

## Oxfordshire County Council Submission Draft Local Plan: Representations on Behalf of Hills Quarry Products Ltd

### Representation 1

1. The plan document is one of two plans to be produced. A second Local Plan is proposed for detailed site allocations with associated development control policies. This new process is a major change from the consultation document and a major variation from the original documents which formed the basis of previous consultations from 2005 and is not in line with NPPF policy on plan preparation. In noting the 'consultation plan document' is to become two plans, the expectation would be that this revised 'submission plan', as now plan 1 of 2 plans, should be a smaller document. However, it is longer and has more policies which is counter intuitive and it cannot be considered to represent the positive approach to development plans the NPPF seeks.
2. Whilst it is claimed that there is support for having two development plans, the NPPF is clear in para 153 on the intention for a single development plan:  
*Each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified. Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.*
3. The approach by OCC appears as a response to criticisms on the consultation draft that detailed site allocations were not included in that document. The submission draft has side stepped this difficult issue with the suggestion of a future second plan. The reason for this is that the inclusion of sites in the Core Strategy would significantly delay its progress to adoption because further technical assessment and consultation would be required <sup>1</sup>.
4. The delay to do the necessary sites allocation work was given as at least a year. However information regarding proposed sites is readily available to the Council because it has been provided on at least two occasions including in 2009 and again in 2015.

---

<sup>1</sup> Para 24 OCC Cabinet Paper 25 November 2014

5. Whilst it was suggested to be at least a year to assess the information already in the council's possession, no timescale is given for the production of the second Plan. The timetable for its preparation won't even be prepared until 2016. Notwithstanding the available information on existing sites, the preparation of a new development plan document will be from a standing start and will have to comply with the various legal stages in preparation. Clearly a site specific document is some considerable time off.
6. The allocation of sites is a key function of a local plan, NPPF para 157. The amended submission plan is not in line with the NPPF guidance.

### **Representation 2**

7. Hills maintain their objection to Policy M2 as not in accordance with the NPPF para 145.

### **Representation 3**

8. Noting the change to Policy M4 from the consultation draft Policy M3 should have the qualification: *"Permission will not be granted for the working of aggregate minerals outside the areas defined in policy M3 unless:*
  - *the requirement to maintain a steady supply of aggregate in accordance with policy M2 cannot be met from within those areas, or*
  - *windfall sites (for example to secure extraction of mineral reserve which would otherwise be sterilised as a consequence of other non-mineral development) or borrow pits."*

### **Representation 4**

9. Policy M4 should be deleted as it is not appropriate. Minerals can only be worked where they are found and Policy M3 has identified the principal locations for aggregate extraction. Policy M4 adds nothing to the Plan. The consideration of specific criteria should be a matter for detailed consideration of site allocations. Notwithstanding this the majority of the criteria are repetitive either of the NPPF or the proposed 'core policies' of C1 to C11 and as such are unnecessary.

### **Representation 5**

10. The new Policy M5 appears to address policy considerations for mineral extraction applications in the period of further delay awaiting the provision of a detailed site allocation plan. However

this is unnecessary as clearly any proposal would automatically be considered against Policy M3, as to the general location, and core policies C1 to C11 and the NPPF.

- 11 Policy M3 already identifies the principle locations for minerals extraction and if necessary M5 should only be a as a short standalone policy on ironstone. Or it could be rewritten to incorporate borrow pits and windfall sites. Should a windfall site or borrow pit be required in the Plan period there is nothing in the policy which would assist in getting planning permission.

### **Representation 6**

- 12 The representations made to OCC in April 2014 by Hills Quarry Products Ltd still apply.

### **Representation 7**

- 13 In regard to specific paragraphs of the draft document the following comments are also made:

#### **Paragraph 2.8**

- 14 This paragraph confirms that aggregate production has fallen but does not explain why or how or in what volumes mineral is imported into the County to supplement the reduced indigenous production.

### **Minerals Planning Vision**

#### **3.3(a)**

- 15 The vision should apply to the whole of the Plan period and not just to the single year 2031.

The words “with a world class economy” are irrelevant and should be deleted.

### **Minerals Planning Objectives**

#### **3.4 (vi)**

- 16 There is negligible flood risk associated with well-designed and managed mineral development. Instead the objective of this paragraph should be to take advantage of the flood alleviation benefits which can be derived from mineral development.

### **Waste Planning Objectives**

#### **3.7 (iv)**

- 17 The term “other areas” is not clear.

#### **3.7 (x)**

- 18 With very few exceptions it is no longer acceptable for the waste management industry to be granted temporary consent. Oxfordshire’s waste planning objectives should echo the mineral planning objective (v) to “provide a framework for investment”. The most efficient investments are made where a development is not constrained by the length of a planning permission and investment can continue to improve and extend a facility to meet market demands.

### **Minerals Planning Strategy**

#### **4.14**

- 19 It is helpful that the Local Aggregate Assessment is intended to be revised annually and each annual revision will supersede the previous annual figure. The Plan should state in which month every year the LAA will have been produced. This could coincide with the production of the Monitoring Report (7.17) in the same month. Unless a specific month is targeted, the LAA and Monitoring Report will be overlooked and delayed.

#### **4.15**

- 20 Refers to soft sand as a “less widely distributed mineral”. It is not clear what this means but the demand for soft sand is substantial and the sand from Oxfordshire travels to many counties in England and Wales. The words, “which is a less widely distributed mineral” should be deleted.

### **Policy M4**

- 21 Criterion k(iv) should refer not just to agricultural land but to best and most versatile agricultural land.

### **Safeguarding Mineral Resources**

- 22 The policy is supported but it is lamentable that after so many years of developing a Minerals Plan, the Council is still not able to identify Mineral sites for development or the types of infrastructure development on which consultation should take place.

### **Restoration and Afteruse.**

- 23 This section is muddled and greater clarity would be helpful. Paragraph 4.74 lists District Council policies some of which (noise management and access enhancement) may not be relevant to a restoration scheme. It requires local communities to be consulted but then states that restoration of mineral workings should be determined on its individual merits and circumstances which could limit options. In fact there may be very few options for restoration and unless the scheme needs local input into amenity and recreation, consultation would not always be desirable. It should not be compulsory to consult local communities on options for afteruse.
- 24 The section requires developers to enhance “green infrastructure” (although that is not defined), sport, recreation and amenity. These uses might not be appropriate at all sites. Paragraph 4.76 supports the mineral planning objective to implement a bio-diversity led restoration strategy but that doesn’t fit in with suggestions in 4.75 and 4.78 for agriculture, recreation, amenity, sport and public access. It is not clear if the Plan promotes a net gain in biodiversity (4.75) or a bio-diversity led strategy (4.76). Long term management of restored land may not be necessary depending on use. Built development as an afteruse may be appropriate in the right circumstances and, in accordance with recent guidance, should not be discounted.

### **Policy C3**

- 25 This policy should be in two parts, one relating to mineral extraction and the other to waste. The point is that mineral extraction, as noted elsewhere in the Plan, is water compatible and flood storage benefits can be achieved in restoration schemes whilst waste developments and some mineral infrastructure developments are likely to be water incompatible.

### **Policy C4**

- 26 It is not clear what is meant by a requirement to “adequately protect” the River Thames.

**From:** John Salmon [mailto:js@landandmineral.co.uk]  
**Sent:** 28 September 2015 11:13  
**To:** Day, Peter - E&E  
**Subject:** Oxfordshire Minerals and Waste Local Plan

Dear Peter

I trust all is well with you.

I attach the Consultation Response on behalf of Hills Quarry Products Ltd.

Should you have any questions please contact either Lucy Binnie or myself.

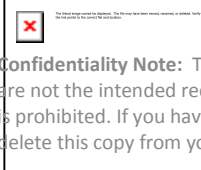
Please acknowledge that this has reached you within the consultation period.

Kind regards

John



John Salmon FRICS MRTPI FIQ  
Land & Mineral Management  
Roundhouse Cottages, Bridge Street, Frome, Somerset, BA11 1BE  
tel 01373 465739 | mobile 07831 823285  
[www.landandmineral.co.uk](http://www.landandmineral.co.uk) 



**Confidentiality Note:** This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.