9. Historic environment and heritage assets

9.1 The historic environment is defined as 'all aspects of the environment resulting from the interaction between people and places through time…'. Heritage assets are buildings, monuments, sites, places, areas or landscapes having a degree of significance because of its heritage interest within the historic environment. In most cases the setting of a heritage asset will influence its significance. Heritage assets can be formally designated through national legislation as either scheduled monuments, protected wreck sites, battlefields, listed buildings, registered parks and gardens, World Heritage Sites, and Conservation Areas or assets identified by a local planning authority. Scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites are heritage assets of the highest significance.

9.2 The significance of a heritage asset may be influenced by its setting in the landscape (NPPF Paragraph 132). Therefore, changes to the setting through development such as mineral extraction, have the potential to affect the significance of a heritage asset without actually encroaching on the boundary of the asset itself. Paragraph 132 of the National Planning Policy Framework states that; *"Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. "*

9.3 A recent Court of Appeal case [Barnwell Manor Energy vs. East Northamptonshire District Council and others] re-emphasised the weight to be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 with regard to the desirability of preserving and enhancing the significance of listed buildings. It is understood that the considerable weight given to the desirability of preserving and enhancing of listed buildings equally applies to heritage assets as similar wording is applied in NPPF, paragraph 131. The Secretary of State in his decision on the New Barnfield Energy from Waste project paid special attention to the desirability of preserving and enhancing historic parkland and Conservation Areas because of the similarity of wording in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 regarding these assets.

9.4 An enhanced evidence area of 250 metres is suggested around heritage assets; this is based on a recent mineral appeal in Norfolk (reference: APP/X2600/A/13/2197841) where mineral extraction was proposed within the setting of a grade I listed building. Proposers of sites within this enhanced evidence area will need to provide a Heritage Statement as part of the evidence supporting the submission of the site to assess whether any potential harm would be caused to the significance of the heritage assets. Following the two cases mentioned above, it is considered that sites which would be likely to cause harm to a heritage asset are likely to have significant deliverability issues in achieving a successful grant of planning permission. Therefore, a Heritage Statement should set out the degree of harm if any, its effect on significance, potential mitigation and its likely effectiveness (NPPF, paragraph 128 contains an overview of what such an assessment should cover).

Scheduled Monuments

9.5 Scheduled Monuments are the heritage assets of the highest significance and occur within the silica sand resource. Scheduled Monuments are nationally or internationally important heritage sites.

9.6 Paragraph 144 of the NPPF states that *"When determining planning applications, local planning authorities should:*

- *as far as is practical, provide for the maintenance of landbanks of non–energy minerals from outside… Scheduled Monuments;*
- *ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment…"*

9.7 The map overleaf shows heritage assets, including Scheduled Monuments, and the enhanced evidence areas within the silica sand resource.

9.8 If insufficient suitable Specific Sites are proposed in response to the 'call for sites' the County Council would continue the Silica Sand Review by defining Preferred Areas and/or Areas of Search. It is proposed that such areas would exclude the 250 metre area of land around heritage assets.

Question 7: Should enhanced evidence on the potential effects of silica sand extraction on heritage assets be provided in areas closer than 250 metres from the heritage asset, or should a different distance be used?
In your answer, please provide information/evidence to support your view.

Archaeology

9.9 The area covered by the silica sand resource has been subject to human activities for many centuries including exploitation of the silica sand resource. Areas of the resource are likely to contain important archaeology. Mineral extraction can have both positive and negative impacts on archaeological knowledge. Archaeological finds, as well as having an intrinsic value, are often important for what they tell us about the social and economic makeup of historic societies. Most, if not all proposed mineral extraction sites will require a site investigation to be undertaken prior to the submission of a planning application, influencing the mitigation strategy (e.g. preservation in situ, watching brief and/or preservation by record). An appropriate and agreed programme of works, as part of a mineral extraction operation, provides an opportunity for archaeological investigations to be undertaken where it would not normally be possible. However, in some cases it is important for archaeological assets to remain in-situ, as a major part of their significance is related to their location in a wider landscape.

9.10 There have been published academic works which have proposed that the original settlement of what is now King's Lynn was located further east than the current town, and possible locations include areas underlain by the silica sand resource. It is known that the site of a historic tile kiln is located within the silica sand resource, which is likely to have made use of nearby resources. There are also historic records which record the movement of

glass sand from the port of King's Lynn in the medieval period; indicating that the winning of this mineral has formed part of the economy of this area for a significant period. Therefore, it is important that in assessing sites for potential silica sand extraction appropriate technical advice on archaeology is sought.

9.11 The site assessment of proposed Specific Sites will include officer consultation with English Heritage and the Norfolk Historic Environment Service. The purpose of these consultations will be to identify proposed areas where archaeology is likely to occur and the appropriate methods for managing this. If insufficient suitable Specific Sites are proposed in response to the 'call for sites' the County Council would continue the Silica Sand Review by defining Preferred Areas and/or Areas of Search. It is proposed that the same consultation process would be undertaken for these areas with regards to archaeology.

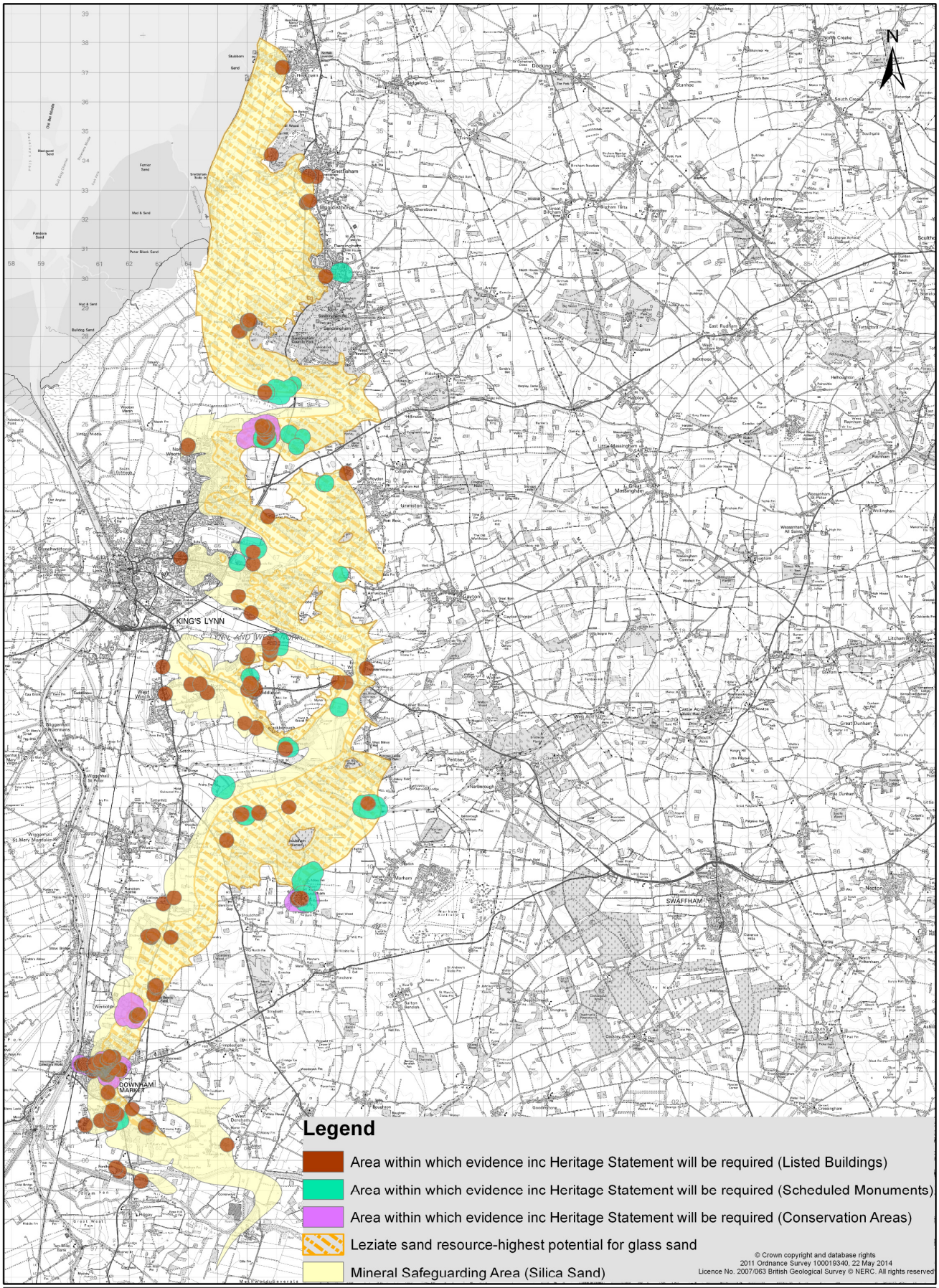
9.12 There are various methods of managing archaeological assets which often depend on the nature of the sites. In some cases where archaeology is considered likely but no definite proof is available it may be that the provision for trial trenching and assessment as a requirement for future development may be appropriate. Where highly significant archaeological assets are known to exist, preservation in-situ through a suitable standoff area may be considered appropriate. This process was used as part of the previous Site Specific Allocations assessment, which was found to be sound at examination.

Question 8: Does consultation with English Heritage and the Norfolk Historic Environment Service provide an appropriate method for ascertaining the likely archaeological importance of proposed Specific Sites, designated Preferred Areas and/or Areas of Search, and potentially acceptable methods of protection/mitigation?
Please provide information/evidence to support your view.

Relevant chapter of the National Planning Policy Framework:
12. Conserving and enhancing the historic environment
13. Facilitating the sustainable use of minerals

Relevant Norfolk Minerals and Waste Core Strategy Policies:
CS14 –Environmental Protection
DM8 – Design, local landscape and townscape character
DM9 – Archaeological sites

Relevant King's Lynn and West Norfolk Core Strategy Policies:
CS01 – Spatial strategy
CS08 – Sustainable development
CS12 – Environmental assets



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Norfolk County Council

10. Amenity

10.1 The potential for amenity impacts will form part of the assessment of specific sites/ preferred areas and/or areas of search for silica sand extraction as appropriate. Proposers of sites to the allocation process should submit an assessment of potential amenity issues and proposed schemes for mitigation. Evidence will need to be supplied in greater detail for sites within 125 metres of sensitive receptors (such as dwellings). Based on previous mineral extraction in Norfolk, sites closer than this are likely to require greater levels of mitigation to ensure that no unacceptable amenity impacts occur. The enhanced evidence area does not indicate that workings will not be allocated closer than this, but that more detailed site specific assessment of potential impacts/mitigation is required.

10.2 Subsequent planning applications for silica sand extraction will also need to address amenity issues. The following information on the assessment of amenity impacts is already included in the adopted Minerals Site Specific Allocations Plan in paragraphs 3.17 to 3.24.

"Policies CS14 and DM12 of the adopted Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD cover amenity issues generally. Particular attention will also need to be paid to air quality, dust noise and lighting issues.

The National Planning Practice Guidance states that standoff areas may be required to reduce impacts to acceptable levels but that these should be site specific and based on proportionate evidence including potential mitigation schemes. Any standoff areas proposed for potential site allocations will be based on these principles.

Air quality and Dust

Policy DM13 covers air quality. The National Planning Practice Guidance (Paragraphs 27-023 to 27-032) contains more detailed guidance on dust emissions and the control of dust generated by mineral workings, including the health effects of dust.

All planning applications – including those for allocated specific sites, preferred areas or within areas of search – will be judged against Core Strategy policies, with the National Planning Practice Guidance providing greater details on, for instance, the preparation of a dust assessment study. Paragraph 27-023 indicates the scope of the dust assessment study (including mitigation) which would need to accompany any future planning application:

"There are five key stages to a dust assessment study:

- Establish baseline conditions of the existing dust climate around the site of the proposed operations;
- Identify site activities that could lead to dust emission without mitigation;
- Identify site parameters which may increase potential impacts from dust;
- Recommend mitigation measures, including modification of site design;

- Make proposals to monitor and report dust emissions to ensure compliance with appropriate environmental standards and to enable an effective response to complaints."

Paragraphs 27-025 to 27-028 of the NPPG provides further guidance on the stages and methodology of a dust assessment study, with paragraphs 27-029 to 27-032 covering the health effects of dust.

Development Management Policy DM13 ensures that all planning applications for mineral operations must ensure that they minimised harmful emissions to air, and would not impact negatively on existing Air Quality Management Areas, nor lead to the declaration of a new AQMA. Together with the site policies, Policies CS14, DM12 and DM13, form a set of criteria against which future developments will be considered, in respect of air quality and dust.

The view of the Health and Safety Executive is that the working of silica sand does not present a health risk to the general public.

Noise
Policies CS14 and DM12 of the adopted Norfolk Core Strategy and Minerals and Waste Development Management Polices DPD cover amenity issues generally. The National Planning Practice Guidance (paragraphs 27-019 to 27-022) contains more detailed guidance on noise emissions and standards, including information on the preparation of noise impact assessments, and the noise standards applicable to mineral operations.
Development Management Policy DM12 – Amenity ensures that all planning applications for mineral operations must consider the impacts of noise on the amenity for people in close proximity. Together with the site policies, Policies CS14, DM12 and DM13, form a set of criteria against which future developments will be considered in respect of noise.

Lighting
Policies CS14 and DM12 of the adopted Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD cover amenity issues generally (including lighting) and the NPPF contains a policy (paragraph 125) encouraging good design to limit the impact of light pollution from artificial light on local amenity. Together with site policies, Policies CS14, DM12 and paragraph 125 of the NPPF form a set of criteria against which future developments will be considered in respect of lighting/light pollution."

10.3 All planning applications will need to address the amenity factors above. It is considered that the effective use of planning conditions can mitigate potential amenity impacts to acceptable levels. Proposals for Specific Sites will need to provide evidence of potential impacts on amenity. Within the enhanced evidence areas, mitigation could be more complex and a greater level of detail will need to be provided on the methods of mitigation and their efficiency in reducing potential impacts to acceptable levels at the sensitive receptors.

10.4 If insufficient suitable Specific Sites are proposed in response to the 'call for sites' the County Council would continue the Silica Sand Review by defining Preferred Areas and/or Areas of Search. It is proposed that such areas would exclude the 125 metre area of land around existing sensitive receptors.

Question 9: Should enhanced evidence on the potential effects of silica sand extraction on amenity be provided in areas closer than 125 metres from sensitive receptors, recognising that this does not represent a potential standoff distance which will be determined on a case by case basis, or should a different distance be used? In your answer, please provide information/evidence to support your view.

10.4 In addition to existing dwellings that are currently mapped, there are also sites within the silica sand resource, where planning permission has been granted that have not yet been developed, and sites that will be allocated in the King's Lynn and West Norfolk Local Plan, following examination and adoption. In terms of assessing amenity impacts, it is proposed to deal with these sites as follows:

10.5 Sites with planning permission and allocated sites in the King's Lynn and West Norfolk Local Plan (once adopted) will be excluded from any Preferred Areas or Areas of Search for silica sand extraction defined by Norfolk County Council. If these sites contain a silica sand resource that can be economically extracted prior to non-mineral development taking place, then this would be an additional silica sand windfall and would be dealt with under Core Strategy Policy CS16 on safeguarding and paragraph 144 of the NPPF.

10.6 Mineral safeguarding assessments have already been carried out for proposed housing sites close to the Knight's Hill roundabout and the northern part of the urban extension area at South East Lynn. These assessments have proved that no silica sand of commercial interest occurs at these locations.

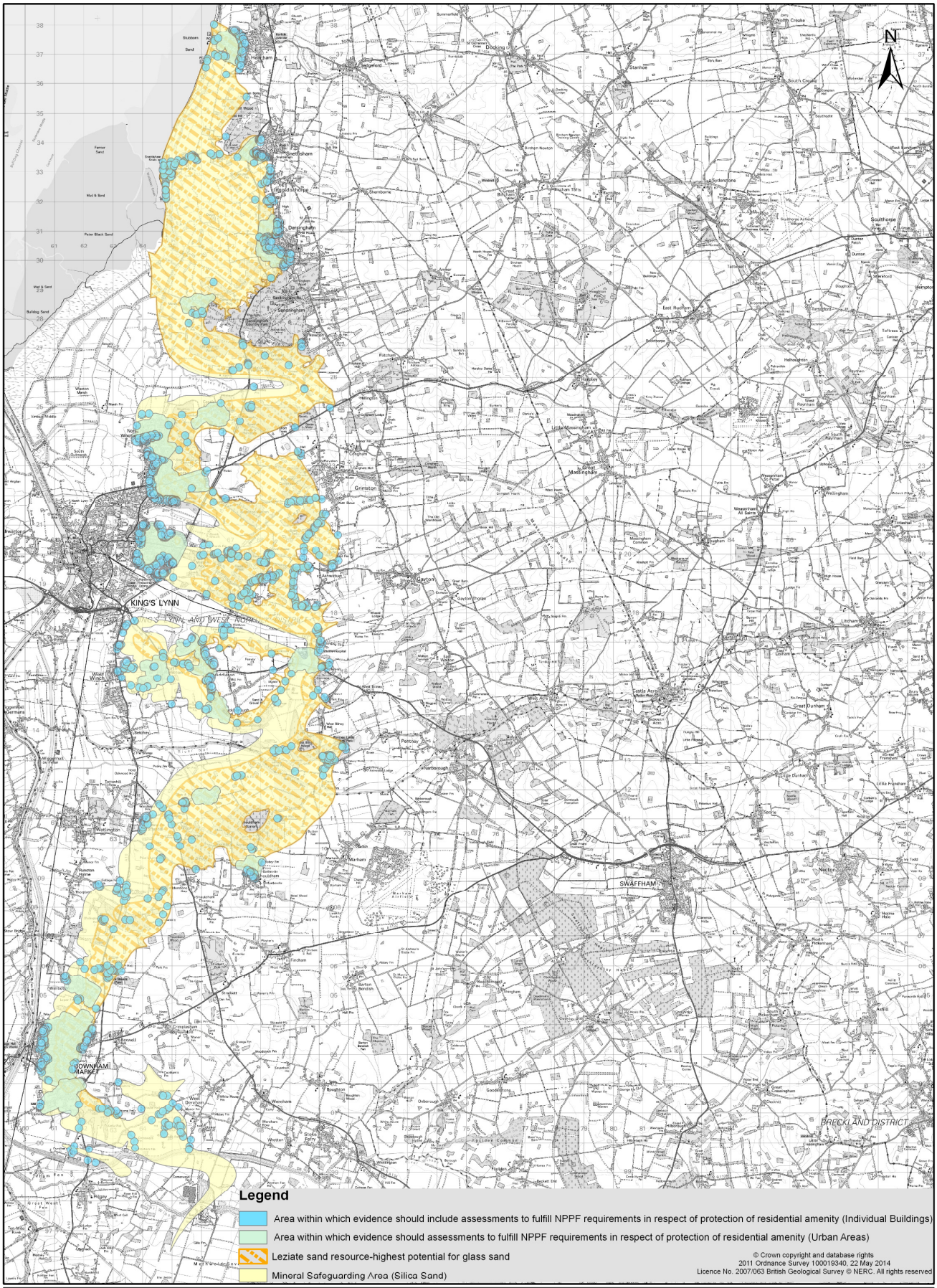
10.7 A buffer will **not** be put round sites with planning permission and allocated sites for enhanced evidence to be provided at the specific site allocation stage because as these sites are not currently developed there are no sensitive receptors at the current time. If the sites were developed prior to a planning application for silica sand extraction being received on adjacent land, then potential amenity impacts would be assessed at the planning application stage.

Question 10: Should allocated sites and sites with planning permission for non-mineral uses that are located in or adjacent to the silica sand resource be excluded from Preferred Areas and Areas of Search, or should a different approach be taken? In your answer please provide information/evidence to support your view.

Relevant chapter of the National Planning Policy Framework:
11. Conserving and enhancing the natural environment
13. Facilitating the sustainable use of minerals

Relevant Norfolk Minerals and Waste Core Strategy Policies:
CS14 – Environmental Protection
DM12 –Amenity
DM13 – Air quality
DM15 – Cumulative Impacts

Relevant King's Lynn and West Norfolk Core Strategy Policies:
CS01 – Spatial strategy
CS03 – King's Lynn area
CS08 – Sustainable development



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