

CABINET MEMBERS DELEGATED DECISION

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES/NO	
	Discretionary/	Need to be recommendations to Council	YES/NO	
ALL	Operational	Is it a Key Decision	YES/NO	
Lead Member: Cllr R Blunt in consultation with Cllr I Devereux E-mail: cldr.Ian.Devereux@West-Norfolk.gov.uk cldr.Richard.Blunt@West-Norfolk.gov.uk		Other Cabinet Members consulted: None other than RB and ID		
Lead Officer: Alan Gomm E-mail: alan.gomm@west-norfolk.gov.uk Direct Dial:01553 616237		Other Members consulted: None		
Financial Implications YES/NO		Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment
Risk Management Implications YES/NO				
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)				
Date meeting advertised: 22 nd August 2018			Date of meeting decision to be taken: 30 th August 2018	
Deadline for Call-In: 6 th September 2018				

NORFOLK COUNTY COUNCIL MINERALS AND WASTE LOCAL PLAN REVIEW (M&WLPR)

Summary

Comments are provided in relation to the initial stage of the preparation of the Norfolk County Council Minerals and Waste Local Plan Review: Initial Consultation. They suggest further consideration is needed in relation to:

- the amount of waste to be planned for
- the locational strategy for waste
- a preferred area for silica sand extraction
- comments on new sand and gravel extraction sites at Tottenhill and Feltwell

Recommendation

That the comments in sections 3 and 4 are sent to Norfolk county Council

Reason for Decision

To provide comments as part of the consultation and reflect the interests of communities in the Borough

1. Background

1.1 The current Norfolk Minerals and Waste Local Plan is made up of three documents:

- The Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD
- The Minerals Site Specific Allocations DPD
- The Waste Site Specific Allocations DPD

These plans cover the period up to 2026. As the Core Strategy was adopted over five years ago Norfolk County Council (NCC) are now carrying out a joint review of these three plans to make sure that they are up-to-date, to extend the Plan to 2036 and to consolidate them into one Norfolk Minerals and Waste Local Plan (M&WLP). This process is the Minerals and Waste Local Plan Review (M&WLPR).

1.2 The M&WLPR Initial Consultation document includes:

- A forecast of the amount of waste needed to be planned for up to 2036 and the policies proposed to be used to decide planning applications for waste management facilities. NCC are not proposing to allocate sites for waste management facilities.
- A forecast of the amount of sand and gravel (1,980,000 tonnes per annum), carstone (126,500 tpa) and silica sand (750,000 tpa) that should be planned for up to 2036 in order to provide a steady and adequate supply of minerals. It also includes the policies to decide planning applications for mineral extraction and associated development.
- All the sites that were proposed for mineral extraction in response to the recent 'call for mineral extraction sites'. This includes 41 sites for sand and gravel extraction, one site for carstone extraction and three sites for silica sand extraction. NCC have included an initial conclusion on the suitability of each site. (There are 2 new sand and gravel sites in West Norfolk).
- Four areas of search for future silica sand extraction. These are already known from the Silica Sand plan published late last year. A new 'Preferred Area' for silica sand extraction is proposed.

1.3 In addition to the Initial Consultation document, the following documents are published which provide information to support the M&WLPR:

- Sustainability Appraisal Report (Parts A and B) (shows social, environmental and economic impacts of the M&WLPR)
- Habitats Regulations Assessment Task 1 (of impacts on European-designated nature conservation sites)
- Waste Management Capacity Assessment (contains data on current waste management capacity, waste movements, existing and forecast waste arising in Norfolk).

1.4 Norfolk County Council are seeking our views on the Minerals and Waste Local Plan Review - Initial Consultation document. (The full document can be found at:

<https://norfolk.jdi-consult.net/localplan/readdoc.php?docid=46&chapter=13&docelemid=d3861#d3861>)

1.5 Any comments will be published on Norfolk County Council's website. Once the Initial Consultation closes they will take into account the comments made and prepare a Preferred Options version of the M&WLP Review. They will then consult on Preferred Options.

1.6 Following this there will be a period when people can send in any formal written comments on the plan, known as representations, before we submit our final M&WLP for examination by a Planning Inspector on behalf of the Secretary of State.

1.7 This consultation closes at 5pm on 13 August 2018.

2. Minerals issues / sites

2.1 The main sites proposed in West Norfolk which are supported by NCC (including relevant *current* sites) are listed below. These sites as listed link to the consultation document for more detailed information. The consultation document contains other sites which the County Council would NOT wish to support. These are not listed here.

2.2 The highlighted sites are NEW sites.

- [King's Lynn and West Norfolk sand and gravel sites](#)
 - [MIN 6 - land off East Winch Road, Mill Drove, Middleton](#)
 - [MIN 45 - land north of Coxford Abbey Quarry, East Rudham](#)
 - [**MIN 204 - land north of Lodge Road, Feltwell \(part\)**](#)
 - [MIN 76 - land at West Field, Watlington Road, Tottenhill](#)
 - [**MIN 206 - land at Oak Field, west of Lynn Road, Tottenhill**](#)
- [Silica sand sites in the Borough](#)
 - [MIN 40 - land east of Grandcourt Farm, East Winch](#)
 - [SIL01 - land at Mintlyn South, Bawsey](#)
 - [* Specific Site Policy SIL01](#)
 - [AOS E - land to the north of Shouldham](#)
 - [AOS F - land to the north of Stow Bardolph](#)
 - [AOS I - land to the east of South Runcton](#)
 - [AOS J - land to the east of Tottenhill](#)
 - [* Policy MP13: Areas of Search for silica sand extraction](#)
 - [**SIL02 - land at Shouldham and Marham**](#)

2.3 Descriptions taken from the NCC consultation document are given in Appendix 1 for the sites in **BOLD**. Analysis / comment is given at sections 3 and 4.

2.4 It is noted that there is general policy re-wording from current adopted plan. This updating to reflect the current situation is broadly accepted, **except** with reference to waste management facility location and quantity to plan for (WP1 and 2 see section 4 below).

3. Implications for the Borough from sand and gravel and silica sand policies / areas

- The area at **Shouldham / Marham in Policy SIL02** is a 'Preferred Area' which is something beyond an 'Area of Search', but not as definite as an allocation.
- Whilst it is accepted that additional geological information has come forward from Sibelco, it will be disappointing to those communities locally who could draw some comfort from having a defined A of S perhaps containing the expectations of extraction to it.
- The expression of a 'preference' for extraction to take place beyond the A of S current boundary (Policy SIL 02) casts doubt of the certainty for other communities near to other A's of S.
- Notwithstanding these comments the NCC note that they expect a lesser area to actually come forward for allocation.
- There is a list of significant caveats / issues to be addressed before the potential extraction could proceed.
- It is interesting to note that a form of 'wet extraction' is proposed which could avoid some potential environmental problems.
- Two sand and gravel sites are addressed at Feltwell and Tottenhill.
 - **Feltwell (Site 204 – Lodge Road)**. This is an extension of existing works. If better quality geological information is supplied which proves the estimated mineral resource, the two southern parcels of land are potentially acceptable subject to the requirements in the policy.
 - **Tottenhill (Site 206 – West of Lynn Road)** This is an extension of existing works. The Tottenhill sites would be worked sequentially to mitigate any cumulative impacts. Potentially acceptable subject to the requirements in the policy.

4. Implications for the Borough from the NCC approach to proposed waste policies

4.1 NCC have reviewed the policies in the current plans and as with Minerals moved them on to an end date of 2036. Two particular items are of relevance to West Norfolk. One is the overall locational strategy for waste management

facilities, and a second point concerns the overall quantity of provision of capacity.

4.2 Main points:

- From **Policy WP2** it would seem possible to locate waste management facilities away from the broad location that generated the waste. Thus necessitating potentially significant transport movements, and possibly generating resentment from recipient communities.
- Whilst not necessarily inappropriate for all types of waste where specialist facilities are needed, extremely careful thought should be given to general waste or significant quantities requiring movement.
- A better approach would seem to be one where the policy encouraged waste to be dealt with as near to the generating source as possible.
- The draft plan avoids explicitly planning for the anticipated amount of waste that might be generated (**Policy WP1**). Whilst this is justified to a point in the supporting text, it could be risky, especially if higher amounts of waste are generated. A lack of suitable sites being proposed is part of the issue, and the draft plan may generate sites. A more robust strategy should be put in place.

5. Overall conclusion

5.1 Comments are set out above (sections 3 and 4) on the main new proposals as they could affect West Norfolk. Given the timescale for responses the comments have been sent to NCC as 'officer comments', with the caveat that additional points may need to be incorporated following this delegated decision.

6. Options Considered

6.1 The NCC consider various options for the policies and allocations in the Plan, and these are assessed in the Sustainability Appraisal for it. However as the Borough Council we are requested to comment on the draft proposals as presented.

7. Policy Implications

7.1 None specifically for the Borough Council.

8. Financial Implications

8.1 None for the Borough Council.

9. Personnel Implications

9.1 None for the Borough Council.

10. Statutory Considerations

10.1 The Minerals and Waste Plan will ultimately become part of the Development Plan for West Norfolk, to which we will need to give appropriate weight in considering planning applications.

11. Equality Impact Assessment (EIA)

11.1 Pre-screening report attached.

12. Risk Management Implications

12.1 None specifically for the Borough Council.

13. Declarations of Interest / Dispensations Granted

13.1 None advised.

Background Papers

Minerals and Waste Local Plan Review - Initial Consultation document.

Norfolk County Council (May 2018) (The full document can be found at:

[https://norfolk.jdi-](https://norfolk.jdi-consult.net/localplan/readdoc.php?docid=46&chapter=13&docelemid=d3861#d3861)

[consult.net/localplan/readdoc.php?docid=46&chapter=13&docelemid=d3861#d3861](https://norfolk.jdi-consult.net/localplan/readdoc.php?docid=46&chapter=13&docelemid=d3861#d3861))

APPENDIX 1

1.1 SIL02 - land at Shouldham and Marham

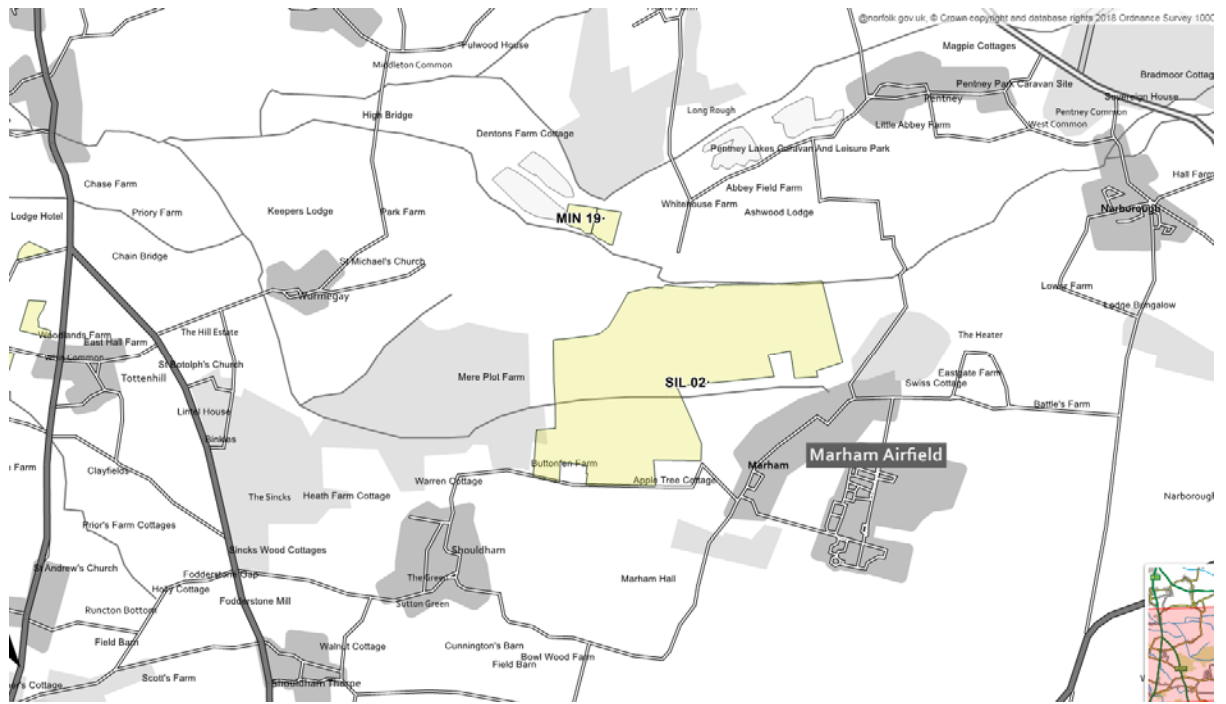
Silica sand is a mineral resource only found in West Norfolk. It is a nationally important mineral. A single issue document was published in 2015 and adopted in late 2017.

Site Characteristics (Taken from the consultation document)

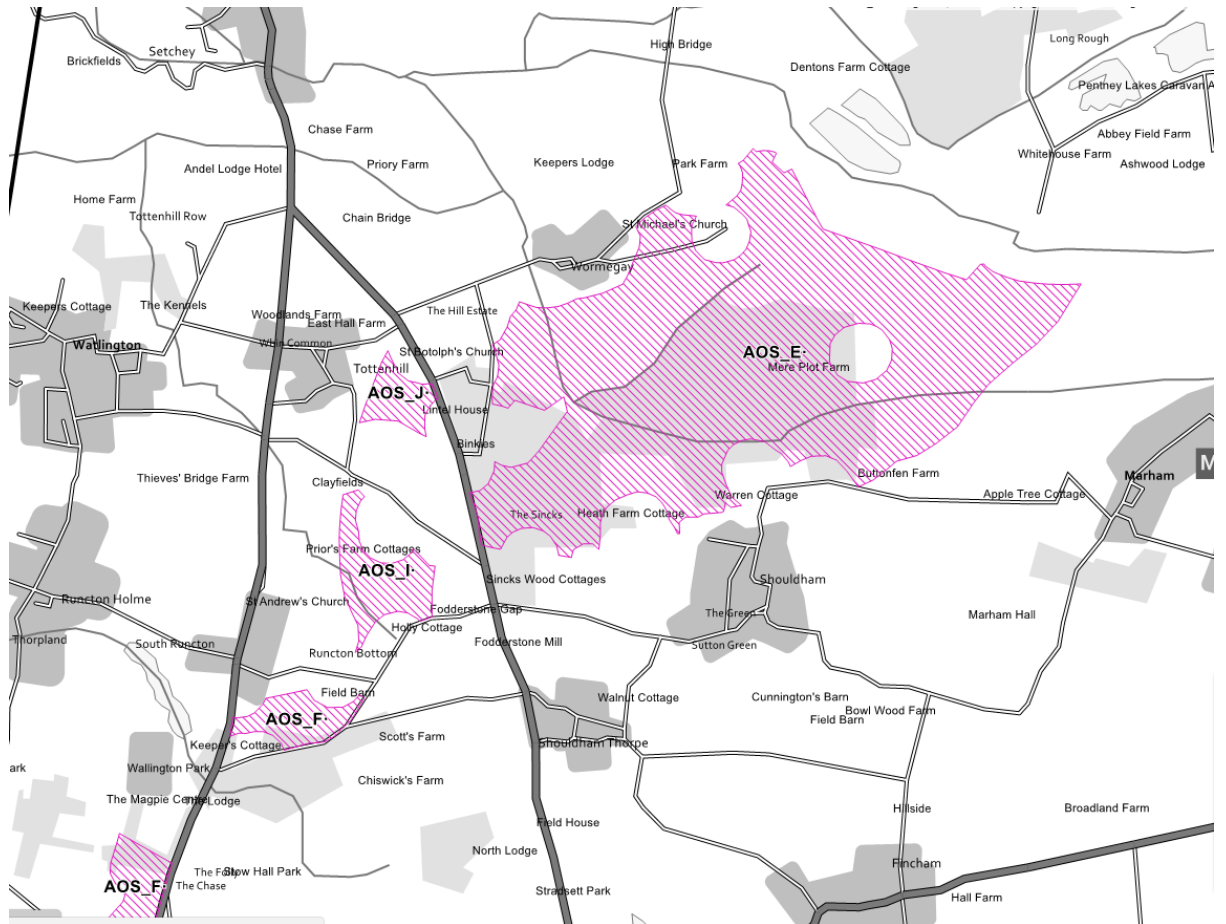
- *The site is considered to be a potential 'Preferred Area' rather than a specific site allocation, from which smaller specific sites could come forward.*
- *The 390.36 hectare site is within the parishes of Marham and Shouldham*
- *The estimated silica sand resource in the site is 16,000,000 tonnes*
- *The proposer of the site has given a potential start date of 2027 and estimated the extraction rate to be 800,000 to 900,000 tonnes per annum. Based on this information the full mineral resource at the site could be extracted within 20 years. Therefore, 9,000,000 tonnes could be extracted within the plan period.*
- *The site is proposed by Sibelco UK Ltd*
- *The site is currently in agricultural use and the Agricultural Land Classification scheme classifies the land as being grade 3, with a very small area being grade 4.*
- *The site is approximately 6km from the processing plant at Leziate and the proposer has suggested that mineral may be transported by pipeline.*

A reduced development area has been proposed (by Sibelco) of 215.31 hectares, within which extraction is proposed to take place. The reduction is to allow buffers and screening within the site.

(A location map is provided below showing the proposed 'preferred area' and the current Area of Search)



AOS (E) Shouldham for Silica Sand



The initial conclusion by NCC states that:

It is considered suitable to identify SIL 02 as a 'Preferred Area', where a smaller specific site for silica sand extraction could come forward in the future. This would be subject to a suitable planning application addressing the following requirements:

- *A Landscape and Visual Impact Assessment, which identifies potential impacts, and suggests appropriate mitigation measures to be included in the working scheme. Special regard will need to be had to heritage assets, the views from properties, views for users of the PRow network, and longer distance views in the wider landscape especially in the Nar Valley;*
- *A working scheme to include the site to be worked by wet suction dredging, and transport of the mineral to the processing plant to be by pipeline, subject to the findings of an assessment which shows that this can be carried out without unacceptable impacts;*
- *A detailed landscaping and screening scheme must be developed, so that the impacts on views from properties and PRows and in the wider landscape, are acceptable;*
- *A progressive restoration scheme to provide landscape and biodiversity gains which does not increase the risk of birdstrike;*
- *A Hydrogeological Risk Assessment to identify any potential impacts to groundwater and appropriate mitigation measures;*
- *An assessment of the potential for impacts on Water Framework Directive waterbodies, including from silt ingress and modification, and appropriate mitigation to prevent unacceptable adverse impacts;*
- *A suitable scheme for the diversion of the PRow if mineral extraction is proposed in the location of a PRow;*
- *A Heritage Statement to identify potential impacts to Heritage Assets and their setting and significance, and to identify appropriate mitigation measures (which may conclude that certain parts of the site are unsuitable for mineral extraction);*
- *Noise and dust assessments and a programme of mitigation measures to deal appropriately with any amenity impacts; and*
- *An appropriate archaeological assessment must be prepared in consultation with Norfolk County Council; this may initially be desk-based but may need to be followed up with field surveys and trial-trenching. The archaeological assessment will be used by Norfolk*

County Council/Historic Environment Service to agree appropriate mitigation measures.

1.2 Waste

NCC have reviewed the policies in the current plans and as with Minerals moved them on to an end date of 2036. Two particular items are of relevance to West Norfolk. One deals with the overall locational strategy for waste management facilities, and a second point concerns the overall quantity of provision of capacity.

Policy WP2: Spatial Strategy for waste management facilities

New or enhanced waste management facilities should be located within five miles of at least one of Norfolk's urban areas or main towns (detailed the supporting text) and be accessible via appropriate transport infrastructure.

However, due to their characteristics, the following types of facilities will be acceptable in locations more distant from the urban areas or main towns, if they are close to the source of the waste, or the destination of the recovered waste material, and are in compliance with the land uses in Policy W3 and the development management criteria set out in Policy MW2:

- *agricultural waste treatment facilities*
- *windrow (open-air) composting facilities*
- *community composting facilities*
- *small scale local facilities (including "bring" sites for the collection of recyclables).*

Water recycling centres and pumping stations can normally only be located on or adjacent to watercourses, so they will normally only be acceptable in such locations.

Capacity

The waste forecasts do not take into account potential improvements in waste reduction and prevention. Analysis of the way the waste management industry in Norfolk operates indicates that existing sites are likely to modify the methods they use in order to adapt to such changes rather than large numbers of operators entering or leaving the market.

Using the growth forecasts above, total waste arisings for Norfolk of LACW, C&I, inert and hazardous waste will increase from just under 2.976mt per annum in 2016 to approximately 3.431mt per annum in 2036.

The maximum existing waste capacity of operational sites in Norfolk is calculated to be 2.25 million tonnes per annum. This is based on the maximum recorded throughputs at sites between 2012 and 2016; and these may not represent absolute maximums, with many sites having higher maximum volumes set out in their Environmental Permits.

However, in addition to the 2.25 million tonnes per annum capacity at existing facilities, Norfolk also has a number of mineral extraction sites that will be restored using imported inert material and it is considered that these sites will meet the capacity requirements for the inert waste arisings that are unsuitable for recycling, over the Plan period. Norfolk also has two non-hazardous landfill sites that are not currently receiving waste but have a remaining void capacity of 5.09 million cubic metres.

1.3 MIN 204 - land north of Lodge Road, Feltwell

NCC Initial conclusion:

If better quality geological information is supplied which proves the estimated mineral resource, the two southern parcels of land are considered to be suitable for allocation for sand and gravel extraction, subject to any planning application addressing the requirements below:

- Noise and dust assessments and a programme of mitigation measures to deal appropriately with any amenity impacts, particularly for the property known as Feltwell Lodge Gatehouse;*
- A detailed landscaping and screening scheme must be developed, so that the impacts on Feltwell Lodge Gatehouse, and the landscape generally, are acceptable;*
- A progressive restoration scheme to a nature conservation afteruse to provide landscape and biodiversity gains;*
- Opportunities during working for any geodiversity assets to be studied, and if compatible with the landscape and ecology objectives an open face to be included within any restoration scheme for future scientific study;*
- A Heritage Statement to identify heritage assets and their settings, assess the potential for impacts and identify appropriate mitigation measures if required;*
- An appropriate archaeological assessment must be prepared in consultation with Norfolk County Council; this may initially be desk-based but may need to be followed up with field surveys and trial-trenching. The archaeological assessment will be used by Norfolk County Council/Historic Environment Service to agree appropriate mitigation measures;*
- The existing processing plant site and the existing access route to the highway should be used; and*

- *The site will need to be phased with other sites in the area so that only one site is worked for extraction at a time.*

1.4 MIN 206 - land at Oak Field, west of Lynn Road, Tottenhill

NCC Initial conclusion:

The site is considered suitable for allocation for sand and gravel extraction, subject to any planning application addressing the requirements below:

- *Noise and dust assessments and a programme of mitigation measures to deal appropriately with any amenity impacts;*
- *A progressive restoration scheme to an agricultural afteruse, with wide field margins and hedgerow planting to provide landscape and biodiversity gains;*
- *Opportunities during working for any geodiversity assets to be studied, and if compatible with the landscape and ecology objectives an open face to be included within any restoration scheme for future scientific study;*
- *A Heritage Statement to identify heritage assets and their settings, assess the potential for impacts and identify appropriate mitigation measures if required;*
- *An appropriate archaeological assessment must be prepared in consultation with Norfolk County Council; this may initially be desk-based but may need to be followed up with field surveys and trial-trenching. The archaeological assessment will be used by Norfolk County Council/Historic Environment Service to agree appropriate mitigation measures;*
- *The site will need to use the existing processing plant site, and highway access;*
- *The site will need to be phased with other sites in the area so that only one site is worked for extraction at a time; and*
- *An assessment to identify any potential areas where enhanced screening would be required to mitigate visual intrusion; where enhanced planting is required, this should be retained in any restoration scheme wherever possible.*

Pre-Screening Equality Impact Assessment

Borough Council of
**King's Lynn &
West Norfolk**



Name of policy/service/function	Comments on NCC Minerals and Waste Draft consultation				
Is this a new or existing policy/ service/function?	New / Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	The report comments on the proposals from the County Council, the Borough Council is not itself making proposals.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age				x
	Disability				x
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity				x
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)			x	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No				
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	Yes / No	Actions:			
		Actions agreed by EWG member:			
Assessment completed by: Name Alan Gomm					
Job title Planning Policy Manager	Date 25/07/18				

Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.