

Para 6 of the MIQ – Effective engagement of all interested parties and meeting the minimum consultation requirements set out in the regulations

In our opinion, there has been insufficient engagement with interested parties during the various stages of the preparation and publication of the Worcestershire Minerals Local Plan (hereafter WMLP) in as much as the degree of publicity for the existence of the Plan has been minimal, and the progress of the Plan has largely slipped under the public's radar. Worcestershire County Council will argue that the Plan has been fully publicised via their website and by the holding of workshops and open public meetings, however, by the admission of Council officers on more than one occasion, the website is difficult to navigate, and one public meeting held in Evesham attracted only 9 attendees, suggesting that insufficient advance publicity was given. Also, during one such public meeting, we suggested to officers that it would be useful for them to publish a newsletter or article in, for example, Wychavon News explaining the need for and progress of the WMLP, but this proposal was rejected on the grounds that if they did this for residents in Wychavon, they would have to do it for all other districts across Worcestershire. This approach is clearly in breach of section 2.13 of the Adopted Statement of Community Involvement where it states:

“Worcestershire County Council takes a flexible approach to all consultations and reviews its practices to allow for changing needs identified through residents and stakeholder’s consultation feedback”

Also, Section 2.18 of the Adopted Statement of Community Involvement states that:

“Worcestershire County Council will encourage communities to become involved at an early stage. This should help to minimise the risk of protracted arguments and serious objections at latter stages, including examination”

The number of objections made to the published plan, by local communities and others, indicates that their objectives have not been met and consultation was ineffective. Finally, during a meeting of Fladbury Parish Council on 16th December 2019, while commenting on the allocation of section 106 monies and other matters raised by Parish Councillors, Mr Paul Robinson, CEO of Worcestershire County Council (WCC) admitted that “WCC were not good at communication”. In our opinion, this statement adds credibility to our assertion that consultation on the WMLP has been inadequate.

Paras 7 and 21 of the MIQ – Is the Sustainability Appraisal (SA) adequate? Is there clear evidence to indicate why, and having considered reasonable alternatives, the strategy in the Plan is an appropriate response?

In our opinion, insufficient consideration has been given to using alternate options to supply minerals needs. The plan states in MLP1 and MLP4 that 'Planning permission will be granted' if other material considerations indicate otherwise. This effectively means all sites within the strategic corridors will be given planning permission. We suggest that a "hierarchy" of sources should be policy within the plan and be as follows:

1. No planning permissions will be considered on sites within the strategic corridors or outside the strategic corridors until all recycled materials, and secondary materials e.g. ash from incinerated waste materials have been considered.
2. Planning permissions will be considered on sites which are extensions to previous or currently worked quarries within the strategic corridors or outside the strategic corridors once it is proven that all recycled materials, and secondary materials are exhausted, e.g. the sites at Severn Stoke (Clifton Quarry), Bromsgrove (Wildmoor Quarry) and Upton-upon-Severn (Ryalls Court Quarry) all of which have reserves lasting well into the future as detailed in the July 2018 Local Aggregates Assessment report.
3. Planning permissions will be considered on sites outside of the 'Cordon Sanitaire' (see note # below) that are not of grade 1 agricultural land once it is proven that all recycled materials, and secondary materials, extensions to previous or currently worked quarries within or outside of the strategic corridors are exhausted.
4. Planning permission will be considered on sites outside of the 'Cordon Sanitaire' (see note below) that are of grade 1 agricultural land once it is proven that all recycled materials, and secondary materials, extensions to previous or currently worked quarries within or outside of the strategic corridors and sites that are not of grade 1 agricultural land are exhausted.

We requested under objection HO28-2392-3-P19 that the policy of a Cordon Sanitaire be included around mineral workings to protect villages, local communities and individual properties that had been in previous versions of the plan but had been removed. This policy we believe is required to achieve the statements made within the Plan, Worcestershire's own adopted Statement of Community Involvement and National Planning Policy to ensure that air pollution and noise pollution will have no impact on the built environment. We requested the following policy was embedded within the Plan:-

'A cordon sanitaire will be in place such that no local settlements are within 1 mile of any mineral working site'

Para 8 of the MIQ – Is there adequate consideration of reasonable alternatives, including where appropriate doing nothing, in the SA?

In our opinion, based on the detail contained in the July 2018 Local Aggregates Assessment report referenced above, there are adequate resources available at existing sites to satisfy the county's minerals needs into the next decade and beyond. Also, Worcestershire County Council (WCC) already had a useable Minerals Local Plan, published in 1997, which has been so drastically amended by the removal of a number of policies as to make it unusable. In the paraphrased words of one WCC officer with whom we met in County Hall, "we're in a policy vacuum, so we have to construct a new MLP".

In addition, according to an article by BDS Marketing Research in the January 2020 edition of the magazine 'Quarry Management', the UK currently realises some 30% of its aggregates need from recycled and secondary aggregates sources, and this figure is increasing. A 'do nothing' scenario would incorporate this increase in recycled / secondary material use.

Para 19 of the MIQ – MLP 1: Strategic Location of Development

In our opinion, WCC should compile a hierarchy of sites, (as set out in our comments on paragraphs 7 and 21), and preferred areas rather than imply blanket planning permission for minerals extraction operators who submit applications either within or outside of the defined strategic corridors. This blanket approach results in a high degree of uncertainty for communities within the identified resource areas, especially since the publication of the Development Plan Document (DPD) is currently scheduled for Q3/4 2020, and unlikely to be considered for approval by WCC before 2021. If planning applications from minerals extraction companies follow final approval, there could be a period of up to 3 years of uncertainty for potentially affected communities. The policy should be rewritten around specific development sites, rather than around strategic corridors.

Para 28 of the MIQ – Does the policy allow for the sustainable extension of extant / existing sites? If not, should it?

In our opinion, policy MLP 1 does not give sufficient consideration to sustainable extension of extant / existing sites, as per our comments regarding paragraph 7. Policy MLP 1 should be rewritten to include this option as a priority.

Worcestershire County Councils latest proposed amendment SPM 13:

“Planning permission will be granted for mineral development outside a strategic corridor where it is demonstrated that the mineral resource has qualities which mean sustainable supply of the mineral cannot be delivered from within the strategic corridors. For sand and gravel, silica sand and brick clay resources, this will be wholly exceptional and it must be clearly demonstrated why sustainable supply cannot be delivered from either extant or allocated sites within the strategic corridors.”

This clearly sets sites which could be worked outside of the strategic corridor on a lower level of consideration when key sites outside of the corridors which meet all of the Plan’s requirements will fail to be considered.

Para 30 of the MIQ – Does the wording of the policy provide sufficient certainty for developers and for communities?

In our opinion, the identification of 4 “key” and 3 “significant” sites in ECA 16: Evesham Valley, provides a high level of uncertainty for the residents of the communities of Charlton, Crophorne, Eckington, Fladbury, Lower Westmancote, Pensham and Wick, as they don’t know whether or when a minerals company might submit a planning application to extract sand and gravel over vast tracts of land adjacent to their villages.

Para 31 of the MIQ – Does the policy (MLP 3) adequately deal with mineral development on sites not within a strategic corridor? Is it clear what factors would need to be taken into account when assessing these sites against the policy?

In our opinion, granting planning permission “where it is demonstrated that the proposed mineral development will protect and enhance networks of green infrastructure throughout the life of the development” is wrong in as much as no consideration is given to the likely damage to the green infrastructure during the minerals extraction process. Even allowing for sequential extraction and restoration across a development site, damage to the existing green infrastructure will be difficult or impossible to mitigate.

Para 37 of the MIQ – Do policies MLP 4 to 8 strike the right balance between the three pillars of sustainability? Is there enough reference to economic and social sustainability?

In our opinion the issue of sustainability is insufficiently addressed throughout the Plan. Within the Evesham Valley strategic corridor, a very high proportion of the land identified as suitable for minerals extraction has Grade 1 classification, i.e. best and most versatile agricultural land, and is mainly given over to the growing of various varieties of vegetable crops. In addition, Natural England's National Character Area profile: 106 Severn and Avon Vales, states that Grade 1 agricultural land only comprises 2% of the total NCA land area. Following minerals extraction, it will be impossible to restore the land to its previous standard, thus denying future generations the opportunity to farm for food. In policy MLP 25, it is clearly stated that "...the development of poorer quality land should be prioritised in preference to higher quality land...", and "...the long-term potential of best and most versatile agricultural land should be safeguarded by enabling the land to retain its longer-term capability for agricultural use...". Given that the UK is in the process of leaving the EU and our trading relationships with Europe and the Rest of The World have yet to be secured by Government, the retention of high quality agricultural land must be secured as the WMLP does accept that it will not be possible to return all mineral worked sites back to Grade 1 status. The issue of sustainability should be given a much higher profile in the entire WMLP.

Para 38 of the MIQ – Are the proposed boundaries of the strategic corridors appropriate? Are they too large and do they include land that is devoid of mineral resource?

In our opinion, the strategic corridors are too large and include significant areas of land devoid of mineral resources. Identifying such large corridors contributes to the uncertainty experienced by the residents of those communities located inside the strategic corridors.

Para 52 of the MIQ – Should there be more support for unallocated extensions to quarries, given that working is already established at such locations and infrastructure already in place?

As addressed in our comments to paragraphs 7 and 28, it is our proposal that policy MLP 1 should be rewritten to place a higher emphasis on exploiting existing quarry sites before giving any consideration to establishing new sites in virgin locations, especially those containing Grade 1 agricultural land.

Para 58 of the MIQ – Should DM policies themselves make more reference to "cumulative effects" rather than just commenting on this in the justification text?

In our opinion, the use of strategic corridors potentially encourages the cumulative effects of quarrying on communities located within these corridors. Minerals extraction companies could perceive that they were being encouraged to progress their operations to adjacent sites if they were located within the same strategic corridor. Referring back to our comments on paragraph 19 above, we propose that the concept of strategic corridors is inappropriate as the basis for the WMLP.

Para 60 of the MIQ – Should there be a stand-alone policy on air quality?

In our opinion, the cluster of villages along the Avon valley are more likely to suffer issues of poor air quality as the result of minerals extraction processes than villages in more sparsely populated areas of the county, i.e. those located along the Severn valley. Due to the close proximity of settlements to the proposed extraction sites, we propose that the WMLP defines a “cordon sanitaire” of 1 mile surrounding any quarrying activities for the reasons set out in our response to Para 7. Also, due to the poor road infrastructure in the Evesham valley (only 1 recommended lorry route, A44, which runs to the north of the river), access to the proposed sites 16/1, 16/2, 16/4, 16/8 and 16/12 is only possible by means of narrow, local roads, wholly unsuited to the repeated traffic of heavy goods vehicles and the air pollution resulting from diesel exhausts. There should be a policy whereby air quality is monitored in settlements adjacent to extraction sites and along the roads leading to them on a continuous basis, with the ability for sites to be shut down if nationally established limits are exceeded.

Para 66 of the MIQ – Is the scope of policy MLP 19 too broad in that it seeks to focus on effects on people (amenity, health and well-being, areas of tranquillity) and on the environment?

In our opinion, policy MLP 19 addresses the very minimum regard that should be given to residents of settlements likely to be adversely affected by mining of minerals in the Evesham Valley strategic corridor. Nothing should be done to weaken or reduce the scope of policy MLP 19.

Para 68 of the MIQ – What would constitute an area of tranquillity? Is it defined anywhere in the plan?

The Campaign to Protect Rural England (CPRE) refers to tranquillity as “an essential quality of the countryside” and a “much valued aspect of human experience”, found in the rural environment. In a recent report, CPRE calls on the new Government to take action to value and protect the character of the countryside. In our opinion, the Avon valley is an area of tranquillity which should be protected by the WMLP.

Para 71 of the MIQ – Should policy MLP 20 encompass recreation in a wider sense to include users of navigable waterways such as the river Avon? Is this impact adequately addressed by the policy?

In our opinion, recreation in its widest possible sense should be addressed and protected in policy MLP 20. The Avon valley is used by a wide number of residents and visitors alike, including leisure boaters, anglers, ramblers, cyclists, horse riders, caravanners and campers etc. Shakespeare’s Avon Way, The Blossom Trail and the proposed Evesham to Pershore cycle way all run through villages situated within the Evesham Valley strategic corridor. Many public footpaths and rights of way traverse the key and significant sites identified in the Evesham Valley Corridor, and should be protected in the WMLP.

Para 82 of the MIQ – Should policy MLP 23 seek to define and identify valued landscapes in accordance with NPPF 170?

Although not an Area of Outstanding Natural Beauty (AONB) or Site of Special Scientific Interest (SSI), in our opinion the Avon valley is undoubtedly scenic and in the eyes of residents and visitors alike “valued”. As identified in WCC’s Environmental Character Area Profile, this area should be “protected and enhanced”. We would invite the inspectors to visit some or all of the “key” and “significant” sites in the Evesham Valley to see for themselves the potential landscape destruction that minerals extraction would cause.

Para 90 of the MIQ – Should policy MLP 29 include potential impacts on navigable waterways?

In our opinion, special protection should be given to the river Avon and its leisure and commercial users. Minerals extraction and transportation should not be allowed to impinge on this valuable natural feature of the landscape.