

DITCHINGHAM PARISH COUNCIL

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19 December, 2005

Planning Application no. P/C/7/2005/7019. Land off Norwich Road (B1332) Ditchingham.

Dear Mr Jackson

This letter sets out Ditchingham Parish Council's (the Council) formal response to the statutory consultation to the planning application by Lafarge Aggregates for the proposed sand and gravel quarry on land off Norwich Road (B1332) near Ditchingham. Planning Application no: P/C/7/2005/7019

Summary

In summary, our recommendation is that the application be **refused**.

We few have supported our recommendation by reference to the policies contained within the Norfolk Local Minerals Plan 2004 which are comprehensive and to which this application runs contrary.

We believe that there are many other policies and other guidance originating from national and local government, or from other statutory consultees and other organisations that are designed to provide a controlled development framework, but to which this application also runs contrary. These include, but are not limited to:

- The South Norfolk Local Plan (2003)
- The Norfolk Structure Plan (1999)
- East of England Plan (Daft Regional Spatial Strategy)
- Mineral Planning Statements
- Planning and Policy Statements
- Planning and Policy Guidance
- Minerals Planning Guidance
- ODPM Circular 06/2005
- Biodiversity (Supplementary Planning Guidance for Norfolk)

The remainder of this letter provides context with regard to the process by which the Council has reached its recommendation. It provides a detailed discussion on the policies contained within the Norfolk Local Minerals Plan 2004 and to which this application runs contrary and concludes by presenting a discussion on the topics that local residents have brought to the attention of the Council at our meetings and by their letters.

Background

As you can imagine, this application has received considerable interest within both this parish and also that of the parish of Hedenham, to which the actual location of the proposed site is close. That said, as clerk to this Council for some 47 years, only on one other occasion (the old malting buildings), has any planning activity stimulated such interest. Our last three Council meetings have received huge attendance from the public, that normally would be unheard of, and is certainly attributable to this application. Also demonstrating the interest in this application, the residents' objectors group Enraged (Norfolk Residents Against Gravel Extraction in Ditchingham) meeting in September was attended by some 130 local residents. Clearly, this is an important issue for our residents and this matter must receive careful consideration. We believe that the actions taken by the Council to consult with our parishioners and to consider this application have been comprehensive.

Consultation & Community Involvement

Our first knowledge of the likelihood of any potential quarrying activity was in response to our letter to the Estate (prompted by a local resident's question at our 6th March 2005 council meeting) enquiring of the reason for hedge planting along the B1332.

Lafarge held a public exhibition in July 2005, to which a few local 'dignitaries' and local residents were invited. We do not believe that Lafarge made much effort to advertise this event in advance, although after the event it appears that they have promoted it to some considerable extent. Neither do we believe that it was a genuine effort to consult with the majority of the impacted residents. For example, while immediately adjacent properties to the application boundaries did receive personal invitations, other residents living in the neighbouring lanes, or in Hedenham received no information at all. While Lafarge placed a half page advertisement in the local magazine, it is no substitute for an individual letter that could have been so easily generated. The exhibition was held during the working week and closed before many working people would return from their employment. The materials presented at the exhibition were not particularly helpful, and the so-called 'experts' were often unable to answer basic questions, for example, on ecology, highways, or hydrology.

Since the public exhibition, Lafarge has declined to consult with the community. While we understand that Lafarge has met with a few residents immediately following that exhibition, they have in general, not engaged with the community. Only reluctantly has Lafarge relinquished information. Only by the good fortune of the local residents (objectors) group Enraged did it become evident that Lafarge had negotiated an option on other areas of land belonging to the Estate. Lafarge has declined to attend the separate parish meetings held by Hedenham and Ditchingham. Lafarge has declined to attend the Enraged residents' meetings. Only belatedly has Lafarge volunteered to meet with elected residents (but not the public) to discuss this application.

The Environmental Statement (ES) does not acknowledge the response by the Council to the NCC request for a scoping opinion. As the democratically elected body representing the parish of Ditchingham and of its residents, we believe that this is an important omission and should be noted. The non-technical summary, a statutory obligation, provides little information and

has not been well circulated. It is not so much a summary of the ES (that it is meant to be) but more, by its own construction, explains clarifications and modifications. The document simply does not summarise the ES.

The Council received its consultation papers late (17th November) and only after the clerk chased these were they received. The full ES, including annexures comprise documents some 4 inches thick providing little time for full consideration and we are concerned that the other statutory consultees also received the documentation late providing a reduced opportunity to consider fully this not insignificant submission. The Council endorses local residents' fears that Lafarge has deliberately set out to conceal the true extent of its plans.

As noted earlier, this application has stimulated considerable interest in the community. Since the July exhibition, Council meetings have benefited from record attendance, and the scheme has received considerable media coverage. Without exception, the common theme is one of opposition to the application. The Council has not received a single representation of support for the scheme.

The Council fully endorse the actions and the opinions of residents' objectors group Enraged. This group was established from the floor of our July Parish Council meeting. Councillors Alan Burrell (NCC) and Richard Carden (SNDC), and our local member in Westminster, Richard Bacon (South Norfolk) also confirm their full support for the group.

Whilst the motives behind this group are to oppose the proposed development, this group has done much within the community to ensure that local residents are apprised of current developments. The group is well organised, professional in their outlook, and has engaged subject matter experts for technical analysis. The council has examined the file prepared by Enraged that sets out their [that group's] objection and considers that it is materially correct.

The Council fully supports the opinions of Enraged and wishes that the technical representations and evidence submitted by Enraged in their objection to this application be considered as supporting the Council's own objection.

Norfolk Local Minerals Plan 2004

The application area is situated in pleasant countryside and lies between the boundary of the Broads National Park and Ditchingham Park, an English Heritage Grade II landscape, and is of high ecological importance. The local economy depends on the very characteristics of landscape and rural tranquillity that this application will destroy. The increased HGV movements on the already hazardous B1332 road will make it more so. The Council believes that this application is entirely inappropriate.

The Council does not profess to be expert in policy matters. But, recognising that the purpose of [planning] policy such as this is to provide a democratic and balanced approach between the provision of essential materials and services, the rights of developers and landowners to exploit their assets and the protection of the amenity of local residents and the community alike, even a superficial review of this application clearly reveals that it runs contrary to the Norfolk Structure Plan and, in particular, to many of the specific policies contained within the Norfolk Local Minerals Plan 2004 (NMLP). Our observations in respect of the NMLP are noted hereunder:

- **Policy MIN1** states that *'Applications for mineral extraction and associated developments in areas of outstanding natural beauty, heritage coast, or the Broads Authority Area will be permitted only exceptionally where they are shown to be in the public interest, particularly with regard to any overriding national need or that they form part of wider*

schemes to protect or significantly enhance the local landscape character'. The Ditchingham quarry site lies 300m from the Broads National Park and adjacent to the Grade II listed historical landscape of Ditchingham Park. There is hence a strong argument that this application is therefore inappropriate.

- **Policy MIN2** states that *'Proposals for mineral extraction and associated development in river valleys ... areas of landscape protection, conservation areas, historic parkland, areas of importance to the setting of listed buildings, woodland areas, heath and common land, will be permitted only where it can be ensured that they would not be significantly detrimental to the appearance or character of these areas'*. There is no question that the proposed application area is part of a historical landscape and that mineral extraction from this site would be detrimental to the historic parkland of Ditchingham Park and the adjacent Rider Haggard parkland. Heater Plantation, which is to be removed under the application, is itself part of the historical landscape as it would have been planted deliberately to be viewed from Ditchingham Hall and its Park. There is no question that this application would cause substantial harm to the very heart of the issues that this policy is intended to protect.
- **Policy MIN3** states that *'Applications for mineral extraction and associated development will be allowed except where the harm to the visual appearance of the countryside, either during operations or in terms of the final landform, would be unacceptable'*. The proposed operations will extend for a period of at least 10 years, and in terms of local circumstances this will give rise to unacceptable visual impacts. The extraction process, the associated fixed and mobile plant, and the haul routes will be visually intrusive. Even the screening using earth bunding, designed to mitigate the impact, will be an alien and intrusive feature. Furthermore, the contours of the restored landscape, together with the proposed ecological restoration will be significantly different to that which currently exists.
- **Policies MIN4A and MIN4B** we consider to be relevant to the extent that the application site acts as a wildlife corridor between designated special protection areas and thus there is a risk of indirect material adverse effect. The designated areas include the Broads Authority National Park, Tindall Wood SSSI and the County designated site of Ditchingham Park. The NLMP acknowledges that mineral workings can cause irreparable damage, either directly by extraction and destruction of habitats or indirectly through, for example, lowering water tables, altering drainage patterns or by dust falling on sensitive vegetation growing nearby. This could affect not only nearby or adjacent conservation sites, but those further afield, particularly where they are especially sensitive and fragile. Of significance, this application proposes to fell an established belt of woodland (Heater Plantation c150 years), some more recent adjacent planting, and many metres of established hedgerow. While it proposes that the older Ten Penny plantation will be retained, there is little doubt that the woodland belt along Fen Lane and other trees in the vicinity (many ancient) are likely to be affected by the lowering of the water table. Already, a hedgerow crossing part of the site has been cut to ground level shortly before this application. We have little doubt that this application, if successful, would have a detrimental effect on the ecological balance for many years to come.
- **Policy MIN5** states that *'Proposals for mineral extractions and associated development in other areas of nature conservation interest will be permitted only where it can be ensured that there would not be significant damage to such areas, including ... woodland areas which are predominantly broadleaf...'* and goes on to say that *'although these areas are not afforded the same degree of protection as nationally designated sites they are*

nonetheless valued resources and areas of nature conservation interest are especially valuable as part of a network and in some cases provide a buffer to more highly designated sites...’ The policy reinforces that ‘other areas of nature conservation interest’ includes sites supporting protected species that clearly the Ditchingham site does.

- **Policy MIN6** states that ‘*Applications for mineral extraction and associated developments will only be permitted where there would be no unacceptable harm to the amenities enjoyed by nearby residents and other land users*’. This policy is quite specific and there is no doubt that this application runs contrary to the policy to the extent that residents and visitors to Norfolk will clearly be subjected to quite unacceptable levels of disturbance. This will be through visual intrusion, and from excessive levels of noise, dust, fumes, and other nuisances that will be generated by the proposed mineral operations and associated heavy lorry traffic. It will impact the residential amenity of local people, both those living in isolated dwellings and in the village. Significantly, the application will impair the amenity of visitors; the proposed site is within a 1km of the Community of All Hallows, an important retreat and residential centre that provides accommodation to the equivalent of some 30,000-bed nights pa. and is largely dependent on the tranquillity of its location where it has been established for 150 years. In particular, the impact caused by the increased traffic will be highly detrimental. Policy MIN6 goes on to provide that ‘Where it is not possible or practicable to reduce these impacts through appropriate controls to acceptable levels, permission will be refused’. From our understanding of the application, Lafarge has not demonstrated either adequate analysis of the impacts or appropriate mitigation. We consider that the potential harm to amenity is unacceptable and that the application should be refused.
- **Policy MIN7** states ‘*Applications for mineral extraction and associated development will be permitted only where it would not adversely affect...sites of historical significance and their settings.*’ Ditchingham Hall and its surrounding parkland listed Grade II by English Heritage is clearly a site of historical significance (as is also the adjoining Rider Haggard Estate to the south east of the site). The setting of the parkland will be badly affected by the proposed quarrying activity adjacent to it.
- **Policy MIN9** states that ‘*Applications for mineral extraction and associated developments will only be permitted where the access and the highway network is suitable, and is able to accommodate increased lorry movements, or where improvements would not cause unacceptable harm to the environment*’. The highways issue is one of the most significant concerns of local residents and of the Council itself. Local people who are familiar with the B1332 Norwich to Bungay road are concerned not only about the evident dangers of heavy lorries turning onto and off the road at the point of access to the site, but also about the entire route. While Lafarge propose to improve sight lines to comply with NCC Highways requirements, local residents are convinced that this will only provide to make more dangerous the stretch of road between the hazardous Belsey Bridge bends and Hedenham [through increasing the opportunity to overtake, and hence deliver faster flowing traffic into existing hazards]. Lafarge’ traffic analysis does not consider the length of the B1332 route; it does not consider traffic routing as it is not specific to the proposed demand location. NCC’s own highways department files will demonstrate that the incidence of accidents, both officially recorded and of damage-only accidents reported in correspondence is significantly greater than national average, hence the considerable effort that NCC has exerted over recent years to endeavour to constrain this statistic. It is undeniable that sections of the B1332 between Kirstead and the junction with the A143 at

Ditchingham, that would have to be used by traffic to and from the Quarry, are totally unsuitable and any increase in the traffic on a road of this nature is highly undesirable.

- **Policy MIN10** states that *‘Applications for mineral extraction and associated developments will only be permitted where there would not be unacceptable harm to water resources, flood prevention or drainage’*. Clearly a full understanding of these matters requires a highly technical knowledge that is simply not available to the Council. However, we note with alarm the content of a letter received by ourselves from one local resident who (Mr G Luff) appears to profess an authority on the subject matter. If indeed the matters raised therein are correct [and they appear credible] there must be a very real concern that the analysis presented by the Lafarge expert consultant (SDA) on this matter is incomplete. On that basis alone, it is difficult to accept the statement from Lafarge that they perceive ‘no adverse impacts will result from the proposed development’.
- **Policy MIN12** states that *‘Applications for mineral extraction and associated developments will only be permitted in an area of existing activity where this would not create unacceptable cumulative harm to highway safety, visual appearance or the amenities of the nearby occupiers’*. It is a matter for the NCC to determine whether this application runs contrary to this policy. However, it is a matter of fact that the quarry at Earsham is less than 1 km from the site boundary and that the quarries at Flixton, Mundham, Raveningham and Aldeby are all within 8 km of the site. It is a matter of fact that any additional heavy goods vehicle movements concentrated onto the B1332 (as they would be) would create an unacceptable cumulative harm to highway safety. Not least because of the volume of traffic, but that B1332 is deficient with regard to alignment and geometric standard and is widely acknowledged as such by NCC.
- **Policy MIN13** states that *‘When considering a planning application for mineral extraction and associated development, the operator’s record in working and restoring current and past sites and any agreement and compliance with the Norfolk environmental protection code for mineral and related development will be taken into account.’....* Lafarge makes many references to the Whitlingham site and to the [now] Whitlingham Country Park. But the facts are that the Ditchingham site is very different and Whitlingham should not be used as a comparator. Contrasted to Whitlingham, comprising rough grazing land and marshes devoid of much human activity, the Ditchingham site is in arable use and has some 43 private residences within 800m of the extraction area, (17 of them within 300m). Lafarge cites awards that are attributable not to themselves, but to the planning concept and of the landowner Sir Timothy Coleman who made available the site to the community. Lafarge identifies other sites but has provided no named examples of any directly comparable to Ditchingham. The Council can only conclude that any reference to Whitlingham is unjustified and self-promoting, and should be disregarded for the purpose of considering this application. The proposal at Ditchingham includes no community benefit.
- **Policy MIN14** states that *‘The County Council will maintain a landbank of permitted reserves of sand and gravel separate from that for carstone, both of which will be in accordance with minerals planning guidance note 6....’* The Council’s understanding is that the county’s land bank currently stands at 7.2 years with an annual apportionment (EERAWP) of 2.98 m tonnes. Lafarge has provided no analysis of the extent of reserves at existing quarries in respect of which future applications for additional extraction are likely or may be forthcoming. The Council’s understanding is that there will not now be another Norfolk Local Minerals Plan, and that minerals planning is now becoming

increasingly regionalised. With this in mind, the reserves in Suffolk, which Ditchingham borders, are also of increasing significance when determining future provision, a factor that Lafarge appears not to make reference; a fact that has been confirmed by those operating those quarries. The fact is that the county land bank is likely to stand in excess of 7 years in January 2006. The Council does not believe that there is any justification for this application on the grounds of need and that the County's requirements for aggregates can be met from existing quarries and of other applications and/ or extensions coming on line.

- **Policy MIN15** states that *'Proposals for extraction of sand and gravel ... on new sites will not normally be permitted when the landbank exceeds the seven year level'* and is clearly designed to limit new sites commencing when the land bank exceeds 7 years and to prevent the spread and proliferation of new mineral workings when there is no justifiable need. There is already a concentration of quarries around the Ditchingham site with operations at Raveningham, Aldeby, Earsham, Flixton and Mundham (all within 8 km). While it may be a fact that at any given time reserves may fluctuate a few percentage points either side of 7 years, reserves should clearly be considered on a time-smoothed basis. Lafarge has not produced any calculations, or evidence based argument, that takes into account demand, output, and the existing applications (either submitted or that can reasonably be anticipated) from these or other operators that would contribute to the maintenance of the 7-year land bank reserve. The Council contests, particularly when considering the increasingly regionalised perspective with regard to minerals planning, that existing sites are capable of satisfying local demand for many years to come. Importantly, it is our understanding that when policies MIN14 and MIN15 are read in conjunction the combined function of the two policies is to maintain only a 7 year land bank. No more.
- **Policy MIN17** states that *'Investigation areas as shown on the proposals maps may have potential for mineral extraction and indicate broadly where further testing of mineral resources should be concentrated... [and that]... applications for development both inside and outside investigation areas will be subject to consideration against all the relevant development'*. The Ditchingham site is not situated within an Investigation Area.
- **Policy MIN18** states that *'Local planning authorities will protect, as far as practicable, potentially workable mineral resources from development proposals which may sterilise their utilisation or, alternatively, will permit, where this is not in conflict with environmental protection policies, their extraction prior to development being carried out...'* and goes on to say that Consultation areas are intended to protect the Investigation areas (MIN17) from prejudicial development. Importantly it remarks that; there is no assumption that mineral extraction will take place within the Consultation areas. The Ditchingham site is not within an Investigation area and, although we can assume that the Ditchingham site is situated in a consultation area, policy MIN18 provides for no more than the protection of future reserves from prejudicial development. The Council does not understand why it is that, at this time, Lafarge elects to submit an application in this location.
- **Policy MIN33** states that *'The County Council requires planning applications for mineral working and associated activities to be accompanied by a comprehensive statement covering the following, as appropriate:*
 1. *Where necessary an assessment of the need for the mineral and the market to be served;* Lafarge has not produced such an assessment, and although it assumes that reserves may

fall below the 7 year threshold, provides no calculation or evidence to support such an argument.

2. *Evidence (supported by borehole testing and/or trial pits) of the type, size and depth of the deposit;* Lafarge has not produced such evidence.

3. *Output and life of the operation;* Lafarge blandly states that proven reserves are in the region of 1.25m tonnes but that more realistically only some 1.0 m tonnes may be recoverable. Lafarge also variously state that extraction will last some 8 – 11 years. It appears that these statements are loosely founded, and provide such significant variability that they have no worthwhile use.

4. *Hours of operation;* Lafarge, on the one hand, state that core hours will be 5½ days week 07:00 – 17:00, but also state that they reserve the right to apply for extended working, providing effectively 24/7 operations if demand necessitates. This is statement is ambiguous and the intended hours of working should be clarified.

5. *Appraisal of the effect on the surrounding landscape both during working and after restoration; with a land surface level survey showing existing and proposed landform including its relationship with adjacent land;* Lafarge has produced drawings and cross section illustrations to this effect but has not produced any satisfactory argument that the resulting landform is acceptable.

6. *Appraisal of the potential impact on local residential and visual amenities and measures to deal effectively with these impacts;* Lafarge has produced an impact assessment to this effect, but uses its own value judgements to assess the impact, and has not produced any satisfactory argument that the measures to deal with these [self assessed] impacts are effective.

7. *Appraisal of the impact on listed buildings and their setting;* Lafarge has produced an impact assessment with regard Ditchingham Park and Hall, but has made no reference to the important Rider Haggard Estate, and little reflection on the broader setting adjacent to the site.

8. *Appraisal of archaeological features including, where necessary, the results of a field evaluation, and proposals for protecting and recording them;* Lafarge has undertaken a field evaluation, but has provided no indication as to methodology for protecting or recording archaeological features.

9. *Appraisal of wildlife, scientific and geological value and measures to protect such interests;* Lafarge has produced an appraisal of the wildlife, scientific and geological features of the site, but has been selective in the use of information and in the summarisation of their own experts' reports. The Council simply cannot accept any argument for protection, when there is no justification for the original destruction of these features.

10. *Extent and quality of agricultural land to be affected and the impact on the viability and structure of agricultural holding;* Government policy is opposed to the use of best and most versatile land for mineral extraction (which much of the Ditchingham site comprises). Not all of the land will be returned to agricultural use, the balance will be used to provide alternative habitats.

11. *Effect on water resources, drainage, flood prevention and water courses;* Lafarge has provided an analysis of hydrology and hydrogeological conditions on the site and in the locality, but the Council will contest that, based on evidence provided by a local resident, Lafarge's experts' reports are incomplete and should not be used without further testing and analysis.

12. *Effect on public rights of way and access to the countryside;* Lafarge makes no reference to the effects that the proposed scheme will have on local ramblers, the proximity of the site to the Bigod Way, and the network of local lanes and footpaths that are enjoyed by many leisure users.

13. *Traffic generation and routeing as far as the County's primary route hierarchy;* Lafarge has provided no reliable information on traffic volumes and routeing. Lafarge remain entrenched with their estimate of 42 HGV movements a day, but do not comment on how this estimate will change with the introduction of a readymix batching plant that they admit remains likelihood within the longer term context of the site. While it is evident that traffic will utilise the B1332, albeit entirely unsuitable, Lafarge do not indicate the extent to which traffic may be routed south towards the A143, or north towards the A47.

14. *Detailed layout and elevations of plant, machinery and buildings;* Lafarge has not provided detailed layout or elevations of plant, machinery and buildings. Instead, they have loosely indicated the location and height of some plant, but have not produced details of all structures, including buildings, car parks, ancillary structures, etc as is required by this policy.

15. *Effect on employment;* Lafarge remarks that the site will employ some 4 staff, likely redeployed from other sites, but do not mention the likely adverse impact that the scheme may have on other businesses within the immediate locality, aligned to leisure pursuits, or that of the nearby convent that are highly dependent on quality of landscape and amenity that would be impaired by the Lafarge proposals.

16. *Method and programme of working;* Lafarge loosely refer to phased workings and campaign digging, but are not clear with regard the full programme of workings that support this concept.

17. *Landscaping, screening and planting proposals;* Lafarge provides comprehensive proposals for landscaping, screening and planting. However, these are clearly inadequate for the intended purpose. The proposed screening bunds will not restrict views into or across the site, and the proposed planting will take many years to mature, and being of a deciduous base, will be entirely ineffective when not in leaf.

18. *Means of progressive restoration, including machinery and criteria for handling soils;* The Ditchingham site is comparatively small to adopt this method of operation and progressive restoration will generate disproportionate transport movement for the hauling of soils and overburden. This will create unacceptable levels of noise, dust and other nuisance.

19. *Co-ordination or planned after use with working, creation of final contours and restoration:* Part of Lafarge's original scheme was to import inert landfill required to achieve 'acceptable landform'. Now they indicate that this is no longer part of the scheme, as 'acceptable landform' will now be achieved through the reprofiling of a broader area outside the extraction area. Restoration by reprofiling, besides having ecological consequences, will increase noise and be visually detrimental.

20. *After-care scheme for a five-year period to manage the site;* Lafarge has said that they will provide an extra five years 'after-care'. But the Council is doubtful as to how this could be enforced.

The NMLP goes on to say that NCC seeks to achieve high standards of working and restoration with a co-ordinated and planned approach to the establishment of beneficial after-uses and that in order to minimise the environmental impact of mineral operations, planning applications need to be carefully prepared and supported by all of the information and assessments required for the determination of the application. As is clearly indicated by the above assessment of the depth, breadth and quality of the information provided by Lafarge, this is clearly not the case. Lafarge has simply not provided the adequately robust information demanded by this policy.

- **Policy MIN34** states that '*Major proposals and those in sensitive locations or which otherwise are likely to have significant environmental effects should be accompanied by*

an environmental statement'. This is a requirement that originates from EEC (Directive No 85/337) and Government (Town and Country Planning, Assessment of Environmental Effects, Regulations 1988) legislation on environmental assessment. Another requirement arising from this legislation is that developers must produce a non technical summary of the full content of the environmental statement that couches in 'non-technical' terms the impacts of the scheme. Lafarge has produced a pamphlet that purports to meet this requirement but is not so much a summary of the ES, but a rather a vague attempt to present clarifications and modifications to the scheme as originally demonstrated at their July exhibition. It simply does not summarise the impacts, many of them substantial, that this scheme will have on the environment.

- **Policy MIN35** states that *'The County Council will consider the following factors where necessary and appropriate in considering mineral related planning applications:-*

1 Environmental impacts on:-

- A) *The users and occupiers of land in the area, particularly residents, and visitors, due to noise, dust, vibration, fumes, smell, air pollution and other forms of disturbance and nuisance, including those caused by lorry movements;*
- B) *The landscape and visual character of the area particularly in the AONB, Broads Authority area, rural conservation areas, ... river valleys and areas designated in local plans;*
- C) *Woodland, hedges and other topographical features;*
- D) *Areas of nature conservation, geological and scientific interest, particularly the Broads, ... SSSIs, Special Protection Areas...*
- E) *Sites of...historical interest and importance;*
- F) *The quality and quantity of agricultural land and the structure and viability of farming;*
- G) *The highway network and its capacity, and road safety;*
- H) *Public rights or way and other sites of public access;*
- I) *Water resources, flood prevention, water courses and drainage.*

2.The feasibility of restoration.

3.The appropriateness and benefit of the after-use.

4.The need for the mineral at a strategic level, its quality, quantity and the availability of other potential resources.

5.National and Regional Guidance, Structure Plan and Local Plan policies and other planning policies as appropriate.

The NMLP remarks that these are the main factors which the County Council will take into account, together with the views of both statutory and non-statutory consultees, when assessing planning applications and that a balance has to be struck between the need for the mineral and the environmental and other impacts which may result. Almost without exception, this application runs contrary to all of the factors stated herein.

- **Policy MIN36** states that *'The County Council will only grant permission...for mineral workings...where it is satisfied that the environmental impact can be minimised and ameliorated to acceptable levels and that the restoration to a planned and appropriate after-use is both feasible and achievable within the timescales proposed.'* Lafarge has not demonstrated that the environmental impacts can be maintained within acceptable levels. In particular, the damage to the historic landscape setting of Ditchingham Park and to the intrinsic value of the existing landscape, together with the destruction of woodland, species-rich hedgerows and ponds, and the potential very serious damage to wildlife and, in particular, protected species such as the Great Crested Newt

and bat foraging sites, combined with the absolute unsuitability of the highway network, and the loss of amenity for a substantial number of nearby properties, both visually and through noise, dust and light pollution all provide to demonstrate that this application should be refused.

- **Policy MIN 37** states that *'The County Council will consider alternative restoration proposals for after uses, including sport, recreation and forestry, in the context of relevant development plan policies.'* The proposal provides for a return to agricultural use (for the most part of the site) and that the remainder of the site is to be used to provide alternative and bio-diverse habitats, including areas of standing water and carr woodlands. But this at the cost of the destruction of a large area of established woodlands, some of which are possibly c150 years old. There is no proposed amenity advantage to the local community, and the Council consider that Lafarge's continued and repeated references to the Whitlingham site are misplaced. The Ditchingham site bears no resemblance, in size, context, or planning opportunity to Whitlingham and such references are both unnecessary and misleading.

- **Policy MIN 38** states that *'The County Council will encourage after-uses which enhance or create wildlife habitats, landscape features or other sites of geological or scientific interest, where this does not conflict with environmental protection policies.'* While Lafarge do much to promote the restoration and aftercare of the site and its ecological benefit supporting bio-diversity, this at the expense of the established ecology that is already diverse and supports, as it stands now, protected and rare species. On balance the Council considers that this application will cause greater harm to the environment and ecology than the proposed restoration scheme is said to encourage.

Local Resident concerns

The forgoing commentary provides a technical critique of how the proposed application runs contrary to the NLMP. However, as the Council, we believe that our representation would be incomplete without expressing the concerns of local residents in the language that they have used at recent Parish Council meetings, the Parish meeting, and in their letters (written both directly to us, and to NCC and others and copied to our selves). To some extent, this results in repetition of the observations already made, but in other respects it reinforces the absurdity of the proposed application. It is important that NCC considers residents' views as summarised here, and as communicated to NCC directly. Such examination rightly confirms the application of democratic process.

- **Application area:** Many residents remain considerably worried about what the proposed application and other impacted areas actually are. Both in the context of this application and of possible future extensions. While the area identified for extraction is well delineated, it remains unclear what the greater area impacted by 'reprofiling' will be.
- **Option deed:** As remarked earlier, it is only by the good fortune of Enraged that the deed of option identifying three other areas was discovered. There is a total lack of trust, within the community, of any information provided by Lafarge. There is total incredulity that Lafarge attempted to conceal this at the exhibition, the very purpose of which was promoted by Lafarge to involve, inform, and consult with the community.
- **Extent and duration of operations:** Some of the information provided by Lafarge indicates that the site has resources in the region of approximately 1.25 million tonnes with a possible extraction rate of some 90-125,000 tonnes per annum. This indicates that

the quarry has a working life of some 10-14 years; longer, if one considers enabling and reinstatement time or an expansion of the extraction area. But the planning application itself is suggestive of a broad-brush metrics of c1m tonnes over 10 years. The extremes of these numbers, when used in calculations, provide significant variation in the duration of active workings, and of vehicle movements and are of importance to all concerned. It impacts, in particular, on people who live nearby, or use the road. Combined with the uncertainty with regard extensions or future applications, particularly in the context of the Option deed, this issue is significant.

- **Working scheme and Restoration:** Local residents are concerned that, while Lafarge states that the scheme will be progressively worked and restored consistent with good practice using a programme of campaign digging schemes, there is a lack of clarity about what this means in reality. On different occasions, Lafarge has indicated that, while core hours will be 7am - 5pm, 5½ days per week, they retain the right to apply for extended working at weekends and at night, if demand requires this. Separately, Lafarge has alluded to the use of floodlights for operational and security reasons. Many are alarmed by the degree of light and sound pollution, which would ensue, should this happen. Local residents are also concerned that Lafarge appear to confuse the topic matters of extraction, digging, soil stripping, processing and restoration. Irrespective of the process, they (residents) are worried that one way or another there will be operations at the site effective 24/7 all year round. The concept of progressive restoration is not accepted; the ecology and amenity of the site will be violated and will take years to heal.

The issue of any additional processing on site also serves to alarm residents. They simply do not believe that Lafarge has proposed the necessary measures to mitigate the impacts of noise, dust and other potential nuisance, and consider the suggestion that fitting smart reversing alarms to owner/driver vehicles as simply laughable. Similarly, local residents do not believe that the proposed bunds and planting measures will provide any effective visual or acoustic screening, with planting taking some considerable number of years to mature. Deciduous planting will also provide little benefit when not in leaf.

- **Inert fill:** Part of the original scheme was to import inert landfill required to achieve 'acceptable landform'. Lafarge has now indicated that this is no longer part of the scheme, as 'acceptable landform' will now be achieved through the reprofiling of a broader area outside the extraction area. Leaving aside any ecological impact that may arise, local residents are understandably concerned that this aspect of the scheme may be reintroduced at a subsequent date, together with all of the adverse impacts that hereunto now have been avoided, particularly the greater vehicle movements that arise from importing land fill to the tune of 10,000 m³ pa. Many residents have expressed concern that future applications could extend to other types of infill with frequent reference to Aldeby and other waste fill sites.
- **Readymix:** Similarly, the inclusion of a readymix batching plant was part of the original scheme. Lafarge consistently avoids making any substantive statement with regard to their ultimate intention to include readymix as part of the scheme. In separate correspondence with Enraged, which has been widely copied, Lafarge admits that while not promoting readymix within this application, they [Lafarge] retain the right to review the inclusion of a readymix plant at Ditchingham on the 'planning merits' at a future date. This is of significant concern to local residents, as the inclusion of this facility will likely increase the level of HGV movements. Residents deplore this underhand method of Lafarge disguising their future intentions.
- **Traffic and Highways:** The issue of traffic safety is of paramount concern to local residents. For some years we have campaigned for safer roads, and only as recently as the

summer [of 2005] has a mandatory 40 mph speed limit been introduced on the Norwich Road, through the Belsey Bridge bends, (ie within a short distance, approx. 200m, of the proposed site access), justification being the high clustering of accidents, including minor that do not form part of the official statistic, at this location. Local residents are concerned that the metric of 42 HGV movements that Lafarge publicly promotes is based on the simple metric of an average output of 100,000 tonnes pa. as raw unprocessed aggregate, but that more likely, given the comments above on the high likelihood of readymix being included within the scheme in the future, these traffic volumes are grossly understated. Local residents are also concerned that Lafarge can be as bold to casually dismiss this issue by remarking 'many of these vehicles already use the local road system' yet fail to acknowledge that, by concentrating all traffic movements onto the B1332, this will dramatically increase the accident risk on this [B1332] road. Based on their own calculations, which include the likelihood of readymix plant, local residents have calculated that a more accurate metric is in the region of 90 HGV vehicle movements a day at 100,000 tonnes pa, or 125 HGV vehicle movements a day at 125,000 tonnes pa. Moreover, local residents are concerned that there is a high risk of accidents not only at the point of access to the site, but along the entire length of the B1332.

Local residents are further concerned that the width of the highway in both directions (at 'the Old Forge' towards Ditchingham, and at 'the Mermaid', at Hedenham) is insufficiently wide for HGVs. Residents are already aware of the hazards caused by HGVs passing each other at these two bottle necks and at several other points on the route to Norwich. Increasing HGVs to the extent proposed is likely to increase danger to all road users including pedestrians and cyclists. Importantly, residents perceive that gravel lorries, whether laded or un-laden are some of the heaviest vehicles on the road. Their presence is intimidating and residents are fearful for their safety now, and more so, given any increase in HGV traffic.

- ***Landscape and Visual Amenity:*** Local residents share considerable concern that the scheme will be detrimental to the landscape and visual amenity generally. This, when combined with other nuisance of increased noise and dust levels, whether arising directly from operations or from vehicle movements, will have a significant adverse impact on the community and local economy. It requires little comment to convey the views of immediately impacted residents, whose dwellings are already blighted, and will be so for years to come. Already, we are aware of some properties that are simply unsaleable at the present time because of the planning application. Simply put, these residents perceive that their livelihood and their investment for the future have been destroyed by the greed of a wealthy landowner who will likely secure many £millions from land sales for future housing development as identified in the South Norfolk Local Development Framework. But just as significantly, there are real concerns for the broader community that relies on the contribution to the economy simply from the peace and tranquillity derived from the landscape. For example, the Community of All Hallows secures visitors equivalent to some 30,000 bed nights pa. These visitors, for conferences, retreats, and for similar activities, and other ramblers and leisure users generally, enjoy the opportunity to walk in the neighbourhood, using the network of lanes and footpaths that link through to the Bigod Way. These, and other visitors make a significant contribution to the local economy, in our village shops and in other commercial premises, a contribution that is bound to be impaired by the Lafarge proposals and probably to the detriment of jobs and livelihood significantly greater than that potentially created by the Lafarge proposals.
- ***Ecology:*** Some residents have expressed their concerns on ecological grounds. Although Lafarge promotes a strong argument for their restoration plans, it is undeniable that there will clearly be significant, damage to the ecology of the site. The site is not entirely arable

as Lafarge states, but includes established woodland and hedgerows that they propose to destroy as part of the scheme. Habitats will be destroyed and a wide variety of wildlife, including many protected species, will be displaced. A mature woodland habitat, such as Lafarge proposes to destroy, takes hundreds of years to establish itself as does a veteran tree. Once fauna depart or flora has been destroyed, there is no guarantee of return. The interruption of the use of the site as a corridor for wildlife passing from the Broads National Park to the Parkland of Ditchingham Hall and the Tindall Wood SSSI is an impact Lafarge has not even considered.

- ***Hydrology and hydrogeology:*** Many local residents have wells and ponds on their properties. There are concerns that the scheme will dramatically and permanently change the levels of groundwater in the locality, impacting these amenities, or that the changed groundwater levels will cause permanent damage to established and ancient trees, an important feature of this landscape where we live. Even where the water level per se is not at risk, there are significant concerns that the quality of the water will be adversely affected. Local residents are concerned that Lafarge are dismissive of this aspect of the scheme.
- ***Archaeology and cultural heritage:*** The proposed site is situated in an area of archaeological and historical interest. There is a strong view within the community that any archaeological remains should be preserved and recorded for future generations when there may be more advanced methods of discovering archaeological remains and that to dig this quarry now will destroy this opportunity for ever. While the community acknowledges that there has been some investigation including trial trenching, one of our own councillors has remarked that in years past as a 'ploughman' he was aware of potential archaeological remains and remarks that it is strange that no evidence of such relics have been found. This apart, it is undeniable that there will be adverse impact upon the Grade II Ditchingham Park and its listed building Ditchingham Hall, the protection of which is essential to our heritage and the maintenance of the local economy as previously remarked. Those of us in the community, albeit perhaps relatively few, who do understand these matters, are simply astonished that Lafarge has simply failed to recognise the historical significance of the landscape and simply fail to refer to the proximity of the adjoining Rider Haggard Estate.

Conclusion

The overarching concern is that, after reflecting on the discovery of the Option deed the existence of which was only discovered by chance, and only admitted by Lafarge reluctantly, particularly when this discovery came to light after a public exhibition that they [Lafarge] promoted for the purpose of community involvement, that local residents believe that Lafarge (and the Estate) can simply not be trusted. Either in respect of the context of this the current application, or of their future intentions, whether for readymix, extended working, other subsequent sites, or in anyway generally.

Further, there is a real perception that if Lafarge, (or any other operator) were to achieve a toe-hold in this area, there would be further proliferation of (minerals) development, resulting in even further destruction of the environment and loss of amenity to local residents.

Without exception, residents who have expressed an opinion at the meetings or by letter, have agreed that there will be no benefit whatsoever to the community. Over 60 letters have been received by the Council, not one of which is in favour of the proposal.

Lafarge has not provided any evidence that demonstrates a need for the aggregate, nor has it demonstrated any justifiable reason within the constraints of planning and minerals policy why a quarry should be dug at Ditchingham, denying the right of local residents and of the broader community to enjoy their amenity.

In conclusion, we refer to the issue of the Human Rights Act 1988. Whilst acknowledging the rights of Lafarge and of the Estate under this act, it is of course necessary to consider also those of local residents to enjoy the amenities of their homes, and to protect the other general interests of broader members of the community and of the local economy.

Ditchingham Parish Council therefore conclude that, based on a simple analysis of planning policy and as reinforced by the representations of local residents, combined with a denial of human rights, Norfolk County Council must refuse this application.

I would be grateful if you would acknowledge safe receipt of this letter.

Yours sincerely

John Smith
Clerk to Ditchingham Parish Council

Copies circulated:

Alan Burrell, Cllr NCC.
Richard Carden, Cllr SNDC.
Richard Bacon, MP Norfolk South.

John Tomlinson, Planning SNDC.
Peter Morrow, Bungay Town Council.
Chris Tyacke, Clerk Hedenham Parish Council.

Julian Green, Enraged.