England Local Government Association
- Historic England
- Environment Agency
- Essex and Suffolk Water
- Natural England
- Highways England

- Norfolk County Council Highway Authority
- Homes and Communities Agency
- Marine Management Organisation
- Public Health Norfolk
- West Norfolk Clinical Commissioning Group
- South Norfolk Clinical Commissioning Group
- Norwich Clinical Commissioning Group
- North Norfolk Clinical Commissioning Group
- HealthEast (Great Yarmouth and Lowestoft Clinical Commissioning Group)
- Vodafone Ltd
- Virgin Media
- Hutchinson 3G UK Ltd
- T-mobile, Orange and EE
- National Grid plc
- Police and Crime Commissioner for Norfolk
- The Coal Authority
- UK Power Networks
- Norfolk Community Health and Care (NHS Trust)
- NHS England Midlands and East
- Network Rail Infrastructure Ltd
- Office of the Rail Regulator

**Table 1: Parish and Town Councils adjoining Norfolk**

In Suffolk	In Suffolk
<ul style="list-style-type: none"> <li>• Barnby Parish Council</li> <li>• Barnham Parish Council</li> <li>• Barsham &amp; Shipmeadow Parish Council</li> <li>• Beccles Town Council</li> <li>• Blundeston &amp; Flixton Parish Council</li> <li>• Brandon Town Council</li> <li>• Brome &amp; Oakley Parish Council</li> <li>• Bungay Town Council</li> <li>• Carleton Colville Parish Council</li> <li>• Elveden Parish Council</li> <li>• Euston Parish Council</li> <li>• Flixton, St Cross, St Margaret &amp; South Elmham Parish Council</li> <li>• Hinderclay Parish Council</li> <li>• Hopton cum Knettishall</li> <li>• Hoxne Parish Council</li> <li>• Lakenheath Parish Council</li> <li>• Mendham Parish Council</li> <li>• Mettingham Parish Council</li> <li>• North Cove Parish Council</li> <li>• Oulton Parish Council</li> <li>• Palgrave Parish Council</li> </ul>	<ul style="list-style-type: none"> <li>• Redgrave Parish Council</li> <li>• Santon Downham Parish Council</li> <li>• Somerleyton, Ashby &amp; Herringfleet Parish Council</li> <li>• Stuston Parish Council</li> <li>• Syleham Parish Council</li> <li>• Thelnetham Parish Council</li> <li>• Weybread Parish Council</li> <li>• Worlingham Parish Council</li> <li>• Wortham and Burgate Parish Council</li> </ul>
	<b>In Cambridgeshire</b>
	<ul style="list-style-type: none"> <li>• Christchurch Parish Council</li> <li>• Elm Parish Council</li> <li>• Leverington Parish Council</li> <li>• Little Downham Parish Council</li> <li>• Littleport Parish Council</li> <li>• Manea Parish Council</li> <li>• Newton parish Council</li> <li>• Tydd St Giles Parish Council</li> <li>• Wisbech St Mary Parish Council</li> </ul>
	<b>In Lincolnshire</b>
	<ul style="list-style-type: none"> <li>• Sutton Bridge and Wingland Parish Council</li> </ul>

**b. General consultation bodies; and**

c. **Other consultation bodies** (residents or other persons carrying on business in the LPA)

- Equal Lives
- West Norfolk Islamic Association
- West Norfolk and District Chinese Association
- Norfolk Secular and Humanist Group
- Norfolk Philippines Support Group
- Norfolk and Norwich Asian Society
- East of England Faiths Agency
- Church of England
- National Federation of Gypsy Liaison Groups
- Water Management Alliance
- Waveney, Lower Yare and Lothingland Internal Drainage Board
- East Harling Internal Drainage Board
- Downham Market Group of IDBs
- Ely group of Internal Drainage Boards
- Middle Level Commissioners
- Woodland Trust
- Norfolk Wildlife Trust
- RSPB
- Ramblers Association
- Discover Suffolk
- National Trust
- Sustrans
- New Anglia LEP
- Greater Cambridgeshire and Greater Peterborough Enterprise Partnership
- Wild Anglia (Local Nature Partnership)
- Community Action Norfolk
- Norfolk Geodiversity Partnership
- Norfolk Fire and Rescue Service
- Norfolk Local Access Forum (NCC)
- Norfolk Coast Partnership
- Norfolk Chamber of Commerce
- National Farmers Union
- Marinet Ltd
- King's Lynn Civic Society
- Health and Safety Executive
- Forestry Commission
- Federation of Small Businesses
- Country Land and Business Association
- Breaking New Ground
- CAA: Norwich International Airport
- Norfolk Association of Local Councils
- Equality and Human Rights Commission
- Freight Transport Association Ltd
- Greenpeace
- Grimston Fen & Allotment Trust
- Norfolk and Norwich Archaeological Society

- Norfolk Farming and Wildlife Advisory Group (FWAG)
- CPRE Norfolk
- Norwich Friends of the Earth
- The Association of Gardens Trust
- Norfolk Gardens Trust
- Norfolk Rivers Trust
- Grimston, Congham & Roydon Residents Association
- Age UK Norfolk
- King's Lynn and West Norfolk Youth Advisory Board
- NCC Lead Local Flood Authority

### **Mineral operators**

- Breedon Aggregates Ltd
- Brett Group
- British Aggregates Association
- Mineral Products Association
- Cemex UK
- Carter Concrete Ltd
- Earsham Gravels Ltd
- East Anglian Stone Ltd
- Frimstone Ltd
- Folkes Plant and Aggregate
- Longwater Gravel Co Ltd
- Lignacite Ltd
- Middleton Aggregates Ltd
- Sibelco UK Ltd
- Tharros Ltd
- Silverton Aggregates Ltd
- West Norfolk Super Lime Co Ltd
- William George Recycling Ltd
- John Brown (Gazeley) Ltd
- Lafarge Tarmac
- The Silica and Moulding Sands Association
- Bathgate Silica Sand Limited
- Garside Sands
- Hanson Aggregates
- Mansfield Sand Company Ltd

## **Land agents/consultants**

- Stephen M Daw Ltd
- Simon Westaway Associates
- D K Symes Associates
- Martin Smith Partnership
- Pike Partnership
- Clover Planning
- PDE Consulting Ltd
- Bidwells
- WYG UK
- David L Walker Ltd
- Mills and Reeve
- David Lock Associates
- M Falcon Property Solutions
- Mineral Services Ltd
- TW Gaze
- Case & Dewing
- Irelands
- Barry L Hawkins
- Strutt & Parker
- Atkins
- Durrants
- Brown & Co
- Birketts LLP
- Wardell Armstrong LLP
- Watsons
- Knight Benjamin & Co
- Howards Commercial
- Golder Associates
- The Landscape Partnership Ltd
- RPS Planning, Transport & Environment
- Terence O'Rourke Ltd
- KEW Environment & Training Consultancy Ltd
- Lanpro Services
- Leathes Prior (Solicitors)
- Pegasus Group
- David Jarvis Associates Ltd
- Cruso & Wilkin
- Heaton Planning Ltd
- Colliers International
- Shakespeare Martineau
- Shiels Flynn Limited
- Martin Robeson Planning Practice
- SLR Consulting Limited
- BNP Paribas Real Estate
- Historic Landscape Management Ltd
- Small Fish
- Fenn Wright
- La Ronde Wright
- Arcus Consultancy Services Ltd
- The Sandingham Estate

## **Local residents**

We also wrote to around 330 individuals. These people were contacted either because they had responded to earlier consultations regarding proposed silica sand extraction sites during the production of the Minerals Site Specific Allocations DPD or because their address was outside a settlement and in close proximity to one of the six allocated areas of search or the specific site.

**County Councillors at the  
time of the Pre-Submission  
representations period in  
2016**

Mr A D Adams  
Mr S Agnew  
Mr C Aldred  
Mr S Askew  
Mr M J M Baker  
Mr R Bearman  
Mr R Bird  
Mr W Borrett  
Dr A Boswell  
Ms C Bowes  
Mrs A Bradnock  
Mr B Bremner  
Mrs J D Brociek-Coulton  
Mr A J Byrne  
Mr M R H Carttiss  
Mr M Castle  
Mrs J R M Chamberlin  
Mr M J B Chenery of Horsbrugh  
Mr J Childs  
Mr S M Clancy  
Mr R Coke  
Mr D J Collis  
Ms E C Corlett  
Mrs H Cox  
Mr D M Crawford  
Mr A C Dearnley  
Mrs M Dewsbury  
Mr N D Dixon  
Mr J Dobson  
Mr T East  
Mr T FitzPatrick  
Mr C W Foulger  
Mr T Garrod  
Mr P C J Gilmore  
Mr A C Grey  
Mrs S C Gurney  
Mr P Hacon  
Mr B J Hannah  
Mr D G Harrison  
Mr H Humphrey  
Mr B J M Iles  
Mr T Jermy  
Mr C Jordan  
Mr J M Joyce  
Miss A Kemp  
Mr M Kiddle-Morris  
Mr J Law  
Mrs J Leggett

Mr B W C Long  
Mr I J Mackie  
Mr I A C Monson  
Mr J Mooney  
Ms E Morgan  
Mr S Morphew  
Mr G Nobbs  
Mr W Northam  
Mr R E Parkinson-Hare  
Mr J Perkins  
Mr G R Plant  
Mr A J Proctor  
Mr D J Ramsbotham  
Mr W Richmond  
Mr D Roper  
Ms C Rumsby  
Mr M Sands  
Mr E G Seward  
Mr N C Shaw  
Mr R A Smith  
Mr P J Smyth  
Mr B H A Spratt  
Mr B Stone  
Mrs M Stone  
Mr M Storey  
Dr M Strong  
Mrs A Thomas  
Mr J W Timewell  
Mrs J Virgo  
Mrs C M Walker  
Mr J M Ward  
Mr B Watkins  
Ms S J Whitaker  
Mr A M White  
Mr M J Wilby  
Mrs M Wilkinson

## 2.2 Public notice of consultation in EDP on 16 May 2016

**Norfolk County Council**  
**Town and Country Planning (Local Planning) (England)**  
**Regulations 2012**  
**Norfolk Minerals and Waste Local Plan:**  
**Minerals Site Specific Allocations Development Plan**  
**Document (DPD)**  
**Single Issue Silica Sand Review**  
**Publication of Pre-Submission documents**

Norfolk County Council has published the Pre-Submission version of the 'Minerals Site Specific Allocations DPD –Single Issue Silica Sand Review'. This document includes a specific allocated site and six areas of search which are considered acceptable in principle over the next 10 years to meet the quantities required in the adopted Minerals and Waste Core Strategy Policy CS1. In Norfolk, the silica sand resource occurs entirely within West Norfolk.

The areas of search and site allocated in the Silica Sand Review Pre-Submission document are located in the following parishes: Bawsey, Dersingham, East Winch, Ingoldisthorpe, Marham, Pentney, Runcton Holme, Shouldham, Shouldham Thorpe, Snettisham, Stow Bardolph, Tottenhill, Wormegay.

IN addition, the following documents, which provide information to support the policies in the Single Issue Silica Sand Reivew, have also been published: the Proposals Map, Sustainability Appraisal Report, Sustainability Appraisal Non-technical Summary, Habitats Regulations Assessment, Statement of Consultation, Equality Impact Assessment, Flood Risk Sequential Test. The document is published at this stage to enable representations to be made to Norfolk County Council about its soundness (whether it is justified, effective, positively prepared and consistent with national policy) and legal compliance.

The period for making representations on the above documents is between 9am on 16 May 2016 and 5pm on 27 June 2016. Any representations on the documents must be made during the representations period; late representations will not be accepted.

The above documents and the representations form can be viewed on the Norfolk County Council website at [www.norfolk.gov.uk/nmwdf](http://www.norfolk.gov.uk/nmwdf) on the Silica Sand Review page. Representations can be made on the relevant section of the Single Issue Silica Sand Review online. Direct online representations are the preferred method of response.

Representations can also be sent by email, post or fax to the following address: Planning Services, Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2DH

Email: [LDF@norfolk.gov.uk](mailto:LDF@norfolk.gov.uk)

Fax: 01603 223219 (marked for the attention of Planning Services)

If you have any queries please call 0344 800 8020.

Copies of the documents will be made available for inspection, within normal opening hours, at all the public libraries throughout Norfolk during the representations period and are available from Planning Services, Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2DH.

Copies will also be made available for public inspection, during office hours, at:

Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2DH

Breckland District Council, Elizabeth House, Walpole Loke, East Dereham, NR19 1EE

Broadland District Council, Thorpe Lodge, Yarmouth Road, Norwich, NR7 0DU

Great Yarmouth Borough Council, Town Hall, Great Yarmouth, NR30 2QF

Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, King's Lynn, PE30 1EX

North Norfolk District Council, Holt Road, Cromer, NR27 9EL

Norwich City Council, City Hall, Bethel Street, Norwich, NR2 1NH

South Norfolk Council, South Norfolk House, Swan Lane, Long Stratton, NR15 2XE

The Broads Authority, Yare House, 62-64 Thorpe Road, Norwich, NR1 1RY

After the period for making representations finishes, the next stage in the preparation of the 'Minerals Site Specific Allocations DPD – Single Issue Silica Sand Review' is submission to the Secretary of State, which is planned to take place later in 2016.

Representations may be accompanied by a request to be notified, at a specific address, of any of the following:

- That the Minerals Site Specific Allocations DPD – Single Issue Silica Sand Review has been submitted to the Secretary of State for independent examination by a Planning Inspector
- The publication of recommendations of the Planning Inspector appointed to carry out the independent examination of the DPD
- The adoption of the Minerals Site Specific Allocations DPD – Single Issue Silica Sand Review

## 2.3 Wording of letter/email to consultees inviting comments

### **Norfolk Minerals Site Specific Allocations Development Plan Document (DPD) Single Issue Silica Sand Review – Invitation to make representations**

I am writing to inform you that the County Council has published the Pre-Submission version of the Minerals Site Specific Allocations DPD – Single Issue Silica Sand Review. This document has been published to allow representations on the soundness and legal compliance of the document to be made, over a six week period, between **9am on 16 May and 5pm on 27 June 2016** (inclusive).

The silica sand resource in Norfolk occurs entirely within the administrative boundary of the Borough Council of King's Lynn and West Norfolk.

The Single Issue Silica Sand Review is needed to address the predicted shortfall, of 2.6 million tonnes, in the quantity of silica sand extraction sites allocated in the Minerals Site Specific Allocations DPD. It is predicted that around 750,000 tonnes of silica sand will be extracted from Norfolk every year.

The Silica Sand Review has been through the following stages: an Initial Consultation during March and April 2015, a 'call for sites' in June 2015, and a Preferred Options Consultation during November and December 2015.

The Pre-Submission version of the Silica Sand Review allocates one specific site for silica sand extraction and six Areas of Search (AoS) which have been defined by planning officers. Areas of search are large areas within which permission for silica sand extraction may be granted on a smaller area of land. Developers wanting to extract mineral from specific sites or land within an area of search allocated in the Silica Sand Review will still need to apply for and be granted planning permission before mineral extraction can take place.

The areas of search and site allocated in the Silica Sand Review Pre-Submission document are located in the following parishes: Bawsey, Dersingham, East Winch, Ingoldisthorpe, Marham, Pentney, Runcton Holme, Shouldham, Shouldham Thorpe, Snettisham, Stow Bardolph, Tottenhill, Wormegay.

In addition to the Pre-Submission document, the following documents which provide information to support the policies in the Silica Sand Review have also been published:

- Revised Policies Map (illustrates the policies contained in the Norfolk Minerals and Waste Local Plan)
- Sustainability Appraisal Report (Parts A and B) (shows social, environmental and economic impacts of the Silica Sand Review)
- Sustainability Appraisal non-technical summary (summary of above)
- Habitats Regulations Assessment (of impacts on European-designated nature conservation sites)
- Pre-Submission Statement of Consultation (details consultees and their responses)
- Equality Impact Assessment (how different people will be affected by the Silica Sand Review process and policies)
- Flood Risk Sequential Test (demonstrates compliance with the requirements of paragraphs 100-101 of the National Planning Policy Framework)

These documents are available for public inspection, free of charge, within normal opening hours up to and including 27 June 2015, at all public libraries in Norfolk, and at:

- Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2SG
- Breckland District Council, Elizabeth House, Walpole Loke, East Dereham, NR19 1EE
- Broadland District Council, Thorpe Lodge, Yarmouth Road, Norwich, NR7 0DU
- Great Yarmouth Borough Council, Town Hall, Great Yarmouth, NR30 2QF
- Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, King's Lynn, PE30 1EX
- North Norfolk District Council, Holt Road, Cromer, NR27 9EL
- Norwich City Council, City Hall, Bethel Street, Norwich, NR2 1NH
- South Norfolk Council, South Norfolk House, Swan Lane, Long Stratton, NR15 2XE
- The Broads Authority, Yare House, 62-64 Thorpe Road, Norwich, NR1 1RY

All documents are also available on Norfolk County Council's website at [www.norfolk.gov.uk/nmwdf](http://www.norfolk.gov.uk/nmwdf) on the Silica Sand Review webpage.

Where possible the County Council would prefer representations to be made directly to [www.norfolk.gov.uk/nmwdf](http://www.norfolk.gov.uk/nmwdf); however responses by post, fax and email will also be accepted. The statement of the representations procedure and representations form is enclosed. A downloadable and printable representations form is available at: [www.norfolk.gov.uk/nmwdf](http://www.norfolk.gov.uk/nmwdf).

**All representations, using whatever method, must be made by 5pm on 27 June 2016.**

Representations may be accompanied by a request to be notified, at a specified address, of any of the following:

- that the Silica Sand Review has been submitted to the Secretary of State for independent examination by a Planning Inspector
- the publication of recommendations of the Planning Inspector appointed to carry out the independent examination of the Silica Sand Review
- the adoption of the Silica Sand Review

Following the end of the representations period, the Pre-Submission version of the Silica Sand Review, relevant background documents and the representations received will be submitted to the Secretary of State later in 2016, for public examination by a Planning Inspector.

Yours sincerely

**Caroline Jeffery**  
Principal Planner (Minerals and Waste Policy)

## 2.4 List of inspection points

**Table 2: Norfolk libraries**

Acle	Great Yarmouth	Poringland
Attleborough	Harleston	Reepham
Aylsham	Hellesdon	Sheringham
Blofield	Hethersett	Sprowston, Norwich
Brundall	Hingham	St William's Way, Norwich
Caister	Holt	Stalham
Costessey	Hunstanton	Swaffham
Cromer	King's Lynn	Taverham
Dereham	Loddon	Thetford
Dersingham	Long Stratton	Tuckswold
Diss	Martham	Watton
Downham Market	Mile Cross, Norwich	Wells
Earlham, Norwich	Mundesley	West Earlham, Norwich
Fakenham	North Walsham	Wroxham
Gaywood, King's Lynn	Norwich – Millennium	Wymondham
Gorleston	Library	
	Plumstead Road, Norwich	

**Table 3: Local Planning Authority inspection venues**

Norfolk County Council County Hall, Martineau Lane, Norwich, NR1 2SG	Great Yarmouth Borough Council Town Hall, Hall Plain, Great Yarmouth, NR30 2QF
North Norfolk District Council Council Offices, Holt Road, Cromer, NR27 9EN	Norwich City Council City Hall, Bethel Street, Norwich, NR2 1NH
Breckland Council Elizabeth House, Walpole Loke, East Dereham, NR19 1EE	Borough Council of King's Lynn & West Norfolk Kings Court, Chapel Street, King's Lynn, PE30 1EX
Broadland District Council Thorpe Lodge, 1 Yarmouth road, Norwich, NR7 0DU	South Norfolk Council South Norfolk House, Swan Lane, Long Stratton, NR15 2XE
Broads Authority Yare House, 62-64 Thorpe Road, Norwich, NR1 1RY	

## **2.5 Responses to the Pre-Submission representations period on the Single Issue Silica Sand Review of the Minerals Site Specific Allocations Plan**

The number of respondents to the Pre-Submission representations period is detailed in Table 4.

The majority of respondents to the Silica Sand Review were individuals objecting to AOS A. Of the 953 representations received objecting to AOS A, 349 of these representations were standard letters and a further 420 were reasons given for signing an online petition about the Silica Sand Review. A petition, objecting to AOS A, was also received with 2,572 signatures.

The main issues raised in the representations from organisations and individuals, on each section of the Pre-Submission document are contained in section 2.6.

The following specific consultation bodies responded to the representations period:

- Borough Council of King's Lynn and West Norfolk (see 2.6 for issues raised)
- North Norfolk District Council (no comment)
- Suffolk County Council (no comment)
- Broads Authority (no comment)
- Central Bedfordshire Council (considers the plan legally compliant and sound and raises no objection)
- South Downs National Park Authority (see 2.6 for issues raised)
- Norfolk County Council as Local Highway Authority (no comment)
- Environment Agency (considers the plan legally compliant and sound and has no comment)
- Historic England (see 2.6 for issues raised)
- Natural England (commented on Sustainability Appraisal and Habitats Regulations Assessment – see 2.6)
- Snettisham Parish Council (objected to AOS A – see 2.6)
- Ingoldisthorpe Parish Council (objected to AOS A – see 2.6)
- Dersingham Parish Council (objected to AOS A – see 2.6)
- Heacham Parish Council (objected to AOS A – see 2.6)
- Sedgeford Parish Council (objected to AOS A – see 2.6)
- Holme-next-the-Sea Parish Council (objected to AOS A – see 2.6)
- Middleton Parish Council (no comment)
- Anglian Water (commented on location of public water main within AOS F and AOS E – see 2.6)

The following general consultation bodies responded to the representations period:

- Norfolk Coast Partnership (objected to AOS A – see 2.6)
- Middle Level Commissioners (IDB) (no comment)
- Woodland Trust (welcomed the exclusion of land within 250 metres of ancient woodland)
- RSPB (commented on Areas of Search Policy – see 2.6)
- Mineral Products Association (see 2.6 for issues raised)
- Sibelco UK (see 2.6 for issues raised)
- Tharros Ltd (own approx. 250 hectares of land within AOS E and are supportive of the proposals to extraction silica sand within AOS E)

**Table 4. Pre-Submission representations period 2016: representations received**

Section name	Respondents	Objectors	Reps. in support	Reps Objecting	Reps commenting	Total Reps
Modification to para 2.7	2	2	0	2	0	2
New paragraphs after 3.5	3	2	0	2	1	3
Modification to Para 3.18	1	0	0	0	1	1
Modification to Para 40.1	1	0	0	0	1	1
Whole document	13	4	1	4	8	13
Policy SIL01	3	0	1	0	2	3
AOS A	878	876	0	953	2	955
AOS D	3	2	0	2	2	4
AOS E	4	0	1	0	4	5
AOS F	2	0	0	0	2	2
AOS I	2	1	0	1	1	2
AOS J	2	1	0	1	1	2
Areas of Search policy	6	3	0	4	5	9
Glossary	1	0	0	0	1	1
<b>Total</b>	<b>900</b>	<b>887</b>	<b>3</b>	<b>976</b>	<b>34</b>	<b>1010</b>

## 2.6 Main issues raised in response to the Pre-Submission representations period in 2016

### Modifications to the adopted Minerals Site Specific Allocations DPD

Modification to existing paragraph 2.7
<p><b>Sibelco</b> objected and said that paragraph 2.7 should be amended to state “Planning applications for the extraction of silica sand are therefore directed to the allocated Areas of Search <u>and</u> <u>specific sites.</u>”</p> <p><b>South Downs National Park Authority (SDNPA)</b> objected and said that the approach used to calculate the shortfall is not consistent with para 146 the NPPF and questioned the use of the previous 10 year sales average figures. SDNPA state that they are disappointed that Norfolk CC have not had any Duty to Cooperate discussions with them and may not have adequately co-operated with other authorities which may result in a failure to make an adequate contribution to the County’s need for silica sand.</p>
Modification to add paragraphs after existing 3.5
<p><b>Mineral Products Association</b> said that the use of separation distances to define areas of search may unnecessarily sterilise the mineral. The text should be changed to clarify that the distances used to define the areas of search are not stand-off distances for the purposes of development control. Any application partly or wholly within these areas would be considered on its own merits, subject to the findings of any EIA.</p> <p><b>Sibelco</b> said that there is no justification for the stand-off distances from SSSIs, ancient</p>

woodland, heritage assets and sensitive receptors, used to define the areas of search. They state these separation distances will needlessly sterilise the mineral. The distances used should be reconsidered and the text should be changed to clarify that separation distances are a matter for site specific assessment at the planning application stage.

**Historic England** stated that Paragraph 3.5 (g) 250 metres excluded area around a heritage asset is considered unsound. This is not consistent with paragraph 132 of the NPPF which deals with setting as a component of significance and the NPPF glossary definition accepts setting is not fixed. This renders a 250 metre fixed setting as at variance with this policy. To make this sound Paragraph 3.5 (g) of the modifications to the adopted plan should be amended to say that the areas of search were defined using the following methodology at (g) to include “designated heritage assets (listed buildings, scheduled monuments, registered historic parks and gardens, conservation areas) and their settings beyond a minimum threshold of 250m”

Historic England also stated that setting requires an assessment on a site by site basis and a 250 metre minimum buffer (i.e. exclusion) around a heritage asset is inflexible and avoids any consideration of site specific merits. We support the avoidance of impact based upon an understanding of significance and appreciate that a buffer zone seeks to achieve this. The issue, however, is that this avoids a robust assessment of setting. The GPAN 3 (The Setting of Heritage Assets) sets out a staged approach in the assessment of impact upon significance.

#### **Modification to existing paragraph 3.18**

The **Borough Council of King’s Lynn & West Norfolk** said there is a need to ensure that any planning permission within the specific site and the Areas of Search do not cause a breach of National Objectives for Air Quality or EU Limit values due to mineral extraction or associated transport.

#### **Modification to existing paragraph 40.1**

The **Borough Council of King’s Lynn and West Norfolk** said that whilst the areas of search have been defined by excluding land within 250 metres of sensitive receptors, paragraph 40.1 refers to residential properties on Gayton Road within 10 metres of the site boundary of MIN40.

### **Representations about the Silica Sand Review as a whole**

Individuals objected to the Silica Sand Review for the following reasons:

- The six week representations period was too short and the publicity was not effective. Complaints about the timing of the representations period near the EU referendum, Queen’s Birthday and Euro 2016.
- The proposals for 1,384 hectares within the areas of search is not proportionate to meet the estimated shortfall of 2.6 million tonnes of silica sand over the next ten years, which NCC equates to an area of 40 hectares.
- The two existing mine sites that have been excluded could have provided the required 20 hectares.
- The six new areas of search have been included using only the absolute minimum legal distances from strategic sites of archaeological, environmental, employment (tourism) and population importance. Due to the size of the areas of search compared to the amount of land needed additional safeguards could have been incorporated.
- Due to the health concerns about silica sand and links to silicosis the Silica Sand Review is an unwarranted infringement of Article 2 (right to life), Article 8 (respect for your private and family life, home and correspondence) and protocol 1 (right to peaceful enjoyment of your property) of the Human Rights Act of the several thousand local residents as it is not necessary and proportionate.
- The impact of mining for frack sand in Wisconsin causing very fine silica sand dust to blow over pastures and cause respiratory problems for local residents.

- The effect on landscape and tourism from mineral extraction.
- The impact of vehicle movements from extraction areas to the processing plant.
- Concerns about restoration of sites with reference to Bawsey Pits in terms of water quality, safety and anti-social behaviour.

### Specific Site Policy SIL01

**Sibelco** supports the inclusion of site SIL01 for future silica sand supply.

**Historic England** recommended the inclusion of non-designated heritage assets in paragraph S.2.

Historic England recommended additional text in the policy “The LVIA will include Scheduled Monuments and Listed Buildings and archaeological assets and non-designated assets as affected and their settings, together with suitable mitigation measures to address the impacts and conserve the significance of those assets.”

### AOS A - Land west of Snettisham, Ingoldisthorpe and Dersingham

**Norfolk Coast Partnership** objected due to the great diversity of constraints to development for mineral extraction identified. These include:

- the very open, isolated and rural character of the landscape which would make it very difficult to manage landscape impacts, including on the setting of the nearby Norfolk Coast AONB and nearby designated historic assets
- the existence of important but as yet only partially understood historic heritage features
- the existence of important but not fully documented geological features
- the proximity of County Wildlife sites
- the risk of coastal flooding, particularly in extreme events which are predicted to become more frequent as an effect of global climate change
- potential impacts on the River Ingol and local hydrology

There is also very significant local concern and opposition to allocation of this AoS.

All of this makes it very likely that any application for mineral extraction within this AoS would be very problematical and unlikely to be successful. It would not be effective to encourage potential developers to consider applying for planning permission in these circumstances.

**The Borough Council of King’s Lynn and West Norfolk** said that due to the sensitivities regarding the landscape and natural and historic environment at this location and the potential impact on tourism, it is important that effective public consultation is conducted for any forthcoming planning application in conjunction with a site specific HRA.

**Historic England** said that paragraph A.4 should be amended to also include reference to historic landscape studies/ characterisation work / archaeological studies. We specifically seek this qualification because of the large size of AOS A and the high levels of archaeological deposits and the relationship between them (i.e. their historic context).

**Holme-next-the-Sea Parish Council** objected on the basis of the representations made by Snettisham Parish Council at the Preferred Options stage, as follows:

The area relies principally on tourism and the peace and quiet is a main contributor to this. There are wildlife sites, designated areas, Commons, footpaths with views over open landscapes, all of which draw people to the area. 250 metres as an implied proximity delineator may be acceptable in urban, hilly or developed areas, but when the whole area under consideration has a flat, open aspect, this is nonsense. Mitigating features for landscape, noise and dust would have as much impact as the development itself.

Any development would detract from the Norfolk Coastal Path Trail along the beach, as the view from the footpath is from a point higher than any of the land in AOS\_A. There is already much access across the area, even where not on recognised PROWs, which would be limited by

development.

There is a huge variety of wildlife in the area and the world-renowned RSPB Snettisham reserve. One of the most extraordinary natural history spectacles in Britain is the overflying by vast flocks of birds over the whole area - any disturbance of this would be of great concern. The birds are not restricted to the RSPB site itself. "Likely significant effects" is how this is described; Council believes that is too great a risk.

Archaeological features are not adequately addressed.

We have concerns over the increasing interruptions to traffic flow on the A149 which are occurring along this entire route, this being the one remaining open stretch of road between Lynn and the Coast.

Flood Risk: The future of this area has been put in jeopardy by recent changes to the funding of sea defences. Residents are now being asked to fund the sea defences themselves. There is prohibition on new build allowed in the area. The speed of flows in the event of a breach of flood defences would be higher were there holes into which flood water could flow. As the site at highest flood risk it should be avoided at all costs.

In conclusion, we are totally opposed to any inclusion of AOS\_A in the Allocations Plan. We believe it to have no positive aspects at all. On the contrary we feel its certain impact on the local population, wildlife and general environment would be catastrophic, and its probable impact on the economy, transport, access, flooding and a range of other concerns make this the most unsuitable site for a large industrial development.

**Snettisham Parish Council** objected for the following reasons:

The large total area of search proposed compared to the amount of land required. The remaining areas of those currently under use would surely cover the ten-year supply requirement.

The proximity of SSSIs, AONBs, Ramsar and other sites of interest which virtually surround AOS A should be considered cumulatively.

Inclusion of land in an AoS is almost planning approval from NCC.

Difficulty in registering objections on the e-consultation website, including the need to register your details prior to making a representation.

Lack of awareness of landowners within the AoS that their land was included.

Over 30,000 visitors visit RSPB site in the summer as well as considerably more visitors to the beach. This needs to be added to the local population affected by the proposals.

Use of the word 'settlements' in the document does not suggest three villages with over 8,000 inhabitants.

High water table implies that the sand extracted would be wet. If transported wet this would lead to more lorries than estimated 200 a day. If dried on site this would be intrusive and noisy.

Pollution from HGV traffic.

Potential effect of extraction on water flow underground leading to subsidence of the A149.

Concern about impact of HGV traffic being diverted through villages if there is an accident on A149.

Additional 1000 homes planned from Dersingham to Hunstanton will add traffic to A149.

Existing difficulties for emergency vehicles to get to the QE Hospital.

A site in AOS A would not have direct access to the primary route network. There is a policy not to upgrade the A149.

Concern about silica dust being blown over the village and potential health risks.

There is an uninterrupted view of 2.5km or more across AOS A from the A149 to the sea and any interruption would be more than intrusive.

We have evidence of the presence of rare wildlife in the area which have various degrees of protected status including birds of prey (e.g. marsh harriers) and small mammals (eg water voles). A precautionary approach should be taken to protect the wildlife.

Potential loss of jobs in the tourist sector would outweigh any potential gains in the site itself.  
Would like an inquiry on AOS A to be held locally.

**Heacham Parish Council** objected for the following reasons:

Any access on to the A149 will have a serious adverse impact on a very busy main road especially during the summer months when it is not unusual for coastal traffic to be queued back to the south past the Dersingham Roundabout. Silica sand extraction will lead to a huge increase in the number of HGVs travelling in both directions every day. This will have a serious effect on the tourist industry in Snettisham, Heacham, Hunstanton and other settlements around the North Norfolk coast.

Extraction on the scale planned will have a detrimental effect on the wildlife and birds for many years to come with possibly no return.

The extraction and refining of Silica Sand is hazardous. The prevailing south westerly wind means any dust or other particles will have a detrimental effect on all the communities to the north of the site.

There has been no seasonal impact assessment made as to how this will affect the thousands of local residents or tourists who visit the area.

What are the mitigation measures to deal with any amenity impacts? Such measures must be adequate and imposed before any planning permission is granted.

A public inquiry must take place locally before any final decision on whether or not to proceed with this proposal is taken.

**Dersingham Parish Council** objected for the following reasons:

Parts of the village fall easily within 250m of the area of search and with the strong prevailing westerly wind dust and debris will blow frequently over the village. This will cause great distress to parishioners and affect their health. Exposure to this type of air pollution can have a long term effect on health and associated in particular with premature mortality due to cardio pulmonary affects. The young and old are more vulnerable to the effects of air pollution.

The Pre-Submission document states that access could be achieved on to the A149 by other existing side roads. The village does not have any side roads these are farm tracks and a bridleway. The bridleway is not within the search area. The visibility getting out of these tracks is not good and turning onto a busy road at 60mph and extra busy most of the year due to tourism. The village was denied access from Station Road when the bypass was built as it was deemed too dangerous. The road will soon become an accident blackspot and with every fatality on a Norfolk Road running to around 1 million pounds this is not economically viable. With Sibelco's estimated figure of 200 lorries a day the road will be a standstill and being the main road to Hunstanton traffic is going to start travelling through the village causing the Parishioner's even more harm, and the tourist trade will fade causing another blow to their lives.

The nitrogen dioxide and nitric oxides will build up from the slow moving vehicles the air will not be suitable to breathe. Many Parishioners have moved to Norfolk on retirement to get away from this. People will be moving on again if they can and communities will be threatened.

AOS A is largely described as an area of agricultural land with small areas of woodland and largely used for agriculture. The area in fact is made up of reed marsh, grassland ditches and drains. It is used primarily for grazing and riding horses.

Many Parishioners walk freely and allowing development would take this away. In the BC KL&WN 2015 document from Wild Frontier Ecology. It states that the most significant threat to sites of European importance was considered to be the multi-faceted and complex impacts arising from increased recreation and leisure. People walk their dogs here as the site is within one kilometre from the village. If these dogs cannot be exercised on this site this will force Parishioners to Dersingham Bog and possibly Roydon Common. These areas are already under maximum pressure with the current number of visitors.

Within the report there is no mention of wildlife on AOS \_A. Currently there are Water Voles, Marsh Harriers, Reed Buntings, Curlew, Yellowhammers, Skylarks and Barn Owls.

The effects on Dersingham are potentially very negative on the amenity and the biodiversity, the historic environment and landscape.

The distance from the processing plant at Leziate, compared to the other areas of search.

The risk of flooding should be taken into account.

The need for more lorries to carry the wet sand or a method of drying on site with the potential of creating more dust.

This proposal would have a detrimental effect on the village of Dersingham, the Parishioner's health, their leisure time, their surrounding ecology, their economy and their general way of life.

**Ingoldisthorpe Parish Council** objected for the following reasons:

Health impacts from dust due to the proximity of the village to the AoS. Concerns of a constant layer of dust on residents houses, cars and windows.

Impact on The Wash SSSI, SPA and SAC. Impact on Dersingham Bog SSSI and SAC. Unknown impact on migratory birds and their flight paths.

Increased traffic congestion in and around the Dersingham roundabout and increased traffic fumes. Effect of increased traffic on access to the hospital.

Pollution of the River Ingol if there is a flood.

Concern for the permanent Scout Camp on the beach, loss of business for local caravan sites and the impact on recreation and well-being of local people who walk in the area.

**Sedgeford Parish Council** objected for the following reasons:

It will have a detrimental effect on the villages along the A149 and add lorry movements onto what is already a very busy road, particularly in the summer season with tourists and in the winter with agricultural movement of crops. Any further junction onto the road can only cause increased interruptions to the traffic flow on the only open stretch of highway between King's Lynn and Hunstanton and the coast beyond. The increase in housing in the villages and Hunstanton will add pressure on this road which would add to the delays.

Any industrial site on this scale is going to lead to dust and noise. With the prevailing winds blowing predominately from west to east this will go back over the villages around. The designated area is an exposed windy site, often demonstrated when the wind blows the soil from the fields in dry periods.

The site is also in the flood risk/sea defence zone.

The proposed extraction works could have a detrimental effect on local wildlife, flora and fauna. The site contains areas of SSSIs and designated countryside areas including the Dersingham Bog and the Snettisham RSPB reserve. Large flocks of birds are seen circling in the sky over this area and any disturbance to these would be of great concern.

The area of countryside is unique in its nature and makeup and everything possible should be done to protect it. The effects on tourism could be great if people are put off coming to our beautiful location. This then has the knock on effect on local businesses that rely on that trade to survive and also employ local people.

Three types of standard letters were received from local residents. The **standard letters** contained objections to AOS A for the following reasons:

Increase in traffic volumes on the A149 which is an extremely busy and at times dangerous road and is often gridlocked from the Hardwick roundabout to Hunstanton during the holiday season.

Traffic will increase due to proposed housing developments at King's Lynn, Hunstanton and Heacham.

When the A149 bypass was built, access to the road from Station Road, Dersingham was blocked due to Highways concerns. However, the proposed access road will be very close, and HGVs leaving the site will have to cross the line of traffic to head to Leziate.

The populations of Ingoldisthorpe, Dersingham and Snettisham with heart and breathing conditions will have their symptoms exacerbated by the dust carried on the prevailing winds

which go east to west off the Wash. The area of search is an exposed windy position.

The AoS is in the flood risk/sea defence zone.

The extraction would have a detrimental effect on the local flora, fauna and wildlife. There are several SSSIs and designated countryside areas (Dersingham Bog and RSPB Snettisham reserve) in close proximity to the AoS. Many migrating birds flock to the area.

Local people have enjoyed access to the area for centuries and many walk to the coast to enjoy the views and see the wild animals, birds and plants that inhabit the area.

The area relies heavily upon tourism for its economy. Many businesses would be adversely affected if visitors are put off coming to the area due to traffic concerns or the industrialisation of our beautiful countryside.

A **petition** was received which objected to AOS A for the following reasons:

- \* Potential damage to wildlife & environment
- \* Impact on highways and road safety
- \* Damage to businesses, tourism & home owners
- \* Potential health risk eg from wind dispersal
- \* Impact on local population in surrounding villages
- \* Inefficiency and cost

This is a major tourist area which attracts thousands of visitors all year round. It is surrounded by areas of particular importance including SSI sites, AONB sites and areas of archaeological importance, as well as being an area within the region's flood/sea defence risk zone."

In addition to the issues raised by the Parish Councils and within the standard letters, **local residents also raised the following issues:**

Objections because of the loss of agricultural land to silica sand extraction

Concerns that silica dust will cause Silicosis in the local population

Concerns that silica sand is carcinogenic

Concerns that the silica sand extracted could be used in fracking

Concerns that a silica sand extraction site would have a negative effect on house prices and land prices

The Lidl Heacham planning application was refused to avoid disruption from additional traffic on A149, so why would additional lorry movements due to a silica sand extraction site be acceptable?

The Ridgeons planning application at Snettisham was refused due to the number of lorries that would be turning onto the A149, so why would it be acceptable for a silica sand extraction site to have lorries turning onto the A149?

Concerns that AOS A would include a processing plant or 'refinery' for silica sand

Concerns that silica sand is toxic

Objections on the grounds of impacts on hydrology and the water table from silica sand extraction, including potential impacts to the Snettisham RSPB reserve lakes, Shepherds Port fishing lakes sailing lakes, and the River Ingol as chalk bed stream.

Questions about who owns the land within AOS A, why some landowners within AOS A were not aware of the Silica Sand Review and concerns that the land would be compulsory purchased for silica sand extraction.

Objections questioning the need for silica sand extraction in Norfolk

Concerns about how a silica sand extraction site will be restored

Objections on the grounds that tourists visit the area for wildlife, bird watching and the countryside

Objections on the grounds that 250 metres is too near for silica sand extraction to take place to people's homes

Objection on the grounds that the Habitats Regulations Assessment (HRA) does not provide evidence as to why the quantity of land surrounding the proposed AOS A will be sufficient to avoid a likely significant effect on the Wash SPA due to loss of high tide roosting sites and foraging habitat. Silica sand extraction would also cause a disturbance to the rest of the foraging land.

Photographs provided that AOS A is home to breeding populations of several at-risk species, including: water vole, marsh harriers, skylark, reed bunting, sedge warbler, barn owl and stonechat.

Whilst the impact on wildlife from one extraction site could be argued to be minimal, over time a number of planning applications for silica sand extraction could lead to a piecemeal approach where site after site gains approval, albeit with restrictions and mitigation clauses, until gradually the whole AOS becomes degraded for its wildlife value.

Objections on the grounds that it could be cheaper to import silica sand from abroad than extract it in Norfolk.

Objections on the grounds that the whole area of search will be extracted for silica sand.

Concerns that people living near another silica sand site in Norfolk are being paid by the mineral operator to have their cars and windows cleaned every week due to dust.

Objections on the grounds of impacts on Snettisham Beach, Snettisham Beach Sailing Club and the Snettisham Scout camp on Beach Road, from silica sand extraction within AOS A.

Objections on the grounds of impacts on the views of AOS A from the coastal footpath and Chalk Pit Road

Objections due to the location of the AOS A in relation to the Norfolk Coast AONB. A representation noted that the AONB Management Plan Strategy 2014-19 contains a vision for the AONB in 2034 which includes the following: *“Necessary development, including outside the area and in the marine environment, will have been managed so that the area will still be essentially unspoilt with a strong feeling of remoteness, peace and tranquillity...”*

Objections on the grounds of health impacts on the Royal family at Sandringham and Anmer

Objections on the grounds that Green Belt land should not be used for silica sand extraction

Objections on the grounds that extraction could take place 24/7 leading to noise and light pollution

Objections on the basis of a planning application for silica sand extraction at AOS A

Objections on the grounds of noise of extraction, including reversing beepers

Concerns that silica sand extraction in AOS A would increase flood risk because of the water absorbing qualities of sand

Concerns that the Areas of Search have been defined and assessed using a desktop analysis only and have not been visited by officers.

Objection that the Silica Sand Review could have allocated preferred areas, but allocated areas of search instead.

Five landowners of a total of six hectares within AOS A, objected to AOS A and said that were not willing for their land to be used for silica sand extraction.

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

**Historic England** said that the southern section of AOS D (i.e. south of West Bilney Wood) is too close to Pentney Priory and would harm the setting of the Grade I Listed Buildings and Scheduled Monument. They could not envisage that any workings within this section could be acceptably mitigated. Therefore the southern section of the AOS should be deleted and the removed section should include some of the managed forest to utilise its existing screening effect.

Historic England requested additional text to be included in paragraph D.4 as follows: “The area of search must be informed by an appropriate historic landscape/characterisation study and archaeological studies to inform the understanding of significance within and between designated and non-designated heritage assets. The conservation and protection of Pentney Priory within its setting is a matter of acknowledged importance.”

**Local residents** objected AOS D for the following reasons:

- Common Road is narrow, has no pavement or kerb and lacks any passing places or refuges for pedestrian, cyclists etc. The road is unsuited to additional heavy traffic which would have great difficulty passing on the road. Existing HGVs passing on the road erode the verges. There is a blind corner where the road crosses the trout stream at the Old Lodge which is unsafe. There would be a constant flow of heavy traffic along a road with households along it. The road has flooded right across several times this year. The junction with A47 would need major change for the extra traffic, it is already the site of numerous accidents.
- Using the asphalt plant’s track along the Nar and joining the A47 via Mill Drove / East Winch Road would affect far fewer people. Alternative accesses should be considered.
- Extra traffic on the route to Leziate would cause disruption.
- The proposed changes would have a major impact on the local landscape. Significant disruption to many forms of wildlife would result from mineral extraction.

## AOS E –land to the north of Shouldham

**Anglian Water** said that there is a public water main within the boundary of AOS E and it is preferable for the water main to be excluded from the AOS. Anglian Water assets are protected by provisions of schedule 14 of the Water Industry Act 1991. If the water main is not excluded then this should be drawn to the attention of applicants and referenced in the AOS Policy.

**Historic England** said that the area of search characteristics should be amended to include the following bullet point: “A number of high value heritage assets, including scheduled monuments, listed buildings and non-designated heritage assets of archaeological interest.”

Historic England said that paragraph E.3 should be amended to state: “The area of search must be informed by an appropriate historic landscape characterisation and archaeological study to inform the relationship of land area to work with the conservation and protection of settings and context relationships that protect the setting of Pentney Priory, a scheduled monument and two Grade I listed buildings”.

Historic England conclude that the area of search is drawn too broadly and lacks any robust understanding of its impact upon the setting and contextual relationship between a number of heritage assets. To make this area of search sound would require either its deletion or its reconsideration as a result of further assessment work to inform the evidence base. In accordance with Historic England GPA 1 on settings.

Historic England said that paragraph E.5 should be amended to include the following text: “The area of search must be informed by an appropriate settings study to inform the understanding of significance within and between designated and non-designated heritage assets which surround this area of search.”

Historic England said they are concerned that an application within the AOS will tend to confine its heritage statement/assessment to the red line application area and not the relationship to the wider area. That could be resolved and if the County Council are minded to pursue AOS E then it is recommended that any application coming forward undertakes a heritage assessment of the whole AOS area. This will allow an assessment of setting and context. It would also be beneficial to plot designated and non-designated heritage assets.

**Tharros Ltd** said that they own approx. 250 hectares of land in AOS E and as a landowner the company is supportive of the proposal to extract silica sand within the AoS.

### **AOS F – land to the north of Stow Bardolph**

**Anglian Water** said that there is a public water main within the boundary of AOS F and it is preferable for the water main to be excluded from the AOS. Anglian Water assets are protected by provisions of schedule 14 of the Water Industry Act 1991. If the water main is not excluded then this should be drawn to the attention of applicants and referenced in the AOS Policy.

**Historic England** requested paragraph F.3 to be amended to refer to the need to assess cumulative impacts on the historic environment consistent with policy DM15.

### **AOS I – land to the east of South Runcton**

The **Borough Council of King’s Lynn & West Norfolk** requested a change to the AoS Policy to add specific consideration of potential cumulative impact between sites within AOS I and AOS J.

**Historic England** requested additional text at the end of paragraph I.3 “...and proposing mitigation measures that conserve the significance of the heritage asset which may include screen planting, bunding and other landscape measures”.

### **AOS J – land to the east of Tottenhill**

The **Borough Council of King’s Lynn & West Norfolk** requested a change to the AoS Policy to add specific consideration of potential cumulative impact between sites within AOS I and AOS J.

**Historic England** requested additional text at the end of paragraph J.3 “...and proposing mitigation measures that conserve the significance of the heritage asset which may include screen planting, bunding and other landscape measures”.

### **Areas of Search Policy**

**Historic England** recommended additional policy text as follows:

(3<sup>rd</sup> bullet) “The LVIA will include the Norfolk Coast AONB, Core River Valleys, Scheduled Monuments and non-designated heritage assets of archaeological interest, Listed Buildings and Conservation Areas and their settings where appropriate, together with suitable mitigation measures to manage change to a significant place in its setting in ways that will best sustain its heritage values.”

(4<sup>th</sup> bullet) “A Heritage Statement to identify heritage assets and their settings, assess the potential for impacts and identify appropriate mitigation to sustain heritage values if required.....The completed statement will comply with the requirements of policies CS14, DM8, DM9 and DM15.”

**Sibelco** and the **Mineral Products Association** objected and said that the start of the policy should “...require any planning application within the AoS to address, as appropriate, the

requirements below” instead of “to address, in particular, the requirements below” because the current wording pre-empts the findings of any scoping exercise.

**Sibelco** and the **Mineral Products Association** objected and said that the first bullet point of the policy should be amended to state “... to meet the requirements of new or existing processing plant and equipment or any new capital expenditure (as set out in the NPPF)”.

**RSPB** said that they strongly support the ecological protection and restoration measures set out in the plan, but note concern over the wording of the areas of search policy and recommend additional wording to clarify that the AoS Policy only provides policy support to ensure that the remainder of the silica sand shortfall in the Minerals Plan can be met.

**BC KL&WN** said that the Areas of Search Policy should contain a requirement for an air quality assessment compliant with policy DM13.

**BC KL&WN** objected to the AoS Policy for the following reasons:

It must be assumed that if an AoS is identified that there is the prospect that it could be fully used into the future for the extraction of silica sand and therefore there should be an appreciation of the ultimate in use and post use states.

The use of these locations within the countryside will have significant impacts on the local landscape, and the perceptions of the character of those areas. Whilst the Silica Sand Review makes extensive reference to viewpoints and visibility, there is a more general point about the physical change and the associated traffic and character impacts that will occur over a significant period of time.

It is not clear that any of the assessment measures adequately consider the 'character' of the locality as perceived by local residents and that this perspective has been taken into account. Significant effort has been put into considering more site focussed and localised impacts, but the wider impact is played down. The drained and open coastal marshes around the Snettisham area in the north of the Borough whilst not all in the AONB, is a significant asset to the Borough. Any diminution of the character type diminishes the wider value. It should clearly be demonstrated that impacts on the tourism economy are taken into account and this vital industry in the area will not be detrimentally affected.

Some of the AoS are hundreds of hectares in size. If an area of 40 hectares is what is required to 2026 the potential blight for a far wider area for a far longer period is unrealistic. The total AoS amounts to some 1400 hectares. The search is unfocused and would cause undue stress to communities in the prospective areas. It is irresponsible to identify such wide areas for a much smaller area of need.

There is no guarantee that operators are actually willing to investigate or develop these areas. It is intrinsically unreliable to accept as evidence of viability that landowners have not asked for these sites to be excluded. Positive evidence of deliverability must be demonstrated.

The Plan accepts that the material extracted will need to be taken by road to be processed at Leziate. From the north a main artery is the A149, and B1145. The A149 is accepted to be part of the strategic route network, but it is also significantly congested in peak summer months. To add to this enough lorry journeys capable of replicating the entire trainloads of material conveyed from Leziate could cause significant detriment to visitors and local traffic. A wider appreciation is necessary before an 'in principle' acceptance in the Plan is given. From the southern AoS the A10 or A134 are the routes proposed to be used, presumably passing through the Hardwick junction. Again to rely on the fact that the routes are primarily designated lorry routes would seem to miss the point. Whilst they may be of a certain standard they carry significant amounts of other traffic, at the moment they are a recognised trouble spot in visitor terms.

Transport and landscape character are listed in the Areas of Search policy, but these miss a wider point about impacts on the area. Whilst these matters are expressed in the policy to be addressed, the potential detailed outputs are so fundamental to the impact, and stress for local

communities, that they should be undertaken before an area can be designated as an AoS. A transparent interrogation of the outcomes could take place rather than as currently envisaged items to be addressed when an application is made.

The BC KL&WN commented on the need for any planning application to include a full assessment of noise in line with the Planning Practice Guidance, including works to attenuate noise and working hours. They noted that the noise limits set in the PPG are generous in terms of the allowable levels of noise. In many of the areas of search the background noise levels are likely to be considerably lower than the maximum of 55dB LAeq 1hr. In addition they would normally consider an increase of up to 10dB (LA90, 1h) in noise levels as indicator that complaints are likely to be received. Whilst in planning terms we will expect compliance with the PPG this would be the minimum control expected and would not necessarily protect the operator from action under the Environmental Protection Act 1990 should justified complaints of Statutory Nuisance be received.

## Glossary

**Historic England** recommends the inclusion of ‘context of a heritage asset’ to be defined as “any relationship between a place and other places, relevant to the values of that place.” This is important in the Silica Sand Review due to the inter-relationship between historic assets and their setting, including landscapes that surround and link them.

Historic England recommends the inclusion of ‘significant places’ because this term covers both designated and non-designated heritage assets.

## Supporting documents

### Sustainability Appraisal

**Natural England** stated that it is generally satisfied that the Sustainability Appraisal is thorough and has been assessed correctly in relation to the natural environment.

### Habitats Regulations Assessment – Task 1 Screening

**Natural England** stated that it did not have any further comments to make on this document.

### Habitats Regulations Assessment – Task 2 Appropriate Assessment

**Natural England** stated “Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, subject to the mitigation measures (as outlined under 3.4 under page 2-13 of the report) being secured in any subsequent permissions given for the extraction of silica sand within AOS A. For clarity, we recommend that text be added which states that any future planning applications would need to be accompanied by a project level HRA, in AOS A or for the site specific allocation SIL01.

### **3. 'Pre-Submission Addendum: Modifications' representations period 2016**

The 'Pre-Submission Addendum: Modifications' was published for representations to be made on the soundness and legal compliance of the modifications.

The Modifications to the Pre-Submission document can be summarised as follows:

1. Amending the southern boundary of Area of Search AOS D (located in the parishes of East Winch & Pentney) to move it northwards to within the existing woodland.
2. Area of Search AOS A (located in the parishes of Ingoldisthorpe, Snettisham & Dersingham) is no longer allocated and will therefore be deleted from the Silica Sand Review. No replacement Areas of Search are proposed for silica sand extraction.
3. Amending the Areas of Search Policy requirements for a Landscape and Visual Impact Assessment and Heritage Statement.
4. Amending the Specific Site Allocation Policy SIL01 requirements for a Landscape and Visual Impact Assessment.

The representations period ran for six weeks from 14 September to 27 October 2016 and used the following methods of engagement:

- A letter/email was sent to the consultees (a copy of the letter and the list of consultees can be found in this document)
- The documents were made available on the County Council's website
- An e-consultation portal on the County Council's website enabled direct online responses to be made
- Copies of the documents were available for public viewing at 47 libraries, and nine Local Planning Authority offices (including County Hall)

**3.1 'Pre-Submission Addendum: Modifications' representations period 2016:  
list of consultees**

**a. Specific consultation bodies (same as list in section 2.1 a and Table 1)**

**b. General consultation bodies; and**

**c. Other consultation bodies** (residents or other persons carrying on business in the LPA) (same as list is section 2.1 b and c, including mineral operators, land agents/consultants, )

**Local residents**

We also wrote to over 800 individuals. These people were contacted either because:

- they had responded to the Pre-Submission representations period of the Silica Sand Review; or
- they had responded to earlier consultations regarding proposed silica sand extraction sites during the production of the Minerals Site Specific Allocations DPD; or
- their address was outside a settlement and in close proximity to one of the six allocated areas of search or the specific site contained in the Pre-Submission document.

**County Councillors at the time of the Pre-Submission Addendum:  
Modifications representations period** (same as list of County Councillors at the time of the Pre-Submission representations period)

## 3.2 Public notice of consultation in EDP on 16 September 2016

**Norfolk County Council**  
**Town and Country Planning (Local Planning) (England)**  
**Regulations 2012**  
**Norfolk Minerals and Waste Local Plan:**  
**Minerals Site Specific Allocations Development Plan**  
**Document (DPD)**

**Single Issue Silica Sand Review**

**Publication of Pre-Submission Addendum: Modifications**

Norfolk County Council, as part of its work on 'Minerals Site Specific Allocations DPD – Single Issue Silica Sand Review' has prepared Modifications to this document.

The Modifications can be summarised as follows:

1. Amending the southern boundary of Area of Search AOS D (located in the parishes of East Winch & Pentney) northwards to within the existing woodland.
2. Area of Search AOS A (located in the parishes of Ingoldisthorpe, Snettisham & Dersingham) is no longer allocated and will therefore be deleted from the Silica Sand Review. No replacement Areas of Search are proposed for silica sand extraction.
3. Amending the Areas of Search Policy requirements for a Landscape and Visual Impact Assessment and Heritage Statement.
4. Amending the Specific Site Allocation Policy SIL01 requirements for a Landscape and Visual Impact Assessment.

Further information is provided in the Modifications document.

In Norfolk, the silica sand resource occurs entirely within West Norfolk.

The 'Pre-Submission Addendum: Modifications', including associated changes to supporting documents, are published to enable representations to be made about the soundness (whether it is justified, effective, positively prepared and consistent with national policy) and legal compliance of the modifications.

The period for making representations on the 'Pre-Submission Addendum: Modifications' is between **9am on 14 September 2016 and 5pm on 27 October 2016**. Only the modifications are subject to this representations period, so any representations on other matters will not be accepted. Any previously made representations do not need to be repeated if they are unchanged. Any representations on the Modifications must be received during the representations period; late representations will not be accepted.

The Pre-Submission Addendum: Modifications' document and the representations form can be viewed on the Norfolk County Council website at [www.norfolk.gov.uk/nmwdf](http://www.norfolk.gov.uk/nmwdf) on the Silica Sand Review page. Representations can be made on the relevant section of the 'Pre-Submission Addendum: Modifications' online. Direct online representations are the preferred method of response.

Representations can also be sent by email, post or fax to the following address: Planning Services, Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2DH

Email: [LDF@norfolk.gov.uk](mailto:LDF@norfolk.gov.uk)

Fax: 01603 223219 (marked for the attention of Planning Services)

If you have any queries please call 0344 800 8020.

Copies of the documents will be made available for inspection, within normal opening hours, at all the public libraries throughout Norfolk during the representations period and are available from Planning Services, Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2DH. Copies will also be made available for public inspection, during office hours, at:

Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2DH

Breckland District Council, Elizabeth House, Walpole Loke, East Dereham, NR19 1EE

Broadland District Council, Thorpe Lodge, Yarmouth Road, Norwich, NR7 0DU

Great Yarmouth Borough Council, Town Hall, Great Yarmouth, NR30 2QF

Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, King's Lynn, PE30 1EX

North Norfolk District Council, Holt Road, Cromer, NR27 9EL

Norwich City Council, City Hall, Bethel Street, Norwich, NR2 1NH

South Norfolk Council, South Norfolk House, Swan Lane, Long Stratton, NR15 2XE

The Broads Authority, Yare House, 62-64 Thorpe Road, Norwich, NR1 1RY

After the period for making representations finishes, the next stage in the preparation of the 'Minerals Site Specific Allocations DPD – Single Issue Silica Sand Review' is submission to the Secretary of State, which is planned to take place later in 2016.

Representations may be accompanied by a request to be notified, at a specific address, of any of the following:

- That the Minerals Site Specific Allocations DPD – Single Issue Silica Sand Review has been submitted to the Secretary of State for independent examination by a Planning Inspector
- The publication of recommendations of the Planning Inspector appointed to carry out the independent examination of the DPD
- The adoption of the Minerals Site Specific Allocations DPD – Single Issue Silica Sand Review

### 3.3 Wording of letter/email to consultees inviting comments

#### **Norfolk Minerals Site Specific Allocations Development Plan Document (DPD): Single Issue Silica Sand Review – Pre-Submission Addendum: Modifications Invitation to make representations**

I am writing to inform you that the County Council, as part of its work on the Single Issue Silica Sand Review of the adopted Minerals Site Specific Allocations DPD, has prepared Modifications to the Pre-Submission document.

The Modifications can be summarised as follows:

1. Amending the southern boundary of Area of Search AOS D (located in the parishes of East Winch & Pentney) to move it northwards to within the existing woodland.
2. Area of Search AOS A (located in the parishes of Ingoldisthorpe, Snettisham & Dersingham) is no longer allocated and will therefore be deleted from the Silica Sand Review. No replacement Areas of Search are proposed for silica sand extraction.
3. Amending the Areas of Search Policy requirements for a Landscape and Visual Impact Assessment and Heritage Statement.
4. Amending the Specific Site Allocation Policy SIL01 requirements for a Landscape and Visual Impact Assessment.

Further information is provided in the Modifications document.

In Norfolk, the silica sand resource occurs entirely within West Norfolk.

The 'Pre-Submission Addendum: Modifications', including associated changes to supporting documents, has been published to allow representations on the soundness (whether it is justified, effective, positively prepared and consistent with national policy) and legal compliance of the modifications to be made, over a six week period, between **9am on 14 September and 5pm on 27 October 2016** (inclusive). Only the modifications are subject to this representations period, so any representations on other matters will not be accepted. Any previously made representations on these matters do not need to be repeated if they are unchanged. Any representations on the modifications must be received during the representations period; late representations will not be accepted.

The 'Pre-Submission Addendum: Modifications' is available for public inspection, free of charge, within normal opening hours up to and including **27 October 2016**, at all public libraries in Norfolk, and at:

- Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2DH
- Breckland District Council, Elizabeth House, Walpole Loke, East Dereham, NR19 1EE
- Broadland District Council, Thorpe Lodge, Yarmouth Road, Norwich, NR7 0DU
- Great Yarmouth Borough Council, Town Hall, Great Yarmouth, NR30 2QF
- Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, King's Lynn, PE30 1EX
- North Norfolk District Council, Holt Road, Cromer, NR27 9EL
- Norwich City Council, City Hall, Bethel Street, Norwich, NR2 1NH
- South Norfolk Council, South Norfolk House, Swan Lane, Long Stratton, NR15 2XE
- The Broads Authority, Yare House, 62-64 Thorpe Road, Norwich, NR1 1RY

The 'Pre-Submission Addendum: Modifications' is also available on Norfolk County Council's website at [www.norfolk.gov.uk/nmwdf](http://www.norfolk.gov.uk/nmwdf) on the [Silica Sand Review webpage](#).

Where possible the County Council would prefer representations to be made directly to [www.norfolk.gov.uk/nmwdf](http://www.norfolk.gov.uk/nmwdf); however responses by post, fax and email will also be accepted. A downloadable and printable representations procedure and form is available at

[www.norfolk.gov.uk/nmwdf](http://www.norfolk.gov.uk/nmwdf) on the Silica Sand Review webpage.

**All representations, using whatever method, must be made by 5pm on 27 October 2016.**

Representations may be accompanied by a request to be notified, at a specified address, of any of the following:

- that the Silica Sand Review has been submitted to the Secretary of State for independent examination by a Planning Inspector
- the publication of recommendations of the Planning Inspector appointed to carry out the independent examination of the Silica Sand Review
- the adoption of the Silica Sand Review

Following the end of the representations period, the 'Minerals Site Specific Allocations DPD – Single Issue Silica Sand Review', and the 'Pre-Submission Addendum: Modifications', along with relevant background documents and the representations received will be submitted to the Secretary of State later in 2016, for public examination by a Planning Inspector.

Yours sincerely

**Caroline Jeffery**

Principal Planner (Minerals and Waste Policy)

### **3.4 List of inspection points**

Norfolk libraries (see Table 2)

Local Planning Authority inspection venues (see Table 3)

### **3.5 Responses to the 'Pre-Submission Addendum: Modifications' representations period**

The number of respondents to the 'Pre-Submission Addendum: Modifications' representations period is detailed in Table 5.

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 are contained in section 3.6.

The following specific consultation bodies responded to the representations period:

- Borough Council of King's Lynn and West Norfolk (supported all four modifications – see 3.6)
- Kent County Council (supported the approach taken in the Silica Sand Review, but had no comments to make on the modifications - see 3.6)
- 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 3.6)
- Old Catton Parish Council (no comments)
- Middleton Parish Council (objected to traffic movements from AOS D to the processing plant – see 3.6)
- East Winch Parish Council (objected to AOS D – see 3.6)
- Natural England (considered the proposed modifications to be sound and justified and commented on the Habitats Regulations Assessment and Sustainability Appraisal Report – see 3.6)
- Historic England (supported the modifications to the Areas of Search Policy, Policy SIL01, and to the boundary of AOS D – see 3.6)
- Anglian Water Services Ltd (commented on the location of the water main in relation to AOS D - see 3.6)

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 3.6)
- 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 3.6)

**Table 5: 'Pre-Submission Addendum: Modifications' representations period 2016: representations received**

<b>Document Section</b>	<b>Respondents</b>	<b>Objectors</b>	<b>Reps. in support</b>	<b>Reps Objecting</b>	<b>Reps commenting</b>	<b>Total Reps</b>
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
Habitats Regulations Assessment	1	0	0	0	1	1
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>

### **3.6 Main issues raised in response to the 'Pre-Submission Addendum: Modifications' representations period in 2016**

#### **Modifications as a whole**

<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>
<p><b>Natural England</b> considers the proposed modifications to be sound and justified.</p>
<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.</p> <p>The matters considered in the Pre-Submission Addendum, are now considered to have been satisfactorily addressed with regard to the historic environment.</p>

#### **Actions to be taken**

<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. 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). This is also at odds with the Inspector's report dated 22nd July 2013</p>
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## Not allocating Area of Search A

**Borough Council of King's Lynn and West Norfolk** said that the change to delete AOS A is supported because they objected strongly to this area of search.

**Sibelco UK Ltd and Mineral Products Association** 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.

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.

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.

AOS A is outside the AONB. 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.

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. The remaining areas of search would only provide sufficient land for future silica sand extraction if there is proven to be sand of suitable quality for glass manufacture in these areas.

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.

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.

There is no evidence that NCC has consulted on the proposed modifications with other relevant MPAs in accordance with the duty to cooperate.

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

**Historic England** 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.

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 and stated that it should be included within Paragraph D.4 to ensure that any future planning application is supported by an appropriate understanding of the historic environment.

**Borough Council of King's Lynn and West Norfolk** said that they support the change as it will add a more reasonable boundary to AOS D.

**Anglian Water Services Ltd** 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.

**Mineral Products Association** 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. The 'significant barriers' to the grant of a future planning application have not been detailed. The modification does not reflect the sustainability appraisal.

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.

**East Winch Parish Council** said their letter puts forward the views of the residents of East Winch and West Bilney, expressing concern about AOS D.

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, pedestrians and dogs.

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 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.

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?

Has NCC considered other routes and other methods of transport?

West Bilney residents, living close to or right in the middle of the area of search have other concerns as well.

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.

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.

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.

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.

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.

f) Property values will be blighted for the next ten years and during the period of excavation. Astonishment that different criteria appear to apply to West Bilney and to the Snettisham/ Dersingham areas.

There is no objection to the modification, as far as the reduction of the area of search is concerned.

**Leziate Parish Council** objects to the potential route from AOS D to the Leziate processing plant because of impact on the major routes to 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.

**Middleton Parish Council** 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?

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?

**King's Lynn Mountain Bike Club** objected on the basis that they arrange two social rides per week, either at West Bilney or Shouldham 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?

In addition to the issues raised by the Parish Councils, **local residents also raised the following issues:**

A petition was received which objected to silica sand extraction within AOS D as follows:  
“The woods should be protected to preserve the trees, plants and wildlife that live within, and for the local people that enjoy it.

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.”

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 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.

Objections to the use of Common Road for access for the following reasons:

- It is a single road lane with no footpaths.
- 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
- 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.
- 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.

Concerns about an increase in air pollution from increased HGV traffic movements and dust in the local area.

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.

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.

Objections due to the following transport reasons:

- 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.
- Additional lorries would increase traffic problems on A47. The volume of traffic on A47 is already stretched to the limit.
- Objections to any increase in heavy vehicle traffic on Common Road, the A47, B1145 or the Gayton Road.

- The junction between Common Road and A47 is dangerous for lorries to turn and would cause traffic on A47 to stop.
- Additional traffic would increase the time taken to wait to turn out of Common Road onto the A47.
- 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.
- 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.
- Concerns that junctions on the proposed route from AOS D to the processing plant are dangerous already.
- 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.

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.”

Concern about adverse impacts on East Winch Common SSSI and County Wildlife Sites.

Concern that junction improvements from Common Road onto A47 would adversely affect the SSSI.

Concerns about an unknown impact of particles that are likely to be emitted on the agricultural land.

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.

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.

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.

Concerns that once extraction has taken place it would be an open scar on the local landscape, with no public access.

Would the extraction site become a landfill site?

Concerns about increased noise for local residents from extraction operations.

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.

Concerns that local residents of Common Road and Denton’s Farm were not notified about the Silica Sand Review.

Concerns that the residents of Pentney Lakes were not notified about the Silica Sand Review.

Concerns that the communities of East Winch and West Bilney have not been consulted.

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.

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.

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.

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.

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.

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?

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.

Objection on the grounds that properties near to AOS D would be hard to sell and property values would drop.

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.

Concerns that this close and friendly community will be cut in half, with some on one side of the quarry, others on the other.

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.

The detrimental impact on the neighbourhood and landscape, would far outweigh the value of the sand extracted.

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.

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.

Pentney Lakes complex currently consists of 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.

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.

Objections on the grounds of the destruction of good agricultural land

A representation quoted sections from the Forestry Commission 'Shouldham and Bilney Forest Plan 2016-2026' (signed in April 2016) regarding public access to the countryside for recreation, to improve quality of life, habitat for nightjars, and the historic environment.

Concerns about the destruction of trees and hedgerows adjacent to the road side.

Objection due to significant damage to the visual impact on the local area. One of the key 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.

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.

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.

Many quarries not restored as was promised when planning permission was granted.

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.

### **Areas of Search Policy**

**Borough Council of King's Lynn and West Norfolk** said that they support the change to the policy.

**Historic England** 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.

### **Specific Site Allocation Policy SIL01**

**Borough Council of King's Lynn and West Norfolk** said that they support the change to the policy.

**Historic England** 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.

**Sibelco UK Ltd** 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.

**Mineral Products Association** 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 proposed amendments to the bullet point regarding a Landscape and Visual Impact Assessment.

### **Habitats Regulations Assessment**

**Natural England** 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.

### **Sustainability Appraisal**

**Natural England** 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.