

## Worcestershire Minerals Local Plan

### Publication Version Representation Form

Please return to [minerals@worcestershire.gov.uk](mailto:minerals@worcestershire.gov.uk) or FREEPOST RTHC-XXCK-AJGY, Mineral Planning Policy, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP.

All representations must be received by 5pm on the 30<sup>th</sup> September 2019.

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make

### Part A: Your Contact Details

It is important that you fill in your contact details below; we cannot register your representation without your details. Please note that we will not be able to keep your representation or personal details confidential. We may also wish to contact you to clarify your representation.

	Your details	Agents details (if applicable)
Name	Roger Davies	Click here to enter text.
Organisation	Charlton Parish Council	Click here to enter text.
Address	11 The Hollies, Charlton, Persore, Worcs	Click here to enter text.
Post Code	WR10 3LP	Click here to enter text.
Email address	rogerldavies@btopenworld.com	Click here to enter text.

Signature	Roger Davies
Date	26.9.19

## Part B: Please use a separate sheet for each representation

Name or organisation

1. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text" value="Click here to enter text."/>	Policy	<input type="text" value="MLP1, 3, 4, 19,20, 25, 29 &amp; 30"/>	Policies Map	<input type="text" value="Click here to enter text."/>	Figure	<input type="text" value="4.1 &amp; 4.2"/>
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2. Do you consider the Local Plan is: (please tick as appropriate)

Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Positively prepared	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Justified	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Effective	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Consistent with national policy	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Compliant with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

3. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Parish Council is of the view that the Plan as drafted with proposals for a separate DPD for site specific allocations and preferred areas is flawed and therefore not legally compliant. Furthermore, this approach together with the principal policies as drafted creates uncertainty. It is an open invitation for

developers to exploit mineral working sites over vast tracts of land within the strategic corridors without properly taking account of fundamental issues such as the impact on villages and local communities, the wider landscape, local highway networks, flooding, etc. The local communities need certainty as to where sites are to be located and their impact on settlements and the wider landscape. The wording of MLP1 and MLP4 is far too rigid. It is inappropriate to state that “planning permission will be granted” if other material considerations indicate otherwise. With regard to these principal policies no account is taken of the impact on local communities as outlined above. MLP4 – relating to sand and gravel – states that “planning permission will be granted” if the development contributes to the delivery and enhancement of green infrastructure priorities – such an inflexible approach does not take account of the many decades it would take to achieve network of green infrastructure. In the meantime the local communities will be subject to many years of extraction and related activities to achieve the afteruse. Clearly there is an over reliance for the creation of green infrastructure inherent in the drafted policies. Whilst restoration of mineral sites is important, green infrastructure priorities should be a secondary factor in identifying preferred sites after other criteria are taken into account, such as physical constraints, development management policies and local impacts. Greater emphasis should be given to competing land uses in these uncertain times. For example food production and self-sufficiency need to be taken into account when considering the use of agricultural land – much of the productive land in this part of the Avon Valley is best and most versatile – grade 1 and 2 and should be protected against any working. Restoration of mineral workings with imported infilling material will not be possible in this part of the river valley. Land lost to infrastructure afteruse will be lost permanently for food production. The Plan does not include any policy provision for the inclusion a ‘cordon sanitaire’ around mineral working sites to protect villages, local communities and individual properties. The plan appears to omit any mention of the need to upgrade existing strategic routes to cope with the inevitable increase in traffic, especially heavy good vehicles. The plan omits to mention that the river Avon is noted for its recreational use. In addition, no consideration appears to have been given to:

- The adverse effects that the mineral workings would have on the recreational users
- The dangers resulting from the use of heavy barges to move minerals on the river on recreational and other existing users.

4. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above.

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will

make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Plan requires fundamental changes and re-drafting to include site specific allocations and preferred areas. Such areas should be clearly defined and judged against all criteria such as physical constraints, development management policies and local impacts. Much more certainty needs to be given to local communities. The assertion that "planning permission will be granted for mineral development....." should be changed to a form that complies more closely with established planning application principles whereby each application is considered on its merits without any presumption regarding the outcome. The principal policies MLP1 and MLP4 (and others) need to be re-drafted and less rigid so that a more flexible approach in determining proposals for minerals extraction within the areas of search. Again, more certainty for the local communities is needed. Policies should reflect less reliance on green infrastructure and provide more protection for best and most versatile land thereby ensuring the balance is achieved for long term food production. The plan should specifically include a review of the need to upgrade existing strategic routes to cope with the inevitable increase in traffic, especially heavy good vehicles. The plan should specifically include the need to review and mitigate:

- The adverse effects that the mineral workings would have on the recreational users
- The dangers resulting from the use of heavy barges to move minerals on the river on recreational and other existing users.

Finally, the Council proposes that provision should be made for the inclusion of 'cordon sanitaire' such that there are no local settlements within 1 mile of any proposed mineral working sites.

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To enable the Parish Council to make representations on behalf of the residents.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature	Roger Davies ( Chairman Charlton Parish Council)
Date	26/9/2019