

Contact:

Mark E North, (Director of Planning Aggregates and Production)

Gillingham House, 38-44 Gillingham Street, London, SW1V 1HU.

Tel: 07568 427719 Email: mark.north@mineralproducts.org

We welcome the opportunity to comment on above document and are pleased to see that minerals are looked at in detail in the document. Are observations below are hopefully to ensure that the Plan is sound.

Question 110 - Do you think that Policy MIN1 identifies all of the key minerals issues that need to be addressed in the Core Strategy, in accordance with national policy? Yes/no; if no, what changes should be made to the policy?

It is welcomed that safeguarding of mineral is identified in policy. The policy needs extending to ensure there is a buffer area (250m) around all operational mineral sites and the MSA to ensure that inappropriate development is not permitted that could impact existing or future mineral operations by its proximity.

Question 111 - Do you agree with the proposed change to 'prior extraction' requirements, to maintain a size threshold in urban areas and increase the threshold for green belt sites to 3 ha? Yes/No; if no, what evidence do you have to justify an alternative approach?

No the approach should not be changed. There is no presumption against the working of mineral in the green belt but exemption criteria should be established e.g.

The suggested Safeguarding Exemption Criteria list is as follows;

- *Infilling in an otherwise built up frontage within a settlement*
- *Householder applications within the curtilage of a property*
- *Advertisement applications*
- *Reserved matters applications*
- *Applications for new or improved accesses*
- *Minor' extensions/alterations to existing uses/buildings which do not fundamentally change the scale and character of the use/building 'Temporary' development (for up to five years)*
- *Agricultural buildings adjacent to existing farmsteads*
- *'Minor' works such as fences, bus shelters, gates, walls, accesses.*
- *Amendments to current permissions (with no additional land take involved)*
- *Changes of use*
- *Applications for development on land which is already allocated in an adopted local plan where the plan took account of minerals and waste safeguarding requirements*
- *Listed Building Consent and applications for planning permission for demolition in a conservation area*

- *Applications for work on trees or removal of hedgerows*
- *Prior notifications for telecommunications, forestry, agriculture and demolition*
- *Redevelopment of previously developed land not increasing the footprint of the former development*
- *Certificates of Lawfulness of Existing Use of Development and*
- *Certificates of Lawfulness of Proposed Use or Development*

Question 112a – Are there any key mineral related infrastructure sites that no longer need to be protected? Yes/No; please provide details

The part of MIN 1 that deals with mineral related safeguarding needs to be more robust. A suggested wording is set put below;

Minerals ancillary infrastructure sites identified on the Policies Map, with a 250m buffer zone, will be safeguarded against development which would prevent or frustrate the use of the site for minerals ancillary infrastructure purposes, unless:

- i) The need for the alternative development outweighs the benefits of retaining the site; and*
- ii) Where minerals ancillary infrastructure is in active use on the land, a suitable alternative location can be provided for the displaced infrastructure; or*
- iii) The site is not in use and there is no reasonable prospect of it being used for minerals ancillary infrastructure in the foreseeable future.*

Where development, other than exempt development as defined in the Safeguarding Exemption Criteria list, is proposed within an identified buffer zone permission will be granted where adequate mitigation can, if necessary, be provided to reduce any impacts from the existing or proposed adjacent minerals ancillary infrastructure uses to an acceptable level, and the benefits of the proposed use outweigh any safeguarding considerations.

Policy: Transport infrastructure safeguarding

Railheads, rail links and wharves identified on the Policies Map, with a 250m buffer zone, will be safeguarded against development which would prevent or frustrate the use of the infrastructure for minerals or waste transport purposes, unless:

- i) The need for the alternative development outweighs the benefits of retaining the facility; and*
- ii) Where the minerals or waste transport infrastructure is in active use on the land, a suitable alternative location can be provided for the displaced infrastructure; or*
- iii) The infrastructure is not in use and there is no reasonable prospect of it being used for minerals or waste transport in the foreseeable future.*

Where development, other than exempt development as defined in the Safeguarding Exemption Criteria list, is proposed within an identified buffer zone permission will be granted where adequate mitigation can, if necessary, be provided to reduce any impacts

from the existing or proposed adjacent minerals or waste transport infrastructure uses to an acceptable level, and the benefits of the proposed use outweigh any safeguarding considerations.

The suggested Safeguarding Exemption Criteria list is as follows;

- *Infilling in an otherwise built up frontage within a settlement*
- *Householder applications within the curtilage of a property*
- *Advertisement applications*
- *Reserved matters applications*
- *Applications for new or improved accesses*
- *'Minor' extensions/alterations to existing uses/buildings which do not fundamentally change the scale and character of the use/building 'Temporary' development (for up to five years)*
- *Agricultural buildings adjacent to existing farmsteads*
- *'Minor' works such as fences, bus shelters, gates, walls, accesses.*
- *Amendments to current permissions (with no additional land take involved)*
- *Changes of use*
- *Applications for development on land which is already allocated in an adopted local plan where the plan took account of minerals and waste safeguarding requirements*
- *Listed Building Consent and applications for planning permission for demolition in a conservation area*
- *Applications for work on trees or removal of hedgerows*
- *Prior notifications for telecommunications, forestry, agriculture and demolition*
- *Redevelopment of previously developed land not increasing the footprint of the former development*
- *Certificates of Lawfulness of Existing Use of Development and*
- *Certificates of Lawfulness of Proposed Use or Development*

Question 112b – Are there any other sites that do need to be protected? Yes/No; if yes, please provide details.

The planning authority should have a list of extant permissions for such sites and should check accordingly.

Question 113 - Do you think that Policy MIN2 identifies all of the key aggregate minerals issues that need to be addressed in the Core Strategy up to 2036, in accordance with national policy? Yes/No; if not, what changes should be made to the policy?

MIN 2 refers to committing to provide a minimum of 50,000 tonnes /annum of aggregate. The policy needs to express this as required by NPPF at para.145 i.e. *make provision for the maintenance of landbanks of at least 7 years for sand and gravel.* As currently drafted the policy is considered unsound.

The part of MIN 2 dealing with borrow pits needs to be redrafted to ensure that the investment that has gone into established quarries is not undermined and that the need for borrow pits is robustly examined. Suggested policy wording below;

The supply of sand and gravel will be drawn from existing or allocated sites. Sand and gravel borrow pits will only be considered where it is demonstrated that:

- a. geographically they are well related to the project they will serve*
- b. the quantity and timescale for the supply of sand and gravel may not pose problems of supply from existing quarries, or prejudice the steady supply of construction material for the local market*
- c. an unacceptable level of mineral traffic, and / or movements of unsuitable material arising from the scheme, will be removed from the public highway and / or from passing through local communities*
- d. the site will be restored within the same timescale as the project to which it relates, and that restoration can be achieved to an approved scheme in the event that it is only part worked*
- e. there will be no importation of materials other than from the project itself unless required to achieve beneficial restoration as set out in an approved scheme.*

Question 114 – Do you have evidence of workable, viable deposits of brick clays outside the areas of search, which could justify defining new areas of search? Yes/No; If yes, please provide details.

It is suggested that the council approach the British Geological Survey

Question 116 - Do you think that Policy MIN5 identifies all of the key issues that need to be addressed in relation to new mineral developments in the Core Strategy, in accordance with national policy? Yes/No; if not, what changes should be made to the policy?

Other comments;

MIN 4 in relation to building stones currently states;

The location of natural building stone resources is shown on Maps MC1 and MC2 in Appendix 7. Proposals for the working of natural building stone on a small scale, and on a time-limited basis, may be supported where this would assist the conservation and repair of historic buildings or structures built of the same or similar materials. Proposals should be supported by evidence that the stone to be worked will be used in a specific conservation project, that this material makes a significant positive contribution to the character of the building, structure or area, and that the working process would not have unacceptable impacts on neighbouring uses.

This is misinterpreting NPPF para 144. The NPPF is saying *that local authorities should recognise the small scale nature and impact of building and roof stone quarries....*

It is not correct for the Council to look at limiting the scale of such operations so long as they meet the necessary planning development requirements nor is correct for the Council to try and limit the market for such operations.

M E North- 8th September 2017- (On behalf of the Mineral Products Association)

