

13<sup>th</sup> July 2018

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For the attention of Paula Allen

Dear Ms Allen

### LAKE DISTRICT NATIONAL PARK LOCAL PLAN REVIEW: LIVING LAKES

The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the affiliation of British Precast, the British Association of Reinforcement (BAR), Eurobitume, QPA Northern Ireland, MPA Scotland and the British Calcium Carbonate Federation, it has a growing membership of 500 companies and is the sectoral voice for mineral products. MPA membership is made up of the vast majority of independent SME quarrying companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of UK cement production, 90% of GB aggregates production, 95% of asphalt and over 70% of ready-mixed concrete and precast concrete production. Each year the industry supplies £20 billion worth of materials and services to the Economy and is the largest supplier to the construction industry, which had annual output valued at £151 billion in 2016. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors. For more information visit: [www.mineralproducts.org](http://www.mineralproducts.org).

With reference to the current consultation we have the following general comments to make. We have tabulated our response for ease of reference. More detailed comments on minerals matters follow the table.

Page/Policy	Current Wording	MPA Comment	Required amendment
Page 14	The Vision and Strategic Objectives recognise the need for a prosperous economy with a diverse and growing economy supporting higher paid jobs, together with profitable and sustainable land management.	The mining and quarrying sector fits comfortably with the vision and objectives delivering the key aspirations. Unfortunately, the proposed minerals policy restricts this potential beyond what is reasonable for a National Park	Recognise the value of the sector through positive planning and management.

Page/Policy	Current Wording	MPA Comment	Required amendment
Table 1 (page 18)	The table recognises the “Rich Mining and quarrying system” with “Local natural resources have strongly influenced the built environment and wider landscape”	The table provides a strong positive message over the importance of the mining and quarrying sector to the Lake District	Support the text
Page 22	“The world Heritage Site Status can be incorporated in to our planning policies without appearing as a perceived barrier to all development”	The policies proposed for the management of minerals development are above and beyond the policy requirements of the NPPF and as such it is not a “perceived barrier”, but an unsustainable and severe constraint, the consequence of which will be the cessation of the mining and quarrying sector and the inability to supply the materials necessary to meet the diverse range of sectors supported by mining and quarrying	Ensure policies accord with the NPPF.
Page 32	Principles of development	The principles associated with the need to provide a steady and adequate supply of minerals and safeguard minerals should be recognised. The key points identified in the wording proposed reflect the policies proposed in the Local Plan Review, with the exception of those relating to minerals	Insert principles associated with minerals, as identified, to accord with NPPF
Policy 17	Job creation and employment space	This policy and policies 18 & 19 are overly restrictive in the type of employment the area needs. If the economy of the lake district is to survive on a year-round basis, a wider scope of employment needs to be supported, particularly those highly skilled and well-paid opportunities.	The policies should reflect better the existing employment patterns and support indigenous employment not being constrained to retail and tourism.
Policy 28	Major Developments. This policy recognises that permission will only be granted for major development “ <i>in exceptional</i> ”	The additional wording “ <i>and where they satisfy the requirements in national policy and guidance</i> ” is superfluous and should be deleted.	Delete “ <i>and where they satisfy the requirements in national policy and guidance</i> ”.

	<i>circumstances and where it can be demonstrated they are in the public interest”. The policy then adds “and where they satisfy the requirements in national policy and guidance”.</i>		
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## Mineral Specific Matters

### Key policy considerations

The current layout/structure of the local plan review is confused and confusing on the way it addresses minerals matters. The local plan review references Major Development under policy 28 and at first glance would appear to consider mineral specific matters under Policy 29: Mineral Extraction and Policy 30: Minerals Safeguarding Areas.

The preamble to Policy 29 seeks to ensure there is an adequate supply of local building materials (our underlining) to help maintain the distinctive buildings and settlement character of the Lake District. However, the suggested approach states that the LDNPA will only support the extraction of building stone and slate and high value industrial minerals sites at existing sites or through the reopening of old sites, not allowing the physical extension of crushed rock quarries. The scope of building materials goes beyond extraction of building stone and slate and high value industrial minerals.

Policy 29(1.) would appear to support only minor applications for mineral extraction. This approach is contrary to NPPF. Paragraph 116 of the NPPF is clear that planning permission for major developments in designated areas should be refused “except in exceptional circumstances and where it can be demonstrated they are in the public interest”. The NPPF is silent on minor developments except when meeting the challenge of Climate Change, Flooding and Coastal Change. For minor development there is a presumption in favour of sustainable development whatever the circumstance unless paragraph 119 of the NPPF applies. The proposed policy is therefore unsound.

Furthermore, the NPPF requires that Mineral Planning Authorities should plan for a steady and adequate supply of aggregates, yet Policy 29 is silent on aggregate supply despite the preamble stating it will ensure there is an adequate supply of local building materials. The Cumbria and Lake District National Park Joint Local Aggregate Assessment recognises that the lion’s share of aggregates for the area will continue to be sourced from within Cumbria, yet key supplies of aggregates from within the National Park exist and make an important contribution. The NPPF at Paragraph 144 states that local planning authorities should “provide for the maintenance of landbanks for non-energy minerals from outside National Parks....“as far as is practical”. This is not a statement that no minerals development should take place within National Parks and there is no explanation in the plan of how the National Park will deliver the raw materials (local building materials) to deliver its housing, infrastructure and growth aspirations. Again, the proposed policy is unsound.

Policy 29(1.) supports minor mineral extraction applications which meet the local need for building stone and slate; or meet a need to conserve nationally significant buildings. The NPPF recognises the “small scale nature and impact of building and roofing stone quarries” however, it does not restrict this to a local need. There are a

number of facilities within the National Park with a long tradition of producing high quality stone products. The unique nature of the materials supplies a broad range of products from kitchen work surfaces to a diversity of other products including tourist items which characterise the Lake District. As referenced in the table above, the minerals sector within the Lake District contributes significantly to the local economy through highly skilled direct and indirect employment. The unjustified constraint to the sector would be significantly damaging and would be on a par with restricting the local cafes and hotels to only serve local people. The proposed policy lacks an understanding of the economics associated with mineral operations and would fail to provide the confidence to the mineral operators to invest in the industry; it lacks the flexibility required by the NPPF; is unsustainable and therefore unsound.

Policy 29(1.) makes reference to supporting minor applications which meet the need for high value industrial mineral. Neither the preamble or the policy is specific in the nature of the industrial minerals. Further, the NPPF requires Mineral Planning Authorities to plan for a steady and adequate supply of industrial minerals by, amongst other matters, cooperating with neighbouring and more distant authorities. There is no evidence that this has taken place. As this policy would appear to apply only to minor developments, it is not clear how the authority proposes to meet the national policy requirements for the provision of industrial minerals.

Reference is made in Policy 29(1.) to supporting the careful use of mineral resources including the effective use of secondary aggregates. The plan would benefit from recognising uses of waste material and overburden associated with extraction of minerals over and above secondary aggregates.

Policy 29 also states that the LDNPA will not support new mineral sites for quarrying and mining. It is not clear if this refers to minor applications only or if this is an outright policy statement. If, as suspected this is a flat refusal to support any new mineral sites then this is effectively a policy for “managed retreat” for mineral extraction from the National Park. As the life of some of the quarries within the National Park supplying local building stone is limited and reserves within the quarries finite, it is not clear how the National Park Authority can satisfy other policy requirements within the plan to reinforce the local character and reflect local distinctiveness. New mineral sites may offer improved environmental controls and have fewer environmental effects than reopening old sites. The wording of the policy does not “plan positively” for mineral extraction, is contrary to the NPPF and is therefore unsound.

Policy 29 concludes by stating that major mineral extraction proposals will be considered under Policy 28, yet this falls outside of the policies referencing minerals. Policy 28, as indicated in the table above goes beyond the requirements of the NPPF, in terms of the exceptional circumstances test and within the public interest.

Policy 30: Minerals Safeguarding Areas raises no specific issues but would benefit from incorporation in to a minerals specific chapter.

### **Suggested amendments to the Local Plan Review on Mineral Specific Matters**

As indicated above, there are critical matters which need to be addressed to ensure the plan accords with the NPPF and is sound. In order to address these points, we suggest that the plan has a clearly defined minerals policy section/chapter which identifies the criteria against which minerals proposals will be considered; has individual policies which address the key minerals types (aggregates, building stone

and slate, industrial minerals (being specific)) and the concerns raised above, and policy on minerals safeguarding. The section/chapter should also highlight the value of the sector to the sustainability of the Lake District National Park from retaining its physical character to supporting the economy.

We would welcome the opportunity to meet with officers of the National Park and representatives of the minerals industry in advance of further iterations of the Local Plan. We should also be grateful if our details are added to the Authority's data base for future consultations.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nick Horsley', is written over a light grey rectangular background.

Nick Horsley  
Director of Planning

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