

## Borough Council of King's Lynn and West Norfolk

### Status of representations to the Norfolk County Council Silica Sand Review

(February 2017)

Section of Plan	Comment / Representation and any relevant commentary	Position
<p><b>Paragraph 3.18</b> (Pre- Submission version)</p>	<p><b>90878 COMMENT</b> 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.</p>	<p>Maintain Objection <i>(Matter 3, issue 6)</i></p>
<p><b>Paragraph 40.1</b> (Pre- Submission version)</p>	<p><b>90879 COMMENT</b> BCKLWN Environmental Quality and Community Safety and Neighbourhood Nuisance Teams comments:  Distances to sensitive receptors  In defining the Areas of Search it is noted (page 8, section 2.7 h.) that the pre-submission document refers to exclusion of sensitive receptors within 250m. However, paragraph 40.1 refers to residential properties on Gayton Road within 10 metres of the site boundary.</p>	<p>Maintain Objection <i>No relevant matter refers</i></p>
<p><b>Policy SIL 01</b> (Pre- Submission version)</p>	<p><b>90880 OBJECT</b> BCKLWN Environmental Quality and Community Safety and Neighbourhood Nuisance Teams comments: Specific site Allocation Policy SIL01 includes a requirement for an air quality assessment</p>	<p>Maintain Objection, but see below. <i>(Matter 3, issue 4)</i></p>

	compliant with Policy DM13. This is likely to provide a basis for any mitigation measures which would be required to prevent unacceptable impacts on health and amenity. They would expect to see the same safeguard for any site within the AoS also.	
<b>Sept 2016 Mod</b> Amending the Specific Site Allocation Policy <b>SIL01</b> requirements for a Landscape and Visual Impact Assessment.	<b>91633 SUPPORT</b>  We originally <u>offered no observations on the allocated site SIL 01.</u> The proposed modification is made in response to a representation from English Heritage with which the County Council agree. It will improve the operation of the policy. This change is therefore supported.  (There seems to be an error here in our response to the Proposed Modifications, as underlined above. An objection was made. Our Objection still stands in respect of air quality issues)	BCKLWN <b>DID</b> object, as above.  AGREE NCC <b>ONLY</b> as for the Landscape and visual impact assessment point.  <b>Air quality objection still stands.</b>  <i>No relevant matter refers</i>
<b>Areas of Search Policy</b> (Pre- Submission version)	<b>90881 OBJECT</b>  In summary the Borough Council objects to the Areas of Search Policy in regard to the following factors:  * The wider landscape character impact, and;  * The traffic impact on already stressed roads.  * Whilst transport and landscape character matters are considered in the policy, the potential outputs are so fundamental to the impact on local communities that detailed	Maintain Objection, but see below. <i>(Matter 3, issue 6)</i>  Aspect considered in NCC Sept 2016 Mod below

assessments should be undertaken before an area can be designated as an AoS to avoid any adverse impacts

\*Clear reference should be made in the policy to a full assessment of noise being necessary. This should go beyond that required in policy DM12.

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**Full text:**

The Borough Council notes the need to undertake this review of the Minerals Site Specific Allocation Plan and understands the designation of the proposed Specific Site and the Areas of Search which NCC as the Mineral Planning Authority have proposed to address the shortfall in the quantity of silica sand extraction sites. However it has concerns particularly over the AoS choices and potential operation. These concerns are outlined in detail below:

**General considerations in choosing AoS**

The Areas of Search (AoS) are generally proposed in more rural parts of the Borough. Clearly they reflect the underlying geology and this is a factor in identifying the individual locations. It must be assumed that if an AoS is identified that there is a prospect that it could be fully used into the future for the extraction of silica sand. In which case 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 County Council make 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

*(Matter 3, issue 4)*

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. The distances involved are between 9 and 20 km from AoS to 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.

Notwithstanding the above general objection expressed above the Borough Council needs to recognise and respond to the way that NCC has expressed the policy that could enable actual extraction in the AoS. Transport and landscape character are factors listed in the relevant proposed policy about AoS, but these miss a wider point about impacts on the area. However 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

	<p>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.</p> <p>Noise issues</p> <p>It is noted that for all the areas of search reliance has been placed on the Planning Practice Guidance in support of CS14 and DM12. Both CS14 and DM12 provide little information on the control of noise and as such the reliance on the PPG does offer a degree of protection for noise sensitive dwellings, which would not otherwise be available in planning terms.</p> <p>As such they would expect to ensure that any planning application includes a full assessment of noise in line with the Planning Guidance, including works to attenuate noise and working hours.</p> <p>It should be 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.</p>	
<p><b>Sept 2016 Mod</b> Amending the <b>Areas of Search Policy</b> requirements for a Landscape and Visual Impact Assessment and</p>	<p><b>91634 PARTIAL SUPPORT</b></p> <p>We noted that the original plan contained provisions for a requirement for any planning application submitted within an area of search to include a Landscape and Visual Impact Assessment, a Heritage Statement and an archaeological assessment. This reflected earlier concerns we expressed. The proposed change reinforces this position. This change is therefore supported.</p>	<p>AGREE NCC <b>ONLY</b> covers BC Objection for the Landscape and visual impact assessment point. Other elements still stand.</p>

Heritage Statement.		
<p><b>AOS A:</b> Land west of Snettisham, Ingoldisthorpe and Dersingham</p> <p>(Pre- Submission version)</p>	<p><b>90882 COMMENT</b></p> <p>Comments regarding the provisions in respect of AoS A, and cross referencing to the general objection to the AoS policy.</p>	<p><i>(Matter 3, issue 1)</i></p>
<p><b>Sept 2016 Mod</b> Area of Search <b>AOS A</b> (located in the parishes of Ingoldisthorpe, Snettisham &amp; Dersingham) is no longer allocated and will therefore be <b>deleted from the Silica Sand Review</b>. No replacement Areas of Search are proposed for silica sand extraction.</p>	<p><b>91635 SUPPORT</b></p> <p>We objected strongly to the proposed Area of Search (AOS A) at Ingoldisthorpe, Snettisham and Dersingham. This is now proposed to be deleted. This change is therefore supported.</p>	<p>AGREE NCC <i>(Matter 3, issue 1)</i></p>

<p><b>Sept 2016 Mod AOS D</b></p> <p>Amending the southern boundary of Area of Search AOS D (located in the parishes of East Winch &amp; Pentney) to move it northwards to within the existing woodland.</p>	<p><b>91636 SUPPORT</b></p> <p>We originally offered no observations on AOS D. The proposed modification is made in response to a representation from English Heritage with which the County Council agree. It will add a more reasonable boundary. This change is therefore supported.</p>	<p>AGREE NCC <i>(Matter 3, issue 2)</i></p>
<p><b>AOS E:</b> Land to the north of Shouldham</p> <p>(Pre- Submission version)</p>	<p><b>90883 COMMENT</b></p> <p>Note the revised northern boundary of AOS E which has moved south of the village of Wormegay.</p>	<p><i>No relevant matter refers</i></p>
<p><b>AOS I:</b> Land to the east of South Runcton</p> <p>(Pre- Submission version)</p>	<p><b>90884 OBJECT</b></p> <p>When considering forthcoming planning applications it is important to consider the cumulative impact of sites within AoS J.</p>	<p>Maintain Objection, <i>(Matter 3, issue 6)</i></p>

<p><b>AOS J:</b> Land to the east of Tottenham</p> <p>(Pre- Submission version)</p>	<p><b>90885 OBJECT</b></p> <p>When considering forthcoming planning applications it is important to consider the cumulative impact of sites within AoS I.</p>	<p>Maintain Objection, <i>(Matter 3, issue 6)</i></p>
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**Alan Gomm**  
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**17 February 2017**