

Our Ref: SCC/0004/22C/PreApp

Date: 20 June 2022

Enquiries to: Andy Rutter

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Stephen M Daw
Stephen M Daw Ltd
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Diss
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Dear Stephen,

Application No: SCC/0004/22C/PreApp

Proposal: Pre-application for mineral extraction with inert waste backfilling to existing levels.

Location: Land east of Westerfield Road, Westerfield, IP6 9HZ.

Thank your pre-application enquiry. Suffolk County Council as Minerals Planning Authority encourages pre-application discussions so that future expectations can be managed and to ensure the information provided in support of the planning application is adequate.

These comments are internal officer comments made without prejudice to the determination of any future planning application. They have been made on the basis of the following submitted information:

- Covering Letter MW(TRU) 2 dated 22 April 2022 by Stephen M Daw Ltd;
- Highways & Access Review Technical Note MA/VL/P22-2540/01TN dated 13 April 2022 by Create Consulting Engineer Ltd;
- Hyrdogeological Feasibility Report K6068-BLP-ENV-0001 Revision 1 dated January 2022 by Byrnelooby;
- Noise Impact Appraisal dated 6 April 2022 by SPL Track Environmental;
- Phase 1 Badger Report P2022-15 R2 Draft dated 13 April 2022 by Philip Parker Associates Ltd;
- Preliminary Ecological Appraisal P2022-15 R1 Draft dated 13 April 2022 by Philip Parker Associates Ltd;
- SCC New Minerals Site Proforma;
- Archaeological Report 1731 dated November 2018 by Archaeology Wales;
- Site Location Plan MW(TRU)1(3) dated 18 February 2022 by Stephen M Daw Ltd;
- Site Layout Plan MW(TRU)1(4) dated 14 April 2022 by Stephen M Daw Ltd;
- Biodiversity Enhancement Plan (advance) MW(TRU)1(5) by Stephen M Daw Ltd; and
- Biodiversity Enhancement Plan (restoration) MW(TRU)1(6) by Stephen M Daw Ltd.

The consultee responses can be found as appendices to this document:

- Appendix 1 SCC Highways;
- Appendix 2 SCC Landscape;
- Appendix 3 SCC Floods;
- Appendix 4 SCC Noise;
- Appendix 5 SCC Air Quality; and
- Appendix 6 SCC Ecology.

General Comments

The proposal must be considered against the National Planning Policy Framework, Suffolk Minerals & Waste Local Plan, Adopted Version July 2020 along with the Suffolk Coastal Local Plan Adopted Version September 2020. These works may also require an Environmental Permit from the Environment Agency.

I particularly draw your attention to the following policies (although it should not necessarily be limited to these policies only). These paragraphs and policies must be addressed in full within any forthcoming planning application.

National Planning Policy Framework July 2021 (NPPF)

- Paragraph 8 (a) an economic objective.
- Paragraph 8 (b) a social objective.
- Paragraph 8 (c) an environmental objective.
- Paragraph 11 the presumption in favour of sustainable development.
- Paragraph 104 promoting sustainable transport.
- Paragraph 110 considering development proposals.
- Paragraph 120 (a) making effective use of land.
- Paragraph 163 planning and flood risk.
- Paragraph 164 planning and flood risk.
- Paragraph 166 planning and flood risk.
- Paragraph 167 planning and flood risk.
- Paragraph 169 planning and flood risk.
- Paragraph 172 coastal change.
- Paragraph 174 conserving and enhancing the natural environment.
- Paragraph 176 conserving and enhancing the natural environment.
- Paragraph 177 conserving and enhancing the natural environment.
- Paragraph 178 conserving and enhancing the natural environment.
- Paragraph 180 habitats and biodiversity.
- Paragraph 181 habitats and biodiversity.
- Paragraph 194 proposals affecting heritage assets.
- Paragraph 197 conserving and enhancing the historic environment.
- Paragraph 211 facilitating the sustainable use of minerals.

Suffolk Minerals and Waste Local Plan Adopted Version July 2020 (SMWLP)

- Policy GP1 Presumption in favour of sustainable development;
- Policy GP2 Climate change mitigation and adaptation;
- Policy GP3 Spatial Strategy;
- Policy GP4 General environment criteria;
- Policy MP1 Provision of land won sand and gravel;
- Policy MP6 Progressive working and restoration;
- Policy MP7 Aftercare;
- Policy MP8 Concrete batching plants and asphalt plants;
- Policy WP3 Existing or designated land-uses potentially suitable for waste development;
- Policy WP8 Proposals for recycling or transfer of inert and construction, demolition and excavation waste; and
- Policy WP11 Approval of sites for disposal of inert waste by landfilling or landraise.

Suffolk Coastal Local Plan Adopted Version September 2020

- Policy SCLP3.1 strategy for growth.
- Policy SCLP3.4 proposals for major energy infrastructure projects.
- Policy SCLP4.1 existing employment areas.
- Policy SCLP4.3 expansion and intensification of employment sites.
- Policy SCLP7.1 sustainable transport.
- Policy SCLP9.3 coastal change management area.

- SCLP9.5 flood risk.
- SCLP9.6 sustainable drainage systems.
- SCLP10.2 biodiversity and geodiversity.
- SCLP10.3 environmental quality.
- SCLP10.4 landscape character.
- SCLP11.2 residential amenity.
- SCLP11.3 historic environment.

Environmental Impact Assessment (EIA)

I recommend that a request for an EIA Scoping Opinion is submitted as per the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Schedule 2 , Column 1 (description of development) 2 Extractive Industry, Column 2 (applicable thresholds and criteria) *all development except the construction of building or other ancillary structures where new floorspace does not exceed 1,000sqm.*

Planning Fee

The planning fee for this application is based upon the area of the site (Full Applications, Other operations (winning and working of minerals) excluding oil and natural gas with a site area of more than 15ha, £34,934 + an additional £138 for each 0.1ha in excess of 15ha up to a maximum of £78,000).

Taking into account the above planning fee calculation criteria, as the development is 16ha there is a base fee of £34,934, for the additional 1ha you must apply £138 for each 0.1ha, this leads to an additional £1380.

For a site covering 16ha for the winning and working of minerals (excluding oil and natural gas) the planning fee would be £36,314.

You will appreciate that the comments set out in this letter, are given on a without prejudice basis, and do not place any limitation of Suffolk County Council to come a contrary view of the proposal, in the event, following submission of an application, that it considers that it is not acceptable or that information submitted with the application does not adequately demonstrate that the proposal is acceptable.

Yours sincerely,



Andy Rutter
Development Manager
Growth, Highways & Infrastructure

APPENDIX 1 – SUFFOLK COUNTY COUNCIL HIGHWAYS RESPONSE

SCC Highways

Transport Assessment

The submitted Highways & Access Review Technical Note provides some basic information relating to anticipated vehicle movements. A total of 40 daily two-way HGV trips – associated with extraction and infill – have been outlined, plus additional trips associated with vehicles up to 7.5 tonnes.

It is envisioned that a development of this nature affords the potential to materially impact the local highway network, contrary to Paragraph 111 of the National Planning Policy Framework (NPPF) 2021.

Further information relating to anticipated vehicle trip generation - and a subsequent assessment of the highway impacts - attributed to the proposed development will be required. Therefore, a detailed Transport Assessment should be submitted to support any formal planning application. The request for a Transport Assessment in this instance is considered to adhere to Policy SCLP7.1 of the Suffolk Coastal Local Plan (adopted September 2020).

An assessment of anticipated vehicle routing will be required as part of any Transport Assessment, due to the characteristics of the local highway network.

Sustainable Transport

As per Policy SCLP7.1 of the Suffolk Coastal Local Plan and Paragraph 110 (a) of the NPPF, all available opportunities to enable and support travel on foot, by cycle or public transport should be explored. Further, it should be ensured that safe and suitable access to the site can be achieved for all users, compliant with Paragraph 110 (b) of the NPPF.

Access

When producing a visibility splay, the X-Value is the set-back from the edge of the carriageway at the centre of the proposed access. The Y-Value is measured from the centre of the access – from a point determined by the X-Value – to the nearside edge of the carriageway.

Visibility splays associated with the proposed access are proposed as 125m in both directions (Y-Value). This Y-Value has been derived from data derived from an ATC survey undertaken between 20th and 26th January 2022.

As per Government Guidance (Transport evidence bases in plan making and decision taking), *“the recommended periods for data collection are spring and autumn, which include the neutral months of April, May, June, September and October”*^{*}. These months are considered to represent the typical (neutral) flow conditions on the network. Therefore, the submitted ATC speed data is not considered valid, and a further speed survey – undertaken within a neutral month – will be required to support any formal planning application.

Further, as outlined within Table 2.1 of the submitted Technical Note, 85th percentile speeds of 44mph and 45mph were recorded in the Northbound and Southbound directions respectively. An assessment of the tables presented upon Page 9 of the Technical Note outlines 7-day average 85th percentile speeds of 44mph (Northbound) and 46mph (Southbound). Any Y-Value should correlate with the 7-day average 85th percentile speeds and not the 5-day averages, as proposed.

An X-Value of 4.5m should be used in this instance, given the vehicles anticipated to use the access.

^{*} <https://www.gov.uk/guidance/transport-evidence-bases-in-plan-making-and-decision-taking>

The above informal advice is based on the information readily available and does not bind Suffolk County Council on its response to any future planning applications.

APPENDIX 2 – SUFFOLK COUNTY COUNCIL LANDSCAPE RESPONSE

SCC Landscape

I offer the following comments without prejudice to any further comments I or any other SCC officer may wish to make with regards to any proposals for this site at a later date.

Landscape and Visual Impact Assessment (LVIA)

Based on the information presented to date it is anticipated that the proposal will require a full EIA and a Landscape and Visual Impact Assessment (LVIA) will be required as part of the ES.

As GLVIA 3rd Edition states in para. 1.9 (p.6): *“Consequently in the context of an EIA, LVIA deals with both effects on landscape itself and effects on the visual amenity of people, as well as with possible interrelationships of these with other related topics.”*

Such topics could be Noise, Air Quality, Biodiversity, Light Pollution etc.

The applicant should note:

All details of the methodology, viewpoint locations and the scope of the assessment must be agreed in writing between the appointed Landscape Architect and the Planning Authority before the Landscape and Visual Impact Assessment (LVIA) is undertaken.

Methodology

The LVIA shall be carried out in accordance with the GLVIA 3rd Edition. The LVIA should clearly assess the proposal, identifying residual impacts in *both* visual and landscape terms. The detailed methodology to be used for the assessment and the presentation of any visual material shall be agreed in writing in advance. This includes:

- 1) All viewpoint locations shall be agreed in advance.
- 2) The locations for photomontage/photowire/annotated photographs (types of visual representation) shall be agreed with the LPA, in writing, before this work is carried out.
- 3) All visual representations should be prepared in accordance with the Landscape Institute's Technical Guidance Note (TGN) 06/19: Visual Representation of development proposals (Sept. 2019).

Scope

- 4) Study area, ZTV and Viewpoints – The study area and location and number of viewpoints shall be informed by a ZTV (Zone of Theoretical Visibility), based on the theoretical visibility of the proposals within the surrounding landscape (due to maximum height of site buildings, stockpiles, plant and machinery; topography). The study area needs to be agreed with the LPA, in writing, in advance.
- 5) Landscape effects: The LVIA shall include an assessment of potential impacts on locally characteristic physical landscape features (such as boundary vegetation, trees, water courses, ponds) as well as on the local landscape character, including potential impacts on tranquillity and perceptive qualities.
- 6) Visual effects: The LVIA shall include an assessment of potential visual impacts on the wider landscape, Public Rights of Way and residential visual amenity. The LPA will need to be satisfied that there is no likelihood of significant adverse impacts on residential receptors, including allocated sites and consented but unbuilt dwellings.
- 7) Cumulative effects: The LVIA shall include potential cumulative impacts resulting from the proposals, including cumulative impacts in connection with other gravel and sand extraction sites in the surrounding area, including those that have been consented, but where work has not yet commenced.

- 8) Stages of development – Assessment of night-time impacts and the impacts of the operational phases should be included within the scope of the LVIA to enable the LPA to properly and reasonably understand the effects of the proposal as a whole.
- 9) Potential Opportunities: The LVIA shall include measures to minimise and/or mitigate the adverse impacts of the proposal and integrate it into the character of the wider landscape, right from the beginning of the operational phase through to the final restoration. (It will not be acceptable to postpone such measures until the backfilling of the pits will be completed.)

Baseline Information

In addition to Natural England's National Character Area Profiles, the principal landscape baseline is the Suffolk Landscape Character Assessment 2008/2011 that can be found at www.suffolklandscape.org.uk - GIS Dataset is available on request

The site is located with the landscape character type Ancient Rolling Farmlands, for which the attached Land Management Guidelines recommend:

- Reinforce the historic pattern of sinuous field boundaries.
- Recognise localised areas of late enclosure hedges when restoring and planting hedgerows.
- Maintain and restore greens commons and tyes.
- Maintain and increase the stock of hedgerow trees.
- Maintain the extent, and improve the condition, of woodland cover with effective management.
- Maintain and restore the stock of moats and ponds in this landscape.

Designations

The site is located approx. 7 km west of the Suffolk Coast and Heaths AONB.

There are no designated ecological/habitat sites (i.e. SSSI, Ramsar sites, SAC's etc) within 2km of the boundary of Site.

Trees and Hedges

The proposals currently include the removal of 3 mature oak trees and 545m of existing hedgerow.

An Arboricultural Impact Assessment (including Tree Survey, Tree Protection Plan and Arboricultural Method Statement) will be required to assess the trees on site (both those that are to be retained and those to be removed) and to inform the requirements for any off-sets to protect the rootzones of the vegetation. Appropriate protection for retained vegetation will also need to be provided.

The loss of any tree is a concern, and it should be explored, whether these trees could reasonably be retained.

For retained vegetation an appropriate off-set distance is yet to be agreed.

It will further need to be fully established, whether the hedges within the proposal site are 'important' under the Hedgerow Regulations 1997.

The proposal to plant woodland in Field 2 as part of the final restoration is welcome, but further detail will be required in due course.

Restoration, Mitigation and Biodiversity Net Gain

The restoration plans will need to demonstrate that Biodiversity Net Gain (BNG) can be achieved (please consult SCC Ecology for detailed advice). The measures to secure BNG and to provide landscape mitigation will need to be implemented at the earliest opportunity, ideally within the first planting season after permission is given or once the bunds are in place, to maximise their beneficial effects.

The proposal to plant over 900m of hedge as part of an advance mitigation scheme is welcome; however, it would be preferable if the proposed hedges were to be retained in their entirety as part of the final restoration.

Pond creation should be considered as part of the biodiversity enhancement measures and overall restoration, especially if further surveys indicate the presence of Great-crested newts and other amphibians. Please consult SCC Ecology for further guidance.

Other Matters

The proposal may also have archaeological impacts and impacts on the setting of listed buildings that are around the site, which may need to be assessed within the Cultural Heritage Assessment.

Ecological impacts may need to be addressed within the Ecological Impact Assessment (EclA).

Given the current Climate Change Crisis it would seem appropriate to scope a specific assessment on climate effects into the EIA process, rather than out.

APPENDIX 3 – SUFFOLK COUNTY COUNCIL FLOODS RESPONSE

SCC Floods

I've looked through the pre-app documents. Naturally, the quarrying is highly unlikely to increase surface water flood risk. It looks like the proposed site intercepts a few minor surface water flow paths. It's not clear if these are associated with existing ordinary watercourses or depressions, but this will require further consideration.

The infill phase of the site is likely to present more of an issue, with the fill presumably being lined and therefore functioning as an impermeable surface. There will need to be a consideration of an increase in surface water runoff and suitable mitigation, which could require adequate space reserved in a suitable location for the storage and gradual release of surface water flows, presumably into the River Fynn to prevent an increase in downstream flood risk.

APPENDIX 4 - SUFFOLK COUNTY COUNCIL NOISE RESPONSE

SCC Noise

There are sensitive receptors near the site, including:

- Folly Farm, approximately 350m east.
- Residential dwellings on Westerfield Lane, approximately 350m east.
- Residential dwellings on Westerfield Road, approximately 180m west.

Recommendations

Noise and vibration from the site operations should be of material consideration in the submission of a full application for the site.

The initial NIA suggest the impact from noise should have a low impact on sensitive receptors and we would support a full application with sufficient noise assessments and mitigation measures to be implemented on site. The submitted noise assessment has not taken into account vibration from site operations including vehicle movements and will need to be considered in any full application which should show a low impact on the local amenity.

No vibration should be transmitted through to sensitive premises as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Any submitted application must be supported by an operational management plan detailing how the site is to be operated. To ensure that the amenity of occupiers of surrounding premises are not adversely affected by noise and/or vibration from the site hours of work and all associated activities audible beyond the site boundary we would suggest that site operations should be restricted to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays.

The full application must also be accompanied by a detailed acoustic assessment which states and assesses noise from plant and equipment in use at the site. This is required to ensure appropriate noise levels are achieved at sensitive receptors.

The noise levels should be assessed using the methodology set out in the NPPF Minerals Policy Guidance.

We may look to impose noise limits at sensitive receptors once detailed operations are known in order to limit any noise effect on the local amenity during the operation of the site especially if future expansion may be considered.

APPENDIX 5 - SUFFOLK COUNTY COUNCIL AIR QUALITY RESPONSE

SCC Air Quality

There are no Air Quality Management Areas (AQMAs) near the site; the nearest AQMA is Ipswich AQMA No.2 approximately 4km south of the site. Given the distance of the AQMA from the site of the proposed development, it can be assumed that the air quality at the site is currently acceptable.

There are sensitive human receptors near the site, including:

- Folly Farm, approximately 350m east.
- Residential dwellings on Westerfield Lane, approximately 350m east.
- Residential dwellings on Westerfield Road, approximately 180m west.

The residential dwellings have high sensitivity to potential air quality impacts, whereas the farm has medium sensitivity.

The nearest ecological designation to the site is The Dales Open Space Local Nature Reserve (LNR) approximately 3.5km southwest of the site; LNRs have low sensitivity to potential air quality impacts.

Recommendations

As the potential sources of dust include the construction of plant and operational dust from the quarry, both the IAQM's Guidance on the Assessment of Mineral Dust Impacts for Planning¹ and the IAQM's Guidance on the assessment of dust from demolition and construction² must be considered.

Dust during construction

The construction of the quarry's plant will likely cause dust. The screening criteria in the IAQM's Guidance on the assessment of dust from demolition and construction stipulate that a Construction Dust Risk Assessment will normally be required where there is:

- a 'human receptor' within:
 - 350m of the boundary of the site.
 - 50m of the route(s) used by construction vehicles on the public highway, up to 500m from the site entrance(s).
- an 'ecological receptor' within:
 - 50m of the boundary of the site.
 - 50m of the route(s) used by construction vehicles on the public highway, up to 500m from the site entrance(s).

Based on the Site Layout Plan (ref: MW(TRU)1(4)) there will likely be human receptors within 350m of the proposed plant, and within 50m of the routes used by construction vehicles. As such, we would expect to see a Construction Dust Risk Assessment submitted with the planning application, following the IAQM's Guidance on the assessment of dust from demolition and construction. The assessment should consider the potential effects of demolition, earthworks, construction, and trackout on nearby receptors.

Dust during operation

Once operational, the extraction of minerals from the quarry will likely generate dust. The screening criteria in the IAQM's Guidance on the Assessment of Mineral Dust Impacts for Planning stipulate that a Minerals Dust Assessment will normally be required where there is:

- 400m of a hard rock quarry.
- 250m of a sand and gravel quarry.

As this would be a sand and gravel quarry and there are receptors within 250m of the proposed extraction

areas, we would expect a Minerals Dust Risk Assessment to be submitted with the planning application, following the IAQM's Guidance on the Assessment of Mineral Dust Impacts for Planning.

Air Quality

Regarding air quality, the IAQM/EPUK's Land-Use Planning & Development Control: Planning for Air Quality states that an Air Quality Screening Assessment is necessary if the following is being developed:

- More than 1,000 m² of floor space or a site area greater than 1ha.
- Coupled with either of the following:
 - the development has more than ten parking spaces.
 - the development will have a centralised energy facility or other centralised combustion process.

Based on the Site Layout Plan, the site area appears to be greater than 1ha. It appears unlikely that the development will include a centralised energy facility or centralised combustion process, however it is possible that there may be more than ten parking spaces. If this is the case, an Air Quality Screening Assessment will be necessary following the IAQM/EPUK guidance for Land-Use Planning & Development Control: Planning for Air Quality.

APPENDIX 6 - SUFFOLK COUNTY COUNCIL ECOLOGY RESPONSE

SCC Ecology

Thank you for consulting the Suffolk County Council Ecology Team on the above planning application. Unfortunately, we are unable to look at such applications in detail so we have set out our general advice below.

Information submitted

We fully expect that any necessary Ecological Surveys and Reports have been carried out in accordance with BS42020 and CIEEM Report Writing Guidelines, by a Suitably Qualified Ecologist using best practice methodologies and at an appropriate time of year.

Field and desk-top survey results must be adequate and up to date in accordance with Natural England Standing Advice, provide a summary of all species and habitats likely to be affected by the proposals, and any ecological constraints should be clearly identified.

Likely ecological effects

The application must describe all likely impacts on Protected and Priority Habitats and Species, to include assessments on the significance of any potential impacts, whether they are capable of being mitigated and whether the mitigation hierarchy has been applied.

Use of the Mitigation Hierarchy

It is essential that any work, including cutting back or removal of ecological features (such as – but not limited to - trees and hedgerows) follows the following protocol:

Avoidance
Mitigation
Compensation
Enhancement

Avoidance: Strenuous efforts must be made in planning any project or development to avoid loss or damage to any ecological feature. These features are valuable in so many ways, not least in the ecosystem services that they offer.

Mitigation: If removal or cutting back of any feature is the only option available, then harm must be mitigated by undertaking the appropriate surveys for, e.g., breeding birds, bat roosts or other essential bat habitat, floral interest and so on. Surveys must meet the appropriate guidelines for best practice (see, e.g., CIEEM website) and be carried out by suitably qualified and experienced personnel.

The application must explain how mitigation will address the likely impacts of the proposal and identify key timing issues to protect biodiversity that may constrain the development. Mitigation proposals must be robust and should be effective.

It is expected that detailed mitigation proposals will be secured through appropriate planning conditions e.g., a Construction Ecological Management Plan (CEMP) and the long-term management secured by way of a Landscape and Ecological Management Plan (LEMP).

Compensation: The loss of any natural feature must be compensated for. This means that, for example, if there is no alternative to removal of a mature tree, at least three appropriate (suitable species and provenance) trees must be planted elsewhere, as close as possible to the removed feature, two such trees for an immature specimen and one-for-one for saplings.

Enhancement: It is a SCC requirement that all projects and developments deliver Biodiversity Net Gain. The site must be surveyed to establish a baseline (and all data sent to Suffolk Biodiversity Information Service, SBIS) and a Landscape Plan provided showing how Biodiversity Net Gain will be achieved. Such a plan must also show full details of monitoring and maintenance (including replacement where necessary).

By following the mitigation hierarchy set out above, it is to be hoped that developments will be delivered in the most sustainable way possible, always seeking to deliver the maximum gain for our wildlife and habitats as they are so vital to our health and wellbeing and an essential tool in tackling the declared climate emergency.

Legislation

The application must justify how the proposals are in accordance with the relevant wildlife legislation, which is extensive and far reaching and the penalties for failing to abide by it are most serious.

Biodiversity Net Gain

We fully expect any proposed development to result in a Biodiversity Net Gain as stated in the Environment Act (2021) and Section 15 of the National Planning Policy Framework (HM Government, February 2019).

Conclusion/Recommendations

It is essential that the mitigation hierarchy protocol is followed, to protect and enhance biodiversity. We fully expect any proposed development to be compliant with all relevant legislation and to result in a Biodiversity Net Gain as stated in the Environment Act (2021) and Section 15 of the National Planning Policy Framework (HM Government, February 2019).