

**Planning (Regulatory) Committee
Minutes of the Meeting Held on 24 May 2024
at 11am in the Council Chamber, County Hall**

Present:

Cllr William Nunn (Chair)

Cllr Mark Kiddle-Morris (Vice-Chair)

Cllr Graham Carpenter

Cllr Rob Colwell

Cllr Alexandra Kemp

Cllr William Richmond

Cllr Mike Sands

Cllr Martin Storey

Cllr Tony White

Substitute Members Present:

Cllr Lesley Bambridge for Cllr Stephen Askew

Cllr John Ward for Cllr Brian Long

Also Present

Hollie Adams

Ralph Cox

Cllr Philip Bailey

Peter Barnes

Chris Burgess

Jon Hanner

Nick Johnson

Sari Kelsey

Andrew Sierakowski

Cllr Barry Stone

Mark Turner

Lewis Williams

Committee Officer

Principal Planner

Public Speaker

Public Speaker

Senior Lawyer, nplaw

Principal Engineer (Development Service)

Head of Planning

Public Speaker

Planning Officer

Local Member, Clavering division

Public Speaker

Public Speaker

1 Apologies and Substitutions

- 1.1 Apologies were received from Cllr Stephen Askew (Cllr Lesley Bambridge substituting), Cllr Brian Long (Cllr John Ward substituting) and Cllr Steve Riley.

2 Minutes

- 2.1 The Committee agreed the minutes of the meeting held on 23 April 2024 with an amendment to correct a typo at paragraph 9.5 from "RAF Brandon" to "RAF Marham".

3 Declarations of Interest

- 3.1 No interests were declared.

4 Urgent Business

- 4.1 No urgent business was discussed.

Applications referred to the Committee for determination.

5 FUL/2022/0056: Land off Crab Apple Lane, Haddiscoe

- 5.1 The Committee received the report setting out a planning application for the development, of a “satellite extension” to the existing Norton Subcourse Quarry, on agricultural land on the north side of the B1136 Loddon Road, to the immediate north-west of Haddiscoe.

- 5.2.1 The Committee heard a presentation from the Planning Officer. The photographs and maps shown in the presentation can be found in the Committee report or planning application documents.

- An update report was circulated to the Committee, attached to these minutes at appendix A.
- The site was not allocated in the Norfolk Minerals and Waste Development Framework, but was proposed as an allocated site in the emerging Norfolk Minerals and Waste Local Plan.
- There was proposed to be seven phases of extraction over seven years on the site. Restoration would be low level, returning the site to grassland with biodiversity enhancement.
- The site location plans and site plans were shown, indicating the proximity to the Broads Authority and Haddiscoe and showing the route to Norton Subcourse Quarry.
- Maps were shown of the bridleway running through the site which was proposed to be diverted from phase 4 of extraction onwards.
- Maps were shown detailing the planned phases of extraction on the site and restoration of these areas. Bunds were planned to be constructed along the south of the site. There would be no import of fill material for the restoration plan.
- There were plans to increase the width of the junction at Crab Apple Lane providing access to the site.
- Photographs of the existing site were shown, the trees along the boundary of the site and Crab Apple Lane. Photographs were shown which indicated that there was no view into the site from the ground of nearby St Mary’s Church, however it was possible to see into the site from the church tower.

- 5.2.2 Committee members asked questions about the presentation:

- The Planning Officer confirmed bunds were proposed to be 3 metres high and their construction had been calculated based on the amount of non-mineral material extracted.
- The Planning Officer confirmed that the depth of the restored area would be no more than 10 metres lower than the existing height of the land.
- A Committee Member queried how this planning application was different to the previously refused application. The Planning Officer replied that in the previous application an area of land to the south of the B1136 was also proposed to be extracted and processed.
- A Committee Member asked for clarification on the use of the term “satellite site”. The Planning Officer confirmed that policy favoured extensions to quarries. This application was a distance from the existing quarry but there was an operational link as all the material would be taken to Newton Subcourse for processing.
- Devils end county wildlife site was around 150m south of the site.
- A Committee Member noted that objectors, in their information circulated to Committee (see appendices B and C of these minutes), had indicated 4 additional receptors than those highlighted by the applicant. The Planning Officer replied that the applicant sought to have an extraction boundary which brought the extraction boundary back to 100 metres as advice on the methodology for dust impact assessments set out a cut off of 100 metres after which there would be no impact of dust from mineral extraction. There were properties within 100 metres of the application site.
- A Committee Member asked whether there would be particle monitoring on the site. The Planning Officer confirmed that a condition would introduce real time monitoring via a wind speed limit for workings on the site.
- A Committee Member queried the shortfall of need of mineral. The Planning Officer replied that this related to the local plan process; the shortfall was the amount of mineral that would be required through the duration of the next local plan which had just been submitted for examination.
- A Committee Member felt that developing this site would cause a loss of good agricultural land as the site had good drainage. The Planning Officer confirmed that most of the site did not fall into the category of “best and most versatile agricultural land”. Following restoration, the quality of the land would not be diminished.
- It was noted that quarrying above the water table could result in more dust being generated than quarrying below the water table. Work on the site was planned to be dry working.
- The Planning Officer confirmed that Thorpe Hall had been omitted from assessments by the applicant. There was not expected to be impacts on this site.
- The Planning Officer confirmed there was proposed to be separation of sand and gravel on the application site. A condition to require sheeting of lorries could be put in place.

5.3 The Committee heard from registered speakers.

5.3.1 Sari Kelsey spoke as an objector representing residents of Haddiscoe and the Stopit 2 campaign. The Stopit 2 campaign had circulated information to the Committee ahead of the meeting; please see appendices B and C of these minutes:

- The Stopit2 campaign felt little had changed since the 2011 planning application. In 2011, Norfolk County Council Planning Committee rejected the application on Heritage Grounds, later agreed by the Secretary of State. For this application, Historic England had raised the same objections as in 2011.
- The Stopit2 campaign were against the quarry proposal for the field known as Min25 and had fundraised to gain legal advice and reports from dust experts and mining engineers. These reports had been submitted to Norfolk County Council and identified areas of concern. These reports stated that the proposed quarry site, Min 25, was 100 metres from nearby homes which would be threatened by dust, especially particulate matter 2.5, which could embed itself in people's lungs.
- The proposed quarry site, Min25, was 25 football pitches in size and sat on a high point in the village overlooking the Broadland National Park, and quarrying here would produce dust over Haddiscoe.
- The level of particulate matter 2.5 dust in quarrying was reported as unknown however Sari Kelsey stated that medically this was known to be risky to health.
- St Mary's Church in Haddiscoe was 1000 years old and nearby to ancient woodland. There was concern that quarrying in Min25 would cause the natural character of the field to be lost and impact on the setting of St Mary's Church and cause noise nuisance for private events such as weddings and funerals.
- The Stopit2 campaign felt that the quantity of gravel extracted at the site may be less than expected as estimates included the tree belt around the site.
- There was concern that quarrying activity on the proposed site would drive tourism and business away from the area and reduce the ability of the Church Council to sell Tower Tours to raise money for the church.
- The Parish Council, residents of the village, District Councillor, County Councillor and MP were against the planning application.

5.3.2 Committee Members asked questions to Sari Kelsey:

- A Committee Member asked about the level of consultation between the applicant and public. Sari Kelsey replied that at the beginning of the process a public display was held which residents attended. Some inaccuracies were found for example sifting of gravel would be carried out on the site, which was not openly discussed.

5.3.3 Sari Kelsey spoke to the Committee as a representative of Haddiscoe Parish Council:

- The Parish Council was concerned as another quarry application was causing stress and fear to parishioners, as in 2011.
- The Parish Council felt that their concerns had been dismissed and they were unhappy that it seemed that the quarry was part of the Norfolk County Council plan before this had been agreed.
- The Parish Council believed that Norfolk County Council were in breach of CS1 by being in excess of its landbank allocation, and that the application was in excess of CS14.

- The Parish Council felt that the conflict of opinion between dust experts hired by Norfolk County Council and Stopit 2 should be a cause for concern for Councillors who had a duty to protect the wellbeing of residents.
- The Parish Council felt that homes in the village would be spoiled by dust and noise and supported of Stopit 2, whose own environmental reports had shown missed points in the application and other papers.
- The Parish Council felt that the 100-metre stoppage zone should take into account the entire boundaries of properties, not just the buildings.
- The Parish Council believed that the achievable tonnage was overestimated, and the volume of potential materials balanced with the risk of harm was not viable.
- The Parish Council were concerned that the risk from particulate matter 2.5, noise from sifting and lorries leaving Norton Subcourse would turn Haddiscoe into an industrial site and noted that the 2011 application was turned down due to heritage concerns for St Mary's Church.

5.3.4 Lewis Williams spoke to the Committee on behalf of the applicant, Breedon Group. Breedon Group had circulated information to the Committee ahead of the meeting; please see appendix D of these minutes:

- Breedon was the leading supply of materials in England, and operated Norton Subcourse in Hales. This quarry supplied a mixture of sand and gravel to meet demand. Newton Subcourse had faced production difficulties due to a shortage in the remaining reserves.
- It was proposed to transport gravel from the application site to Newton Subcourse to meet the existing demand by extracting 650,000 tonnes of gravel from the site over 7 years.
- The application site was allocated in the emerging development plan, showing the need for the development which would supply 12.5 tonnes of material over the required period.
- Newton Subcourse formed part of the landbank that the Council was required to maintain.
- The economic benefits of the application would be through providing material to housing, roads and infrastructure and maintaining employment.
- The scheme had been designed to minimise the impact on neighbours in the following ways: no vehicles would be allowed to travel through Haddiscoe and all work would be restricted to within the week. There would be ongoing monitoring on the site. Extracting above the water line would ensure there was no increased risk of flooding.
- No objections had been raised by the District Council, Environmental Health, Public Health or the Council Highway Authority.
- Extraction would be carried out in a sustainable manner and restoration would provide bat and bird boxes, a hibernaculum, and trees, and increase biodiversity on the site.
- Breedon was committed to working along with neighbours and would set up a quarry liaison group.

5.3.5 Committee Members asked questions to the applicant:

- Lewis Williams confirmed that a bat survey had been completed as part of the application as required by planning policy.
- Lewis Williams confirmed that tree planting would be completed as and possible during restoration. Further details were obligated to be provided and this would be detailed in the restoration plan.
- A Committee Member asked whether a noise assessment had been done for sifting. Lewis Williams replied that mineral would be sifted through a screen. Noise had been considered as part of the assessment and a noise limit would be put in place which the applicant would have to comply with.
- A Committee Member asked about the impact this would have on dust at Newton Subcourse; Lewis Williams replied that Newton Subcourse had its own separate planning consent but the cumulative impact had been taken into account.
- The applicant confirmed in response to a question that 10-year average wind data from Norwich had been used which showed the prevailing wind was from the southwest. There would be wind speed monitoring equipment on site from the district council. The dust management plan stated that work would cease if there was visible dust at the boundary and water used to stop it.
- A Committee Member asked about 2.5 particulate matter. Lewis Williams replied that sand particles were not being ground which would create 2.5 particulate matter. Most particulate matter 2.5 was produced through combustion processes. Particulate matter 10 was the particulate most commonly seen on extraction sites.
- Lewis Williams confirmed that screening would not be covered, but there were management practices to mitigate dust such as water bowsers being used on dry days and real time monitoring. Vehicles would be sheeted and there would be a wheel wash on site and road sweeping carried out.

5.3.6 Cllr Barry Stone spoke to the Committee as Local Member:

- Cllr Stone congratulated Stopit 2 for their work and thanked the Parish Council. This application had not been an easy process for villagers because of the length of time it had taken, the length of time that the proposal was for, and the possibility that the application could be extended in the future.
- Cllr Stone queried whether councillors would like a quarry to happen within 100 metres of where they lived, creating dust, lorry movements and noise.
- Cllr Stone suggested the application should be turned down by the committee, noting that Norfolk County Council's Public Health team had stated that new operations taking place should provide a net gain overall benefit to the population whom it would affect. Cllr Stone felt this application would not do this as it would not contribute to better air management or give a positive effect to residents.

5.4 Committee Members moved on to debate:

- Committee Members raised concerns around the impact on heritage as the application was 100 metres from St Mary's church and close to the Broads National Park, whether use of the term satellite site was legitimate, the impact on amenity of residents and that dust may not be able to be mitigated

adequately, especially at times when workers were not present at the site to put mitigating measures in place such as at weekends.

- A Committee Member noted the high number of objections to the application.
- Cllr Richmond, seconded by Cllr Kemp, proposed to refuse the application on the basis that it would give harm to the grade one listed church of St Mary, and cause noise dust and traffic, and that the site was unacceptable on this basis. Cllr Kemp agreed the application would cause material harm to a heritage asset.
- The Chair, seconded by the Vice-Chair put forward an amended proposal: that the application be refused on the grounds that the applicant failed to demonstrate that the proposal as submitted contains sufficient measures to satisfactorily mitigate impact on nearby heritage assets and reduce amenity impacts to acceptable levels.
- Committee Members also felt that the application could cause harm to the environment and raise potential health impacts for residents.

5.5 The Committee unanimously agreed to **REFUSE** the application on the grounds that the applicant failed to demonstrate that the proposal as submitted contains sufficient measures to satisfactorily mitigate impact on nearby heritage assets and reduce amenity impacts to acceptable levels.

6. FUL/2023/0005 Land off Holt Road, Sheringham, NR26 8TW

6.1 The committee received the report setting out an application for creation of a new recycling centre to deal with household waste and small amounts of trade waste including the creation of a concrete pad and erection of new staff welfare office and reuse shop (with photovoltaic panels) for onsite sale of items suitable for reuse and ancillary small-scale sale of non-recycled items (Christmas trees, logs, compost bins and green waste sacks). Creation of a new access onto the A148 Holt Road with the closure of the eastern end of the existing Holt Road and reinstatement to highway verge.

6.2.1 The committee saw a presentation by the planning officer The photographs and maps shown in the presentation can be found in the Committee report or planning application documents:

- An update report was circulated to the Committee, attached to these minutes at appendix E.
- The site location and an arial photograph of the site were shown indicating the location of the existing waste disposal site.
- A proposed site plan and landscape mitigation plan were shown. A willow barrier hedge would be planted along the northern and western boundary along with woodland planting and a drainage basint
- Photographs were shown of the application site from different aspects including the view towards hilltop outdoor centre.
- A new junction access was proposed to be provided to the site.

6.2.2 Committee Members asked questions about the presentation:

- The Planning Officer confirmed that there would be limited disruption in service between the existing site closing and the new one opening.
- A Committee Member raised concerns that the proposed site for the Recycling Centre was in an area of outstanding natural beauty. The Planning Officer clarified that the existing and proposed new site were both in the Area of Outstanding Natural Beauty.
- It was confirmed that trees planted on the existing recycling centre site once closed were proposed to be 60cm and 3m in height.
- The Principal Engineer confirmed that the predicted traffic generation for the new recycling centre site was the same as existing because waste generation was based on demand of the local area. Moving to the proposed site would mitigate traffic issues seen at the existing site and the improved A148 junction would be safer.

6.3 The Committee heard from registered speakers.

6.3.1 Cllr Philip Bailey spoke to the Committee as District Councillor for Sheringham South:

- Hilltop Leisure Centre and picnic sites were alongside the application site. When lorries picked up from the recycling centre this caused inconveniences.
- Cllr Bailey suggested that woodland to the side of the existing site could be used instead of the proposed site, which would allow lorries to enter the site to pick up skips and reduce impact on the public.
- Cllr Bailey stated that the owner of the land the application was proposed to be built on had enforcement notices in place against them from North Norfolk District Council and Norfolk County Council.
- The cost of the proposal would be £1.6m, and the council would then pay rent on the site. Cllr Bailey felt this did not give good business sense when other land was available.
- Cllr Bailey believed that the re-use shop would encourage more people to attend the recycling centre site and to hold car boot sales and therefore increase traffic.
- Cllr Bailey discussed that the junction into the site was dangerous and there had been a campaign to improve the safety of this junction involving MP Duncan Baker and Cllr Judy Oliver.

6.3.2 The Committee asked questions to Cllr Bailey:

- A Committee Member queried the reports of enforcement against the owner of the land. Cllr Bailey confirmed that the landowner had enforcement in place against them from North Norfolk District Council and Norfolk County Council related to waste being dumped on the site.

6.3.3 Mark Turner spoke to the Committee as objector:

- Mark Turner felt that there were errors in report and was present to raise concerns to the Committee from his client Mr Reid.
- Mark Turner felt that the Officer report did not make clear that law required applications to seek to further the purpose of conserving and enhancing the area of outstanding natural beauty.

- The County Council had submitted new policies to the Secretary of State to be considered later in the year which stated no need for new waste recycling centres. He stated that policies would not allow development of this type to be built in the Area of Outstanding Natural Beauty unless no other options were available.
- Mark Turner felt that the proposal deviated from adopted and emerging policies and so a material consideration would need to be sought to suggest the proposal could proceed. He did not agree that if this application was not approved it would increase the risk of fly tipping.
- Mark Turner felt that great weight should be given to conserving and enhancing areas of outstanding natural beauty which had the highest status of protection. He also noted that willow, which was proposed for screening, was not prevalent in the Area of Outstanding Natural Beauty.
- Mark Turner noted that policy stated, when considering developments in natural parks such as the Broads, and Areas of Outstanding Natural Beauty, they should be refused other than for exceptional circumstances and where it could be shown that development was in the public interest.
- Mark Turner noted the previous speaker's comments about adjacent land being available for development.
- Mark Turner's client had paid for an independent analysis which concluded that the highway proposals were unsafe.

6.3.4 Committee Members asked questions to Mark Turner:

- A Committee Member asked if the application would remove cars from the highway which gave access to Hilltop Centre. The Principal Engineer (Development Service) replied that the new site would take queuing off the highway. Mark Turner added that he had been told the application would result in HGVs entering the site driving up the wrong side of the road against coaches leaving Hilltop Centre.

6.3.5 Peter Barnes spoke to the Committee on behalf of the applicant:

- Sheringham recycling provided value for money, but the facilities had outgrown the centre, and the space no longer allowed the council to provide the services customers expected.
- At the existing centre there was minimal waste segregation and waste was dumped into skips. Change in legislation and closure of landfills had increased waste disposal costs and a review of recycling centres identified a need to accommodate updated policies and for future growth.
- Two new recycling centres had recently been delivered on the outskirts of Norwich and the withdrawal of less efficient facilities were proposed to continue the modernisation of the network, including this application.
- Officers explored options to extend the site, but this was unsuccessful due to environmental, operational and safety considerations. Following this, officers investigated alternative land available including suitable Norfolk County Council owned land in the area which was unsuccessful. In 2019, 15 privately owned land agents were contacted which led to the existing site being chosen as it met land management requirements.

The new centre was proposed to have segregated areas for service vehicles, carbon reduction benefits due to larger containers with compaction and reduction in vehicle movements, photovoltaic panels to produce some of the power requirements, and on-site re-use shop.

- Junction improvements would improve access to the layby and safety.
- The response to the consultation lead to improved acoustic fencing and willow fencing to provide screening.
- When operations were on the new site, the infrastructure on the existing site would be removed and the site would be planted to woodland.
- The application was a deviation from planning policy but could be accepted as a special circumstance due to no other site being available. It would be a modern amenity for residents.

6.3.6 Committee Members asked questions to Peter Barnes:

- A Committee Member queried whether the land adjacent to the existing site could be used. Peter Barnes confirmed that the land to the east and west was looked at but building here would involve destroying large areas of woodland.
- Peter Barnes confirmed that the owner of Hilltop Centre had been met with several times.
- A Committee Member asked what facilities were in place for members of the public to reach the centre without a car. Peter Barnes replied that it was unlikely for members of the public to visit the site by foot or bike, but there was a footpath leading into the site. Visitors to recycling centres by foot and bike were rare.
- A Committee Member queried the location of the site compared to urban centres and where people travelled from to access it. Peter Barnes confirmed that residents of Sheringham, Cromer and North Walsham travelled to access the Sheringham Waste Recycling Centre and the location was central to Holt, Sheringham and Cromer.

6.4 The Committee moved on to debate:

- A Committee Member felt that this application did not meet the requirement for applications to resist causing harm to Areas of Outstanding Natural Beauty and believed the re-use centre may encourage more traffic.
- The Head of Planning clarified that a complaint had been received by Norfolk County Council about the owner of the land for the proposed site, but no enforcement action was in place by Norfolk County Council.
- A Committee Member felt that demand would increase along with population growth, impacting on traffic on the road. The application presented included mitigations to take traffic off the road and reduce congestion which would improve access for Hilltop Centre.
- A Committee Member felt that the proposed site would be an improvement on the existing site.
- A Committee Member was of the opinion that waste centres should be closer to urban sites and another was concerned about the lack of alternative forms of access than by car.

- 6.5 With 8 votes for 2 against and 1 abstention the Committee **RESOLVED** to **AGREE** that the Lead Director of Communities and Environment be authorised to:
1. Grant planning permission subject to the conditions outlined in section 11;
 2. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted;
 3. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

7. FUL/2020/0079 & FUL/2020/0080: Spixworth Quarry, Church Lane, Spixworth; FUL/2022/0018: Land at former Quaker Lane, Spixworth

- 7.1 The Committee received the report setting out three linked applications for: continued sand & gravel extraction and restoration by infilling to agricultural use by 31 December 2026 without compliance with condition 1 of permission ref. C/5/2014/5008 (Tarmac Trading Ltd); continued extraction of sand and gravel without compliance with condition 1 of permission ref. C/5/2014/5007 to enable mineral extraction to take place until 30 April 2023 and the site restored by 31 December 2026 (Tarmac Trading Ltd); change of use to enable the establishment and operation of a new means of access into Spixworth Quarry using existing bellmouth onto the Broadland Northway (A1270) from the former Quaker Lane and the route of Bridleway Horsham St Faith and Newton St Faith BW7 for a temporary period until 31 October 2026 to enable the restoration of the quarry; erection of site office, and 1.2m post and wire fence (to segregate HGV traffic from other users), installation of splitter island (on bellmouth) and passing place, and upgrade/renewal of existing surfaces (Tarmac Trading Ltd).
- 7.2 The committee heard a presentation by the planning officer The photographs and maps shown in the presentation can be found in the Committee report or planning application documents:
- The location plan and map of the existing plant site were shown.
 - Photographs of the access onto and of the existing plant site were shown.
 - Part of the site had completed mineral extraction and was awaiting restoration.
 - A new access road access to the site was proposed from the Broadland Northway.
 - Use of the bridleway would only continue until 2026 when the site would be restored. Impact on recreational users would be minimised by only using it on Monday to Friday.
- 7.3 The Committee unanimously **RESOLVED** to **AGREE** that the Lead Director for Communities & Environment be authorised to:
- I. Grant planning permission for application references FUL/2020/0079, FUL/2020/0080 and FUL/2022/0018 subject to the conditions outlined in section 12 and the signed Section 106 Agreement dated 23 April 2024 relating to the management of Spixworth Park and HGVs only using the new access.
 - II. Discharge conditions where those detailed below require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.

III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

7.4 The Chair asked the Committee if they would be happy to start meetings at 10am moving forward.

7.5 The Committee agreed to change the start time of meetings to 10am.

The meeting ended at 1:51

Chair



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Planning (Regulatory) Committee

Item No: 5

Report Title: FUL/2022/0056: Land off Crab Apple Lane, Haddiscoe, Norfolk, NR14 6SJ

Date of Meeting: 24 May 2024

Proposal & Applicant: Extraction of sand and gravel with low level restoration to meadow species rich grassland with ephemeral water body (Breedon Trading Limited)

Full details of the Planning Application Ref. FUL/2022/0056, including the consultation responses and representations can be found online through the following link:
<https://eplanning.norfolk.gov.uk/Planning/Display/FUL/2022/0056#undefined>

There are ten updates since the planning application committee report was published:

Organization	Comment	Officer Response
Applicant	Requests amendment to draft Condition No. 5 to state: <i>"No excavations shall be carried at a depth greater than 0m AOD".</i>	This is to correct the reference to the maximum depth of working. Recommended that the requested amendment is accepted.
Applicant	Requests an amendment to the wording used in Condition Nos. 7, 10, 11, 12. 27 to state: <i>"Prior to the commencement of mineral extraction..."</i> in relation to the time for compliance.	This is requested to provide greater clarity. Recommended that the requested amendments are accepted.

Organization	Comment	Officer Response
Applicant	Requests that Condition no. 26 be amended by the deletion of the second paragraph referring to the analysis, publication and dissemination of the results of the Archaeological Written Scheme of Investigation (WSI) prior to the on the basis that this is set out in the WSI itself, and because much of this work is undertaken while extraction is taking place.	Recommended that the wording of the condition be amended to state: “The site investigation and post investigation assessment shall be completed in accordance with the Archaeological Written Scheme of Investigation and provision made for the analysis, publication, and dissemination of the results and archive deposition, to be undertaken in accordance with a programme, details of which shall be submitted to and agreed in writing by the Mineral Planning Authority, prior to the commencement of mineral extraction”.
Applicant	Requests that Condition Nos. 33 and 34 be amended to allows 12 months instead 3 months for the submission of a revised Concept Restoration Plan and Landscape Planting and Aftercare Plan, to allow more time to prepare these.	3 months was initially recommended as reasonable period of time, but the applicant has asked if this can be extended in case the revised drawing/plan take longer to prepare. It is Recommended that the requested amendment is accepted.
Applicant	Requests that Condition No. 38 be amended to state: <i>“Prior to the commencement of works in Phase 3, details of the alignment...”</i> to allow more time to prepare the details of the bridleway diversion.	As long as the details are improved into time to enable the bridleway diversion when required, there is no reason to object to this request. It is recommended that the requested amendment is accepted.
Richard Buxton Solicitors	Have submitted an additional representation which in summary makes the following points: 1. That that the revision of the extraction boundary will reduce the amount of mineral extracted by 20,000 tonnes but this is not	Further advice has been sought from the South Norfolk District Council Environmental Quality Officer (see below). They have advised that inclusion of the additional properties does not change their advice.

Organization	Comment	Officer Response
	<p>support by any evidence;</p> <p>2. There remain a number of properties that are less than 100m from the extraction boundary;</p> <p>3. There are four missing dust sensitive receptors, three of which lie within 100m of the extraction boundary (shown on a plan - which is attached); and one Manor Farm, that it is stated is not 100m from the extraction boundary;</p> <p>The letter additionally requests that a further Regulation 25 Request for Further Information should be served on the applicant to obtain details of the missing dust receptors; and it identifies what it considers to be a number of policy breaches.</p> <p>The full text of the letter is available on-line through the link shown at the top of this update.</p>	
Breedon Trading Limited (The Applicant)	<p>The applicant has provided additional comments in response to comments from Richard Buxton Solicitors comprising a further report from their air quality consultant, which addresses the points set out above. The submission includes plan showing the distances from the nearest dust receptors (which is attached).</p>	

Organization	Comment	Officer Response
	The full text of the applicant's response is available on-line through the link shown at the top of this update.	
South Norfolk District Council Environmental Quality Officer	<p>Has reviewed the submission from Richard Buxton Solicitors and advised that their previous comments remain valid.</p> <p>The response is available on-line through the link shown at the top of this update.</p>	This does not give rise to any reason to change the recommendation set out in the report.
Objector	<p>Further representation stating that the Devils End Meadow County Wildlife Site (CWS) and adjacent land contains habitats of principle importance e.g. ancient wood pasture and parkland with veteran pollarded oaks and wet woodland and also many species of flora and fauna all regarded as species of principal importance.</p> <p>Full details of this representation is available on-line through the link shown at the top of this update.</p>	This does not give rise to any reason to change the recommendation set out in the report.
Richard Buxton Solicitors	<p>Further letter from Richard Buxton solicitor raising issues relating to weight to be given to the emerging plan, dust and air quality, heritage and the mineral shortfall.</p> <p>The letter included an attachment of an earlier technical rebuttal of the Air Quality Assessment.</p> <p>(This submission is also understood to have been sent to Members on 22 May 2024).</p>	<p>The issues raised largely relate to the weight to be given to different material considerations in the planning balance. This has already been addressed in the committee report with officers providing advice on the weight to be given to the respective matters.</p> <p>With respect to the Air Quality Issues, as set out above, further advice has already been sought from the South Norfolk District Council Environmental Quality Officer who have not altered their advice, not to object subject to</p>

Organization	Comment	Officer Response
		conditions, which is set out in the committee report.

There are five amendments since the planning application committee report was published:

Paragraph	Issue	Amendment
Executive Summary	Update the final sentence of the second paragraph of page 2 of the report to state:	<i>"In addition, there have been 554 third-party submissions from 178 named individuals or organisations, with some making multiple representations, of which 550 relate to representations offering objection, 1 supports and 3 provide comments without stating either support or an objection".</i>
11.2 Conditions	Amend the wording of Condition No. 12, to correct the typographical error.	"Soil stripping shall not commence until the off-site highway improvements works...".
11.2 Conditions	Correction of typographical error in condition 30.	Insert reference to 'Condition No. 27'
11.2 Conditions	Amend the wording of the Reason for Condition No. 41 on removal of permitted development rights.	'...on the Broads Authority area natural environment and human health...'
11.2 Conditions	Amend the wording of the Reason for Condition No. 43 on geological recording.	To refer only to Policy NMWDF&CS Policy DM14



Stopit2

Presentation to Norfolk County
Council Planning Committee
Friday 24th May 2024



Haddiscoe

- Agricultural village on the gateway to the Southern Norfolk Broads.
- 250 houses with 500 inhabitants.
- Elderly and young families.
- Grade 1 Listed Church.
- Lots of tourism.
- Peaceful and tranquil.

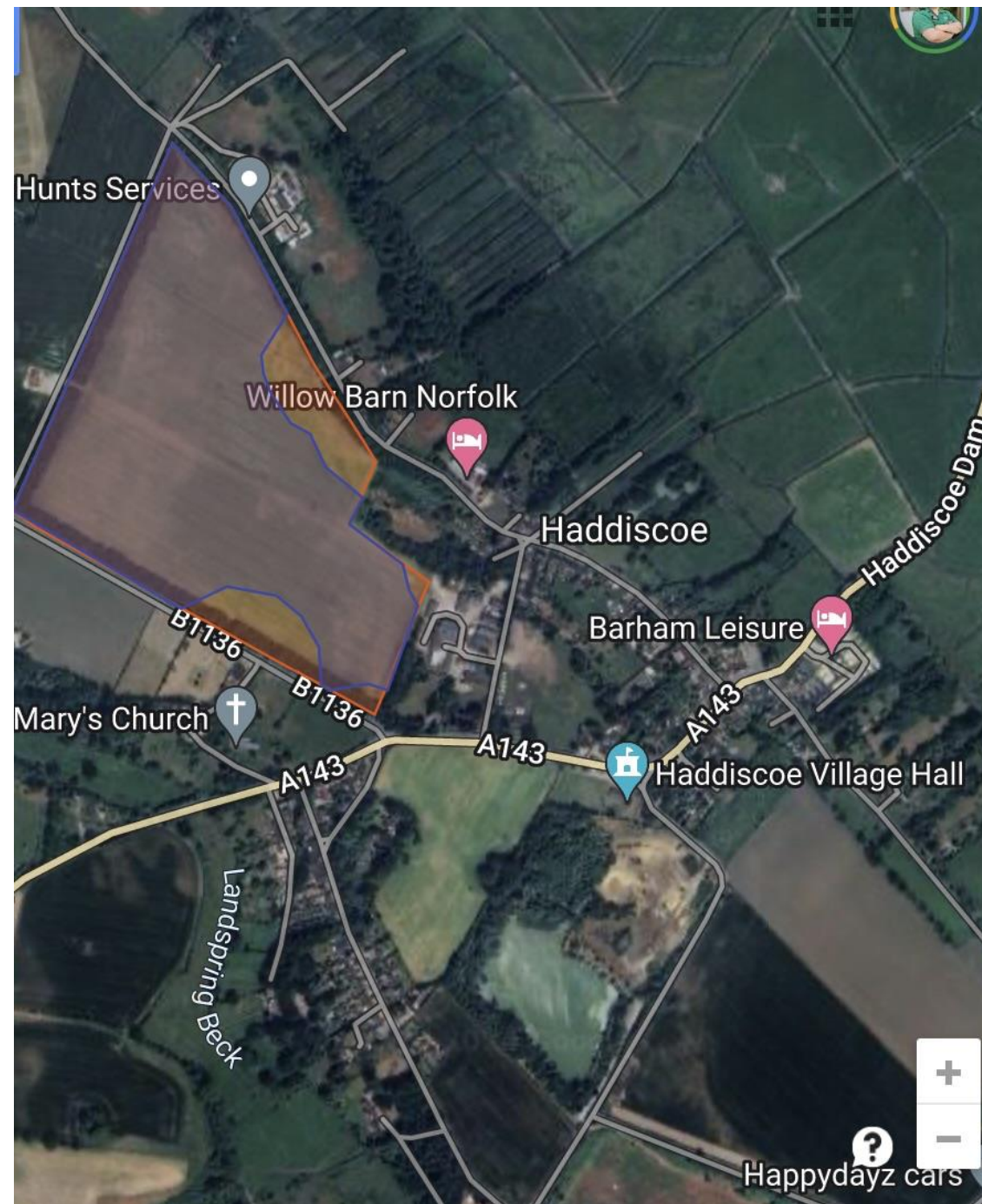
Stopit2

- Represents the villages in Haddiscoe.
- Village Survey September 2022: Over 200 residents surveyed - 82% opposed, 17% neutral and 1% in favour (mainly the farmer and friends/associates).



Location of the Proposed Quarry

- Within the boundary of the village.
- On the North-Eastern Boundary.
- The size of 26 football pitches.
- 55 houses within 250m.
- 12 houses within 50m.
- On the boundary of the Broadlands National Park.
- Too close to residents' houses!



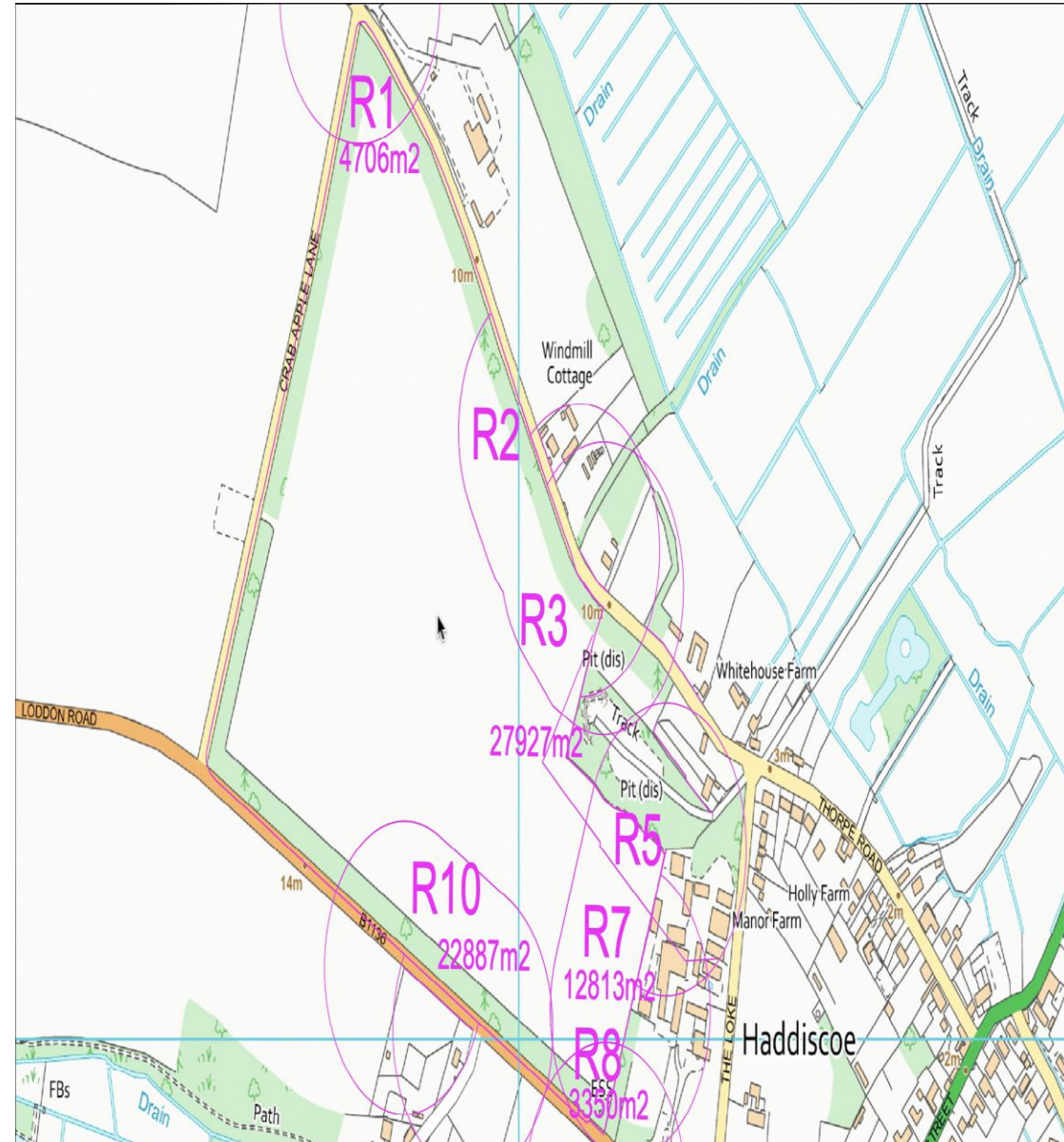
Landscape of Two Grade 1 Listed churches permanently damaged!

- The site sits in the vista between the towers of St Mary's church Haddiscoe and St Mattias church Thurlton.
- Both St Mary' and St Mattias dates back to the 11th Century.
- Although the Gravel Pit will be temporary, the damage to the landscape will be permanent.
- A historic agricultural landscape will be lost for ever.
- St Mary's church graveyard (used for current burials) is 25 meters from the proposed site.
- Historic England and the Broads authority have rightly objected.



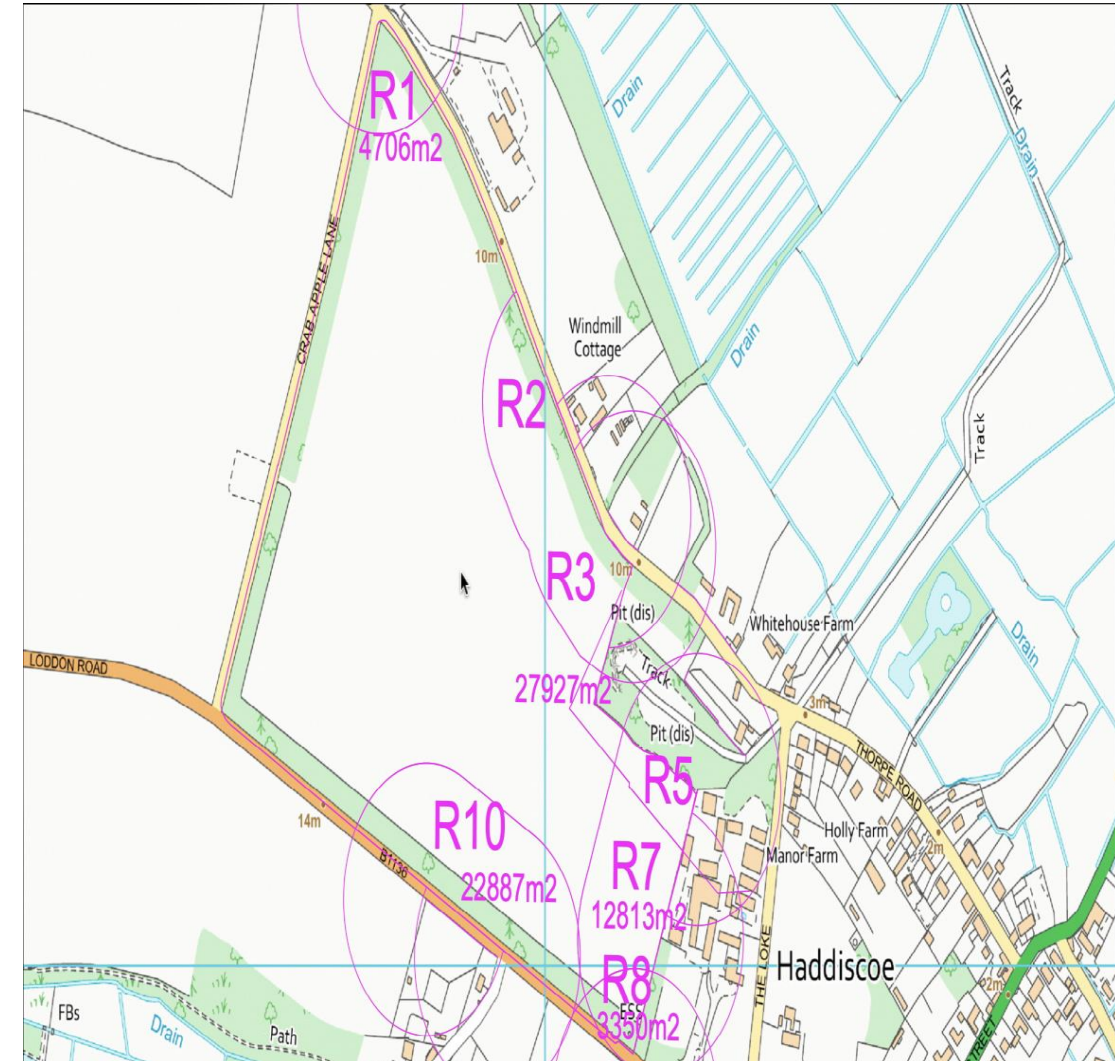
Inadequate protection for resident's health

- The more dangerous fine particulate matter $PM_{2.5}$ has not been considered by the developer.
- NCC Draft M&WP MIN 25 states: “adverse dust impacts from sand and gravel sites are uncommon beyond 250m from the dust generating activities”.
- There are 55 houses (110 residents) within 250m!
- Particulate matter under 10 microns is inhalable into resident's lungs and can introduce adverse health impacts (see Barford quarry Hearing Statement by Dr Malcolm Eykyn).
- New targets for $PM_{2.5}$ in the UK in 2023 through the Environmental targets (Fine Particulate Matter)(England) Regulation 2023 have not been addressed by the developer.
- NCC have a responsibility to protect resident's health, indeed there should be “net gain principles” per Public Health Principles 2019.
- The developer has a responsibility to apply the latest science (IAQM Code of Professional Conduct, members should be “guided by the principle of applying the most appropriate science”).



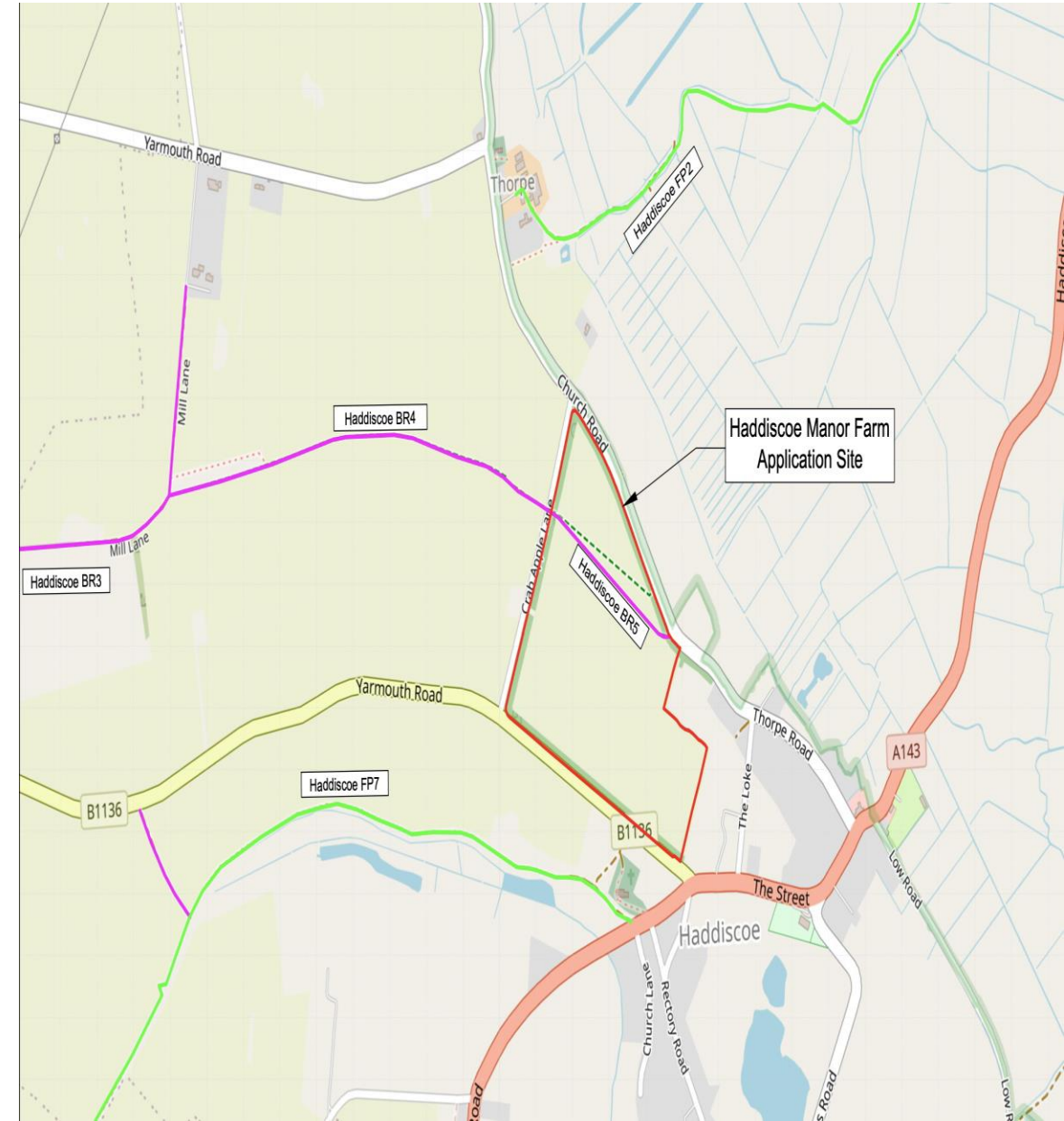
Volumes are incorrect, tree boundary and 100m from Sensitive Receptors have not been correctly represented

- This map has been produced by Hume Engineering commissioned by Stopit 2.
- There has been no drawing and plan for the 100m boundary, the volumes are not auditable.
- There has been no recalibration of volumes for this 100m boundary.
- The boundary is being left deliberately vague.
- The MIN25 volumes in the NCC MW&LP are being overstated at 1.3 million tonnes.
- BECAUSE OF THE LOCATION OF THE SENSITIVE RECEPTORS, WE ESTIMATE THAT THE SURFACE IS REDUCED BY 30% AND VOLUMES BY UP TO 50%
- THEREFORE, THIS COMMITTEE CANNOT MAKE A PROPER ASSESSMENT ON WHETHER THE HARM YOU ARE IMPOSSING ON THE VILLAGERS IS PROPORTIONATE TO THE BENEFIT FROM THE GRAVEL EXTRACTION!



Adverse Impact on the Bridleway (BR4)

- Haddiscoe BR4 will be permanently damaged by this proposal.
- There is no Village Shop or Pub in Haddiscoe.
- There are no footpaths north of the A143.
- During the development, horses will traverse the Bridleway near heavy machinery.
- The Bridleway provides essential, off-road access to a Farm Shop (Hillfield Nursey and Farm Shop).
- This Planning Application will permanently change the gradient of BR4, rendering it unusable for some users (MIPS).



Adverse Impact on Tourism

- There are a number of tourism related businesses in the village of Haddiscoe.
- The development of 22 hectares in a greenfield agricultural in such a prominent setting will significantly change the look and feel of the area and be a major detractor for the local tourism business and economy.
- One of the sensitive receptors identified by the developer in their Environmental Statement is Willow Barn (R1) with the sensitivity of the property and the dust impact noted as HIGH. Willow Barn is a furnished holiday let, which is going to be significantly impacted by the development.
- St Mary's Church with its is a major tourist attraction, with its prominent position and St Mary's is among Norfolk's most striking round tower churches.
- The proposed site is on the boundary of the Broads National Park. The screening of the site is not effective, being of drop leaf, deciduous tree variety, with a number of trees that have died as a result of the very hot summer in 2022. They provide sporadic screening of the site in the summer months, but in the winter months, provide no screening.



HGV movements are understated!

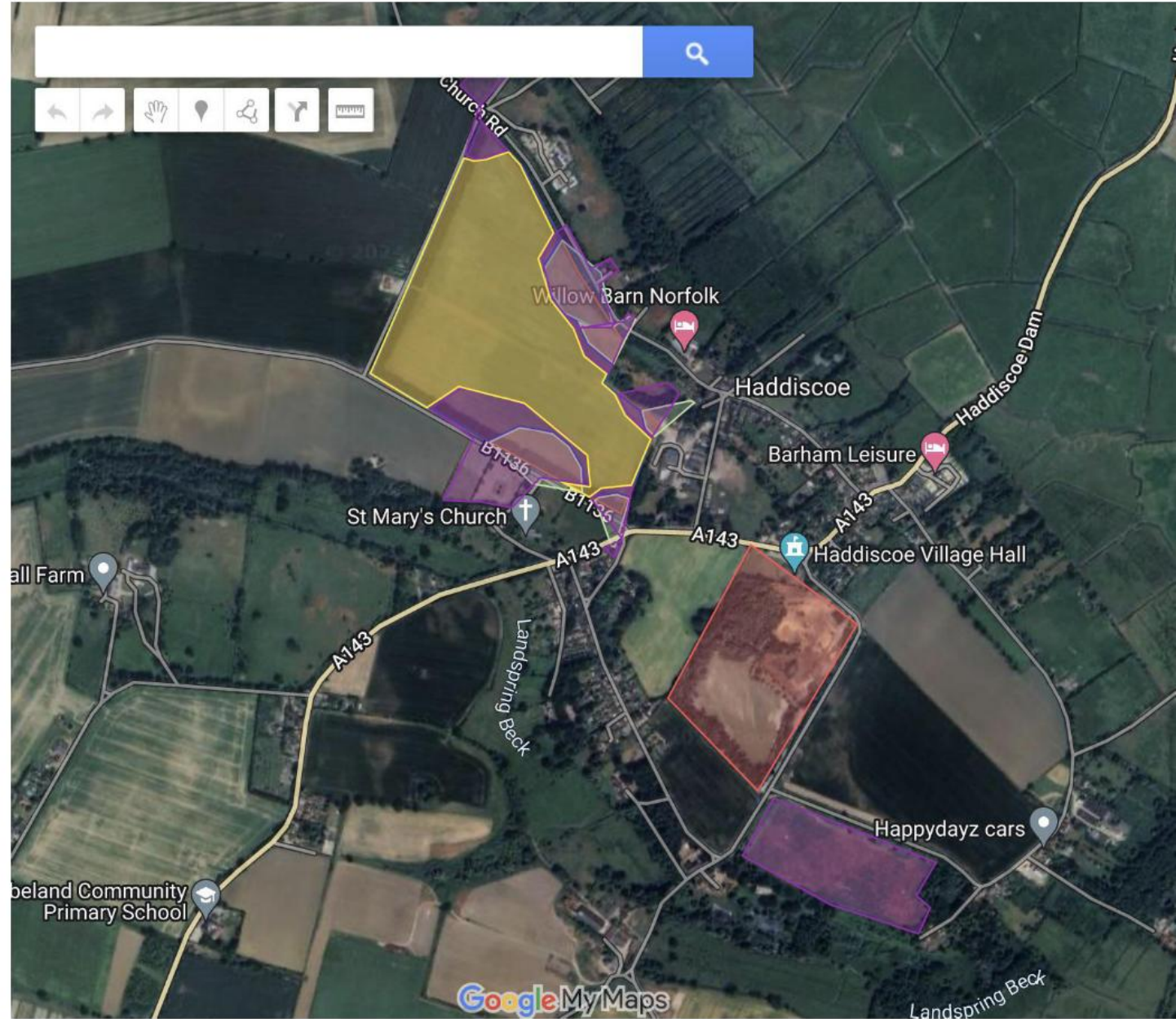
- Breedon have stated that there will be 38 HGV movements per day.
- These Lorries travel down the B1136 to Norton Subcourse.
- The gravel will then be processed, mixed with sand and then leave Norton Subcourse bound typically for Great Yarmouth.
- We therefore estimate that the Gravel from Haddiscoe will generate up to 100 lorry movements per day through Haddiscoe.



Haddiscoe Too Much Quarrying!

- The Crab Apple Lane mineral extraction site FUL/2022/0056 – Yellow
- Village Hall Quarry – 1980s to Late 1990s - Red
- The Wiggs Road quarry, developed from 1969 – Purple

Haddiscoe, historically, is and agricultural village. All this quarrying is permanently damaging our landscape and taking away productive agricultural land for future generations.



In Summary

The Village is AGAINST this:

- Over 150 objections posted
- Over 200 residents surveyed - 82% opposed, 17% neutral and 1% in favour (mainly the farmer and friends/associates)
- Original plan for larger site including land on adjacent field **rejected** in 2014.

The PARISH Council is against this.

SNDC is against this.

Local MP is against this.

ARE YOU GOING TO APPROVE THIS WITH SO MUCH
OPPOSITION, UNCERTAINTY OVER THE VOLUMES OF
GRAVEL AVAILABLE AND THE HEALTH RISK TO THE
RESIDENTS OF HADDISCOE!



RICHARD BUXTON

solicitors

environmental • planning • public law

Planning Services
Norfolk County Council
County Hall
Martineau Lane
Norwich NR1 2DH

01223 328933
ptaylor@richardbuxton.co.uk
sknox-brown@richardbuxton.co.uk

Our ref: ALD2/1 (PDT)
Your ref:

10 May 2024

Attn. Andrew Sierakowski / Nick Johnson

BY EMAIL ONLY: andrew.sierakowski@norfolk.gov.uk; nick.johnson@norfolk.gov.uk

Dear Sirs

FUL/2022/0056 - Land off Crab Apple Lane, Haddiscoe, Norfolk, NR14 6SJ

1. As you are aware, we are instructed by Stopit2 (our 'Client'), an unincorporated association made up of Haddiscoe residents in relation to the above planning application.
2. These following submissions made on our Client's behalf are to address uncertainties arising from the 100m buffer zone between the excavation boundary and sensitive receptors (to protect those sensitive receptors from dust, noise, and air pollution).
3. Several of these issues were raised in our previous letter of 14 December 2023, and others directly from our Client, as well as from the Parish Council (whom Stopit2 have shared their expert evidence with, and are aligned with their concerns on this point, and as such there are similarities and reliance on the same material). The issues set out below are integral to understanding the environmental impact of the development, as well as simply understanding the parameters of the application itself.
4. It is requested for the reasons stated below, that the Council make a request under Regulation 25 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations") for further information. The specific requests we suggest are set out in paragraph 9 below.
5. The key concerns relating to the 100m boundary are as follows:
 - i) The applicant, in their Regulation 25 response of 20 October 2023, agreed to align with the boundary requirements set out in MIN25 of the Minerals and Waste Local Plan which concerns excavation of the same site, and amended the proposal to move the extraction boundary to a distance of 100m from sensitive residential property boundaries to "...*address perceived concerns about the proximity of the extraction boundary*" (see pages 12 and 26 of main Regulation 25 response from the applicant). This is shown in the updated phasing plans in Addendum B (enclosed with this letter). The applicant also says that this means a reduction in the amount of minerals to be extracted of 20,000 tonnes (due to the reduction of space), however no evidence for the calculations have been produced.

- ii) The applicant identified 10 sensitive receptors in their Environmental Statement, Chapter 10 'Air Quality' (see extracted map enclosed), 9 of which are residential properties. No plan has been provided by the applicant to demonstrate that the amended excavation boundary is 100m away from **each** of the sensitive receptor's property **boundary**.
- iii) Our Clients have commissioned Hume Engineering to produce a plan showing an accurate mapping of 100m from 7 of the closest residential sensitive receptors identified in the Environmental Statement, using the property red line boundaries to include the entirety of the property (house and garden). When this plan is compared side by side with the amended excavation boundary in the map provided by the applicant (in Addendum B to their Regulation 25 response) it is clear that the excavation area is still within 100m of the boundaries of some of the sensitive residential receptors, and therefore falls short of the applicant's commitment.
- iv) We assume that there is no disagreement that the 100m should be measured from the boundary of each of the receptors at the **closest** point to the excavation site, to include gardens which in this case are generally the closest to the site, and which will be heavily impacted by dust and pollution. Whatever the approach being taken currently, it is falling foul of the promised 100m.
- v) Applying the full 100m boundary from sensitive receptors and applying the geology of the Sand and Gravel deposits (P69 to P71 PS V1 Appendix 6 – Geology Report), it is apparent that there are significantly greater deposits on the Northern and Eastern Boundaries where a greater number of the sensitive receptors are located.
- vi) If the excavation area has to be revised again (so that the distance from these receptors is at least 100m as per our Client's Hume Engineering report) the amount of gravel available for excavation will now be reduced further. It has been calculated from the CAD drawing that the exploitable surface area is reduced by as much as 33%. It represents the square meterage of the field taken out by applying the 100m boundary correctly from the red line boundary of each sensitive receptor as per the Hume engineering map. Based on the applicant's own geology report showing the profile of the sand and gravel deposits, Stopit2's own internal engineering expert has estimated that the exploitable gravel deposit is reduced by as much as 50%.
- vii) ES Chapter 10 and Addendum B identify bunds throughout the phasing of the project to assist visually, with dust and with noise attenuation when the excavation is nearest to certain sensitive receptors. However, when phase 3 and 4 are being undertaken, there is no screening bund to assist with receptors 7 and 8. No explanation appears to have been given at any stage for this particular exclusion.
- viii) There are 4 missing sensitive receptors which both we and our Clients separately **have brought to the Council's attention**. Three of these lie within the 100m boundary (see our Clients' missing sensitive receptors map enclosed – the rectangle identifying each receptor identifies as near as possible the boundary of each of those properties).
- ix) Importantly one of the sensitive receptors, Manor Farm (R7), is a residential property occupied by the landowner, which has clearly not even been afforded the 'current' 100m boundary identified in Addendum B. Despite any agreement from the landowner for use of their land for quarrying, they must be included in the assessment to protect the health of all and any potential occupiers, visitors and workers during the development period.

Further Regulation 25 Request

6. As you will be aware, a local planning authority should check that the submitted Environmental Statement contains all the information specified in Regulation 18(3) or (4), as appropriate, and any additional information specified in Schedule 4. The applicant is in breach of Regulation 18(3)(a) by failing to provide:

“[a] description of the proposed development comprising information on the site, design, size and other relevant features of the development” (emphasis added).

7. The rest of the requirements in Regulation 18 follow from the precise detail required in Regulation 18(3)(a). Without certainty about integral details such as whether there are missing receptors, where exactly the excavation boundary lies, the total tonnage of minerals that can be extracted, the Council is not able to adequately assess the likely significant effects of the proposed development on the environment in terms of e.g. noise, dust and air quality.
8. These aspects are all relevant for the Local Authority to consider whether planning permission should be granted, and reach a reasoned conclusion as required by Regulation 26.
9. It is therefore suggested that a further Regulation 25 request is made to:
 - i) Identify which sensitive receptors are missing;
 - ii) Clarify by providing an accurate, grid referenced plan, the 100m distances from each sensitive receptor;
 - iii) Clarify by providing an accurate grid referenced plan a workable excavation boundary considering; and
 - iv) Clarify the amount of gravel available for excavation based on the updated boundary.

Planning balance

10. Any recommendation the planning officer makes, and any decision the committee subsequently takes, rely on the information they have in front of them to weigh up the application against any potential breaches of planning policy. A planning decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (s38(6) of the Planning and Compulsory Purchase Act 2004). Further in relation to heritage harm the NPPF provides clear direction that the conservation of grade I listed buildings should be given very great weight and also provides for how the harm should be weighed against any public benefit.
11. In our letter of 14 December 2023 we identified various breaches of planning policy, both local and national in relation to multiple areas e.g. noise, dust, air quality and heritage. We need not repeat these objections here, and instead enclose our letter of 14 December 2023 for reference. Historic England have objected throughout to this proposal in relation to the conservation of St Mary's Church, and St Matthias Church.
12. In terms of any public benefit the planning application would bring via the production of minerals, without clarity of the exact extraction area and therefore the amount of feasible

gravel that could be extracted, it is impossible for the officer and the committee to make an informed decision and undertake an exercise of planning balance.

Air quality

13. Stopit2 commissioned their air quality expert, Dr Bull, to respond to the applicant's Regulation 25 response. The applicant provided a response to this in February 2024 where they addressed points made by Dr Bull. Dr Bull has now provided a rebuttal to this (enclosed).
14. We need not repeat the argument of the applicant's expert, or our Client's, but the inadequacies in the assessment of fine particulate matter and the potential for greater dispersion of dust remain unresolved by the applicant.
15. Given the detail set out by Dr Bull about the clear evidence that there are health effects of fine particulate matter (as PM₁₀) below the 17µg/m³ level as evidenced by the changes in standards and targets and that there is an increasing focus on PM_{2.5} rather than PM₁₀, the Council should be considering whether it is appropriate in the circumstances to allow the applicant's assessment to remain as it is. Especially in the circumstances of so many close by sensitive receptors, the Council should be adopting the precautionary principle here. It should also be asking that the applicant's expert to follow their own institute's code of conduct to be *"guided by the principle of applying the most appropriate science"*.

Minerals and Waste Plan – MIN25

16. All of the above points also impact upon MIN25. The requirement of a 100m buffer from sensitive receptors comes from the wording in MIN25. The amount of gravel and sand that MIN25 purports to be able to deliver (1.3m tonnes) will depend upon the particular excavation area, which in turn depends upon the 100m boundary. For the reasons set out above, the boundary will have to be reduced even beyond that currently proposed by the applicant.
17. This is extremely important in terms of the decision for the Council on whether or not to allocate MIN25. During the sustainability appraisal, the Council will have assessed the site against other sites, looking at amongst other things, deliverability of the amount of minerals on each site. MIN25 was selected on the basis of being able to provide the 1.3m tonnes of gravel and sand. If much less than this will be delivered because of the 100m exclusion zone, this reduces the benefits of this site compared to others.
18. Deliverability impacts whether the plan itself is 'Effective' and therefore whether it can be considered as 'Sound'.
19. Our Client will be submitting their own hearing statements making these points and enclosing their expert evidence. However this has now been brought to the Council's attention, we expect that these issues will be thoroughly investigated prior to the hearing sessions and the appropriate information passed to the Inspectorate.

20. This letter is being copied to the Minerals and Waste Plan team jointly.

Yours faithfully



RICHARD BUXTON SOLICITORS

cc Minerals and Waste Local Plan Department
(Attn. Caroline Jeffery) By email only: ldf@norfolk.gov.uk

Encl.

- Applicant's Regulation 25 response - Addendum B, September 2023 (extract of phasing plan illustrating updated 100m boundary)
- Hume engineering map, 21 March 2024
- Environmental Statement Chapter 10 'Air Quality', October 2022 (extract of sensitive receptors map)
- Stopit2 map showing missing sensitive receptors
- Richard Buxton letter, 14 December 2024
- Dr Bull's rebuttal, 4 March 2024

To the Members of the Planning Committee
Norfolk County Council
County Hall
Martineau Lane
Norwich NR1 2DH

01223 328933
ptaylor@richardbuxton.co.uk
sknox-brown@richardbuxton.co.uk

Our ref: ALD2/1 (PDT/SKB)
Your ref:

22 May 2024

BY EMAIL ONLY: committee members and andrew.sierakowski@norfolk.gov.uk;
nick.johnson@norfolk.gov.uk

Dear Sirs

Planning Committee Date 24 May 2024
FUL/2022/0056 - Land off Crab Apple Lane, Haddiscoe, Norfolk, NR14 6SJ

1. We are instructed by Stopit2 (our 'Client'), an unincorporated association made up of Haddiscoe residents in relation to the above planning application.
2. These following submissions made on our Client's behalf are to address points made in the Officer's Report ("OR"). For the reasons set out below, this application should be rejected.

Weight to the Emerging Mineral Plan

3. The Officer states correctly at 3.86 and 4.3 that only limited weight can be given to the emerging NM&WLP and that:

"the application has essentially still to be considered on the basis of the currently adopted NM&WDF".

4. However at various points in the OR, it is stated that the site is allocated for sand and gravel extraction and this is used as a reason for approving the application:

"Notwithstanding that this is the case, Policy MIN25 in the emerging NM&WLP makes clear that the site is allocated for sand and gravel extraction. (3.87)

It is a proposed allocation in the emerging NM&WLP, based on an assessment that finds that it is in principle acceptable, subject to the requirements set out Policy MIN 25. ...The site has been proposed to meet the identified shortfall in the sand and gravel landbank set out in the emerging NM&WLP. (3.100)

the application, comprising an allocated site being proposed in the emerging Norfolk Minerals and Waste Local Plan, can still in principle be considered to

be acceptable and in accordance with the development plan, and specifically the NM&WDF Core Strategy, Policies CS1 and CS2 (3.101)

It is however a proposed allocation in the emerging Minerals and Waste Local Plan, required to meet the identified shortfall in permitted reserves required during Minerals and Waste Local Plan period to the end of 2038. (3.170)

The key issue of principle arises from the development plan status of the site, and that the application site does not comprise one of the allocated sites in the current NM&WDF Minerals Site Specific Allocations DPD, but it is included as allocation MIN25 Land at Manor Farm, Haddiscoe, in the emerging NM&WLP. (4.2)

Policy MIN25 in the emerging NM&WLP nevertheless makes clear that it is intended to allocate the site for sand and gravel extraction. (4.4)

Development of the site has been identified as being required to meet the anticipated shortfall in sand and gravel moving into the new Plan Period from 2026 to 2038, and significant weight can be attributed to this.(4.7)

5. It is clear that significant weight has been given to the possible allocation of this site in the emerging plan – almost to the extent that the allocation is presented as inevitable. The point is easily demonstrated by seeing how all of the above points fall away if the site was not on the list of possible allocations.
6. Instead, little weight should be given to the proposed allocation and once this happens, the arguments in favour of approving this application are significantly reduced.

Non compliance with the Development Plan

7. As noted above, the proper approach to the weight to be given to the emerging plan is as set out at 4.3:

“As set out above the weight that can be attributed to the proposed MIN25 allocation in the new plan, can as yet only be relatively limited, because, although the plan has now been submitted to the Secretary of State for examination, the examination has yet to take place and objections have been raised regarding its inclusion. As such the application has still to be considered on the basis of the currently adopted NM&WDF.”

8. On that basis it is necessary to consider policy CS1 which states:

“The sand and gravel landbank will be maintained at between 7 and 10 years’ supply”

9. The guidance for CS1 says at 6.3

“A maximum landbank, of 10 years’ supply, is considered necessary to ensure that an excessive reserve of sand and gravel is not permitted for

extraction at any one time. This is to provide a satisfactory degree of confidence that there will not be undue delays in the final cessation of extraction and eventual restoration at permitted sites, thereby increasing certainty for local residents.”

10. At 3.93 the OR states:

“As of 31 May 2024, the sand and gravel landbank of permitted reserves in Norfolk is calculated to be 11.6 years, and the 0.65 million tonnes proposed in the planning application would take the landbank up to 12 years. This is above the range for the landbank indicated in Policy CS1 and above the 7 seven-year minimum contained in national policy and guidance, and so cannot be taken as indicative of urgent need, but equally is not itself a reason for refusal.”

11. Therefore the landbank supply is already in excess of the maximum proposed for CS1 and that this application (by increasing the landbank) would exacerbate that position. It would breach the requirement of CS1 to maintain the landbank at between 7 and 10 years’ supply.

12. This application is therefore not in accordance with policy CS1 and is not in accordance with the Development Plan. This is how the application was originally advertised - see para 3.85.

13. As set out at 3.83

“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

14. Accordingly, this application should be rejected unless the committee is satisfied that material considerations indicate otherwise.

Dust and Air Quality

15. There are a number of unresolved issues relating to Dust and Air Quality

- The 100m boundary from existing properties
- The need to assess PM2.5
- The disagreement between the experts

16. The 100m boundary from existing properties

17. There is an unresolved issue about the 100m boundary. The following is part of the emerging Mineral Plan, which is awaiting submission to Secretary of State - Specific Site Allocation Policy MIN25:

“The submission of acceptable noise and dust assessments and a programme of mitigation measures to deal appropriately with any amenity impacts; mitigation measures should include setting back the working area at least 100 metres from the nearest residential properties ...”

18. The Applicant has revised the application so that the working area is at least 100m from the nearest buildings. However this is clearly insufficient and the 100m zone should be to the property boundaries. The term “property” clearly includes the land as well as the actual buildings. Furthermore, the boundary must be intended to apply to the boundaries since the impact of dust and noise on residents that live at these properties will necessarily be greater when the residents are outside. We refer in this context to our letter of 10 May 2024 (attached) which has not been addressed in the OR.

19. If the application is intended to be compliant with what is proposed for MIN25, the absence of a 100m boundary from residential properties is a further reason for refusing the application.

20. The need to assess PM2.5

21. Dr Bull makes a number of important points about the appropriate threshold concentrations where health effects of fine particulate matter can be discounted.

22. Although the Applicant’s experts suggest that their approach is in accordance with existing guidance from 2010, Dr Bull explains persuasively that the regulatory environment and health evidence related to fine particulate matter has clearly changed since the guidance was prepared (as demonstrated by the 2023 regulations, the 2021 WHO guidelines, new proposed EU guidelines and comments by the IAQM). Dr Bull also points out that the IAQM Code of Professional Conduct states that members should be “guided by the principle of applying the most appropriate science”.

23. Dr Bull concludes:

“It is quite clear that the evidence is that there are health effects of fine particulate matter (as PM10) below the 17µg/m3 level as evidenced by the changes in standards and targets and that there is an increasing focus on PM2.5 rather than PM10, and it is therefore inappropriate to maintain that the use of the outdated threshold in guidance is correct. As a result, a health related assessment should be provided for this application.”

24. In the OR at 3.137-3.143, the Officer summarises the latest response from the Applicant’s experts. The Officer then refers (at 3.144) to the lack of objection in principle from either the District Council Environmental Quality Officer, Norfolk Public Health or the Environment Agency. Although the OR refers to the comments from Public Health at 3.37 onwards, there are a number of important comments from Public Health that have not been included.

- Public Health are cognisant of the new PM2.5 air quality targets and are aware that these will raise concerns amongst residents and place additional pressure

on District Environmental Health departments to achieve improvements in air quality.

- That the data used by DEFRA to establish that the baseline values for PM10 in Haddiscoe range is modelled with potential variances of up to 50% and it is therefore possible that the actual values do in fact exceed 17 µg/m3 .
 - Currently no PM10 monitoring is undertaken in the area so there is no way to verify the accuracy of the modelled data.
25. The various local policies that relate to dust and air quality refer to the need to “*ensure that there are no unacceptable impacts*” on amenity and that “*The highest standards of design (and) operation of sites must be practiced.*”¹
26. In the context of this policy wording, the committee must be satisfied that there is proper up to date understanding of the dust and air quality impacts (especially the health impacts) and there has been a proper consideration of the respective points in issue by statutory consultees with the appropriate level of expertise. Given the increasing awareness of the health risks associated with PM2.5, the Committee cannot be satisfied that there will be no unacceptable impacts or that the highest standards of design and operation are being practiced.
27. The disagreement between the experts
28. The Officer has not responded to the most recent comments of Dr Bull (dated 4 March 2024). It is important to note that both Dr Bull and the Applicant’s experts stand by their comments.
29. It should be noted that Public Health have commented that they are not in a position to judge the merits of either report which should be carried out by an appropriate authority.
30. In summary, in relation to the dust and air quality impact:
- there is an inadequate excavation boundary (which means that the application would provide less mitigation that would be the case if this site is allocated in the emerging plan);
 - there is no assessment of the impact in terms of PM2.5 and a consequential breach of the dust/air quality policies (intended to prevent unacceptable impacts); and
 - there are unresolved issues between experts.

Heritage Harm

31. Historic England are concerned about:
- The impact of view from the Church of St Mary (3.63)

¹ See Policy CS14

- The views of the Church of St Mary (with the Church of St Matthias) (3.64)
- The noise impact (3.5)

32. The OR addresses the views of the Churches but not the view from the church tower itself.

33. Furthermore, although the applicant has produced a technical note to assess the noise impact on heritage assets which suggests that the change in ambient noise levels due to the introduction of the proposed development would have no or a 'not significant' impact at any of the listed assets, this is not a full assessment against British Standards (as can be seen by comparison with the applicant's noise assessment). It is unclear for instance whether any consideration has been given to the character of the noise. An industrial type noise in the village context is arguably more distinctive and intrusive, even where the increase in noise levels is relatively modest. It is also unclear if account has been taken of sudden peaks of loud noises (which can have a dramatic impact, even if the average noise level over time is lower).

34. More importantly, the application of policy and the NPPF at 3.169 and 3.170 have not been carried out correctly. The NPPF wording is set out below:

205. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

206. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

217. When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy... In considering proposals for mineral extraction, minerals planning authorities should ...ensure that there are no unacceptable adverse impacts on the natural and historic environment

35. Paragraph 3.170 of the OR is crucial:

"When the different paragraphs of the NPPF are read together, it is clear in the circumstances that apply in this instance, that the issue is whether the less than significant harm, is outweighed by the public benefit of the proposal. In the context of the need for the supply of mineral identified in the Norfolk Minerals and Waste Local Plan, the application is for the development of what is currently an unallocated site. It is however a proposed allocation in the emerging Minerals and Waste Local Plan, required to meet the identified shortfall in permitted reserves required during Minerals and Waste Local Plan period to the end of 2038. Whilst, as set out above, the landbank for sand and gravel currently stands at 11.8 years, so that this cannot be taken as indicative of urgent need, the application site will nevertheless provide part

of the shortfall of 12.597 million tonnes, identified in the emerging plan, which can be considered to amount to public benefit, and can, even in the absence of urgent need, be considered to outweigh, the very low level of less than substantial harm to the significance of any of the nearby designated heritage assets.”

36. This assessment is not in accordance with the NPPF wording. On the one hand there is the great weight to be given to the Church’s conservation (even if the harm is assessed at minimal) greater because the Church is grade 1. This has to be balanced against the great weight for the benefits of mineral extraction - when it is clear that the extra mineral extraction is not required from this site and is greater than the Local Plan Policy permits.
37. The Committee is not obliged to accept the Officer’s assessment – in fact it is up to the Committee to reach its own assessment of whether the benefits outweigh the harm. If it does not agree with the Officer it should substitute its own assessment.
38. Finally, as highlighted by Historic England, the duty in s. 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to assess the impact of a development on listed buildings which are in the vicinity of the development site. The OR contains no detailed assessment in terms of the impact on setting as requested by Historic England, relating to dust, noise, etc, Should the Council grant permission without discharging this duty, and will be leaving themselves vulnerable to judicial review.

Meeting the Shortfall

39. As confirmed at 3.264 of the OR, the amount of gravel planned to be extracted has been reduced to 1.16m tonnes.
40. The OR suggests that it is a material consideration that carries significant weight that approval of this application will assist in meeting a future shortfall of gravel (see 4.7). However, although the shortfall (referred to in the emerging mineral plan) is noted, the OR does not address the point raised in the objections on page 27:

“The emerging NM&WLP states that the shortfall of 12.6m tonnes is less than the estimated resource bank at 15.4m tonnes, so the Specific Site Allocation Policy MIN 25 (land at Manor Farm, Haddiscoe) could be removed altogether.”

41. In other words, although a shortfall has been identified, this is intended to be addressed by the emerging mineral plan and can be done so without this site. This point undermines further the reliance in the OR on the provisional allocation of this site in the emerging mineral plan and the “significant weight” given to this application meeting the apparent shortfall².
42. It should also be noted that the Applicant has accepted that the amended boundary (so that the work is at least 100m from sensitive properties) will result in a further decrease in

² It is also understood that at least some of the gravel for this site is destined for Great Yarmouth which has just reduced its housing target by 26%. This will further reduce any anticipated shortfall.

the amount of mineral extracted by 20,000 tonnes. This is a further reason for reservations about whether this site will be allocated and whether the benefits of this site (for example in meeting the shortfall) are as clear as suggested in the OR.

43. If in fact the 100m boundary should be to the boundaries of the adjoining properties, this will further reduce the amount of gravel that can be extracted.

Summary

44. This Application should be rejected because:

- The application is not in accordance with the Development Plan.
- There is excess gravel landbank in breach of CS1 which the application would exacerbate.
- There is a breach of CS14 because of the failure to ensure that there are no unacceptable impacts particularly in relation to PM2.5 (and the other unresolved issues between the dust/air quality experts).
- There is less mitigation currently being provided in relation to dust (and noise) than would be the case if the allocation under the emerging plan is made.
- There is harm to a Grade 1 listed church (to which great weight should be given).
- The proposed allocation in the emerging mineral plan has been given undue weight.
- Not only is there an excess gravel landbank at the moment, there is uncertainty about whether this site is needed to meet the future projected shortfall.
- There is also uncertainty about the amount of gravel available from this site, particularly given the unresolved issues relating to the excavation boundary.
- Any benefits are clearly outweighed by the harm.

45. We trust these points are all clear but if any clarification or additional information is required please do not hesitate to contact us.

Yours faithfully



RICHARD BUXTON SOLICITORS

Encl.

- Letter dated 10 May 2024
- Dr Bull's rebuttal, 4 March 2024

Project No : 168

Haddiscoe Quarry – Response to Representations – Air Quality Assessments 13 February 2024

Michael Bull and Associates Ltd (MBAL) previously proposed a review of the Dust Assessment produced by Air Quality Assessments for the proposed sand and gravel extraction at Haddiscoe, Norfolk (dated 12 December 2023). Following the submission of this review a response has been prepared by Air Quality Assessments Ltd (titled Response to Representations) that attempts to address some of the comments made by MBAL (and other parties). This note briefly responds to the “Response to Representations” report.

Both MBAL and Air Quality Assessments Ltd have presented their case on various aspects of the assessment and the planning authority is able to review each case presented and prepare their decision having considered the evidence before them. MBAL stand by the technical comments made on the assessment and invite the planning authority to take these into account in their decision.

However, MBAL do consider that it is necessary to address one point in the overall methodology where the Air Quality Assessments Ltd response is erroneous. Namely that the appropriate threshold concentrations where health effects of fine particulate matter can be discounted. As noted in the original MBAL report, the use of a concentration threshold of $17\mu\text{g}/\text{m}^3$ as an annual mean PM_{10} concentration is suggested in the appropriate guidance. However, the regulatory environment and health evidence related to fine particulate matter has clearly changed since the guidance was prepared.

As noted in the IAQM guidance the threshold is based on the likelihood of the 2010 annual mean objective for PM_{10} being exceeded (see Section 5.2 of the guidance). However, quite clearly the evidence relating to health effects of fine particulate matter has changed since the implementation of the original air quality standards in the UK in 2010. This is evidenced by:

- The introduction of new targets for $\text{PM}_{2.5}$ in the UK in 2023 through the Environmental targets (Fine Particulate Matter)(England) Regulation 2023;
- Publication of new air quality guidelines by the World Health Organisation in 2021 that reduced the guidelines for PM_{10} to $15\mu\text{g}/\text{m}^3$ as an annual mean (compared with the current UK standard of $40\mu\text{g}/\text{m}^3$);
- Publication of new air quality guidelines by the WHO in 2021 for $\text{PM}_{2.5}$ of $5\mu\text{g}/\text{m}^3$;
- The recent provisional agreement by the European Union of new air quality standards proposing annual mean PM_{10} and $\text{PM}_{2.5}$ standards of 20 and $10\mu\text{g}/\text{m}^3$ respectively.

The IAQM also acknowledge that the focus is shifting from PM₁₀ to PM_{2.5} when examining human health effects of particulate matter. In the second paragraph of its construction dust guidance¹ issued in January 2024 it states *“Exposure to PM₁₀ has long been associated with a range of health effects, with an increasing focus on the smallest particles such as PM_{2.5} and smaller”*

The Air Quality Assessments Ltd response notes several guidance and public inquiry decisions that have used the 17µg/m³ level however, there is a responsibility to base decisions on the best available science and not on outdated guidance and appeal decisions. As noted in the IAQM Code of Professional Conduct, members should be *“guided by the principle of applying the most appropriate science”*.

It is quite clear that the evidence is that there are health effects of fine particulate matter (as PM₁₀) below the 17µg/m³ level as evidenced by the changes in standards and targets and that there is an increasing focus on PM_{2.5} rather than PM₁₀, and it is therefore inappropriate to maintain that the use of the outdated threshold in guidance is correct. As a result, a health related assessment should be provided for this application.

Dr Michael Bull – Michael Bull and Associates Ltd 07729 272715

¹ IAQM, Guidance on the assessment of dust from demolition and construction, January 2024 (Version 2.2).



Breedon have submitted a planning application to Norfolk County Council for a new gravel quarry in Haddiscoe, South Norfolk.

OVERVIEW

The planning application seeks permission for the extraction of 650,000 tonnes of gravel at a new quarry in Haddiscoe. Extraction would take place over the course of seven years, plus one year for restoration. The mineral would be transported to a nearby quarry for processing and sale. The restoration scheme would return the site to agricultural land, whilst significantly improving local biodiversity.

The proposals would help provide a continued supply of important construction materials for local and regional housing and infrastructure projects. It would secure the jobs of existing staff and HGV drivers, and jobs would be supported in the supply chain.

The proposed site is allocated in Norfolk County Council's emerging Minerals and Waste Local Plan. The proposals have been revised following consultation with council officers and residents.

The site is located within the village of Haddiscoe in South Norfolk. It is approximately 10 miles to the west of Lowestoft, 9 miles to the southwest of Great Yarmouth and 16 miles to the southeast of Norwich.

The 21-hectare site is mainly agricultural arable land, surrounded by maturing trees. Access to the site is planned via Crab Apple Lane to the B1136 Yarmouth Road.

SITE LOCATION PLAN



OUR APPLICATION WOULD:



Deliver an important new supply of gravel to local and regional construction markets, with the potential to support the development of key infrastructure projects such as the A47 upgrade and the Norwich Northern Distributor Road



Help Norfolk County Council deliver a steady and adequate supply of aggregate for the county as an allocated site in its emerging Minerals and Waste Local Plan



Return the site upon completion to agricultural land with a pond water feature in the middle



Deliver at least a ten percent biodiversity net gain and the creation of species rich grassland



Secure the jobs of existing staff who would be redeployed to the site, as well as supporting jobs in the supply chain including the employment of three new HGV drivers



Support community events and projects through volunteering and donations

The Public Consultation included:

- A public exhibition in Haddiscoe Village Hall in June 2022
- A visit to Norton Subcourse Quarry for local representatives in September 2022

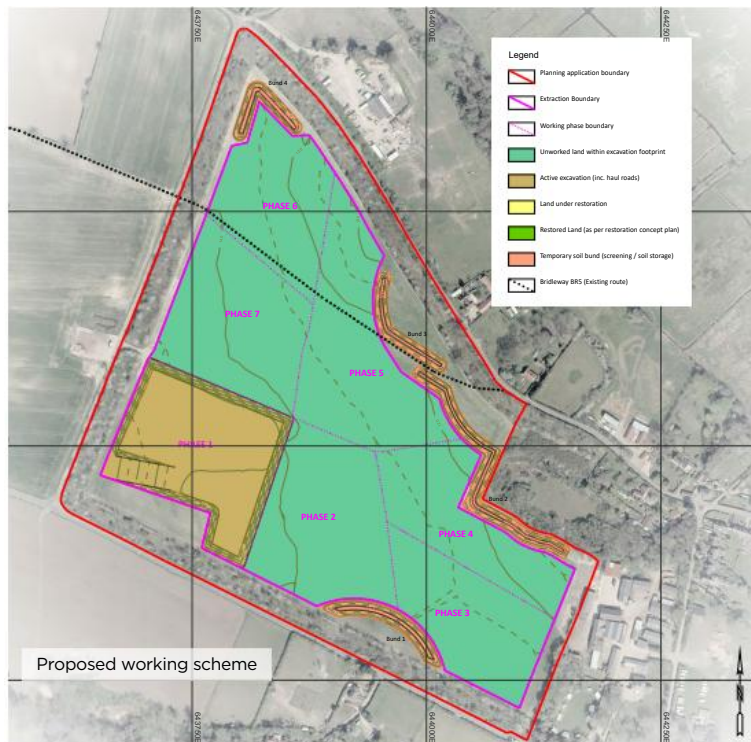
ABOUT US

Breedon is a leading supplier of aggregates, cement, ready-mixed concrete, asphalt, and specialist construction products and services. Our quarries and plants make essential materials that build homes, workplaces and leisure spaces.

We employ nearly 3,500 people and also work with many other businesses who support our activities. Where possible we use local suppliers to ensure we receive excellent service to keep our sites running and our customers happy. We are committed as a company to working towards the UK Government's Net Zero target of 2050.

Proposed site team for Haddiscoe Quarry





MITIGATING ENVIRONMENTAL IMPACTS

We would ensure that we operate the quarry in a way that minimises any environmental impacts on our neighbours.

Our noise management scheme would be developed in consultation with environmental health at South Norfolk District Council. Mitigation measures such as soil bunds and managing hours of operation would be used to ensure noise levels are kept within acceptable limits.

With regards to air quality, our dust management plan, which would also be developed in consultation with environmental health, would adopt a range of effective methods to reduce dust and particulates. This would include the use of dust suppression in the form of mobile water sprays, daily on-site checks and regular visual dust monitoring.

Despite public concern, silicosis is a disease that has only been seen in workers in industrial sectors who have been significantly exposed to silica dust every day for many years. The HSE notes: "no cases of silicosis have been documented among members of the general public in Great Britain, indicating that environmental exposure to silica dust is not significantly high enough to cause this occupational disease".

SCHEME

- Extraction would take place in seven phases, starting from the western side of the site and progressing anti-clockwise.
- Gravel would be extracted using conventional means and worked 'dry'. This means that the water table would not be disturbed and excavators would be used to dig the gravel from the ground and load the mineral deposit onto dump trucks.
- The sand that is mixed with the mineral would not be required. It would be extracted then screened out with a mobile screen and used in the restoration of the site.

PROCESSING AND TRANSPORTATION

- There would be no processing or sales on site with the mineral transported by lorry to our Norton Subcourse Quarry just under 5 miles away.
- Vehicles would leave the site via Crab Apple Lane and Loddon Road, ensuring that no lorries would pass through Haddiscoe village to the A143.

BEING A GOOD NEIGHBOUR

Being a good neighbour to the people and communities that are close to our operations is important to us. That is why we are committed to communicating effectively with them, whilst also giving back by supporting local projects and groups.

We would establish a Quarry Liaison Group to facilitate ongoing communications with the community regarding our operations, providing a forum for any issues to be raised. We would also proactively look to support community events and projects through volunteering and other donations.

- It is anticipated that there would be 38 HGV movements per day on average.
- We have undertaken comprehensive traffic assessments that have concluded there would be minimal to no significant traffic-related environmental impacts.
- The extracted gravel would be mixed with the sand deposits at Norton Subcourse Quarry, and products would be sold in Norwich, with some materials being sold locally.

OPERATIONAL HOURS

- The quarry would operate from Monday to Friday 08:00 – 17:00. Additionally, on exceptional occasions, our operating hours would extend to Saturdays from 08:00 - 13:00, with no operations on Sundays or Bank and National Holidays.

PUBLIC RIGHTS OF WAY

- The bridleway crossing the northern section of the site would be temporarily diverted during operations but would remain open throughout.
- It would be reinstated on restoration and a new permissive path would be provided to the north west corner of the site, one of the highest points, affording good views across the restoration planting and of St Mary's Church.

INFRASTRUCTURE

- A new access would be created close to the junction of Crab Apple Lane, improving access for vehicles.
- Overhead power cables crossing the site would be re-routed and buried along the site's northern and eastern boundaries, ensuring no disturbance and improving the setting of St Mary's Church.

HERITAGE

- There would be no significant impact on St Mary's Church, the Grade I Listed building to the south of the B1136 and the site.

- The existing tree belt to the south of the extraction area would effectively screen the site, preserving the Church's setting, and HGV movements would not substantially affect its visual and auditory setting as they will travel away from the church to Norton Subcourse Quarry.

FLOODING

- Due to the terrain, there would be no reasonable risk of groundwater flooding.

RESTORATION AND BIODIVERSITY

- The site is currently arable farmland and would be returned to agricultural land as the working scheme progresses, minimising the amount of land under extraction at any one time.
- Biodiversity enhancements include extending the boundary woodland, planting hedgerow trees and the creation of a pond water feature in the middle of the site.
- The preservation and management of existing trees around the site would ensure local wildlife can continue to thrive.
- There would be no direct impacts on Devils End Meadow, which is located 140 metres to the south of the site.

SUSTAINABILITY

- Norfolk County Council are committed to tackling climate change and achieving net zero across Norfolk. Breedon takes its responsibility to the environment very seriously and is committed to achieving net zero by 2050.
- We are aiming to achieve a 30% reduction in CO₂ by 2030, including by increasing the use of alternative fuels to replace fossil fuels and procuring decarbonised energy.

Planning (Regulatory) Committee

Item No: 6

Report Title: FUL/2023/0005: Land off Holt Road, Sheringham

Date of Meeting: 24 May 2024

Responsible Director: Steve Miller, Lead Director for Communities & Environment

Proposal & Applicant: Creation of a new recycling centre (RC) to deal with household waste and small amounts of trade waste. RC includes creation of a concrete pad and erection of new staff welfare office and reuse shop (with photovoltaic panels) for onsite sale of items suitable for reuse and ancillary small-scale sale of non-recycled items (Christmas trees, logs, compost bins and green waste sacks). Creation of a new access onto the A148 Holt Road with the closure of the eastern end of the existing Holt Road and reinstatement to highway verge (Director of Highways, Transport & Waste, Norfolk County Council)

Full details of the application, FUL/2023/0005, and consultation responses, can be found online here:

<https://eplanning.norfolk.gov.uk/Planning/Display/FUL/2023/0005>

There are four updates since the planning application committee report was published:

Organisation	Comment	Officer Response
Third party	Advise that as landowners of land immediately to west of the existing recycling centre, and also an area immediately west of Britons Lane, they would be willing to make land available as more favourable alternatives.	This issue already raised in 3.12 of the report. Officer advice to Members is that only the site the subject of the planning application can be considered in this decision, and as per the report, it is on balance acceptable. Notwithstanding this both suggested sites that the third party refers to would also be located in the

		National Landscape and accessed from the A148.
District Council Ward Member for Sheringham North	<p>Raise issues of lack of need and that the current facility has not been flagged by community as not fulfilling local priorities - £1.6m is expensive to solve a minor issue.</p> <p>Also raises issues of site location (in the AONB), the negative impact on the environmental, local business and tourism, and also the highway impacts of the proposal.</p>	<p>Officer advice is that in determining the planning application minimal weight should be given in the planning balance to the cost of the facility.</p> <p>Issues of need, impact on the North Norfolk National Landscape and highways have been dealt with in the committee report.</p>
Portfolio holder for Environmental & Waste Services at North Norfolk District Council and Ward Member for Gresham	<p>Appreciates and supports the important function that recycling centres carry out. However Norfolk County Council in its application has not demonstrated that it has suitably explored other, significantly more suitable locations, including a modest enhancement of the current facility.</p> <p>Also raises concerns about the highway impact and cost of the facility quoted at £1.65m.</p>	<p>Officers advice to Members is that only the site the subject of the planning application can be considered, and as per the report, is on balance acceptable.</p> <p>Officers also advice that minimal weight should be given in the planning balance to the cost of the facility.</p>
Additional comment from third party (that had already commented).	<p>Raises issues of impact on AONB [sic] and that great weight should be attached on the applicant to have searched and fully assessed alternative sites.</p> <p>Representation refers to expanding the current site and alternative site in Cromer.</p> <p>Also raises concerns about impact on the public highway including how applicant would construct</p>	<p>Officers advice to Members is that the issues relating to North Norfolk National Landscape and alternative sites has been addressed in the report.</p> <p>No central reservation is proposed to be constructed on the A148 given there would not be a material impact on traffic.</p> <p>The applicant has confirmed there are no</p>

	central reservation and continue to operate current site whilst new one is constructed.	proposals to close the current site before the new one is opened in order to provide continuation of service for site users.
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There are no amendments since the planning application committee report was published

Paragraph	Issue	Amendment