

Planning Committee

08 November 2019

Agenda item number 11

Consultation documents and proposed response – Minerals and Waste Local Plans

Report by Planning Policy Officer

Summary

This report sets out the officer's proposed response to planning policy consultations recently received, and invites any comments or guidance from the Committee.

Recommendation

To note the report and endorse the nature of the proposed response.

1. Introduction

- 1.1. Appendix 1 shows selected planning policy consultation documents received by the Broads Authority since the last Planning Committee meeting, together with the officer's proposed response.
- 1.2. The Committee's endorsement, comments or guidance are invited.

Author: Natalie Beal

Date of report: 23 October 2019

[Broads Plan](#) objectives: 8.1

Appendix 1 – Planning policy consultations received

Appendix 1

Planning policy consultations received

Organisation: Norfolk County Council

Document :

The Preferred Options document is available to view below (due to its size it has been published in the following sections):

- [Contents page, Acronyms, Introduction, Norfolk spatial portrait, vision and objectives, general policies, waste management specific policies, minerals specific policies.](#)
- [Introduction to mineral extraction sites and map legend](#)
- [Proposed aggregate mineral extraction sites in Breckland](#)
- [Proposed aggregate mineral extraction sites in Broadland](#)
- [Proposed aggregate mineral extraction sites in Great Yarmouth](#)
- [Proposed aggregate mineral extraction sites in West Norfolk](#)
- [Proposed silica sand extraction sites and areas in West Norfolk](#)
- [Proposed mineral extraction sites in North Norfolk](#)
- [Proposed mineral extraction sites in South Norfolk](#)
- [Appendices, including six proposed waste management sites and glossary](#)

Due date: 30 October (but extension agreed)

Status: Preferred Options

Proposed level: Planning Committee endorsed

Notes

Norfolk County Council are preparing a Norfolk Minerals and Waste Local Plan Review to consolidate the three **adopted DPDs** into one Local Plan, ensure that the policies within them remain up-to-date and to extend the plan period to the end of 2036.

The Preferred Options version is out for consultation.

Proposed response

- 1.5 - one specific site for carstone extraction
- 1.14 – tpa – presume that is tonnes per annum – not used consistently in this para
- Page 12 – SA section – bullet point list does not mention landscape impact or biodiversity
- 5.16 The area known as the Brecks – you wrote breaks.
- Where is MW1? The first policy is MW2.
- MW2 – The first part is written in quite a different way to other policies I have read; rather than saying that impacts of development will be minimised on the criteria, or schemes will address the criteria, you ask for information only. I am not sure how strong this approach is. b) what about the quantity of surface water (as in what to do with it in relation to flooding) and the quality of water bodies? e) what agriculture land class do you consider this to be – Grade 1 and 2 perhaps – might need to say that. What about if the soil that is to be excavated or disturbed is peat

soils? Peat soils have many special qualities, such as a carbon sink, but are a carbon source if allowed to dry out. We recommend that you consider protecting Peat Soils – you can look at our Peat Soils policy for ideas. i) what are ‘outdoor recreation facilities’ and do you need to include Local Green Space as well as Open Space?

- 8.12 – request there is some text, perhaps as a footnote, that refers to the identified dark skies of the Broads and refers to our maps and policy.
- 8.16 says ‘Directing lighting downwards and away from properties but taking this literally, this contradicts – implying angling the light away from properties which could cause light pollution. I think you are saying design any lighting so it points downwards and ensure that there is no light trespass, for example into neighbouring properties. You might want to consider that wording and you might want to look at our policy on light pollution. The key point is – do you really need lighting, if so why? Keep it to a minimum, use it when needed and point it down and have it fully shielded – I suggest you get those points across strongly in the policy.
- 8.24 first bullet point – weave in wording that refers to the setting of the landscapes.
- 8.31 and section 12 – I see you refer to soil grades 1, 2 and 3a. As a bit of advice from our experience, do you know where 3a is? There is limited mapping relating to 3a. You might want to consider removing this or just saying ‘3’. Happy to chat this through. Should the soil grade be mentioned in the policy? Note what is said on page 73, I – that 3a and 3b are not mapped.
- 8.32, 12.2 – temporary yes, but for a number of years. Suggest that text is clarified. See above regarding if the soil is peat soils and its care.
- 8.35 – is it worth asking applicants to state how they have considered water and rail and road and thoroughly justify their chosen mode, rather than just encourage it?
- MW3, last bullet point – is that a travel plan? MW4 refers to travel plans.
- MW4 – is it better to just say ‘greenhouse gas emissions’? Does using the term ‘endeavour’ reduce the strength of criterion c? d) just demonstrate or implement too?
- 12.4 says ‘Given their nature, most waste management facilities will tend to be suitably located on previously developed land and industrial locations and it is not expected that there will be a great need to locate such uses on agricultural land’ – not sure what this is saying – they tend to be located there or are suitable to be located there?
- Map 3 – see above comments – where are areas of 3a?
- Section 12 – no mention of peat soils and their qualities – see above.
- Page 41 onwards and then 64 onwards – formatting – should this have a section number – perhaps section 13? The bullet points are numbered differently to elsewhere in the Plan – WO rather than, say, 13.2 etc.
- WP4 – a) when compared to another option that takes longer?
- W7.1 – do you mean 2018?
- WP13 – so a, b, c are ‘or’ and d, e, f are ‘and’. It might be easier to separate them out and say something like ‘in all cases d, e, f will apply’.
- WP15 – first para seems reasoned justification rather than policy text. Suggest the Broad Authority be involved in the organisations listed in para 3 – the organisations in para 4 seem to be the ones that need to be involved in the Masterplan.

- WP17 and MP11 – on adoption, presume we will be sent these GIS layers to upload to our system?
- Page 71, and MP2 – that NPPF paragraph applies to the Broads too. We have a Major Development policy. Why is the AONB excluded and the Broads not? Or is it?
- Page 73, g – why not the undesignated heritage assets?
- MP2.14 – ‘Developers wanting to extract mineral from specific sites or land within an area of search allocated in the Minerals and Waste Local Plan Review will still need to apply for and be granted planning permission before mineral extraction can take place’.
- MP2 – why the 3mile/5 mile rule for minerals?
- MP4.1 and MP4 – how about if the reservoir is not associated with mineral abstraction?
- Page 76 – what is shown on this map? There is no key. If it is core river valleys, why are the rivers over in the Broads not blue?
- MP6 might make sense but the first part says acceptable, unacceptable and acceptable. A check might be needed.
- MP8.3 ‘The need for annual reports after the initial five-year period will be assessed on a case by case basis’.
- M65.5 - starts off saying ‘The site is not located **within...**’. Being within is one issue, but affecting the setting of is another. So such assessments should state whether the site is near to those designations. This should therefore correctly read that the site is near to the Broads.
- Page 181 onwards – Min 38 - Waveney Forest, Fritton – support not allocating this site.
- Min 65, Stanninghall Quarry – extension to existing minerals site. No landscape visual or character concerns with regards to the Broads itself.
- Min 25, we would definitely want to be consulted on any forthcoming planning applications on this site, particularly concerning landscape scheme and restoration as the landscape character areas in this locality are well defined and susceptible to change.
- Min 211, Restoration as wet grassland for biodiversity needs to be balanced with long-term effects on local landscape character. The local character and experience of the landscape varies between the north and south of the site and restoration should reflect this.
- Generally, an LVIA assesses the effects of a development (the impact) on the landscape as a resource and the effects on visual receptors. The assessment will cover both the site itself and a wider study area determined by desk study and ground-truthing. LVIAs should be carried out to a set standard (Guidelines for landscape and visual impact assessment, 3d edition – which I believe is part of the NCC validation checklist) so by definition will be required to include the site and any surrounding area that could be affected by the development; Existing: “Submission of a Landscape and Visual Impact Assessment which will identify any potential impacts to the wider landscape and suggest appropriate mitigation measures ...” Proposed: “Submission of a Landscape and Visual Impact Assessment which will identify any potential effects and suggest appropriate mitigation measures ...” This text is used across a number of the policies.

SA Part A Scoping

Page 31 needs a very big update.

- Core Strategy, DM and Sites not in place any more.
- Local Plan adopted May 2019.
- Flood Risk SPD – most recent is 2017
- Broads Plan is 2017

Seems relevant to refer to our dark skies data and policy

SA – Part B

4.5 – did you consider a zone from the Broads?

Planning policy consultations received

Organisation: Suffolk County Council

Document:

The relevant documents can be viewed below:

[SMWLP Modifications \(PDF, 3MB\)](#)

[SMWLP Main Modifications Addendum SA \(PDF, 1.3MB\)](#)

[SMWLP HRA of Modifications \(PDF, 1.2MB\)](#)

SMWLP Tracked Changes Plan

- [Sections 1 to 6 \(PDF, 1.1MB\)](#)
- [Sections 7 to 17 \(PDF, 4.8MB\)](#)
- [Sections 18 to 19 \(PDF, 863KB\)](#)
- [Appendix 1 \(PDF, 106KB\)](#)
- [Appendix 2 \(PDF, 36KB\)](#)

Due date: 18 November

Status: Modifications Consultation

Proposed level: Planning Committee endorsed

Notes

Following the public hearing held in June as part of the ongoing Examination in Public, the County Council is publishing Modifications to the Plan in order to make it sound.

Proposed response

MM13 and MM29

- The proposed wording says 'in'. Should that be 'on'?
- If a scheme does have a 'significant adverse effect' then that sounds like it is a big problem. Could there be instances where the mitigation might not be possible, appropriate, viable or feasible? So could schemes not come forward as a result of their impact? Should there be mention of that?

