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Sent by email to; planningpolicyconsultation@communities.gsi.gov.uk

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Dear Sir/Madam

Re. Housing White Paper - Consultation response

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 recent addition of British Precast and the British Association of Reinforcement (BAR), it has a growing membership of 480 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 GB cement production, 90% of 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 has annual output valued at £144 billion. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors.

We have comments to make in respect of the document and questions 4,18,28,29, 30 and 35 of the White Paper which are attached.

Yours faithfully

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General Comments

The MPA welcomes the recognition by Government in the introduction of the White Paper that the Development Plan system is not working well for housing, with a significant number of Local Authorities not having up to date plans in place. This equally applies to the mineral planning system, a fundamental part of the supply chain of materials necessary to support housing delivery, and is an issue the MPA has flagged over a number of years in its own Annual Mineral Planning Survey. Getting development plans in place takes too long, is too costly, resource and information hungry for all parties. Resources of planning authorities need to be maintained and increased to enable more effective and efficient delivery, including empowering planning officers to use their professional judgement to more effectively formulate policy and make decisions.

The MPA strongly supports the ambition to ensure that every part of the country has an up-to-date plan, and that plan making should be simplified. The requirement for *an honest assessment of the need for new homes* is also welcomed as is the need for a consistent methodology to develop a robust evidence base that isn’t challenged at length at every Plan examination.

The recognition that *local authority capacity and capability to deliver needs to be boosted* is welcomed, but Government needs to ensure that adequate funding is provided - redressing some of the drastic cuts to local and national government planning services that have occurred over the last 5 or so years.

The proposal for Government to intervene (paragraph 1.7) where Local Authorities are not making sufficient progress is also welcomed, and once again this should equally apply to the Mineral Planning Authorities. However, the offer to local communities by Government of a *simpler and clearer planning process that makes it easier for them to get involved and shape plans for their areas* is likely to slow the system down further. The danger is that transparency and professional competence may be confused with simplicity. MPA believes that there is much scope for more strategic planning and resource sharing between authorities in plan preparation - whether through joint working across larger geographic areas (that makes sense for minerals) or establishment of sub-national ‘centres of excellence’ of professional planners to produce genuinely strategic plans.

We support the need for regulations, as suggested in Paragraph 1.8, for plans to be reviewed at least once every 5 years. Such reviews must also include updates to reflect the prevailing evidence and demands.

The recognition that assessing housing requirements lacks a standard methodology at paragraph 1.12 is well made. It should be noted that the aggregate industry and the mineral planning system has been well served over the years by formal surveys collecting data on mineral production and reserves. This monitoring has informed the Managed Aggregate Supply System (MASS) whose function is enshrined in National Planning Practice Guidance. However, it is ironic that the funding required to support the different aspects of MASS (surveys, data collation, forecasts of demand and strategic planning) has either been withdrawn or is under threat just at the time Government recognises the need for such a system for housing. Without the minerals and mineral products, the houses will not be delivered.
The MPA supports the Governments wish to tackle unnecessary delays caused by planning conditions (paragraph 2.26), and the need for a strategic approach to the habitat management of protected species (paragraph 2.27). These are particularly relevant to minerals development that can occur over large areas and be complex in terms of environmental impacts and management, but essentially are temporary activities with potential for beneficial after-use once minerals have been extracted.

The commitment at paragraph 2.37 that DCLG will increase the transparency and quality of data it publishes on delivery against plan targets, and better information on the development pipeline, so timely support can be provided should also include mineral planning system and not just be limited to housing.

**Question 4**

Do you agree with the proposal to amend the presumption in favour of sustainable development?

The MPA consider the reference to ‘meeting needs of neighbouring areas’ is sensible and reflects existing parts of NPPF. However, for minerals, and probably other issues like strategic water resources, hazardous & specialist waste facilities, the scope should be beyond ‘neighbouring’ authorities. Paragraph 146 of the NPPF refers to cooperation with ‘neighbouring and more distant authorities to coordinate planning of industrial minerals...’ We suggest the addition of the words ...and more distant... to the text. This has been added to the Box 2 text below in bold type as have other observation in brackets.

**Box 2: Proposed text of the presumption in favour of sustainable development**

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development.

For plan-making this means that:

a) local planning authorities should positively seek opportunities to meet the development needs of their area, as well as any needs that genuinely cannot be met within neighbouring and more distant authorities, through a clear strategy to maximise the use of suitable land; (Who will determine whether or not the needs genuinely cannot be met? How will this be assessed? Would this amendment be applied to all forms of development, i.e. a change to NPPF, or just housing?)

b) their plans should accommodate objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: (This flexibility in a plan led system is welcomed - more criteria based policies but fewer site specific allocations during the local plan process)

i. specific policies in this Framework provide a strong reason for development to be restricted; or (Specific examples of such policies are required)

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. For decision-taking this means:

a) approving development proposals that accord with the development plan without delay; and (In addition it is suggested the Government should bring in a deemed approval date, and cut - off dates by which consultation responses must be submitted. A refund of the planning fee in part or full could be considered in the event that such dates are missed)

b) where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
i. specific policies in this Framework indicate development should be restricted; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh
the benefits, when assessed against the policies in this Framework taken as a whole.

1 Policies relating to sites protected under the Birds and Habitats Directives (see
paragraph 119) and/or designated as Sites of Special Scientific Interest; land
designated as Green Belt, Local Green Space, an Area of Outstanding Natural
Beauty, Heritage Coast or within a National Park (or the Broads Authority); Ancient
Woodland and aged or veteran trees; designated heritage assets (and other heritage
assets of archaeological interest referred to in paragraph 139); and locations at risk
of flooding or coastal erosion. (We have concerns all the above “designation” are
being given equal status in the way this is worded. Is this being applied to all
developments or just housing?)

2 Unless material considerations indicate otherwise.

Question 18
What are your views on the merits of introducing a fee for making a planning
appeal?

The MPA do not support such a proposal as a matter of principle. In any event if an
appeal has no obvious merit, or has resulted from a political decision that cannot be
justified by the evidence at the local level then an Inspector has the ability to award
costs on application by either or both parties involved.

Question 28 and 29
The proposed housing delivery test as set out in paragraph 2.49 of the white paper is
a test that could equally be adapted applied to the mineral planning system to
ensure the maintenance of a steady and adequate supply of mineral through mineral
landbanks.

Question 30
What support would be most helpful to local planning authorities in increasing
housing delivery in their areas?

While the DCLG has explicitly stated that the White Paper does not impact on
minerals planning, it is vital for all levels of Government to understand that the link
between minerals supply, and of building and construction materials generally, and
housing delivery. This is a consistent concern that the MPA has identified in other
recent consultations, namely the Hendry Review and the National Infrastructure
Assessment.

The MPA believes that there is a continuing problem of topics being considered in
isolation, resulting in dislocation between consideration of the need to have a secure
supply chain of construction materials, and policy on housing and infrastructure.

At present there is an implicit assumption that if you create the demand for
construction materials, then this demand can always be met. While the UK has rich
resources of indigenous construction minerals, the industry, and the mineral planning
system, requires greater visibility and confidence around what scale of demand is
likely to be required and when, to allow the time for securing sites and making
investment, to be made alongside the existing base demands in the market.
Better information will enable better forward planning to provide the most cost-effective and sustainable solutions to be put in place to support the delivery of housing and infrastructure projects. This all takes time and money - finding and securing new minerals resources site can take up to 15 years and investment in the hundreds of thousands of pounds.

This concept is reflected in The UK Government Procurement Policy Note: Procuring Steel in Major Projects - Revised Guidance Action Note: PPN 11/16, (13 December 2016), is a practical guide on how contracting authorities in both central government and the wider public sector can design their major projects (involving steel) to ensure best value for money by recognising relevant wider social and environmental benefits. The PPN applies to any major procurement project where steel is a critical component. There is no set value as to what constitutes a major procurement project, as this will differ between contracting authorities. However, the PPN states that major procurement projects are likely to include, but are not be limited to the following:-

- Infrastructure - such as rail and roads
- Construction - such as the building of and or refurbishment of prisons, hospitals, universities, housing, community centres, bridges and schools (our emphasis)
- Flood defences
- Defence related projects (ensuring consistency with the Defence and Security Public Contracts Regulations 2011 as appropriate)
- Medical equipment
- Energy related projects - e.g. new nuclear technology

The measures applied in this PPN 11/16 and the associated guidance are designed to ensure that Government applies a more strategic and transparent approach to the sourcing of steel in major projects. A similar approach should be put in place in respect of the supply of minerals to the housing and construction sector. The timings of prospective projects therefore need to be understood, so that both the anticipated total cumulative and annual peak demands can be better factored in.

It is important to recognise that mineral resources are not evenly distributed around the country and that a considerable amount of inter-regional movement of materials already occurs to meet demand in different parts of the country. London and the south east of England in particular is reliant on imports of hard rock from major quarries in the south west and Midlands to London, and landings of marine dredged sand and gravel. Movement by rail and ship is more efficient and environmentally sustainable, and requires effective safeguarding, maintenance, and development.

Provision for and supply of aggregates in England is underpinned by the ‘Managed Aggregates Supply System’ (MASS), that historically has enabled strategic consideration of likely demand, reflecting forecast construction and growth, at national level being broken down to regional and local scale. Since the abolition of regional strategies and the introduction of the NPPF, there has been considerable weakening of the ‘managed’ aspect of the MASS. Each mineral planning authority is now charged with producing its own Local Aggregates Assessment (LAA) that is expected to forecast demand. No surprisingly, most are struggling to do this properly and relying on backwards-looking sales data instead - an unreliable predictor of demand especially given the recent severe recession.
Project supply audits and assessments would be a mechanism to help with forecasting demand and forward planning. These could inform Mineral Local Plans, LAAs and the consenting process. This will allow the Aggregate Working Parties (AWPS) to better undertake their strategic role to ensure that mineral planning authorities are making appropriate provision to ensure the timely delivery of the raw materials necessary to maintain a steady and adequate supply. On a 10 year average only 61% of sand and gravel being sold is being replaced by new reserves through the planning system which shows the need for a much better aligned process. It should also be noted that most of the recommendations in the Local Plan Expert Group (LPEG) report to Government last year, albeit focused on housing, could apply to mineral plans. If implemented, this may help speed the plan-making process and reduce the burden on both mineral planning authorities and industry in terms of expenditure and delay.

The MPA particularly supported the LPEG recommendations for a proportionate evidence base, for ‘fixing’ assumptions and generally streamlining and putting hard deadlines on the plan-making process - principles which should also be applied to mineral plans. The MPA response to the government’s Cutting Red Tape review reiterated these points, including the benefits and savings that could be made through authorities pooling resources and expertise and planning more strategically.

On the topic of a proportionate evidence base it is of considerable concern that the Annual Mineral Raised Inquiry survey (AMRI) has ceased. AMRI is an annual survey undertaken by the Office of National Statistics and has been published every year since 1973 and was the principle source of data on non-energy minerals production in Great Britain. The data was used by minerals planning authorities to assist land use planning and decision-making for the supply of minerals in Great Britain. The survey was used to collect data on the extracted sales of crushed rock, limestone, sandstone, sand and gravel, chalk, clays, and other minerals. Combined with doubts over AWP funding and the future funding of the Aggregate Minerals Survey (AMS) undertaken every 4 years by the BGS it is highly probable that in the near future Government, Industry and other interested stakeholders will have no visibility of the data for the construction mineral reserve and production within the England and Wales. This will further put in jeopardy the ability of the mineral planning authorities and industry to plan in a sustainable way future mineral supply to the construction and housing industries.

In summary Government needs to ensure that housing and infrastructure projects have a material supply audit and resource assessment integrated into the design and consenting process to then allow mineral planning authorities and industry to better be able to consider likely demand for minerals so that a steady and adequate supply can be maintained. This would be further helped by mineral planning authorities pooling increasingly diminishing resources and expertise to speed the delivery of mineral consents in response to the increased demand generated by the housing and infrastructure developments. It is also vital that an evidence base of mineral reserves and production is maintained and funded by Government to help support the construction and housing industries supply their projects.

**Question 35**
The MPA supports the proposals to amend national policy to:

a) Amend the list of climate change factors to be considered during plan-making, to include reference to rising temperatures?
Use of materials is key to this issue. Masonry homes are inherently well suited to tackle the overheating issue by virtue of the thermal mass they provide. Thermal mass is a useful attribute of concrete, which can be used to good effect when designing in measures to control overheating. It basically describes the ability of masonry and other medium/heavyweight materials to soak up excess heat inside a building, without the internal air temperature warming significantly. The consequence is that when used in the construction of a dwelling’s walls and floors, the rooms can maintain a relatively stable temperature during warm conditions, improving occupant comfort and lowering the risk of overheating. The thermal mass provided by lightweight homes manufactured offsite is minimal and cannot be used to help control overheating.

b) Make clear that local planning policies should support measures for the future resilience of communities and infrastructure to climate change?

This could be achieved though the design of resilient homes. An increasingly important benefit of concrete and masonry buildings is the inherent resilience they provide to a range of environmental risks, particularly flooding and overheating. For a broad overview the publication, *This is Concrete - Ahead of the Game* Building Resilience provides a range of articles on topics including: climate change; whole-life and sustainable industry performance; high-performance homes; and concrete credentials.

We trust that you find these comments useful, however, if you require any further information please do not hesitate to contact us.

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The Mineral Products Association is the trade association for the aggregates, asphalt, cement, concrete, lime, mortar and silica sand industries
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