

Appendix 1 – Schedule of Main Modifications

Reference	Policy/ Paragraph	Change to be made
MM1	Executive Summary: 1 st paragraph under heading “Chapter 2: Vision and Strategic Objectives	The Authorities want economic minerals in West Sussex, which mainly comprise Aggregates, Silica Sand, Clay, Chalk, Stone and Hydrocarbons, to be produced and managed in a sustainable way. To that end, minerals resources will be safeguarded and exploited in a manner which only sees minerals development a move away from activity within the South Downs National Park (SDNP) and Areas of Outstanding Natural Beauty take place in exceptional circumstances and where it is in the public interest. The activity of minerals importation to wharves and railheads in West Sussex will be safeguarded from other non-minerals development. The replacement of primary minerals with secondary and recycled materials will be promoted. Provision of minerals will take place in ways that protect public amenity and the special character and environment of the County.
MM2	4 th paragraph under heading “Chapter 6: Strategic Minerals Supply”	With regard to the production of minerals from within the South Downs National Park, the strategy is to allow existing sites to be worked and not to plan for any specific additional capacity. This situation will be monitored in case exceptional circumstances were shown to exist in future which would merit the future provision of additional supplies sourced from within the SDNP.
MM3	Text under heading “Chapter 7: Strategic	Chapter 7: Strategic Minerals Site Allocations The only allocations for an additional minerals sites is are as follows:

	<p>Minerals Site Allocations”</p>	<ul style="list-style-type: none"> • An extension to West Hoathly claypit (clay). • Ham Farm, Steyning (soft sand) <p>The broad locations of the allocated sites is are shown on the Key Diagram and the boundary identified on Policies Inset Maps. ‘Development principles’ for the sites have been identified, which are that is, specific issues that will need to be addressed at the planning application stage, as and when proposals come forward for the allocated site.</p>
<p>MM4</p>	<p>Para 1.3.1</p>	<p>Amend last sentence:</p> <p>It also allocates a strategic minerals sites for clay and soft sand and includes a monitoring and implementation framework.</p>
<p>MM5</p>	<p>Vision (paragraph 6)</p>	<p>Paragraph 6 to be amended to include reference to ‘net gains’ to biodiversity as follows:</p> <p>“Will ensure minerals have been produced in a manner that protects and enhances the historic and natural environment, delivers net gains to natural capital, and contributes to a low carbon, circular economy”.</p>
<p>MM6</p>	<p>Strategic Objective 1</p>	<p>Amend Strategic Objective 1 to including the words ‘steady and adequate supply’ to read:</p> <p>“To promote the prudent and efficient production and use of minerals and to ensure a steady and adequate supply, having regard to the market demand and constraints on supply in the Plan area”</p> <p>NB: Change to be made wherever strategic objective is mentioned in the Plan.</p>
<p>MM7</p>	<p>Para. 2.3.3.</p>	<p>Soft sand is located within the Sandgate and Folkestone formations which are worked in a number of sites located in West Sussex. Soft sand is important for meeting the demands for the production of high quality building sands for mortar. Silica sand has various industrial and recreational uses and is found in the Folkestone Formation. The majority of these resources are located within the South Downs National Park. Gravel of varying quality and some sharp sand is found to the south of the Downs in the south-west of the County in superficial or ‘drift’ deposits. Coarser, silty gravels lie over the chalk to the north of a line approximating to the route of the A27 and</p>

		<u>have been exploited in dry workings. Overlying the clay to the south, cleaner, better-sorted gravels have been exploited through wet working as evidenced by lakes around the eastern and southern fringes of Chichester.</u> The Vision for this Plan is to ensure that the special qualities of the National Park are protected, and provision is only made within the Park for the extraction of sand in exceptional circumstances.
MM8	Paragraph 2.3.2 (heading)	Amend heading to read: <u>Sharp Sand and Gravel.</u> Soft <u>Sand</u> , and Silica Sand
MM9	Strategic Objective 3	Amend Strategic Objective 3 to read: "Strategic Objective 3: To make provision for soft sand, <u>silica sand and sharp sand and gravel</u> , to meet <u>the identified</u> needs of West Sussex, from outside the South Downs National Park, where possible; and only <u>allow development within the national park in exceptional circumstances and where it is in the public interest</u> make provision for a declining amount of extraction within the SDNP over the Plan period." NB: Change to be made wherever strategic objective is mentioned in the Plan.
MM10	Strategic Objective 4	Delete Strategic Objective 4: <i>Strategic Objective 4: To protect the South Downs National Park by only providing for silica sand from within it in exceptional circumstances and when in the public interest.</i> NB: Change to be made wherever strategic objective is mentioned in the Plan. Updates to numbers of Strategic Objectives to ensure sequential e.g. Strategic Objective 5 becomes Strategic Objective 4, Strategic Objective 6 becomes Strategic Objective 6 etc.
MM11	Strategic Objective 14 (para. 2.3.15).	Add wording to paragraph. 2.3.15 to read: "Opportunities will be taken to minimise carbon emissions within West Sussex and, where possible, in associated operations outside the County. This will be done by ensuring energy efficiency in

		design, operation and minimising the transportation of minerals.” NB: Change to be made wherever strategic objective is mentioned in the Plan.
MM12	Para. 3.3.5.	Remove reference to the number of C&D sites and make reference to the AMR. There are 11 sites in the Plan area that recycled aggregate <u>A list of the sites producing recycled and secondary aggregates can be found in the AMR.</u>
MM13	Para. 3.3.6.	Change reference to number of active clay sites to five. “There are seven five active clay sites in West Sussex, some of which are small operators, which account for 20-25% of the total in the Country. For more information on these sites see the West Sussex Annual Monitoring Report (AMR) ”.
MM14	Para. 3.3.7.	Delete: “ In 2016 there were four active sandstone extraction sites in West Sussex. And replace with: <u>In 2016 there were five building stone extraction sites, four of which were active.</u>
MM15	Para. 3.3.8.	Change reference to number of existing permitted chalk pits: “In 2016 there were five four ⁶ existing permitted chalk pits which are along the line of the Downs, and just to the south of a belt of sand workings. Only two of these are active. Figures for these cannot be disclosed due to commercial confidentiality <u>but in 2016 the stock of permitted reserve was estimated to be 90 years.</u> Chalk reserves in West Sussex are estimated to be 4.47 million tonnes in West Sussex. ⁶ This excludes Upper Beeding Chalk Quarry.
MM16	Para. 3.3.10.	Amend wording to reflect the fact that the Markwells Wood site is inactive and the permission is no longer extant: “There are currently three permitted exploration sites: Markwells Wood , Forestside (active – within SDNP), Balcombe (inactive), and Broadford Bridge (inactive).”
MM17	Para. 4.5.3.	Change reference to nature designations: “Sites of more local importance include Local Nature Reserves (LNR), Sites of Nature Conservation Importance (SNCI) <u>Local Wildlife Sites (LWS) or Regionally Important Geological Sites (RIGS) Local Geological Sites (LGS)</u> which are the most important places for geology and geomorphology outside statutorily protected land such as SSSIs. There are 68 RIGS <u>LGS</u> , 26 LNRs and over 293 SNCIs <u>LWS</u> around the County”.

MM18	Para. 6.2.7.	<p>For land-won sharp sand and gravel, the average 10 year sales value is 9,800 10,676 tonnes per annum (for the period 20067-20156) and other relevant local information suggests the average demand may be as high as 12,700 13,585 tonnes per annum. As the reserve (in 20167) is 900,000 tonnes this suggests an existing landbank of nearly 65 71 years. In 20167 the vast majority of sharp sand and gravel was supplied from marine dredged aggregate landed at Shoreham Port which is considered below.</p> <p><i>(NB: Figures are provisional and are subject to agreement with SEEAWP through the Local Aggregate Assessment).</i></p>
MM19	Policy M1(a)	<p>(a) the proposal is needed to ensure a steady and adequate supply and to maintain at least a 7 year landbank is maintained, as set out in the latest Local Aggregates Assessment; and</p>
MM20	Policy M1 Monitoring and Implementation table	<p>Include additional monitoring trend/target:</p> <p><u>100% of decisions made on planning applications for sharp sand and gravel extraction are consistent with Policy M1.</u></p>
MM21	Paras 6.2.13. to 6.2.19.	<p>Delete all existing text (including related footnotes) and replace with:</p> <p><u>6.2.13 Land won soft sand is of a particular quality that cannot be substituted by other minerals. The 10 year average sales value for soft sand is 313,210 tonnes (2007 – 2016) (based on January 2017 data), which is higher than for sharp sand and gravel. In 2017, the total permitted reserve of soft sand was 3,354,800 tonnes which provides a landbank of 10.7 years¹. The supply and demand picture shows that additional supplies of 2.36 mt of soft sand are likely to be needed towards the latter half of the Plan period.</u></p> <p><u>6.2.14 The relevant strategic objectives are:</u></p> <ul style="list-style-type: none"> • <u>1: To promote the prudent and efficient production and use of minerals and to ensure a steady and adequate supply, having regard to the market demand and constraints on supply in the Plan area.</u> • <u>3: To make provision for soft sand, silica sand and sharp sand and gravel, to meet the needs of West Sussex, from outside the South Downs National Park, where possible; and only allow development within the national park in exceptional circumstances and where it is in the public interest.</u>

		<p><u>6.2.15 Any proposals for land-won soft sand extraction submitted before the adoption of the single issue soft sand review of the Plan, will be considered on their merits and against Policy M2 and other policies in this Plan.</u></p> <p>¹<u>This does not take account of other relevant local information concerning future levels of house building and road construction as set out in the Local Aggregates Assessment.</u></p>
MM22	Policy M2	<p>Delete all existing text and replace with:</p> <p><u>Proposals for land won soft sand extraction, including extensions of time and physical extensions to existing sites, will be permitted providing that the proposal is needed to meet the shortfall of soft sand of 2.36 million tonnes (or as calculated in the most recent Local Aggregates Assessment) over the Plan period and maintain at least a seven year landbank.</u></p> <p><u>The Authorities will commence a single issue soft sand review of this Plan within 6 months of the adoption of this Plan. The Plan Review will be submitted for examination within two years from the commencement of the review and address the shortfall of soft sand at that time (as calculated in the most recent Local Aggregates Assessment). In the event that the reviewed Plan is not submitted within two years then the Plan, in terms of soft sand, will be deemed to be out-of-date.</u></p>
MM23	Policy M2 Monitoring and Implementation table	<p>Include additional monitoring trend/target:</p> <p><u>100% of decisions made on planning applications for soft sand extraction are consistent with Policy M2.</u></p> <p>Delete monitoring trend/target:</p> <p>Declining landbank within the South Downs National Park</p>
MM24	Paras 6.2.20. to 6.2.23.	<p>Delete all existing text and replace with:</p> <p><u>6.2.16 The shortfall of supply, as calculated at the time when the planning application is</u></p>

		<p><u>determined, will be a material consideration. The landbank calculation for the purposes of Policy M2 will be made by using the reserve and annual demand information set out in the latest Local Aggregate Assessment.</u></p> <p><u>6.2.17 The single issue review of the Plan required under Policy M2 will address the strategy to maintain a steady and adequate supply of soft sand, the supply and demand for soft sand, and the approach to meet any shortfall, including the potential need to allocate sites. Although the Plan Review will address these matters, it will not change the end date of this Plan.</u></p> <p><u>6.2.17 Policy M2 sets out the timeframe for the commencement and submission of the Plan Review. 'Commencement' is defined as being publication of an invitation to make representations in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012. If the Plan Review is not submitted within two years from commencement, the soft sand parts of this Plan will be deemed to be out-of-date.</u></p>
MM25	Para. 6.3.1.	<p>Add new paragraph(s) after 6.3.1 and re-order subsequent paragraph numbering of Section 6.3 (Silica Sand).</p> <p><u>National policy (NPPF Para 146) requires MPAs to plan for a steady and adequate supply of silica sand by providing a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant, and the maintenance and improvement of existing plant and equipment. This is carried out by providing a stock of permitted reserves of at least 10 years at established existing sites, and at least 15 years for silica sand sites where significant new capital is required, this would include entirely new sites.</u></p>
MM26	Para. 6.3.1.	<p>Add new paragraph(s) after 6.3.1 and re-order subsequent paragraph numbering of Section 6.3 (Silica Sand).</p> <p><u>As of May 2017, there are no consented silica sand extraction sites in West Sussex. Historically, any silica sand extraction has been secondary to the extraction of soft sand from sites where the primary function is aggregate supply. Moreover, there are no manufacturing industries (e.g. glass making) reliant on a supply of silica sand from West</u></p>

		<u>Sussex.</u>
MM27	Para. 6.3.3.	6.3.3. The strategy for silica sand is to safeguard the entire silica sand resource and include a criteria based policy, against which any proposals can be considered. This accords with national policy as, at present, evidence shows that adequate provision for silica sand is being made nationally and there is no requirement for West Sussex to meet any identified shortfall elsewhere ²⁵ .
MM28	Para. 6.3.4.	Delete paragraph 6.3.4: The evidence shows that there is no need to apply the requirement to maintain a 10-15 year landbank for individual silica sand sites for any existing sites, as the proportion of sand sold for industrial uses from these sites is small²⁶.
MM29	Para.6.3.5.	Amend paragraph 6.3.5: Should evidence come forward that shows that any existing soft sand sites are required to provide a 10-15 year landbank specifically for silica sand, then they will be considered against the criteria in Policy M3- Development proposals for silica sand extraction will be considered against the criteria in Policy M3. This will include applicants demonstrating, through the submission of borehole data and geological analysis, that the sand meets the specifications for the proposed silica sand end uses. As silica sand is a specialist mineral in terms of its use (i.e. for non-aggregate uses), the use of silica sand for aggregate uses is discouraged.
MM30	Implementation and Monitoring (pp.50-51)	Amend measure/indicator and trend/target text:- <i>Measure/Indicator</i> Landbank for silica sand if evidence shows that it is required for any individual sites- <u>Stock of Permitted Silica Sand Reserves</u> <i>Trend/Target</i> Target – maintain landbanks of at least 10 years at individual silica sand sites unless environmental and amenity impacts are unacceptable, and if within the SDNP site does not meet exceptional circumstances and public interest test.- <u>If appropriate site(s) has/have been permitted in the Plan area to meet specific demand for silica sand, a stock of permitted reserves for individual sites of at least 10 years to supply existing processing plant and 15 years for plant where significant new capital is required, unless planning policy, environmental and</u>

		<u>amenity material considerations demonstrate that this would be unacceptable.</u>
MM31	Policy M3 Monitoring and Implementation table	Include additional monitoring trend/target: <u>100% of decisions made on planning applications for silica sand extraction are consistent with Policy M3.</u>
MM32	Para. 6.4.2.	There are <u>four chalk pits with permitted reserves in West Sussex, two of which are active.</u> and three inactive chalk pits in West Sussex, <u>All of the chalk pits are</u> which are located in the South Downs National Park. Production levels of chalk have declined significantly since the closure of Shoreham Cement Works in 1991 and there is a landbank of approximately 413 <u>90</u> years ²⁷ (2015/16 data).
MM33	Para. 6.5.3.	There are five active brickworks within West Sussex, with their own supplies of clay, which have a total permitted reserve of 16,120,909 tonnes <u>18.7 mt</u> (2015/6 data).
MM34	Para. 6.5.5.	"The Authorities are also required to take account of the need for the provision of brick clay from a number of different sources, to enable appropriate blends to be made. All five <u>Three</u> active brickworks have in excess of 25 years of clay reserves, <u>one has 24 years and</u> except the brickworks at West Hoathly <u>have less than ten years of reserves (2016 data)</u> ".
MM35	Para. 6.5.5.	6.5.5. National policy requires Minerals Planning Authorities to provide for a 25 year <u>stock of permitted reserves</u> for the maintenance, and improvement of existing plant, as well as for new plant, in the case of bricks, new kilns.
MM36	Para. 6.5.6.	"The strategy for clay is to <u>safeguard brick-making clay;</u> to allocate an extension...."
MM37	Policy M5	Proposals will be permitted for the extraction of brick clay provided that: (i) they would help maintain a landbank <u>stock of permitted reserves</u> of at least 25 years of permitted clay reserves for individual brickworks; and
MM38	Policy M5 Implementation and Monitoring	Under the heading ' <i>Measure/Indicator</i> ':

	table	<u>Stock of permitted clay</u> clay landbank <u>reserves</u> at individual brickworks
MM39	Para 6.6.2.	In 2016 there was an estimated reserve of 1.45 <u>2.70</u> million tonnes of permitted sandstone, and annual production (over the last ten years) has ranged between 34,000 tonnes (2004/05) and 1,550 tonnes (2011/12). <u>and average annual sales over the last ten years is 24,000 tonnes (2016 data).</u>
MM40	Policy M7a	<p><i>Exploration and Appraisal</i></p> <p>(a) Proposals for exploration and appraisal for oil and gas, not involving hydraulic fracturing, including extensions* to existing sites will be permitted provided that:</p> <p>(i) With regard to development proposals deemed to be major, the site is located outside the South Downs National Park, High Weald AONB or Chichester Harbour AONB unless it has been demonstrated that there are exceptional circumstances and that it is in the public interest, and in accordance with Policy M13;</p> <p>(ii) the site selected is <u>represents an acceptable environmental option in comparison to other deliverable alternative sites</u> the least sensitive, deliverable location from which the target reservoir can be accessed, taking into account impacts from on-site activities and off-site activities including HGV movements;</p> <p>(iii) any unacceptable impacts including (but not limited to) noise, dust, visual intrusion, transport, and lighting, on both the natural, <u>historic</u> and built environment and local community, including air quality and the water environment, can be minimised, and/or mitigated, to an acceptable level;</p> <p>(iv) restoration and aftercare of the site to a high quality standard would take place in accordance with Policy M24 whether or not oil or gas is found;</p> <p>(v) No unacceptable impacts would arise from the on-site storage or treatment of hazardous substances and/or contaminated fluids above or below ground.</p> <p><i>Production</i></p> <p>(b) Proposals for oil and gas production, not involving hydraulic fracturing, including extensions* to existing sites, will be permitted provided that:</p>

		<p>(i) they accord with (a)(i-v) above;</p> <p>(ii) no unacceptable impacts would arise from the transport, by vehicle or other means, of oil/gas, water, consumables and waste to or from the site;</p> <p>(iii) the restoration and aftercare of the site to a high quality standard would take place in accordance with Policy M24;</p> <p>(iv) No unacceptable impacts would arise from the on-site storage or treatment of hazardous substances and/or contaminated fluids above or below ground.</p> <p><i>Activity beneath or proximate to designated areas</i></p> <p>(c) Proposals for exploration, appraisal and production of oil and gas, not involving hydraulic fracturing, will be permitted underneath or in close proximity to designated areas, assets and habitats¹, which demonstrate that special care will be taken to avoid harming the <u>these areas and the</u> special qualities of the South Downs National Park and/or setting and value of the Chichester Harbour AONB, High Weald AONB and other designated areas, assets and habitats.</p> <p>* including extensions of time, physical extensions or extensions to operations within the existing site boundary. N.B. The suitability of minor proposals for alterations to permitted operations will instead be considered against the Development Management policies.</p> <p>Amend footnote to read:</p> <p>"Designated areas and habitats include all areas and habitats designated and protected by international and national legislation including South Downs National Park, AONBs, SSSIs, SAC, SPAs, Ramsar sites, NNRS, heritage assets, sites identified under the Nature Conservation Review (NCR) or Geological Conservation Review (GCR), LNRs, SNCS <u>LWS</u> and <u>LGS RIGS</u>, Ancient Woodland, Conservation Areas, Scheduled Monuments, Registered Parks and Gardens of Special Historic Interest".</p>
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¹ **Designated areas and habitats include all areas and habitats designated and protected by international and national legislation including South Downs National Park, AONBs, SSSIs, SAC, SPAs, Ramsar sites, NNRS, heritage assets, sites identified under the Nature Conservation Review (NCR) or Geological Conservation Review (GCR), LNRs, SNCS and RIGS, Ancient Woodland, Conservation Areas, Scheduled Monuments, Registered Parks and Gardens of Special Historic Interest.**

MM41	Policy M7b	<p><i>Exploration and Appraisal</i></p> <p>(a) Proposals for exploration and appraisal for oil and gas, involving hydraulic fracturing, including extensions* to existing sites will be permitted provided that:</p> <p>(i) any surface development is located outside the following areas (as shown on the policies map):</p> <ul style="list-style-type: none"> i. South Downs National Park ii. Chichester Harbour AONB iii. High Weald AONB iv. Groundwater Source Protection Zone 1; v. Sites of Special Scientific Interest (SSSI) vi iv. Any other area given specific protection from hydraulic fracturing in legislation <p>(ii) the site selected is represents an acceptable environmental option in comparison to other deliverable alternatives sites the least sensitive, deliverable location from which the target reservoir can be accessed, taking into account impacts from on-site activities and off-site activities including HGV movements;</p> <p>(iii) any adverse impacts including (but not limited to) noise, dust, visual intrusion, transport, and lighting, on both the natural, historic and built environment and local community, including air quality and the water environment, can be minimised, and/or mitigated, to an acceptable level;</p> <p>(iv) restoration and aftercare of the site to a high quality standard would take place in accordance with Policy M24 whether or not oil or gas is found;</p> <p>(v) No unacceptable impacts would arise from the on-site storage or treatment of hazardous substances and/or contaminated fluids above or below ground.</p> <p><i>Production</i></p> <p>(b) Proposals for oil and gas production, involving hydraulic fracturing, including extensions* to existing sites, will be permitted provided that:</p> <p>(i) they accord with (a)(i-v) above;</p> <p>(ii) no unacceptable impacts would arise from the transport, by vehicle or other means, of oil/gas,</p>
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		<p>water, consumables, and wastes to or from the site;</p> <p>(iii) the restoration and aftercare of the site to a high quality standard would take place in accordance with Policy M24.</p> <p>(iv) No unacceptable impacts would arise from the on-site storage or treatment of hazardous substances and/or contaminated fluids above or below ground.</p> <p><i>Activity beneath or proximate to designated areas</i></p> <p>(c) Proposals for exploration, appraisal and production of oil and gas, involving hydraulic fracturing, will be permitted underneath or in close proximity to designated areas, assets and habitats², which will be permitted provided that there will be no demonstrate that special care will be taken to avoid <u>unacceptable</u> harming <u>to the these areas and the</u> special qualities of the South Downs National Park and/or the setting and intrinsic character and value of the Chichester Harbour and High Weald AONBs. <u>Hydraulic fracturing will not be permitted above 1,200 metres underneath National Parks, Areas of Outstanding Natural Beauty, World Heritage Sites, and areas covered by Groundwater Source Protection Zone 1.</u></p> <p><i>Groundwater</i></p> <p>d) There is a presumption against <u>Proposals for</u> hydrocarbon development involving hydraulic fracturing in Groundwater Source Protection Zones 1, 2 and 3 <u>will not be permitted</u> unless it is <u>can be</u> demonstrated that there will be no unacceptable impacts on groundwater. <u>Hydraulic fracturing will not be permitted above 1,200 metres in Groundwater Protection Zone 1.</u></p> <p>* including physical extensions or extensions to operations within the existing site boundary. N.B. The suitability of minor proposals for alterations to permitted operations will instead be considered against the Development Management policies.</p> <p>Amend footnote to read:</p>
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² **Designated areas and habitats include all areas and habitats designated and protected by international and national legislation including South Downs National Park, AONBs, SSSIs, SAC, SPAs, Ramsar sites, NNRS, heritage assets, sites identified under the Nature Conservation Review (NCR) or Geological Conservation Review (GCR), LNRs, SNClS and RIGS, Ancient Woodland, Conservation Areas, Scheduled Monuments, Registered Parks and Gardens of Special Historic Interest.**

		“Designated areas and habitats include all areas and habitats designated and protected by international and national legislation including South Downs National Park, AONBs, SSSIs, SAC, SPAs, Ramsar sites, NNRs, heritage assets, sites identified under the Nature Conservation Review (NCR) or Geological Conservation Review (GCR), LNRs, SNCIs LWS and LGS RIGS , Ancient Woodland, Conservation Areas, Scheduled Monuments, Registered Parks and Gardens of Special Historic Interest”.
MM42	Para. 6.7.11.	Amend the wording of the supporting text to Policy M7a and b: <u>When proposals for new or major redevelopment of existing sites come forward, t</u> The applicant will be required to provide information about how the site has been selected including the extent of the geographical area from which the target reservoir could be reached and how alternative sites within this area have been considered. This is important to demonstrate that the <u>selection of the site is justified by a comparison with other sites</u> site selected is – the least sensitive location from which the target reservoir can be accessed <u>taking and needs to take</u> into account on-site and off- site activities, including HGV movements and routing. Account will also be given to whether sites are deliverable e.g. landowner agreement. For sites within the SDNP and AONB the exceptional circumstance and public interest and tests for major development, as set out in the NPPF (paragraph 116), would have to be met.
MM43	Policy M8	Policy M8: Mineral processing and ancillary activities at mineral sites Proposals for <u>primary and/or</u> secondary mineral processing and /or ancillary activities will be permitted provided that: (a) the proposed operations: (i) are linked to the existing operations on <u>the</u> site; (ii) will remain ancillary to the principal development at the site; (iii) a r e of a duration that is tied to that of any primary extraction operation. (b) the overall restoration scheme and progressive restoration of the site is not unduly delayed or prolonged or in some other way jeopardised.
MM44	Para. 6.8.1.	In the plan area, extracted <u>and imported</u> minerals are primarily processed <u>in a number of ways to prepare or adapt the mineral for sale or to manufacture an article from it. Primary</u>

		processing includes by washing, crushing and screening at both mineral extraction quarries and at rail depots and wharves where material is delivered. This section sets out how proposals for primary processing and ancillary secondary activities (including concrete batching, brick manufacture , and coated roadstone production) at existing minerals sites (including mineral extraction sites, rail depots, and wharves) will be considered. Proposals for additional railhead and wharf capacity will primarily be considered against the development management polices set out in Chapter 8.
MM45	Para. 6.8.2.	Where primary and secondary processing and ancillary activity takes place as part of quarrying operations this may be allowed as permitted development ⁴⁴ but only for as long as the duration of permitted mineral extraction at the site, which is, by its nature, a temporary activity.
MM46	Para. 6.8.5	The strategy is to allow primary processing of excavated or imported material on sites which that have a clear link to the site where the material has been excavated or imported, until such activity ceases. Proposals for secondary processing, such as concrete batching, brick manufacture , and coated roadstone production, on mineral sites will be considered against Policy M8, and the development management policies, including those intended to protect amenity (see Policy M18), and other policies in the 'development plan' for the area.
MM47	Policy M9	Amend policy M9 clause (b) to make specific reference to different types of sand and to the maps in the Plan which set out the Minerals Safeguarding Areas: Soft sand (including potential silica sand), sharp sand and gravel, brick-making clay, building stone resources and chalk reserves are safeguarded against sterilisation. Proposals for non-mineral development within the Minerals Safeguarded Areas (as shown on the Policies Maps in Appendix E) will not be permitted unless:...
MM48	Policy M10 clause (c)	(c) The following permanent wharves and railheads are safeguarded for the purposes of mineral transportation: (i) ARC Wharf, Shoreham (inset Policies Map 32);

		<p>(ii) Turberville and Penneys Wharf, Shoreham (insetPolicies Map 32);</p> <p>(iii) Halls Wharf, Shoreham (insetPolicies Map 32);</p> <p>(iv) Rombus Wharf, Shoreham⁵² (insetPolicies Map 32);</p> <p>(v) Railway Wharf, Littlehampton (insetPolicies Map 54);</p> <p>(vi) Chichester Railway Sidings (insetPolicies Map 65);</p> <p>(vii) Ardingly Rail Depot (insetPolicies Map 76);</p> <p>(viii) Tinsley Goods Yard, Crawley (insetPolicies Map 87);</p> <p>(ix) Crawley Goods Yard (insetPolicies Map 87);</p> <p>(x) Crawley Goods Yard (insetPolicies Map 87).</p>
MM49	Policy M10 clause (e)	<p>(e) The following temporary wharves are safeguarded for the purpose of mineral transportation:</p> <p>(i) Kingston Railway Wharf (insetPolicies map 43);</p> <p>(ii) New Wharf (insetPolicies map 43).</p>
MM50	Para 6.10.11.	<p>Insert new paragraph after existing 6.10.11;</p> <p><u>The safeguarded site at Ardingly Rail Depot (Policy M10 (c) (vii)) contains part of the route of a proposed reinstated railway link between Horsted Keynes and Haywards Heath, as part of the Bluebell Railway. This railway link is safeguarded for this form of development by existing and emerging local planning policy. This railway link may require some minor alterations to the layout of the infrastructure at Ardingly Rail Depot but it is likely that this can take place without detriment to the safeguarded mineral operations.</u></p>
MM51	Para. 6.10.13.	6.10.13 6.10.14

		Add " brickworks " to bullet point list
MM52	Para 6.10.17.	Buffers may be included such that sensitive uses are not located adjacent to or within, for example, 150 250 metres of a minerals handling site.
MM53	Para. 7.2.1 – 7.2.2	<p>7.2.1. A detailed technical assessment of the each the site has been undertaken that has not identified any overriding or fundamental constraints to the proposed forms of development on the allocated sites. This includes, for example, the potential impact of the development on amenity and character, and risk to the natural and historic environment. It is considered, therefore, that any potential unacceptable impacts can be prevented, minimised, mitigated, or compensated for to an acceptable standard. Accordingly, the sites allocated in Policy M11 are is acceptable 'in principle' for the allocated use/s.</p> <p>7.2.2. The broad locations of the sites allocated in Policy M11 is shown on the Policies Map. The boundary of each the the allocated site is identified on an Inset Map Policies Map 1. The following paragraphs identify ies 'development principles' for each the the site, that is, specific issues that will need to be addressed at the planning application stage, as and when proposals come forward for the allocated sites. Policy M11 requires these principles to be satisfactorily addressed in addition to any requirements within the use-specific and general development management policies of this Plan. Application of the Development Principles should take place alongside full consideration of the Development Management policies set out in Chapter 8.</p>
MM54	Policy M11	(a) The following site is allocated for soft sand extraction and is acceptable, in principle, for that purpose:

		<ul style="list-style-type: none"> • Ham Farm, Steyning (Inset Map 1) <p>(ba) The following site is allocated for the extraction of clay for brick making and is acceptable, in principle, for that purpose:</p> <ul style="list-style-type: none"> • Extension to West Hoathly Brickworks (Inset Policies Map 21) <p>(eb) The development of a the allocated site allocated under (a)-(b) must take place in accordance with the policies of this Plan and satisfactorily address the 'development principles' for that site identified in the supporting text to this policy.</p> <p>(ec) The allocated sites allocated under (a)-(b) will be safeguarded from any development either on or adjoining the sites that would prevent or prejudice the development of itstheir allocated minerals use or uses.</p>
MM55	Paras 7.2.3. and 7.2.4.	Delete all text relating to the allocation of Ham Farm, Steyning.
MM56	Para. 7.2.6. (West Hoathly Brickworks Development Principles)	<p>Combine development management principles (v) and (iv) to read:</p> <p>(v) creating and retaining appropriate buffers, where no development shall take place, along the water course, and around the mature trees and ancient woodland within and adjacent to the site;</p> <p>(vi) in order to minimise negative impacts on mature trees and watercourses, appropriate buffers, where no development shall take place, should be created and retained along the watercourse, and around the mature trees and ancient woodland within and adjacent to the site around these features;</p>
MM57	Para. 7.2.6. (West Hoathly Brickworks Development Principles)	<p>Include reference to an appropriate buffer in Development Principle (viii):</p> <p>"an assessment of the impact on the Ancient Woodland (Blackland Wood, Front Wood and Cookhams Shaw); should be carried out, appropriate buffers incorporated, and mitigation provided, if required in accordance with Natural England and the Forestry Commission's standing advice;</p>
MM58	Para 7.2.6 (XIX)	Amend wording of Development Principle as below;

		<p>The existing A site liaison group involving the local community should be established if necessary, continued by the operator to address issues arising from the operation of the site"</p>
MM59	Policy M13 (Protected Landscape)	<p>(b) Proposals for mineral development located outside protected landscapes will be permitted provided that they do not undermine the objectives purposes of the designation.</p>
MM60	Policy M14: Historic Environment	<p>Proposals for minerals development will be permitted provided that:</p> <p>(a) known heritage assets, and their settings, features of historic or archaeological importance are conserved and, where possible, enhanced, in a manner appropriate to their significance, unless there are no alternative solutions and there are overriding reasons which outweigh the need to safeguard the value of the heritage assets sites or features;</p> <p>(b) they would not adversely affect currently unknown heritage assets with significant archaeological interest; and</p> <p>(e) where appropriate, the further investigation and recording of any heritage assets to be lost (in whole or in part) is undertaken and the results made publicly available.</p>
MM61	Policy M17 - Biodiversity and Geodiversity	<p>Amend policy M17 to read the following:</p> <p>Proposals for minerals development will be permitted provided that:</p> <p>a. The development will: (i) avoid There is no significant harm to wildlife species and habitats, or ii. where significant harm cannot be wholly or partially avoided, ensure that the harm is effectively mitigated where it cannot be avoided, or (iii) (as a last resort) where there is still significant residual harm, ensure there is suitable compensation where there is still significant residual harm; for that harm;</p> <p>b. there are no unacceptable impacts on areas or sites of international or national biodiversity or geological conservation importance unless the benefits of the development clearly outweigh both the impact on the objectives of the designation features of interest, and on the wider network of such designated areas or sites;</p> <p>c. there are no unacceptable impacts on areas, sites or features of regional or local biodiversity or geological conservation importance unless the benefits of the development clearly outweigh</p>

		<p><u>both</u> the impact on the objectives of the designation <u>features of interest and on the wider network of such designated areas or sites:</u></p> <p>d. <u>there is no loss or deterioration of irreplaceable habitats, including Ancient Woodland and aged or veteran trees, unless the benefits of the development clearly outweigh the loss;</u></p> <p>e. where appropriate, <u>where possible, there are net gains in biodiversity, including,</u> the creation, enhancement, and management of habitats, ecological networks, geodiversity and ecosystem services shall be secured consistent with wider environmental objectives, including Biodiversity Opportunity Areas and the South Downs Way Ahead Nature Improvement Area; and</p> <p>f. where necessary, the investigation, evaluation, and recording of important sites, <u>areas,</u> and features is undertaken and, where appropriate, representative features <u>examples</u> are preserved.</p>
MM62	Para. 8.6.9. (insert new paragraph after)	<u>The Conservation of Habitats and Species Regulations (2017) provides the statutory basis for assessing the impacts of development proposals on European sites 'in combination with other plans or projects'. For all other designations (referred to in Policy M17), Policy M22 aims to ensure that the cumulative impacts of successive or concurrent developments on the environment and communities are addressed.</u>
MM63	Para. 8.6.12.	Amend paragraph to read: "Nationally important geological sites are protected through designations such as a SSSI. <u>Local Geological Sites (LGS)</u> Regionally important geological and geomorphological sites (RIGS) are locally designated sites of local, national and regional importance for geodiversity (geology and geomorphology) in the United Kingdom".
MM64	Para. 8.7.2.	The NPPF states that, when preparing local plans, Local Authorities should set out environmental criteria, in line with the policies in the NPPF, against which planning applications will be assessed. This policy will ensure that permitted operations do not have unacceptable adverse impacts on human health, including those from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a

		number of sites in a locality. <u>As such, this policy should be read in conjunction with other relevant policies such as M15 (Air and Soil) and M22 (Cumulative Impact).</u>
MM65	Policy M19	Amend Policy M19 (Flood Risk Management) to read as follows: <u>(b) Proposals for minerals development in 'areas at risk of flooding', taking account of climate change, will not be permitted unless they pass the Sequential Test and, where applicable, the Exception Test set out in national policy.</u>
MM66	Para. 8.8.1.	Amend paragraph 8.8.1: The relevant strategic objectives is are : 10: <i>To minimise the risk to people and property from flooding, safeguard water resources, including aquifers, from contamination, and ensure the quality and quantity of the water environment is conserved and enhanced.</i> <u>14: To minimise carbon emissions and to adapt to, and to mitigate the potential adverse impacts of, climate change.</u>
MM67	Policy M22	Amend Policy M22 (Cumulative Impact) to read as follows: Proposals for minerals development, including the intensification of use, will be permitted provided that an unreasonable level of disturbance to the environment and/or to residents, businesses and visitors will not result, from minerals or other development either individually or as a cumulative effect <u>(simultaneously and/or successively)</u> alongside other <u>development and allocations</u> . sites operating simultaneously and/or successively. Planning conditions may be used to co-ordinate working, thereby reducing the cumulative impact.
MM68	Para. 8.11.2.	Amend the supporting text to Policy M22 to read as follows: The purpose of this policy is to ensure that the cumulative impact <u>(s)</u> of successive <u>and/or</u> concurrent <u>developments</u> minerals and/or waste workings/facilities can have on the environment and communities over time (e.g. through noise, odour <u>dust</u> , and increased traffic <u>and landscape impacts</u>) are addressed. In some instances the combined impact <u>(s)</u> may be sufficient to merit refusal of planning permission, but in other cases phasing agreements may provide for the disturbance to be reduced to an acceptable level.

		<p>Add new para 8.11.3</p> <p><u>Proposals likely to have a significant effect on internationally important interest features of internationally important wildlife sites, will need to consider those effects in combination with the possible effects of any other plans and projects.</u></p>
MM69	Policy M23	<p>Include reference to minerals operation in Policy M23:</p> <p>Proposals for minerals development, including ancillary development, will be permitted provided that, where appropriate, the scale, form, and layout (including landscaping), <u>and operations</u> take into account the need to:</p>
MM70	Policy M23	<p>Amend last paragraph of M23 as follows:</p> <p><u>Proposals for mineral extraction / processing, and associated activities must be accompanied by a working programme for the proposed operation.</u> Proposals to vary conditions of existing consents to extend the time limit for working and/or final restoration of sites should <u>must</u> demonstrate the need for the development and its acceptability in terms of the other relevant policies of this Plan.</p>
MM71	Para. 8.12.6.	<p>Amend paragraph 8.12.6 to read the following:</p> <p>Proposals for, mineral extraction / processing, and associated activities should be accompanied by a The working programme for the proposed operation <u>should</u> which includes arrangements as necessary for the scale and nature of the operation, for: (bullets)</p>
MM72	Para. 8.13.6.	<p>Split para. 8.13.6 and add text below as new paragraph. The residual text of Para. 8.13.6 forms a new paragraph.</p> <p>Restoration schemes can comprise a number of different after uses which are of benefit to the local and/or wider community. They generally fall into the following categories: - agriculture, forestry, amenity (including nature conservation, formal and informal recreation) or sometimes even commercial development (e.g. industrial and/or residential development). It is even possible for a single scheme to combine a number of these uses.</p> <p><u>West Sussex own population and proximity to other large population centres generate a high demand for recreation. Mineral site restoration, particularly around the urban fringe, provides considerable opportunity to meet both informal and formal recreational and</u></p>

		<p><u>sporting needs. This could potentially include water-sports, rock climbing and angling. However, in West Sussex mineral sites and their restoration tend to be located in the countryside, therefore the provision of recreation and sport as an after-use needs not only to consider the demand for the particular selected after-use, but also its suitability to the location and its environment. Sport and recreation provision in the countryside, particularly in nationally designated landscapes, should have regard to and be promoted in harmony with the needs of the local community, other uses such as agriculture and forestry, and the need to conserve and protect the character and habitats of the very area people come to visit.</u></p> <p>Restoration also provides opportunities for significant biodiversity and geodiversity gains, provided that the sites are properly planned from inception and implemented with restoration in mind. This can even make an important contribution towards the aims and objectives of Biodiversity Action Plans (BAPs) at a regional and local level. Schemes are of course determined by a number of factors including the underlying geology; topography; landscape character; location in relation to built-up areas; transport access; flood risk; bird strike risk (with open water) and agricultural value of land prior to extraction.</p>
MM73	Para. 8.15.1.	<p>The average sales of recycled aggregate in West Sussex over the last 10 years (to 20165) is 539,000 484,000 tonnes and existing capacity is estimated to be 587,000 853,000 tpa.</p>
MM74	Para. 8.15.6.	<p>Amend paragraph to read:</p> <p>In 2015 there were 14 sites within West Sussex that process inert waste to produce recycled aggregate, although tThe number of sites <u>processing inert waste to produce recycled aggregate</u> and the capacity varies annually due to the use of mobile facilities. <u>An up to date list of sites is maintained in the Annual Monitoring Report.</u></p> <p>Delete footnote 62 "See Annual Monitoring Report 2014/15."</p>
MM75	Monitoring and Implementation Tables for policies M12 to M23	<p>Amend trend/target section of the monitoring and implementation tables through the JMLP to read:</p> <p>No trend/targets identified, as it is not expected that unacceptable proposals will progress to</p>

		<p>planning applications-</p> <p>100% of decisions made on planning applications are consistent with Policy [insert reference of relevant policy].</p>
MM76	Appendix C: Site Allocation Inset Maps	<p>Amend title of Appendix as follows: Site Allocation InsetPolicies Maps</p> <p>Delete Map 1</p>
MM77	Appendix D: Safeguarding Inset Maps	<p>Amend title of Appendix as follows: Safeguarding InsetPolicies Maps</p> <p>Update references to the maps in this appendix as follows:</p> <p>Inset 3<u>Policies Map 2</u> Inset 4<u>Policies Map 3</u> Inset 5<u>Policies Map 4</u> Inset 6<u>Policies Map 5</u> Inset 7<u>Policies Map 6</u> Inset 8<u>Policies Map 7</u></p>
MM78	Appendix G - Glossary term - Heritage Asset	<p>Update definition of Heritage Asset to ensure that Policy M14 can be applied in a manner consistent with the definition of NPPF.</p> <p>Known features of historic and archaeological importance-<u>A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).</u></p>
MM79	Appendix G	<p>Insert new term in glossary: <u>“LWS” “Local Wildlife Sites” “Sites identified locally based upon the most important, distinctive and threatened species and habitats within a national, regional and local context”.</u></p>

MM80	Appendix G - Glossary term Regionally Importance Geological and Geomorphological Sites	Amend entry for RIGs to read: "RIGS" "Regionally Important Geological and Geomorphological Sites". "LGS" "Local Geological Sites" .
MM81	Appendix G – Glossary	Include definition for primary processing: <u>"The processing of minerals after extraction to prepare them for sale or for further manufacturing (e.g. washing, crushing and screening). Primary processing usually occurs on, or adjacent to, a mineral site or at a rail depot or wharf where material is delivered"</u> .
MM82	Appendix G – Glossary	Include definition for secondary processing: <u>"The manufacturing of minerals into a product (e.g. concrete batching, coated roadstone production, brickmaking). Such activities may not be sited on, or adjacent, to mineral sites, rail depots or wharves"</u> .
MM83	Appendix G – Glossary	Include definition for ancillary activities at mineral sites: <u>"Primary and secondary processing activities are considered to be 'ancillary activities' to the main activity of a mineral site"</u> .
MM84	Appendix A – Key Diagram	Updated to remove Ham Farm boundary, and add amended West Hoathly Boundary.
MM85	Monitoring and Implementation Table for Policy M1.	Amend trend/target section of the monitoring and implementation table to read: Target = maintain landbanks of at least 7 years of permitted reserves supply from outside the South Downs National Park.

