

# **1 Response Paper – Policy IMR1: Implementation, Monitoring and Review (Policy IMR1: Monitoring and Review)**

## **Purpose of Policy IMR1**

The purpose of this policy is to ensure that the policies adopted through the Minerals Local Plan (2014) are having the desired impact on the Plan area and, consequently, whether the strategy and Plan as a whole is delivering sustainable development. The policy commits the MLP to adopting a “plan, monitor, and manage” approach, with a Plan review to commence five years from adoption or should the landbank fall below 7 years.

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

- Policy IMR1 is in conformity with the objectives of the NPPF in that it sets out that a review of the MLP will take place within five years of adoption.
- However, the policy is silent on what happens following that first review. The NPPF requires that policies in local plans should be reviewed to assess whether they need updating at least once every five years, and an amendment is therefore required to accommodate this requirement.
- A number of changes would be required to supporting text which primarily relate to amendments which would be required to accommodate proposed changes previously discussed elsewhere in this report, such as the removal of the ‘Reserve’ site designation. A number of factual updates will also be required which would update references to national policy and to remove temporal information from what is a strategic plan.
- A number of amendments are required to the Monitoring Framework. These primarily relate to better articulating the purpose of the indicator or to allow it to report to a different or expanded target as was deemed necessary throughout the Review to date. Three indicators, namely those relating to monitoring building sand separately to concreting sand, the contribution made by marine sand to overall aggregate supply and the number of applications proposing non-road modes of transport of material, are proposed to be removed. This is because they are either not monitorable or are not providing useful information that could factor back into planning decisions. Further, the methodology behind the monitoring indicator pertaining to the production of recycled aggregates is proposed to be significantly amended to improve the quality of the output.
- A minor amendment is required to add the word ‘Implementation’ to the policy title.

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

- 1.1 The role of Policy IMR1 is to ensure that the policies adopted through the Minerals Local Plan (2014) are having the desired impact within the Plan area. This concept was not impacted by revisions to the NPPF.

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

- 1.2 A number of representations indicated support for the proposed amendments to the approach of monitoring and review without providing any additional details. Support was also received in relation to the recognition that the current monitoring framework was not well placed to capture natural capital gain secured through mineral development, and the MWPA received some offers of assistance in that regard such that a proportionate indicator could be defined. Since the MWPA made this specific request, the Environment Bill which was driving this revised approach received Royal Assent and became the Environment Act in November 2021. This has provided some clarity with regards to mandatory new monitoring provisions and therefore it is proposed that the MWPA's approach is shifted to align with those provisions. This is covered in more detail under '
- 1.3 With regards to assessing mineral need, this was originally set out through the Rationale Report which accompanied the Regulation 18 consultation in March 2021, and then subsequently updated through the informal engagement on mineral provision in March 2022, through Topic Paper S6, which re-addressed matters relating to the additional amount of mineral that needs to be provided through the Review.
- 1.4 In summary, mineral provision was previously based on the National and Sub National Guidelines for Aggregates Provision in England 2005 – 2020'.
- 1.5 These guidelines were themselves based on a Central Government forecast of the amount of mineral that would be required to support growth on a national scale, which was then divided into an apportionment figure to be allocated to each region. Regional Assemblies (that were later dissolved) subsequently had the role, in conjunction with Mineral Planning Authorities, of dividing these regional apportionment figures into an annual apportionment for each mineral planning area. This is how the current MLP provision figure of 4.31mtpa for Essex was derived.
- 1.6 Following the expiration of these guidelines for aggregate provision, the MWPA was then required to calculate the annual need for sand and gravel upon which future provision is to be based using the methodology set out in the NPPF. Following a review of local information as set out in Topic Paper S6, particularly historic annual sales of sand and gravel as set out in the latest Local Aggregate Assessment, it was then considered appropriate to adopt a new plan provision figure based on an average of the last ten years of rolling sales plus 20%. This was considered to allow the Plan to be imbued with the ability to accommodate future increases in sand and gravel sales as the economy recovers from the pandemic. As part of the Monitoring Framework, Monitoring Indicators 1, 2 and 3 seek to monitor mineral sales, aggregate recycling capacity and the size of the sand and gravel landbank. These indicators are designed to ensure that:
  - Indicator 1 - the mineral being provided amounts to the NPPF requirement to ensure a steady and adequate provision of mineral,

- Indicator 2 (currently Indicator 4) - that aggregate recycling capacity is at least being maintained if not increased annually, and that throughput does not equal total capacity such that there remains headroom for an increase in aggregate waste that can be recycled,
  - Indicator 3 (currently Indicator 5) – that the total amount of mineral permitted to be extracted in Essex amounts to at least seven years as required by the NPPF.
- 1.7 As the decision has now been taken to extend the MLP to 2040, this will necessitate a further re-calculation of mineral need which will be based on the methodology set out in NPPF Paragraph 213 and be presented in a revised topic paper relating to mineral provision.
- 1.8 With regards to the specific mineral extraction sites mentioned, the working of a quarry, particularly those of a larger size, is undertaken on a phased basis, with extraction undertaken in one area as other areas are restored, put into after-care and then into an after-use in accordance with an agreed Masterplan. Extensions are typically only permitted where working has ceased at the parent site and restoration begins, such that the rate of working remains relatively constant over time. For example, this is the case at Bradwell Quarry, which currently comprises of Sites A3 – A7. It is not the case that where there are a number of allocations in a single area, that these are worked concurrently, and therefore it is not the case that there is a large concentration of active quarries in proximity to Coggeshall. The rate of working has remained relatively constant over recent times, though it is accepted that the locality has experienced a concentration of mineral working over time. This however is as a consequence of where mineral is located in the County and where applications have been submitted by landowners.
- 1.9 It is further noted that the waste management facility at Rivenhall has received planning permission and holds a licence issued by the Environment Agency. To obtain these, the level of pollution, noise and road congestion highlighted in the response has been assessed as being acceptable in land use and environmental impact terms. Emissions will be subject to regular monitoring and specified limits can be enforced.
- 1.10 It is not the case that the waste that will be managed through the facility will be 'unknown'. The transfer of waste between disposal and management facilities, including recording the final facility it is managed at, is regulated and documented by the Environment Agency. The types of waste that can be managed at the Rivenhall facility is set out in its planning permission.
- 1.11 The need for a monitoring indicator to capture natural capital gain'.
- 1.12 Further, and as set out above, it was recognised prior to the March 2021 Regulation 18 Consultation that the methodology behind the monitoring indicator pertaining to the production of recycled aggregates required amending to improve the quality of the output. In March 2022, representatives from the National Waste Technical Advisory Board (WTAB) Chairs and Aggregate Working Party (AWP) Chairs produced a guidance note detailing a revised methodology for assessing levels of recycled aggregates. The implications with

regards to the approach to Monitoring Indicator 2 (4) is set out under 'Revised approach to assessing production levels of recycled aggregates'.

1.13 Through the consultation, a number of objections, clarifications and other proposed amendments were suggested through the raising of the following issues:

- The need to balance mineral provision with mineral need.
- The need for a monitoring indicator to capture natural capital gain.
- The fate of Preferred Site allocations if they remain undelivered at the end of the Plan period.
- The adequacy of publishing monitoring data once a year.
- Facilitating applications on non-Preferred Sites.
- Recording geological information as it is revealed through extraction.
- Revised approach to assessing production levels of recycled aggregates (arose from March 2022 national WTAB/AWP Guidance Note)
- Further Amendments to Monitoring Indicators

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

1.14 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.

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:

#### The need to balance mineral provision with mineral need

1.15 Through the Regulation 18 Consultation 2021, a respondent stated that it was recognised that minerals and waste policy is finally balanced, and that the amount of potential mineral has to be balanced by what the demand will be now and in the future. It was argued that there therefore had to be a focus on recycling and reusing and that it was not appropriate to keep exposing the Essex countryside to create quarries, such as at Coggeshall, as these amount to an environmental disaster. It was argued that the quarry would be a huge environmental scar on the landscape extending across the whole southern side of the town of Coggeshall. It was further stated that quarries already stretch from Bradwell to the East and extend south across the River Blackwater valley as far south as Silver End and Rivenhall. It was considered that this area is already under pressure from the planning application for an incinerator in what was considered to be a rural unspoilt area, which will burn unknown waste which is transported into the facility on already congested roads. It was stated that it was not fair that a local area should have to accommodate the industrial activity of a quarry due to impacts of pollution, noise and road congestion.

- 1.16 With regards to assessing mineral need, this was originally set out through the Rationale Report which accompanied the Regulation 18 consultation in March 2021, and then subsequently updated through the informal engagement on mineral provision in March 2022, through Topic Paper S6, which re-addressed matters relating to the additional amount of mineral that needs to be provided through the Review.
- 1.17 In summary, mineral provision was previously based on the National and Sub National Guidelines for Aggregates Provision in England 2005 – 2020’.
- 1.18 These guidelines were themselves based on a Central Government forecast of the amount of mineral that would be required to support growth on a national scale, which was then divided into an apportionment figure to be allocated to each region. Regional Assemblies (that were later dissolved) subsequently had the role, in conjunction with Mineral Planning Authorities, of dividing these regional apportionment figures into an annual apportionment for each mineral planning area. This is how the current MLP provision figure of 4.31mtpa for Essex was derived.
- 1.19 Following the expiration of these guidelines for aggregate provision, the MWPA was then required to calculate the annual need for sand and gravel upon which future provision is to be based using the methodology set out in the NPPF. Following a review of local information as set out in Topic Paper S6, particularly historic annual sales of sand and gravel as set out in the latest Local Aggregate Assessment, it was then considered appropriate to adopt a new plan provision figure based on an average of the last ten years of rolling sales plus 20%. This was considered to allow the Plan to be imbued with the ability to accommodate future increases in sand and gravel sales as the economy recovers from the pandemic. As part of the Monitoring Framework, Monitoring Indicators 1, 2 and 3 seek to monitor mineral sales, aggregate recycling capacity and the size of the sand and gravel landbank. These indicators are designed to ensure that:
- Indicator 1 - the mineral being provided amounts to the NPPF requirement to ensure a steady and adequate provision of mineral,
  - Indicator 2 (currently Indicator 4) - that aggregate recycling capacity is at least being maintained if not increased annually, and that throughput does not equal total capacity such that there remains headroom for an increase in aggregate waste that can be recycled,
  - Indicator 3 (currently Indicator 5) – that the total amount of mineral permitted to be extracted in Essex amounts to at least seven years as required by the NPPF.
- 1.20 As the decision has now been taken to extend the MLP to 2040, this will necessitate a further re-calculation of mineral need which will be based on the methodology set out in NPPF Paragraph 213 and be presented in a revised topic paper relating to mineral provision.
- 1.21 With regards to the specific mineral extraction sites mentioned, the working of a quarry, particularly those of a larger size, is undertaken on a phased basis, with extraction undertaken in one area as other areas are restored, put into after-care

and then into an after-use in accordance with an agreed Masterplan. Extensions are typically only permitted where working has ceased at the parent site and restoration begins, such that the rate of working remains relatively constant over time. For example, this is the case at Bradwell Quarry, which currently comprises of Sites A3 – A7. It is not the case that where there are a number of allocations in a single area, that these are worked concurrently, and therefore it is not the case that there is a large concentration of active quarries in proximity to Coggeshall. The rate of working has remained relatively constant over recent times, though it is accepted that the locality has experienced a concentration of mineral working over time. This however is as a consequence of where mineral is located in the County and where applications have been submitted by landowners.

- 1.22 It is further noted that the waste management facility at Rivenhall has received planning permission and holds a licence issued by the Environment Agency. To obtain these, the level of pollution, noise and road congestion highlighted in the response has been assessed as being acceptable in land use and environmental impact terms. Emissions will be subject to regular monitoring and specified limits can be enforced.
- 1.23 It is not the case that the waste that will be managed through the facility will be 'unknown'. The transfer of waste between disposal and management facilities, including recording the final facility it is managed at, is regulated and documented by the Environment Agency. The types of waste that can be managed at the Rivenhall facility is set out in its planning permission.

#### The need for a monitoring indicator to capture natural capital gain

- 1.24 The Rationale Report supporting the Regulation 18 Consultation 2021 included a section entitled 'Natural Capital: Creation of a new MLP Indicator'. Here it was explained that 'A Green Future: Our 25 Year Plan' (Defra, 2018) places importance on the consideration of natural capital, defined as the sum of our air, water, soil, minerals, species and ecosystems that support all forms of life. The 25 Year Plan further states that enhancing natural capital is an essential basis for economic growth and productivity over the long term and as such, a number of proposed modifications to the MLP subsequently sought to firmly establish natural capital growth as part of its overarching strategy. However, to demonstrate whether the amendments have real substance, there is a requirement to be able to monitor whether the Plan has an impact on natural capital provision.
- 1.25 The report continued by stating that currently, the most relevant indicator within the MLP Monitoring Framework is Mineral Monitoring Indicator 8 (11) - *Provision of land newly restored for habitat creation*, but this is restricted to monitoring the provision of Priority Biodiversity Action Plan habitat. It was therefore considered that there was merit in assessing the practicality of expanding monitoring to also incorporate the more holistic concept of 'natural capital' provision as part of extraction and restoration proposals.

- 1.26 However, the actual monitoring of natural capital is an emerging science. As such, potential indicators that could be used to monitor natural capital were explored with, and were invited from, interested parties as the MLP Review progressed. As such, the emerging revised Monitoring Framework included reference to a new, ninth monitoring indicator focussed around measuring Natural Capital as being 'To be Confirmed'.
- 1.27 Through the Regulation 18 Consultation 2021, it was noted that the practicality of expanding monitoring to incorporate the more holistic concept of 'natural capital' provision as part of extraction and restoration proposals was fully supported. As originally concluded by the MWPA in the Rationale Report, respondents agreed that the current Mineral Monitoring Indicator 8 (11) is too restrictive to act as a proxy for the proposed Natural Capital Indicator. Further, a number of respondents stated that they may be able to assist in developing an appropriate and proportionate indicator to monitor the impact of the MLP policies on natural capital alongside other stakeholders
- 1.28 Subsequent to the MWPA making this specific request through the Regulation 18 Consultation 2021, the Environment Bill which was driving this revised approach received Royal Assent and became the Environment Act in November 2021. This created a number of mandatory requirements around delivering 'Biodiversity Net Gain' including the use of a metric which will supply quantifiable data relating to development-led net gains in biodiversity which can be monitored and reported.
- 1.29 The Act requires Local Planning Authority's to report on biodiversity net gain delivery. It is expected that further information with regards to monitoring requirements will be set out in future consultations led by the Department for Environment, Food and Rural Affairs (Defra), and secondary legislation.
- 1.30 It is recognised that this emerging legislation as it applies to the proposed monitoring biodiversity net gain regime does not accommodate the wider concept of natural capital. As such it is also recognised that an indicator assessing biodiversity net gain would not amount to a monitoring indicator quantifying natural capital gain.
- 1.31 However, the MWPA does not have the resources to create, unilaterally or in partnership, a robust, monitorable indicator to capture natural capital gain. This is particularly the case where there is the potential for metrics to be created and imposed nationally in the future. Through the Rationale Report 2021, it was also recognised that as part of this Review, it may not be possible to establish a definitive natural capital indicator. Under such an eventuality, it was considered that thought could be given to creating an indicator that monitors whether applications themselves explicitly promote natural capital growth/ environmental net gain through their proposals. Future revisions to the MLP can then reassess the practicality of a more definitive indicator which monitored the extent of the net gain.
- 1.32 As such, at this stage it is considered appropriate that the Monitoring Framework of the MLP is amendment to include the national requirement to monitor biodiversity net gain through the application of the current Government supported

Biodiversity Metric, or any successor, and move to adopting the emerging approach as this is finalised ahead of the adoption of the MLP. The Biodiversity Metric is a habitat-based approach to determining a proxy biodiversity value which has been developed by Natural England. The Biodiversity Metric is designed to provide ecologists, developers, planners and other interested parties with a means of assessing changes in biodiversity value (losses or gains) brought about by development or changes in land management. The current version of the metric is Biodiversity Metric 3 but any proposed amendment will also refer to any successor metrics so as not to date the approach.

- 1.33 Planning applications subject to mandatory biodiversity net gain will be required to submit a biodiversity gain plan for planning authority approval. The Environment Act sets out that the biodiversity gain plan should include how adverse impacts on habitats have been minimised, the pre and post-development biodiversity value of habitat, and any credits purchased due to any inability to secure net gain on the site itself. Additional requirements may be bought in through secondary legislation in the future. It is also noted that additional guidance is expected which will be aimed at how local authorities can monitor the provision and maintenance of biodiversity net gains. It is currently stated that on-site monitoring is the responsibility of the developer and that this should be set out in the biodiversity gain plan. Local Planning Authorities, including the MWPA, will have duties to report on biodiversity net gain delivery. It is expected that further information on monitoring requirements will be set out in future national consultations and secondary legislation. Until such a time, a monitoring indicator is proposed through Table 1 below but this may require further amendment as secondary legislation is introduced.
- 1.34 The MWPA will however also positively respond to any emerging guidance and legislation relating to a wider natural capital monitoring indicator as and when such guidance emerges at the national level. The MWPA will consider implementing this through subsequent plan reviews or via a Supplementary Planning Document as considered appropriate.

#### The fate of Preferred Site allocations if they remain undelivered at the end of the Plan period

- 1.35 Through the consultation it was noted by respondents that there is considerable time and cost invested in bringing forward planning applications for mineral development across Preferred Sites. It was further noted that planning permissions secured on the Preferred Sites identified in the MLP provide allocated reserves to the County's mineral landbank and are strategically located to support the spatial strategy. As such, it was stated that a degree of flexibility is needed to allow for planned operations of quarries to maintain minerals production capacity, and the range of mineral products that are produced through major strategic sites, which may serve local mineral needs. Therefore, an amendment was proposed through the consultation to Paragraph 6.3 (6.4) to protect allocated mineral reserves that have come forward within the Plan period. The proposed amendment as set out in the Draft MLP supporting the Regulation



18 consultation in March 2021 stated that '*Preferred Site allocations will however expire at the end date of this Plan and would need to be resubmitted as part of a future Call for Sites*'. An alternative amendment proposed through the consultation is shown in *underlined italics*: Preferred Site allocations will however expire at the end date of this Plan *if they have not come forward within the Plan period (received planning permission for mineral extraction)* and would need to be resubmitted as part of a future Call for Sites. It was suggested that the proposed amendment would support the County in planning for a steady and adequate supply of aggregates by maintaining landbanks of "at least" seven years for sand and gravel.

- 1.36 The MWPA accepts that the amendment proposed by the MPA in its current form is too restrictive and would benefit from further amendment to ensure that the spatial strategy and strategic importance of mineral distribution is not unduly undermined by restrictive policy. It is however important to ensure that sites which are allocated for extraction during a plan period come forward as a planning application.
- 1.37 It is therefore proposed to amend the relevant section of Paragraph 6.3 (6.4) to *"Allocations where permission to extract has not been granted will however expire at the end date of this Plan unless a valid planning application to work all or part of the site has been received by the MWPA either prior to the end date of the MWLP or adoption of a RMLP, and the application has yet to be determined. In all other cases, the proposed site would need to be resubmitted as part of a future Call for Sites, assessed and be re-allocated within a future replacement plan."*

This is considered to be a more appropriate approach than the site having had to have received planning permission as an application to work a Preferred Site may still be subject to determination at the point of a Plan end date being reached.

- 1.38 Where a site is subsequently refused planning permission to extract after the end date of the Plan through which the allocation was made, it will cease to become a Preferred Site. With the subsequent decision to re-base the Plan to 2040, all existing allocations in the MLP 2014 that have not come forward will be re-assessed under the new site selection methodology and an assessment made of their continued appropriateness, and any exceptional circumstances for their reallocation will be considered.

#### The adequacy of publishing monitoring data once a year

- 1.39 A respondent considered that the monitoring framework as proposed is rigid and relies on annual monitoring data to trigger a Review. It was considered that this process is lengthy and does not provide the flexibility needed to respond quickly to changes in circumstances.
- 1.40 The MWPA notes that operating a monitoring framework on the basis of annually collated monitoring data is considered to be standard practice nationally and is therefore considered to be an appropriate approach. In relation to permitted reserve and subsequent landbank calculations, each monitoring period is

informed by data returned by mineral operators through an annual survey, and, for Essex, this is ratified at the East of England level in a Regional annual monitoring report before being published by individual MWPAs. Whilst it is possible to present interim figures, and this can be done to support a decision on a planning application, annually is the frequency that all MWPAs update and publish their monitoring documents with 'official' figures used for future monitoring and trend analysis.

#### Facilitating applications on non-Preferred Sites

- 1.41 Referring to a previous comment made in relation to Policy S6, a respondent noted that they considered the Plan to be in a precarious position with regards to the maintenance of a sand and gravel landbank which would ensure a steady and adequate supply of minerals to meet future demand. Noting their previous advocacy for a full Plan Review. It was stated that should the MWPA propose not to embark on a full Review, it was considered that there has to be an element of flexibility built in to allow additional sand and gravel resources to come forward to maintain supply and ensure continuity in production. Additional wording to Policy S6 to address this issue was provided.
- 1.42 Related to this point, the same respondent also stated that the Monitoring Framework does not provide operators with the comfort that they could bring sites – extensions or new greenfield sites – forward outside of areas designed as Preferred Sites.
- 1.43 As set out in accompanying documentation, it is now proposed to progress the Plan Review on the basis of a new Plan end date of 2040, and undertake an additional Call for Sites exercise to support that which took place as part of the informal engagement on mineral need which took place in March 2022. This is intended to result in additional allocations to provide Plan flexibility, which will be consulted upon in due course. However, in any event, the MWPA do not actively encourage sites, extensions or otherwise, to be brought forward outside of Preferred Sites unless they meet the tests set out under Policy S6. This is essential in order to maintain a Plan-led system and provide confidence in when and where mineral development is to take place. As such, the monitoring framework is aimed at monitoring on the basis that mineral extraction sites come forward in accordance with the spatial strategy ie that permissions for extraction are on Preferred Sites unless extraction is linked to an agricultural reservoir, borrow pit or prior extraction to avoid sterilisation, with the monitoring target being that all such permissions accord with this principle.

#### Recording geological information as it is revealed through extraction

- 1.44 One respondent represented a conservation body and part of the geological community in Essex and considered that it was important to use the opportunity afforded by the revealing of geology through mineral extraction to record and sample the strata before the geological information is destroyed by their extraction.

- 1.45 The MWPA however notes that the Monitoring Framework of the MLP is linked to ensuring that the policies in the MLP are delivering their anticipated outcomes. The information which would be secured through a monitoring indicator of the kind proposed through the consultation would not have a planning purpose and therefore it is not appropriate for the Monitoring Framework.
- 1.46 However, 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 would 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 would 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. 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. Such requests would be required to be made to them.

#### Revised approach to assessing production levels of recycled aggregates

- 1.47 It was recognised prior to the March 2021 Regulation 18 Consultation that the methodology behind the monitoring indicator pertaining to the production of recycled aggregates required amending to improve the quality of the output. Currently, the indicator measures site throughput (input) at recycling facilities licenced by the Environment Agency. However, this does not strictly correlate to the actual amount of recycled aggregate produced, as the total input of waste material is not the same thing, as it is unlikely that 100% of waste material inputted will be turned into a recyclable aggregate of sufficient quality to qualify as such.
- 1.48 In March 2022, representatives from the National Waste Technical Advisory Board Chairs and Aggregate Working Party Chairs produced a guidance note detailing a revised methodology for assessing levels of recycled aggregates. Whilst the methodology put forward in the guidance note is not considered to result in the need to amend Monitoring Indicator 2 (4) beyond that already proposed though the Regulation 18 Consultation 2021, the means by which data to inform that indicator will be accrued is proposed to be changed.
- 1.49 The guidance note sets out that the methods detailed in the note are for guidance only. MWPAs may choose to employ one or more of the methods best suited to their requirements but that it is likely that applying more than one of the methods will result in an estimate that is more robust than if a single method is applied. The three suggested methods are relying on national data, carrying out surveys and using EA monitoring data captured in the Waste Data Interrogator.
- 1.50 With respect to using national data, a Government commissioned national survey was undertaken in 2005 which considered the arisings and use of recycled

aggregates. The objective of the survey was to generate estimates for recycled aggregate and soil, as well as construction, demolition and excavation waste used and disposed of at licensed landfills. The MWPA would however question the value of the use of this study given that it was informed by data likely representing periods prior to 2005, and that the industry has developed and changed as a result of policy and market forces. As such the survey is considered to be significantly dated. Whilst other national level surveys have since been carried out, these reports do not take into account regional or local variations (such as whether an area is predominantly rural or urban) and therefore there are limitations with regards to its use at a County level for monitoring in Essex.

- 1.51 Information at a county level can however be secured through the Waste Data Interrogator (WDI). This is produced by the Environment Agency annually based on data received from regulated waste management facilities. The submission of data is a legal requirement of being able to continue with a waste management permit, without which the facility in question would be operating illegally. The WDI provides tonnages of waste received and waste removed.
- 1.52 To estimate the amount of recycled aggregate available to the market within a local authority's area, it would be necessary to filter the WDI to ensure that only those waste considered to be inert waste and therefore acceptable for the production of recycled aggregates are reported. There would then be a subsequent need to filter out those processes which do not result in a material which can be sold as a recycled aggregate, such as landfilling.
- 1.53 The guidance note states that there are however limitations with this approach. It is stated that the data provided in the WDI is not 'sales' of recycled aggregate data, it is in fact just the amount of material suitable for use as a recycled aggregate that is delivered to that specific facility (ie that material which could be sold). Some waste material may also be stockpiled at a particular site to be sold at a later date, and therefore would be material un-sold ie not distributed into the market. The MWPA notes that the relevant MLP indicator is set up to monitor recycled aggregate 'production' rather than sales in any event so this isn't considered to strictly be a limitation.
- 1.54 The WDI may also exclude a proportion of waste material which is processed by mobile plant at construction sites, which in a survey carried out in 2005 was estimated as being up to 20% of the total production of recycled aggregates. The guidance notes therefore that the WDI figure could be treated as 80% of recycled aggregate production, with a further 20% added to make up for this, but also notes that more urbanised plan areas may have a higher proportion of mobile plant. Whilst Essex has a mix of urban and rural locations, which could mean that the 20% contribution is indicative, the guidance note also states that the data underpinning the survey is old such that the 20% figure may no longer be representative, and that the use of mobile plant will vary year to year. The guidance note also states that there may also be an element of over-estimating/double-counting associated with the use of data from the WDI,

especially in terms of the types of facilities handling waste suitable for use as recycled aggregates rather than actually producing it.

- 1.55 Whilst the MWPA notes that reliance on the WDI will give rise to inaccuracies in the data, it is considered the most reliable method for data collation. It is further considered appropriate to not attempt to offset any potential data inconsistencies in the WDI data with variables which will themselves introduce additional inconsistencies. As the methodology will result in both potential over and under counting, the MWPA considers it most appropriate to report the figures derived from the WDI each year whilst recognising the limitations of it. Annual reporting will also at least provide a general trend even if the figures are not entirely accurate for the reasons set out above.
- 1.56 With regards to the suggested use of a survey, whilst the MWPA considers that this could provide additional robust data to inform the monitoring indicator, there are a number of drawbacks. Time and staff resources would be required to ensure operator details remain up to date in order to assist in obtaining a good response rate. Further, any survey would be voluntary and there is no incentive to a waste operator to complete a survey. The MWPA have run previous such surveys and received too low a response rate to provide meaningful data. Operators may also include materials such as screened soil in their return which mean the total recycled aggregate reported would not meet the End of Waste criteria for classification as an aggregate. The MWPA would therefore have to deploy additional staff resources to sense check each return. There would also be a similar issue with regards to capturing returns from mobile plant, both in the sense of being aware of the facilities in the first instance, and then ensuring that only data pertaining to the plan area is submitted.
- 1.57 On balance, and given prior experience, it is considered that operating a bespoke survey will not provide sufficiently accurate and comprehensive data to merit the commitment of time and staff resources. This is considered to be the case even if a survey was used in combination with the WDI as a means to sense check the data derived from the WDI. It is also noted that the voluntary survey would need to be an annual commitment in order that up-to-date data can be secured each year, so there is also the potential for a drop off in returns.
- 1.58 It is therefore considered that the most appropriate approach is to operate this monitoring indicator based on facility capacity as secured through planning applications and the WDI, as well as throughput data secured through the WDI and subsequently filtered by appropriate waste and management types. Such a method allows for an approach that can be repeated annually and which does not attempt to offset any potential data inconsistencies with variables which may themselves introduce additional inconsistencies. The data outputted should therefore provide a consistent baseline from which to ascertain qualitative trends, for example 'the production of recycled aggregate is increasing annually', even though no strict reliance should be made on the quantitative outputs.

## Further Amendments to Monitoring Indicators

- 1.59 Outside of the consultation, the MWPA have since considered that a further three amendments are required to be made to the Monitoring Framework. The first of these relates to amending Monitoring Indicator 4 (6) from 'Locations of new aggregate recycling facilities in accordance with spatial strategy.' to 'Locations of new aggregate recycling facilities in accordance with Policy S5' as this is the policy driver for locating new aggregate recycling facilities in appropriate locations. It is further proposed to amend the Monitoring Indicator target from 'Aggregate recycling facilities in proximity to all key growth locations' to 'All Aggregate recycling facilities in accordance with Policy S5'.
- 1.60 With regards to Monitoring Indicator 6 (8), where the monitoring indicator only safeguards depots and wharves, this needs to be amended to include all mineral infrastructure, including the loss of consented reserves, such that all mineral sites that are protected through an MCA designation are explicitly captured.
- 1.61 Amendments are proposed to Monitoring Indicator 7 (9) to remove references to mineral deposits being 'commercial'. All safeguarded mineral deposits are intended to be covered by the Indicator, with the term 'commercial' acting to unintentionally make a false distinction not carried through in the rest of the Plan, It is still intended to amend the indicator such that it can report on a split between mineral sterilised by non-mineral development and mineral sterilised by non-mineral development contrary to the advice of the MWPA.
- 1.62 The rationale for the removal of the word 'commercial' is that this is not a term used with regards to mineral safeguarding in either the NPPF or PPG, and it therefore introduces additional ambiguity. Amendments previously proposed to the indicator, which are that the MWPA would raise an objection to applications that would sterilise deposits above the prescribed mineral threshold set out in Policy S8 wherever it has not been demonstrated that it is not practical or environmentally feasible to extract them, aligns the indicator with the NPPF.
- 1.63 It is proposed to amend the title of Monitoring Indicator 8 (11) to recognise that its aim is to specifically capture land newly restored for *priority* habitat creation.
- 1.64 In addition, it was noticed that on occasion, the 'Related Policy' column of the Monitoring Framework had not been updated where the name of the policy had been amended through the Review. A number of further amendments are therefore proposed to correct this as set out in Table 1.

## **Conclusion**

- 1.65 Where support was received for the proposed amendments to the monitoring approach, those responses either did not contain any further detail or were in relation to the recognition by the MWPA of Monitoring Indicator 8 (11) - *Provision of land newly restored for habitat creation* not being of sufficient scope to act as an indicator for measuring natural capital gain, and in those instances,

responding to a request from the MWPA for support in developing such an indicator.

- 1.66 Subsequent to the MWPA making this specific request through the Regulation 18 Consultation 2021, the Environment Bill which was driving this revised approach received Royal Assent and became the Environment Act in November 2021. This created a number of mandatory requirements around 'Biodiversity Net Gain' including the use of a metric which will supply quantifiable data relating to development-led net gains in biodiversity which can be monitored and reported.
- 1.67 At this stage it is considered appropriate that the Monitoring Framework of the MLP is amended to include the national requirement to monitor biodiversity net gain through the application of the current Government supported metric, or any successor, and adopt the emerging approach as this is finalised ahead of the adoption of the MLP. It is expected that further information on monitoring requirements will be set out in future national consultations and secondary legislation. Until such a time, a new monitoring indicator to monitor biodiversity net gain is proposed but may require further amendment as secondary legislation is introduced
- 1.68 The MWPA will also positively respond to any emerging guidance and legislation relating to a wider natural capital monitoring indicator as and when such guidance emerges at the national level and consider implementing this through subsequent plan reviews or via a Supplementary Planning Document as considered appropriate.
- 1.69 As part of considering responses to this section of the Plan, the MWPA noted the need to re-amend a previously proposed amendment related to Paragraph 6.3 (6.4) which sought to clarify what happens to Preferred Site allocations which have not been delivered by the end of the Plan period. The MWPA agrees that the proposed amendment was too restrictive and as such this is proposed to be caveated through additional amendments as set out in Table 1 below.
- 1.70 Other representations were received which related to the need to balance mineral supply with mineral need, as well as the Monitoring Framework being too restrictive to respond to changes in need as it is only reported on annually. Many of the issues raised under these themes are addressed through Topic Paper S6 – General Principles for Sand and Gravel Provision. Further, many of these issues fall away due to the MWPA's acceptance that a Call for Sites is required to ensure the allocation of additional sites to increase plan flexibility and extend the Plan strategy. With regards to the specific issue of the framework not being sufficiently responsive, it is standard practice for monitoring information to be published on an annual basis and so this is not agreed. However, where relevant, interim positions can be calculated for the purposes of determining a particular application.
- 1.71 In relation to the recognised need to amend Monitoring Indicator 2 (4), following the publication of a guidance note relating to assessing levels of recycled aggregates, it is proposed that the MWPA adopt the Waste Data Interrogator (WDI) method for estimating recycled aggregate production. It is further

recommended that the MWPA do not seek to introduce modifications to the raw WDI dataset in order to correct recognised deficiencies as they themselves will result in additional deficiencies.

- 1.72 A number of additional minor amendments are proposed to Monitoring Indicators where it is considered these amendments would better reflect or make explicit the purpose of the indicator, or update the framework with revised policy titles. A table setting out all additional proposed amendments to this plan section is set out below.

**Table 1: Schedule of Proposed Additional Amendments to Policy IMR1 – Monitoring and Review following Regulation 18 Consultation 2021 on MLP Review**

Old Ref	New Ref	Proposed Amendment
Para 6.3		<p>Re-drafted to read 'It is therefore proposed to amend the relevant section of Paragraph 6.3 (6.4) to</p> <p><i><u>Allocations where permission to extract has not been granted will however expire at the end date of this Plan unless a valid planning application to work all or part of the site has been received by the MWPA either prior to the end date of the MWLP or adoption of a RMLP, and the application has yet to be determined. In all other cases, the proposed site would need to be resubmitted as part of a future Call for Sites, assessed and be re-allocated within a future replacement plan.</u></i></p> <p>to clarify the status of Preferred Site allocations at the end of the Plan period.</p>
Table 8 MMI 1 Related Policy column		Policy S6: <del>Provision</del> <u>General principles</u> for sand and gravel extraction <del>provision</del>
Table 8 MMI 5 Related Policy column		Policy S6: <del>Provision</del> <u>General principles</u> for sand and gravel extraction <del>provision</del>
Table 8 MMI 6 Indicator column		Locations of new <u>aggregate</u> recycling facilities in accordance with <del>spatial strategy</del> <u>Policy S5</u> .
Table 8 MMI 6		<del>SARS</del> <u>Aggregate recycling facilities</u> in proximity



Target column		to all key centres for growth and development growth locations <u>or otherwise in accordance with Policy S5</u>
Table 8 MMI 6 Implementation column		Planning authority will support in principle applications in accordance with <del>strategy</del> <u>Policy S5</u> .
Table 8 MMI 7 Related Policy column		Policy P1: Preferred <del>and Reserve</del> Sites for Sand and Gravel Extraction
Table 8 MMI 8 Indicator column		Number of safeguarded <del>depots/wharves</del> <u>mineral transshipment sites</u> lost to other uses.
Table 8 MMI 8 Related Policy column		Policy S9: Safeguarding Mineral Extraction Sites <del>mineral transshipment sites and Secondary Processing Facilities</del> and other Mineral Infrastructure
Table 8 MMI 8 Target column		<del>Nil</del> <u>No safeguarded mineral infrastructure or mineral resource with planning permission to extract is lost to non-mineral development contrary to the advice of the MPA</u>
Table 8 MMI 9 Indicator column		<u>b) Area of mineral deposits sterilised by non-mineral development contrary to the advice of the MPA.</u>
Table 8 MMI 9 Related Policy column		Policy S8: Safeguarding Mineral Resources <del>and Mineral Reserves</del>
Table 8 MMI 9 Target column		<u>No mineral deposits sterilised by non-mineral development contrary to the advice of the MPA</u>
Table 8 MMI 11 Target column		<del>Amount</del> Provision of land newly restored for <u>priority</u> habitat creation.
N/A	Table X MMI X Indicator column	<u>Provision of at least 10% Biodiversity Net Gain from Qualifying Applications</u>
N/A	Table X MMI X Related Policy column	<u>Policy S12: Mineral Site Restoration and After-Use</u>

N/A	Table X MMI X Target column	<u>All developments to demonstrate achievement, progression or maintenance of Biodiversity Net Gain of at least 10%, in line with agreed Biodiversity Net Gain Plans.</u>
N/A	Table X MMI X Implementation column	<u>Ensuring monitoring data is in-line with commitments made in the Biodiversity Net Gain Plans and/ or associated planning permissions.</u>
N/A	Table X MMI X Data Source column	<u>Compilation of information set out in Developer-produced Biodiversity Net Gain Plans as calculated through Biodiversity Metric 3 or its direct successors.</u>
N/A	Table X MMI X Frequency of Monitoring column	<u>Via the AMR process</u>
N/A	Table X MMI X Responsibility column	<u>ECC/ Developer</u>

**Table 2: March 2021 Regulation 18 Consultation Responses to Policy S4 – Reducing the use of mineral resources**

<b>ORGANISATION</b>	<b>ON BEHALF OF</b>	<b>POLICY IMR1 AND MONITORING FRAMEWORK</b>	<b>POLICY IMR1 AND MONITORING FRAMEWORK</b>	<b>ECC RESPONSE</b>
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	N/A
W H Collier Limited (769297167/ 942768790)		Agree		N/A
Coggeshall Parish Council (598729813)	Coggeshall parish council	Agree		N/A
Blackwater Aggregates (623162177)		Agree (but wish to clarify)	The purpose of this policy is to ensure that the policies adopted through the Minerals Local Plan (2014) are having the desired impact	Noted

			on the Plan area and consequently whether the strategy is delivering sustainable development. The policy commits the MLP to adopting a “plan, monitor, and manage” approach, with a Plan review to commence five years from adoption or should the landbank fall below 7 years.	
CEMEX (982058282)		Agree (but wish to clarify)	The purpose of this policy is to ensure that the policies adopted through the Minerals Local Plan (2014) are having the desired impact on the Plan area and consequently whether the strategy is delivering sustainable development. The policy commits the MLP to adopting a “plan, monitor, and manage” approach, with a Plan review to commence five years from adoption or should the landbank fall below 7 years.	Noted.
Gent Fairhead Aggregates (871678397)		Agree (but wish to clarify)	The purpose of this policy is to ensure that the policies adopted through the Minerals Local Plan (2014) are having the desired impact on the Plan area and consequently whether the strategy is delivering sustainable development. The policy commits the MLP to adopting a “plan, monitor, and manage” approach, with a Plan review to commence five years from adoption or should the landbank fall below 7 years.	Noted.
Resident		Agree (but	The purpose of this policy is to	Noted.

(850344129)		wish to clarify)	ensure that the policies adopted through the Minerals Local Plan (2014) are having the desired impact on the Plan area and consequently whether the strategy is delivering sustainable development. The policy commits the MLP to adopting a “plan, monitor, and manage” approach, with a Plan review to commence five years from adoption or should the landbank fall below 7 years.	
CPRE Essex (665562826)		Agree (but wish to clarify)	The practicality of expanding monitoring to incorporate the more holistic concept of ‘natural capital’ provision as part of extraction and restoration proposals is fully supported. The current Mineral Monitoring Indicator 11 is too restricted to act as a proxy for the proposed Natural Capital Indicator.	<p>The Rationale Report accompanying the Regulation 18 Consultation 2021 highlighted that Mineral Monitoring Indicator 8 (11), which monitors the provision of Priority Biodiversity Action Plan habitat was too restricted in scope to act as a monitoring indicator for natural capital. It was also noted that the monitoring of natural capital was an emerging science and, although the MWPA recognised the merit of including an indicator in the MLP Monitoring Framework, further work was required to be undertaken in this field.</p> <p>Subsequent to the MWPA making this specific request</p>

				<p>through the Regulation 18 Consultation 2021, the Environment Bill which was driving this revised approach received Royal Assent and became the Environment Act in November 2021. This created a number of mandatory requirements around 'Biodiversity Net Gain' including the use of a metric which will supply quantifiable data relating to development-led net gains in biodiversity which can be monitored and reported.</p> <p>The Act requires Local Planning Authority's to report on biodiversity net gain delivery. It is expected that further information on monitoring requirements will be set out in future consultations led by the Department for Environment, Food and Rural Affairs (Defra) and secondary legislation.</p> <p>It is recognised that this emerging legislation as it applies to the proposed monitoring regime does not</p>
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				<p>accommodate the wider concept of natural capital. As such it is also recognised that an indicator assessing biodiversity net gain would not amount to a monitoring indicator quantifying natural capital gain.</p> <p>However, the MWPA does not have the resources to create, unilaterally or in partnership, a robust, monitorable indicator to capture natural capital gain. This is particularly the case where there is the potential for metrics to be created nationally in an event. Through the Rationale Report 2021, it was also recognised that as part of this Review, it may not be possible to establish a definitive indicator. Under such an eventuality, it was then proposed that consideration will be given to creating an indicator that monitors whether applications themselves explicitly promote natural capital growth/ environmental net gain through their proposals. Future revisions to the MLP can then reassess the practicality of a more definitive</p>
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				<p>indicator.</p> <p>As such, at this stage it is considered appropriate that the Monitoring Framework of the MLP is amendment to include the national requirement to monitor biodiversity net gain through the application of the current Government supported metric, or any successor, and adopt the emerging approach as this is finalised ahead of the adoption of the MLP.</p> <p>The MWPA will however positively respond to any emerging guidance and legislation relating to a wider natural capital monitoring indicator as and when such guidance emerges at the national level and consider implementing this through subsequent plan reviews or via a Supplementary Planning Document if considered appropriate.</p>
David L Walker Ltd (559449615)	Brice Aggregates	No comment		N/A
Strutt & Parker (891506607)	G&B Finch	No comment		N/A
Thurrock	Thurrock	No comment	No additional comment.	Noted



Borough Council (97704900)	borough Council			
Suffolk County Council (549043477)		No comment	No comment.	Noted
GeoEssex (538324742)		No comment	no comment	Noted
Kelvedon & Feering Heritage Society (677892382)		No comment		N/A

<b>ORGANISATION</b>	<b>ON BEHALF OF</b>	<b>POLICY IMR1 AND MONITORING FRAMEWORK</b>	<b>POLICY IMR1 AND MONITORING FRAMEWORK</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	N/A
W H Collier Limited (769297167/		Agree		N/A

942768790)				
CPRE Essex (665562826)		Agree		N/A
Thurrock Borough Council (97704900)	Thurrock borough Council	Agree	No additional comment.	Noted
Coggeshall Parish Council (598729813)	Coggeshall parish council	Agree (but wish to clarify)	While I appreciate that Essex and the mineral and waste policy is finally balanced. The amount of potential mineral has to be balanced by what the demand will be now and in the future. Hence recycling and reusing is very necessary. To keep exposing the Essex countryside to create quarries namely Coggeshall would be such an environmental disaster. It is going to be a huge environmental scar on the landscape extending across the whole southern side of the town of Coggeshall. Quarries already stretch from Bradwell to the East and extend South across the River Blackwater valley as far South as Silver End and Rivenhall. This area is already under pressure from the planning application for an incinerator in this rural unspoilt area, where there is going to be a large incinerator stack burning unknown waste , being transported in on already congested roads. Add to this the industrial activity of a quarry the pollution , noise, road congestion, is	With regards to assessing mineral need, this was originally set out through the Rationale Report which accompanied the Regulation 18 consultation in March 2021, and then subsequently updated through the informal engagement on mineral provision in March 2022, through Topic Paper S6, which re-addressed matters relating to the additional amount of mineral that needs to be provided through the Review.  In summary, mineral provision was previously based on the National and Sub National Guidelines for Aggregates Provision in England 2005 – 2020’.  These guidelines were themselves based on a Central Government forecast of the amount of mineral that would

			<p>this fair?</p>	<p>be required to support growth on a national scale, which was then divided into an apportionment figure to be allocated to each region. Regional Assemblies (that were later dissolved) subsequently had the role, in conjunction with Mineral Planning Authorities, of dividing these regional apportionment figures into an annual apportionment for each mineral planning area. This is how the current MLP provision figure of 4.31mtpa for Essex was derived.</p> <p>Following the expiration of these guidelines for aggregate provision, the MWPA was then required to calculate the annual need for sand and gravel upon which future provision is to be based using the methodology set out in the NPPF. Following a review of local information as set out in Topic Paper S6, particularly historic annual sales of sand and gravel as set out in the latest Local Aggregate Assessment, it was then</p>
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				<p>considered appropriate to adopt a new plan provision figure based on an average of the last ten years of rolling sales plus 20%. This was considered to allow the Plan to be imbued with the ability to accommodate future increases in sand and gravel sales as the economy recovers from the pandemic. As part of the Monitoring Framework, Monitoring Indicators 1, 2 and 3 seek to monitor mineral sales, aggregate recycling capacity and the size of the sand and gravel landbank. These indicators are designed to ensure that the mineral being provided amounts to the NPPF requirement to ensure a steady and adequate provision of mineral, and that aggregate recycling capacity is at least being maintained if not increased annually, that throughput does not equal total capacity such that there remains headroom for an increase in aggregate waste that can be recycled, and that the total amount of mineral permitted to be extracted in</p>
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				<p>Essex amounts to at least seven years as required by the NPPF</p> <p>As the decision has now been taken to extend the MLP to 2040, this will necessitate a further re-calculation of mineral need which will be based on the methodology set out in NPPF Paragraph 213 and be presented in a revised topic paper relating to mineral provision.</p> <p>With regards to the specific mineral extraction sites mentioned, the working of a quarry, particularly those of a larger size, is undertaken on a phased basis, with extraction undertaken in one area as other areas are restored, put into after-care and then into an after-use in accordance with an agreed Masterplan. Extensions are typically only permitted where working has ceased at the parent site and restoration begins such that the rate of working remains relatively constant over time. For example, this is the case at</p>
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			<p>Bradwell Quarry, which currently comprises of Sites A3 – A7. It is not the case that where there are a number of allocations in a single area, that these are worked concurrently, and therefore it is not the case that there is a large concentration of active quarries in proximity to Coggeshall. The rate of working has remained relatively constant over recent times, though it is accepted that the locality has experienced a concentration of mineral working over time. This however is as a consequence of where mineral is located in the County and where applications have been submitted by landowners.</p> <p>It is further noted that the waste management facility at Rivenhall has received planning permission and holds a licence issued by the Environment Agency. To obtain these, the level of pollution , noise and road congestion highlighted in the response has been assessed</p>
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				<p>as being acceptable in land use and environmental impact terms. Emissions will be subject to regular monitoring and specified limits can be enforced.</p> <p>It is not the case that the waste that will be managed through the facility will be 'unknown'. The transfer of waste between disposal and management facilities, including recording the final facility it is managed at, is regulated and documented by the Environment Agency. The types of waste that can be managed at the Rivenhall facility is set out in its planning permission.</p>
<p>Blackwater Aggregates (623162177)</p>		<p>Agree (but wish to clarify)</p>	<p>Implementation, Monitoring and Review, Implementation</p> <p>Paragraph 207 of the National Planning Policy Framework (NPPF)(2019) states that Minerals Planning Authorities should plan for a steady and adequate supply of aggregates by maintaining landbanks of at least 7 years for sand and gravel and that they should use landbanks of aggregate minerals</p>	<p>The role of landbanks is noted.</p> <p>It is accepted that the amendment proposed by the MWPA in its current form is too restrictive and would benefit from further amendment to ensure that the spatial strategy and strategic importance of mineral distribution is not unduly undermined by restrictive policy. It is however</p>

			<p>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.</p> <p>As such, aggregates landbanks are principally a monitoring tool to provide Minerals Planning Authorities with early warning of possible disruption to the provision of an adequate and steady supply of land-won aggregates in their particular area. They should be used principally as an indicator of a Mineral Planning Authority to review the current provision of aggregates in its area and consider whether to conduct a review of allocation of sites in its local minerals plan. This is of particular importance in the case of aggregates because of the scale and long-term nature of the industry, as well as the length of time it may take from identifying a site to the commencement of extraction.</p> <p>Longer landbank periods are often appropriate to address specific operational issues and it is clear that a degree of flexibility is needed to allow for planned operation of quarries to maintain the minerals production capacity, and the range of</p>	<p>important to ensure that sites which are allocated for extraction during a plan period come forward as a planning application.</p> <p>It is therefore proposed to amend the relevant section of Paragraph 6.3 (6.4) to</p> <p><i><u>Allocations where permission to extract has not been granted will however expire at the end date of this Plan unless a valid planning application to work all or part of the site has been received by the MWPA either prior to the end date of the MWLP or adoption of a RMLP, and the application has yet to be determined. In all other cases, the proposed site would need to be resubmitted as part of a future Call for Sites, assessed and be re-allocated within a future replacement plan.</u></i></p> <p>This is considered to be a more appropriate approach than the site having had to have received planning permission, as an application</p>
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		<p>mineral products that are produced through major strategic sites, which may serve local mineral needs.</p> <p>There is considerable time and cost invested in bringing forward planning applications for mineral development across Preferred Sites.</p> <p>Planning permissions secured on the Preferred Sites identified in this Mineral Local Plan provide allocated reserves to the County's mineral landbank and are strategically located to support the spatial strategy.</p> <p>Therefore an amendment is proposed to paragraph 6.3 to protect allocated mineral reserves that have come forward within the Plan period:</p> <p>Add: ... if they have not come forward within the Plan period (received planning permission for mineral extraction) ...</p> <p>Preferred Site allocations will however expire at the end date of this Plan if they have not come forward within the Plan period (received planning permission for mineral extraction) and would need to be resubmitted as part of a future</p>	<p>to work a Preferred Site may still be subject to determination at the point of a Plan end date being reached.</p> <p>Where a site is subsequently refused planning permission to extract, it will cease to become a Preferred Site unless this status is reconfirmed as part of the newly adopted Plan.</p>
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			<p>Call for Sites</p> <p>The amendment would support the County in planning for a steady and adequate supply of aggregates by maintaining landbanks of “at least” 7 years for sand and gravel.</p>	
CEMEX (982058282)		Agree (but wish to clarify)	<p>Implementation, Monitoring and Review, Implementation</p> <p>Paragraph 207 of the National Planning Policy Framework (NPPF)(2019) states that Minerals Planning Authorities should plan for a steady and adequate supply of aggregates by maintaining landbanks of at least 7 years for sand and gravel and that they should use 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.</p> <p>As such, aggregates landbanks are principally a monitoring tool to provide Minerals Planning Authorities with early warning of possible disruption to the provision of an adequate and steady supply of land-won aggregates in their particular area. They should be used principally as an indicator of a</p>	<p>The role of landbanks is noted.</p> <p>It is accepted that the amendment proposed by the MWPA in its current form is too restrictive and would benefit from further amendment to ensure that the spatial strategy and strategic importance of mineral distribution is not unduly undermined by restrictive policy. It is however important to ensure that sites which are allocated for extraction during a plan period come forward as a planning application.</p> <p>It is therefore proposed to amend the relevant section of Paragraph 6.3 (6.4) to</p> <p><u>Allocations where permission to extract has not been granted will however expire at the end date of this Plan unless a valid</u></p>

			<p>Mineral Planning Authority to review the current provision of aggregates in its area and consider whether to conduct a review of allocation of sites in its local minerals plan. This is of particular importance in the case of aggregates because of the scale and long-term nature of the industry, as well as the length of time it may take from identifying a site to the commencement of extraction.</p> <p>Longer landbank periods are often appropriate to address specific operational issues and it is clear that a degree of flexibility is needed to allow for planned operation of quarries to maintain the minerals production capacity, and the range of mineral products that are produced through major strategic sites, which may serve local mineral needs.</p> <p>There is considerable time and cost invested in bringing forward planning applications for mineral development across Preferred Sites.</p> <p>Planning permissions secured on the Preferred Sites identified in this Mineral Local Plan provide allocated reserves to the County's mineral landbank and are strategically located to support the spatial</p>	<p><u>planning application to work all or part of the site has been received by the MWPA either prior to the end date of the MWLP or adoption of a RMLP, and the application has yet to be determined. In all other cases, the proposed site would need to be resubmitted as part of a future Call for Sites, assessed and be re-allocated within a future replacement plan.</u></p> <p>This is considered to be a more appropriate approach than the site having had to have received planning permission, as an application to work a Preferred Site may still be subject to determination at the point of a Plan end date being reached.</p> <p>Where a site is subsequently refused planning permission to extract, it will cease to become a Preferred Site unless this status is reconfirmed as part of the newly adopted Plan.</p>
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			<p>strategy.</p> <p>Therefore an amendment is proposed to paragraph 6.3 to protect allocated mineral reserves that have come forward within the Plan period:</p> <p>Add: ... if they have not come forward within the Plan period (received planning permission for mineral extraction) ...</p> <p>Preferred Site allocations will however expire at the end date of this Plan if they have not come forward within the Plan period (received planning permission for mineral extraction) and would need to be resubmitted as part of a future Call for Sites</p> <p>The amendment would support the County in planning for a steady and adequate supply of aggregates by maintaining landbanks of “at least” 7 years for sand and gravel.</p>	
Gent Fairhead Aggregates (871678397)		Agree (but wish to clarify)	<p>Implementation, Monitoring and Review, Implementation</p> <p>Paragraph 207 of the National Planning Policy Framework (NPPF)(2019) states that Minerals Planning Authorities should plan for a steady and adequate supply of</p>	<p>The role of landbanks is noted.</p> <p>It is accepted that the amendment proposed by the MWPA in its current form is too restrictive and would benefit from further amendment to ensure that the spatial strategy</p>

			<p>aggregates by maintaining landbanks of at least 7 years for sand and gravel and that they should use 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.</p> <p>As such, aggregates landbanks are principally a monitoring tool to provide Minerals Planning Authorities with early warning of possible disruption to the provision of an adequate and steady supply of land-won aggregates in their particular area. They should be used principally as an indicator of a Mineral Planning Authority to review the current provision of aggregates in its area and consider whether to conduct a review of allocation of sites in its local minerals plan. This is of particular importance in the case of aggregates because of the scale and long-term nature of the industry, as well as the length of time it may take from identifying a site to the commencement of extraction.</p> <p>Longer landbank periods are often appropriate to address specific operational issues and it is clear that</p>	<p>and strategic importance of mineral distribution is not unduly undermined by restrictive policy. It is however important to ensure that sites which are allocated for extraction during a plan period come forward as a planning application.</p> <p>It is therefore proposed to amend the relevant section of Paragraph 6.3 (6.4) to</p> <p><u>Allocations where permission to extract has not been granted will however expire at the end date of this Plan unless a valid planning application to work all or part of the site has been received by the MWPA either prior to the end date of the MWLP or adoption of a RMLP, and the application has yet to be determined. In all other cases, the proposed site would need to be resubmitted as part of a future Call for Sites, assessed and be re-allocated within a future replacement plan.</u></p> <p>This is considered to be a</p>
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		<p>a degree of flexibility is needed to allow for planned operation of quarries to maintain the minerals production capacity, and the range of mineral products that are produced through major strategic sites, which may serve local mineral needs.</p> <p>There is considerable time and cost invested in bringing forward planning applications for mineral development across Preferred Sites.</p> <p>Planning permissions secured on the Preferred Sites identified in this Mineral Local Plan provide allocated reserves to the County's mineral landbank and are strategically located to support the spatial strategy.</p> <p>Therefore an amendment is proposed to paragraph 6.3 to protect allocated mineral reserves that have come forward within the Plan period:</p> <p>Add: ... if they have not come forward within the Plan period (received planning permission for mineral extraction) ...</p> <p>Preferred Site allocations will however expire at the end date of this Plan if they have not come</p>	<p>more appropriate approach than the site having had to have received planning permission, as an application to work a Preferred Site may still be subject to determination at the point of a Plan end date being reached.</p> <p>Where a site is subsequently refused planning permission to extract, it will cease to become a Preferred Site.</p>
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			<p>forward within the Plan period (received planning permission for mineral extraction) and would need to be resubmitted as part of a future Call for Sites</p> <p>The amendment would support the County in planning for a steady and adequate supply of aggregates by maintaining landbanks of “at least” 7 years for sand and gravel.</p>	
Resident (850344129)		Agree (but wish to clarify)	<p>Implementation, Monitoring and Review, Implementation</p> <p>Paragraph 207 of the National Planning Policy Framework (NPPF)(2019) states that Minerals Planning Authorities should plan for a steady and adequate supply of aggregates by maintaining landbanks of at least 7 years for sand and gravel and that they should use 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.</p> <p>As such, aggregates landbanks are principally a monitoring tool to provide Minerals Planning Authorities with early warning of possible disruption to the provision of</p>	<p>The role of landbanks is noted.</p> <p>It is accepted that the amendment proposed by the MWPA in its current form is too restrictive and would benefit from further amendment to ensure that the spatial strategy and strategic importance of mineral distribution is not unduly undermined by restrictive policy. It is however important to ensure that sites which are allocated for extraction during a plan period come forward as a planning application.</p> <p>With the subsequent decision to re-base the Plan to 2040, all existing allocations in the MLP 2014 that have not come</p>

			<p>an adequate and steady supply of land-won aggregates in their particular area. They should be used principally as an indicator of a Mineral Planning Authority to review the current provision of aggregates in its area and consider whether to conduct a review of allocation of sites in its local minerals plan. This is of particular importance in the case of aggregates because of the scale and long-term nature of the industry, as well as the length of time it may take from identifying a site to the commencement of extraction.</p> <p>Longer landbank periods are often appropriate to address specific operational issues and it is clear that a degree of flexibility is needed to allow for planned operation of quarries to maintain the minerals production capacity, and the range of mineral products that are produced through major strategic sites, which may serve local mineral needs.</p> <p>There is considerable time and cost invested in bringing forward planning applications for mineral development across Preferred Sites.</p> <p>Planning permissions secured on the Preferred Sites identified in this</p>	<p>forward will be re-assessed under the new site selection methodology and an assessment made of their continued appropriateness, and any exceptional circumstances for their reallocation will be considered. This is considered to be a more appropriate approach than the site having had to have received planning permission, as an application to work a Preferred Site may still be subject to determination at the point of a Plan end date being reached.</p> <p>Where a site is subsequently refused planning permission to extract, it will cease to become a Preferred Site unless this status is reconfirmed as part of the newly adopted Plan.</p>
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			<p>Mineral Local Plan provide allocated reserves to the County's mineral landbank and are strategically located to support the spatial strategy.</p> <p>Therefore an amendment is proposed to paragraph 6.3 to protect allocated mineral reserves that have come forward within the Plan period:</p> <p>Add: ... if they have not come forward within the Plan period (received planning permission for mineral extraction) ...</p> <p>Preferred Site allocations will however expire at the end date of this Plan if they have not come forward within the Plan period (received planning permission for mineral extraction) and would need to be resubmitted as part of a future Call for Sites</p> <p>The amendment would support the County in planning for a steady and adequate supply of aggregates by maintaining landbanks of "at least" 7 years for sand and gravel.</p>	
Heatons (451589647)	Tarmac	Disagree (please clarify)	As advocated above (see response to Policy S6 in Policy S6 Topic Paper), the Plan position in regard to landbanks is considered precarious	It is now proposed to progress the Plan Review on the basis of a new Plan end date of 2040, and undertake an

			<p>in maintaining a steady and adequate supply of minerals to meet future demand. We have advocated that a full Plan Review is required. However, should the Mineral Planning Authority pursue with the MLP Draft, there has to be an element of flexibility built in to allow additional sand and gravel resources to come forward to maintain supply and ensure continuity in production. We have suggested additional wording to Policy S6 to address this issue.</p> <p>The monitoring framework as proposed is rigid and relies on annual monitoring data to trigger a Review. This process is lengthy and does not provide the flexibility needed to respond quickly to changes in circumstances. It also does not provide operators with the comfort that they could bring sites – extensions or new greenfield sites – outside of those proposed as ‘preferred’.</p>	<p>additional Call for Sites exercise to support that which took place as part of the informal engagement on mineral need which took place in March 2022. This is intended to result in additional allocations to provide Plan flexibility, which will be consulted upon in due course. Operating a monitoring framework on the basis of annual monitoring data is considered to be standard practice and therefore proportionate and appropriate. In relation to permitted reserve and subsequent landbank calculations, each monitoring period is informed by data returned by mineral operators through an annual survey, and this is ratified at the East of England level in a Regional annual monitoring report before being published by individual MWPAs. Whilst it is possible to present interim figures, and this can be done to support a decision on a planning application, annually is the frequency that all MWPAs update and publish</p>
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				<p>their monitoring documents with 'official' figures used for future monitoring and trend analysis.</p> <p>In any event, the MWPA do not actively encourage sites, extensions or otherwise, to be bought forward outside of Preferred Sites unless they meet the tests set out under Policy S6. This is essential in order to maintain a Plan-led system and provide confidence in when and where mineral development is to take place. As such, the monitoring framework is aimed at monitoring on the basis that mineral extraction sites come forward in accordance with the spatial strategy ie that permissions for extraction are on Preferred Sites unless extraction is linked to an agricultural reservoir, borrow pit or prior extraction to avoid sterilisation, with the monitoring target being that all such permissions accord with this principle</p>
David L Walker Ltd (559449615)	Brice Aggregates	No comment		N/A

Strutt & Parker (891506607)	G&B Finch	No comment		N/A
Suffolk County Council (549043477)		No comment	No comment.	Noted
GeoEssex (538324742)		No comment	no comment	Noted