

Joint West Sussex Minerals Local Plan

Background Paper 4: Safeguarding Minerals Infrastructure

June 2014



Working in Partnership



Purpose

This Joint Minerals Local Plan Background Paper is one in a series which supports the development of the Joint West Sussex and South Downs National Park Minerals Local Plan (the Joint Minerals Local Plan). Under the provisions of Section 28 of the Planning and Compulsory Purchase Act 2004 and the Duty to Co-operate, the Joint Minerals Local Plan, prepared jointly by West Sussex County Council (WSSCC) and the South Downs National Park Authority (SDNPA), will help decide how and where minerals should be dealt in West Sussex in the future.

This paper presents the most up to date evidence to support the safeguarding of minerals infrastructure within the Plan.

Background Papers are being used to identify baseline data and inform discussions with the community and key stakeholders. The Papers are intended to 'set the scene' and present the evidence as it stands at this stage, to enable the Authorities to work effectively with stakeholders to:

- Check information to ensure the Authorities knowledge and understanding of waste and minerals is up-to-date and robust;
- Identify potential issues, problems or concerns relating to the production of minerals in West Sussex.
- Build on work carried out at the previous stages, taking forward comments received and addressing areas that required further examination.

Information gathered in response to the Background Papers will assist the progress of the Joint Minerals Local Plan to the next stage. You are invited to comment on the Papers or provide further related information.

More information about the Plan can be found on the Council's website: www.westsussex.gov.uk/mwdf. If you require clarification on any of the content within this document please contact us at: mwdf@westsussex.gov.uk.

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1. Introduction

- 1.1. Wharves and railheads play an important role in the supply of minerals to West Sussex. They also facilitate the sustainable transport of minerals compared to moving aggregates by road.
- 1.2. The Joint Minerals Local Plan will consider the provision of safeguarding wharves and railheads for the importation and transport of minerals. The major wharves in West Sussex are located at Shoreham Harbour, which is an area being considered for regeneration through the Shoreham Joint Area Action Plan (JAAP). This will require a balanced view in order to ensure that minerals need is met without standing in the way of regeneration aspirations.
- 1.3. Currently, wharves and railheads in West Sussex are safeguarded within the adopted West Sussex Minerals Plan (2003), by Policies 36 – 41. These policies will be replaced upon adoption of a new Joint Minerals Local Plan. The currently safeguarded sites are:
 - Ardingly Rail Depot (operated by Hanson Aggregates)
 - Crawley Rail Depot (three sites operated by Cemex UK, Aggregate Industries, and Day Aggregates Ltd.)
 - Chichester Rail Depot (operated by Dudman Group Ltd)
 - Railway Wharf (Littlehampton, operated by Lafarge Aggregates)
 - Free Wharf (Shoreham, no longer operational)
 - Kingston Railway Wharf (Shoreham, operated by Day Aggregates Ltd)
 - Turberville and Pennys Wharf (Shoreham, operated by Dudman Group Ltd)
 - Halls Wharf (Shoreham, Cemex UK)
 - Rombus Wharf (Shoreham, not operational)
 - Horsham Sidings and Littlehampton Sidings (sites not developed).
- 1.4. To support work on the Minerals and Waste Core Strategy in 2008, West Sussex County Council commissioned Land and Minerals Management Ltd to prepare a Wharves and Railheads Study. Work on the Core Strategy was not progressed, and in May 2011 the County Council resolved to proceed with the preparation of separate Minerals and Waste Local Plans.
- 1.5. As part of the preparation of the Joint Minerals Local Plan, West Sussex County Council and the South Downs National Park Authority commissioned a Wharves and Railheads Study in 2013, in order to update a study completed by in 2008. This update was required due to a number of changes since 2008:

- Publication of the National Planning Policy Framework (NPPF) in March 2012, replacing Minerals Policy Statement 1: Planning and Minerals;
- Revocation of the South East Plan – the Regional Spatial Strategy in February 2013;
- Creation of the South Downs National Park;
- Preparation of separate Minerals and Waste Local plans which will cover the period until 2031, 5 years beyond the period considered through the Wharves and Railhead Study prepared in 2008;
- Adoption of neighbouring Minerals and Waste Plans, including East Sussex and Hampshire in 2013;
- A requirement to fulfil the 'Duty to Co-operate' as set out in Section 110 of the Localism Act (2011).
- Significant progress on the preparation of a Local Plans in West Sussex including a Joint Area Action Plan covering Shoreham Harbour.

1.6. National Policy as set out in the NPPF requires that *local planning authorities safeguard: existing, planning and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials...*¹.

1.7. In addition, NPPF requires Mineral Planning Authorities to plan for a steady and adequate supply of aggregates by produce a Local Aggregates Assessment (LAA) based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources)

1.8. The LAA has a crucial role to play in monitoring the supply and demand of aggregates annually and indicates the reliance on wharves and railheads to achieve this. Safeguarding of wharves and railheads ensures that identified demand for mineral can be met, whilst annual updates to the LAA will provide an indication of whether or not the safeguarded capacity is sufficient to meet needs over the Plan period.

1.9. The West Sussex Wharves and Railheads Study 2013 (known as the Study) has been produced by Land Use Consultants Ltd (LUC) and covers the following areas:

- Updating the existing evidence base (the 2008 study):
 - Setting out the background to the study;

¹ NPPF paragraph 143.

- Understanding the current use of wharves and railheads;
- Assessing current and potential capacity;
- Assessing likely future demand for aggregate imports upto 2031;
- Considering imports and exports, and cross-boundary issues.
- Developing a strategy and scenarios for safeguarding wharves and railheads:
 - Assessing viability of existing sites;
 - Considering reasons for and against safeguarding existing sites (regardless of current safeguarding status);
 - Developing scenarios for safeguarding a suite of sites to meet needs.

2. Wharves and Railheads in West Sussex

- 2.1. There are currently six operational wharves in West Sussex, one in Littlehampton and five in Shoreham. There are also five operational railhead in West Sussex, one in Chichester, one in Ardingly and three in Crawley.
- 2.2. At present, the total capacity of operational wharves in West Sussex is 1,885,000 tonnes per annum. This is for the landing of both marine won and land won aggregates. The total capacity for operational railheads is 1,380,000 tonnes per annum.
- 2.3. Since the 2008 study was undertaken, four wharves are no longer operational for aggregates use. Meanwhile no new wharves have come into operation during the period 2008 – 2013. These changes are likely to be as a result of a number of different factors, including the economy, regeneration aspirations, site constraints and competing cargo interests.
- 2.4. All but one of the existing wharves in West Sussex are located at Shoreham Harbour. These are split between the Eastern Arm and the Western Arm of Shoreham Port. The aspiration for the Western Arm, through the JAAP, is to redevelop it for housing and other non-port development and to focus port related activities to the Eastern Arm. Furthermore, ESCC and B&H rely heavily on imports to Shoreham of aggregates. This is due to a lack of wharf capacity within East Sussex and Brighton & Hove, and also due limited and reducing capacity of land won sources of sand and gravel in East Sussex.
- 2.5. West Sussex County Council publishes an Annual Monitoring Report which provides the latest information on capacity of wharves and railheads. The AMR is used alongside the LAA to monitor wharf and railhead capacity alongside the demand for aggregate imports.

3. Wharves and Railhead Study – proposed scenarios

- 3.1. The Wharves and Railhead Study (2013), has provides a range of scenarios for safeguarding wharves and railheads in West Sussex to be considered in the preparation of the Joint Minerals Local Plan. In total there are six scenarios provided for safeguarding, five for wharves and one for railheads.

Study scenarios and outcomes

- 3.2. There are two scenarios proposed for safeguarding wharves to ensure sufficient capacity is retained to maintain the current capacity (Scenarios W1 and W2) and three proposed which would result in the reduction of overall capacity for aggregate imports (Scenarios W3 to W5). Scenarios W3 to W5 take into account the regeneration plans for Littlehampton and Shoreham Harbour.
- 3.3. The Scenarios have been set out in Table 1 below. For more detailed information about individual sites and location maps of the sites please refer to the Wharves and Railheads Study.

Table 1: Summary of Wharves and Railheads Safeguarding Scenarios

Scenario	Sites to be safeguarded	Total Capacity of Safeguarded Sites
Wharves		
Scenario W1	<ul style="list-style-type: none"> ○ Railway Wharf ○ Kingston Railway Wharf ○ New Wharf ○ Turberville and Penneys Wharf ○ ARC Wharf ○ Halls Wharf 	1,885,000 tonnes
Scenario W2	n/a	Capacity (tonnage) to be safeguarded needs to be agreed, e.g. could be 1,622,000 tonnes
Scenario W3	<ul style="list-style-type: none"> ○ Turberville and Penneys Wharf ○ ARC Wharf ○ Halls Wharf 	1,625,000 tonnes
Scenario W4	<ul style="list-style-type: none"> ○ New Wharf ○ Turberville and Penneys Wharf ○ ARC Wharf ○ Halls Wharf 	1,765,000 tonnes
Scenario W5	<ul style="list-style-type: none"> ○ Kingston Railway Wharf ○ Turberville and Penneys Wharf 	1,645,000 tonnes

	<ul style="list-style-type: none"> ○ ARC Wharf ○ Halls Wharf 	
Railheads		
Scenario R1	<ul style="list-style-type: none"> ○ Chichester Railway Sidings ○ Ardingly Rail Depot ○ Tinsley Goods Yard ○ Crawley Goods Yard ○ Crawley Goods Yard 	1,220,000 tonnes

- 3.4. There were also a number of other scenarios which were not presented in the study as they were discounted at an early stage. As the study was being produced, drafts were circulated to Adur and Worthing Borough Councils and Brighton and Hove City Council (given their role in the preparation of the Shoreham Harbour Joint Area Action Plan), East Sussex County Council (ESCC), Shoreham Port Authority (SPA), and the operators of the wharf and railhead sites for their comments and input. This was carried out to ensure the factual accuracy of the Study, and, to allow the consulted parties an opportunity to consider and critique the various scenarios before they were finalised.
- 3.5. In order to work towards a preferred scenario for wharves and railheads, the Scenarios need to be considered by West Sussex County Council and South Downs National Park Authority to inform the preparation of the Joint Minerals Local Plan.

Railheads

- 3.6. The Study included only a single scenario in Chapter 8 (Scenario R1) for railhead safeguarding. This scenario seeks to safeguard all existing, operational, railheads (see Table 1). These five railheads are crucial for the importation of (mainly) crushed rock into West Sussex, a resource which does not exist in the Plan Area:
- Chichester Railway Sidings
 - Ardingly Rail Depot
 - Tinsley Goods Yard
 - Crawley Goods Yard (Aggregate Industries)
 - Crawley Goods Yard (Day Aggregates Ltd).
- 3.7. The existing railheads have a capacity of 1.38 million tonnes, and are all important for the future supply of aggregates to West Sussex. An analysis of aggregate sales from railheads over the last ten years shows that in the period 2003 – 2012 an average of 515,306 tonnes of crushed rock and sand

and gravel are imported and sold per annum in West Sussex. More recently sales of crushed rock have increased, with sales peaking at 702,396 tonnes in 2012 compared to only 104,899 tonnes in 2004.

- 3.8. A discounted scenario (Scenario R2 (see Study for details)) for railhead safeguarding would increase capacity by encouraging extensions to currently operations railheads, or safeguarding non-operational railheads (for example Horsham Sidings). This Scenario was discounted for the following reasons:
- It was deemed to be unlikely that increased capacity would be required to the point that new railheads or extensions to existing sites would be needed. This was determined by analysing existing capacity against the future requirements (based on ten year sales and peak year sales);
 - The location of the existing railheads have changed little since the 1990's due to the established rail networks, and the costs associated with rail infrastructure improvements would be unsustainable;
 - the existing sites could handle a greater throughput of aggregates, but this is relies on the availability of rail capacity and this would be a matter for train and rail track operating companies to address.
- 3.9. The current operational railhead capacity exceeds the maximum levels experienced in the period 2003 – 2012 by some 300,000 tonnes per annum, thus it is felt that Scenario R1 is preferable.

Wharves

- 3.10. The Study provided the Authorities with six differing scenarios (in Chapter 8) which provide varying levels of capacity safeguarding. These scenarios have all been considered by the Authorities and they have moved forward to discount four of them. The Scenarios are as follows;
- **Scenario W1:** Maintain current capacity by safeguarding all currently operational wharves
 - **Scenario W2:** Maintain current capacity without safeguarding specific sites
 - **Scenario W3:** Reduce capacity by not safeguarding Railway Wharf (Littlehampton), Kingston Railway Wharf and New Wharf (Shoreham) in order to meet regeneration plans.
 - **Scenario W4:** Reduce capacity by not safeguarding Railway Wharf (Littlehampton) and Kingston Railway Wharf (Shoreham) in order to meet regeneration plans.

- **Scenario W5:** Reduced capacity by not safeguarding Railway Wharf (Littlehampton) and New Wharf (Shoreham) in order to meet regeneration plans.

3.11. The Study considered a sixth scenario, which would seek to increase capacity by allocating new wharves or extensions to existing wharves. This was discounted by LUC as the average sales from the previous ten years can easily be met by existing capacity, as can the peak year sales previously experienced (1989-1990).

4. Assessing scenarios and preferred approach

Railheads

4.1. Limited and informal communication with operators of the five railhead sites identified within Scenario R1 has confirmed support for the safeguarding of these sites with the Joint Minerals Local Plan. Discussions with Surrey County Council, who rely on minerals imported to these sites, have revealed that they are satisfied with the maintenance of safeguarding at these sites.

Wharves

4.2. The scenarios which were prepared for wharf safeguarding were discussed by officers at a number of meetings. This has included meetings with the Shoreham Port Authority, The Shoreham JAAP policy group, East Sussex County Council, Brighton and Hove City Council, and the British Marine Aggregates Products Association.

4.3. The preferred Scenario is W3. This would safeguard three key wharves (Turberville and Penney's Wharf; Arc Wharf; and Halls Wharf), providing a total capacity of 1,625,000 tonnes. This scenario is the best fit for a number of reasons:

- The safeguarded capacity would meet maximum levels of imports as seen during the period 2003 to 2012
- The wharves to be safeguarded are all on the Eastern Arm of Shoreham Port, thus releasing those on the Western Arm to meet the regeneration aspirations
- If the peak sales were to occur again (1989-1990) there may be a capacity deficit of 96,000 tonnes, however this can be met by general terminus at the port (see Chapter 4 for further information on this). It is also unlikely that this level of import would be experienced again based on evidence set out in the Study.

- 4.4. The scenarios put forward by the study all need consideration prior to moving forward with an agreed approach. The preferred scenario is W3, as set out above. The other scenarios and reasons for discounting them are set out below.
- 4.5. **Scenario W1** would seek to maintain all current operational capacity, thus safeguarding the following wharves;
- Railway Wharf (Littlehampton Harbour).
 - Kingston Railway Wharf and New Wharf (Shoreham Harbour – Western Arm).
 - Tuberville and Penney’s Wharf (Shoreham Harbour – Central).
 - ARC Wharf and Halls Wharf (Shoreham Harbour – Eastern Arm).
- 4.6. This scenario would result in a total of 1,885,000 tonnes of capacity being safeguarded, which would comfortably meet maximum levels experienced during the period 2003 – 2012, with a surplus capacity of 165,000t. This level of capacity would also meet peak year sales (1989-1990). The key implication of this scenario is that it would stifle the regeneration of the Western Arm of Shoreham Port. The Shoreham JAAP as well as the SPA support the regeneration of the Western Arm. There are also other issues associated with the Western Arm, namely that the wharves there are smaller and tend to be operated using chartered ships. Furthermore, the Western Arm is tidal, and thus requires regular maintenance dredging which comes at a great cost. For the above reasons, this scenario has been discounted by the Authorities.
- 4.7. **Scenario W2** would not safeguard specific wharf sites, but instead seek to safeguard a specified capacity. This approach would require agreement between Shoreham Port and The Authorities, particularly with the setting out of a capacity amount required. The study put forward two potential capacity figures, the baseline levels experienced during the period 2003-2012 (1,622,000 tonnes) or to use the maximum levels experienced during 1989-1990 (1,712,274 tonnes).
- 4.8. The implications of this scenario are that it would be uncertain which wharves would remain operational and which may expand. Furthermore, as there would not be specifically named sites being safeguarded, there would be difficulties in demonstrating deliverability of such an approach. This approach would require partnership working between the JAAP authorities (including West Sussex County Council), the SPA and operators to ensure that alternative capacity is available should a site be put forward for alternative development.

- 4.9. This approach has been discounted by the Authorities as it is felt it would not be deliverable. Furthermore, NPPF states that, local planning authorities should “safeguard existing, planning and potential...wharfage and associated storage” (NPPF paragraph 143). Scenario W2 would not safeguard existing sites, thus would not be legally compliant.
- 4.10. **Scenario W4** would safeguard all currently operational wharves except for Railway Wharf (Littlehampton) and Kingston Railway Wharf (Shoreham Harbour – Western Harbour Arm). This would result in a total capacity of 1,765,000 tonnes. This would ensure that, based on maximum levels during 2003 – 2012, a surplus of 140,000 tonnes of capacity would be safeguarded. This would also leave a surplus of 45,000 tonnes of capacity should sales during peak years be realised (1989-1990).
- 4.11. This scenario would result in the safeguarding of New Wharf which is located on the Western Arm of Shoreham Port. The safeguarding of this would go against the regeneration aspirations for the JAAP. The fact that Scenario W4 would provide a surplus in safeguarded capacity would mean that more capacity is safeguarded than required. For these reasons, coupled with the operational issues surrounding the use of the Western Arm, suggests that this would approach would not be the best fit for the aspirations of all concerned parties, and thus has been discounted.
- 4.12. **Scenario W5** would safeguard all currently operational wharves except for Railway Wharf (Littlehampton) and New Wharf (Shoreham Harbour – Western Harbour Arm). This would result in a total capacity of 1,645,000 tonnes. This would ensure that, based on maximum levels during 2003 – 2012, a surplus of 24,000 tonnes of capacity would be safeguarded. This would however result in a deficit of 76,000 tonnes of capacity should sales during peak years be realised (1989-1990).
- 4.13. This scenario would result in the safeguarding of Kingston Railway Wharf which is located on the Western Arm of Shoreham Port. The safeguarding of this would go against the regeneration aspirations for the JAAP. The fact that Scenario W4 would provide a surplus in safeguarded capacity would mean that more capacity is safeguarded than required. Unlike Scenario W4 however, there would be a deficit should peak sales be realised. For these reasons, coupled with the operational issues surrounding the use of the Western Arm, suggests that this would approach would not be the best fit for the aspirations of all concerned parties, and thus has been discounted. Furthermore, due to the acceptance from SPA that general terminus could be used to land aggregates upto 96,000 tonnes per annum suggests that

Scenario W3 would be a better approach as there would be no safeguarding of wharves on the Western Arm.

Discussions with stakeholders

- 4.14. Upon completion of the Study, it was circulated to the JAAP Authorities, East Sussex County Council, and SPA. This has allowed discussions to begin in order to agree an approach. Because the timetable for the JAAP is running in advance of the timetable for the Joint Minerals Local Plan, the Authorities proposed the drawing up for a Statement of Common Ground that would allow parties to agree an approach to safeguarding, and thus allow the JAAP to progress in advance of the Joint Minerals Local Plan.
- 4.15. West Sussex County Council officers met with SPA on to begin the process of discussing options. At this stage, West Sussex officers had, through the reasoning above, concluded that Scenario W3 was the best fit approach, taking into consideration the needs for aggregates, and balancing that against the regeneration aspirations at the JAAP. The SPA agreed with this reasoning and a number of other discussions took place during this meeting around the key issues and considerations.
- 4.16. The key outcomes of this meeting were that:
- SPA support Scenario W3, seeking to safeguard Turberville and Pennys Wharf, ARC Wharf and Halls Wharf;
 - SPA support that 96,000tpa can be landed at general terminus on the Eastern Arm of Shoreham Port;
 - SPA are committed to working with WSCC and JAAP partners to provide evidence of the availability of general terminus;
 - SPA are happy to move forward with a Statement of Common Ground and be a signatory to it.
- 4.17. Following this meeting, West Sussex officers attended the Shoreham Planning Policy Sub-group meeting, asking for the opinions of the JAAP officers and other attendees. Again, there was a general agreement from officers that Scenario W3 provided the best safeguarding option, particularly due it being able to fully accommodate the regeneration aspirations of the JAAP. There was agreement between all parties that a Statement of Common Ground would be the best way forward.
- 4.18. East Sussex County Council officers were also invited to this event, and raised concerns, particularly due to the fact that East Sussex are likely to have an increased reliance on wharves at Shoreham in future due to the

decreasing reserves of land won sources for mineral aggregates, and a lack of wharf capacity in East Sussex. Discussions between West Sussex and East Sussex officers to come to an agreement on the way forward are now taking place.

4.19. The Statement of Common Ground was signed by all parties in April 2014. The parties to Statement of Common Ground are:

- Adur District Council;
- Brighton & Hove City Council;
- West Sussex County Council;
- Shoreham Port Authority;
- South Downs National Park Authority.

4.20. The Statement has the following broad aims:

- to set out the commitment of each of the parties to the delivery of mineral safeguarding in line with NPPF at Shoreham Port, recognising commercial considerations of the Port and the regeneration aspirations of the JAAP;
- to indicate the approach to be taken by all parties to delivering this commitment.

5. Joint Minerals Local Plan – Next steps

5.1. The Statement of Common Ground provides a basis for the initial public engagement on the Shoreham JAAP, ahead of more detailed consideration of emerging evidence which will be used to inform the West Sussex Minerals Plan. The Authorities will continue to gather evidence for the Joint Minerals Local Plan, including any new evidence which may come forward related to the safeguarding of wharves or railheads.

5.2. A key part of the evidence for the Joint Minerals Local Plan, and therefore the approach to wharf and railhead safeguarding, is the LAA. The LAA will be updated annually, and will provide evidence on the need for aggregates on a whole, as well as specifically related to wharves and railheads. The Authorities will also continue to work with neighbouring authorities on their Local Aggregate Assessments as this forms a crucial part of the evidence related to needs, for example where aggregate minerals are landed at Shoreham and used in East Sussex, or where Rail Depots serve the needs of Surrey.

- 5.3. Work is now being undertaken to fully understand the issues surrounding future supply and demand, and thus the requirement of safeguarding wharves. This is based around the issues set out earlier in paragraph 4.18, and whether or not Scenario W3 would provide sufficient capacity, taking in to account the lack of capacity in East Sussex to provide primary aggregates, or to land marine dredged aggregates.

Question: 5.1

As set out throughout this paper, there are a number of issues surrounding the safeguarding of wharves and railheads in West Sussex.

Do you feel that there are any issues or evidence which the Authorities have not presented here which must be considered? Please provide any relevant evidence.