

Norfolk Minerals Site Specific Allocations DPD: Single Issue Silica Sand Review

Statement by Norfolk County Council

Response to Historic England's Statement of March 2017 regarding Area of Search E

We enclose the following documents, which use publicly available historic environment data overlaid with the boundary of AOS E, to be added to the examination library as document G100:

- Designated Heritage Assets
- ArcGIS online satellite image (present day)
- Norfolk Historic Environment Record (HER) map
- Norfolk Historic Landscape Character (NHLC) map
- Norfolk aerial photographic record 1988
- Norfolk aerial photographic record 1946
- Ordnance Survey 2nd edition 1905
- Ordnance Survey 1st Edition 1884 Map
- Norfolk County Records Office Tithe Map

The Norfolk County Council Historic Environment Service has the following comments to make on the statement from Historic England:

Introduction

Historic England is currently unable to support the allocation of Area of Search E (AoS E) as they believe any "applications coming forward within it are likely to cause substantial harm to the historic significance of the landscape". Their objection is based on the following concerns:

- AoS E lies within a well preserved medieval monastic landscape with high evidential, social and historical value, a landscape that contains Shouldham Warren.
- AoS E lies within an area of high archaeological potential.
- A Heritage Impact Assessment and Historic Landscape Characterisation have been requested by Historic England but not provided by Norfolk County Council.

Norfolk County Council Historic Environment Service (HES)'s advice deals with each of these concerns in turn.

The medieval monastic landscape

As explained in Historic England's statement, the area around AoS E contains a large number of the medieval monastic sites, including Blackborough Priory, Marham Abbey, Pentney Priory and Wormegay Priory. Shouldham Priory, close to the southern boundary of AoS E, can be added to this list (G100 - map Designated Heritage Assets). Such a high concentration of medieval monastic sites (all of which are nationally significant Scheduled Monuments) in a limited area is unusual, but not unparalleled. The River Nar (which is to the north of AoS E) was a particular focus, with another concentration at Castle and West Acre. Other Norfolk concentrations include those in Norwich and Thetford.

The decision by a number of medieval monastic orders to settle in remote locations is well documented. Some of the monastic houses close to AoS E appear to have chosen remote locations, with both Pentney and Wormegay sited on dry-land islands amongst surrounding fen land (Pestell 2004, 207-208). As a result, it is possible these religious communities saw their surrounding landscape in the terms of fen-land and isolation, rather than in the context of grouping around the higher land now known as Shouldham Warren.

Rather than being in isolated locations, Shouldham Priory and Marham Abbey were located within or adjacent to settlements. This suggests remoteness and removal from the wider landscape may not have been as important to these religious communities. It is plausible they chose to be associated with settlements, rather than deliberately grouping around the higher land now known as Shouldham Warren.

However the monastic communities saw the surrounding landscape, it is very likely areas of land within AoS E were owned and managed by one or more of the monastic houses in the medieval period. However, at present this is an assumption, rather than one based on detailed background documentary research. This research would be a considerable undertaking and is not something HES would normally ask accompanies an application for mineral extraction.

It is possible the area of AoS E known as 'Shouldham Warren' was used for rabbit farming in the medieval period and, if it was, it is plausible this warren was owned by one of more monastic houses. The ownership of warrens by monastic houses has been well testified by the Breckland Society's extensive research into the warrens of Breckland, for example (Mason & Parry 2010). However, beyond the place name 'warren' there is currently little evidence to suggest either area was used for rabbit farming. Documentary evidence may exist, but there has been little or no research into this possibility. A number of earthworks identified during fieldwork have been interpreted as warrening features (including NHER 49963, which is labelled 'Shouldham Warren' on the provided G100 - HER map), but this interpretation is based on the 'warren' place name and they could have had alternative uses. The Breckland Warren's survey has shown how documentary and field research into medieval warrening can be very rewarding but incredibly time consuming. Although HES would expect some documentary research and detailed field survey to support an application for mineral extraction, we would not recommend the level of work undertaken by Breckland Society.

If Shouldham Warren was used for rabbit farming in the medieval period, it would be an important outlier from the Brecks, which was one of the core areas for rabbit warrening in medieval and post medieval East Anglia. The warrening landscape of the Brecks is well preserved, documented and of at least national significance. The high importance of warrening in the Brecks means Historic England's designation team is currently considering the possibility of selected warrening features becoming Scheduled Monuments. HES understands features at Shouldham Warren are not under consideration, partly because the Brecks is the one of the most important areas for medieval and post medieval warrening in England, but mainly because the necessary research has not been undertaken for Shouldham.

Between 2004 and 2009 Norfolk Landscape Archaeology (as HES was then known) undertook Historic Landscape Characterisation (HLC) of the whole of Norfolk, published jointly by NLA and English Heritage. The Norfolk HLC was part of a national initiative sponsored by English Heritage. The Norfolk HLC was part of a co-ordinated programme covering the East of England, and the methodology used was developed from other HLC projects in the former region. Using data produced by this project, a Historic Landscape Characterisation map has been provided for AoS E (G100 - NHLC map), which shows large areas of the historic landscape 18-20th century woodland plantation (much of which is 20th century Forestry Commission plantations) and 18-20th century agriculture (including 20th century enclosure, boundary loss and parliamentary enclosure). Although elements of the medieval landscape do survive (such as the monastic sites and possible warren features), the majority of the wider landscape reflects post medieval and modern land-use. This degree of landscape change was recognised within the HLC report, described as "... the devastating loss of field boundaries (and earthworks) in Norfolk since 1950... (page 4)". The accompanying G100 maps show the degree of landscape change from the Tithe map, through the first and second edition OS maps, 1946, 1988 aerial photographic record culminating in the satellite view in the GIS imagery map.

Area of high archaeological potential

Information held in the Norfolk Historic Environment Record (see G100 - HER map) demonstrates AoS E contains a wide range of known archaeological features, ranging from sites that have yielded prehistoric artefacts to 20th century military structures and earthworks. It also indicates the potential for much AoS E to contain previously undiscovered and unrecorded archaeological remains. Although it appears Historic England has not consulted the Norfolk Historic Environment Record to formulate their statement, in this context they are correct to highlight the potential for prehistoric settlement along the Nar, both on low lying land and the higher land Shouldham Warren.

Although AoS E contains a wide range of heritage assets and has the potential to include many more, in Norfolk this is not unusual. Based on the information included in the Historic Environment and many years of experience working in Norfolk, HES does not believe that AoS E is any more archaeologically sensitive than many other parts of the county. As a result, HES is confident that known and unknown heritage assets with archaeological sites interest can be managed appropriately within AoS E, provided all applications for mineral extraction are accompanied by appropriate Heritage Statements and full field evaluations (as required by paragraph 128 of the National Planning Policy Framework). The Areas of Search Policy that applies to all planning applications for silica sand extraction within the allocated areas of search, including AoS E, requires:

- *A Landscape and Visual Impact Assessment to identify potential landscape impact. The LVIA will include Core River Valleys, Scheduled Monuments, non-designated heritage assets of archaeological interest, Listed Buildings and Conservation Areas and their settings where appropriate, together with suitable mitigation measures to address the impacts and manage change in ways that will best sustain heritage values. The completed assessment will comply with the requirements of policies CS14, DM2 and DM8;*
- *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. As a result of the historically complex and significant environment in which the mineral resource is present, applicants should consider the potential for early engagement with Historic England, the Norfolk Historic Environment Service and Conservation Officers in the preparation of the Heritage Statement. The completed statement will comply with the requirements of policies CS14, DM8, DM9 and DM15;

- *An appropriate archaeological assessment must be prepared in consultation with Norfolk County Council; this may initially be desk-based but may need to be followed up with field surveys and trial-trenching. The archaeological assessment will suggest appropriate mitigation measures, and be compliant with Policy DM9;*

(however, please see the suggested modification to this bullet point contained on page 8 of this statement)

Adopted Core Strategy and Development management Policies CS14, DM8 and DM9 also provide additional requirements regarding Heritage Assets and their settings, historic character, archaeology, and areas of high archaeological potential.

All Heritage Statements commissioned must include consultation with the Norfolk Historic Environment Record, contain historic map research and a desk-based assessment, and consider the impact of proposals on the setting of designated and undesignated heritage assets (including the scheduled monastic sites). Field evaluations will need to employ a suite of techniques, potentially including geophysical survey, fieldwalking, earthwork survey and/or trial trenching.

Heritage Impact Assessment and Historic Landscape Characterisation

As noted above the whole of Norfolk, including AoS E has been subject to Historic Landscape Characterisation. Historic Landscape Characterisation data has been provided in map form (G100 - NHLC map).

HES has been consulted by Norfolk County Council on a number of occasions during the Single Issue Silica Sand Review. At each consultation stage we have undertaken an informal Heritage Impact Assessment, the culmination of which is this written advice. On this basis, and on our understanding that the allocation of AoS E would not guarantee permission for mineral extraction, we are comfortable with AoS E becoming an area allocated for silica sand extraction, providing each application for mineral extraction is accompanied by an appropriate Heritage Statement and a full field evaluation.

Bibliography

Pestell, T. 2004 *Landscapes of Monastic Foundation*, Boydell, Woodbridge.

Mason, A. & Parry, J. 2010 *The Warrens of Breckland: A Survey by the Breckland Society*, The Breckland Society, Thetford.

In addition to the information provided by Norfolk County Council's Historic Environment Service, the Mineral Planning Authority also have the following comments to make on Historic England's statement.

Scarcity of Silica Sand

Whilst Historic England's statement recognises that minerals can only be worked where they naturally occur, we would like to reiterate that that silica sand is a scarce and nationally important industrial mineral which is likely to occur in locations which are constrained to some degree. Silica sand is used in a variety of different industrial processes and suitability is dependent on the properties of the sand within a deposit, and interchangeability between uses is limited. Silica sand for glass-making is a particularly scarce subset of the mineral resource within England. The silica sand deposit which is worked at Leziate is one of two locations in England where silica sand of sufficient purity and grade for the manufacture of colourless flint (container) and float (window) glass is extracted. The other extraction site of silica sand of a comparable quality is in Surrey, at North Park Quarry, which is subject to a number of constraints including the Historic Environment.

In Surrey, a significant part of the silica sand resource, North Park Quarry and the Preferred Area allocated as an extension to the existing working, all lie within the Surrey Hills AONB. The Preferred Area is an area of high archaeological potential and there a number of Grade I and Grade II listed buildings and conservation areas in proximity to the Preferred Area. The adopted Plan therefore requires prior archaeological assessment and evaluation for any future planning application within this area.

The Surrey Minerals Plan 2011 recognises that due to the scarcity of the mineral resource, no likely alternative exists to working within the AONB and that conflicts including the Historic Environment will need to be addressed within future planning applications.

Historic England's request for a Heritage Impact Assessment and Historic Environment Characterisation

Historic England state that they "have repeatedly requested that a Heritage Impact Assessment and Historic Environment Characterisation be carried out at the allocation stage". Historic England were consulted at the Initial Consultation stage, informally prior to the Preferred Options stage and at the Preferred Options stage. Historic England responded to each consultation and did not request a HIA, HEC, or HLC be carried out at any of these stages. Historic England were also consulted at the Pre-Submission stage, and the Pre-Submission Addendum: Modifications stage.

At the Pre-Submission stage Historic England stated that additional text should be added to AOS E within the Silica Sand Review (rep 90931): "Historic England would seek revision that paragraph E3 is amended to state that 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 further recommended that paragraph E.5 is amended to add "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."

A further representation was then submitted by Historic England at the Pre-Submission stage (rep 91602) which stated: "AOS E North of Shouldham. We discussed the Historic England point that this area of search is drawn too broadly and lacks any understanding of setting and context (i.e. the relationship between heritage assets). This point derives from the high level of heritage assets (both designated and non-designated) within the area of search. Your point was that the policy itself allows for a robust appraisal, including the impact on heritage, should a planning application come forward. I do accept this point. My concern is 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. You also suggested that it may be preferable to plot designated and non-designated heritage assets over the AOS area. This would be beneficial."

The Mineral Planning Authority responded to these representations in the 'Pre-Submission Representations Feedback Report (document A95, pages 44 and 45), as follows:

"We do not consider it necessary to amend paragraph E.3. The supporting text already states that, at the planning application stage, a Heritage Statement assessing the setting of heritage assets will be required and an assessment of the significance of archaeological deposits will be required. The Areas of Search Policy requires a Heritage Statement, an archaeological assessment and a Landscape and Visual Impact Assessment at the planning application stage. These documents are also required as part of the Local List of Validation of Planning Applications and would meet the requirements of the additional text proposed by Historic England.

We recognise that the boundaries of AOS E are around 250 metres from four Scheduled Monuments and less than 300 metres from five listed buildings. However, this is a large area of search and it is considered that there are areas within it where a suitable application for silica sand extraction could be made. We do not consider it necessary to amend paragraph E.5. As this is an area of search and not a specific site, we do not consider that a settings study is necessary at this stage. An assessment of the impact of a mineral extraction site within AOS E is required to be carried out at the planning application stage, in accordance with the Areas of Search Policy and the Local List for Validation.

A planning application in any area would not confine its heritage statement/assessment to the red line application area. A Heritage and Archaeology statement is required under the Local List for Validation for any application that could potentially impact upon a heritage asset or its setting. It is not considered appropriate for an application for mineral extraction within AOS E to undertake a heritage assessment of the whole area. The area covered by the heritage assessment will need to relate to the area potentially impacted upon by the proposed development, and will be dependent upon the proposed site location."

At the Pre-Submission Addendum: Modifications stage Historic England responded regarding AOS E, although the modifications did not include AOS E and therefore representations were not being sought on AOS E. Historic England's letter stated "However, I must draw your attention to my colleague's

letter of 20 June 2016 which... identified that the plan was unsound with regard to failing to require an historic landscape characterisation study for development within AOS E; land to the north of Shouldham and with regard to the fixed 250 metres buffer forming the basis for assessing potential harm.

Given the scale of AOS E and the need to assess the setting and context of built and archaeological heritage in the locality, it is reiterated that a Heritage Statement would not be sufficient to fully assess the significance and context of relevant assets. We again request that the wording of the supporting text to AOS E be amended to include a historic landscape characterisation and archaeological study. Without this amendment Historic England will be unable to fully support the plan at Examination in Public Stage."

The response provided in the Pre-Submission Feedback Report (document A95, pages 44 and 45) applies equally to the above statement by Historic England.

Therefore, the first time that Historic England made a request for a Historic Landscape Characterisation, settings study and archaeological study to be carried out for AOS E was in their Pre-Submission representation (rep 90931), which was reiterated in their Modification representation. However, their second representation at the Pre-Submission stage (rep 91602) appeared to accept that a HIA and HEC/HLC are not required at the allocation stage, but would be appropriate at the planning application stage.

Preferred Areas

Historic England also state that if the HIA and HEC "identifies areas within AOS E where it may be possible to extract silica sand without significant harm, then allocation as an AOS, or preferably as a preferred site, may be possible to support." Our hearing statement on Matter 2, Issue 2, as discussed at the examination hearing explained why it has not been possible to define Preferred Areas for silica sand extraction.

Modification to the supporting text paragraph E.4

The supporting text in the Silica Sand Review for AOS E needs to be amended to more accurately reflect the northern boundary of AOS E in relation to the historic environment, and further information from the Historic Environment Service. The northern boundary of AOS E was moved south of Wormegay after the Preferred Options Consultation. Therefore the text for paragraph E.4 should now be as follows:

E.4 AOS E ~~includes~~ is adjacent to a large area of fen edge, parts of which were studied as part of the Fenland Survey. The Fenland Survey recorded evidence of prehistoric and later land use and occupation across the fen ~~within~~ close to the AoS, including a probable Iron Age settlement and some significant palaeoenvironmental deposits. ~~Also within the AOS are the remains of~~ The northern edge of the AoS contains the southern fringe of the early medieval settlement at Wormegay, a Bronze Age barrow, the site of a former windmill, several finds of metalworking remains and several isolated instances of human skeletal remains. The place-name Shouldham Warren suggests that ~~Earthworks along the north edge could be remnants of Shouldham Warren suggest that it was, indeed,~~ although no definitive research has been carried out; ~~and so the~~ there is potential for the area to contain further earthworks ~~cannot be ruled out~~. Shouldham Warren was used as a military training area in the Second World War, and there are surviving earthworks relating to this period.

Modification to the Areas of Search Policy

We are proposing a modification to the bullet point on archaeological assessment to indicate that advice on mitigation measures will be provided by the Norfolk Historic Environment Service, based on the archaeological assessment, instead of the mitigation measures being proposed within the archaeological assessment produced by the applicant:

"An appropriate archaeological assessment must be prepared in consultation with Norfolk County Council; this may initially be desk-based but may need to be followed up with field surveys and trial-trenching. The archaeological assessment will ~~suggest appropriate mitigation measures, and~~ be compliant with Policy DM9 and will be used by Norfolk County Council/Historic Environment Service to devise appropriate mitigation measures;"

Potential Modification to AOS E boundary

The site of Fairstead medieval market is an area with high potential for important archaeological features which is partially located within AOS E (shown on G100 - HER map) adjacent to Shouldham village. The remaining part of this site could be removed from AOS E by amending the boundary of the AoS.