

## LEICESTERSHIRE MINERALS DEVELOPMENT FRAMEWORK

### CORE STRATEGY & DEVELOPMENT CONTROL POLICIES

#### PUBLIC EXAMINATION

**Respondent:** Quarry Products Association

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#### MINERALS – SUPPLY: GENERAL MATTERS AND AGGREGATES

##### Answers to questions in “Issues and Matters for Discussion”

1. **NO.** Paragraphs 4.6 and 4.7 should set out clearly how the appropriate levels of contribution will be calculated, by reference to National Minerals Policy, the RSS, landbank and need. The way in which the terms “need” and “landbank” will be interpreted for purposes of the MWDF should be defined at this point in the document.

As the regional apportionment figure for aggregates could be reviewed and consequently change during the life of the Core Strategy, giving precise figures for the precise contribution in the reasoned justification or the accompanying policy (CS1) may give too little flexibility. It may therefore render the Core Strategy unsound as it is not flexible and consequently not effective in terms of PPS12 paragraph 4.52.

2. See the answer to 1.
3. **NO.** Draft RSS Policy 36 which is referred to in paragraph 4.10 does not identify the minerals in Leicestershire that are of regional and national significance either. By implication, the County Council does not intend to maintain supplies of non-energy minerals that are not in that category. This appears to conflict with Policy CS1 which does not distinguish between minerals of differing significance.

As drafted, it is doubtful that the apparent objective of paragraph 4.10 is deliverable or if the effectiveness can be monitored, thereby rendering the Core Strategy unsound.

If paragraph 4.10 defined which minerals were considered to be of regional and national significance, and policy CS1 was re-drafted to show how minerals in that category specifically would be treated, the Core Strategy could be made sound.

4. NO. In order to provide a robust methodology for assessing “adequate and steady supply” and “need”, CS1 should make a direct reference to the National and Regional Guidelines for Aggregates Provision. That is clearly the basis that Leicestershire intended to establish, the evidence being in the calculations associated with Box 1 and Box 2. That methodology cannot be used for other minerals, which do not have a Government monitoring and forecasting methodology like aggregates.
5. No comment.
6. No comment
7. No comment.
8. YES. As drafted if provision is only made for 5.7 million tonnes of sand and gravel and even if all the sites included in that provision come forward, are granted planning permission and yield the tonnages expected, the landbank will still fall below the 7 year minimum level advised in MPS1 (Annex1, Para.4.1) in 2014.

If Specific Sites are identified and Leicestershire County Council make a commitment to an early review of the Core Strategy and Sites Allocations DPD, this might just be workable. However, a far more realistic approach would be to identify a much greater tonnage of sand and gravel than the minimum, to allow a longer period before review of the Core Strategy is necessary on landbank grounds and to identify some Preferred Areas and Areas of Search.

This should all be set out in CS2 and the accompanying text. The present approach of minimal release of new sand and gravel resources is unlikely

to deliver an adequate and steady supply of materials and is not flexible enough to deal with changing circumstances. It renders the Core Strategy unsound on effectiveness grounds.

9. No comment. This appears to have been addressed by Leicestershire at para.18 of their Topic Note - Provision for Crushed Rock
10. No comment.
11. The 144 million tonnes surplus figure for crushed rock should be viewed in the context of the national policy set out in MPS1, Annex 1, para.4.1. The MWDF should aim to make provision to maintain a hard rock landbank of at least 10 years until 2021. Box 2 shows that this aim will only be met until 2019. If the lower AI figures are used, the crushed rock landbank will fall below the 10 year minimum figure in 2013. The completion of a review of the Core Strategy and the Site Allocations DPD by that time seems unlikely.

In addition, there is no evidence in the Core Strategy that Leicestershire CC have taken considerations of real need and real supply into account in accordance with paragraph 72 of the MPS1 Practice Guide. This relates in particular to the all-important national role that Leicestershire plays in meeting crushed rock aggregate needs outside the Region via rail-linked quarries.

The present approach of no identification of new crushed rock resources is unlikely to deliver an adequate and steady supply of materials and is not flexible enough to deal with changing circumstances. It renders the Core Strategy unsound on effectiveness grounds.

12. No comment
13. No comment
14. YES to both questions. Comments on this issue have already been made in response to questions 1, 4, 8 and 11. As drafted CS2 is unsound as it is ineffective on grounds of inflexibility.
15. No comment

16. No comment
17. No comment
18. NO. Each application whether for hard rock or sand and gravel should be considered on its merits with reference to the policies of the MDF.
19. NO; this is not positive enough. YES; those applying for planning permission which could sterilise a mineral resource should be required to show that they have actively considered prior extraction.

MPS1 (Paras 9 and 13) requires MPAs to ensure that as far as possible mineral resources are not needlessly sterilised by non-mineral development. As drafted, neither CS10 nor the accompanying text show how this will be achieved. The designation of MSAs will not by itself prevent sterilisation. CS10 or a development control policy should convey a presumption against incompatible development in MSAs unless prior extraction can be achieved or has been proved by the applicant to be impractical.

The submitted policy is unsound as it is not consistent with National Policy.

20. No comment
21. YES. The last three bullet points of MPS1 Paragraph 13 require that existing railheads are protected and that other minerals infrastructure sites should also be safeguarded, together with potential sites.

As drafted, CS10 is therefore inconsistent with National Policy and consequently unsound.