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Your Ref:
Date: 16 April 2024

My Ref: SCO/2024/0001
Tel No.: 01603 708210
Email: MaWP@norfolk.gov.uk

Dear Sir/Madam

Carbrooke Quarry: MIN 200: Request for EIA Scoping Opinion: Extension of quarry into MIN 200: Mick George Grid Ref: East: North:

I write with reference to your Scoping Opinion Request of 20 March 2024 made under Regulation 15(2) of the Town and Country planning (Environmental Impact Assessment) Regulations 2017. I have sufficient comments to respond...

The proposal is for the extension of the quarry's extraction area to the north of the existing quarry identified as MIN200 in the emerging Local Plan Review. It is anticipated that the 400,000 tonnes will be extracted following the recovery of the consented mineral to the south. Infilling the void formed through the extraction within the MIN200 area along with the permitted airspace in land to the south will take approximately 8 years to complete and allowing time to complete the final restoration including soil replacement, the period of consent will be approximately 9 years. The extraction and sales of the mineral are proposed to be 100,000 tonnes annually.

Following consultation with the statutory bodies that would be consulted on a planning application, I have set out below the scope and level of detail of the information to be provided in the Environmental Statement using the factors listed in Regulation 4(2) of the EIA Regulations. Please note that, in accordance with Regulation 18(4)(a), the Environmental Statement must be strictly based on this Scoping Opinion unless a subsequent Scoping Opinion is requested, or the proposed development becomes materially different.

General Principles:

Schedule 4 of the Town and Country planning (Environmental Impact Assessment) regulations 2017, sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. Further details of the general principles which are required in an Environmental Statement can be found on the

following link: [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2017/1003/contents/part/2).

Biodiversity:

Proposals for mandatory Biodiversity Net Gain (BNG) should be in line with the Environment Act 2021 and supporting regulations. The statutory biodiversity metric, together with ecological advice, should be used to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain. The metric should be used to;

- Assess or audit the biodiversity unit value of land within the application area.
- Calculate the losses and gains in biodiversity unit value resulting from proposed development.
- Demonstrate that the required percentage BNG will be achieved.

BNG outcomes can be achieved on site, off-site or through a combination of both. Onsite provisions should be considered first. Delivery should create or enhance habitats of equal or higher value.

Soil:

Natural England have stated that the following issues should be considered and, where appropriate, included as part of the ES:

- The degree to which soils would be disturbed or damaged as part of the development.
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available:

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise offsite impacts.

The following additional guidance is provided for minerals and waste development. The ES should consider and, where appropriate, include the following:

- The methods and equipment to be used for the protection, recovery, storage, and sustainable re-use of the different types of topsoil and subsoil, including consideration of any required phasing to minimise soil handling and maximise the sustainable management of the soil.
- The method of assessing whether soils are in a suitably dry condition to be handled (i.e. dry and friable), and the avoidance of soil handling, trafficking, and cultivation during the wetter winter period.

- A description of the restoration criteria, including the proposed soil horizon depths and soil characteristics; normally to an overall depth of 1.2 m over an evenly graded overburden layer (or, in the case of waste reclamation, an evenly graded capping layer), suitable for the proposed end-use, including the restored ALC Grade.
- The effects on land drainage, agricultural access, and water supplies, including other agricultural land in the vicinity. The impacts of the development on farm structure and viability, and on other established rural land use and interests, both during the site working period and following its reclamation.
- The restoration and aftercare of the site, in line with Chapter 17 'Facilitating the Sustainable Use of Minerals' of the NPPF.
- A detailed Restoration Plan illustrating the restored soil profile characteristics, landform and the intended standard of restoration including ALC Grade(s), together with details of surface features; water bodies; the availability of outfalls to accommodate future drainage requirements; and aftercare.

Water (Flood Risk/Management):

Lead Local Flood Authority:

After consulting the Lead Local Flood Authority (LLFA) at Norfolk County Council they strongly recommend that any EIA or any planning application for development is accompanied by a Flood Risk Assessment (FRA) and surface water drainage strategy to address:

- All sources of flood risk, including those from ordinary watercourses, surface water and groundwater to the development.
- How surface water drainage from the development will be managed on-site and show compliance with the written Ministerial Statement HCWS 161 by ensuring that Sustainable Drainage Systems (SuDS) are put in place.
- How any phasing of the development will affect the overall drainage strategy and what arrangements, temporary or otherwise, will need to be in place at each stage of the development in order to ensure that satisfactory performance of the overall surface water drainage system for the entirety of the development.

This supporting information would assess the potential for the development to increase the risk of flooding from the proposal or how surface water runoff through the addition of hard surfaces will be managed. It will show how this will be managed to ensure that the development does not increase flood risk on the site or elsewhere in line with the National Planning Policy Framework (NPPF).

The LLFA have detailed appropriate information which they would expect to be included for this proposal;

- Appropriate assessment and mitigation of all sources of surface water flooding onsite/originating from offsite that may affect the development, in addition to risk of groundwater flooding.
- SuDS proposals in accordance with appropriate guidance including "non-statutory technical standards for sustainable drainage systems" March 2015 by Department for Environment, Food and Rural Affairs.
- At least one feasible proposal for the disposal of surface water drainage should be demonstrated and, in many cases, supported by the inclusion of appropriate

information. It is important that the SuDS principles and hierarchies have been followed in terms of:

- Surface water disposal location, prioritised in the following order: disposal of water to shallow infiltration, to a watercourse, to a watercourse, to a surface water sewer, combined sewer/deep infiltration (generally greater than 2m below ground level).
 - The SuDS components used within the management train (source, site, and regional control) in relation to water quality and quantity.
 - Identify multifunctional benefits including amenity and biodiversity.
- The drainage strategy should also contain a maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development.

Please note, the LLFA have added, if there are any works proposed as part of this application that are likely to affect flows in an ordinary watercourse, then it is likely to need the approval of the County Council. In line with good practice, the Council seeks to avoid culverting, and its consent for such works will not normally be granted expect as a means of access. It should be noted that this approval is separate from planning.

Environment Agency:

The EA would expect the restoration (infilling) scheme to also include a surface water management plan. The EIA should carefully consider the implications and impact of potentially contaminated surface water drainage on the quality of controlled waters in the vicinity of the site. Prior to being discharged into any infiltration system, watercourse or surface water sewer, all surface water drainage from areas susceptible to oil contamination should be passed through an oil separator (or equivalent device) with appropriate capacity and performance. Roof water shall not pass through the interceptor/device.

The EA consider any SuDS greater than 2.0m below ground level to be a deep system and generally not acceptable. All infiltration SuDS require a minimum of 1.2m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. Soakaways must not be constructed in contamination ground where they could re-mobilise any pre-existing contamination and result in pollution of groundwater.

Soakaways and other infiltration SuDS need to meet the criteria in the EA's Ground water Protection: Principles and Practice (GP3) position statements G1 and G9 to G13. Only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate pollution prevention measures and a suitable number of SuDS treatment train components.

The location of this development is in an area of serious water stress, any water required as part of the construction and its source needs to be considered. Most water related construction activities, including dewatering and dust suppression and wheel washing. The EA would expect the applicant to consider whether their current licence offers the water resources quantities, purposes and conditions required to carry out the development. New development should not detrimentally affect local water features (including streams, ponds, lakes, ditches or drains) and this includes both licensed and unlicensed abstractions. Any disruption to surrounding abstraction licences during and after construction must be avoided or mitigated. There are 7 abstraction points within a 3km radius of the site. These must not be affected by the development. Certain private and

small water supplies do not require a licence to abstract water; therefore, the EA are not necessarily aware of their existence.

Water (Groundwater Quality):

According to the Environment Agency (EA), potential contamination should be given due consideration, together with any impacts of the development on groundwater and surface water quality during development and operation. The EA have recommended a Hydrogeological Risk Assessment (HRA) is submitted as an appendix to the EIA. Due to the location of the public water supplies, East Watton and Carbrooke Anglian Water Services (AWS) located <450m to the southwest and 1800m northeast of the site, there is an emphasis to address and minimise any potential contamination and pollution concerns at the planning stage. This should be reviewed in an extensive site investigation, including a desk study, conceptual model of the extension site and initial assessment of risk to ensure that appropriate measures can be implemented.

The Caudlespring County Wildlife Site (CWS) 1.1km northwest of the quarry site is at risk of derogation, with previous data so proving inconclusive, however it must be considered at risk from quarry operations.

The River Wissey is situated to the north of the site, along with various surface water drains part of the Cam Ely Ouse and South Level catchment located to the north and south of the extension site which must be considered for impacts.

The EIA should also contain a Hydrogeological Impact Assessment (HIA) as an appendix. This should contain groundwater level data, as well as evidence to confirm that the workings are indeed above the water table and as stated in the Scoping Request document submitted, and that dewatering will not be required. The EA would also require results from site investigation works confirming the maximum depth of the working to verify this. Additionally, the HIA should consider the impacts of dewatering on protected rights such as boreholes, abstractions including unlicensed ones, and any identified water features in the vicinity of the site. Further details on what the HIA should include can be found in Norfolk County Council's Local List; [Local List - Norfolk County Council](#), Page 55.

The EA requires a comprehensive working and restoration scheme to review, the infilling plans proposed in section 6 of the Scoping Request document would need to be expanded upon in the HRA. The use of inert waste material to infill the site is being proposed as part of the restoration activities, thus, in line with the Environmental Permitting Regulations (2016), an environmental permit may be required. The HRA would also be required to show that there are minimal risks to controlled waters from any proposed waste activities and to inform the engineering design. Any restoration plans should also consider the impacts on the groundwater flow regime at and around the site, particularly with likely continuity with the principal chalk aquifer.

Cultural Heritage:

The County Council's Historic Environment Officer has been consulted on as part of this Scoping Opinion. In order for the proposed development to be in line with Policy DM9, Archaeological Sites, of the Norfolk Minerals and Waste Development Framework (2011). The Historic Environment Officer would expect an archaeological desk-based assessment report to be included in the Environmental Impact Assessment. The County's Historic Environment Officer don't believe that any further archaeological surveys are necessary at

this stage, but archaeological mitigation will be necessary and can be secured by a planning condition if planning permission is granted, this is because there are no known heritage assets within the development area, but there is a possibility that unknown (at present) heritage assets will be present and will be adversely affected by the proposed quarrying.

Historic England were consulted on as a part of this Scoping Opinion and have stated that they are not offering detailed advice. They have stressed that this should not be interpreted as comment on the merits of the application, if any part of the proposal changes materially they should be re-consulted.

However, the Cultural Heritage section of the ES will nonetheless need to assess the impact of the proposal on nearby Heritage Assets including both Grade II Listed Mill House and the 'Windmill 20 Yards south-east of Mill Huse' as well as listed buildings further to the north and east in order to meet the duties of the Planning (Listed Buildings and Conservation) Areas 1990.

Landscape:

The Arboricultural and Woodland Officer from Norfolk County Council (NCC) has conducted a desk top exercise. The outline proposals will impact on existing trees and a full Arboricultural impact assessment and method statement, in line with BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction will be required.

There are field boundary trees that are within the proposed area of works, these trees are in the same location as trees marked on the 1st edition OS map dating from around 1880 and it is likely that the trees are at least 150-year-old, and likely to be significantly older. The potential age of these trees raises likelihood that there are ancient or veteran trees which receive greater protection under section 186c of the National Planning Policy Framework (NPPF). An assessment must be made as to whether these trees are ancient or veteran and if they host any protected species.

The Landscape Architect Officer from NCC has provided comments, they would expect a full Landscape and Visual Impact Assessment (LVIA) to form part of the submission of the Environmental Statement. The LVIA will be used to help inform mitigation, restoration and BNG proposals.

Should there be the need for any trees and/or hedgerow to be lost due to the proposal, appropriate replacement planting will be required.

Natural England:

The ES should fully consider the implication of the whole development proposal. This should include an assessment of all supporting infrastructure. The following types of projects should be included in such an assessment (subject to available information):

- Existing completed projects
- Approved but uncompleted projects
- Ongoing activities
- Plans or projects for which an application has been made and which are under consideration by the consenting authorities
- Plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects

The potential impact of the proposal upon site and futures of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment. An Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts defined actions on ecosystems on their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. The development site is within or may impact on the Scoulton Mere Site of Special Scientific Interest (SSSI) and Wayland Wood, Watton Site of Special Scientific Interest, therefore the ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features of the SSSI, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks.

The ES should assess the impact of all phases of the proposal on protected species. The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of the year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The ES should include details of;

- Any historical data for the site affected by the proposal (e.g., from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

The ES should include a full assessment of the potential impacts of the development local landscape character. Natural England encourage the use of Landscape Character Assessment (LCA), providing a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals of conserving, enhancing and regenerating character. A Landscape and Visual Impact Assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in Guidelines for Landscape and Visual Impact Assessment 2013 (3rd edition) produced by the Landscape

Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, Natural England advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status. The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area.

The ES should consider potential impacts on access land, common land, and public rights of way.

Carbooke Landfill:

The access route into the application site off Summer Lane overlies an authorised closed landfill site, Carbrooke Landfill. There should be no excavation and/or re-distribution of controlled waste deposited within Carbrooke Landfill as part of this application or for any other purpose. To secure that any infrastructure associated with the closed landfill cannot be damaged or impacted, the applicant, if not already in place, should instigate an appropriate traffic management system to control vehicular access across the closed landfill site. The EA raises no issue to the mineral extraction within the area entitled "MIN200" subject to appropriate controls being in place, however the EA feels that the Location Plan (drawing no. C27B/1/SCOP/01) lacks sufficient details and could be improved as part of any future or updated application to include:

- A clearly defined phasing plan across the entire quarry site
- Environmental permit boundaries (extant or being applied for) across the wider area(s) in which the application relates or overlies.

There are two waste Environmental permits currently in force at Carbrooke Quarry: EPR/BB307AR for the deposit of waste for recovery and EPR/RP3898VC for the treatment of waste to produce soil, soil substitutes and aggregate. These permits sit to the west of the proposed quarry extension area.

The access route into the application site off Mill Lane appears to fall, in part, within an area that is subject to an ongoing environmental permit application (EPR/DP3142YA) which is yet to be determined by the Environmental Agency. The area defined as "Revised restoration contours" including the track as seen on the Location Plan (drawing no. C27B/1/SCOP/01) which the application appears to fall within the environmental permit application boundary for which the EA is currently considering whether to grant a bespoke waste disposal permit for the permanent deposit of inert waste. However, the area entitled "MIN200" shown on the Location Plan is outside the environmental permitted area being applied for.

The following activities proposed may also require consideration of an Environmental Permit. Please note this is not exhaustive, and others may be required for other proposed activities:

- The handling and management of wastes as a result of the new proposals.
- If any waste activities are associated with the restoration, such as deposit for recovery or landfill.
- The management of inert extractive waste and unpolluted soil resulting from the extraction, treatment and storage of mineral resources and the working of a quarry.

There should be no waste related activities including the importation of controlled waste allowed to take place unless or to the extent authorised under an appropriate environmental permit. Should the applicant intend to undertake any waste related activities

within the area entitled “MIN200” now or in the future (for example for infilling for restoration), then an appropriate environmental permit from the EA will need to be applied for and granted before waste activities take place.

Transport:

Based upon the information submitted, Norfolk County Council’s Highway Authority have no fundamental highway concerns given that there is an established quarry working and adequate means of access to Summer Lane. NCC’s Highway Authority would expect the full application to consider the extant of highway conditions associated with the current quarry working. The Highway Authority have also stated that the following will need attention:

- Adequate visibility on Summer Lane to DMRB (Design Manual for Roads and Bridges) Standards (may entail vegetation cutting periodically)
- HGV route to primary road network
- Provision of adequate carriageway width on Summer Lane (verge wearing observed near site that may require carriageway widening)
- Wheel washing (to deal with dirt on the road)

Climate Change:

The ES should identify how the development affects the ability of the natural environment to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on vulnerability or resilience of a natural feature as well as impacts on how the environment can accommodate change for both nature and people. The ES should also identify how the development impacts that natural environment’s ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environments contribution to achieving net zero by 2025.

Human Health:

The Local Planning Authority, Breckland District Council, would like to see appropriate mitigation measures and assessments regarding potential noise, dust, transport, and landscape visual impacts matters covered and addressed within the EIA.

Breckland District Council has provided comment and have stated a report assessing the potential impacts of noise, dust/air quality (both transport and quarrying), lighting, safety measures/anti-social behaviour prevention, impacts on groundwater/water resources. They would also recommend that the applicant refers to the 2016 IAQM Guidance on the Assessment of Mineral Dust Impacts for Planning.

Schedule 4 Information:

In addition to the above information, please ensure that the Environmental Statement (ES) includes **all information** specified in Schedule 4: Information for Inclusion Environmental Statements which, in addition to a description of the development covering points 1(a) – 1(d), also which includes (but isn’t limited to), a description of reasonable alternatives, a description of the relevant aspects of the current state of the environment and an outline of the likely evolution thereof without implementation of the development, a non-technical summary of the information, and a reference list detailing sources used for the descriptions and assessments includes.

Regulation 18:

Furthermore, in accordance with Regulation 18(5), in order to ensure the completeness of the and quality of the ES, it must also be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts who have prepared the ES.

I trust the above is of use; please don't hesitate to contact me if you wish to discuss any of these points further. Please let me know if any of the statements in this letter are incorrect: as I pointed out at the start of the letter, in accordance with Regulation 18(4) (a), the Environmental Statement must be strictly based on this Scoping Opinion unless the development becomes materially different. Should you wish to view any of the consultation responses in full they are available here;

eplanning.norfolk.gov.uk/Planning/Display/SCO/2024/0001#undefined

If you have any queries, please do not hesitate to contact the case officer, Sophie Mezzetti on 01603 708210.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Nick Johnson', with a long horizontal flourish extending to the right.

Nick Johnson
Head of Planning