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Date: 16 September 2022

Dear Inspector Palmer

### **Draft Shropshire Local Plan – Minerals and Waste Policies**

Thank you for your letter of 2 September 2022 (Reference ID20) which seeks clarification on the reasons why the potential sand and gravel windfall opportunities referred to in our previous correspondence of the 15 August 2022 (Reference GC13) were not identified in the draft Shropshire Local Plan.

As outlined in GC13, it is strongly considered that Shropshire has an excellent record of maintaining a steady and adequate supply of aggregates, which historically has included a combination of existing commitments, allocated sites and appropriate windfall allowances, taking into account the specific assessed needs at the time of the relevant plan-making exercise. It is considered that the approach to sand and gravel supply proposed within the draft Shropshire Local Plan will be similarly effective and consistent with that employed in the past, as it includes a combination of existing and emerging commitments, allocated sites (within the SAMDev Plan that are proposed to be saved) and an appropriate windfall allowance.

Table 1 of GC13 sets out the total sand and gravel requirement in Shropshire over the proposed plan period and the various avenues of supply identified to achieve it. With regard to windfall provision, this table highlights the potential of around 6.2mt of future windfall provision from existing operational sites, against an expected windfall requirement of 3.096mt over the remainder of the proposed plan period.

It is recognised that the National Planning Practice Guidance (NPPG) on Minerals provides additional guidance as to how Mineral Planning Authorities (MPAs) should plan for the steady and adequate supply of minerals (Paragraph: 008 Reference ID: 27-008-20140306), siting (in order of priority) the designation of specific sites, designating preferred areas, and designating areas of search. Importantly, this guidance also specifically identifies that in exceptional circumstances it may be appropriate for mineral planning authorities to rely largely on policies which set the general conditions against which applications will be assessed.



It is considered that Shropshire's approach adheres to this guidance, by continuing to include 'saved' allocations within its overall proposed supply, and by taking appropriate and necessary consideration of the significant amount of existing permitted (and resolved for approval) reserves and responding to the level of confidence available regarding future windfall opportunities.

Furthermore, in taking account of the significant amount of existing permitted (and resolved for approval) reserves, along with the addition of the 'saved' allocated sites, Shropshire has sought to balance the need to ensure sufficient supply with the protection of environmental assets against unnecessary harm. This policy objective is specifically referenced within policy SP16 of the draft Shropshire Local Plan.

Therefore, decisions regarding the need or otherwise to identify specific sites within the draft Shropshire Local Plan have taken the National Planning Policy Framework (NPPF) and NPPG guidance into consideration, and specifically have considered:

- The need to balance certainty of future supply and the potential harm to environmental assets;
- The limited amount of additional supply required, above that already planned for and committed;
- Discussions with the minerals industry regarding their preferred approach to securing additional supply, including the benefits of seeking specific site allocations;
- The presence of suitable alternative options for consideration at an appropriate time in the plan-making process;
- The Council's successful delivery rates on windfall applications to ensure adequate supply (as outlined GC13);
- The need to ensure flexibility to the delivery of minerals; and
- Allowing for the ability to respond to changing circumstances with regard to the existing permitted sites, especially where this could lead to a more sustainable form of mineral extraction and potentially reducing the need to expand current sites laterally into greenfield sites.

With regard to the potential windfall provision on sites discussed in GC13, through discussions with these local operators there is broad consensus that in the Shropshire context (in particular with regard to the Council's generally positive policy approach to approving sustainable windfall provision) that the identification of specific sites within the Plan in the Shropshire context does not necessarily lead to additional certainty over supply. This position reflects the inherent uncertainty regarding the timeframe and expected yield (both with regard to quantity and quality) of minerals on site allocations, given these are generally subject to less evidence and site investigation than available through a planning application process.



It is considered therefore, that given the limited amount of additional supply required in Shropshire, there is an inherent risk through the allocation of specific sites in the Local Plan that this could lead to an oversupply of mineral over the plan period, especially when considered against the very limited amount of additional supply required.

Additionally, it is felt that the preferred approach in Shropshire more appropriately supports the comprehensive working of minerals (another key policy objective of draft Policy SP16), and also contributes to supporting a greater diversity of supply and competition to the local market.

It should also be recognised that within the context of the NPPG, it is not considered that Shropshire's proposed approach seeks to rely '*largely*' on policies setting out the general conditions for application to be assessed. However, we do consider the information outlined in this letter does represent exceptional circumstances for seeking to rely to a limited extent on policies which set the general conditions against which applications will be assessed. This takes account of the fact that by far the most significant element of Shropshire's sand and gravel supply to 2038 is through existing permitted reserves, which in the view of the Council provides a high degree of certainty over delivery, higher than even the identification of specific sites.

I trust the information in this letter helps your ongoing consideration of the Council's proposed approach to planning for future aggregate supply, but of course we would be happy to provide additional clarity on these points if requested.

Yours sincerely

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Planning Policy and Strategy Manager  
Shropshire Council

