

# **1 Response Paper – Policy S4: Reducing the Use of Mineral Resources**

## **Purpose of Policy S4**

- 1.1 This policy aims to increase the rate of aggregate re-use and recycling in Essex and provide the necessary mineral facilities to help achieve these aims. The MLP is built around the concept of the Minerals Supply Hierarchy. The hierarchy aims firstly to reduce, as far as practicable, the quantity of mineral used and waste generated, then to use as much secondary and recycled mineral as possible, before finally securing the remainder of mineral needed through new primary extraction. Safeguarding appropriate mineral facilities and resources also aids in making best use of mineral resources.
- 1.2 Policy S4 therefore aims to reduce the demand for, and use of, primary mineral resources through minimising the amount of mineral waste created from the extraction, processing and transportation of minerals, as well as through construction and demolition processes. It also promotes re-use and recycling as a means to minimise mineral waste.

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

- Policy S4 is in conformity with the objectives of the NPPF/ PPG, both as they relate to mineral planning specifically and the wider remit of planning.
- There are no omissions within Policy S4 which result in any issues of non-compliance with national policy.
- The review process allowed for a number of amendments to be proposed for reasons of clarity, effectiveness and the need to update references to local plans and instruments driving sustainable development

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

- 1.3 Whilst the definition in the NPPF of what constitutes sustainable development has been amended, the revisions to the February 2019 NPPF which resulted in the latest iteration published in July 2021 are not considered to impact on the review of Policy S4.

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

- 1.4 Responses to the Regulation 18 consultation were largely in support of Policy S4. Where objections were received, these were largely due to the opinion that the MLP would not be able to deliver the provisions made, did not go far enough, or that there would be unintended consequences associated with the approach. The following broad issues were raised:

- The definition of waste and issues relating to the application of the Waste Hierarchy, making provision for alternative materials and trialling new technology to reduce the need for primary extraction
- The impact of new recycling facilities on the local community, including vehicle movements associated with reducing the primary extraction of minerals
- The scope of applications to which Policies S2, S3 and S4 should relate

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

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

#### The definition of waste and issues relating to the application of the Waste Hierarchy, making provision for alternative materials and trialling new technology to reduce the need for primary extraction

- 1.7 Through the Regulation 18 consultation, it was stated that whilst Policy S4 and much of its supporting text was relevant and expressed environmentally correct policies in relation to reducing primary mineral use, it was questioned how the MWPA was going to achieve the intended policy outcome with so few recycling areas in their immediate locality. On this point, the MWPA notes Policy S5, which sets out a permissive framework within which aggregate recycling facilities can come forward. It is noted that whilst the MWPA is reliant on the private sector to bring such facilities forward, by being clear where such facilities will be supported in principle, the MWPA considers that it is doing as much as it can to develop such a network.
- 1.8 It was also noted through the representation that the definition of waste used should be expanded to include recovered and reconstituted gravel and bulk construction materials that would otherwise be sent to incineration (thereby releasing CO<sub>2</sub> in a process which was stated as being dirtier than coal) or landfill. The representation also considered that incineration should appear after landfill as, once burned, finite resources are lost to the atmosphere whereas landfill could be mined in future to recover minerals. It was further stated that the use of incineration is not mentioned in this section of the MLP and incineration unlike landfill increases climate damaging emissions (CO<sub>2</sub>). Energy from waste was not considered to be the only answer; fragmentation and inclusion within roads and to add bulk construction materials would divert waste from landfill and incineration.

- 1.9 In response, it is noted that the definition of what constitutes waste is a legal definition and not one that Essex County Council as the MWPA can amend. The latest Government guidance (August 2021) states that a 'material is considered to be waste when the producer or holder discards it, intends to discard it, or is required to discard it. When assessing whether a material is waste or not, discarding doesn't simply mean throwing away or getting rid of something. Discarding also covers activities and operations such as recycling and recovery operations, which put waste material back to good use.'
- 1.10 Waste management planning is driven by the Waste Hierarchy, which seeks to ensure that waste is managed as high up the hierarchy (meaning 'as sustainably') as possible. The Waste Hierarchy is set out within Appendix A of the National Planning Policy for Waste. Landfill comes at the bottom of the hierarchy, with 'Other recovery', which includes incineration with energy capture, immediately above. The MWPA promotes the Waste Hierarchy through its policies, including those in the Waste Local Plan.
- 1.11 It is not possible for Essex County Council to modify this hierarchy, though it is noted that the majority of construction and demolition waste is not capable of being subjected to 'Energy from waste' forms of management in any event, so would be either reused, recycled or landfilled, rather than incinerated as the representation argued against. Whilst landfill is at the bottom of the hierarchy, it is noted that inert waste, such as demolition material, can be beneficially used as landfill where it aids in the restoration of a mineral void. As such, inert landfilling for restoration purposes can have long-term local benefit through enabling the provision of a wider range of after-uses. This is set out in Planning Practice Guidance Paragraph: 045 Reference ID: 27-045-20140306, which states that 'Some former mineral sites may also be restored as a landfill facility using suitable imported waste materials as an intermediate stage in restoration prior to an appropriate after use.' This is translated to the local level within Policy 9 of the Essex and Southend-on-Sea Waste Local Plan 2017 (WLP) which includes the requirement, in relation to new landfill sites "that the proposed landfill has been demonstrated to be the most appropriate and acceptable development in relation to the Waste Hierarchy.'
- 1.12 The MWPA notes that the representation raises wider issues in relation to recycling but these sit within the remit of the WLP, which contains the approach and associated policies with regards to waste management more generally in the county. In terms of waste, the MLP is concerned solely with aggregate waste. Irrespective of the type of waste, the base principle however remains the waste hierarchy, and controls are placed on waste management facilities at the lower end of the hierarchy which prohibits them from managing waste which could be managed higher up the hierarchy. The MWPA further notes that it is not correct to state that 'incineration, unlike landfill, increases climate damaging emissions'. Many of the types of waste that are capable of incineration, such as organic wastes, are capable of emitting greenhouse gases such as methane and carbon dioxide as they decompose in landfills.

- 1.13 The representation further stated that society should be recycling all materials that have been demolished or removed from roads etc., and that these should subsequently be broken down into components that can be reused. It was further stated that there must be a move towards using non mineral aggregates eg., plastics, polystyrene and other hard-core man-made products that have been known to make alternatives to bricks and mortar or sand and gravel. It was argued that such materials would reduce what goes to landfill and would avoid over extraction of the quarries currently in use and thus slow down extraction and the need to open up new quarries which need more access roads. It would also reduce waste which does not break down going to landfill or an incinerator with no pollution control on its mast.
- 1.14 It was further suggested that Essex County Council (ECC) should test, value and sell non-recyclable waste as a substitute for new minerals and that as a responsible client and leader in Policy S4 implementation, ECC should do its upper most to promote and trial technology, and establish targets to include more waste that would otherwise be sent to incineration being used in preference to new minerals extraction for its projects and being used in the local supply chain. To assist in achieving this aim, it was requested that an additional clause 5 be added to Policy S4 which would state the need to increase the proportion of waste used which would otherwise be sent to incineration.
- 1.15 With regards to the requested amendments, the specific need to increase reuse and recycling to avoid incineration is not considered to be relevant to the MLP as the vast majority of construction, demolition and excavation waste, which is the only waste type that falls within the remit of the MLP is not capable of being incinerated. Further, this principle is already embedded in the Waste Local Plan through the requirement of WLPs to adhere to the Waste Hierarchy. It is also noted that incinerators with no pollution control on their masts would not be authorised to operate. Such facilities must receive a permit from the Environment Agency before they can manage waste, which is enforceable, and this would include a regulation of their emissions.
- 1.16 Where it is suggested that 'ECC should test, value and sell non-recyclable waste', the waste generated from mineral extraction, construction and demolition would not be owned by ECC and therefore it would have no ability to value or sell it. The waste management approach would be a commercial decision taken by the waste producer albeit one bound by regulation and permits. With regards to the request for the MWPA to explore alternative building materials or trial new technologies, this is outside of the remit of what the MLP can achieve. The role of the MLP is to make sustainable provision for a steady and adequate supply of minerals, as required by the NPPF, and this amount is determined by the market and a provision methodology set out in the NPPF. The MLP has a stated aim of seeking to 'reduce reliance on primary mineral resources', which the MWPA is able to do by making alternative materials more readily available and economically attractive by promoting a network of aggregate recycling facilities and subsequently safeguarding them (Policy S5, Policy S8/ emerging Policy S9), such that the 'demand' for primary

minerals is reduced through the provision of economically viable alternatives. The MLP cannot however artificially suppress demand by not making sufficient provision for the demand or banning the use of minerals in construction or requiring the use of certain technologies. Such interventions would be required to be mandated by Government.

The impact of new facilities on the local community, including vehicle movements associated with reducing the primary extraction of minerals

- 1.17 A representation stated that whilst the encouragement of a more widespread network of facilities for recycling building materials was welcomed, there remained a concern that this will result in excessive noise, dust and pollution for neighbouring land and that the approach does not consider the impacts on wildlife and habitat.
- 1.18 Whilst the MWPA acknowledges the concern when Policy S4 is read in isolation, the MLP should be read as a whole and proposals for new recycling facilities will be required to be in conformity with the wider Development Plan. MLP Policy S5 - Creating a network of recycling facilities, sets out the type of locations and land uses that would be suitable for such facilities in principle, whilst Policy DM1 – Development Management Criteria regulates against any unacceptable impact, including cumulative impact, on local residents, amenity and other developments. In addition, supporting text to Policy S4 states that ‘The use of mobile plant is strictly controlled and subject to suitable safeguards imposed by the Environment Agency and environmental health departments of local councils. Proposals should not cause unacceptable impacts or harm to neighbouring land-uses by virtue of noise, vibration, dust, light pollution or heavy road traffic.’
- 1.19 Another representation noted that supporting text to Policy S4 states that local authorities should promote a reduction in mineral use when determining planning applications for housing and other developments, which can be facilitated by encouraging on site recycling, avoiding over ordering and using mobile crushing to reuse materials on site. A representation stated that the policy will have great effect on Coggeshall due to the presence of existing and proposed quarries. It was stated that this will create transport issues with regards to Heavy Goods Vehicles (HGVs) travelling through the village centre, creating congestion, noise, and air quality concerns. It was argued that if the A120 becomes blocked in order to access the A12, it will ruin the narrow country roads and increase air pollution as HGVs have not gone electric like cars. It was suggested that there will be noise every day of the week except Sunday. It was also stated that there had been no mention in the MLP of improving the A120 or A12 and therefore these lorries will continue to pollute and churn up the roads, leaving potholes. It was further stated that the centre of Coggeshall is an historical area which attracts many tourists, and that mineral development is going to have a major effect on discouraging them to visit Coggeshall, and therefore Coggeshall will suffer financially.

- 1.20 However the MWPA notes that the MLP does not highlight specific road improvements as changes to the road network are outside of the remit of a MLP. Further, beyond the application of Policy S11 which sets out a preferential route hierarchy seeking to move mineral traffic to the main road network as quickly and efficiently as possible, the MWPA is not able to control the actual route of HGVs beyond ensuring that access to and from mineral sites to the highway is safe and does not damage amenity. HGVs are entitled to use the road network as much as any other taxed vehicle. It is further considered that references to encouraging on-site recycling may have been misinterpreted. This is intended to mean that mineral waste will be encouraged to be recycled on the construction and demolition sites from which they arise. By encouraging this on-site reuse of building materials, road movements of minerals will be reduced.
- 1.21 Where recycling/ processing facilities are co-located with active quarries, they operate on temporary planning permissions linked to the lifetime of the quarry. Their presence and ability to operate also cannot compromise the permitted restoration of the quarry. This is set out in MLP Policy S5 and planning conditions whilst the cumulative impact of mineral operations on their local environment and amenity is regulated through Policy DM1. Such recycling facilities can also play an active role in the restoration of a former extraction site. Inert waste, such as demolition material, can be beneficially used as landfill where it aids in the restoration of a mineral void. As such, inert landfilling for restoration purposes can have long-term local benefit through enabling the provision of a wider range of after-uses following extraction, which can justify the temporary importation of inert material.
- 1.22 The MWPA also notes the provisions of Policy S12 which states that 'Mineral extraction sites shall be infilled with imported materials only at a scale necessary to achieve a beneficial restoration that outweighs any harm caused'. This is intended to reduce the amount of landfill associated with the restoration of mineral sites to that which is necessary such as to reduce reliance on this restoration method.

#### The scope of applications to which Policies S2, S3 and S4 should relate

- 1.23 It was noted through the Regulation 18 consultation that Section 3 of the MLP sets out a number of strategic policies which, as written, are potentially too broad in scope. It was considered that whilst Policy S2 to S4 inclusive were appropriate to apply to new development proposals and extensions to mineral operations, they should not necessarily relate to ancillary development normally consented through permitted development provisions, and nor should they apply to applications for non-compliance with planning conditions.
- 1.24 The MWPA notes that where development is ancillary and is capable of being consented through permitted development rights, there is no requirement to apply for planning permission and therefore policies in the MLP, including those listed, would not be applied to the proposed development in any event.

- 1.25 It is however considered appropriate that policies in the MLP should apply to applications for non-compliance with planning conditions. Planning conditions are placed on planning permissions to ensure that the development permitted through the permission is in conformity with the Development Plan, and as such they could have relevance to the determination of an application for non-compliance with these conditions.

### Conclusion

- 1.26 Responses to the Regulation 18 consultation were largely in support of Policy S4. Where objections were received, these were largely due to the opinion that the MLP would not be able to deliver the provisions made, did not go far enough, or that there would be unintended consequences associated with the approach.
- 1.27 Where Policy S4 was considered to not go far enough, the MWPA contends that there is no justification to incorporate the suggested amendments as they go beyond what is in the remit of either the MWPA or the MLP. With respect to the unintended consequences, the MWPA concludes that these concerns largely relate to taking the provisions of Policy S4 in isolation. When proposals relevant to Policy 4 were considered against the Development Plan in full, it is assessed that the concerns raised would be addressed through the application of other policies which specifically regulate the potential impact of a proposal.
- 1.28 In summation, it is considered that the policy as modified and subsequently presented through the Regulation 18 consultation is not required to be further amended.
- 1.29 Through the consultation no comments were received which resulted in any further proposed amendments to Policy S4 and the supporting text.

**Table 1: March 2021 Regulation 18 Consultation Responses to Policy S4 – Reducing the use of mineral resources**

<b>Organisation</b>	<b>Responding on behalf of</b>	<b>Q1. Do you agree or disagree with the rationale behind the amendments proposed in this section of the emerging Minerals Local Plan? (see Rationale Report)</b>	<b>Responses received</b>	<b>Minerals and Waste Planning Authority Response</b>
Runwell Parish Council (631132323)	Runwell Parish Council	Agree	N/a	N/A
W H Collier Limited (769297167/ 942768790)		Agree		N/A
Blackwater Aggregates (623162177)		Agree		N/A
CEMEX (982058282)		Agree		N/A
Gent Fairhead Aggregates (871678397)		Agree		N/A
Resident (850344129)		Agree		N/A
CPRE Essex		Agree		N/A



(665562826)				
Thurrock Borough Council (97704900)	Thurrock borough Council	Agree	No additional comment.	Noted
Coggeshall Parish Council (598729813)	Coggeshall parish council	Agree (but wish to clarify)	<p>Policy S4 is looking at reducing the use of mineral resources</p> <p>3.31 Aim to reduce demand for and use of resources , reducing mineral waste</p> <p>3.32 National Waste Policy and Legislation aim to minimise waste, increase reuse, recycle, compost, energy recovery</p> <p>3.33, 3.35, 3.37, 3.38 are all very relevant and express clear environmental correct policies but I would like to know how you are going to do this with so few recycling areas in our immediate locality. We should be recycling all materials that have been demolished or removed from roads etc and breaking down into components that can be reused. We must also be seen to be using non mineral aggregates eg plastics , polystyrene and other hard core man made products that have been known to make alternatives to bricks and mortar or sand and gravel. Such materials would therefore reduce what goes to landfill and</p>	<p>The definition of what constitutes waste is a legal definition and not one that Essex County Council as the MWPA can amend.</p> <p>The latest Government guidance (August 2021) states that a ‘material is considered to be waste when the producer or holder discards it, intends to discard it, or is required to discard it.</p> <p>When assessing whether a material is waste or not, discarding doesn’t simply mean throwing away or getting rid of something. Discarding also covers activities and operations such as recycling and recovery operations, which put waste material back to good use.’</p> <p>Waste planning is driven by the Waste Hierarchy, which seeks to ensure that waste is managed as high up the</p>

			<p>avoids over extraction of the quarries currently in use and thus slow down extraction and moving on to open up new quarries which need more access roads. It would also reduce waste which does not break down going to landfill or worse an incinerator with no pollution control on its mast. The use of incineration is not mentioned in this section and incineration unlike landfill increases climate damaging emissions (CO2). ECC should test, value and sell non-recyclable waste as a substitute for new minerals. Energy from waste is not the only answer; fragmentation and inclusion within roads and to add bulk construction materials will divert waste from landfill and incineration.</p> <p>The waste definition used should be expanded to include recovered and reconstituted gravel and bulk construction materials that would otherwise be sent to incineration (releasing CO2 in a process dirtier than coal) or landfill. Incinerations</p>	<p>hierarchy (meaning ‘as sustainably’) as possible. The Waste Hierarchy is set out within Appendix A of the National Planning Policy for Waste. Landfill comes at the bottom of the hierarchy, with ‘Other recovery’, which includes incineration with energy capture, immediately above. It is not possible for Essex County Council to modify this hierarchy.</p> <p>A number of issues raised in this response sit within the remit of the Essex and Southend-on-Sea Waste Local Plan 2017, which contains the approach and associated policies with regards to waste management in the county.</p> <p>The MWPA promotes the Waste Hierarchy through its WLP policies. For example, Policy 9 of the WLP includes the requirement, in relation to new landfill sites, ‘that the proposed landfill has been demonstrated to be the most appropriate and acceptable</p>
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			<p>should appear after landfill as once burned the precious finite resources are lost to the atmosphere whereas landfill could be mined in future to recover minerals.</p> <p>As a responsible client and leader in Policy S4 implementation ECC should do its upper most to handshake, promote and trial technology and establish targets to include MORE waste that would otherwise be sent to incineration being used in preference to new minerals extraction for its projects and being used in the local supply chain.</p> <p>Add #5 to the Policy S4 to increase the proportion of waste used which would otherwise be sent to incineration.</p>	<p>development in relation to the Waste Hierarchy.'</p> <p>Where it is suggested that 'ECC should test, value and sell non-recyclable waste', the waste generated from mineral extraction construction and demolition would not be owned by ECC and therefore it would have no ability to value or sell it. The waste management approach would be a commercial decision taken by the waste producer albeit one bound by regulation and permits. With regards to the request for the MWPA to explore alternative building materials or trial new technologies, this is outside of the remit of what the MLP can achieve. The role of the MLP is to make sustainable provision for a steady and adequate supply of minerals, as required by the NPPF, and this amount is determined by the market and a provision methodology set out in the NPPF. The MLP has a stated aim of seeking to 'reduce</p>
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				<p>reliance on primary mineral resources', which the MWPA is able to do by making alternative materials more readily available and economically attractive by promoting a network of aggregate recycling facilities and subsequently safeguarding them (Policy S5, Policy S8/ emerging Policy S9), such that the 'demand' for primary minerals is reduced through the provision of economically viable alternatives. The MLP cannot however artificially suppress demand by not making sufficient provision for the demand or banning the use of minerals in construction or requiring the use of certain technologies. Such interventions would be required to be mandated by Government. As such, an amendment of the type proposed is not something that the MWPA can require through policy.</p>
<p>Suffolk County Council (549043477)</p>		No comment	No comment.	Noted

David L Walker Ltd (559449615)	Brice Aggregates	No comment		N/A
GeoEssex (538324742)		No comment	no comment	Noted
Strutt & Parker (891506607)	G&B Finch	No comment		N/A
Kelvedon & Feering Heritage Society (677892382)		No comment		N/A

<b>Organisation</b>	<b>Responding on behalf of</b>	<b>2.Do you agree or disagree with the proposed amendments as set out in this section of the emerging Minerals Local Plan?</b>	<b>Responses received</b>	<b>Minerals and Waste Planning Authority Response</b>
Runwell Parish Council (631132323)	Runwell Parish Council	Agree	N/a	N/A
W H Collier Limited (769297167/ 942768790)		Agree		N/A
Blackwater Aggregates (623162177)		Agree		N/A

CEMEX (982058282)		Agree		N/A
Gent Fairhead Aggregates (871678397)		Agree		N/A
Resident (850344129)		Agree		N/A
CPRE Essex (665562826)		Agree		N/A
Thurrock Borough Council (97704900)	Thurrock borough Council	Agree	No additional comment.	Noted
Sturmer Parish Council (1032567387)		Agree (but wish to clarify)	With regards to Policy S4. We welcome the encouragement of a more widespread network of facilities for recycling building materials. However, we remain concerned that this will result in excessive noise, dust and pollution for neighbouring land and it does not consider the impacts on wildlife and habitat.	Proposals for new recycling facilities will be required to be in conformity with the wider Development Plan. For example, MLP Policy S5 – Creating a network of recycling facilities sets out the type of locations/ land uses that would be suitable for such facilities in principle, and Policy DM1 – Development Management Criteria regulates against any unacceptable impact, including cumulative impact, on local residents, amenity and other developments. In addition, supporting text to Policy S4 states that 'The use of mobile plant is strictly controlled and subject to

				<p>suitable safeguards imposed by the Environment Agency and environmental health departments of local councils. Proposals should not cause unacceptable impacts or harm to neighbouring land-uses by virtue of noise, vibration, dust, light pollution or heavy road traffic.'</p>
<p>Coggeshall Parish Council (598729813)</p>	<p>Coggeshall parish council</p>	<p>Agree (but wish to clarify)</p>	<p>Policy S4 3.38 states all Essex has to apply and promote a reduction in mineral use in all planning applications for housing and other developments. There must be on site recycling. 3.41,3.43,3.44,3.46 all state about avoiding over ordering, reduce extraction, conserve for future generations, use mobile crushing to reuse materials on site which get re separated and sent out. 3.46 expresses that proposals should not cause unacceptable impacts or harm to neighbouring land uses. This aspect of the policy will have great effect on Coggeshall not only are they in a quarry area their quarry is a recycling quarry, this will make Coggeshall suffer even more as there are 2 quarries already in use, and with</p>	<p>The link drawn between encouraging a reduction in primary mineral extraction and a resulting increasing impact on local amenity concerns is not agreed with.</p> <p>The MLP does not highlight specific road improvements as changes to the road network is outside of the remit of an MLP. Further, beyond the application of Policy S11 which sets out a preferential route hierarchy seeking to move mineral traffic to the main road network as quickly and efficiently as possible, the MWPA is not able to control the route of HGVs beyond ensuring that access to and from mineral sites to the</p>

			<p>the plans to extract from a third quarry this is going to impact on Coggeshall in many ways - transport HGVs travelling through the small Tudor centre if the A120 becomes blocked in order to access the A12 ruining the narrow country roads increasing air pollution as HGVs have not gone electric like cars . There will be the noise every day of the week except Sunday. There has been no mention in this policy document of improving the A120 or A12 thus these lorries will continue to pollute and churn up the roads leaving pot holes. The centre of Coggeshall is an historical area which attracts many tourists. This is going to have a major effect on discouraging them to look at Coggeshall as a place to visit hence Coggeshall will suffer financially</p>	<p>highway is safe and does not damage amenity. HGVs are entitled to use the road network as much as any other taxed vehicle.</p> <p>It is considered that references to encouraging on-site recycling may have been misinterpreted. This is intended to mean that mineral waste will be encouraged to be recycled on the construction and demolition sites from which they arise. By encouraging this on-site reuse of building materials, road movements of minerals will be reduced.</p> <p>Where recycling/ processing facilities are co-located with active quarries, they operate on temporary planning permissions linked to the lifetime of the quarry. Their presence and ability to operate also cannot compromise the permitted restoration of the quarry. This is set out in MLP Policy S5 whilst the cumulative impact of mineral operations is</p>
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				<p>regulated through Policy DM1. Such recycling facilities can however also play an active role in the restoration of a former extraction site. Inert waste, such as demolition material, can be beneficially used as landfill where it aids in the restoration of a mineral void. As such, inert landfilling for restoration purposes can have long-term local benefit through enabling the provision of a wider range of after-uses following extraction, which can justify the temporary importation of inert material. This is set out in Planning Practice Guidance Paragraph: 045 Reference ID: 27-045-20140306, which states that 'Some former mineral sites may also be restored as a landfill facility using suitable imported waste materials as an intermediate stage in restoration prior to an appropriate after use.'</p>
David L Walker Ltd (559449615)	Brice Aggregates	Agree (but wish to clarify)	Section 3 goes onto to set out a number of strategic policies in the scope of which as written are	Where development is capable of being consented through permitted

			<p>potentially too broad. It is agreed that policies S2 to S4 inclusive need to relate to new development proposals and extensions to mineral operations, however they should not necessarily relate to ancillary development normally consented through permitted development provisions nor should they apply to applications for non-compliance with planning conditions etc.</p>	<p>development rights, there is no express need for planning permission and therefore policies in the MLP, including Policy S4, would not be applied to the proposed development in any event.</p> <p>It is however considered appropriate that policies in the MLP should apply to applications for non-compliance with planning conditions. Planning conditions are placed on planning permissions to ensure that the development permitted through the permission is in conformity with the Development Plan, and as such they could have relevance to the determination of an application for non-compliance with these conditions.</p>
Suffolk County Council (549043477)		No comment	No comment.	Noted
GeoEssex (538324742)		No comment	no comment	Noted
Strutt & Parker (891506607)	G&B Finch	No comment		N/A

