

From: Caroline Jeffery
To: Alice Eggeling
Subject: Norfolk Single Issue Silica Sand Review - AOS E
Date: 12 January 2017 16:37:38
Attachments: Historic England AoS E

Alice,

I am writing following our telephone conversation earlier this week.

I attach a document in which I have included the following key information which I think is relevant to the issues raised by Historic England about AOS E:

- A summary of the changes requested by Historic England at the Pre-Submission stage and our Planning Officer response to these issues
- The sections of the AOS policy relevant to the historic environment
- The sections of the Pre-Submission version of the Silica Sand Review covering the historic environment in relation to AOS E
- The concluding section of the Preferred Options Consultation of the Silica Sand Review which refers to the historic environment for AOS E
- Development Management Policy DM9 – Archaeological sites from the adopted Minerals and Waste Core Strategy
- The relevant part of Norfolk County Council's Local List for Validation of Planning Applications regarding the historic environment
- A summary of the process used to define the areas of search and the subsequent planning application stage.

As discussed on the phone, we would like clarification from Historic England about the changes that you have requested to be made to AOS E within the Silica Sand Review. From your correspondence on the Silica Sand Review I am unsure whether your principal concern is that archaeology would not be suitably protected at the planning application stage, or whether it is that archaeology has not been suitably assessed within the Silica Sand Review. If you still consider that a change is required to the supporting text of AOS E in the Silica Sand Review please advise what additional wording is required as this would be a modification to the submitted plan.

I look forward to hearing from you on Monday or Tuesday of next week to hopefully resolve this issue.

Thank you for your assistance

Caroline Jeffery

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Historic England - AOS E

The following table includes the changes that Historic England requested to AOS E at the Pre-Submission stage and our responses to the issues raised:

Pre-Submission representations by Historic England regarding AOS E

Change requested by Historic England	Response by Norfolk County Council
<p>Rep number: 90931</p> <p>The AOS 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.”</p> <p>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 setting of Pentney Priory, a scheduled monument and two Grade I listed buildings.”</p> <p>To make the 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 GPA 1 on settings.</p> <p>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.”</p> <p>Concerns that an application within AOS E will tend to confine its heritage statement/</p>	<p>We do not consider that this text needs to be amended because it would duplicate information in paragraphs E.3 and E.4.</p> <p>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 AOS Policy requires a Heritage Statement, an archaeological assessment and a LVIA 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 HE.</p> <p>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. The assessment of setting would take place at the planning application stage.</p> <p>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.</p> <p>A planning application in any area would not confine its heritage statement/assessment to</p>

Change requested by Historic England	Response by Norfolk County Council
assessment to the red line application area and not the relationship to the wider area. If the Council area 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.	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.

The **Areas of Search Policy** contained in the Pre-Submission Silica Sand Review contains the following requirements in relation to the historic environment:

<p>....require any planning application within the Area of Search to address, in particular, the requirements below:</p> <ul style="list-style-type: none"> • A Landscape and Visual Impact Assessment to identify potential landscape impacts. The LVIA will include Core River Valleys, Scheduled Monuments, non-designated heritage assets of archaeological interest, Listed Buildings and Conservation Areas and their setting 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, applications should consider the potential for early engagement with Historic England, the Norfolk Historic Environment Service and Conservation Officers in the preparation of a 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 to be followed up with field surveys and trial-trenching. The archaeological assessment will suggest appropriate mitigation measures, and be compliant with Policy DM9;
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In the Silica Sand Review Pre-Submission document **Area of Search E** contains the following information about the historic environment in the supporting text:

“**E.3** AoS E is within a historic environment which contains numerous high value heritage assets from multiple time periods starting in early prehistory. There are four Scheduled Monuments located less than 400 metres from the area of search. They are the Remains of Pentney Priory at Abbey Farm (267 metres), the Motte and Bailey Castle in Wormegay village (250 metres), Shouldham Priory (250 metres), and Village Cross 330 metres south of Cross Hill Farm (250 metres). In addition there are five Listed Buildings located less than 300 metres from the area of search. They are the Church of St Michael (Grade II*), the Church of St Botolph (Grade I), Castle Meadow (Grade II), Castle Road Bridge (Grade II) and Village Cross (Grade II). Any future planning application within the AoS would need to include a Heritage Statement assessing the setting of heritage assets, addressing the potential for impacts and suggesting potential mitigation measures such as bunding and

screen planting, recognising that there may be locations where these may be intrusive in themselves.

E.4 AOS E includes 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 the AoS, including a probable Iron Age settlement and some significant palaeoenvironmental deposits. Also within the AoS are the remains of 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. Earthworks along the north edge of Shouldham Warren suggest that it was, indeed, a medieval warren, and so the potential for 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.

E.5 Given the constrained nature of this AoS with regards to the historic environment, any proposal for extraction here should pay particular attention to the setting of the designated heritage assets. The Norfolk Historic Environment Service recommend that proposals for extraction avoid areas of paleo-environmental potential, the former barrow and the areas of former settlement. The Norfolk Historic Environment Service would not support proposals that result in the destruction of historic earthworks. Therefore, a detailed assessment of the significance of archaeological deposits will be required by field evaluation at the planning application stage, in order to protect and mitigate the impact of mineral extraction in this area of search.

E.6 The AoS falls under two different landscape character areas, with the north-east classified as 'fen, open inland marshes' and the south-west as a landscape of 'Settled Farmland with Plantations'. This is a transitional landscape between the Fens to the west and the Brecks to the east. Generally, the AoS slopes gently away to the west but at a rate where many parts of the area would be perceived as flat. In the AoS viewpoints are limited by field boundaries and woodland over large parts of the area, however in some northern and eastern parts drainage dykes form a more significant landscape component as boundary features."

The Silica Sand Review **Preferred Options Consultation** document stated, for Area of Search **AOS E**: "There are also other parts of the AoS where it is likely that the historic environment will be a limiting factor due to the presence of heritage assets. However, knowledge of the historic environment in the area is incomplete. Therefore, any decision regarding the suitability of parts of the area of search for extraction should be made when more complete information in the form of a heritage statement and archaeological evaluation has been carried out as part of any future planning application and appropriate mitigation identified.

It is considered that there are likely to be parts of the Area of Search where a suitable planning application; that is in accordance with the requirements in the Area of Search policy; could come forward to meet the silica sand shortfall....."

The adopted **Norfolk Minerals and Waste Core Strategy** contains the following policy DM9 which all planning applications for mineral extraction will be assessed against.

Development Management Policy DM9 – Archaeological Sites

Applicants whose proposals could potentially affect heritage assets, or which are in areas with high potential for archaeological interest, will be required to prepare and submit an appropriate desk-based assessment and, where necessary, a field evaluation with their application to the County Council.

Development will only be permitted where it would not adversely affect the significance of heritage assets (and their settings) of national and/or regional importance, whether scheduled or not. Where proposals for mineral extraction or waste management facilities would affect Scheduled Monuments and/or other assets of national and/or regional importance (including their settings), there will be a presumption in favour of their preservation *in situ*.

Following the results of a site evaluation, development which would potentially affect other heritage assets (not of national or regional importance) could be acceptable if subject to appropriate mitigation measures – such as physical preservation of the archaeology *in situ*, or preservation by record (including appropriate publication and archiving).

The full Minerals and Waste Core Strategy document is available to view on our website at: <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/minerals-and-waste-planning-policies/adopted-policy-documents>

Norfolk County Council's adopted **Local List for Validation of Planning Applications** contains the following requirement:

A Heritage and Archaeology statement is required when the planning proposal “.....includes or is adjacent to an area with known or high potential for archaeological interest.” “.....A field evaluation is required for sites of archaeological interest.”

The Local List for Validation of Planning Applications is available to view on our website at: <https://www.norfolk.gov.uk/rubbish-recycling-and-planning/planning-applications/local-list>

Areas of search process

Areas of search are defined as “areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply.” If it is not possible to designate Specific Sites, or Preferred Areas, the alternative way to plan for the steady and adequate supply of minerals is to designate areas of search.

Silica sand can only be extracted where it naturally occurs. The purpose of the areas of search process was to allocate those parts of the silica sand resource which are least constrained. The methodology used to define the areas of search **excluded** the following key constraints:

- a. The Norfolk Coast Area of Outstanding Natural Beauty
- b. All ancient woodland and 250 metres around them
- c. All Sites of Special Scientific Interest and 250 metres around them (except for Roydon Common and Dersingham Bog – see below)
- d. The hydrological catchment around Roydon Common and Dersingham Bog

- e. Registered Common Land
- f. Designated heritage assets (Listed Buildings, Scheduled Monuments, registered historic parks and gardens, Conservation Areas) and 250 metres around each heritage asset
- g. Sensitive receptors to amenity impacts (residential dwellings, educational facilities, workplaces, healthcare and leisure facilities) and 250 metres around each sensitive receptor
- h. Agricultural land grades 1 and 2
- i. Allocated, current and restored mineral sites

Areas of search are large areas within which permission for silica sand extraction may be granted on a smaller area of land, subject to the determination of a suitable planning application. Whether a particular parcel of land within an Area of Search would come forward as a planning application for an extraction site would be a commercial decision between the landowner and a mineral operator. 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 determination of a planning application will take into account relevant legislation, national policy and guidance, local planning policies and other material considerations.