

ID29

Shropshire Local Plan Examination

Matters, Issues and Questions – Minerals and Waste Policies

Introduction

This document sets out matters (topics) and issues (points for consideration) relating to the minerals and waste policies within the Plan, specifically Policies SP16, SP17, DP29, DP30, DP31, DP32 and DP33. The matters and issues will form the basis for discussion at the hearing sessions. This note sets out questions, principally to the Council that potentially go to matters of soundness.

The matters, issues and questions have been prepared following previous correspondence between the Inspector and the Council, which is at ID13, ID18 and ID20 with the Council's responses at GC11, GC13 and GC17 in the document library.

Matter 1 – Supply of Aggregates

Issue

Whether or not adequate provision would be made for the supply of aggregates during the plan period.

Questions

Minerals Need

- 1 Explain the basis for adopting the 3 year sales average in calculating need for sand and gravel.
- 2 Explain the basis for adding a growth factor of 20% to the 3 year sales average.
- 3 Would the growth factor allow for envisaged growth in infrastructure as well as in housing and employment development?
- 4 How would planned rates of housing delivery over the plan period compare to those in 2017/18?
- 5 How does the growth factor take into account planned growth in the area administered by Telford and Wrekin Council?
- 6 Explain how growth has been taken into account in assessing need for crushed rock.
- 7 What volume of crushed rock is supplied from Telford and Wrekin and what is the likelihood of this continuing over the

Plan period? Does this have any implication for calculation of need for crushed rock?

Minerals Supply

- 8 The Council has stated that the production potential for permitted reserves has increased from the 13.5Mt stated in Table DP30.1 to 16.354Mt, due to the approval of Norton Farm Extension. Please provide details of the anticipated time scale for extraction of this material.
- 9 Explain the increase in permitted reserves from 10.93mt in the Mineral Technical Background Report to the 13.5Mt stated in Table DP30.1.
- 10 Would all of the stated production potential from permitted reserves be available over the Plan period?
- 11 Explain the decrease in production potential from saved Local Plan allocations from 4Mt to 3.3Mt.
- 12 What evidence supports the windfall potential from existing operational sites of 6.2Mt? Is this anticipated to be from extensions to operational quarries?
- 13 Can the Council clarify which quarries are expected to be extended and any particular environmental constraints that are likely to apply?
- 14 Should the supporting text state the position regarding crushed rock supply?
- 15 Should the supporting text provide more information on non-aggregate minerals?
- 16 What assumptions have been made about the contribution from secondary and recycled aggregates to minerals supply?
- 17 Is reliance on windfall as part of the sand and gravel supply in accordance with national policy? Is this approach justified?
- 18 Does reliance on windfall provision give enough certainty as to supply, having regard to environmental constraints?
- 19 The Council's letter of 16 September 2022 states that identification of specific sites would not necessarily lead to additional certainty over supply. Why is this?
- 20 Explain the Council's concern that allocation of specific sites could lead to an oversupply of minerals and how this would be harmful.
- 21 Do Policies SP16 and DP30 provide adequately for windfall sites to come forward as an integral part of the supply of sand and gravel?
- 22 The Minerals Technical Background Report (paragraph 6) states that "about 70% of sand and gravel reserves is contained in 3 site commitments which have remained unworked for over 5 years. In the case of 2 of these sites,

the mineral operators and landowners concerned have confirmed that there is a clear intention to work these sites during the Plan period.” What are the reasons for cessation of working? What is the likelihood of working on these sites being resumed? What is the position regarding the third site commitment?

- 23 Paragraph 21 of the Minerals Technical Background Report states that “there are a number of unworked site commitments which require significant capital investment, and it is assumed that these will not make any contribution in the short term”. Which are the sites referred to and what is the likelihood of the necessary investment being obtained?
- 24 With reference to the Council’s letter of 16 September 2022, please explain further how the ability to respond to changing circumstances with regard to the existing permitted sites would be of benefit in terms of allowing for more sustainable mineral extraction and reducing the need to expand sites laterally. How would this affect the overall supply of sand and gravel? How would this accord with Policy SP16(2) which requires comprehensive working of mineral resources?

Saved Allocations

- 25 What is the status of the Development Guidelines in Schedules MD5a and MD5b of the SAMDev Plan? Will these be saved?
- 26 What are the reasons why the saved site allocations have not come forward?
- 27 Are the saved site allocations deliverable within the Plan period?
- 28 What is the revised capacity assumption for the allocated site at Gonsal based on?

Windfall

- 29 What is/are the historic rate(s) of windfall provision of sand and gravel?
- 30 Which extensions to existing quarries are expected for sand and gravel? What are the reasons for not identifying these in the Plan?
- 31 What is the basis for the identification of sites for potential future sand and gravel in Figure 1 of the Minerals Technical Background Report (EV076)? Are these new sites or extensions? Have these been included in the windfall potential figure of 6.2Mt?

- 32 What evidence supports the reliance on windfall in terms of dialogue with operators? Please provide the letters of intent from operators as previously indicated.

Policy SP16

- 33 What are “appropriate locations” in Policy SP16(2)?
- 34 How would Policy SP16(2) be monitored in terms of the supply of secondary and recycled aggregates?
- 35 How would facilities that provide for recycled aggregates be supported?
- 36 Is there tension between policies SP16(2) and DP31(1)(c) in terms of comprehensive working and should this be explained further?
- 37 Explain how the planned provision would contribute to the sub-national guidelines for the West Midlands (Policy SP16(3)).
- 38 Is the strategic approach in Policy SP16(4) (in conjunction with Policy DP30) sufficiently positive with respect to windfall provision given the reliance on this source of supply?

Policy DP30

- 39 Is part 1 of Policy DP30 a strategic requirement that should be within Policy SP16?
- 40 Is Policy DP30 sufficiently positively worded to reflect the reliance on windfall?
- 41 Paragraph 4.268 states that in 2018 there were 10 permitted sand and gravel sites of which 6 were operational. Please provide further information as to which sites are referred to. How does this information relate to Figure 1 in the Mineral Technical Background Report?
- 42 What is the justification for requiring permitted sites to be worked before allocated sites in Policy DP30(1)?
- 43 How would “unmet need” in Policy DP30(2) be defined?

Matter 2 – Mineral Safeguarding

Issue

Whether or not the plan would adequately safeguard mineral resources and minerals infrastructure.

Questions

- 44 What approach is taken in the Local Plan to proposed site allocations (such as housing and employment) within Mineral Safeguarding Areas (MSA) and is it justified and effective?

- 45 Should all existing mineral transport and processing facilities, including sites for manufacture of concrete and concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material be identified in the plan for safeguarding purposes?
- 46 What does "adjacent to" MSAs and "near" protected rail freight sites in Policy SP16(1) mean? Do these terms refer to the buffer zones in Policy DP29?
- 47 Is Policy SP16 in accordance with national policy in terms of protecting minerals infrastructure?
- 48 What are the consultation arrangements in respect of coal referred to in paragraph 4.263?
- 49 What evidence supports the list of exempt development in paragraph 4.264?
- 50 While paragraph 4.265 clarifies that an assessment of effect on mineral resources or mineral handling facilities can form part of a Design and Access Statement, is further explanation required as to the information required to be provided with such an assessment?
- 51 Should Policy DP29(1) also refer to development adjacent to MSA boundaries as stated in Policy SP16(1)?
- 52 What evidence supports the use of the identified buffer zones in Policy DP29(2)?
- 53 Should Policy DP29(2) state "The buffer zones surrounding safeguarded mineral extraction, transport and processing facilities"
- 54 Should the plan state which minerals facilities would be safeguarded?
- 55 Paragraph 4.262 identifies the Oswestry Mineral Railway and Bayston Hill Sidings as being protected. Should any other facility be so identified?
- 56 Should the first sentence of Policy DP29(3) also refer to mineral extraction?
- 57 Should Policy DP29(3) also cover proposals for new mineral extraction, transport and processing facilities within the buffer zone distances of existing development?
- 58 Should Policy DP29(4) also refer to development adjacent to MSA boundaries?

Matter 3 – Managing Development and Operation of Mineral Sites

Issue

Whether or not the plan's policies for the development and operation of mineral sites would be justified, effective and otherwise sound.

Questions

- 59 Is the Local Plan's approach to the supply of building stone justified and effective?
- 60 Is the Local Plan's approach to brick and fire clay consistent with national policy, justified and effective?
- 61 Does the Local Plan meet the criteria for oil, gas and coal exploration set out in paragraph 215 of the National Planning Policy Framework (NPPF)? Is the Local Plan's approach to hydrocarbon resources justified and effective?
- 62 Are the requirements of Policy SP16(6) regarding restoration sufficiently clear? What is meant by targeted environmental or community benefits?
- 63 Part (3) of Policy DP31 covers unconventional hydrocarbons, but should the policy cover hydrocarbons more generally?
- 64 Paragraph 4.274 refers to environmental and community benefits. How does the policy help to secure these? What is the nature of the benefits sought?
- 65 Is the approach to minerals site restoration in Policy DP31(2) justified and effective?
- 66 Is paragraph (3) of Policy DP31 sufficient to meet the requirements of NPPF paragraph 215 and to assess proposals for unconventional hydrocarbons should they come forward, or should supporting text be added?
- 67 Should Policy DP31(4) indicate any areas where the extraction of coal may be acceptable as stated in paragraph 215(c) of the NPPF?
- 68 Paragraph 4.275 refers to aviation safety. Should the requirement be embodied in Policy DP31, having regard to paragraph 210(h) of the NPPF? Should it cover operation as well as restoration?
- 69 Should the text state the need for a hydrogeological risk assessment with reference to Policy DP31 (1)(e), including a comprehensive water features survey, detailed conceptual model of the area and hydrogeological monitoring information of at least 1 year in duration?

Matter 4 – Waste Management Facilities

Issue

Whether or not the plan provides adequately for waste management in accordance with the waste hierarchy and whether its policies for waste facilities would be justified, effective and otherwise sound.

Questions

- 70 Is the approach to waste management consistent with the National Planning Policy for Waste, 2014?

Need for waste management facilities

- 71 How has economic growth been considered in forecasting commercial and industrial waste need?
- 72 The Waste Technical Background Report considers the need for recycling and recovery provision in general terms. Is more specific information available on the need for particular types of facility for example green waste facilities?
- 73 What types of waste management facility will be required over the Plan period?

Existing and proposed facilities

- 74 Please clarify the reasons why existing waste management capacity appears to be under-utilised.
- 75 Please provide details of the expected major new recycling facility referred to in the Council's response to document ID13 (ref. GC11).
- 76 Is updated information available on the anticipated new waste management provision in paragraph 3.166?

Strategy

- 77 Does the Plan encourage recycling provision above recovery provision?
- 78 How does the Plan provide for increased self-sufficiency?
- 79 Does the Plan encourage production of recycled aggregates from construction and demolition waste?

Provision for new facilities

- 80 Paragraph 4.278 states that "Specific sites which may be suitable for waste management facilities are identified as part of the guidelines for specific employment site allocations in the relevant settlement strategies". Appendix 6 identifies settlements where sites are preferred for recycling and environmental industries. Are the sites which are suitable for waste management facilities clearly identified?
- 81 Are these sites identified in the Settlement Policies?

Policy SP17

- 82 Explain what is meant by "accessible locations" and "close" to the identified centres in Policy SP17(2).

- 83 What is meant by “smaller scale” waste facilities and “local needs” in Policy SP17(2)?
- 84 What is meant by “locations which are consistent with the principles and site identification criteria set out in national and regional policy” in Policy SP17(2)?
- 85 Is the requirement in Policy SP17 for facilities outside the defined centres to be smaller scale and capable of meeting local needs consistent with the recycling of construction and demolition waste to produce recycled aggregates?
- 86 Are these requirements consistent with the recovery of energy from anaerobic digestion, or production of compost?
- 87 Should the requirement in Policy SP17(4) to provide information on waste management with planning applications be incorporated in other policies, e.g for housing and employment development?
- 88 Should Policy SP17(4) or supporting text explain further what is required in terms of sustainable waste management?
- 89 What is meant by “locations which are consistent with the site identification criteria for new sites” in Policy SP17(5)?
- 90 Should existing waste management facilities that are safeguarded be identified in the Plan?
- 91 Should Policy SP17(5) refer to the agent of change principle?

Policy DP32

- 92 What are the “appropriate locations” stated in part (2) (a), (c), and (d) of Policy DP32?
- 93 Does part (1) of Policy DP32 ensure that the potential impacts of waste management facilities can be suitably managed, and does it cover all necessary matters in this regard?
- 94 Please provide explanation of the justification for part (e) of Policy DP32, including with regard to the use of recycled or secondary aggregates in land profiling or engineering works.

Policy DP33

- 95 Explain how a new landfill or landraising site would provide for equivalent self-sufficiency. Would any need for such a facility inevitably involve cross-boundary flows of waste?

THE END