

Policy S6 of the Minerals Local Plan 2014

Amendments Made

2022

Provision of Primary Minerals

3.76 The NPPF requires the MPA to plan for a steady and adequate supply of aggregates by:

- Preparing an annual 'Local Aggregate Assessment' based on a rolling average of 10 ten-years sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources),
- Taking part in the operation of the relevant Aggregate Working Party (East of England AWP) and taking the advice of the Working Party into account when preparing the Local Aggregate Assessment,
- Making provision for land-won and other elements of the Local Aggregate Assessment in the Mineral Minerals Local Plan, having taken into account the advice of the Aggregate Working Party and the National Aggregate Coordinating Group, and
- Taking account of the latest published National and Sub-National Guidelines on future provision and using this guideline when planning for future aggregate demand and supply.

Within Essex, the only aggregate that needs to be provided for is sand and gravel. This Plan provides the framework for identifying new mineral sites to meet these requirements.

National policy on landbanks

3.77 The landbank provides the mechanism for securing and maintaining mineral supplies at the County level. The role of the landbank is to reflect the time taken to obtain planning permissions and bring sites into production. The extent of the landbank provides a useful indicator for deciding when new permissions for extraction are required. A 'landbank' is a current stock of mineral reserves with planning permission for extraction. The size of a landbank is measured in terms of a number of years. It is calculated by working out:

- The total capacity (in tonnes) of all permitted mineral reserves with planning permission, and then,
- Dividing this total capacity by the annual rate of mineral supply provision (in tonnes per year) proposed in this Plan for the plan-period, and then,
- Expressing this calculated figure in terms of years' equivalent (e.g. The landbank is 8.4 years).

3.78 Policies providing for the maintenance of sufficient landbanks are an important feature of this Plan. They enable the minerals industry to respond to changes in market demand and also provide a secure long-term, steady and adequate supply of permitted mineral reserves to justify capital investment in plant, machinery and manufacturing capacity. They also enable the wider planning and environmental consequences of long-term provision to be considered in an orderly, timely and effective way through periodic reviews of this Plan.

3.79 The NPPF provides instruction on the minimum length of sand and gravel landbanks, as follows:

- At least a seven-year landbank for sand and gravel, ensuring that the capacity of operations to supply a wide range of materials is not compromised. Longer periods may be appropriate to take account of the need to supply a range of aggregates, locations of permitted reserves relative to markets and productive capacity of permitted sites.
- Ensuring that large landbanks bound up in very few sites do not stifle market competition.



The Plan's approach to landbanks

3.80 The Plan maintains a single County-wide landbank of at least seven years for sand and gravel based on plan provision up to 2029. It is considered unnecessary and impractical to maintain separate landbanks for County sub-areas or to distinguish between building sand and concreting aggregates.

3.81 Planning permissions secured on the Preferred Sites identified in this Plan will increase the permitted landbank which otherwise decreases through sales of the aggregate.

3.82 The Plan will be monitored annually and reviewed every five years to ensure that the Essex sand and gravel landbank is maintained to at least seven years throughout the plan period to 2029. This will be monitored through the Authority Monitoring Report (AMR) and annual Local Aggregate Assessment (LAA), which includes a rolling ten-year average assessment of sand and gravel sales. A second trigger is also in place; should the AMR show that minimum landbanks are not being maintained (of at least seven years for sand and gravel, ten years for silica sand or 25 years for brick clay – see Policy S7), the MPA will explicitly consider whether an early review of the MLP is required or whether there are mitigating circumstances, and publish the conclusion in the AMR.

Ensuring a steady and adequate supply of minerals is made in Essex

3.83 The 'National and Sub-National Guidelines for Aggregates Provision in England 2005-2020' (DCLG, June 2009) set out how much aggregate should be provided for in each of the English sub-national areas up to 2020. This Plan was adopted in 2014 and was subject to the provisions of these guidelines during its preparation and for approximately half of its lifetime. However, these guidelines have since expired and were no longer appropriate to be used as a basis for forecasting future mineral need as part of the Review of the Plan. As set out previously, the NPPF requires the MPA to plan for a steady and adequate supply of aggregates by preparing an annual 'Local Aggregate Assessment' based on a rolling average of ten-years sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources).

3.84 After sub-division of the East of England apportionment as set out in the aforementioned National and Sub-National Guidelines down to the MPA level by the East of England Aggregate Working Party, Essex was apportioned 4.31mtpa of sand and gravel. The Essex provision figure of 4.31 mtpa for sand and gravel equated to a total plan provision of 77.58 mt over the 18-year plan-period of 2012-2029 inclusive (excluding existing permissions). After deductions for existing permitted reserves at the base date (36.034 million tonnes at 31 Dec 2011 for Essex only reserves and excluding estimated reserves of 0.98mt for Thurrock) and deducting new permissions granted since 1 January 2012 (0.88mt from 2 sites) the planning requirement for primary extraction from new site allocations in Essex was set at 40.67 million tonnes. This requirement was accommodated through site allocations made through the first iteration of this Plan.

3.85 Following the expiration of the National and Sub-National Guidelines during the MLP Review, recourse was made to previous sand and gravel sales to forecast any additional provision that may be needed to ensure a steady and adequate supply of sand and gravel to the end of the Plan period. Information on aggregate sales is collected by the MPA annually for use in Local Aggregate Assessments. As set out in background papers supporting the MLP Review, it was considered appropriate to adopt a new plan apportionment of 3.74mtpa for sand and gravel, which equated to an average of the previous ten years of sales plus 20%.

3.86 When taking into account existing permitted reserves, applications within the planning system and those existing allocations that had yet to come forward at the time that a new plan provision figure was proposed in 2021, a minimum of 8.67mt of sand and gravel was calculated to be required to support provision to the end of the Plan period and ensure the maintenance of a seven-year landbank. This needed to be found through additional site allocations. A Call for Sites was initiated as part of the Review and additional sites allocated following adoption of this amended Plan.

3.87 Those sites allocated through the original adoption of the Plan in 2014 as well as those added through the MLP Review are set out in Policy P1, Table 5.



Self-sufficiency of the County

3.88 The majority of sand and gravel extracted within the County will serve the local Essex market, and this is considered unlikely to significantly change over the long-term, should Essex continue to be able to rely on current rates of import. The main economic drivers of future production will be the mineral demands created by major development and new infrastructure projects in Essex, and the ongoing need for building and infrastructure maintenance and repair. The LAA monitors import and export information on an annual basis.

Links with neighbours

3.89 Essex's strategic location to the north-east of London means that there will always be some market demand for the County's mineral resources from neighbouring areas, with London likely being the largest consumer. Essex also imports sand and gravel, both land-won and marine sourced, as well as crushed rock, and as such it is important that our current links can be maintained.

3.90 The Greater London conurbation is highly urbanised and relies on imported minerals for its development, growth and regeneration and this will likely continue into the future. The capital will continue to rely on imported aggregates delivered by sustainable transport modes (rail and water). Inter-regional movements have already been accounted for in the sand and gravel provision made in this Plan.

3.91 London is likely to be heavily dependent on marine aggregate supplies to meet its aggregate requirements. The Local Aggregate Assessment and data received from the British Geological Survey will allow for the monitoring of sales of sand and gravel within Essex to ascertain whether land-won sales begin to reduce as a result of an increase in usage of aggregate sourced from other sources, including the marine environment both

within Essex and elsewhere.

3.92 The members of the East of England Aggregate Working Party (EEAWP), of which Essex and all the other Mineral Planning Authorities within the former East of England region are a part, recognise that there will be some cross-boundary movement of mineral supply as this is the nature of the market. However, there is no requirement for the MPA to make any specific provision to serve any neighbouring area as this will be accommodated by ensuring sufficient provision is maintained, based on an understanding of previous sales and future growth. EEAWP provides an effective forum for ensuring the ongoing cooperation of participant authorities in addition to the formal Duty to Cooperate process.

The Mineral Planning Authority's consideration of non-allocated sites

3.93 To ensure future sand and gravel extraction is clearly focused on the Spatial Strategy and the identified Preferred Sites in this Plan, other proposals for sand and gravel extraction at locations situated outside of the areas identified for future working will normally be resisted by the Mineral Planning Authority (MPA) unless there is an 'over-riding justification' and/or 'over-riding benefit' as set out in Policy S6.

3.94 A potential overriding justification or benefit for mineral extraction on these non-allocated sites may include, but is not limited to:

- Agricultural irrigation reservoirs – where mineral is extracted and exported to create the reservoir landform,
- Borrow pits – where extraction takes place over a limited period for the exclusive use of a specific construction project such as for a specific road scheme,
- Prior extraction to prevent mineral sterilisation – this may be required on occasions where significant development takes place (on a site of 5 hectares or more for sand and gravel) and where a workable mineral resource could otherwise be permanently lost through sterilisation (as set out in Policy S8).

3.95 Such proposals will be considered on their own individual merits and the MPA will pay particular regard to the justification/-need that is cited by applicants when determining planning applications. The MPA must be satisfied that there are exceptional reasons for permitting such applications, after having considered all the relevant circumstances so as not to prejudice the overall strategy of the document. All proposals will be considered against policies in the Development Plan. For agricultural irrigation reservoir proposals involving extraction and exportation, clauses may be imposed to ensure that the after-use is restricted for agricultural use.

3.96 Where proposals are put forward on the basis of fulfilling some form of 'mineral need' for minerals extraction, then the MPA will always require consideration of the whole of the County for the purposes of estimating the adequacy of the landbank or the sufficiency of the Plan's provision. The MPA does not consider that information about individual commercial business need of a mineral operator to continue production at a particular mineral extraction site, to be relevant or material to its decisions in respect of non-allocated sites.

3.97 No allowance for non-allocated sites coming forward has been made in determining the Plan's provision up to 2029. This is because the location, timing and quantity of these sites cannot be predicted, and they would therefore not normally contribute to meeting the spatial strategy which is central to this Plan.

3.98 A plan-led approach excluding such an allowance and identifying Preferred Sites, provides greater certainty for local communities and the minerals industry about where minerals development will take place over the long-term. In any event, the Plan will be reviewed at regular intervals and as such the emergence of any non-allocated sites can be taken account of through their impact on the permitted reserve as the Plan is updated.

Policy S6 - General Principles for Sand and Gravel Provision

The Mineral Planning Authority shall endeavour to ensure reserves of land won sand and gravel are available until 2029, sufficient for at least seven years extraction or such other period as set out in national policy. The rate of plan provision is set at 3.74 mtpa.

Policy P1 provides for the provision of sand and gravel through the allocation of Preferred Sites for extraction.

Mineral extraction outside Preferred Sites will be resisted by the Mineral Planning Authority unless the applicant can demonstrate:

- a) An overriding justification and/ or overriding benefit for the proposed extraction, and
- b) The scale of the extraction is no more than the minimum essential for the purpose of the proposal, and
- c) The proposal is environmentally suitable, sustainable, and consistent with the relevant policies set out in the Development Plan.

Spatial Vision: Policy links to the delivery of theme B.

Strategic Objectives: Policy links to the delivery of objectives 6a.

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