



**ENVIRONMENT
AGENCY**

Our Ref : AE/2005/016387-1/1
Your Ref : C/7/2005/7019

Date : 09 January 2006

Planning & Transportation
Norfolk County Council
County Hall
Martineau Lane
Norwich
Norfolk
NR1 2SG

Dear Mr Cassells

**PROPOSED SAND AND GRAVEL EXTRACTION AND PROCESSING AND
PROGRESSIVE RESTORATION TO AGRICULTURE AND NATURE RESERVE
LAND OFF NORWICH ROAD**

Thank you for your letter regarding the above, dated 7 November 2005; I must first apologise for taking so long to reply and also to thank you for extending my time to respond. Finally, in response we provide the following information:

We have two main objections to this application as submitted, and have explained our objections below. They relate to surface water runoff (ie the applicant needs to provide a better flood risk assessment) and we require further information on the impact from dewatering.

Environment Statement

We accept that the restoration objectives should, on the whole, lead to the creation of a mosaic of different habitats that would make a positive contribution, over the medium to long term, to local biodiversity and help meet national biodiversity targets. This would accord with the objectives of Planning Policy Statement 9 "Biodiversity and Geological Conservation". However, the proposed sand and gravel extraction would have negative impacts on the landscape character, in particular it would lead to the loss of mature trees in Heater Plantation which contributes to the form and nature of the prevailing landscape. Given that the site operator intends to retain Ten Penny Plantation, there is no indication in the Environmental Statement that retention of Heater Plantation would be no less feasible.

We note Policy MIN 5 of the Norfolk Minerals Local Plan Adopted Version 2004 states that mineral extractions development will be permitted only where it can be ensured that there would not be significant damage to areas that include woodland areas with a predominance of broadleaf. This would appear to be the case with Heater Plantation, since the ecological report indicates the presence of varying broadleaf species. Protection for woodland areas in river valleys would also be afforded by Policy MIN 2 of the Norfolk Minerals Local Plan Adopted Version 2004 where the mineral extractions development would be significantly detrimental to the appearance or character of the river valley, in this case, the Waveney River valley.

Once the Greenfield run-off rate has been established and agreed, we need to know that restoration proposals ensure that this rate is not exceeded.

In section 7.1 of the hydrological and hydrogeological assessment it states "newly deposited soils will be less permeable than in their undisturbed state. The installation of a comprehensive under-drainage and surface water management system will be given priority". No details of these proposals have been provided. As such, we can not assess whether the applicant has adequately assessed these issues. Full design details are required.

Following from the above comments, the flood risk information submitted in support of the application is not acceptable to the Environment Agency. The Environment Agency therefore **OBJECTS** to the proposed development on the grounds that a proper assessment of flood risk has not been undertaken as required by PPG 25.

Hydrogeological and Hydrological Assessment

We consider that the Hydrogeological and Hydrological Assessment under-estimates the impact of dewatering. The information provided by the applicant through the assessment has been used to calculate a radius of influence of 480m with a maximum inflow of 64l/s. This compares with the reported radius of influence of 75m with a maximum inflow of 6ls (assuming a void 75m x 75m). The differences between the two calculations are significant in terms of environmental impact.

The level of dewatering may impact the following environmental features, namely: -

1. Broome Beck
2. R Waveney
3. Ditchingham Park CWS
4. Water features such as lakes and ponds
5. Unlicensed potable supplies.

Therefore, we **OBJECT** to this application until further information is made available regarding the agreed level of impact from dewatering. The Agency will be pleased to discuss the matter further with the applicant (Agency contact is David Seccombe 01473 706098).

It is the responsibility of the applicant to ensure that the development will not affect any water features (ie. wells, boreholes, springs, streams or ponds) in the area, including licensed and unlicensed abstractions.

Informatives

If the applicant is proposing to construct any works to dewater the site, he must serve Notice on the Agency under Section 30 of The Water Resources Act 1991. The Environment Agency will respond by issuing a Conservation Notice, specifying measures to be taken to protect existing sources.

Under the Water Act 2003, dewatering will become a licensable issue from 1 April 2006. the applicant should be informed to contact Water Resources - Licensing at that time if dewatering activities are to be performed.

The proposed discharge of surface waters to controlled waters will indeed require consent

Section 6.5.113 in volume 1 of the Environmental Statement states that the development proposal has been considered against Development Plan Policies and relevant Government Minerals and Planning Guidance Notes and no conflict found to arise. Clearly some conflict does arise in relation to the Minerals Local Plan policies quoted in the preceding paragraph.

Importantly, the applicant does not appear to have set out any justification for a quarrying operation at a site that is not within any of the 'Investigation Areas' set out in the Norfolk Minerals Local Plan Adopted Version 2004. Furthermore, the applicant does not appear to have considered any alternative sites, the Environmental Statement is silent in this respect. This apparent lack of consideration of alternative sites is disappointing in the light of the number of 'Investigation Areas' established, following the consultation process by the Minerals Authority, in Norfolk. This represents, in effect, a departure from the reasoning behind the concept of 'Investigation Areas', which arguably provide a sequential test that should be carried out for the purpose of selecting a mineral extraction site that would result in the lowest environmental harm. Proposed quarrying operations outside the 'Investigation Areas' should only be considered after alternative sites within 'Investigation Areas' have first been examined and the findings reported in the Environmental Impact Assessment study for any non 'Investigation Area' site.

Full consideration appears to have been given to protected species issues and post works restoration plans as laid out in the environmental statement. There is likely to be some ecological benefit within the site if the prescribed mitigation operations are carried out sensitively as proposed and it is advised that plans for ecological protection and enhancement are a condition of planning permission being given.

Surface Water - Quantity

During operations

Changes in slope and/or soil types in addition to the extra hardstanding proposed for the site may alter off-site flows down the watercourse which goes under the Norwich Road and joins the Broome Beck. We need further reassurance (backed up with supporting calculations) that these rates will be attenuated to the current greenfield run-off rate so that off-site flood risk will not increase. At present, the greenfield run-off rate has not been established. We need confirmation of this rate, supporting methodology/calculations and full details of how this rate is going to be achieved. Following the advice provided in the *'Interim Code of Practise for Sustainable Drainage Systems'* for sites of this size we recommend the use of Institute of Hydrology 124 *Flood Estimation for small catchments* for calculating the greenfield run-off rate.

The surface water information provides details of different stages of development. The approach is useful as it give some indication of the different run-off expected during operations on-site. However, PPG25 employs the 'precautionary principle' and as such the 'worse case scenario' is the case for which the scheme must be designed for.

As this is a full planning application we need full details of where surface water is going to be stored and how flows are going to be attenuated.

Restoration

from the Environment Agency and such consent should not be assumed. Any consent would set limits on the amount of pollutants, including suspended solids, that can be discharged into the controlled water. Depending on the volume discharged per day, this will be sampled by the EA on a regular basis to ensure compliance with any consent.

Only clean, uncontaminated water may be discharged to any controlled waters. The local area does have a problem with silt laden water entering the local watercourses, covering fish spawning grounds and increasing the risk of flooding. The catchment has been officially recognised as being at risk of diffuse pollution, therefore effective measures must be taken to ensure that soil and silt are not allowed to enter controlled waters.

The proposed interceptors will need to be maintained regularly to ensure their effectiveness.

Upon restoration, effective measures must again be taken to ensure that there is no increase in runoff of surface water carrying soils into the watercourses.

To clarify, the recommendations for bunding of oil tanks from the Environment Agency is to comply fully with the new Control of Pollution (Oil Storage) (England) Regulations 2001 along with any additional impact barriers to prevent vehicle collision with the tanks as the tanks may be located where there is a lot of vehicle movement. Further advice on these requirements is available from Lisa Turner at the EA on 01473 706572.

Please do not hesitate to contact Stuart Rickards on 01473 706016 for further details, if required.

Yours sincerely

MARGARET ANDREW
Technical Specialist Planning Liaison

CC: David L Walker Chartered Surveyors