

Waldringfield Quarry, Waldringfield Heath, Heath Road, Brightwell, Suffolk

Application Ref: C/10/1441

REPRESENTATIONS ON BEHALF OF MOON & SIXPENCE LTD

1 Summary

- 1.1 Moon & Sixpence has been in its current location for over 40 years. It operates lawfully and is an important contributor to the local economy. A number of planning permissions have been granted by Suffolk Coastal District Council (the **Council**) enabling it to develop into one of the premier Caravan and Camping Park destinations in the UK, achieving an AA '5 pennant' status. Its success depends on its location and tranquil atmosphere.
- 1.2 The majority of relevant planning policy (including development plan policy and national guidance) advocates an approach aimed at preserving, or minimising impact upon, recognised assets.
- 1.3 The Application is predicated on a need to meet aggregates targets set out in the East of England RSS; but those targets were based on demand anticipated prior to 2008. The economic landscape has since dramatically changed. In the absence of a demonstrable need, there are no reasons to grant planning permission in the face of the policies which afford protection to the environment and surrounding landscape, and to existing uses. The current countryside vista will be irrevocably lost, with Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest and Scheduled Monuments will be adversely affected. As the need for the proposal is diminished, the only relevant policies in determining the Application are those.
- 1.4 Therefore, the Application should be refused.
- 1.5 However, if planning permission pursuant to the Application is granted, a number of significant mitigation measures will be required to help mitigate the adverse impact of the proposal, either by way of condition or section 106 obligation.

2 The Moon & Sixpence

- 2.1 The Moon & Sixpence (the **Park**) was founded in 1965 and continues in the same local family ownership, specialising in top end quality parks. The Park has created a reputation as one of the premier permanent holiday home destinations in the East of England. It has been awarded the much coveted AA '5 Pennant Premier Park' grading and is probably the only one in Suffolk and only one of two in East Anglia to have received this recognition.
- 2.2 Over 45 years considerable effort and resource has been put into building the Park so that it causes the least possible intrusion into the valuable and fragile local environment. There has been careful, extensive landscaping and tree planting with walks and trails in the outlying areas, as well as an undisturbed 4 acre conservation meadow and light woodland. The property provides an oasis of peace and is a wonderful habitat for flora and fauna.

The role and nature of the Park

- 2.3 As an inland centre, the Park tends to have a different role to those of a seafront location. Those at the seaside have a ready made, and very obvious, attraction in the form of the beach and the sea. Inland parks have to work harder to create their own attractions. In the case of the Park it is the peaceful ambience and pleasant physical environment. Neither of these is generally available at most seaside parks, which tend to have a 'mass market' appeal based on a range of attractions and a less enhanced physical attraction. There is an established customer base of repeat visitors, and many new visitors on recommendation.

- 2.4 The Park is an excellent base for tourists to relax and discover Coastal Suffolk. It has a number of on-site recreational facilities, including two adventure play areas, three hard tennis courts, a 9 hole golf course, bowling green, nature and fitness trails, lake and sandy beach, the 'Rendezvous' restaurant and lounge bars. All the touring and camping sites have individual water, grey waste, electricity and TV connection. WiFi is also available. In difficult economic periods the Park provides a low cost alternative to overseas villas.
- 2.5 In many respects, the rural setting and idyllic nature of the Park provides visitors with a home away from home, a view which is encouraged by the management. Although not legally a residential area, many of the caravan owners spend a substantial amount of their free time at the Park, and have the same expectations when staying there as they do with their own homes.
- 2.6 There is a community spirit among the caravan owners at the Park, who generally know each other and know the management. The Park is valued by customers for its tranquil character: this is a product of both the management and cultural 'ethos' and the Park's location in unspoilt Suffolk countryside.

The economic contribution of the Park

- 2.7 The economic impact of the Park, although unquantified, is significant. It arises not just from the money spent by visitors, but also from the direct contribution from the business to the local economy, through employment and use of local suppliers. The Park compliments and is a major contributor to the Coastal Suffolk tourist industry. The visitor spend locally is considerable: at peak times (e.g. in the summer) there can be as many as 1000 guests staying at the park. All visitors stay on a self-catering basis. They buy food and petrol from local suppliers. The annual local spend is substantial.
- 2.8 The Park also has 9 full time employees, and at least 10 part time. Most of the staff have been employed there for many years. The owners encourage training and have funded the Park's most recent employee through college to become a fully trained and qualified electrician. Most, if not all, of the Park's suppliers are locally based, including the suppliers of plant and machinery, water filtration and extraction equipment and building and maintenance materials. Any slow down of activity by the Park would hit these businesses directly.
- 2.9 In addition, the owners have a programme of continual reinvestment, ongoing development and upgrading programmes. They are currently in the process of building a new £200,000 garaging and workshop facility. The Park has a carefully controlled ongoing gradual expansion programme. The programme ensures the standard of the property is maintained, the customer base undisturbed and full time employment assured for the workforce. It also ensures there isn't sudden change or disruption and enables the park to develop yet be integrated within the immediate neighbourhood.
- 2.10 The intention over the next ten years is to complete the long standing planning consent for 196 holiday caravans by finalising the remaining 90 pitches, increasing the 'bed night accommodation' accordingly and increasing capital involvement by an additional £5 million. For 20 years the owners have had, and have continued to renew, planning consent to rebuild the Rendezvous Restaurant, lounge bars and communal facilities. Recently, they have been working with a local firm of architects to produce updated drawings which are now finalised and due to be submitted to the local authority in the near future.
- 2.11 Despite the funding and infrastructure already being in place to carry forward the next phase of development at the Park, the Application and its significant adverse impacts puts the whole project in jeopardy. Should the proposal come forward as currently indicated, the planning expansion of the Park would have to be revisited, and the opportunity to further boost tourism and the local economy would be lost.

3 National Policy

3.1 Planning Policy Statement 1: Delivering Sustainable Development (**PPS1**) establishes the principle of developing a sustainable pattern of The guidance states that development should contribute to the economic well being of its area, this should also "protect and [enhance] the natural and historic environment, the quality and character of the countryside and existing communities"¹.

3.2 PPS1 states that it is important that significant adverse impacts on the environment are avoided, but where these are unavoidable, planning authorities and developers should consider mitigation measures.²

3.3 Planning Policy Statement 4: Planning for Sustainable Economic Growth (**PPS4**) is also relevant. In planning for economic development in rural areas, planning authorities should have regard to policy EC6. Despite predominantly relating to plan making, Policy EC6.1 provides guidance on development control:

*"Local planning authorities should ensure that the countryside is protected for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all."*³

3.4 Policy EC10 is also relevant. It provides guidance for planning authorities when determining applications for economic development. The Application clearly falls into this category. Policy EC10.c seeks to ensure that any proposals for economic development improve the character and quality of the area.

3.5 Planning Policy Statement 23: Planning and Pollution Control (**PPS23**) continues the theme of protecting the natural environment and character of the countryside against the adverse impacts of development. It states:

*"Any consideration of the quality of land, air or water and potential impact arising from development...is capable of being a material planning consideration, in so far as it arises or may arise from any land use."*⁴

3.6 In terms of development control, PPS23 adds that in considering applications, planning authorities must be satisfied that *"the cumulative effects of pollution...would make the development unacceptable."*⁵

3.7 Planning Policy Guidance 24: Planning and Noise (**PPG24**) concerns the impact of noise from proposed developments on the surrounding area. It states that the *"...new development involving noisy activities should, if possible, be sited away from noise-sensitive land uses"*.⁶

3.8 When this is not possible, local planning authorities are encouraged to control, reduce or mitigate the impacts of these noise levels through the use of conditions or planning obligations. A number of measures are suggested including altering the lay out (incorporating adequate distance between the source of the noise and the noise-sensitive buildings, screenings by natural barriers) and administrative restrictions (limiting hours and time of operation, specifying an acceptable noise limit). The effect of such noise on the enjoyment of areas of landscape, wildlife and historic value should also be taken into account.⁷

3.9 Minerals Policy Statement 1: Planning and Minerals (**MPS1**) concerns the Government's planning policies in respect of minerals planning in England. Again, it is clear from the outset

¹ para 5, page 2, PPS1

² para 19, page 8, PPS1

³ Policy EC6.1, page 12, PPS4

⁴ para 8, page 4, PPS23

⁵ para 15, page 6, PPS23

⁶ para 2, PPG24

⁷ para 20, PPG24

that one of the primary aims of MPS1 is the "*protection and enhancement of the physical and natural environment*"⁸. To this end, it encourages steps to minimise the "*requirement for new primary extraction*", and to "*secure working practices which prevent or reduce as far as possible, impacts on the environment*"⁹.

- 3.10 MPS1 also states that for proposals near to Areas of Outstanding Natural Beauty (**AONB**), such as the proposed development "great weight" should be given to the need to conserve the "*natural beauty of the landscape and countryside, the conversation of wildlife and the cultural heritage and the need to avoid adverse impacts on recreational activities*". MPS1 also encourages local planning authorities to reject applications that would have adverse effects on both Sites of Special Scientific Interest (**SSSI**), and important archaeological remains.¹⁰
- 3.11 Specifically in relation to environmental protection, MPS1 requires that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at course, "*so as to reduce to an acceptable impact level any potential adverse impacts on neighbouring land and property*"¹¹.
- 3.12 Minerals Policy Statement 2: Controlling and Mitigating the Environmental Effects of Minerals Extraction in England (**MPS2**) details the measures that can be taken to reduce the adverse effects of minerals development in England. Paragraph 2 of the introduction to MPS2 again highlights the important of environmental protection when determining minerals applications. It states:
- "Since minerals can only be worked where they are found, and as this may be in environmentally-sensitive or designated landscape area and/or in close proximity to communities, the need to keep these impacts to an acceptable minimum in the planning and operating of extraction sites is a high priority."*
- 3.13 MPS2 also raises issues concerning minerals development close to residential property. Even steps such as landscaping works, bunds, screening or planting may not be sufficient. In these instances, MPS2 suggests that mineral planning authorities should require separation distances that are "*effective but reasonable*"¹².
- 3.14 Annex 1 of MPS2 specifically considers the adverse effects of dust stemming from proposed development. The introduction to Annex 1 states that dust issues "*are most likely to be experienced near to dust sources, generally within 100m*"¹³. Annex 1 advises that during the course of pre application discussions, the use of buffer zones should be considered, as well as consideration of alternative site layouts to minimise any adverse effects.
- 3.15 Annex 2 of MPS2 considers the issue of noise. When considering such applications, minerals planning authorities should be aware that the hours of working can have an effect on the level of noise emissions, and their impacts on the surrounding areas. As a result, applicants and planning authorities should consider the use of buffer zones to reduce any such impact.¹⁴
- 3.16 Another method to reduce any adverse noise impacts promoted in Annex 2 is the use of conditions to restrict the hours and months of operation. It is suggested that the activities that have the greatest impact should be restricted to a certain period of time throughout the year, and that any applicant should liaise with local residents before any operations take place.¹⁵

⁸ para 8, page 4, MPS1

⁹ para 9, page 5, MPS1

¹⁰ para 14, page 7, MPS1

¹¹ para 17, page 10, MPS1

¹² para 28, page 17, MPS2

¹³ para 1.1, page 9, Annex 1, MPS2

¹⁴ para 2.18, page 15, Annex 2, MPS2

¹⁵ para 2.20, page 16, Annex 2, MPS2

Conditions should also be used to secure a scheme monitoring noise levels in the area and also to deal effectively with any complaints.¹⁶

- 3.17 National policy is clear that protection of the environment and the natural landscape should be at the forefront when determining planning applications. Both PPS1 and PPS4 are explicit that protection of the environment should be given weight in determining applications, even in the face of apparent economic benefits. PPS4 is especially clear that planning authorities should support the provision and expansion of tourist facilities, such as those provided on the Park. If development were to take place pursuant to the Application, such an opportunity would be lost. These factors are especially important when considering applications for mining operations.
- 3.18 The Site is located in close proximity to an AONB, as well as a number of SSSIs. It is also an area of natural landscape and character. There are a number of important archaeological sites and a Scheduled Monument located within the site itself. Given these characteristics, development in this area is not supported by the national policies.
- 3.19 Obviously there is a need to ensure that there are sufficient supplies of minerals available should the need arise, as reflected in the policies of MPS1 and MPS2. However, as stated in MPS2, minerals deposits can only be mined where they are found, and so there is a fine balance between fulfilling that need and the adverse impacts that mining operations will generate. Both MPSs afford significant protection to these environmental assets and that protection should not be sidestepped unless the need for minerals can be demonstrated. In this instance, it has not.
- 3.20 If planning permission is granted, substantial mitigation measures would be needed to avoid serious environmental impacts, as well as significant impacts to adjoining landowners, in particular the Park given its sensitive nature. The full range of mitigation measures described above, such as buffer zones, restricted hours of operation and monitoring conditions should be attached to any planning consent granted pursuant to the application.

4 Regional Policy

- 4.1 Regional Spatial Strategies (**RSS**) were revoked with immediate effect by the Secretary of States for Communities and Local Government on 6 July 2010. However, the applicant relies on Policy M1 of the East of England Plan in support of the Application.
- 4.2 This policy sets out the level of sand, gravel and rock that each local authority should secure per annum in the east of England region during the RSSs lifetime. The target set for Suffolk was 1.73m tonnes of sand and gravel per annum.
- 4.3 The Environmental Statement states, at paragraph 1.4.2, that:
- "A need for the development has been established by the policy context of this proposal. National and Regional Policy accepts a need for land-won aggregate to meet the needs of industry and sets a requirement at County level to provide an annual apportionment in the planning system."*
- 4.4 Following the abolition of the East of England RSS this statement is no longer persuasive in support of the application. Permission should not be granted to meet a need to fulfil an aggregates target which has been abolished. Irrespective of the targets set by the RSS, the evidence base supporting such targets has also fallen away. The regional levels of aggregates required were crystallised in late 2008 (when the RSS was published), with evidence concerning the need for aggregates (for the house building and construction industry for example) gathered long in advance of that date. The economic landscape has since changed dramatically. Far fewer houses are likely to be built and public spending levels have

¹⁶ para 2.21, page 16, Annex 2, MPS2

also been slashed, meaning public bodies are no longer carrying out their intended building programmes, further lowering likely demand for aggregates. As a result, the evidence base and subsequent assumptions upon which the RSS aggregates targets were based are no longer valid.

4.5 As a result, the need for the development is not established.

5 Suffolk County Council Policies

5.1 Minerals Core Strategy adopted September 2008 (MCS)

5.1.1 Aim 1 of the MCS refers to the need to meet regional provision of aggregates. As explained in paragraph 4.4 above, this is no longer relevant. Aim 2 restates the need to minimise and mitigate the impact of quarrying on the environment in general, whilst using development to enhance landscape character.

5.1.2 There are 10 objectives outlined in the text, designed to support these aims. Objectives 3, 4 and 5 state that protection should be afforded to area designated for their conservation, historic, ecological and/or landscape value, with any adverse environmental impacts of quarrying to be minimised and mitigated. Objective 7 stipulates that "suitable " methods of working and processing minerals are to be adopted. The Application Site is afforded protection by these objectives by virtue of its proximity to an AONB, the SSSIs, nationally important archaeological remains and a Scheduled Monument within or close to its own borders.

5.1.3 Policy 2 of the MCS again refers to the need to meet regional apportionment of sand and gravel reserves as specified in the East of England RSS. As stated previously, this is no longer relevant and should not be given any weight in the determination of this application.

5.1.4 Policy DC1 of the MCS states specifically that proposals that would result in an adverse impact on the landscape character and/or historic features of a Suffolk Landscape Character Type (SLCT) will not be permitted. Both Waldringfield and Martlesham are in areas designated as Estate Sandlands, Rolling Estate Sandlands and Settled Fenland SLCTs. Working, restoration and advanced planting proposals should also be considered. The supporting text to policy DC1 also encourages that any such proposals ensure adequate screening is in place before any minerals works commence, and any

5.1.5 The policies outlined above emphasise the important of protecting the environmental and the landscape characteristics when considering development proposals. Sensitive aspects of the Site itself, and the nature of neighbouring properties such as the Park must be protected. It is true that such protectionist policies can be overridden by a demonstrable need to aggregates to be mined that particular area. However, given that any such need has diminished, the only relevant factor in considering the application are those protectionist policies. The application should, therefore, be refused.

6 Suffolk Coastal District Council Policies

6.1 Suffolk Coastal Local Plan Second Alteration adopted March 2006 (the Local Plan)

6.1.1 Policy AP8 of the Local Plan affords the countryside throughout the Suffolk Coastal district general protection from development. It goes on to state that planning permission should only be granted for proposals which have clear support in the Local Plan. Policy AP12 also safeguards AONB from development. Proposals will only be permitted which affect such areas if there is proven national interest, or a lack of alternative sites.

6.1.2 Policy AP66 lends support for Tourist facilities in areas east of the A12, especially those which support the protection of the landscape and AONB.

6.2 Suffolk Coastal Core Strategy: Interim planning policy adopted March 2010 (CS)

- 6.2.1 Policy SP1 lists a number of factors which are key to sustainable development in the local area. Conserving and enhancing the natural environment is listed as a key plank of this policy¹⁷.
- 6.2.2 Objective 6 of the CS concerns tourism. The aim of the Council is to "*promote all year round tourism based on the environmental, cultural and social attributes of the area.*" Key to this objective is recognising the value of the environment, in particular AONB. Policy SP8 specifically highlights tourism as an important part of the district economy.
- 6.2.3 Policy SP17 seeks to ensure that the Council will provide well managed access to green space, without detriment to wildlife and landscape character.

Conclusion

- 6.3 The expansion of mining activity at Waldringfield Quarry will be in opposition to all of the above listed policies. It will have a detrimental effect on an important local tourist asset, in which Park plays a key part. The planned expansion of the Park would have to be rethought or even scrapped should the proposal go ahead; clearly in contravention of the development plan.
- 6.4 A number of public rights of way and footpaths in and around the site before, during and after the development. Paragraph 3.2.27 of the Environmental Statement confirms this. During this process, the Council will clearly be in contravention of its commitment to retain access to green space, let alone the loss of the natural countryside currently in place at the Site.

7 Consideration of the Application

- 7.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

- 7.2 The current location and extent of Waldringfield Quarry is protected under the development plan. Although the Council's Suffolk Minerals Specific Allocations document also identifies areas for potential extension at the Site, this only ensures they are reserved; it does not automatically follow that they shall be worked. The targets outlined in the RSS, and the evidence base underpinning those targets, have since been undermined. The need for the proposal has not been established.
- 7.3 The thrust of current national and local policy is for the protection and preservation of the environmental and its landscape. This is especially true if AONB, SSSIs and Scheduled Monuments are in the vicinity, as is the case with the Site. Given the wording of section 38(6), the Application should be refused.
- 7.4 The Application is not in accordance with the development plan. The decision must then be made with this in mind unless any material considerations indicate otherwise. These are outlined below.
- 7.5 Noise
- 7.5.1 The issues surrounding noise are dealt with by Sharps Redmore in a report prepared on behalf of Park (the **SR Report**). The SR Report is included at Appendix 1 to this representation. However, the main conclusions of the report are set out below.

¹⁷ Policy SP1(i)

- 7.5.2 Paragraph 3.6.12 of the Environmental Statement identifies the Park as one of the "worst case impact" receptors from the development proposed pursuant to the Application. Given this, the monitoring sample undertaken by the applicant is woefully inadequate. Table 5.6-2 and 2.3-2 show that the lifetime of the proposed development is 2035, with a 3.7 year duration for the activities taking place at phase EX3, the point nearest the Park. Despite the length of these periods, only a 1 hour sample was taken in order to establish the noise levels in this area; nowhere near sufficient to ascertain a true picture of the potential adverse impacts.¹⁸
- 7.5.3 MPS2 gives a ceiling on noise emanating from daytime routine operations – 55 decibels. However, this in itself is subject to a limit of being no more than 10 decibels above background noise level. The Environmental Statement contends that the background noise level in relation to the Site is 46 decibels. This is then used to impose a limit of 55 decibels in accordance with MPS2.¹⁹
- 7.5.4 However, these conclusions are drawn from the inaccurate monitoring undertaken by the applicant. Following comprehensive monitoring in the vicinity of the Park, background noise levels in this area were found to be in the region of 36 decibels, 10 decibels lower than that described in the Environmental Statement.²⁰ Therefore, in line with the guidance in MPS2, the noise ceiling at the boundary between phase EX3 and the Park should be 46 decibels.²¹
- 7.5.5 It is anticipated that a bulldozer will be used to carry out the proposed operations on phase EX3. If this is the case, sound levels will be in the region of 54-59 decibels, clearly in excess of the appropriate ceiling, and even the limit proposed by the applicant.²² There are proposals to incorporate a "stand off margin" along the boundary of phase EX3 where it borders the Park. Given that the current projected noise levels along this boundary will exceed the ceiling by 10 decibels or more, the applicant should incorporate an increased stand off margin in line with Annex 2 of MPS2.
- 7.5.6 There are also proposals to incorporate a soil mound screen along the northern boundary of phase EX3. This is welcomed but there are concerns regarding the noise levels, both during construction and removal of the mound.
- 7.5.7 The SR Report states that the noise generated during construction of the mound at being up to 70 decibels – acceptable for short term operational noise²³. However, there are two serious issues. Firstly, the 70 decibel limit only incorporates predicted bulldozer noise impacts; there is no allowance for dump truck hauling and tipping which would undoubtedly take the noise impact over the 70 decibel limit. Secondly, the Environmental Statement (at table 4.6-4) predicts only 46 decibels which indicates that construction noise has not been taken into account. It is recommended that a buffer zone is incorporated along the north edge of phase EX3 and the boundary with the Park, to reduce the noise impact to an acceptable level. This approach is in accordance with Annex 2 of MPS2.
- 7.5.8 The highly sensitive nature of the Park means that any potential noise impact must be given significant weight. The peaceful tranquillity and peaceful ambience for holidaymakers is one of its most important assets. The assessment undertaken by the applicant as part of the Environmental Statement is inaccurate and misleading as to the potential adverse noise impacts on the Park, and as a result, the proposed mitigation measures are wholly inadequate. As such, the applicant approach is not in accordance with national policy.

7.6 Dust

- 7.6.1 Dust emanating from the proposal is also a major concern for the Park. The Park is identified within the Environmental Statement at paragraph 3.5.31 as a "dust sensitive facility" and the

¹⁸ para 1.2 to 1.3, page 2 of the SR Report

¹⁹ para 3.6.19 of the Environmental Statement

²⁰ para 1.6, page 4 of the SR Report

²¹ para 1.8, page 4 of the SR Report

²² para 2.5, page 6 of the SR Report

²³ para 3.2, page 7 of the SR Report

close proximity of the Site to the Park will mean that dust emissions will be detrimental to a number of activities. Not only will the holiday homes towards the south west of the Park be affected generally, dust blowing across the Park will impact on any recreational activities such as tennis, and in particular, golf.

- 7.6.2 The inability to offer such facilities, or a holiday home with a sufficient degree of comfort and protection from the mining operations on the Site, would undoubtedly lead to a significant loss of business. As the Park is primarily a holiday home location, with April to September being prime season, operations outside of this period will have less impact. The Park is closed to visitors from mid January until 1 March. Given this, it is necessary to restrict the hours and months of operation of the proposal to the quieter months. Any particularly noise intensive operations should be scheduled to take place while the Park is closed.
- 7.6.3 Better mitigation measures will be required than those outlined in the Environmental Statement. Annex 1 to MPS2 states that dust issues are most likely to be experienced within 100m of any operations. Therefore, it would be appropriate in this instance for a 100m buffer to be created and enforced within the Site, along the border with Park. This would negate any possible dust impact issues, in line with national policy. A plan showing the intended buffer zone (hatched black) is at appendix 3 to this representation.

7.7 Visual Impact

- 7.7.1 Given the scale of the proposal, it is clear that there will be a considerable visual impact. Paragraph 3.2.9 of the Environmental Statement asserts that a 3m high bund lying within the Park will screen "most" of the views to the Site. Photographs taken from Park, towards the Site, attached at Appendix 2 to this representation, show that the Site is clearly visible from Park. The Site is especially prominent below the canopies of the trees which line the boundary between the Park and the Site, and the gaps between those trees. Paragraph 3.2.63 of the Environmental Statement confirms the close proximity of the Park to extraction areas EX3 and EX4, and the fact there are no visual barriers currently in place in this area. It also highlights the "open views across the agricultural landscape with wide panoramic skies" that are possible from this vantage points; such vistas are afforded protection under the development plan.
- 7.7.2 To counter the noise issues highlighted above, the applicant has proposed an additional 3/3.5m bund along the boundary between the Park and phase EX3 within the Site. Not only will this block out the "open views" highlighted by the Environmental Statement, but will result in the public footpath running along this boundary being enclosed on either side by two 3m high bunds. Aside from the obvious safety issues, there will be a real loss of amenity for the Park, through the loss of the peaceful walking trail around the periphery.
- 7.7.3 The visual impact is particularly concerning in relation to the "Soil Storage Area" which is shown at site EX3 as identified within the Environmental Statement. This site directly abuts the Park land, and will be in full view of the holiday homes towards that part of the site should it reach its anticipated height. Paragraph 4.2.4 of the Environmental Statement concedes that there will be a "slight adverse impact" on the visual amenity in this area.
- 7.7.4 There is clearly a very significant adverse visual impact that will need to be addressed. Given the highly sensitive nature of the Park and its setting, and its role in the local tourist industry and economy, any adverse impact at all would be highly damaging.

Conclusion

- 7.8 The proposal is not in accordance with the current development plan. Whilst the development plan contains policies which aim to secure future mineral deposits, such policies do not give carte blanche to develop such deposits when the need for them has not been demonstrated.
- 7.9 The material considerations in this instance are substantial, especially when considering the special nature of the Park. The noise assessment undertaken by the applicant has been shown to be inappropriate and inadequate. If the mitigation measures proposed in the

Environmental Statement were adopted it would leave the Park extremely exposed; its peaceful character irrevocably damaged.

- 7.10 Dust is also a crucial factor for the Park. Mining operations intrinsically carry with them a risk of dust finding its way across to neighbouring properties. However, given the proximity of the proposal, especially the operations proposed at phase EX3, the risk in this instance is unacceptable. The visual impacts will also be substantial – the views and vistas shown in the photographs attached at appendix 2 will be lost, and with it the peaceful nature of the footpaths in and around the Park.
- 7.11 Clearly, these considerations are not minor concerns, especially in relation to the location and special nature of the Park. The material considerations outlined above merely reinforce the fact that the Application does not comply with the development plan. Accordingly, the Application should be refused.

8 Conclusion

- 8.1 The need for this development is clearly driven by regional targets for aggregates production contained in the East of England RSS. These have now been revoked. In addition, the economic landscape of the country has changed, and with it, the assumptions and predications that justified the need for a certain level of aggregates can no longer be relied upon.
- 8.2 Local Plan policies clearly protect the countryside in its current state, as well as affording protection to the AONB, and the four SSSIs in close proximity to the Site. There are also a number of important archaeological remains on the Site, as well as a Scheduled Monument, which will be adversely affected by the proposal.
- 8.3 The adverse impacts on Park will be severe. An area which attracted tourists and holidaymakers through its peaceful tranquillity will be turned into a noisy dustbowl whilst mining operations are carried out along its border.
- 8.4 The Application should be refused.
- 8.5 However, should consent be granted for the proposal, the following mitigation measures should be attached, either by condition or section 106 obligation:
- (a) A 100m buffer zone on the Site between any operations and the border with Park;
 - (b) The construction of bunds and substantial planting of trees and hedgerows, as well as a 2.5m high acoustic barrier along the border with Park before any mineral extraction takes place;
 - (c) Restriction on working hours between 9.30am and 4.30pm; and
 - (d) Restriction on the dates of operation for three periods, with no work during:
 - (i) Easter weekend;
 - (ii) Spring Bank Holiday Weekend; and
 - (iii) June, July, August and September.

Appendix 1

Noise Assessment Report prepared by Sharps Redmore dated 28 July 2010

Appendix 2

Photographs of current status of the Site from Moon & Sixpence Land taken in August 2010

Appendix 3

Plan showing suggested buffer zone along the boundary of the Park (hatched black)