

Statement of Common Ground: Between Shropshire Council and the Minerals Products Association
Regarding MPA SAMDev Representations
17th October 2014

Respondent	Issues Raised	Soundness Issue	Proposed Action / Response				
Ratcliffe, Mineral Products Association (138)	<p>Local Aggregates Assessment</p> <ul style="list-style-type: none"> The lack of an endorsed LAA renders the plan UN SOUND because it does not comply with NPPF paragraph 145. 	Not Justified or Consistent with National Policy	<p>Not Agreed Yet, pending further discussion regarding the application of national good practice for LAA's being developed by MPA: The draft LAA was considered by AWP at meeting on 24th June 2014 and formal endorsement is awaited. SC considers that the Plan provides sufficient flexibility to address any potential increase in demand above the 10 year average production which was formally agreed as the standard methodology by AWP (see AWP minutes EV 95). The LAA illustrates that 2012 S&G production was 0.64mt, the 10 year average is 0.74mt and SAMDev has planned for 0.82mt, which is over 10% higher than the 10 year average and almost 30% higher than 2012 production.</p>				
	<p>MD5:</p> <ul style="list-style-type: none"> Oppose phasing of sites. Unclear whether all allocations will be available to work in the plan period, or all of the existing reserves. Do the figures mentioned in the plan include the 3 currently unworked sites, and what are the constraints to them being developed? What % of the reserve is not expected to be worked within the plan period? Oppose the old system of historical shares without a causal link to the new NPPF methodology which might justify its retention. 	<p>Not Justified or Consistent with National Policy</p> <p>Appear at Hearing</p>	<p>Agreed: Amend 4th sentence of paragraph 4.37 to read: "There are also two sites at Barnsley Lane, near Bridgnorth and Woodcote Wood, near Sherrifhales, where a resolution has been made to grant planning permission, but where consent has yet to be issued. These are termed 'unworked site commitments'"</p> <p>Agreed: Add new final sentence to paragraph 4.43: "The allocation of these sites is in two phases, in order to help address the potential for cumulative impacts at Morville, where an existing site and a preferred allocation are served by the same road access;"</p> <p>Agreed: Amend Table 5.2 to read:</p> <table border="1" data-bbox="1330 1297 2047 1385"> <tr> <td data-bbox="1330 1297 1541 1385"></td> <td data-bbox="1541 1297 1709 1385">Estimated Reserve *</td> <td data-bbox="1709 1297 1910 1385">Production Requirement</td> <td data-bbox="1910 1297 2047 1385">Shortfall</td> </tr> </table>		Estimated Reserve *	Production Requirement	Shortfall
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	<ul style="list-style-type: none"> No forecast of aggregates demand despite the requirement to do so in NPPG para 62 using other relevant local information such as housing completions. The apportionment is not justified by reference to accepted NPPF and NPPG methodologies 		Operational Sites 2012 – 2026	4.36	-	
			Unworked site commitments	4.60	-	
			TOTAL	8.96	11.48	2.52
	<p>MD5(2):</p> <ul style="list-style-type: none"> Object to the proposed requirement for consideration of need in applications made on allocated sites (i). Oppose output restrictions: the stated reasons for such restrictions may be meaningless in the light of the purposes of an apportionment and NPPF policy, which sees mineral working as providing the raw materials to support economic growth. 	Not Justified or Consistent with National Policy	<p>Agreed Proposed Changes:</p> <p>Delete criterion 2i</p> <p>Add new final sentence to paragraph 4.43: “The allocation of these sites is in two phases, to recognise the need for infrastructure investment at Gonsal and in order to help address the potential for cumulative impacts at Morville, where an existing site and a preferred allocation are served by the same road access;”</p>			
	<p>MD5(3):</p> <ul style="list-style-type: none"> Object to the proposed policy for applications outside allocated areas: the tests are cumulative and will only apply in such a narrow range of circumstances, if at all, that the supposed flexibility shown in the policy disappears on further analysis. We have no objection necessarily to any of the three criteria on their own but believe that they should be 	Not Justified or Consistent with National Policy	<p>Agreed Proposed Change: Amend MD5(3ii) to read: “the proposal would not prejudice the development of the allocated sites; and or,”</p>			

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	ranked as 'or' instead of 'and'.		
	<p>MD16:</p> <ul style="list-style-type: none"> Generally support this policy, however the minerals to be protected are not differentiated on the Draft Policies Map and the Policy does not say which minerals are considered to be of economic value. This is a serious omission which means that the policy is not in accordance with national guidance. We are concerned that unless the outcrops of mineral are identified on the Proposals Map then valuable mineral deposits may risk being unidentified or assessed in any development proposal. Suggested amendments provided 		<p>Agreed Proposed Change:</p> <p>The minerals to be safeguarded are identified in the study (EV68) completed by BGS in 2008 using nationally agreed methodology. These mineral resources are identified in the MSA which is illustrated as described in the amended text above. The policy approach adopted in MD16 conforms exactly to that recommended in the BGS: 'Mineral Safeguarding in England: Good Practice Advice'.</p> <p>Amend 5th sentence of paragraph 4.150 to read: "The MSA is illustrated in the draft Proposals Map and more detailed information is available on an 'interactive' mineral safeguarding map which is available on the Council's website."</p>
	<p>MD17(1)</p> <ul style="list-style-type: none"> Object to the proposal to restrict outputs, which we strongly oppose. This is covered in sub section (i) in the measures to protect people and the environment where it may be up to the applicant to suggest ways in which to limit amenity impacts. We strongly object to any unilateral imposition of production restrictions which might be arbitrary or which might prejudice the viability of the mineral operation. 	Not justified or consistent with national policy	<p>Agreed Proposed Change: Amend last sentence of MD17(1) to read: "Where necessary, output restrictions may be imposed agreed with the operator to make a development proposal environmentally acceptable;"</p>

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	<p>MD17(5):</p> <ul style="list-style-type: none"> The regulatory regime should be applied equally across all proposals. For this reason (to provide a level playing field) we are opposed to a more lenient treatment for some operations if they are to be managed and worked in an unprofessional manner. The plan's policy should be based on providing a steady and adequate supply of dimension stone. The proposed policy will need to be applied more evenly and be careful to allow all operators of whatever size, to grow their businesses as intended by NPPF. 		<p>Agreed Proposed Change: Amend MD17(5) to read: "A Sustainable proposals for the working of building stone will be supported, and a flexible approach will be adopted to the duration of planning consents for very small scale, intermittent but long term or temporary working to work-produce locally distinctive building and roofing stone consistent with the objectives of Policy MD2;</p>
	<p>Proposed New MD17(7):</p> <ul style="list-style-type: none"> We suggest that the policy includes an additional criterion that applications should demonstrate the quantity and quality of mineral present according to a professionally undertaken programme of drilling and mineral assessment. This should avoid any mineral finding its way into the landbank which is substandard in quality and quantity, and for which it would be difficult to find a market. 		<p>Agreed Proposed Change: Amend MD17(1viii) to read: "Evidence of the quantity and quality of mineral and the extent to which the proposed development contributes to the comprehensive working of mineral resources and appropriate use of high quality materials;</p> <p>Insert new paragraph after 4.155: "Minerals are a finite resource and applications should be accompanied by appropriate evidence, collected through a professionally undertaken programme of drilling and mineral assessment, to demonstrate the quantity & quality of mineral,"</p>