STAFFORDSHIRE MINERALS LOCAL PLAN FINAL DRAFT (June 2015):
Examination in Public March 2016

Representation on behalf of Traxx Aggregates Ltd

HEARING SESSION – DAY 1: AGGREGATES

Background:
The document being examined is the Staffordshire Minerals Local Plan (Final Draft June 2015). This is the document upon which public consultation took place in June and July 2015. Guidance has been provided by the Inspector to enable the “soundness” of the emerging Staffordshire MLP to be assessed.

The information below will support the submission made by Greenfield Associates and Pleydell Smithyman, on behalf of Traxx Aggregates Ltd, to suggest that the Plan in its current form is “not Sound” and should be amended accordingly. The issues raised by the Inspector prior to the hearing session have also been addressed to ensure clarity and reduce repetition.

Issue: Whether appropriate provision is made for the steady and adequate supply of minerals of local and national importance: Land won S&G

Policy 1

1. Explain whether or not the provision for sand and gravel should be more reflective of the Sub Regional Apportionment (SRA) compared to the average annual sales for over the preceding 10 years?

Traxx Response: Weavers Hill Sand Pit has the benefit of a long-held planning permission, but the site was dormant for well over 10 years until Traxx Aggregates Ltd gained a new mineral lease from the landowners (The Aqualate Estate) in 2010. Prior to re-opening the quarry, a number of planning issues had been resolved including the construction of a revised access on to Guild Lane and the A518. New passing bays were constructed and old conditions were updated. The site recommenced operations in 2012/13. The sales have gradually increased from nothing to over 50,000 tonnes per annum over this 2-3 year period. It is considered that the sales from this site have not been included in the annual figures promoted by the MPA and that the forward sales figures and provision for future sales should be revised accordingly.
2. **Comment on the feasibility of estimating the demand for aggregates over the next 10 years. Should more account be taken of the demand for aggregates arising from new housing in the West Midlands conurbation?**

*Traxx Response:* Please see above. The dry screened sand is a high quality product that is used solely as building sand in local housing schemes. The customers that collect the sand are builder’s merchants and sand bagging operators that provide sand directly to housing schemes. The market comprises Stafford, Newport, Telford and Wolverhampton, all of which lie within about 10 miles of the site. The proposed housing within the West Midlands conurbation will see an increase in demand for this high quality sand product over the next 10 years.

3. **Explain how maximum account has been taken of the contribution of substitute, secondary and recycled materials and minerals waste to the supply of materials.**

*Traxx Response:* There is no substitute for fine building sand. The only variations comprise dry-screened natural sand that is the preferred choice of bricklayers and washed fine sand. The washed fine sand has no clay or silts thus does not form a good mix, however, it the preferred choice of large pre-mixed and dry silo operations where clean free flowing sand is preferred that can be “batched” in large amounts.

4. **What has been the demand for secondary and recycled aggregates been over the last 3 years?**

*Traxx Response:* Not applicable to dry screened building sand.

5. **What is the most recent sales information for sand and gravel in Staffordshire (last three years)?**

*Traxx Response:* Please see point 1 above. It is considered that growing output from the Weavers Hill site have not been included in the previous 3 years figures.

6. **Should there be a separate provision and landbank for building sand?**

*Traxx Response:* Due to the specialist building sand market for the dry screened sand there should be a separate provision and landbank for building sand. Where sand deposits occur in substantial thicknesses and are extensively worked, many County’s consider the sand as a separate aggregate resource. This applies to other deposits, such as clay, shale, building stone, etc.

However the MPA can only make provision where these geologically separate deposits crop out and can be worked. It different county’s the minerals plans reflect the geology and historical extraction of these deposits. In neighbouring counties within the Midlands, separate provisions for building sand are made in Derbyshire and Nottinghamshire.
In Cheshire, Bedfordshire and Essex sands are also given separate status within the MLP, but this also includes industrial sands. It should be noted that sands for specialist end-uses do not occur across the country, unlike sands and gravels for concrete and aggregate uses. The NPPF (para 145) also states that one of the criteria plan development is *calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.* Full wording given in Appendix 1.

It is considered that building sand in Staffordshire is distinct from concrete aggregates (sand and gravel) and has a separate market – as confirmed at weavers Hill.

7. Should the landbanks advised for sand and gravel and crushed rock be identified in the policy?
   Traxx Response: We consider that landbanks should be identified in the policy. The landbanks enable forward planning to take place and a clearly defined need can be shown.

8. Explain the rationale behind the selection of the sites for extensions to sand and gravel sites and the non-selection of others.
   Traxx Response: In relation to Weavers Hill, the non-section of the proposed extension area does not appear in keeping with the aims and objectives of the proposed MLP. The proposed allocation area is an extension to an existing operating site, where a market of over 50,000 tonnes of high quality building sand is being produced from a site with no obvious impacts on the surrounding highways or environment. Please see information given in representation on “Omission Sites”.

9. Should land in the immediate locality of existing sites be presented as areas of search?
   Traxx Response: The proposed allocation area is clearly defined and an area of search related to the Weavers Hill Site is deemed unnecessary. However, in broader planning terms, “areas of search” do offer flexibility in minerals plans where aggregate resources are known to present (eg mapped by the BGS) and where specific site allocation could be problematical due to land assembly issues or environmental constraints.

10. What is the aim of Policy 1.3 and will the Policy as written fulfil that aim?
    Policy 1.3: Planning permission to extend a site will normally be conditioned so that the extension area can only be worked following cessation of mineral working within the existing site unless it has been demonstrated that there are operational reasons why this is not practicable.
**Traxx Response:** This Policy assumes that mineral reserves must be fully extracted prior to an extension being granted. This is not considered good policy making as many areas of a mineral operation will contain “permitted reserves” that if worked will have a detrimental impact on the long term development of a site. This can include the excavation of reserves beneath a processing plant, beneath the site access roads, beneath stocking areas, soil storage bunds etc. As all of these issues are “operational reasons” the policy will be complied with within the majority of the planning applications for mineral extensions.

**Submission by Greenfield Associates:**
Policy 1.1 is not sound as it does not include a separate allocation for building sand. If there was a separate allocation, Weavers Hill would be a key provider in the area. Current reserves will be used within 4 years, but a further 1.2 million tonnes could be available if extension was permitted.

**Staffs CC Response:**
No change. There is insufficient evidence to justify separate provision for building sands and the proposed site extension is not certain in terms of deliverability. Site allocations in the Plan are capable of meeting the need for building sands and it is noted that the allocation for Cranebrook Quarry is a building sand site only. A planning application could be brought forward under exceptions policy (1.6) if special need is demonstrated.

**Rebuttal to Staffs CC Response:**
- It is considered that there is substantial evidence to justify provision for building sand in the MLP, as carried set out in MLP’s other Midlands county’s, such as Nottinghamshire and Derbyshire).
- The proposed site is certain in terms of deliverability. The site has developed a market of over 50,000 tonnes of high quality dry screened sand that supplies the local builder’s merchants and house builders with a 10 to 15 mile radius of the site. The land is secured by a mineral lease (including the proposed extension area) and the landowner (The Aqualate Estate) actively supports to the proposed quarry development. For Additional information – see Omission site submission for Weavers Hill
- It is noted that Cranebrook Quarry extension is allocated as a building sand site but this site lies over 20 miles from the site and serves a completely different market area. Cranebrook has been operating for many years and the sales from the site have not been impacted by the annual supply of 50,000 tonnes of sand from the Weavers Hill site. It should also be noted that the sands on the two sites are different. Cranebrook is very fine grained and silty Sherwood sandstone (Triassic age), commonly termed rock sand, whereas Weavers Hill extracts much cleaner and evenly graded Glacial Sand (from an Esker deposit) which is a more high quality sand product.
• Since it is known that a planning application is likely to come forward for Weavers Hill (a scoping request has been made and it has been prepared by Staffs CC) it would appear somewhat illogical to not include the proposed extension as an allocated site within the emerging Plan as the proposed extension to Weavers Hill complies with the requirements of the Plan policies. By including the site there would be no requirement to identify the proposed extension under the “exceptions policy”.

Summary

The Examination Guidance note states the following:

“In assessing soundness, the Inspector will consider whether he feels that the Plan has been positively prepared; is justified (the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence); is effective (deliverable and based on effective joint working); and is consistent with national policy”.

It is recommended that the Inspector should propose amendments to the emerging Staffs MLP to include a separate provision for Building Sand as the evidence provided indicates that the Plan in its current state is “not sound”. This conclusion is based on the review of national policy and the development of a separate, specific market for Building Sand products that is supplying the local housing industry. It is considered that by providing specific policies and provisions for Building Sand operations, the existing markets can be developed from their current established base level that will enable the housing sector to continue to expand at the rate expected, without any supply issues related to essential construction materials.

In the event that a separate provision and landbank for Building Sand is made, then the proposed extension to the existing operation at Weavers Hill would not need to be brought forward under “exceptions policy (1.6)” and that a “special need” would not need to be demonstrated to ensure compliance with the Plan.

S J Rees B.Sc., M.Sc., C.Geol, FGS, MIQ
for Greenfield associates
Appendix 1

NPPF - plan development- para 145.
Minerals planning authorities should plan for a steady and adequate supply of aggregates by:

- preparing an annual Local Aggregate Assessment, either individually or jointly by agreement with another or other mineral planning authorities, based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources);
- participating in the operation of an Aggregate Working Party and taking the advice of that Party;
- making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans taking account of the advice of the Aggregate Working Parties and the National Aggregate Coordinating Group as appropriate. Such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate;
- taking account of published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates;
- using landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans;
- making provision for the maintenance of landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised. Longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites;
- ensuring that large landbanks bound up in very few sites do not stifle competition; and
- calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.