



Norfolk County Council

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via e-mail

Mrs Annette Feeney
Local Plan Programme Officer
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Your Ref: Matter 5.1.6
Date: 19 December 2023

My Ref:
Tel No.: 01603 222193
Email: caroline.jeffery@norfolk.gov.uk

Dear Mr Reed

Re: North Norfolk Local Plan Examination; response to the Inspector's Matters, Issues and Questions: Matter 5.1.6.

Norfolk County Council in its capacity as the Mineral Planning Authority for Norfolk wishes to make a statement regarding the above Matter, and the statement is attached.

The NPPF published September 2023 (paragraph 212) states that local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working. Therefore, Norfolk County Council, as the Mineral Planning Authority considers that it should be a policy requirement to ensure that safeguarded mineral resources are not sterilised by non-mineral development where this could be avoided. NPPG paragraph 005 Reference ID: 27-005-20140306 is also relevant. Our statement contains further justification for the inclusion of mineral safeguarding as a policy requirement for the proposed site-specific allocations.

Norfolk County Council, as the Minerals Planning Authority (MPA) provided site by site comments at the Regulation 18 consultation stage in June 2019, which are set out in our statement.

If you have any queries regarding this response, please contact Richard Drake (Senior Planner, Minerals and Waste Policy) by email at richard.drake@norfolk.gov.uk or telephone 01603 222349.

Yours Sincerely

Caroline Jeffery
Principal Planner (Minerals and Waste Policy)

North Norfolk Local Plan Examination

Hearing Statement in response to Inspector's Matters, Issues and Questions; by Norfolk County Council as Mineral Planning Authority (MPA)

Matter 5.1.6. Some allocations are affected by a defined Minerals Safeguarding Area and Policy CS16 of the Norfolk Minerals and Waste Core Strategy applies.

Matter 5.1.6. question 1: What are the implications of this for the principle of development or for its timing, if any?

MPA response: The NPPF published September 2023 (paragraph 212) states that local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working. Therefore, Norfolk County Council, as the Mineral Planning Authority considers that it should be a policy requirement to ensure that safeguarded mineral resources are not sterilised by non-mineral development where this could be avoided. NPPG paragraph 005 Reference ID: 27-005-20140306 is also relevant.

Policy CS16 of the adopted Norfolk Minerals and Waste Core Strategy would require investigation and assessment of the mineral, potentially followed by prior extraction to ensure that needless sterilisation of viable mineral resource does not take place on sites that are underlain by a safeguarded mineral resource. Policy MP11 (Mineral Safeguarding Areas and Mineral Consultation Areas) of the emerging NM&WLP contains similar requirements.

Policy CS16 need have no implications for the principle of development or for its timing provided that the necessary investigations and assessments are conducted prior to the submission of the planning application and the reports and assessment accompany the application. Any intrusive site investigations and assessment can then be carried out at the same time as other similar assessments, such as for flood risk and geo-technical risk.

Prior extraction of sand and gravel need not impact on housing or employment delivery provided that the requirements necessary to prevent needless sterilisation of mineral resources are conditioned and that any Material Management Plan-Minerals is considered holistically with the construction phases. For multi-phase built developments, non-mineral development may not be planned to come forward for several years, providing the opportunity for more comprehensive mineral extraction to take place well in advance of each development phase.

It is for the above reasons that the inclusion of mineral safeguarding requirements should be included in the allocation policy to ensure that it is positively prepared, effective, and consistent with national policy.

Matter 5.1.6. question 2: Have the Minerals Planning Authority supplied site by site comments on these sites? If so, what are they?

MPA response: Norfolk County Council, as the Minerals Planning Authority (MPA) provided site by site comments at the Regulation 18 consultation stage in June 2019, which are set out overleaf.

For all of the following sites the comment provided by the MPA was: 'The following wording should be included in the allocation policy: "The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. Any future development on this site will need to address the requirements of Norfolk Minerals and Waste Core Strategy Policy CS16 - 'safeguarding' (or any successor policy) in relation to mineral resources, to the satisfaction of the Mineral Planning Authority."

Policy C16 – Former Golf Practice Ground Overstrand Road (Cromer)
Policy C22/2 – Land west of Pine Tree Farm, Norwich Road (Cromer)
Policy F03 – Land at Junction of A148 & B1146, Opposite Petrol Filling Station (Fakenham)
Policy H20 – Land at Heath Farm (Holt)
Policy H27/1 – Land at Heath Farm (Employment) (Holt)
Policy HV01/B – Land east of Tunstead Road (Hoveton)
Policy NW01/B - Land at Norwich Road and Nursery Drive (North Walsham)
Policy NW62 - Land West of North Walsham
Policy MUN03/B - Land off Cromer Road and Church Lane (Mundesley)
Policy ST23/2 – Land North of Yarmouth Road, East of Broadbeach Gardens (Stalham)
Policy E7 – Land at Tattersett Business Park (Tattersett)

For the following sites the comment provided by the MPA was: ‘The following wording should be included in the allocation policy: “The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. As the site is under 2 hectares it is exempt from the requirements of Norfolk Minerals and Waste Core Strategy Policy CS16 – ‘safeguarding’, in relation to mineral resources. If the site area is amended in the future to make the area over 2 hectares CS16 (or any successor policy) will apply.”

Policy F10 – land south of Barons Close (Fakenham)
Policy W01/1 – Land adjacent Holkham Road (Wells-next-the-Sea)

For the following sites, the text requested by Norfolk County Council at the Regulation 18 consultation in 2019 was not included in the Proposed Submission version of the Local Plan and the County Council made representations to point this out at the Regulation 19 stage. The Proposed Minor Modifications document A5.11 includes the requested text:

Policy NW01/B – 14.1 Mixed Use: Land at Norwich Road and Nursery Drive – proposed modification PMIN/14.1/02 (NCC representation LPS163)

Policy NW62/A – 14.3 Mixed Use: Land West of North Walsham – proposed modification PMIN/14.3/02 (NCC representation LPS162)

Policy MUN03/B – 21.1 Residential: Land off Cromer Road & Church Lane – proposed modification PMIN/21.1/03 (NCC representation LPS211)

Policy E7 – 22.1 Employment: Tattersett Business Park – proposed modification PMIN/22.1/03 (NCC representation LPS160)