

Suffolk County Council: Minerals and Waste Local Plan; Submission Draft, June 2018.

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

The MPA has the following comments and representations on the Suffolk CC MWLP Submission Draft.

The MPA wish appear at any Examination in Public.

Chapter 4 General Policies

Policy GP2: Climate change mitigation and adaption.

It is suggested that additional text is added to part e) of the above policy, to ensure a sensible approach is taken on the issue of travel plans, as follows;

Proposed Changes (deletions in ~~strikethrough~~; new text in **bold**)

*e) incorporate proposals for sustainable travel including travel plans where appropriate **and practical.***

Chapter 5 Mineral Policies

Para 5.1

We believe the text needs altering to make it clear that NPPF requires SCC to plan for a steady and adequate supply of aggregates. The following wording is suggested:

Proposed Changes (deletions in ~~strikethrough~~; new text in **bold**)

The NPPF requires that Minerals Planning Authorities, including Suffolk County Council, ~~should~~ **will** plan for a steady and adequate supply of aggregates.

Provision of land won sand & gravel

The statements contained within the section extending from para 5.23 to 5.30, which Policy MP1 is predicated, we believe will make the Plan **unsound** and not **effective** as they are not in accord with the NPPF. The reliance exclusively on the 10-year average is wrong in terms of National Planning Policy.

It is accepted that the National Guidelines are out of date and that this makes it a challenge for mineral planning authorities when producing new plans. While the NPPF (para145) indicates that 10-year sales average should be looked at in assessing demand, it also requires that *other relevant local information* be considered. Local factors that need to be taken into consideration are housing and commercial new build as well as highway and infrastructure proposals.

Furthermore, it needs to be made clear that the aggregate provision will be kept under review through the LAA process also considering the last 3 years aggregate sales as required by the Minerals PPG at paragraph 64 to identify the general trend of demand as part of the consideration of whether it might be appropriate to increase supply. As currently proposed the Plan does not have this flexibility required by NPPF and PPG.

On the topic of flexibility, it is important to recognise the 10 years up to 2016 (the end date proposed by Suffolk) saw a deep recession and therefore all the policy tools outlined above need to be used to ensure the Plan is **sound** and **effective**

Additionally, a clear statement need to be made about the review of the plan as required by PPG (Local Plans) para 008 which states that Local Plans will require reviewing in whole or part at least every five years. Furthermore The Town and Country Planning (Local Planning) (England)(Amendment) Regulations 2017, regulation 4 “*Review of local development documents*” states that reviews of local plans must be completed every five years, starting with the date of adoption of the local plan. This will allow increased flexibility to allow the Plan to react to increased demand.

There also needs to be an explicit commitment to have at least a seven-year landbank at the end of the plan period.

This section needs to be rewritten to properly reflect National Planning Policy and Guidance.

Policy MP1: Provision of land won for sand and gravel

The Policy is **unsound** and **not effective** for the reasons set out in the discussion above and needs to be redrafted to properly reflect NPPF. The Policy also needs to make it clear that at least 7 years of sand and gravel reserves will exist at the end of the Plan period.

Borrow Pits

The text in para 5.35 reasonably explains the purpose of a borrow pit. The last sentence is key and states that;

*The main advantage of borrow pits is that they are normally **very close** (emphasis added) to the construction project and are often connected to that project by routes which do not use the public highway.*

Therefore, it seems odd that the Policy MP3 requires that borrow pits *are within 10KM of the project site*. In such a case how is it possible to stay off the public highway as indicated in 5.35. It is accepted that a borrow pit is usually adjacent and contiguous to the engineering project it serves.

While recognising the sustainability advantages of borrow pits providing mineral to adjacent engineering projects it is important that there is a level playing field for traditional existing and allocated quarries and the capital expenditure invested. As such it is felt that the policy is **not effective** needs redrafting and suggested wording is set out below:

Proposed Changes (deletions in ~~strikethrough~~; new text in **bold**)

Policy MP3:

~~*Borrow pits Borrow pits to provide sand and gravel to serve major civil engineering projects will be acceptable as long as:*~~

~~*they are within 10 km of the project site;*~~

~~*the borrow pit is worked and reclaimed as part of the project;*~~

~~*they comply with the general environmental criteria Policy GP4.*~~

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 if 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.***

Safeguarding of port and rail facilities, and facilities for the manufacture of concrete and asphalt and recycled materials.

We welcome the fact that SCC have identified the requirement to have a separate safeguarding policy for the above facilities and have gone some way to taking on board our comments made on the Preferred Options draft of October 2017. However, as currently drafted we do not believe the policy is fully **effective**. Firstly, the sites to be safeguarded should be listed as well as being identified on the Safeguarding Maps. Secondly inappropriate development in the proximity of safeguarded should be dealt with in a more explicit way in the policy as this can also have the effect of frustrating the operation of the safeguarded site/operation.

In addition to buffer zones the principle of *agent of change* should be considered as recently advocated in the London Plan and in the proposed revision of NPPF as follows;

- *The Agent of Change principle places the responsibility for mitigating impacts from existing noise-generating activities or uses on the proposed new noise-sensitive development.*
- *Reflecting the Agent of Change principle to ensure measures do not add unduly to the costs and administrative burdens on existing noise-generating uses*

It is suggested that the policy is redrafted as follows;

Proposed Changes (deletions in ~~strike through~~; new text in **bold**)

Policy MP9

~~When proposals are made which would result in the loss of or might potentially compromise the use of :-~~

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 such as:

- a) an existing, planned or potential rail head, wharf or associated storage, handling or processing facilities for the bulk transport by rail or sea of minerals, including recycled, secondary and marine-dredged materials, and/or;
- b) an existing, planned or potential site for concrete batching, the manufacture of coated materials, other concrete products or the handling, processing and distribution of substitute, recycled and secondary aggregate material;

applicants will be required to demonstrate to the County Council that those sites no longer meet the needs of the aggregates industry. Where this is not the case, satisfactory alternative handling facilities should be made available by the developer. ~~Development proposals in close proximity to the above minerals related facilities should demonstrate that they would not prejudice or be prejudiced by those facilities.~~

Where development is proposed within an identified buffer zone the 'Agent of Change Principle' will be applied in that the responsibility, and cost for mitigating impacts from existing noise-generating activities or uses will be placed on the proposed new noise- sensitive development and any such measures will not add to the costs and administrative burdens on existing noise generating uses.

Mineral consultation and safeguarding areas

In relation to the above comments on the *Agent of Change* principle it is suggested that additional wording is added to the end of Policy MP10;

Proposed Additions (deletions in strikethrough; new text in **bold**)

Policy MP10

Where development is proposed within an identified buffer zone the 'Agent of Change Principle' will be applied in that the responsibility, and cost for mitigating impacts from existing noise-generating activities or uses will be placed on the proposed new noise- sensitive development and any such measures will not add to the costs and administrative burdens on existing noise generating uses.

M E NORTH
21 July 2018