

Report to	Planning Committee
Date	12 June 2014
By	Director of Planning
Title of Report	Joint West Sussex and South Downs National Park Minerals Local Plan
Purpose of Report	To inform Planning Committee of early progress on the Joint West Sussex and South Downs National Park Minerals Local Plan and to seek approval for publication of and early engagement on a series of Background Papers setting out the evidence and issues.

Recommendation: The Committee is recommended to:

- 1) Note the progress on the Joint West Sussex and South Downs National Park Minerals Local Plan (JMLP)**
- 2) Approve the following Background Papers:**
 - **Background Paper 1: Setting the Context - Spatial Portrait**
 - **Background Paper 2: Mineral Resources**
 - **Background Paper 3: Site Assessment and Identification Methodology**
 - **Background Paper 4: Safeguarding Minerals Infrastructure**
 - **Background Paper 5: Safeguarding Mineral Resources****(Appendices 1-5) for publication for public and stakeholder engagement on the evidence and issues.**

1. Introduction and Summary

- 1.1 Following the adoption of the joint West Sussex Waste Local Plan in February 2014, work has now commenced on a joint minerals local plan with West Sussex County Council (WSSCC). The Joint West Sussex and South Downs National Park Minerals Local Plan (JMLP) will set a strategy for mineral development to 2031, safeguard resources, allocate sites considered suitable for the production of minerals, and include a range of land use-specific and generic policies to sustainably manage future mineral development.
- 1.2 The SDNPA committed to working jointly on minerals and waste plans with WSSCC in March 2011. The JMLP will cover all of the county of West Sussex, including the part of the South Downs National Park (SDNP) within West Sussex.
- 1.3 This Report sets out the work carried out to date on developing the evidence base for the JMLP, which has been brought together in the Background Papers (**Appendices 1-5**) and seeks Planning Committee approval to publish the Background Papers to enable public and stakeholder engagement on the evidence and issues.

2. Background

- 2.1 The adopted West Sussex Minerals Local Plan (2003) includes strategic and development management policies; it also allocates sites for sand and gravel extraction. The adopted Plan is now out-of-date and in the absence of an updated Local Plan, there is an increasing risk that inappropriate development could take place, or that future mineral supply requirements are not met. In addition, the need for an up to date local plan is a requirement of the

National Planning Policy Framework.

- 2.2 The decision was made by WSCC in May 2011 to stop progress on the Minerals and Waste Core Strategy and produce a separate Waste and Minerals Local Plans.
- 2.3 Prior to May 2011, work on a Minerals and Waste Core Strategy was undertaken by WSCC and this will be used to inform the development of the JMLP where it is possible to do so.

3. The Evidence Base

- 3.1 The following evidence has been completed and will help inform that JMLP:
 - Wharves and Railheads Study (2014)
 - Soft Sand Study (2012)
 - Mineral Safeguarding Areas and Mineral Consultation Areas for West Sussex (2007)
- 3.2 A Local Aggregate Assessment (LAA) has also been produced and will be updated annually. This sets out information about the sales and reserves of quarries within the Plan area. Importantly, in line with national requirements, the LAA identifies the annual requirement for sand and gravel supply, based on the average sales over the last 10 years. The results of the LAA have been used to inform Background Paper 2: Mineral Resources. The evidence documents can be found on the WSCC website ([West Sussex County Council: Supporting evidence](#)).

4. Background Papers

- 4.1 A number of topic-based Background Papers have been developed, which draw upon previous work and the evidence gathered to date. The Papers set out the evidence and emerging issues and will be used to engage with the public and stakeholder and inform the development of the draft Plan. The following Background Papers have been produced in full in **Appendices 1-5**:
- 4.2 Background Paper 1: Setting the Context - Spatial Portrait presents a spatial portrait of the Plan area and identifies key issues relevant to strategic mineral planning in the area. The paper also sets out how this evidence will be used to inform the development of a vision, strategic objectives and a spatial strategy to guide future mineral development in the Plan area.
- 4.3 Background Paper 2: Mineral Resources sets out the shortfall figure for sand and gravel (based on the LAA) as well as issues relating to silica sand, other minerals (clay, chalk and stone) and oil and gas.
- 4.4 Background Paper 3: Site Assessment and Identification Methodology sets out the process that will be followed in order to identify suitable sites for minerals, mainly sand and gravel. The 'Mineral Site Study' will be a living draft document that will provide a record of the site assessment process. It will form part of the evidence base for the Plan, and will be kept up to date as further information is gathered about each site. The initial stage of the process (stage 1) is currently underway but the majority of the work, including the commissioning of supporting evidence, will be undertaken in 2014.
- 4.5 Background Papers 4: Safeguarding Minerals Infrastructure is based on the evidence provided by the Wharves and Railheads Study. This is the only Paper that presents Scenarios and a preferred approach. This is because the timetable for the Shoreham Harbour Joint Area Action Plan (JAAP) (which is examining options for redevelopment of Shoreham Harbour) is running in advance of the timetable for the JML. The Authorities therefore proposed a Statement of Common Ground that would allow parties to agree an approach to safeguarding wharves and railheads, and thus allow the JAAP to progress in advance of the JMLP. The SDNPA and the other Authorities involved with or affected by the JAAP have now signed the Statement of Common Ground (see [JAAP Website](#) for further information). Whilst all of the wharves and railheads are outside the SDNP, ensuring continuing capacity for importation of minerals at the facilities is important to offset land-won sand and gravel extraction.

- 4.6 Background Paper 5: Safeguarding Mineral Resources sets out the evidence that will assist the authorities in defining Minerals Safeguarding Areas and developing appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked; and defining Minerals Consultation Areas based on these Minerals Safeguarding Areas. Therefore, the Mineral Safeguarding Areas ensure that important mineral resources are available for future generations. The Mineral Consultation Area is a mechanism for 'district' authorities to consult the Mineral Planning Authority when particular types of development are proposed within a Mineral Safeguarding Area.
- 4.7 **Appendix 6** is a Glossary of terms which will be published alongside the Background Papers.
- 4.8 Where further evidence is required, this is set out in the Papers and the questions within the papers are seeking to check the evidence and whether the correct issues have been identified. Other than in Background Paper 4, the papers only set out the evidence and issues and do not set out any options.

5. Informal Engagement

- 5.1 Relevant parties, consultees and stakeholders will be engaged to ensure that the information included in the Background Papers is both factually correct and relevant to the development of the JMLP. The Background Papers will be kept as 'living draft' documents and will be updated as further evidence is gathered through the informal engagement stage in 2014.
- 5.2 Following approval, the Background Papers will be made available online on the WSCC website (with a link provided from the SDNPA website). A comments form will be available to allow people to submit comments on the Papers, which will then be collated by the Authorities.
- 5.3 Three engagement events are planned, two with stakeholders (districts, parishes, interest groups and partners) and one with industry representatives and mineral planning authorities.
- 5.4 The first stakeholder event is to be held in the South Downs Centre on the 8 July 2014. The Background Papers will be circulated in advance of the event, subject to approval by the Planning Committee. The event will involve presentations to introduce the JMLP and the issues it will cover, followed by discussion groups focussing on the Background Paper topics.
- 5.5 The second stakeholder event will be in the autumn and will provide an opportunity to give feedback on any updates to the Background Papers following the initial engagement, and to present the initial findings of the Mineral Site Study.
- 5.6 The industry and mineral planning authority event will focus on the technical aspects of the Background Papers and supporting evidence, to ensure that the information is factually correct and to listen to industry views on the issues. This event, alongside ongoing discussions with other relevant mineral planning authorities, will also assist meeting the requirements of the Duty to Co-operate.

6. Resources

- 6.1 There are no direct costs associated with the publication of the Background Papers. Any printing costs will be in-house by WSCC. The estimated cost of the studies required to support the site assessment work (as set out in Background Paper 3: Site Assessment and Identification Methodology) is £58,000 in 2014/15. The SDNPA contribution to this work is £29,000 which will be met from the 2014/15 planning budget.

7. Risk management

- 7.1 The risk of not engaging and publishing information at an early stage is that problems or issues are identified too late to be properly considered in the JMLP. Early engagement on the JMLP issues and evidence will help to ensure that stakeholders and the community are informed and understand the issues at an early stage in the plan making process. This helps to 'front load' the plan making process and resolve any issues at an early stage. A draft

timetable sets out the proposed work programme and key milestones for the JMLP but this may be amended as a result of the early stakeholder engagement.

8. Crime and Disorder Implication

8.1 It is considered that the proposal does not raise any crime and disorder implications.

9. Human Rights Implications

9.1 This Report has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

10. Equalities Act 2010

10.1 Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010.

11. External Consultees

11.1 West Sussex County Council has been consulted as a partner authority.

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Appendices

1. Background Paper: Background Paper 1: Setting the Context, Spatial Portrait
2. Background Paper 2: Mineral Resources
3. Background Paper 3: Site Assessment Methodology
4. Background Paper 4: Safeguarding Minerals Infrastructure
5. Background Paper 5: Mineral Safeguarding Areas
6. Glossary of Terms

SDNPA Consultees Legal Services, Chief Finance Officer, Monitoring Officer, Planning Policy Manager, Chief Executive Officer, Director of Operations, Director of Strategy and Partnerships, Director of Corporate Services,

Background Documents [Joint Local Development Frameworks for the South Downs: National Park Authority Report \(13/11\) March 2011](#)