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Dear Sir/Madam

SOUTH LAKELAND LOCAL PLAN PART 3 - DRAFT DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT OCTOBER 2016

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 over 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.

Our response to the current consultation on the Draft Development Management Policies Development Plan Document falls within two distinct areas; Minerals Safeguarding and local character and distinctiveness.

Minerals Safeguarding

Whilst it is acknowledged that the South Lakeland District Council (SLDC) is not the mineral planning authority for the area, there are duties placed upon the Council in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) which require authorities to ensure the safeguarding of mineral resources and infrastructure. We believe the Development Management Policies Development Plan Document should qualify the approach SLDC will take to deal with such safeguarding.

Paragraph 144 of the NPPF requires that when determining planning applications, local planning authorities should, amongst other matters, "*not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes*".

This is preceded by Paragraph 143 which requires Local Planning Authorities to define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption

that resources defined will be worked; and define Minerals Consultation Areas based on these Minerals Safeguarding Areas. Much of this duty lies with Cumbria County Council or the Yorkshire Dales National Park as Mineral Planning Authorities. Indeed, the appropriate safeguarding of mineral resources has recently been considered by the Inspector during the EiP into the Cumbria Minerals Plan. However, in order to ensure that mineral resources are not needlessly sterilised, SLDC has a significant role in upholding the integrity of these MSAs and MCAs.

Paragraph 143 of the NPPF also requires the safeguarding of 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.

Many of these sites and facilities may require a 24/7 operation and SLDC must similarly ensure that in granting planning permission in proximity to such sites, the lawful operation is not hindered or interfered with in any way and prevent sensitive or inappropriate development that would conflict with the use of sites.

The NPPG (Paragraph: 005 Reference ID: 27-005-20140306) identifies the role of the district council, as the local planning authority, in safeguarding minerals. This is qualified 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.

Paragraph 006 Reference ID: 27-006-20140306 of the NPPG, also emphasizes the requirement for close co-operation between district and county authorities. It states that “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”.

Advice on the appropriate approach for District Councils in Local Plan for MSAs and MCAs may be found in the British Geological Survey Publication entitled “Mineral Safeguarding in England: Good Practice Advice” (reference OR/11/046), Section 5.3.

To achieve the above, the Council should consider two new policies, the first of which should identify the nature of developments which may be permitted within MSAs or MCAs which would not sterilise the mineral resources or infrastructure, with a commitment to consult with the respective Mineral Planning Authorities. A second policy should outline the scope of the information required in supportive of any proposals within MSAs and MCAs, including a detailed resource assessment.

Policy DM2 of the consultation seeks to “*Achieving High Quality Design*”, in order to ensure the district’s different characteristics and qualities are maintained and enhanced.

We support this policy but suggest it goes further in encouraging the use of locally sourced building materials, particularly dimension stone and other building stone products. This approach is not only sustainable in terms of minimising transportation of building materials, it is imperative in order to maintain the distinctive character of the communities, villages and towns within SLDC. Locally sourced building stones are not only important to retain the heritage and culture of designated historic buildings and conservation areas, but are key to maintaining local distinctiveness.

For your information, we have attached the MPA’s guide to the Dimension Stone Industry in the UK.

We would welcome the opportunity to discuss the above matters with you further and look forward to hearing from you in due course.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'N Horsley', written over a light blue horizontal line.

Mr Nick Horsley
Director of Planning, Industrial Minerals and MPA Wales

c.c.
Stuart Perigo & Sue Brett, Cumbria County Council