

Response Inspector's Initial Questions – Minerals and Waste Policies (ID13)

Minerals

1. Has a more recent Local Aggregate Assessment than the 2019 document been produced? If so, please provide a copy.

Shropshire Council is currently analysing the returns from the latest aggregate and minerals survey which is confidential at this stage. This will update our Local Aggregates Assessment and to draft our AMR. We cannot share data for specific sites due to issues of commercial confidentiality, but we can share our overall trends and performance. Early indications show that reserves have remained relatively stable in 2020.

2. The Planning Practice Guidance sets out that mineral planning authorities should plan for the steady and adequate supply of minerals in one or more of the following ways (in order of priority):
 - i) Designating Specific Sites – where viable resources are known to exist, landowners are supportive of minerals development and the proposal is likely to be acceptable in planning terms. Such sites may also include essential operations associated with mineral extraction;
 - ii) Designating Preferred Areas, which are areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extraction; and/or
 - iii) Designating Areas of Search – areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply.

Why has this approach not been taken?

Shropshire Council has not adopted this approach for the following reasons:

- a) The availability of sand and gravel resources remains well above the minimum guideline and the adopted Plan (SAMDev) included allocations which provide for additional capacity. No additional site allocations for either crushed rock or sand and gravel provision are therefore proposed as part of the Local Plan Review.
- b) Shropshire Council designated specific sites in the previous Local Plan and several of those allocations are being 'saved' to the current document.
- c) Shropshire Council has taken a responsible approach based on the specific circumstances and context of Shropshire and this approach will provide a steady and adequate supply of minerals.
- d) The Council have very good relationships with the quarry owners in Shropshire and understand, through confidential, commercially sensitive discussions, that there are sufficient resources to sustain Shropshire through the plan period and beyond.

- e) Despite increasing demand, significant aggregate resources are already available from permitted sites and unimplemented site allocations made in the SAMDev Plan which are proposed to be 'saved'. A number of windfall applications for sand and gravel which have significantly increased productive capacity and further significant windfall applications are expected from planned extensions to a number of existing sand and gravel sites and from the prior extraction of mineral aggregates from the redevelopment of the Ironbridge Power Station site. In light of these, the draft Plan makes a windfall allowance of 10.5mt to supplement unimplemented and 'saved' site allocations amounting 4mt. In taking planning decisions, Shropshire Council has consistently responded positively to both planned and windfall applications to release more material to maintain productive capacity to counter-balance the impact of unworked site commitments in the county.
 - f) Shropshire Council is aware that existing operators are planning extensions to existing operational sites as windfall. Both the current and proposed policy approach allows for these windfall sites and additional productive capacity to come forward, and subsequently it is not considered Shropshire Council needs to designate additional specific sites, preferred areas or areas of search. A good example of this is the former Ironbridge Power Station site (19/05509/MAW and 19/05560/OUT).
 - g) The proposed approach in the Local Plan has met with no objections from the mineral industry following consultation.
 - h) If Shropshire Council was to allocate additional sites over and above what is currently allocated, along with existing reserves, there is significant concern this would cause avoidable and unnecessary environmental damage by over-providing.
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3. Is there any national policy that supports the use of a windfall allowance when planning for steady and adequate supply of aggregates and if not, is the windfall allowance therefore justified?

- a) There is no specific national policy relating to the use of windfall allowance in the NPPF when planning for the steady and adequate supply of aggregates. However, the principle of windfall allowances is a well-established approach to provide guidance for mineral development which has not been specifically planned. Shropshire Council is confident that this approach satisfies points 213 and 214 of the NPPF (July, 2021) and is therefore justified. From the answer to Question 2 above, Shropshire Council's reasoning behind this, can be seen.
 - b) It is significant that the minerals industry has not objected to this approach.
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4. The Minerals Technical Background Report notes that 70% of permitted reserves are contained within sites which have been unworked for over 5 years and that several require significant capital investment. Therefore, will all permitted reserves come forward as anticipated over the Plan period?
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- a) At the Regulation 19 stage Shropshire Council proposed a modification to Explanatory text SP16. This states the landbank of permissions for crushed rock working has remained consistently above the minimum required level and no additional provision therefore needs to be made during the Plan period. Further information about crushed rock and other mineral resources produced in Shropshire is available in the Minerals Technical Background Document.
- b) Additionally, the mineral operators and landowners concerned have confirmed that there is a clear intention to work these sites during the Plan Period. Hanson for example, the operator of Sleaf, near Condover, has consistently confirmed this. If necessary, we can ask for documentary evidence to support this. To allow for this, Shropshire Council has made compensatory provision allowance through windfall allowance of these unworked site commitments.
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5. Are the saved allocations deliverable within the plan period?
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Shropshire Council has no indication or information that would indicate the 'saved' allocations are not deliverable within the plan period to 2038. The saved allocations are for existing sites. Wood Lane and Gonsal are both existing and operational sites with planned extensions to maintain production from the sites through phased expansion of these sites.

6. What evidence exists to show that windfall sites will come forward within the plan period at the rate expected?
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We maintain an active dialogue with all the mineral operators currently working in Shropshire and part of that dialogue gives us a good understanding of their commercial plans. This material is confidential and cannot be shared in an open forum. This active partnership and dialogue between commercial operators and Shropshire Council as the planning authority gives Shropshire Council a very good understanding of their business planning and allows Shropshire Council to anticipate and plan for windfall development of the type as it has. As a result of the confidentiality of the material

involved and the way in which it is shared it is not capable of publication and it would be inappropriate to do so.

Waste

7. Is it sufficiently clear in the Local Plan what capacity gaps for each waste stream exist and how these will be addressed?
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The Waste Planning Technical Background Report covers this area. From Table 4 and Table 6, it can be seen that Shropshire Council has capacity for Municipal and Commercial Recycling and Recovery over the plan period. Furthermore, Paragraph 13 explains how this capacity will be supported by former industrial sites being repurposed for recycling and recovery. These sites do not require a specific new planning consent and Shropshire is expecting a major new recycling venture in the County shortly that reflects this.
