

# 1 Response Paper – Aims, Strategic Objectives and Spatial Priorities

## Purpose of Aims, Strategic Objectives and Spatial Priorities

- 1.1 As discussed in the Spatial Vision Topic Paper, the Spatial Vision for the Essex Minerals Local Plan (MLP) provides a picture of how mineral and mineral related development will be delivered in the County during the plan period, which extends to 2029.
- 1.2 To deliver the Spatial Vision, the MLP contains eight Aims which are supported by 14 Strategic Objectives. Each Aim seeks to address and mitigate potential economic, environmental and/or social impacts of different aspects of mineral development in recognition of the fact that sustainable development requires a balance of these three interdependent dimensions. Subsequently, the Strategic Priorities for Mineral Development section reorganises the different aspects of minerals development into the aforementioned three dimensions of sustainability. The strategic priorities in this Plan are designed to support and encourage sustainable development. They provide the essential framework to ensure that the right amount of minerals development takes place in appropriate locations, and at the right time, whilst respecting the constraints and maximising the opportunities provided by our unique environment.
- 1.3 Whilst the Strategic Objectives supporting the Aims were proposed to be amended ahead of the March 2021 Regulation 18 Consultation, and further amendments to those were proposed through representations received to that consultation, the Aims themselves are proposed to remain unchanged from those adopted in the 2014 MLP. For convenience these are set out below:
  - Aim 1 – To promote sustainable development.
  - Aim 2 – To promote a reduction in greenhouse gas emissions, including carbon, and to ensure that new development is adaptable to changes in climatic conditions.
  - Aim 3 – To promote social inclusion, human health and well-being.
  - Aim 4 - To promote the efficient use of minerals by using them in a sustainable manner and reducing the need for primary mineral extraction.
  - Aim 5 - To protect and safeguard existing mineral reserves, existing permitted mineral sites and Preferred Sites for mineral extraction, as well as existing and proposed sites for associated mineral development.
  - Aim 6 - To provide for a steady and adequate supply of primary minerals to meet future requirements.
  - Aim 7 - To protect and enhance the natural, historic and built environment in relation to mineral extraction and associated development.
  - Aim 8 - To reduce the impact of minerals extraction and associated development on the transport system.

## **Summary of Position Prior to March 2021 Regulation 18 (Reg 18) Consultation**

- The Aims and Strategic Objectives are in conformity with the objectives of the NPPF/PPG, both as they relate to mineral planning specifically and the wider remit of planning.
- There are no omissions within the Aims and Strategic Objectives which result in any issues of non-compliance with national policy.
- The review process allowed for Aims and Strategic Objectives to be re-listed - numerically for the Aims and alphabetically for the Strategic Objectives - for the purposes of more simplistic referencing.
- The review process required a number of amendments to be proposed for reasons of clarity and to accommodate changes in approach in relation to amendments made with regards to other sections of the Plan.

### **Impact of Revisions to NPPF 2021**

- 1.4 Whilst the definition in the NPPF of what constitutes sustainable development has been amended, the revisions to the February 2019 NPPF which resulted in the latest iteration published in July 2021 are not considered to impact on the review of the Aims, Strategic Objectives and Spatial Priorities.

### **Summary of Issues Raised through March 2021 Reg 18 Consultation**

- 1.5 Where support was received for the Aims, Strategic Objectives and Spatial Priorities, this was primarily from other planning authorities. Where objections were received in relation to these, this was largely due to the opinion that either policies in the MLP, or the Plan's overall approach, did not act to deliver them, rather than objections to the Aims, Strategic Objectives and Spatial Priorities themselves. The following broad issues were raised:
- Providing Certainty as to Where Minerals Development Will Take Place (Aim 1)
  - To promote the efficient use of minerals by using them in a sustainable manner and reducing the need for primary mineral extraction (Aim 4)
  - Whether the intention to protect and safeguard existing mineral reserves and the Agent of Change were appropriately articulated (Aim 5)
  - To provide for a steady and adequate supply of primary minerals to meet future requirements (Aim 6)
  - Delivering development which is economically, environmentally and socially sustainable
  - Issues related to a proposed flood scheme in the Coggeshall area
  - Promoting Geological Knowledge through the Minerals Local Plan, and
  - The Appropriateness of the Plan Period

## **Addressing Issues Arising Out of March 2021 Reg 18 Consultation**

- 1.6 This section acts to address the issues raised through the March 2021 Regulation 18 Consultation in relation to this policy, as set out above, and subsequently details any changes in approach made through their consideration. These changes of approach will be incorporated within The Draft Essex Minerals Local Plan 2025-2040 Regulation 18 document which will again be subjected to a Regulation 18 public consultation.
- 1.7 There now follows a discussion of each of the main issues raised during the March – April 2021 Reg18 Consultation in relation to this Plan section:

### Providing Certainty as to Where Minerals Development Will Take Place (Aim 1)

- 1.8 Part C of the Plan Vision currently states that ‘Sources of aggregate, whether primary, secondary or recycled, will be planned to serve the whole of the county and wherever possible located in proximity to the County’s main growth centres’ before listing where these growth centres were considered to be.
- 1.9 Through the Review it has been proposed by the MWPA to replace references to specific growth centres in Essex such as Chelmsford, Braintree and Colchester with a more general reference to unspecified ‘growth centres’. The rationale for this is that since the adoption of the MLP in 2014, many district authorities across Essex have formed partnerships through which joint plans are being produced alongside individual Local Plans. For example, the Strategic Plan for North Essex covers the administrative areas of Braintree, Colchester and Tendring whilst the South Essex Joint Strategic Plan covers the administrative areas of Basildon, Brentwood, Castle Point and Rochford within Essex, and the unitary authorities of Southend-on-Sea and Thurrock.
- 1.10 These plans aim to deliver growth in a more co-operative, strategic manner. One such approach being considered through these plans to better accommodate the growing population in Essex as a whole is the establishment of new garden communities to accommodate multiple district’s needs. Given this move towards more collaborative working and the subsequent revisions in approach to delivering strategic growth at the district level, current growth centres set out in the MLP may not be reflective of those growth locations that will emerge in future years. Furthermore, large scale development proposals (eg Nationally Significant Infrastructure Projects NSIPs) that may consume large amounts aggregates may be sited strategically and not necessarily within a ‘specific growth centre’.
- 1.11 Nonetheless, respondents stated that the removal of references to specific growth centres was contrary to the revised Strategic Objective 1d (Aim 1.4) which seeks to maintain a plan-led approach and provide certainty to Essex residents, the minerals industry, key stakeholders and future developers as to where minerals development will take place. It was further considered that the locational strategy base of the Plan would be weakened by altering the approach.

- 1.12 This is acknowledged, and it is noted that the re-basing of the Plan to 2040 provides for the opportunity for the MWPA to consider where growth is likely to occur in the County over the longer-term through an assessment of existing and emerging local plans, and long-term future NSIPs. As such, it is considered appropriate to re-introduce where the strategic growth and infrastructure locations are likely to be in the County to 2040 and consider the allocation of new mineral sites at least in-part on that basis.
- 1.13 It is also important to note that a key part of the revised Plan Strategy, which is to be preserved, is 'To provide for the best possible geographic dispersal of sand and gravel across the County, accepting that due to geographic factors the majority of sites will be located in the central and north-eastern parts of the County, (to support key areas of growth and development and to minimise mineral miles).' The Plan Strategy therefore ensures, where possible and geologically feasible, a geographical dispersal of sites, which would then act to ensure that key growth locations can be supplied.
- 1.14 Further, outside of the allocation stage, there is little specific policy relevance to specific growth locations in isolation with regards to the determination of mineral planning applications, assuming an application is coming forward on an allocated site where geographic dispersal would have already been considered by virtue of the allocation. Reference is made to Policy S5 - *Creating a Network of Aggregate Recycling Facilities* which is proposed to state that '*Proposals for new aggregate recycling facilities shall be located on the main road network in proximity to areas of development.*' alongside a number of other spatial criteria. It is stressed however that 'areas of development' is not intended to mean specific geographic locations for growth, rather the meaning behind 'areas of development' is intended to apply to examples of types of land where appropriate development would be more acceptable in principle, such as existing waste sites, construction sites, industrial areas and previously developed land. The removal of reference to specific key locations for growth is not considered to reduce the effectiveness or clarity of this policy, rather it acts to further promote the availability of recycled aggregate across Essex, which is considered to be a more sustainable approach rather than attempting to limit such provision to a number of specific locations.
- 1.15 To summarise, specific key centres of growth will be re-instated and site allocations made with the locations of these being a factor in site selection. However, it is proposed to replace 'key centres of growth' with 'areas of appropriate development' in relation to Policy S5: *Creating a Network of Aggregate Recycling Facilities* to provide a degree of flexibility with regards to where they can come forward in the County, within the context of the other criteria within the policy.

To promote the efficient use of minerals by using them in a sustainable manner and

#### reducing the need for primary mineral extraction (Aim 4)

- 1.16 It was raised through the consultation that whilst everything stated about protecting the resources Essex has and using them sparingly is correct, this is not being achieved. It was held that the speed and expansion of the excavations from the quarries already in use around Coggeshall does not display the protection and sparing use of the resources locally that is being suggested. Reference was also made to the fact that Coggeshall has had quarries in its vicinity for over 40 years and as yet it cannot be shown that the exhausted quarry is being put back into farm land or re landscaped for the use of the people as the area is still part of the other quarries.
- 1.17 The MWPA does not agree that the speed and expansion of the excavations from the quarries already in use demonstrates a lack of protection and sparing use of resources. Since the MLP was adopted in July 2014, sales of sand and gravel have been below the plan apportionment rate and relatively stable between 2015 – 2018 before reducing in light of impacts from the pandemic, first on data collation in 2020 resulting in a likely artificial suppression of sales reported in 2019, and secondly the actual suppression of sales likely caused by direct impacts of the pandemic in the time after.
- 1.18 It is accepted that a number of extensions to Bradwell Quarry were allocated in the MLP and have since been permitted for extraction. However, the majority of these extensions were expected to have a lifetime of between one and three years so the permitting of a number of these since the Plan was adopted seven years ago was expected and planned for. Further, throughout the Plan period, sites have been extracted below the annual rate which the Plan makes provision for, a rate which was derived from the then extant National and Regional Guidelines for Aggregate Provision.
- 1.19 With regards to restoration of the exhausted quarry, within the Site Profiles for Sites A3 – A7 in the adopted MLP, it is stated (inter-alia) that a Masterplan would be required covering Bradwell Quarry in its entirety. This Master Plan was submitted with extension sites A3 & A4 and a copy has been included at the end of this report (see Map 2). Restoration schemes for sites A3, A4, A5 and A7 have largely been approved in accordance with this Masterplan but taking onboard more detailed information obtained through the subsequent planning applications and EIA process. The implementation of some of the restoration scheme has been delayed in parts due to overlap with the strategic waste management development (ESS/34/15/BTE – IWMF).
- 1.20 Legal agreements have been required in association with the planning permissions for sites A3 and A4, A5 and A7 to ensure the delivery of the biodiversity areas and their long-term management.
- 1.21 Through the consultation, objections were also raised in relation to Aim 4 which sought to reduce the need for primary mineral extraction, firstly through reducing the demand for minerals and minimising waste, and secondly, by the re-use of mineral products and use of recycled aggregates. It was held that it is

not the role of the MWPA to interfere with the market directly and 'reduce demand' and nor does it have the ability, as it is the market that dictates demand and end use and not the MWPA. It was argued that if the MWPA was to seek to reduce demand by reducing the provision for any new quarries, the reality is that earlier targets on meeting provision for future developers, as set out in Strategic Objective 1d, would not be met. As such Aim 4 was contrary to Aim 1. It was also raised that the MWPA could not ensure the greater use of recycled material as this is a matter for the market, mineral specifications, and the economy. A representation clarified that the MWPA can make the policy climate positive for recycling operations to be developed, but not ensure the actual production of recycled aggregate, which is driven by economics.

- 1.22 Another representation stated that although the objective of promoting secondary aggregates is supported, they will not substitute primary extraction. The NPPF states that recycled, substitute and secondary materials will make a contribution to the supply of materials and should be considered before the extraction of primary materials but it is not the case as worded that the means of securing this objective will be a reduction in demand for minerals.
- 1.23 The MWPA accepts these arguments and agrees that its role is to make sustainable provision for a steady and adequate supply of minerals. It is clarified that the purpose of Strategic Objective 4a (Aim 4.8) is not to seek to reduce the demand for mineral as a whole. It is also not intended to suggest that the MWPA will proactively seek to reduce primary aggregate provision on the assumption that the resultant need gap will be filled by recycled aggregate. It is recognised that recycled aggregates only have a limited use given their low specification, and that the market has more or less met the technological limit of the volume of construction and demolition waste that can be recycled such that there is no evidence that there is the potential for this resource stream to significantly increase. The Aim states that the MWPA seeks to 'reduce reliance on primary mineral resources'. The MWPA is able to do this by making alternative materials more readily available and economically attractive by promoting a network of aggregate recycling facilities and subsequently safeguarding them (Policy S5, Policy S8/ emerging Policy S9), such that the 'demand' for primary minerals is reduced through the provision of economically viable alternatives. There has been no attempt to quantitatively reduce the provision of primary mineral in light of encouraging recycled mineral. The future provision of primary mineral is proposed to be based on an average of the last ten years of sales of primary aggregate, plus a buffer, in conformity with the NPPF. Aim 4 also includes the goal of 'minimising waste', of which one Plan measure is to encourage more sustainable building practices through Policy S4, which should also act to reduce primary aggregate demand through more sustainable procurement.
- 1.24 It is however accepted that other areas of the Plan articulate the intentions behind this Aim more clearly. This was raised in a representation, which noted that Table 2 of the MLP, which sets out what is considered to be sustainable mineral development in Essex, and supporting text to Policy S4 – *Reducing the*

*Use of Mineral Resources*, better articulated the intended provisions of Aim 4. This is agreed and therefore Aim 4 is intended to be amended such that it promotes the mineral supply hierarchy to reduce the need for primary extraction of minerals, rather than a reference to reducing demand, as set out in Table 1 of this report.

Whether the intention to protect and safeguard existing mineral reserves and the Agent of Change were appropriately articulated (Aim 5)

- 1.25 A number of representations were received which sought to align Strategic Objective 5a (Aim 5.9) more closely with the NPPF. It was proposed by the MWPA that the first bullet and introduction to Strategic Objective 5a (Aim 5.9) be amended as follows 'To identify and safeguard the following ~~mineral resources~~ in Essex:
- Sand and gravel, silica sand, brickearth, brick clay and chalk reserves which have potential current and/or future economic and/ or conservation value,
- 1.26 Representations stated that 'resources' should remain and the word reserve in the first bullet should be altered to resource. It was noted that in mineral planning terms, 'resource' refers to any mineral even if it does not have planning permission to extract, with 'reserves' being that mineral which does have explicit permission to be extracted. It was also noted that the objective refers to economic and conservation value and it was considered that this should be reworded to known locations of specific minerals resources of local and national importance to better align with the NPPF.
- 1.27 The MWPA agrees with the main point raised but notes that the first mention of 'resources' requires deletion as the Strategic Objective also includes references to other mineral developments rather than just mineral resources. Amendments are proposed to ensure that the Strategic Objective reflects the provisions of NPPF Paragraph 210c. The proposed amendments are set out in Table 1 of this report.
- 1.28 Representations were also received which requested a direct reference to the Agent of Change principle as set out in NPPF Paragraph 187 within the second bullet in relation to mineral infrastructure. An amendment is proposed to the second bullet of Strategic Objective 5a to make such a reference, as set out in Table 1 of this report.
- 1.29 An additional representation suggested further amendments to MLP Table 2: Sustainable Mineral Development in Essex under the Economic section to better reflect the NPPF. This is accepted and an amendment is proposed in Table 1 of this report.

To provide for a steady and adequate supply of primary minerals to meet future

## requirements (Aim 6)

- 1.30 A number of representations were received which questioned whether Aim 6, namely 'To provide for a steady and adequate supply of primary minerals to meet future requirements.' was being achieved. Reference was made to revised Strategic Objective 1d which required the maintenance of 'a plan-led approach to future provision'. It was noted that 'future provision' is limited by the Plan to the next 8 years (to 2029) assuming that a Plan could be adopted in 2021, which was not considered to be feasible. As no Call for Sites was being considered through the Review at that time, it was also held that there was no certainty over future provision as there was only the ability for industry to come forward with planning applications on the remaining sites allocated in the Plan. It was noted that any sites outside of those areas, inclusive of potential sustainable extensions to existing operations, would have to proceed on the basis of risk - tested against a policy where there is a resistance to sites/applications outside of allocations. This was not considered to be in conformity with the need to secure a steady and adequate supply to meet future needs.
- 1.31 A further representation stated that the Plan will have an insufficient landbank of sand and gravel permitted reserves post 2024. The representation highlighted Planning Practice Guidance for Minerals (paragraph 080) which is clear that 'Landbanks of aggregate mineral reserves, or aggregate landbanks, are principally a monitoring tool to provide a mineral planning authority with early warning of possible disruption to the provision of an adequate and steady supply of land-won aggregates in their particular area'. It was additionally noted that the PPG states that 'Aggregate landbanks should be used principally as a trigger for a mineral planning authority to review the current provision of aggregates in its area and consider whether to conduct a review of the allocation of sites in the plan. In doing so, it may take into account the remaining planned provision in the minerals local plan'. It was argued that currently the MPA is using this figure as a cap/limit to supply which is contrary to the NPPF and PPG for Minerals.
- 1.32 It was also noted that prior to 2024, the landbank position is precarious with permitted reserves only just in excess of the 7 years minimum provision required by the NPPF. As such, failure to deliver any of the remaining site allocations (preferred or reserve sites) further weakens that position.
- 1.33 Partly in light of representations made along this theme, the MWPA departed from its previous position of limiting the Plan Review to 2029 and not seeking to allocate additional sites as part of the MLP Review. The Plan Review now seeks to extend the Plan horizon to 2040 and site allocations are proposed to be made accordingly through a Call for Sites and assessment process.
- 1.34 With regards to the above highlighted PPG statement: 'Aggregate landbanks should be used principally as a trigger for a mineral planning authority to review the current provision of aggregates in its area and consider whether to conduct a review of the allocation of sites in the plan.' The MWPA contends that it has



followed this process. Forecasts of the future landbank have been undertaken throughout the Plan Review and was used firstly to justify carrying out a Call for Sites following completion of the MLP Review as it was considered that a seven-year landbank could be maintained until that time, meaning that there would be no disruption to the provision of an adequate and steady supply of land-won aggregates. Subsequently, when considering additional evidence submitted through the Regulation 18 consultation in April 2021, including the forecasted landbank position, a Call for Sites took place in early 2022. Following a consideration of responses from the Informal Engagement on Policy S6 in March 2022 as well as wider engagement, an additional Call for Sites on the basis of a Plan period extending to 2040 will take place as part of the Review to ensure that a minimum of seven years of sand and gravel can be maintained throughout the Plan period. Assuming that sufficient suitable sites are submitted across the two Call for Sites, allocations will be made up to an amount sufficient to maintain a sand and gravel landbank of seven years at the end of the Plan period in 2040. These allocations and revisions to Policy S6 will be subject to an additional Regulation 18 consultation in 2023 and will be based on landbank forecasts across the revised Plan period.

- 1.35 The landbank has therefore not been used as a cap or limit beyond its use as an indicator of need for additional sites, which the PPG establishes is its primary role, and to set an overall need amount to be met by allocations which is a requirement of a Plan-led system.
- 1.36 It was also stated through the consultation that Strategic Objective 6a (Aim 6.10) required that quantifying a steady and adequate supply of minerals includes having regard to past levels of sales and likely future demand, and that this should result in a reduction in the annual requirement, based on information set out in the Local Aggregate Assessment.
- 1.37 This is acknowledged. Following the expiration of the last set of guidelines for aggregates provision, upon which the current plan provision figure is based, it was then proposed through the informal engagement supporting the Call for Sites in March 2022 to adopt a new plan provision figure equating to an average of the last ten years of sales plus 20%. Based on the latest figures at that point, this would have resulted in a reduction from the current plan provision figure. Following the decision to re-base the Plan to 2040, a new plan provision figure will be calculated based on the methodology as set out in the NPPF Paragraph 213 and this will be presented at the Regulation 18 consultation in 2023.
- 1.38 Another respondent highlighted the requirement for Essex County Council in its role as the MWPA to be a member of an Aggregates Working Party, with the party of relevance to Essex being the East of England Aggregates Working Party (EoEAWP). It was highlighted that the NPPF states that minerals plans should take account of the advice of the Aggregate Working Parties and the National Aggregate Co-ordinating Group as appropriate, and that the EoEAWP also provides a helpful forum for the Minerals Product Association to provide updates and guidance from an industry perspective.

- 1.39 On this point, it was noted from the draft EoEAWP minutes published in February 2021 that despite a downturn in the demand for aggregates throughout 2020 caused by the Covid-19 pandemic, the demand for mineral products improved in the second half of 2020. Further, the pace of recovery also suggested that the mineral products market is catching up with the pandemic related slow down quicker than the rest of the economy, with monthly construction output in November 2020 exceeding pre-pandemic levels of output, and output will fully recover from pandemic related losses on an annual basis in 2022.
- 1.40 Reference was also made to a more recent update from the Construction Products Association (dated 26th April 2021) which continued to highlight that the construction industry is still one of the fastest recovering sectors in the UK economy. It was concluded that these figures, and the Government's Infrastructure Programme, are frequently discussed within the EoEAWP, and there was therefore a need to recognise and react to key discussion points through the MLP. This would achieve Strategic Objective 10 (now 6a) and ensure compliance with the aims of the NPPF and NPPG.
- 1.41 The MWPA notes that it attends all meetings of the EoEAWP. With regards to those points raised in relation to forecasted growth in the construction sector, these are acknowledged. Through the informal engagement supporting the Call for Sites in March 2022, it was proposed to adopt a new sand and gravel provision figure which would be a reduction on the adopted level of provision. It is however noted that sand and gravel sales in 2020 equated to 65% of the adopted rate of provision. Even when considering pre-pandemic levels of sales, these never exceeded 80% of the adopted rate of provision other than for a single outlier which represented 98% of the current rate.
- 1.42 Through the informal engagement in March 2022, the MWPA proposed to set a revised provision at a rate equating to an average of the last ten years of sales plus 20%, and allocate sites to provide for a seven year landbank at the end of the Plan period based on the proposed new provision. The new methodology was considered to be in accordance with the NPPF and the new plan provision rate would replace the existing figure which is based on expired guidelines. The revised figure was still considered to enable the Plan to respond flexibly to growth. Based on the latest data as existed at that point in time, the new provision would have been 3.74mtpa, with the 2020 sales figure being 75% of this provision rate, and pre-pandemic sales being approximately 90% of this provision rate, allowing for approximately a 10% growth in sales above pre-pandemic levels. Following the decision to re-base the Plan to 2040, a new mineral provision figure will be calculated based on the methodology set out in the NPPF Paragraph 213.

Delivering development which is economically, environmentally and socially sustainable

- 1.43 A respondent considered that the MLP was not delivering development, which was economically, environmentally and socially sustainable, due to a quarry

extension proposal at Coggeshall which to date had been subject to pre-application discussions and a public consultation managed by the site promoters. Concern was raised that the extension would see extraction encroach into a new field and end in proximity to a historic barn, as well as onto a road, approximately half a mile from the centre of Coggeshall. It was held that this does not promote the plan approach of social or environment protection. Such an application was considered to be a disaster for the historic town of Coggeshall. Reference was made to Paragraph 3.8 of the MLP which expresses that the plan is in favour of sustainable development in Essex and Policy S1 that states that the Minerals Planning Authority will work proactively with applicants to quarry on this area.

- 1.44 The MWPA notes that Paragraph 3.8 of the MLP echoes the presumption in favour of sustainable development as set out in Paragraph 11 of the NPPF 2021. Policy S1 states that the MWPA *'will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure minerals development that improves the economic, social and environmental conditions in the area'*. It is considered appropriate that the MWPA work proactively with operators when applications are submitted. This is not necessarily to facilitate the development as submitted but to ensure that the applications conform with the Development Plan and secure long-term benefits for the local area, in order to aid in the delivery of the aforementioned presumption in favour of sustainable development. The scheme referenced is discussed in more detail below.

#### Issues related to a proposed flood scheme in the Coggeshall area

- 1.45 With regards to the site-specific comments received, it is presumed that this consultation response primarily relates to a proposed flood alleviation venture between a private company and the Environment Agency which would involve the establishment of a quarry to facilitate the creation of flood defences. Whilst the MWPA notes the comments received, at the point of the April 2021 Regulation 18 consultation, this was not a site that was being proposed for allocation through the MLP Review. However, land pertaining to the same area was submitted through the Call for Sites exercise in March 2022 as a candidate site for future sand and gravel extraction. The site will therefore be assessed under the site selection methodology that all sites received through the March 2022 Call for Sites exercise will be subjected to, and the outcome of that assessment will form part of a second Regulation 18 consultation in 2023. It is further noted that the evidence supporting this submission states that a 'planning application for the flood alleviation scheme will come forward during 2022'. This would pre-date the adoption of any new Preferred Site allocations through the MLP Review.
- 1.46 Any application submitted to work a site that is not allocated as a Preferred Site in the MLP will be assessed against the relevant policy framework in the adopted MLP, particularly Policy S6, at the point of an application being submitted. The issues raised in the response would be required to be

considered, particularly under Policy DM1. A specific public consultation exercise on that application would subsequently form part of the determination process. As of August 2022 an application has yet to be submitted and therefore there is no application before the MWPA to determine.

- 1.47 Mitigation of any potential site-specific adverse impacts of proposed development would therefore be addressed through the planning application process, including those impacts which are cumulative. This includes landuse matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency.
- 1.48 Further, conditions attached to the granting of planning permission would be expected to be complied with. Failure to adhere to these conditions can result in enforcement action against the operator.

#### Promoting Geological Knowledge through the Minerals Local Plan

- 1.49 A representation stated that you could add to the sustainability of development as articulated under Paragraph 3.4 of the MLP by creating opportunities for the enhancement of geological knowledge. An additional Aim was suggested, which was to 'encourage the maximum contribution to the geological knowledge of the county through access to log and sample geological exposures created by quarrying operations.'
- 1.50 The MWPA notes that when a site is considered for allocation, part of requested supporting information is a schedule of borehole logs taken from across the site. These borehole logs could be publicly available. In addition, when a mineral planning application is made the application would also often be supported by borehole log data taken from across the application site, which could also be publicly available. However, once works begin on a site, this is by way of a commercial operation, and the MWPA has no authority to request such information is recorded as part of the public record as it is commercially sensitive. The MWPA is also unable to grant public access to commercial operations on a private site. Whether members of the public would be allowed on site to provide the opportunity to log and sample the mineral deposits as they are revealed during working would be a business decision made by the operator/landowner. Such requests would be required to be made to them.

#### The Appropriateness of the Plan Period

- 1.51 Representations were received which questioned the appropriateness of the Plan period. It was stated that the Plan is not providing a steady and adequate supply to meet future needs as the Plan period is limited to 2029 and not a full 15-year Plan period. This was considered to mean that there is insufficient flexibility built into the Plan to support minerals development coming forward. This is acknowledged and the Plan period is being revised to 2040 accordingly.
- 1.52 Reference was also made to the draft minutes of the EoEAWP meeting where it was noted that proposed amendments to the NPPF were discussed, and that

the suggested changes by central Government have led to ambiguity as to whether minerals plans should consider a 30-year period from adoption rather than 15 years. It was considered that should 30 years be deemed appropriate, the MWPA will need to consider the capacity of existing sites for an extended period, or new sites if not meeting demand, and this will need to be reflected in further reviews and possible amendments to the MLP.

- 1.53 The MWPA considers that any ambiguity is now clarified in the current iteration of the NPPF published in July 2021. Paragraph 22 of the NPPF states that 'Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.' The MWPA notes that mineral developments can be considered 'significant' and take decades to work and restore, but that this is not to the extent of delivering whole new settlements or substantial extensions to existing urban areas that themselves would take decades to deliver. As such, the current timeframe for the MLP, which includes an extension to the Plan horizon to 2040 (ie 15 years from expected adoption) is considered to remain appropriate.

### Conclusion

- 1.54 It was suggested through the consultation that the MLP was delivering development which was not meeting economic, social and environmental sustainability objectives. This stance is not agreed with as it is considered that the policies within the MLP act to deliver the Aims and Sustainability Objectives of the MLP and ensure that these three pillars of sustainability are appropriately balanced. It is important to note that at the site specific level, the planning system requires the mitigation of any potential site-specific adverse impacts of proposed development, and these would therefore be addressed through the planning application process, including those impacts which are cumulative. This includes land-use matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency.
- 1.55 It was also suggested that the MLP was not making a prudent use of resources. However, the MLP must first make provision for demand. It can however seek to reduce reliance on primary resources and therefore the demand for new minerals. This can be through aiding in the facilitation of the provision of recycled alternatives by having permissive policies regarding the development of recycled aggregate facilities as well as encouraging sustainable construction techniques. Data analysis has demonstrated that sites are currently being extracted below the annual rate for which the Plan makes provision for, with this rate being derived from the then extant National and Regional Guidelines for Aggregate Provision. As part of the Plan Review, it is proposed to make provision for a lower rate of minerals to better reflect current sales but whilst still accommodating the potential for growth, and plan amendments will be made accordingly.

- 1.56 It was also questioned through the consultation in April 2021 whether the Plan was delivering on its requirement to ensure a steady and adequate supply of aggregates, or in other words it was questioned as to whether the Plan was being developed to provide sufficient mineral across the plan period. These issues were subsequently addressed through the additional Informal Engagement on Policy S6 held between February - March 2022, which concerned the proposal to reduce the annual provision of mineral in light of the expiration of extant national Guidelines and the resultant requirement to use the NPPF derived methodology to quantify mineral need. This engagement also included a Call for Sites. This was a change to the original approach of postponing any Call for Sites to after the MLP Review, as was proposed in the first Regulation 18 consultation undertaken between March – April 2021. Following additional consideration of the responses to the Regulation 18 consultation, the Informal Engagement on Policy S6 and further information, it is now proposed to extend the Plan horizon to 2040 and a further Call for Sites has been initiated to address this extension. With the decision to re-base the Plan to 2040 having been made, a new rate of mineral provision will be derived through the methodology set out under NPPF Paragraph 213 which will equate to a steady and adequate supply of minerals based on a forecast supported by the latest sales data.
- 1.57 It was also considered by respondents that by proposing to remove references to specific growth locations the spatial strategy was being weakened which would also reduce certainty for the minerals industry with regards to where mineral applications will be supported. This is acknowledged, and it is noted that the re-basing of the Plan to 2040 provides the opportunity for the MWPA to consider where growth is likely to occur in the County over the longer-term through an assessment of existing and emerging local plans. As such, it is considered appropriate to re-introduce where the strategic growth locations are likely to be in the County to 2040 and consider the allocation of new mineral sites at least in-part on that basis. However, it is still proposed to replace ‘key centres of growth’ with ‘areas of development’ in relation to Policy S5: *Creating a Network of Aggregate Recycling Facilities* to provide a degree of flexibility with regards to where they can come forward in the County, within the context of the other criteria within the policy.
- 1.58 A respondent suggested that the MLP Review afforded the opportunity to use mineral extraction as a way of increasing local geological knowledge. However, as minerals are extracted as commercial operations by private industry, the MWPA is not able to require the release of sensitive commercial data beyond that submitted as part of planning applications.
- 1.59 A number of other changes were proposed through the consultation to Aims and Strategic Objectives to clarify intentions or to ensure that the stated Aims and Objectives better reflected the NPPF. These were largely accepted and a table setting out all additional proposed amendments to this plan section is set out below. These will be incorporated prior to further public consultation where they remain relevant to the re-based Plan.

**Table 1: Schedule of Proposed Amendments to Aims, Strategic Objectives and Spatial Priorities following March 2021 Regulation 18 Consultation on MLP Review**

Old Ref	New Ref	Proposed Amendment
Strategic Objective 8	Aim 4, Strategic Objective 4a	a) To reduce reliance on primary mineral resources in Essex, firstly through <del>reducing the demand for minerals</del> <u>promoting the mineral supply hierarchy to reduce the need for primary extraction of minerals</u> and, <u>secondly, by</u> minimising waste, <del>and secondly, by the re-use of and use of recycled aggregates.</del> <u>by requiring that as much demolition, construction and excavation waste is re-used and/ or recycled as practicable.</u>
Strategic Objective 9	Aim 5, Strategic Objective 5a	To identify and safeguard the following mineral resources in Essex:
Strategic Objective 9, first bullet point	Aim 5, Strategic Objective 5a, first bullet point	Sand and gravel, silica sand, brickearth, brick clay and chalk reserves <u>resources</u> which have potential <del>current and/or future economic and/ or conservation value</del> <u>local and/ or national importance</u> , to ensure that the practicality of prior extraction of mineral is appropriately assessed when other necessary non-mineral development might unnecessarily sterilise viable mineral resources.
Strategic Objective 9, second bullet point	Aim 5, Strategic Objective 5a, second bullet point	<del>Existing and potential secondary processing and aggregate recycling facilities that are of strategic importance for future mineral supply ,</del> <u>permitted and allocated mineral infrastructure to prevent sensitive or inappropriate development that would conflict with the use of these sites, in accordance with the Agent of Change principle.</u> <del>ensure that these are not compromised by other non-mineral development.</del>
Table 2, Economic	Table 2, Economic	Safeguarding <u>known</u> sand and gravel, brickearth, brick clay and chalk <u>resources</u> .

**Table 2: April 2021 Regulation 18 Consultation Responses to Aims, Strategic Objectives and Spatial Priorities**

ORGANISATION	ON BEHALF OF	AIMS, STRATEGIC OBJECTIVES AND SPATIAL PORTRAIT	AIMS, STRATEGIC OBJECTIVES AND SPATIAL PORTRAIT	ECC RESPONSE
Name of Organisation	Are you responding on behalf of another individual or organisation? - If Yes, Who?	1.Do you agree or disagree with the rationale behind the amendments proposed in this section of the emerging Minerals Local Plan? (see Rationale Report)	Please provide any comments below:	
Runwell Parish Council (631132323)	Runwell Parish Council	Agree	N/a	Noted.
W H Collier Limited (769297167/ 942768790)		Agree		Noted.
Thurrock Borough Council (97704900)	Thurrock borough Council	Agree	No additional comment.	Noted.
Blackwater Aggregates (623162177)		Agree		Noted.



CEMEX (982058282)		Agree		Noted.
Gent Fairhead Aggregates (871678397)		Agree		Noted.
Resident (850344129)		Agree		Noted.
David L Walker Ltd (559449615)	Brice Aggregates	Agree		Noted.
GeoEssex (538324742)		Agree (but wish to clarify)	3.4 add to sustainability of development by creating opportunity for the enhancement of geological knowledge.	When a site is considered for allocation, part of requested supporting information is a schedule of borehole logs taken from across the site. These borehole logs could be publicly available. In addition, when a mineral planning application is made the application would also often be supported by borehole log data taken from across the application site, which could also be publicly available. However, once works begin on a site, this is by way of a commercial operation, and the MWPA has no authority to request such information is recorded as part of the public record as it is commercially sensitive. The MWPA is also unable to grant public access to commercial operations on

				private land. Whether members of the public would be allowed on site to provide the opportunity to log and sample the mineral deposits as they are revealed during working would be a business decision made by the operator/ landowner. Such requests would be required to be made to them.
Coggeshall Parish Council (598729813)	Coggeshall parish council	Agree (but wish to clarify)	Everything stated about protecting the resources Essex has and using them sparingly is correct. However the speed and expansion of the excavations from the quarries already in use around Coggeshall does not display the protection and sparing use of the resources locally that you are trying to suggest. Coggeshall has had quarries in its vicinity for over 40 years. As yet it can not be shown that the exhausted quarry is being put back into farm land or re landscaped for the use of the people. The area is still part of the other quarries .	The MWPA does not agree that the speed and expansion of the excavations from the quarries already in use demonstrate a lack of protection and sparing use of resources. Since the MLP was adopted in July 2014, sales of sand and gravel have been below the plan apportion rate and relatively stable between 2015 – 2018 before reducing in light of impacts from the pandemic, first on data collation in 2020 resulting in a likely artificial suppression of sales reported in 2019, and secondly the actual suppression of sales likely caused by direct impacts of the pandemic in the time after.

				<p>Further, throughout the Plan period, sites have been extracted below the annual rate which the Plan makes provision for, a rate which was derived from the then extant National and Regional Guidelines for Aggregate Provision.</p> <p>It is accepted that a number of extensions to Bradwell Quarry were allocated in the MLP and have since been permitted for extraction. However, these extensions were expected to have a lifetime of between one and three years so the permitting of a number of these since the Plan was adopted seven years ago was expected.</p> <p>With regards to restoration of the exhausted quarry, within the Site Profiles for Sites A3 – A7 in the adopted MLP, it is stated (inter-alia) that a Masterplan would be required covering Bradwell Quarry in its entirety. This Master Plan was submitted with extension</p>
--	--	--	--	---

				<p>sites A3 &amp; A4 and a copy has been included at the end of this report (see Map 2). Restoration schemes for sites A3, A4, A5 and A7 have largely been in accordance with this Masterplan, but taking onboard more detailed information obtained through the subsequent planning applications and EIA process. The implementation of some of the restoration scheme has been delayed in parts due to overlap with the strategic waste management development (ESS/34/15/BTE – IWMF).</p> <p>Legal agreements have been required in association with the planning permissions for sites A3 and A4, A5 and A7 to ensure the delivery of the biodiversity areas and their long-term management.</p>
Strutt & Parker (891506607)	G&B Finch	Agree (but wish to clarify)	The amendments to the Aims and Strategic Objectives are broadly supported, in that the reasoning for amendments as set out in the Rationale Report ensure the Strategic Objectives will be in line with updated Policy	Noted.

			and Guidance.	
Kelvedon & Feering Heritage Society (677892382)		No comment		Noted.
Suffolk County Council (549043477)		No comment	No comment.	Noted.

<b>ORGANISATION</b>	<b>ON BEHALF OF</b>	<b>AIMS, STRATEGIC OBJECTIVES AND SPATIAL PORTRAIT</b>	<b>AIMS, STRATEGIC OBJECTIVES AND SPATIAL PORTRAIT</b>	<b>ECC RESPONSE</b>
Name of Organisation	Are you responding on behalf of another individual or organisation? - If Yes, Who?	2.Do you agree or disagree with the proposed amendments as set out in this section of the emerging Minerals Local Plan?	Please provide any comments and/or alternative wording for this section of the Plan below:	
Runwell Parish Council (631132323)	Runwell Parish Council	Agree	N/a	Noted.
W H Collier Limited (769297167/		Agree		Noted.

942768790)				
Thurrock Borough Council (97704900)	Thurrock borough Council	Agree	No additional comment.	Noted.
Blackwater Aggregates (623162177)		Agree		Noted.
CEMEX (982058282)		Agree		Noted.
Gent Fairhead Aggregates (871678397)		Agree		Noted.
Resident (850344129)		Agree		Noted.
Kent County Council (266388168)		Agree	The Plans Aims and Objectives of the Plan is considered to support the objective of providing for sustainable use of minerals and is in accord with the NPPF 2019.	Noted.
David L Walker Ltd (559449615)	Brice Aggregates	Agree		Noted.
Maldon District Council (268919580)		Agree	MDC notes that ECC considers the aims and strategic objectives of the MLP are in conformity with the specific minerals requirements set out in the National Planning Policy Framework (NPPF) and the broader remit of the NPPF and associated guidance requiring the presumption in favour of sustainable development. MDC	Noted, although following a consideration of consultation responses received as part of the Regulation 18 consultation and Informal Engagement on Policy S6, it is now considered appropriate to re-base the MLP to 2040 and therefore two Call for Sites exercises to support this revised timescale

			<p>accepts that on this basis, no significant amendments are proposed by ECC to the MLP but that the Review does allow for minor changes that better reflect the NPPF as updated in 2019 and best practice since the MLP was adopted in 2014.</p>	<p>were undertaken.</p> <p>These are recognised as major amendments to the approach and as such, a revised Regulation 18 consultation will be undertaken, to include all further Plan amendments and the interim assessment results arising from the assessment of candidate sites received through the Call for Sites process.</p>
<p>CPRE Essex (665562826)</p>		<p>Agree (but wish to clarify)</p>	<p>With regard to Aim 6 : To provide for a steady and adequate supply of primary aggregates and industrial minerals by taking into account, inter alia, past levels of sales and likely future demand - see comments below (see respondents comment under Spatial Portrait and Key Mineral Planning Issues Q1) regarding the need to review downward the annual provision target.</p>	<p>The current apportionment of 4.31mtpa was derived from the 'National and regional guidelines for aggregates provision in England 2005 to 2020' (the Guidelines) which have since expired. As of August 2022, no new Guidelines have been put in place and there has been no indication that the figures in the expired Guidelines are to be 'rolled forward'. As such they are not considered to be extant and capable of being used as a justification for a plan provision figure.</p>

				<p>Following the expiration of the last set of guidelines for aggregates provision, upon which the current plan provision figure is based, it was then proposed through the informal engagement supporting the Call for Sites in March 2021 to adopt a new plan provision figure equating to an average of the last ten years of sales plus 20%. Based on the latest figures at that point, this would have resulted in a reduction from the current plan provision figure. Following the decision to re-base the Plan to 2040, a new plan provision figure will be calculated based on the methodology as set out in the NPPF Paragraph 213 and this will be presented at the Regulation 18 consultation in 2023.</p>
GeoEssex (538324742)		Agree (but wish to clarify)	<p>Aims 7 Add – to encourage the maximum contribution to the geological knowledge of the county through access to log and sample geological exposures created by quarrying operations.</p>	<p>When a site is considered for allocation, part of requested supporting information is a schedule of borehole logs taken from across the site. These borehole logs could be publicly available. In addition, when a mineral planning</p>



				<p>application is made the application would also often be supported by borehole log data taken from across the application site, which could also be publicly available. However, once works begin on a site, this is by way of a commercial operation, and the MWPA has no authority to request such information is recorded as part of the public record as it is commercially sensitive. The MWPA is also unable to grant public access to commercial operations on private land. Whether members of the public would be allowed on site to provide the opportunity to log and sample the mineral deposits as they are revealed during working would be a business decision made by the operator/ landowner. Such requests would be required to be made to them.</p>
<p>Bretts (203253168)</p>		<p>Agree (but wish to clarify)</p>	<p>Aim 1 d) This is supported, however it is considered that Essex are not demonstrating that they are meeting this proposed 'new' objective 'to maintain a plan-led</p>	<p>The MWPA departed from its previous position of not seeking to allocate additional sites following an assessment of responses received at the first Regulation 18</p>

			<p>approach to future provision, providing reassurance for Essex residents, the minerals industry, key stakeholders and future developers that future needs can be met, whilst also providing a degree of certainty as to where minerals development will take place.'</p> <p>Aim 4 a) The wording of Aim 4 a) 'To reduce reliance on primary mineral resources in Essex, firstly through reducing the demand for minerals and minimising waste, ad secondly, by the re-use of minerals products and use of recycled aggregates' should reflect that it is the market that dictates demand and end use and not the County Council.</p> <p>This target reads that Essex are seeking to reduce the provision for any new quarries, however</p>	<p>consultation which closed in Aril 2021. It is considered that the revised approach, which was also informed by an assessment of comments to the Informal Engagement on Policy S6, to include a Call for Sites and an extension of the Plan to 2040, ensures a 'plan-led approach to future provision'</p> <p>The suggested inference is not the purpose of Aim 4a (Aim 4.8) and the role of the MWPA in making provision for a steady and adequate supply of minerals is accepted. The Aim states that the MWPA seeks to 'reduce reliance on primary mineral resources'. The MWPA is able to do this by making alternative materials more readily available and economically attractive by promoting a network of aggregate recycling facilities and subsequently</p>
--	--	--	--	--

			<p>the reality is that if this occurred then earlier targets on meeting provision for future developers (3.2 4 d) would not be met.</p> <p>Improved wording could be as set out in 3.6 Table 2 Environmental: 'Promoting the mineral supply hierarchy to reduce to the need for primary extraction of minerals'. Similarly, another example of positive promotion of recycled aggregates is as at Strategy 3.33 '...aims to ensure that as much demolition, construction and excavation waste is re-used or recycled...'</p>	<p>safeguarding them (Policy S5, Policy S8/ emerging Policy S9), such that the 'demand' for primary minerals is reduced. The Aim also includes the goal of 'minimising waste', of which one Plan measure is encouraging more sustainable building practices through Policy S4.</p> <p>It is however accepted that other areas of the Plan articulate this intention more clearly and the Aim will be updated in line with the suggestion made, as follows:</p> <p>a) To reduce reliance on primary mineral resources in Essex, firstly through <del>reducing the demand for minerals</del> <u>promoting the mineral supply hierarchy to reduce the need for primary extraction of minerals</u> and, <u>secondly, by</u> minimising waste, <del>and secondly, by the re-use of and use of recycled aggregates.</del> <u>by requiring that as much demolition, construction and excavation</u></p>
--	--	--	--	--

			<p>Aim 5 a) The word 'resource' should remain and the word reserve in the first bullet should be altered to resource. Essentially the potential for the sterilisation of mineral should be tested prior to any other development. Resource refers to any mineral even if it does not have planning.</p> <p>The agent of change principle should be referenced at the second bullet point in respect of mineral infrastructure.</p>	<p><u>waste is re-used and/ or recycled as practicable.</u></p> <p>Agreed. It is proposed to amend Aim 5a, (Aim 5.9) as follows:</p> <p>To identify and safeguard the following <del>mineral resources</del> in Essex:</p> <ul style="list-style-type: none"> <li>• Sand and gravel, silica sand, brickearth, brick clay and chalk <del>reserves</del> <u>resources</u> which have potential <del>current and/or future economic and/ or conservation value</del> <u>local and/ or national importance</u>, to ensure that the practicality of prior extraction of mineral is appropriately assessed when other necessary non-mineral development might unnecessarily sterilise viable mineral resources.</li> </ul> <p>Agreed. The following additional amendment is proposed to the second bullet point of Aim 5a (Aim 5.9):</p> <p>Existing <del>and potential</del> <u>secondary processing and</u></p>
--	--	--	--	---

				<p><del>aggregate recycling facilities that are of strategic importance for future mineral supply , <u>permitted and allocated mineral infrastructure to prevent sensitive or inappropriate development that would conflict with the use of these sites, in accordance with the Agent of Change principle.</u> ensure that these are not compromised by other non-mineral development.</del></p>
<p>Coggeshall Parish Council (598729813)</p>	<p>Coggeshall parish council</p>	<p>Agree (but wish to clarify)</p>	<p>The wording and intention displayed by this section suggest that Minerals and waste are going to be sustainably developed. It states that the local plan 3.8 is going to be sustainably developed to benefit the economy, the social aspects of the community and to protect the environment. This does not give Coggeshall any confidence as the proposal for Coggeshall is to extend the quarry to literally extend from the quarry working now to extending it on to the next field eventually finishing by the historical barn ( dated back to at least Tudor times) this will</p>	<p>It is presumed that this consultation response primarily relates to a proposed flood alleviation venture between a private company and the Environment Agency which will involve the establishment of a quarry to facilitate the creation of flood defences. Whilst the MWPA notes the comments received, at the point of the April 2021 Regulation 18 consultation, this was not a site that was being proposed for allocation through the MLP Review. However, land pertaining to</p>

			<p>encroach onto the Kelvedon road which is 1/2 mile from the centre of Coggeshall. These facts do not promote its policy of social or environment protection 3.5. Policy 3.8 expresses that the plan is in favour of sustainable development in Essex. It states it will work proactively with applicants to quarry on this area. Unfortunately for Coggeshall if an application to quarry the area mentioned above this will be a disaster for the historic town of Coggeshall.</p>	<p>the same area was submitted though the Call for Sites exercise in March 2022 as a candidate site for future sand and gravel extraction. The site will therefore be assessed under the site selection methodology that all sites received through the March 2022 Call for Sites exercise will be subjected to, and the outcome of that assessment will form part of a second Regulation 18 consultation in 2023. It is further noted that the evidence supporting this submission states that a 'planning application for the flood alleviation scheme will come forward during 2022'. This would pre-date the adoption of any new Preferred Site allocations through the MLP Review.</p> <p>Any application submitted to work a site that is not allocated as a Preferred Site in the MLP will be assessed against the relevant policy framework in the adopted MLP, particularly Policy S6,</p>
--	--	--	---	---

				<p>at the point of an application being submitted. The issues raised in the response would be required to be considered, particularly under Policy DM1. A specific public consultation exercise on that application would subsequently form part of the determination process. As of August 2022 an application has yet to be submitted and therefore there is no application before the MWPA to determine.</p> <p>Mitigation of any potential site-specific adverse impacts of proposed development would therefore be addressed through the planning application process, including those impacts which are cumulative. This includes landuse matters which would be determined by the MWPA and environmental matters regulated by the Environment Agency.</p> <p>Further, conditions attached to the granting of planning</p>
--	--	--	--	--

				<p>permission would be expected to be complied with. Failure to adhere to these conditions can result in enforcement action against the operator.</p> <p>It is considered appropriate that the MWPA work proactively with operators when applications are submitted. This is not necessarily to facilitate the development as submitted but to ensure that they conform with the Development Plan and secure long-term benefits for the local area, in order to aid in the delivery of the aforementioned presumption in favour of sustainable development.</p>
Strutt & Parker (891506607)	G&B Finch	Agree (but wish to clarify)	Having regard to maintaining a steady and adequate supply of minerals, criteria c) of paragraph 207 of the NPPF states that minerals plans should take account of the advice of the Aggregate Working Parties and the National Aggregate Co-ordinating Group as appropriate. Paragraph 4.25 of the Rationale	<p>The MWPA attends all meetings of the East of England AWP.</p> <p>With respect to there being ambiguity in proposed changes to the NPPF setting out when Local Plans should consider a 30-year period from adoption rather than 15</p>



			<p>Report identified a potential amendment to bring Strategic Objective 10 in line with this requirement of the NPPF, particularly in respect to the requirement to collaborate with Aggregate Working Parties (AWPs). The relevant AWP for Essex is the East of England Aggregates Working Party (EoEAWP).</p> <p>The proposed amendment includes the addition of the wording; 'Participating in the relevant Aggregates Working Party and taking its views into account' to Strategic Objective 10. This amendment is wholly supported. It is recognised that NPPG Reference ID: 27-073-20140306 states that the role of an AWP is to obtain, collect and report on data on minerals activity in their area, including annual data on sales, permissions and mineral reserves in their area. Having reviewed the last minutes of the February 2021 meeting of the EoEAWP (albeit still in 'Draft'), there are a number of discussion points that reflect how the MLP</p>	<p>years, as set out in the minutes of the AWP meeting in February 2021, it is considered that this is now clarified in the current iteration of the NPPF published in July 2021. Paragraph 22 of the NPPF states that 'Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.'</p> <p>The MWPA notes that mineral developments can be considered 'significant' and take decades to work and restore, but that this is not to the extent of delivering whole new settlements or substantial extensions to existing urban areas that themselves would take decades to deliver. As such, the current timeframe for the MLP, which includes an</p>
--	--	--	--	--

			<p>can seek to address wider mineral supply issues considered by the AWP.</p> <p>For example, it was noted that proposed amendments to the NPPF were discussed during the February meeting, and that the suggested changes by central Government have led to ambiguity as to whether minerals plans should consider a 30-year period from adoption rather than 15 years. Certainly, should 30 years be deemed appropriate, the Minerals Planning Authority (MPA) will need to consider the capacity of existing sites for an extended period, or new sites if not meeting demand, and this will need to be reflected in further reviews and possible amendments to the MLP.</p> <p>The EoEAWP also provides a helpful forum for the Minerals Product Association to provide updates and guidance from an industry perspective. It is noted from the draft EoEAWP minutes that despite a downturn in the demand for aggregates throughout 2020 caused by the</p>	<p>extension to the Plan horizon to 2040 (ie 15 years from expected adoption) is considered to remain appropriate.</p> <p>With regards to those points raised with regards to forecasted growth in the construction sector, these are acknowledged.</p> <p>Through the informal engagement supporting the Call for Sites in March 2022, it was proposed to adopt a new sand and gravel provision figure which would have been a reduction on the current level of provision. Sand and gravel sales in 2020 equated to 65% of the adopted rate of provision. Even when considering pre-pandemic levels of sales, these never exceeded 80% of the adopted rate of provision other than for a single outlier which represented 98% of the current rate.</p> <p>It was then proposed to set a revised provision at a rate</p>
--	--	--	---	---

			<p>Covid-19 pandemic, Mark North of the Minerals Product Association stated that demand for mineral products improved in the second half of 2020.</p> <p>The pace of recovery also suggested that the mineral products market is catching up with the pandemic related slow down quicker than the rest of the economy, with monthly construction output in November 2020 exceeding pre-pandemic levels of output. The EoEAWP minutes go on to quote that the Construction Products Association (CPA) expects output to rise 14% in 2021 and 4.9% in 2022, fully recovering from pandemic related losses on an annual basis in 2022.</p> <p>A more recent update from the CPA (dated 26th April 2022) revises the forecast, with construction output now estimated to rise by 12.9% in 2021 and 5.2% in 2022. Despite this slight reduction from the earlier CPA estimates, the construction industry is still one of the fastest recovering sectors</p>	<p>equating to an average of the last ten years of sales plus 20%, and allocate sites to provide for a seven year landbank at the end of the Plan period based on the proposed new provision. The new methodology was considered to be in accordance with the NPPF Paragraph 213 and the new plan provision rate would replace the existing figure which is based on expired guidelines. The revised figure was still considered to enable the Plan to respond flexibly to growth. Based on the latest data as existed at the time, the new provision would have been 3.74mtpa, with the 2020 sales figure being 75% of this provision rate, and pre-pandemic sales being approximately 90% of the provision rate, allowing for approximately a 10% growth in sales above pre-pandemic levels.</p> <p>Following the decision to re-base the Plan to 2040, a new mineral provision figure will</p>
--	--	--	---	---

			<p>in the UK economy.</p> <p>These figures, and particularly mention of the Government's Infrastructure Programme, are frequently discussed within the AWP, and a need to recognise and react to key discussion points through the MLP would achieve Strategic Objective 10 and compliance with the aims of the NPPF and NPPG.</p>	<p>be calculated based on the methodology set out in the NPPF Paragraph 213.</p>
<p>Heatons (451589647)</p>	<p>Tarmac</p>	<p>Disagree (please clarify)</p>	<p>Strategic objectives</p> <p>Strategic Objective 1</p> <p>As above (see respondents comment under the Spatial Vision Q2) – the strategy is contrary to strategic objectives by diluting the reference to where development is considered acceptable/appropriate. This weakens the locational strategy base of the Plan.</p>	<p>Regarding Strategic Objective 1 (Aim 1), the re-basing of the Plan to 2040 provides the opportunity for the MWPA to consider where growth is likely to occur over the longer-term through an assessment of existing and emerging local plans. As such, it is considered appropriate to re-introduce where the strategic growth locations are likely to be in the County to 2040 and consider the allocation of new mineral sites at least in-part on that basis.</p> <p>It is also important to note that a key part of the revised Plan Strategy, which is to be</p>

				<p>preserved, is 'To provide for the best possible geographic dispersal of sand and gravel across the County, accepting that due to geographic factors the majority of sites will be located in the central and north eastern parts of the County, (to support key areas of growth and development and to minimise mineral miles).' The Plan Strategy therefore ensures, where possible, a geographical dispersal of sites, which would then act to ensure that key growth locations can be supplied.</p> <p>Further, outside of the allocation stage, there is little specific policy relevance to specific growth locations in isolation with regards to the determination of mineral planning applications, assuming an application is not coming forward on a non-allocated site. Reference is made to Policy S5 - Creating a Network of Aggregate Recycling Facilities which is proposed to state that</p>
--	--	--	--	---

			Part d advocates 'a plan led	<p>'Proposals for new aggregate recycling facilities shall be located on the main road network in proximity to areas of development.' alongside a number of other spatial criteria. It is stressed however that 'areas of development' is not intended to mean specific geographic locations for growth, rather the meaning behind 'areas of development' is intended to apply to examples such as existing waste sites, construction sites, industrial areas and previously developed land. The removal of reference to specific key locations for growth is not considered to reduce the effectiveness or clarity of this policy, rather it acts to further promote the availability of recycled aggregate across Essex, which is considered to be a more sustainable approach rather than attempting to limit such provision to a number of specific locations.</p> <p>In relation to the issues</p>
--	--	--	------------------------------	---

			<p>approach to future provision, providing reassurance for Essex residents, the minerals industry, key stakeholders and future developers that future needs can be met, whilst also providing a degree of certainty as to where minerals development will take place'. 'Future provision' is limited by the Plan to the next 8 years (to 2029) assuming that a Plan could be adopted in 2021 which is not feasible. There is no certainty over future provision as there is only the ability for industry to come forward with Planning Applications on the remaining preferred sites/reserve sites (to become preferred). Any sites outside of those areas, inclusive of potential sustainable extensions to existing operations would have to proceed on the basis of risk - tested against a policy where there is a resistance to sites/applications outside of allocations. It is our view that the current approach does not secure a steady and adequate supply to meet future needs.</p>	<p>around future provision associated with part d) of Strategic Objective 1 (Aim 1.4), in light of representations made along this theme at Regulation 18 and the Informal Engagement on Policy S6, as well as a consideration of other information, the MWPA departed from its previous position of limiting a Plan Review to 2029 and not seeking to allocate additional sites as part of the MLP Review. The Plan end date was subsequently extended to 2040 supported by Call for Sites exercises. Assuming that sufficient suitable sites are submitted, allocations will be made up to an amount sufficient to maintain a sand and gravel landbank of seven years at the end of the Plan period in 2040. These allocations and revisions to Policy S6 will be subject to an additional Regulation 18 consultation in 2023. To ensure a Plan-led system it is however necessary to resist applications outside of plan</p>
--	--	--	--	---

			<p>Strategic Objective 4</p> <p>The objective should be reworded. Although the objective of promoting secondary aggregates is supported, they will not substitute primary extraction. The NPPF (paragraph 204b) realises that recycled, substitute and secondary materials will make a contribution to the supply of materials and should be considered before the extraction of primary materials. It is not the case as worded that the means of securing this objective will be a reduction in demand for minerals.</p>	<p>allocations unless specific tests are met.</p> <p>It is considered that Strategic Objective 4 (Aim 4.8) has been misinterpreted. The MWPA seeks to 'reduce reliance on primary mineral resources' by making alternative materials more readily available and economically attractive by promoting a network of aggregate recycling facilities and subsequently safeguarding them (Policy S5, Policy S8/ emerging Policy S9). The demand for primary minerals is subsequently reduced by making provision for substitutable mineral. It is not being suggested that the MWPA will proactively seek to reduce primary aggregate provision on the assumption that the resultant need gap will be filled by recycled aggregate.</p>
--	--	--	--	--



			<p>Strategic Objective 5</p> <p>The aim currently seeks to safeguard existing mineral reserves which implies only those which are permitted. It is considered this should be all mineral resources to comply with the NPPF paragraph 204 part c. The objective refers to economic and conservation value and it is considered this should be</p>	<p>To make this clearer, the following amendment is proposed:</p> <p>a) To reduce reliance on primary mineral resources in Essex, firstly through <del>reducing the demand for minerals</del> <u>promoting the mineral supply hierarchy to reduce the need for primary extraction of minerals</u> and, <u>secondly, by</u> minimising waste, <del>and secondly, by the re-use of and use of recycled aggregates.</del> <u>by requiring that as much demolition, construction and excavation waste is re-used and/ or recycled as practicable.</u></p> <p>Agreed. It is proposed to amend Aim 5a (Aim 5.9), as follows:</p> <p>To identify and safeguard the following <del>mineral resources</del> in Essex:</p> <ul style="list-style-type: none"> <li>• Sand and gravel, silica sand, brickearth, brick clay and chalk <del>reserves</del> <u>resources</u> which have potential <del>current</del> <u>and/or future economic and/</u></li> </ul>
--	--	--	--	---

			<p>reworded to known locations of specific minerals resources of local and national importance.</p> <p>Strategic Objective 6</p> <p>The Plan is not providing a steady and adequate supply to meet future needs as the Plan period is limited to 2029 and not a full 15 year Plan period. There is insufficient flexibility built into the Plan to support minerals development coming forward outside of a full Plan Review.</p> <p>The Plan will have insufficient landbanks of permitted reserves post 2024. The Planning Practice Guidance for Minerals (paragraph 080) is clear, 'Landbanks of aggregate mineral reserves, or aggregate landbanks, are principally a monitoring tool to provide a mineral planning authority with early warning of possible</p>	<p><del>or conservation value</del> <u>local and/ or national importance</u>, to ensure that the practicality of prior extraction of mineral is appropriately assessed when other necessary non-mineral development might unnecessarily sterilise viable mineral resources.</p> <p>This is acknowledged and the Plan period is being revised to 2040 accordingly.</p> <p>With regards to the above highlighted PPG statement: 'Aggregate landbanks should be used principally as a trigger for a mineral planning authority to review the current provision of aggregates in its area and consider whether to conduct a review of the allocation of sites in the plan.', the MWPA contends</p>
--	--	--	--	--

			<p>disruption to the provision of an adequate and steady supply of land-won aggregates in their particular area.</p> <p>Aggregate landbanks should be used principally as a trigger for a mineral planning authority to review the current provision of aggregates in its area and consider whether to conduct a review of the allocation of sites in the plan. In doing so, it may take into account the remaining planned provision in the minerals local plan'. Currently the MPA is using this figure as a cap/limit to supply which is contrary to the NPPF and PPG for Minerals.</p> <p>Prior to 2024, the landbank position is precarious with permitted reserves only just in excess of the 7 years minimum provision required by the NPPF. Failure to deliver any of the remaining site allocations (preferred or reserve site) further weakens that position.</p>	<p>that it has followed this process. Forecasts of the future landbank have been undertaken throughout the Plan Review and was used firstly to justify carrying out a Call for Sites following completion of the MLP Review as it was considered that a seven-year landbank could be maintained until that time, meaning that there would be no disruption to the provision of an adequate and steady supply of land-won aggregates. Subsequently, when considering additional evidence submitted through the Regulation 18 consultation in April 2021, including the forecasted landbank position, a Call for Sites took place in early 2022. Following a consideration of responses from the Informal Engagement on Policy S6 in March 2022 as well as wider engagement, an additional Call for Sites on the basis of a Plan period extending to 2040 will take place as part of the Review to ensure that a</p>
--	--	--	---	--

				<p>minimum of seven years of sand and gravel can be maintained throughout the Plan period. This will be based on landbank forecasts across the revised Plan period.</p> <p>The landbank has therefore not been used as a cap or limit beyond its use as a 'trigger' for the need for additional sites, which the PPG establishes is its primary role, and to set an overall need amount to be met by allocations which is a requirement of a Plan-led system.</p>
<p>Mineral Products Association (339717535)</p>		<p>Disagree (please clarify)</p>	<p>Aim 1 d) This is supported, albeit as will be discussed later in response we do not believe it is being delivered with the proposed amended plan.</p>	<p>The MWPA departed from its previous position of limiting a Plan Review to 2029 and not seeking to allocate additional sites following an assessment of responses received at the first Regulation 18 consultation which closed in April 2021. It is considered that the revised approach, which includes a Call for Sites and extending the Plan period to 2040 ensures a 'plan-led</p>

			<p>Aim 4 a) We do not believe it is in the gift of Essex CC or this plan to deliver the proposed objective linked to this aim. The Authority has no ability to reduce demand for minerals nor can it ensure the greater use of recycled material. This is a matter for the market, specifications, and the economy. Essex CC can make the policy climate positive for recycling operations to be developed, but not the actual production which is driven by economics.</p>	<p>approach to future provision'</p> <p>The purpose of Aim 4a (Aim 4.8) is not to seek to reduce the demand for mineral as a whole. The role of the MWPA in making provision for a steady and adequate supply of minerals is accepted. The Aim states that the MWPA seeks to 'reduce reliance on primary mineral resources'. The MWPA is able to do this by supporting the making of alternative materials more readily available and economically attractive by promoting a network of aggregate recycling facilities and subsequently safeguarding them (Policy S5, Policy S8/ emerging Policy S9), such that the 'demand' for primary minerals is reduced through the provision of alternatives. There has been no attempt to quantitatively reduce the provision of primary mineral in light of encouraging recycled mineral. The future provision of primary mineral is proposed to be based on</p>
--	--	--	---	--

			<p>Aim 5 a) The Aim and Objective is confused. The first bullet point refers to 'reserves' when from the proposed additions we believe</p>	<p>an average of the last ten years of sales of primary aggregate, plus a buffer.</p> <p>It is however accepted that there has been a number of unintended interpretations of this Aim and therefore it is proposed to update the Aim as follows:</p> <p>a) To reduce reliance on primary mineral resources in Essex, firstly through <del>reducing the demand for minerals</del> <u>promoting the mineral supply hierarchy to reduce the need for primary extraction of minerals</u> and, <u>secondly, by</u> minimising waste, <del>and secondly, by the re-use of and use of recycled aggregates.</del> <u>by requiring that as much demolition, construction and excavation waste is re-used and/ or recycled as practicable.</u></p> <p>Agreed. It is proposed to amend Aim 5 a (Aim 5.9), as follows:</p>
--	--	--	--	---

			<p>the term '<i>resources</i>' should be used. This also applies to the Aim.</p> <p>The agent of change principle should be referenced at the second bullet point in respect of mineral infrastructure.</p>	<p>To identify and safeguard the following mineral resources in Essex:</p> <ul style="list-style-type: none"> <li>• Sand and gravel, silica sand, brickearth, brick clay and chalk reserves <u>resources</u> which have potential <del>current and/or future economic and/or conservation value</del> <u>local and/ or national importance</u>, to ensure that the practicality of prior extraction of mineral is appropriately assessed when other necessary non-mineral development might unnecessarily sterilise viable mineral resources.</li> </ul> <p>Agreed. The following additional amendment is proposed to the second bullet point of Aim 5 (Aim 5.9):</p> <p><del>Existing and potential secondary processing and aggregate recycling facilities that are of strategic importance for future mineral supply</del> , <u>permitted and allocated mineral infrastructure to prevent sensitive or inappropriate</u></p>
--	--	--	---	---

			<p><u>Spatial Priorities for Mineral Development:</u></p> <p><u>Table 2. Sustainable Mineral Development in Essex</u></p> <p>The first line of the economic section should be amended to read as follows to make it effective and compliant with National Policy.</p> <p><b>Proposed Changes</b> (deletions in <del>striketrough</del>; new text in <b>bold</b>)  <i>Safeguarding <b>known</b> sand and gravel, brickearth, brick clay and chalk <b>resources</b></i></p>	<p><u>development that would conflict with the use of these sites, in accordance with the Agent of Change principle.</u>  <del>ensure that these are not compromised by other non-mineral development.</del></p> <p>Agreed. The following amendment is proposed to the first line of the Economic Dimension section in Table 2: Sustainable Mineral Development in Essex:</p> <p>Safeguarding <i>known</i> sand and gravel, brickearth, brick clay and chalk <i>resources</i>.</p>
Suffolk County Council (549043477)		No comment	No Comment.	Noted.



# Map 1: Masterplan for Bradwell Quarry - Coggeshall Parish Council (598729813)

