

Stoke-on Trent & Newcastle-under-Lyme Joint Local Plan Strategic
Options Consultation

Representation on behalf of the **Mineral Products Association (MPA)**.

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 as our observations do not easily fall into the questions set out on the on line survey we are writing separately.

Preamble

We note that at para 1.6 it is stated that amongst other things the Joint Local Plan (JLP) will cover;

- Securing the physical infrastructure to support new development including; transport, telecommunications, water supply, energy, health and community facilities.....

It is noted that that minerals and mineral infrastructure/manufacturing sites are not included in the list and should be. We will expand on this issue later in the representation.

We welcome Aim 4(*Utilising our Natural Assets and Resources*) of the JLP Strategic Aims and Objectives part of which is (page 17) to... *promote safe and resilient buildings and efficient management of land and resources*. The use of, and the safeguarding of, mineral resources and the safeguarding of mineral infrastructure/production sites should be considered under this topic.

Mineral Safeguarding Areas

The JLP would appear to be developing ambitious employment and housing development plans and this is welcomed. However, this must be done in a sustainable way and in particular in regard to safeguarding mineral resources and reserves from inappropriate development either on or in proximity to mineral resources/reserves.

Planning Practice Guidance (Minerals) at Paragraph: 004 (Reference ID: 27-004-20140306) is explicit on the role of a district level council in respect of safeguarding minerals and states;

Whilst district councils are not mineral planning authorities, they have an important role in safeguarding minerals in 3 ways:

- *having regard to the local minerals plan when identifying suitable areas for non-mineral development in their local plans. District councils should show Mineral Safeguarding Areas on their policy maps;*
- *in those areas where a mineral planning authority has defined a Minerals Consultation Area, consulting the mineral planning authority and taking account of the local minerals plan before determining a planning application on any proposal for non-minerals development within it; and*
- *when determining planning applications, doing so in accordance with development policy on minerals safeguarding, and taking account of the views of the mineral planning authority on the risk of preventing minerals extraction.*

Staffordshire CC have in their recent published Mineral Plan identified Mineral Safeguarding Areas (MSA) on the policy map of the Mineral Plan and in addition have a specific MSA policy (Policy3). In the case of the JPL administrative area this includes the area of Etruria Marl which is recognised as a nationally important mineral, and vital for the local ceramics industry. The JPL needs to identify these MSA areas, as required by the PPG, on the emerging policy maps as the JPL develops. It is noted with concern that the option plans showing different development options do not identify the MSA areas from the Staffs CC Mineral Plan. It is also suggested that an early meeting is held with Staffs CC on this matter to try and avoid difficulties arising later in the Plan process, and the JPL being considered unsound at EiP.

In addition to identifying the MSA on the policy plan a supporting policy needs to be put in place to ensure not only protecting the MSA from direct development but putting a buffer around the MSA to ensure that inappropriate development does not impinge on the MSA.

Mineral Infrastructure Safeguarding

Specific safeguarding of existing, planned and potential storage, handling (concrete batching and coated stone sites, recycling) and transport sites (wharves and rail heads) for minerals is essential within the Joint Local Plan. This will ensure, as set out in the Planning Practice Guidance (PPG), that sites for these purposes are available should they be needed; and

prevent sensitive or inappropriate development that would conflict with the use of the sites identified for these purposes.

The NPPF is explicit on the subject of safeguarding mineral infrastructure and states at paragraph 143 (4th bullet point);

143. In preparing Local Plans (emphasis added), *local planning authorities should:*

- *safeguard:*
 - *existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and*
 - *existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.*

It is clear from this policy that it is for the JPL to address the matter of safeguarding of mineral infrastructure and not specifically the Mineral Plan.

Furthermore the Planning Practice Guidance (Minerals) at paragraph: 006 Reference ID: 27-006-20140306 states;

Why should planning authorities safeguard existing, planned and potential storage, handling and transport sites?

Planning authorities should safeguard existing, planned and potential storage, handling and transport sites to:

- *ensure that sites for these purposes are available should they be needed; and*
- *prevent sensitive or inappropriate development that would conflict with the use of sites identified for these purposes.*

In areas where there are county and district authorities, responsibility for safeguarding facilities and sites for the storage, handling and transport of minerals in local plans will rest largely with the district planning authority.

Exceptions will be where such facilities and sites are located at quarries or aggregate wharves or rail terminals.

It is clear from the above guidance in the PPG that the responsibility falls upon the JLP to address all the matters of safeguarding on mineral infrastructure as set out in the NPPF and PPG.

The whole point of safeguarding is to ensure that essential infrastructure is protected from inappropriate development not only on the site itself but in its proximity. This is a strategic issue and as the purpose of the Local Plan is to identify future development sites for housing, employment and infrastructure the issue of safeguarding has to be considered and dealt with in parallel with these issues. This will prevent essential mineral infrastructure being irreversibly sterilised.

The JLP will be identifying development opportunities all of which will need building materials. It would be unfortunate that essential mineral infrastructure is not identified and safeguarded which would make the mineral supply to future developments less sustainable.

The JLP currently fails to address the issue of safeguarding, which is a strategic matter, as required by NPPF and this need to be addressed going forward with appropriate policies in the emerging JPL.

M E North

(On behalf of the Mineral Products Association)

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