

Topic Note - Provision for Crushed Rock

1. This statement has been prepared to inform the Independent Examination for the submitted Core Strategy and Development Control Policies Development Plan Document (DPD) of the Leicestershire Minerals Development Framework.
2. This Statement sets out the Council's response to the Schedule of Issues and Matters for Discussion prepared by the Inspector in respect of the provision for crushed rock. Where it is appropriate, the Council's response utilises and refers to material in the Core Evidence Base already submitted.
3. The Inspector requested that the topic note should have regard to the related questions in the Issues and Matters for Discussion document (Minerals – General Matters and Aggregates) prepared by the Inspector; and that, in particular, the note should set out the stance of the Council in regard to provision for crushed rock in the light of the representations of Aggregate Industries UK Limited.
4. Related questions regarding crushed rock in the Issues and Matters for Discussion document (Minerals – General Matters and Aggregates) prepared by the Inspector are as follows:
 9. In respect of Para 4.26, what and where is the evidence base setting out information on permitted reserves and subsequent planning permissions?
 10. In Box 2 (and Policy CS2), does any adjustment need to be made for Rutland? Also, what are the figures from the emerging RSS?
 11. Have the figures in Box 2 been over-estimated? Will provision need to be made for future reserves at rail-linked sites? [Aggregate Industries]
 12. In Box 2, should the total requirement be given as 344.5m tonnes (as in Policy CS2)?
 14. Should there be greater flexibility with regard to landbanks (Policy CS2)? Should the landbanks to be maintained extend beyond the end of the plan period? [Quarry Products Association; Lafarge]
 16. In respect of the priority to be given to the extension of existing sites, should Croft Quarry be excluded / subject to additional protection? [BDC; Croft Parish Council]
 17. In respect of the priority to be given to the extension of existing sites, should Bardon be excluded? [Residents of Brickhill Cottage; Woodhouse Parish Council]
 18. Should Policy CS2 contain a presumption against the extraction of rock from new sites? [GOEM]
5. The Council's responses to these questions are indicated in italics together with the relevant question number.

6. The Government's latest forecast for future aggregates provision was published in June 2003. This forecast requires the East Midlands to provide 523 million tonnes of crushed rock between 2001 and 2016.
7. In February 2004, the East Midlands Regional Assembly approved sub- regional apportionments for each of the Mineral Planning Authorities across the region. Policy 36 of the draft RSS states that LDFs should seek to apply these aggregates apportionment figures. Figure 1 of the draft RSS indicates that Leicestershire should provide 262.5 million tonnes of crushed rock between 2001 and 2016. *The sub-regional apportionment figure remains unchanged in the Proposed Changes to the RSS. (Qu.10)*
8. *The sub-regional apportionment figure contained in Figure 1 of the draft RSS should be adjusted to allow for a contribution for Rutland (Qu.10), but the RSS only refers to the provision for 'Leicestershire' and does not make any specific provision for Rutland.*
9. The sub-regional apportionment agreed by the East Midlands Regional Assembly in 2004 was based on advice from the East Midlands Regional Aggregates Working Party (EMRAWP). The latest EMRAWP Annual Report (2006) provides a breakdown of the apportionment figures for crushed rock into limestone and igneous rock (Table 2). This indicates that Leicestershire/Rutland should provide 25.6 million tonnes of limestone at an annual average of 1.8 million tonnes; and that Derbyshire/Leicestershire should provide 236.9 million tonnes of igneous rock at an annual average of 14.9 million tonnes. A footnote to the table indicates that all of the igneous rock would be from Leicestershire due to lack of viable resources now available in Derbyshire.
10. The EMRAWP Report indicates that Leicestershire figures also include Rutland in order to protect commercial confidentiality. It is not possible to provide separate apportionment figures for Leicestershire and Rutland without breaching confidentiality, but the expected contribution from sites within Rutland based on historic sales figures is relatively low, around 2% of the total requirement. If one adjusts figures used in Box 2 to allow for a 2% contribution from Rutland's quarries, the requirement for Leicestershire would be amended as follows:

	Box 2 Figures	Amended Figures
a) Leicestershire requirement (2001-2016)	262.5 Mt	257.25 Mt
b) Annual requirement (over 16 year period)	16.4 Mt	16.1 Mt
c) Additional provision 2016-2021	82 Mt	80.5 Mt
d) Total requirement (2001-2021)	344 Mt	337.75 Mt

11. *To be arithmetically correct, the total requirement given in Box 2 (sub-section d) should be 344.5 million tonnes as in Policy CS2. (Qu.12)*
12. Policy CS2 states that the County Council will maintain landbanks for aggregate minerals in line with national and regional policy. This demonstrates a clear commitment to the maintenance of an adequate and steady supply of aggregates over the plan period to 2021. The policy does not establish any maximum landbank levels. *The Council does not consider that Policy CS2 needs to provide any greater flexibility with regard to landbanks. (Qu.14)*
13. As noted in Para 4.16, MPS1 indicates that there is no need to provide for the maintenance of a landbank at the end of the plan period, subject to monitoring and review. The Development Framework system is intended to be a flexible system that is continuously rolling forward. Should it become apparent through annual monitoring that the landbank may fall significantly below the level required over the period to 2021, then a review of the CS policies and/or accompanying Minerals Site Allocations DPD will, if necessary, be implemented to address the issue. *The Council does not therefore consider that it is necessary for landbanks to be maintained beyond the end of the plan period. (Qu.14)*
14. Information on permitted reserves is obtained by the County Council in the form of annual returns from individual operators for the RAWP. Each year the RAWPs carry out annual 'standard' surveys of permitted reserves, sales/production and planning decisions. Every fourth year RAWPs are committed to conducting a major in-depth study commissioned by the Department for Communities and Local Government known as an AM (Aggregates Monitoring) Survey. This covers some of these aspects in more detail and in addition, data on secondary aggregates, activities in environmentally designated areas and distribution of sales. Returns are made by individual operators to their MPA. The MPA collates information for its area before forwarding the collated data to the RAWP.
15. *The permitted reserves figure quoted in Box 2 is derived from the AM 2001 survey, adjusted for subsequent reassessments of reserves at Cliffe Hill and Cloud Hill quarries. (Qu.9)* The permitted reserve figure does not include dormant sites as defined in the Planning and Compensation Act 1991 and the Environment Act 1995. The detailed calculation of the permitted reserves figure quoted in Box 2 is set out below. An explanation of the figures that have been used is provided in paragraphs 16 and 17.

Permitted igneous rock reserves @12/01:	438.92 Mt
Permitted limestone reserves @ 12/01:	41.564 Mt
Igneous rock sales (2001):	14.357 Mt
Limestone sales (2001):	1.412 Mt
Total Reserves @ 1/1/01:	496.253 Mt

Minus reassessment for Cloud Hill Quarry:	20.8 Mt
Minus reassessment for Cliffe Hill Quarry:	3.729 Mt
Permitted reserves @1/1/01 (as in Box 2):	471.724 Mt

16. AM2001 was a full depth survey. Data from this survey was therefore considered to provide more accurate information for the baseline figure than AM2000, when operators were only asked whether any reassessment of reserves had occurred. AM2001 indicated that, as at the end of December 2001, Leicestershire had 438.92 Mt of permitted igneous rock reserves and 41.564 Mt of limestone reserves. When combined with the sales figure for 2001 of 14.357 Mt for igneous rock and 1.412 Mt for limestone, this made a total of 496.253 Mt of crushed rock at the commencement of the plan period.
17. The MLP Monitoring Report and Key Issues consultation undertaken in May 2003, and subsequent information provided by the minerals industry, has led to a further refinement of the reserve figures. In 2003, Midland Quarry Products informed the County Council of a reassessment of reserves at Cliffe Hill Quarry, down by some 3.7 Mt. This amendment is witnessed in the AM2001/2 returns, where permitted reserves between 2001-2 fell from 438.92 Mt to 420.54 Mt, whilst sales during 2002 were only 14.255 Mt – a net loss of around 4 million tonnes. In 2004, Ennstone Johnston informed the County Council of a significant reassessment of reserves at Cloud Hill Quarry, down by some 21 million tonnes. This amendment largely explains the difference in the AM2002/3 returns, where permitted limestone reserves between 2002-3 fell from 51.1 million tonnes to 26.373 million tonnes whilst sales during 2003 were only 1.596 Mt.
18. Information on additional reserves permitted since 2001 is derived from information supplied in planning applications submitted to the County Council for its determination. The County Council provides details of planning applications and decisions each year to the EMRAWP for inclusion in its Annual Report. *The additional reserve permitted at Breedon Quarry in 2006 is documented in the AM 2006 annual report. (Qu.9)*
19. The County Council is reliant on information provided by the Minerals Industry regarding permitted reserves. Such information is provided on a confidential basis. The foreword to the questionnaire for the last full depth survey in 2005 contained the following statement: "All sales and reserves information provided by respondents will be treated as strictly confidential and will not pass beyond the officer who the Chief Planning Officer of the Authority designates to receive and process it. This includes Regional Aggregates Working Party (RAWP) Secretaries. It will not be used unless it is first collated by the officer in such a way that individual company figures cannot be identified or unless consent of the company concerned is first obtained. The collated information may

then be used for the purposes of the work of the RAWPs or for mineral planning purposes by the Authority."

20. The AM2005 questionnaire also contained the following definition of Permitted Reserves for the Minerals Industry to follow in completing their returns: "Estimated reserves of aggregate minerals, including stockpiles, with planning permission that are saleable for aggregates and non-aggregate purposes at 31st December 2005. The figure should estimate net saleable reserves, taking account of likely losses during extraction and processing."
21. As far as the representation by Aggregate Industries (AI) is concerned (*Qu.11*), the County Council is not in a position to publish individual returns for specific quarries. The figures submitted by AI for their quarries Croft and Bardon are the same as the latest figures provided by the company in respect of AM2007. Other figures estimated by AI however do not tally with those submitted; in addition, AI figures do not include permitted reserves at 2 inactive sites (namely Charnwood and Whitwick).
22. The calculation in Box 2 is intended to show the County's ability to satisfy the sub-regional apportionment requirements for crushed rock provision. Para 4.26 concludes that there would be more than sufficient crushed rock reserves to meet requirements over the period to 2021. *Even taking the much lower figure of "unconstrained" reserves provided by AI, the overall conclusion remains the same in that there are sufficient reserves to meet requirements to 2021 (Qu.11)*, the surplus of 99 million tonnes being the equivalent of 6 additional years' reserves. If one takes AI's permitted reserves figure for 01-01-08 (total – 357 Mt), there would be a surplus of 144 Mt, almost 9 years' reserves.
23. As mentioned in Para 13 above, the plan will be subject to monitoring and review. The Council will need to give particular consideration to any revisions in national and regional guidelines for the provision of aggregates. In this respect, it is worth noting that draft revised National and Regional Guidelines for Aggregates Provision in England for the period 2005–2020 were published April 2008. The revised forecasts show a 7.9% decline in demand for primary aggregates at the national level over the period 2001–2016 compared to the previous guidelines published in June 2003. The draft revised regional guidelines would require the East Midlands to provide 500 million tonnes of crushed rock between 2005 and 2020, compared with 523Mt between 2001 and 2016. This represents an annual reduction of 1.45Mt. The decrease in forecast consumption of aggregates is explained by reduced demand for aggregates in the period 2001–2005 (despite continued growth in construction activity) and new construction activity growth rates.
24. The East Midlands Regional Assembly will be responsible for apportioning the regional guidelines to the local authority in collaboration with Mineral Planning Authorities, taking account of

technical advice from the Regional Aggregates Working Party. Aggregates apportionment is one of the issues that the Regional Assembly propose to undertake as part of a further 'Partial Review' of the Regional Plan that has been requested by the Government. This is due to be completed by 2011.

25. *Although the estimated reserves at permitted sites in the County are sufficient in overall terms to meet the sub regional apportionment and landbank requirements, the County Council acknowledges that reserves are not equally distributed and that individual sites themselves may not be able to maintain production over the plan period without the release of additional reserves. (Qu. 11)*
26. *Extraction of igneous rock is now concentrated at 4 main sites: Bardon; Cliffe Hill; Croft; and Mountsorrel, all of which are rail linked; while limestone is worked at Breedon Hill and Cloud Hill. The currently inactive quarries at Whitwick and Groby are both owned by Midland Quarry Products, who currently operate at Cliffe Hill Quarry. The County Council accepts that further extensions may be necessary in respect of some of the rail-linked sites before the end of the current plan period. Para 4.28 identifies a variety of circumstances under which proposals to extend existing sites may come forward during the MDF period. AI states that they are pleased to note that this is recognised. Para 4.28 goes on to state that such extensions to existing quarries may be appropriate in order to ensure continuity of supply, provided that the effects of the proposed development on the environment and residential amenity can be made acceptable. Policy CS2 provides for the release of reserves of crushed rock to be worked as extensions to existing extraction sites where they are required to ensure sustainable supply. (Qu. 11)*
27. *Policy CS16 indicates that the strategy for the transportation of minerals is to locate new working, inter alia, where rail/water transport could be secured. When read in conjunction with Policy CS2, this indicates a preference for extensions at quarries served by rail. (Qu. 15)*
28. *In respect of the priority to be given to the extension of existing sites, the County Council does not consider that either Croft Quarry (Qu. 16) or Bardon Quarry (Qu. 17) should be specifically excluded or subject to additional protection. It is not considered appropriate to restrict the extension of any particular quarries without detailed assessments of matters such as noise, blasting, landscape and visual impact. These matters are however addressed in various policies within the DPD, which as indicated in Para 1.11, should not be interpreted in isolation. Thus, whilst Policies CS1 and CS2 give priority to the extension of existing sites, they also state that proposals for minerals development will only be allowed where they will not cause unacceptable harm to the environment or communities, Policy CS11 sets out the strategy for environmental*

protection, Policy DC4 deals with sites of regional and local importance, and Policy DC12 deals with health and amenity. It is not considered necessary to repeat policies contained in development plans produced by District Councils. All proposals must be determined in accordance with the development plan, which currently includes saved policies contained in the adopted Blaby District Plan, such as Policy CE23 which seeks to protect the appearance or character of Croft Hill as an 'area of Local Landscape Value'.

29. *It is not considered that Policy CS2 should contain a presumption against the extraction of rock from new sites. (Qu.18)* As mentioned above, despite the overall reserve situation, reserves are not equally distributed between sites and individual quarries may not be able to maintain production over the plan period without the release of additional reserves. If satisfactory proposals for extensions to existing sites are not forthcoming, it might not be possible to maintain an appropriate landbank and production capacity such that the County would be unable to meet its required sub-regional apportionment. Whilst it may not be necessary to contemplate any new greenfield sites for rock extraction at the current time, it is considered appropriate for Policy CS2 to allow for the possibility of new rock extraction sites in certain circumstances. It is acknowledged that this matter will need to be closely monitored and the policy reviewed if necessary.