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For more information about our minerals and waste planning policy go to:

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1. **FORMAT**

1.1 The inspector has raised issues and posed questions relating to matters which will be the basis for discussion at upcoming hearing sessions.

1.2 This document sets out Suffolk County Council’s answer to the issues and questions under the heading of *Matter 3 – Minerals policies and sites*.

1.3 Issues and questions falling under matters 1, 2 and 4 are responded to in three other documents, one for each matter.

2. **ISSUES**

2.1 Whether the policies are positively prepared in terms of making adequate provision for minerals.

2.2 Whether the policies are consistent with national policy with specific regard to protection of the environment.

2.3 Whether specific policy requirements are justified and effective.
3. **GENERAL QUESTIONS**

**QUESTION 29: HOW DOES THE PLAN PROVIDE FOR FLEXIBILITY IN ITS POLICIES FOR PROVISION OF AGGREGATES?**

The shortfall in sand and gravel over the Plan period is 9.3Mt and the sites identified within the Plan contain 14.7Mt. The policies do not preclude other sites coming forward. Policies are included for other types of aggregates development that might be proposed.

**QUESTION 30: SHOULD PARAGRAPHS 5.17 AND 5.21 STATE ‘SUBJECT TO THE REQUIREMENTS OF THE TOWN AND COUNTRY PLANNING GENERAL PERMITTED DEVELOPMENT ORDER’?**

Agreed. Amend Plan accordingly as follows:

Generally speaking planning permission is not required for wharves or railheads handling crushed rock **subject to the requirements of the Town and County General Permitted Development Order** except **for example** where significant infrastructure is required.

Generally speaking planning permission is not required for wharves or railheads handling sand and gravel **subject to the requirements of the Town and County General Permitted Development Order** except **for example** where significant infrastructure is required.

**QUESTION 31: DOES THE PLAN ENCOURAGE GREATER USE OF RECYCLED AGGREGATES?**

Policy WP8 refers.

**QUESTION 32: PLEASE DESCRIBE HOW THE SUPPLY OF, AND DEMAND FOR, IMPORTED AGGREGATES HAS INFORMED THE LOCAL AGGREGATES ASSESSMENT.**

The significant net contribution of crushed rock was noted. Flows of land won sand and gravel between surrounding counties are broadly in equilibrium. The contribution of marine dredged sand and gravel is not very significant.

**QUESTION 33: WHAT PROVISION, IF ANY, IS REQUIRED TO ALLOW FOR POTENTIAL FLUCTUATIONS IN THE SUPPLY OF CRUSHED ROCK?**

Crushed rock in many cases could not be substituted by sand and gravel and therefore alternative sources of crushed rock could come into play potentially for example via ports.

**QUESTION 34: WHAT PROVISION, IF ANY, IS REQUIRED TO ENSURE ADEQUATE SUPPLIES OF AGGREGATES FOR INFRASTRUCTURE PROJECTS?**

Some sand and gravel sourced from Suffolk and the surrounding counties may be required, but for by far the most significant Sizewell C for example there is a lack of detail at the present time. Much of the fill will come from within the site itself and much of high-quality concrete will most likely use limestone from the Mendips. There is already some flexibility built into the Plan in terms of the overall resources identified, however If additional sites are required for sand and gravel within Suffolk the policies do not preclude this.

**QUESTION 35: DOES PARAGRAPH 5.6 (F) PROVIDE SUFFICIENT CLARITY AS TO THE POTENTIAL FOR DEMAND FOR AGGREGATES FROM SIGNIFICANT INFRASTRUCTURE PROJECTS IN SUFFOLK?**

There is no further accurate information available at the present time.
4. **Policy MP1 – Provision of land won sand and gravel**

**Question 36:** How does the planned provision relate to any apportionment agreed with the Local Aggregates Working Party?

The provision for sand and gravel is based on a 10 year average of sales in Suffolk and is set out in the LAA which was approved by the Aggregates Working Party and is in accordance with the National Planning Policy Framework.

**Question 37:** Does the Plan make sufficient provision for sand and gravel to allow for housebuilding in accordance with planned rates?

Taking into account all of the reserves indentified in the Plan (paragraph 5.31) the answer is yes.

**Question 38:** Are average sales over the last 3 years looked at in order to establish trends?

The three year trend in Suffolk is similar to the ten year average (see Local Aggregates Assessment).

5. **Policy MP2 – Proposed sites for sand and gravel extraction**

**Question 39:** Please provide details, or direct me to the relevant document containing the analysis of the Site Assessment Report which indicates that the sites contain 14.770 Mt of sand and gravel.

This figure is a summation of the total figure given in each site assessment report and reproduced in the geology section for each site in the Plan. This are listed below.

<table>
<thead>
<tr>
<th>Site tonnages</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>M1 Barham</td>
<td>0.600 Mt</td>
</tr>
<tr>
<td>M2 Barnham</td>
<td>2.570 Mt</td>
</tr>
<tr>
<td>M3 Belstead</td>
<td>3.550 Mt</td>
</tr>
<tr>
<td>M4 Cavenham</td>
<td>3.545 Mt</td>
</tr>
<tr>
<td>M5 Layham</td>
<td>0.829 Mt</td>
</tr>
<tr>
<td>M6 Tattingstone</td>
<td>0.756 Mt</td>
</tr>
<tr>
<td>M7 Wangford</td>
<td>1.000 Mt</td>
</tr>
<tr>
<td>M8 Wetherden</td>
<td>0.750 Mt</td>
</tr>
<tr>
<td>M9 Wherstead</td>
<td>0.500 Mt</td>
</tr>
<tr>
<td>M10 Worlington</td>
<td>0.670 Mt</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>14.770 Mt</strong></td>
</tr>
</tbody>
</table>

**Question 40:** Is there any analysis of the Wherstead site? *(Ref. M9)*

Apologies but the site is listed under Pannington in the Evidence Base (see following link)


**Question 41:** Is it possible to estimate at this stage the reduction of potential resources due to planning constraints?

The tonnages quoted are those supplied by the promoters as saleable tonnages taking into account constraints and other factors. However further constraints will be encountered as well as additional resources identified. It is not possible to say either way at this stage.
**QUESTION 42: THERE IS AN INCONSISTENCY IN NUMBERING OF THE PROPOSED SITES BETWEEN THE POLICY AND THE PROPOSALS MAP.**
Agreed. Amend Proposals Map accordingly.

**6. POLICY MP3 – BORROW PIT**

**QUESTION 43: WHAT IS THE JUSTIFICATION FOR THE 10KM DISTANCE?**
The longest permitted distance between a borrow pit and a construction project using an off-road haul route in Suffolk in recent history is 7km. Part of environmental dividend of using a borrow pit is the fact that they are located in close proximity to the construction project. Therefore 10km is considered to be a reasonable limit as as opposed to stand alone quarries that typically supply a 50km radius.

**QUESTION 44: WOULD THE POLICY BE EFFECTIVE IN ENSURING THAT BORROW PITS ARE ONLY WORKED AND RECLAIMED AS PART OF THE PROJECT TO WHICH THEY RELATE?**
This would be controlled by a planning condition.

**7. POLICY MP5 – CUMULATIVE ENVIRONMENTAL IMPACTS AND PHASING OF WORKINGS**

**QUESTION 45: HOW WOULD THE PHASING PROVISION WORK IN THE CONTEXT OF A PLANNING PERMISSION AND THE STANDARD TIME FOR COMMENCEMENT OF DEVELOPMENT?**
An increased commencement period would have to be conditioned.

**8. POLICY MP6 – PROGRESSIVE WORKING AND RESTORATION**

**QUESTION 46: SHOULD RESTORATION PROPOSALS ALSO FOCUS ON THE HISTORIC ENVIRONMENT?**
Agreed. Amended policy accordingly as follows:

**POLICY MP6: PROGRESSIVE WORKING AND RESTORATION**

Proposals for new mineral workings should be accompanied by a scheme for the progressive working and restoration of the site throughout its life.

Preference will be given to restoration proposals that incorporate a net gain for biodiversity with the creation and management of priority habitats and that support protected priority and Red Data Book Species and/or that conserve geological and geomorphological resources. Such habitats, species and resources should be appropriately and sustainably incorporated into restoration proposals focussed on the historic environment flood alleviation, reservoirs, agriculture, forestry, amenity, or ecology. Providing links to surrounding habitats is also encouraged.

**9. POLICY MP9 – SAFEGUARDING OF PORT AND RAIL FACILITIES, AND FACILITIES FOR THE MANUFACTURE OF CONCRETE, ASPHALT AND RECYCLED MATERIALS**

**QUESTION 47: PLEASE EXPLAIN THE REQUIREMENT THAT “ANY MITIGATION REQUIRED FALLS ON THE DEVELOPMENT THAT RECEIVES PLANNING PERMISSION LAST”**.
Where existing business or other use could have a significant adverse effect in any proposed new development, the applicant must provide suitable mitigation before the development is completed so that the existing use is not disadvantaged by new development.
**QUESTION 48:** SHOULD THE TYPES OF DEVELOPMENT THAT MAY BE “POTENTIALLY CONFLICTING” DEVELOPMENT BE DEFINED?

No because it would be possible to miss some potential types of development which might present a problem.

10. **POLICY MP10 – MINERALS CONSULTATION AND SAFEGUARDING AREAS**

**QUESTION 49:** SHOULD THE LAST PARAGRAPH OF THE POLICY REFER TO ‘MINERALS CONSULTATION AREA’?

Agreed. Amend policy accordingly as follows:

District and Borough Councils should consult the County Council when a potentially conflicting proposal falls within the Minerals Safeguarding Consultation Area as defined on the Proposals Map. The County Council will then refer to Policy MP10 before providing a consultation response.

**QUESTION 50:** WHAT IS THE JUSTIFICATION FOR THE 5HA THRESHOLD IN PART (A) OF THE POLICY?

This is a practical lower limit adopted to help focus resources on safeguarding minerals resources from significant development proposals. Other Minerals Planning Authorities such as Essex for example use a similar approach.

**QUESTION 51:** WHAT IS THE JUSTIFICATION FOR SAFEGUARDING LAND WITHIN THE 250M CONSULTATION AREA?

It is considered to be close enough to potentially conflict with the minerals development for example in terms of noise impacts etc.

11. **POLICY MS1 – BARHAM**

**QUESTION 52:** HAS THERE BEEN ANY DISCUSSION WITH MID SUFFOLK DISTRICT COUNCIL ABOUT THE PROPOSED RESIDENTIAL ALLOCATIONS?

Yes, before the Submission Draft was finalised there was an officers meeting to discuss all of the potential land bids for residential and commercial development that had been submitted to Babergh & Mid Suffolk District Council.

**QUESTION 53:** WOULD THE PROPOSED SOUTHERN EXTENSION BE CLOSER TO THE LAND BID THAN THE EXISTING QUARRY, AND WHAT LIKELY MITIGATION MEASURES WOULD BE NEEDED?

No, the southern extension would not be significantly closer to the land bid. It is considered that the housing developers might need to consider in particular visual impacts and noise impacts.

**QUESTION 54:** IN PARAGRAPH 8.9 CAN IMPACT ON THE SETTINGS OF HERITAGE ASSETS BE RULED OUT AT THIS STAGE OR SHOULD THIS BE LEFT TO THE PLANNING APPLICATION STAGE?

I believe that they can be ruled out at this stage as agreed on a site meeting with English Heritage in connection with the existing Development Plan.

**QUESTION 55:** SHOULD THE POLICY BE MORE SPECIFIC IN TERMS OF CONSERVATION OF THE SITE OF SPECIAL SCIENTIFIC IMPORTANCE?

This is a matter for the planning application stage.

**QUESTION 56:** SHOULD THE POLICY REQUIRE MITIGATION MEASURES FOR ANY IMPACTS ON HABITATS AND WILDLIFE?

This is a matter for the planning application stage.

**QUESTION 57:** SHOULD THE TEXT STATE THE DIMENSIONS OF VISIBILITY SPLAYS?
This is a matter for the planning application stage.

**QUESTION 58:** ARE THE HEDGES ALONG THE SPLAYS WITHIN THE OWNERSHIP OR CONTROL OF THE QUARRY OPERATOR?
Yes.

**QUESTION 59:** IN PARAGRAPH 8.15 SHOULD THE ARCHAEOLOGICAL FIELD EVALUATION AND DEPOSIT MODELLING BE DONE BEFORE SUBMISSION OF AN APPLICATION?
No but before determination of it.

**12. POLICY MS2 – BARNHAM**

**QUESTION 60:** IN PARAGRAPH 9.16 SHOULD THE ARCHAEOLOGICAL FIELD EVALUATION AND DEPOSIT MODELLING BE DONE BEFORE SUBMISSION OF AN APPLICATION?
No but before determination of it.

**QUESTION 61:** PLEASE PROVIDE DETAILS OF THE STOCKPILING AREA AT CONTRACT FARM.
Please follow the links provided below.

- [http://suffolk.planning-register.co.uk/Planning/Display?applicationNumber=F%2F14%2F2324%2FMW](http://suffolk.planning-register.co.uk/Planning/Display?applicationNumber=F%2F14%2F2324%2FMW)
- [http://suffolk.planning-register.co.uk/Planning/Display?applicationNumber=SCC%5C0056%5C18VOC](http://suffolk.planning-register.co.uk/Planning/Display?applicationNumber=SCC%5C0056%5C18VOC)

**QUESTION 62:** SHOULD THE POLICY REFER TO THE NEED TO ASSESS POTENTIAL EFFECTS ON THE SETTINGS OF LISTED BUILDINGS, AS REFERRED TO IN PARAGRAPH 9.10?
Criteria i) refers.

**QUESTION 63:** SHOULD THE POLICY SET OUT THE SPECIFIC REQUIREMENTS OF THE HABITATS REGULATIONS WITH REGARD TO THE EUROPEAN SITES AND REQUIRE SUBMISSION OF ADEQUATE INFORMATION TO ENABLE AN APPROPRIATE ASSESSMENT TO BE CARRIED OUT?
Criteria j) refers. It is not the job of the Plan to restate other legislation.

**QUESTION 64:** SHOULD THE POLICY REQUIRE MEASURES TO PREVENT DUST IMPACT ON THE SPECIAL AREA OF CONSERVATION?
Agreed. Reword Policy MS2 accordingly as follows:-

**QUESTION 65:** SHOULD THE POLICY REQUIRE RESTORATION SUITABLE FOR STONE CURLEW?
Agreed. Reword Policy MS2 accordingly, as follows:
**POLICY MS2: BARNHAM**

Development will be acceptable so long as the proposals, adequately address the following:

a) the seasonal working of the minerals to avoid the Stone Curlew nesting season;
b) the importation of inert wastes to aid restoration;
c) the use of an off-road haul route to reach the stockpiling area at Contract Farm;
d) the provision of a signalised junction where the haul road crosses the B1106;
e) the storage of stockpiled material at Contract Farm;
f) measures to maximise highway safety and minimise amenity impacts at Elveden Primary School;
g) provision of a phased working and restoration scheme that is sympathetic to the Special Landscape Area, and Brecks landscape; and the Special Protection Area.
h) the provision of an archaeological field evaluation and deposit modelling for Palaeolithic potential at depth, leading potentially to if necessary preservation in situ of artefacts in parts of the site;
i) measures to safeguard and enhance the setting of Barham Atomic Bomb Store Scheduled Monument;
j) potential impacts upon nature conservation interest including Breckland SPA, Breckland SAC, Breckland Farmland/Little Heath/Thetford Heaths SSSI, Gorse Grassland CWS, Thetford Heath NNR, European Protected Species (Bats and Great Crested Newt), Priority Species, other Protected Species, Priority Habitats (Lowland Heath);
k) the provision of an air quality assessment which considers the potential impacts of increased dust and pollutant concentration associated with the extraction and infilling process, the potential for cumulative impacts, and which defines the mitigation and monitoring which will be implemented at the site to minimise the risk at residential properties within 250m and to the Special Protection Area;
l) the provision of measures to mitigate noise;
m) an appropriate buffer zone to safeguard the Icknield Way;
n) the implications for the underlying groundwater source protection zone, controlled waters and flooding;
o) the safeguarding or removal of all services which are within or close to the site;
p) only inert waste materials would be used to help restore the site.

Proposals must also be generally in accordance with other policies of the development plan including the environmental criteria set out in Policy GP4.

13. **POLICY MS3 – BELSTEAD**

**QUESTION 66: ARE THE WOODED TRACKS WHICH ARE TO BE SAFEGUARDED DISTINCT FROM THE PUBLIC RIGHTS OF WAY?**

All of the wooded tracks are rights of way.

14. **POLICY MS4 – CAVENHAM**

**QUESTION 67: IN PARAGRAPH 11.16 SHOULD THE ARCHAEOLOGICAL FIELD EVALUATION AND DEPOSIT MODELLING BE DONE BEFORE SUBMISSION OF AN APPLICATION?**

No but before determination of it.
**QUESTION 68:** Should the policy set out the specific requirements of the Habitats Regulations with regard to the European sites and require submission of adequate information to enable an appropriate assessment to be carried out? Criteria e) refers. It is not the job of the Plan to restate other legislation.

**QUESTION 69:** Should the policy require seasonal working to avoid stone curlew nesting? No because this would break from the working pattern of the last 50 years to which the Stone Curlews have become habitualised and have benefitted from in terms of enhancements achieved from the ecological based restoration.

**QUESTION 70:** Should the policy make specific provision for an inert waste recycling facility? Agreed. Reword Policy MS4 accordingly as follows:

1. the proposed enlarged inert waste recycling facility and the use of inert wastes to help restore the site.

15. **Policy MS5 – Layham**

**Question 71:** Should the policy require an archaeological investigation? No because the advice of the County Archaeologist is that that archaeological interests can be secured satisfactorily by planning condition.

16. **Policy MS6 – Tattingstone**

**Question 72:** Are there any proposed sites in the joint local plan that may be affected by the quarry extension? Yes, but they are no closer than the existing properties.

**Question 73:** Should the requirement for an archaeological field evaluation and deposit modelling be prior to submission? No but before the determination of the planning application.

**Question 74:** Should the policy set out the specific requirements of the Habitats Regulations with regard to the European site (the Stour & Orwell Special Protection Area) and require submission of adequate information to enable an appropriate assessment to be carried out? Agreed. Amended Policy MS6 accordingly.

**Question 75:** Please clarify the arrangement for provision of a soil storage/screening bund, as the allocated area is less than the area proposed on the operator’s plan. It would need to be realigned accordingly. This is a matter for the planning application stage.

**Question 76:** The policy requires the diversion of Bridleway 37A but paragraph 13.22 has specific requirements. Please clarify these. Amend paragraph 13.22 and policy MS6 as follows:
Boundaries should be so arranged to ensure Tattingstone BR 37A is unobstructed. A good wide corridor should be retained for bridleway of 5 metres minimum width. If the site boundaries are bunds, this should be 10m wide. Part of Tattingstone FP 37 is within the site. This should either be accommodated, or a temporary extinguishment order sought. Bridleway 37A and Footpath 37 will require diversion during the working and restoration of the proposed development.

g) the diversion of Bridleway 37A and Footpath 37, and

**QUESTION 77: HOW WOULD THE HAZARDOUS WASTE INFILL OF THE EXISTING QUARRY BE CONTAINED?**
A standoff around the existing waste would need to be left although much of the existing site has yet to be filled.

17. **POLICY MS7 – WANGFORD**

**QUESTION 78: SHOULD THE POLICY REQUIRE DEMONSTRATION OF EXCEPTIONAL CIRCUMSTANCES FOR DEVELOPMENT IN THE AREA OF OUTSTANDING NATURAL BEAUTY (AONB), AS REQUIRED BY NATIONAL POLICY?**
No because that will have been established through the development plan process.

**QUESTION 79: SHOULD THE POLICY SET OUT THE SPECIFIC REQUIREMENTS OF THE HABITATS REGULATIONS WITH REGARD TO THE EUROPEAN SITES AND REQUIRE SUBMISSION OF ADEQUATE INFORMATION TO ENABLE AN APPROPRIATE ASSESSMENT TO BE CARRIED OUT?**
Criteria d) refers to the SPA. It is not the job of the Plan to restate other legislation.

**QUESTION 80: IN PARAGRAPH 14.12 SHOULD THE ARCHAEOLOGICAL FIELD EVALUATION AND DEPOSIT MODELLING BE DONE BEFORE SUBMISSION OF AN APPLICATION?**
No but before determination.

**QUESTION 81: DOES THE POLICY TAKE INTO ACCOUNT THE AONB MANAGEMENT PLAN?**
Criteria d) refers to the AONB and by inference the AONB Management Plan.

18. **POLICY MS8 – WETHERDEN**

**QUESTION 82: ARE THERE ANY PROPOSED RESIDENTIAL ALLOCATIONS IN THE DRAFT JOINT LOCAL PLAN THAT WOULD BE AFFECTED BY THE QUARRY EXTENSION?**
Yes, there is a housing development to the north of the site which has planning permission. There is considered to be an adequate buffer between the proposed quarry extension and the proposed housing.

**QUESTION 83: IS THERE A PUBLIC RIGHT OF WAY BETWEEN THE EXISTING QUARRY AND THE EXTENSION SITE, AND IF SO, WOULD THIS NEED TO BE DIVERTED?**
Yes, the Public Right of Way would need to be diverted.

19. **POLICY MS9 – WHERSTEAD**

**QUESTION 84: SHOULD CRITERION (A) REQUIRE PROVISION OF A STAND-OFF FROM THE ADJACENT ANCIENT WOODLAND?**
This is detail that would be determined at the planning application stage.
20. **Policy MS10 – Worlington**

*Question 85: Should the policy set out the specific requirements of the Habitats Regulations with regard to the European sites and require submission of adequate information to enable an appropriate assessment to be carried out?*

Criteria c) refers to the SPA. It is not the job of the Plan to restate other legislation.