NEW MINERALS PLAN FOR STAFFORDSHIRE

Response on behalf of Madeley Aggregates.

1. SUMMARY

1.1 Madeley Aggregates have put forward a proposed new Sand and Gravel Site at Netherset Hey that has a proven reserve of 10 Million tonnes of high quality sand and gravel. (See plan in the attached documents).

1.2 The principal reason why this site is being proposed is that it is located adjacent to the West Coast Main Line Railway on the Silverdale Colliery siding which can be reopened with limited cost as the infrastructure (signalling, track etc.) remain in place.

1.3 This representation focuses on the soundness of the New Minerals Plan for Staffordshire (NMP) as it does not reflect Government Policy which seeks a modal shift to the increased use of rail borne freight, particularly away from road transport.

2. NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

2.1 The heart of the NPPF is that there should be ‘a presumption in favour of sustainable development that is the basis for every Plan’ (NPPF – Ministerial Forward). This presumption applies both to Plan making as well as when determining planning applications.

2.2 The NPPF at Chapter 4 ‘Promoting Sustainable Transport’ notes that ‘transport policies have an important role to play in facilitating sustainable development’. Whilst this chapter is mostly concerned with the movement of people, it goes on to say ‘the transport system needs to be balanced in favour of sustainable transport modes’ and that ‘the Government recognises that different policies and measures will be required ........ to maximise sustainable transport ........’ (para 29).
2.3 With reference to the preparation of Local Plans ‘local planning authorities should …… support a pattern of development which …… facilitates the use of sustainable modes of transport’ (para 30). The NPPF further notes that ‘local authorities should work with neighbouring authorities and transport providers to develop strategies for provision of viable infrastructure necessary to support sustainable development, including …… facilities such as rail freight’ (para 31).

2.4 Mineral extraction is a form of development that generates significant amounts of movements, principally hgv’s. The NPPF states that this type of development should be supported by a Transport Statement or a Transport Assessment. Plans as well as decisions should take account of whether the opportunities for sustainable transport modes have been taken up in order to reduce the need to use the major transport infrastructure.

2.5 The lorry movements generated by mineral sites is recognised as one of the major adverse impacts for a number of reasons. In Chapter 13 ‘Facilitating the sustainable use of minerals’, the availability to use an existing or planned rail head is recognised by requiring local planning authorities when preparing Local Plans to ensure these facilities are safeguarded (para 143). This applies equally to exporting railheads as well as those that receive minerals.

2.6 The guidance in the NPPF is clear that considerable weight should be given to including policies in Local Plans that encourage sustainable transport modes, which in the case of minerals is generally recognised as movement by rail. As mineral deposits are unevenly distributed across the country due to their geology, where minerals are plentiful (such as Staffordshire) they will be able to supply those areas when there are few if any economic deposits (such as Cheshire / Manchester to the north and Wolverhampton / Birmingham to the south).

2.7 The ability to supply minerals to the more distant markets by a sustainable transport method plays a key role in ensuring there is a sufficient supply. The maintenance of a steady and adequate supply is the responsibility of the Mineral Planning Authorities through the preparation of Local Aggregate Assessments either individually, or jointly with other mineral
planning authorities. This requirement needs to be seen in the context of Plan Making (NPPF para 150 et seq) where Local Plans should ‘plan positively for the development and infrastructure required…….’ and ‘be based on co-operation with neighbouring authorities…….’.

2.8 In summary the NPPF require Local Plans to

- have a presumption in favour of sustainable development,
- promote opportunities for sustainable transport,
- support facilities for sustainable transport,
- Mineral Local Plans should take up opportunities for sustainable transport,
- co-operate with adjoining authorities on mineral demand and plan positively for the infrastructure required.

3. NEW MINERALS PLAN FOR STAFFORDSHIRE (NMP)

3.1 The NMP is considered ‘unsound’ as it has not addressed the clear requirement of the NPPF to fully examine the opportunities for minerals to be transported by rail rather than by road.

3.2 The NMP does not have a ‘strategic’ policy that seeks to encourage the modal shift. Traffic is referred to at Policy 4 ‘Minimising the impact of mineral development’ referring to ‘traffic on the highway network’. At paragraph 7.31 reference is made to National Policy referring to a Transport Assessment or Transport Statement, a ‘repeat’ of NPPF paragraph 32, which applies to only applications.

3.3 The NPPF is silent on the remainder of the objectives in Chapter 4 of the NPPF, namely

- policies should facilitate sustainable transport,
- encourage the use of sustainable transport,
• work with neighbouring authorities to support rail freight.

In the absence of any reference to the policy objections it is considered the NMP is unsound.

3.4 It is suggested that the policy objectives of encouraging sustainable transport could be addressed at Policy 1, paragraph 1.6 which covers ‘Proposals for any other sand and gravel sites (extensions / new sites)’. This could have a third sub-paragraph which specifically refers to alternative / sustainable transport proposals being given considerable weight in the assessment of potential sand and gravel sites. Whilst it could be argued that sub paragraph b) might cover this under the catch all of ‘significant material benefits’, it is submitted that it is not specific enough to meet NPPF policy.

3.5 A suggested wording for a new paragraph is

c) considerable weight will be given to those proposals that will use sustainable transport modes (e.g. rail or water).

In addition the removal of the word ‘only’ in paragraph 1.6 would clarify the policy which should be amended to read as follows

Proposals for any other sand and gravel sites (extensions / new sites).

1.6 Proposals for any other sand and gravel sites (extensions / new sites) will only be supported where it has been demonstrated that:

a) the permitted reserves, the allocated extensions to existing sites listed above or mineral resources from within the area of search would not meet the required level of provision stated in paragraph 1.1; or

b) the proposals would secure significant material planning benefits that outweigh any material planning objection, and
c) considerable weight will be given to those proposals that will use sustainable transport modes (e.g. rail or water).

3.6 This amendment needs to be cross-referenced to paragraph 7.11 by adding a further sub-paragraph with the following suggested wording

f) use of sustainable transport methods such as rail or water which are strongly supported by Government and County Policy and will be encouraged where practicable and given considerable weight.

4. CONCLUSION

4.1 The NMP is considered to be unsound as it does not reflect Government Policy on encouraging sustainable transport. The amendments proposed are considered to address this, and the Inspector is requested to formally amend the NPPF.