

Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

Part B: Representation

Name and Organisation:	Staffordshire County Council – Minerals and Waste Planning
------------------------	--

Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- (Please tick one box)

Q2. To which part of the document does this representation relate?

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="DP30 (Point 1)"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- | | | | | |
|--|------|-------------------------------------|-----|-------------------------------------|
| A. Legally compliant | Yes: | <input checked="" type="checkbox"/> | No: | <input type="checkbox"/> |
| B. Sound | Yes: | <input type="checkbox"/> | No: | <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input checked="" type="checkbox"/> | No: | <input type="checkbox"/> |
- (Please tick as appropriate).

Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

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DP30 Point 1 states that the supply of sand and gravel during the Plan period should be provided in the first instance from existing permitted sites and then from the development of mineral working at the saved SAMDev Plan mineral allocations identified within Appendix 2 of this document and identified on the Proposals Map.

Comment: It is considered that this policy provides a spatial strategy for the provision of sand and gravel that should be included in policy SP16

(Please continue on a separate sheet if necessary)

Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy content of DP30 point 1 should be included within policy SP16 as it provides a spatial strategy for the supply of sand and gravel.

(Please continue on a separate sheet if necessary)

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Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?

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No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

(Please tick one box)

Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

(Please continue on a separate sheet if necessary)

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Signature: Andrew Christelow

Date: 24/02/2021

Office Use Only

Part A Reference:

Part B Reference:

Representation Form

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- (Please tick one box)

Q2. To which part of the document does this representation relate?

Paragraph:	Table DP 30.1	Policy:	DP30	Site:		Policies Map:	
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Table DP30.1 (supporting policy DP30) provides information to understand why there are no additional allocations for sand and gravel. The figures used for permitted reserves used are not consistent with the minerals technical background report. Table DP30.1 states that existing permitted reserves of sand and gravel stand at 13.5 Mt, while the minerals technical background report quotes a figure which is 19% lower, at 10.93 Mt. Regarding the 10.5Mt of windfall allowance, this figure is very large in comparison with the permitted reserves, and may need to be adjusted to 13.07 Mt if permitted reserves are adjusted back to 10.93Mt as discussed above. 70% of permitted reserves are already stated to be contained within sites which have not been worked for at least 5 years. Though the operators of 2 of the sites have stated an intention to recommence production during the Plan period, the reliability of the anticipated supply must be questioned. It is also unclear whether the likely windfall reserves are associated with sites that accord with the Plan, or to what extent they can be relied upon to meet production guidelines or required landbank.

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The figure used for permitted reserves should be 10.93Mt as of 1.1.19 rather than 13.5Mt (see minerals technical background report) and confirmation should be also provided of the amount of permitted reserves anticipated to be worked during the Plan period or in sustaining a 7 year landbank at the end of the Plan period.
Evidence should be provided to support the anticipated 10.5Mt contribution from windfall sites that accord with the Plan.

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Signature:

Andrew Christelow

Date:

24/02/2021

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Part A Reference:

Part B Reference:

Representation Form

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- (Please tick one box)

Q2. To which part of the document does this representation relate?

Paragraph:	<input type="text"/>	Policy:	SP16 (Point 4)	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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SP16 (point 4) refers to "Only supporting proposals for sand and gravel working outside these broad locations and existing permitted reserves, where this would prevent the sterilisation of resources, or where significant environmental benefits would be obtained, or where the proposed site would be significantly more acceptable overall than the allocated sites." Should 'broad locations' be replaced with 'saved allocated sites'?

This policy appears to be largely duplicated by point 2 of policy DP30 except that the latter also allows flexibility where a proposal can be demonstrated to meet an unmet need.

Care will also be needed to ensure that these policies do not unduly restrict the potential for windfall sites, on which the plan depends, to come forward.

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Replace 'broad locations' with 'saved allocated sites'

Clarify duplication between SP16 point 4 and DP 30 point 2.

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Point 3 of SP16 explains that Shropshire Council will plan to maintain a productive capacity for aggregates based on the 3 year average production in 2018 plus 20%. Paragraph 207 of the NPPF requires that "Minerals planning authorities should plan for a steady and adequate supply of aggregates by: (a) preparing an annual Local Aggregate Assessment, either individually or jointly, to forecast future demand, based on a rolling average of 10 years' sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources). In this case, the other relevant local information is explained under paragraph 3.156 and 3.157. It is considered that to be consistent with national policy, the level of provision should be based on the 10 years sales average of 0.68 million tonnes and that an adjustment based on the "other relevant local information" is explained thereafter. The amount of the increased adjustment is possibly sound but it should be justified on robust evidence e.g. rather than using a 20% uplift factor on the basis of the increased demand demonstrated

by the most recent 3 years sales average, the increase needs to be assessed on the need for replacement production capacity required (noting that in 2008 there were 7 operational sites and that a recent permission for a new site will provide for capacity that could not be found in a neighbouring area) and any significant future increases in demand that can be forecast with reasonable certainty (refer to Paragraph: 084 Reference ID: 27-084-20140306 of the PPG).

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To be consistent with national policy, the level of provision should be based on the 10 years sales average of 0.68 million tonnes and that any adjustment based on the “other relevant local information” should be explained thereafter.

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	Part B Reference:

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