

Minerals and Waste Local Plan

Response to Mineral Products Association

**Main Matter 2 – Vision, Objectives and Spatial Strategy
Questions 23 and 24**

**Main Matter 3 – Strategic Policies
Questions 27, 33, 34, 35 and 36**

**Main Matter 4 – Provision for Aggregate Supply
Questions 38 and 40**

**Main Matter 5 – Minerals Other Than Aggregates
Question 80**

**Main Matter 6 – Safeguarding Mineral Resources, Infrastructure and Facilities
Questions 82 - 90**

1. Introduction

- 1.1 This document is prepared by Herefordshire Council (HC) to provide written response to the *Statements submitted by Mineral Products Association (MPS)* (Examination Library refs. [D4.31](#), [D4.32](#), [D4.33](#), [D4.34](#) & [D4.35](#)) to the *Inspectors' Matters, Issues and Questions* (Examination Library ref. [D4.3](#)).
- 1.2 It is set out in the following order:
- Section 2 - Main Matter 2, questions 23 and 24
 - Section 3 - Main Matter 3, questions 27, 33, 34, 35 and 36
 - Section 4 - Main Matter 4, questions 38 and 40
 - Section 5 - Main Matter 5, question 80
 - Section 6 - Main Matter 6, questions 82 - 90

2. Main Matter 2 – Vision, Objectives and Spatial Strategy

Question 23

- 2.1 The word 'sustainable' has been used to incorporate 'adequate' and to place it in the wider context of economic, social and environmental priorities, as set out within the objective.
- 2.2 The word 'adequate' is used in the *National Planning Policy Framework (NPPF)*, and would be used as one element of any decision making. Consequently, Herefordshire Council considered it was not necessary to include the word within the Objectives of the Plan.
- 2.3 Herefordshire Council does not object if the Inspectors consider it is necessary to include the word 'adequate'.

Question 24

- 2.4 The Plan focusses on policy that is specific to minerals and waste development, including policy SP3. However, this policy does not sit alone, but would be part of the statutory development plan, the lead document of which is the *Core Strategy* (Examination Library ref. [D2.9](#)). In preparing the Plan, the decision has been taken not to repeat policy within the *Core Strategy*.
- 2.5 Electric vehicles may not currently be available, but as the quarrying industry modernises and plays its role in meeting net zero, it is not unreasonable to expect them to become available.

3. Main Matter 3 – Strategic Policies

Question 27

- 3.1 Part 2 of policy SP1 states that a Resource Audit will be required to be submitted. A modification is proposed at reference MM5.e of the *Schedule of Main Modifications and Minor Changes Proposed Pre-Examination* (Examination Library ref. [D3.75](#)) to clarify this point.
- 3.2 HC is pleased to note that the MPA supports the use of Resource Audits in principle.

Question 33

- 3.3 Policy SP3 requires these methods of transport, '*where they would be appropriate to the circumstances of the site and the nature of the material to be moved*' to ensure they are delivered.'
- 3.4 It is considered that the MPA's concerns are met with the existing policy wording.

Question 34

- 3.5 As identified above, Electric vehicles may not currently be available, but as the quarrying industry modernises and plays its role in meeting net zero, it is not unreasonable to expect them to become available.
- 3.6 The MPA's suggested modification is not accepted by HC.

Question 35

- 3.7 The policy is deliberately open on this point. The reason for taking account of other development in the location of the site reclamation is described at paragraph 5.11.6 of the Plan.

Question 36

- 3.8 As confirmed in *Herefordshire Council's Matter 3 Statement* (Examination Library ref. D4.8) in response to this question: the policy requirements are considered to be practical in all cases, though they may be delivered at different scales as appropriate to the site and its location.
- 3.9 The MPA's suggested modification is not accepted by HC.

4 Main Matter 4 – Provision for Aggregate Supply

Question 38

- 4.1 As confirmed in *Herefordshire Council's Matter 4 Statement, part A* (Examination Library ref. D4.9) in response to this question: a steady and adequate supply of minerals is considered to be just one element of sustainable development.
- 4.2 It is not necessary to reflect this requirement in those exact words in one single policy. Instead, it is delivered through policy M1 and others within the Plan.

Question 40

- 4.3 The Plan as a whole has been prepared to drive the efficient use of resources. It does this by setting out a positive policy framework to encourage efficient resource use and to providing sites for recycling.

5 Main Matter 5 – Minerals Other Than Aggregates

Question 80

- 5.1 At paragraph 210,f the *NPPF* (Examination Library ref. D1.25) advises that planning policies should '*set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;*'

- 5.2 Paragraph 213,f of the *NPPF* advises that minerals planning authorities should maintain a landbank for sand and gravel (7 years) and crushed rock (10 years). There is no such expectation for building stone.
- 5.3 Paragraph: 016 Reference ID: 27-016-20140306 of the PPG (Examination Library ref. D1.40) considers the question: What are the environmental impacts of mineral extraction from building stone quarries? The advice is:
'Mineral planning authorities should recognise that, compared to other types of mineral extraction, most building stone quarries are small-scale and have a far lower rate of extraction when compared to other quarries. This means that their local environmental impacts may be significantly less. Such quarries often continue in operation for a very long period, and may be worked intermittently but intensively ("campaign working"), involving stockpiling of stone.'
- 5.4 The sandstone delves within Herefordshire can only be described as 'small scale'. The limited size of these operations make an effective contribution to managing the potential adverse impacts that mineral working could have.
- 5.5 The criteria appropriate to sandstone working in Herefordshire have been drafted into policy M5 in order to ensure that an appropriate policy framework is maintained.
- 5.6 The MPA's suggested modifications are not accepted by HC.

6 Main Matter 6 – Safeguarding Mineral Resources, Infrastructure and Facilities

Questions 82 to 85

- 6.1 HC refers to its response to these questions within *Herefordshire Council's Matter 6 Statement* (Examination Library ref. D4.13).
- 6.2 The agent of change principle, present within the *NPPF* (Examination Library ref. D1.25) is incorporated into policy M2 and does not require any further specification.

Question 86

- 6.3 HC refers to its response to this question within *Herefordshire Council's Matter 6 Statement* (Examination Library ref. D4.13).

Question 87

- 6.4 The BGS document referenced by the MPA was consulted in considering the approach to be used in regard to buffers, and is summarised at paragraph 2.2.31 of the *Spatial Context and Sites Report* (Examination Library ref: D3.54). It does not identify including a buffer to be 'best practice'; paragraph 4.2.8 of the BGS document *Mineral Safeguarding in England: good practice* (Examination Library ref. D1.41) advises:
*'MSAs should usually cover the whole resource and not be curtailed by other planning considerations. The MPS1 Practice Guide (Para.32) acknowledges that incompatible development close to a MSA may lead to sterilisation of part of the resource. **It may therefore often be appropriate to extend the MSA beyond the resource boundary to take account of such risks, the extent of which will vary between minerals and likely method of extraction. This need to extend the resource for these reasons could be determined through consultation at this stage.** Examples of how this matter can be addressed are provided in Case Study 3 at the end of this section.'* (my emphasis)

6.5 HC refers to its response to this question within *Herefordshire Council's Matter 6 Statement* (Examination Library ref. D4.13).

Question 88

6.6 These areas have been excluded because there is no reasonable prospect of them being worked. As concluded at paragraph 2.2.35 of the *Spatial Context and Sites Report* (Examination Library ref. D3.54): '*This approach safeguards a maximum amount of mineral in a realistic manner, recognising that some land will already have been developed and is not available for mineral extraction, but also that the economic growth for Herefordshire to come from urban development needs to be balanced with minerals development.*'

Question 89

6.7 These errors are identified in the *Schedule of Main Modifications and Minor Changes proposed Pre-Examination* (Examination Library ref. D3.75) at points MC6.c and MC6.d.