



TOWN AND COUNTRY PLANNING
(LOCAL DEVELOPMENT)(ENGLAND) REGULATIONS 2004

CUMBRIA MINERALS AND WASTE DEVELOPMENT FRAMEWORK

APPENDIX 5 TO THE REGULATION 31 STATEMENT ABOUT REPRESENTATIONS

GENERIC DEVELOPMENT CONTROL POLICIES REPRESENTATIONS MADE BY EACH REPRESENTOR

JULY 2008

RGE/p.334/21

Appendix 5. Representations about the Generic Development Control Policies by representor.

Representation	Comment on	Representation - Where long documents have been submitted this section may only include extracts . Complete documents can be viewed on CD or on the consultation software. www.cumbria.gov.uk/planning-environment/planning/policy/minerals_waste/mwdf/SubmissionDrafts.asp	Soundness? Attend examination? TOS
REPRESENTOR ID	27	ORGANISATION United Utilities	SURNAME Hardman
			Statutory CTTE? Yes
2791	DEVELOPMENT CONTROL POLICY DC 3	DC3 - point b United Utilities supports consideration of ground and surface water resources/quality and flood risk. Minerals and waste activities can often take place near to water catchment grounds and United Utilities should be consulted on any proposal for the use of land for the deposit of any kind of refuse or waste or for mineral extraction.	Sound
			other
2792	DEVELOPMENT CONTROL POLICY DC 4	DC4 point f United Utilities supports permission for waste water treatment facilities being allowed in appropriate locations if proposals have minimized any adverse environmental impacts. United Utilities has a statutory duty to provide water supply and wastewater disposal services that are vital to the community and to the environment, and is subject to directives on water quality and other requirements that can have major implications for investment. Further development of operational facilities may be required on some of the reservoirs, Water Treatment Works and Wastewater Treatment Works to enable the utility company to meet current and future requirements enabling development to take place. The support of the Planning Authority is requested subject to detail concerned with landscape or the built environment.	Sound
			other
2793	DEVELOPMENT CONTROL POLICY DC 13	United Utilities supports the bullet point identifying sewage transmission infrastructure and pumping stations being water compatible development. United Utilities supports the bullet point identifying that sewage treatment plants may be appropriate in areas of high probability.	Sound
			written
2794	DEVELOPMENT CONTROL POLICY DC 14	United Utilities supports the wording of this Policy on the water environment. Minimising water use and sustainable water management are important to reduce our Carbon footprint, to reduce pollution and flooding and to maintain our aquatic environments.	Sound
			other
2795	DEVELOPMENT CONTROL POLICY DC 17	Where planning obligations are required United Utilities supports the potential provision including for off-site monitoring of water courses, groundwater levels and water supply abstractions. This is very important to protect drinking water sources and prevent pollution of the environment.	Sound
			other
REPRESENTOR ID	41	ORGANISATION Natural England	SURNAME Hedley
			Statutory CTTE? Yes
2696	Document	Our opinion is that there is much that we support in the two documents, the Core Strategy and Generic Development Control Policies. While we have some comments on the documents as currently worded, we do not consider them unsound on the various tests of soundness. We have, however, identified areas of supporting text and wording in policies that we consider could still be improved and we understand that you will be able to consider these and make amendments to the text, as appropriate.	Sound
			written
2689	DEVELOPMENT CONTROL POLICY DC 10	While we clearly support much of the policy, which concerns locally important biodiversity and geological conservation assets, we consider that the policy should include a clearer statement that development proposals should initially seek to avoid any adverse impacts and, indeed, as implied in the subsequent wording of DC10 and paragraph 5.9, seek to enhance, restore or add to the biodiversity and geodiversity resources. This would clarify that avoidance is prioritised over mitigation, which is covered in the second part of the policy, and would emphasise enhancement, restoration or adding to biodiversity and geodiversity resources.	Soundness Not Specified
			written
2690	Paragraph 5.1	We welcome the clear reference to Habitats Regulations Assessment in paragraph 5.10, and the clear statement that any developments that are unable to demonstrate no adverse effects on a European designated site will not be acceptable.	Sound
			written
2691	DEVELOPMENT CONTROL POLICY DC 15	Paragraphs 5.22 - 5.28: Land Quality and Soil Resources and Development Control Policy DC 15: Protection of Soil Resources We welcome the inclusion of this additional Policy and supporting text.	Sound
			written
2692	DEVELOPMENT CONTROL POLICY DC 16	Paragraphs 5.29 - 5.32 and Development Control Policy DC 16: After-use and Restoration We broadly welcome the more detailed Development Control Policy and supporting text. We strongly support, of course, the statement that afteruses that enhance biodiversity and the environment, conserve soil resources - minimise the impacts of global warming, and are appropriate for the landscape character of the area will be encouraged. These could include: nature conservation, agriculture, leisure and recreation, and woodland. Referring back to our comments earlier in this letter on the text supporting Core Strategy Policy 1, where woodland planting appears to be favoured over the other environmental options set out in this policy (DC 16), we suggest that the earlier text should be brought into accord with Policy DC 16. We suggest that criterion (a) of Policy DC 16 should be expanded to include a period of formal aftercare management for all habitat creation and similar nature conservation afteruses. Experience on reclaimed sites demonstrates that such afteruses can be more challenging, and dependant on effective long-term management to avoid possible failure due to unrealistic expectations or lack of funding.	Sound
			written
2693	DEVELOPMENT CONTROL POLICY DC 17	We support this policy, which goes some way to meet the point made in our earlier letter on the possibility of obligations securing enhancement and longer term management as part of a scheme.	Sound
			written
REPRESENTOR ID	42	ORGANISATION Environment Agency	SURNAME Pickup
			Statutory CTTE? Yes
2635	Document	Based on the criteria outlined in the notes accompanying the model representation form we consider both the Submission Draft Core and the Generic Development Control Policies documents to be sound.	Sound
			other

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2636	DEVELOPMENT CONTROL POLICY DC 14	We support the inclusion of Development Control Policy DC14 the Water Environment. Whilst we support the inclusion of this policy we would suggest the reference to watercourses and groundwater resources is changed to surface waters and groundwater resources. This broader term includes all watercourses such as rivers and streams together with coastal waters and lakes and ponds.	Soundness Not Specified other
REPRESENTOR ID 54	ORGANISATION Cumbria Action for Sustainability	SURNAME Suddaby	Statutory CTTE? Yes
2577	Document	Generally supportive of the whole document.	Sound other
REPRESENTOR ID 60	ORGANISATION Government Office for the North West	SURNAME Bamber	Statutory CTTE? Yes
2575	Document		Soundness Not Specified other
REPRESENTOR ID 102	ORGANISATION The National Trust	SURNAME Hubbard	Statutory CTTE? Yes
2620	Document	Apart from the items identified below, some of which are supportive of changes that have been made, the Trust is content with the remainder of the Submission Document.	Sound written
2621	DEVELOPMENT CONTROL POLICY DC 1	The Trust maintains the view that criterion 'b' should precede criterion 'a'.	Soundness Not Specified written
2622	DEVELOPMENT CONTROL POLICY DC 2	The changes that have been made to the previous equivalent Policy DCE9 are supported; they address the concerns previously raised.	Sound written
2623	DEVELOPMENT CONTROL POLICY DC 8	The amended Policy wording, in particular the reference that is now made to significant enhancements is appropriate and is supported accordingly.	Sound written
2624	DEVELOPMENT CONTROL POLICY DC 12	The amended Policy wording, in particular the reference at (f) to National Parks is relevant, appropriate and welcomed. The Trust fully supports this change which reflects its representations upon the last consultation document.	Sound written
2625	DEVELOPMENT CONTROL POLICY DC 13	The amended Policy wording is supported.	Sound written
2626	DEVELOPMENT CONTROL POLICY DC 15	This new Policy on soil resources is welcomed and supported	Sound written
2627	DEVELOPMENT CONTROL POLICY DC 16	The amended wording and amalgamation of the After Use and Restoration Policy is satisfactory.	Sound written
2628	DEVELOPMENT CONTROL POLICY DC 17	The Trust's comments on previous draft Policy DC12 continue to be applicable	Soundness Not Specified written
REPRESENTOR ID 130	ORGANISATION Marshalls Natural Stone	SURNAME Pearson	Statutory CTTE? Yes
2566	DEVELOPMENT CONTROL POLICY DC 6	The policy fails to recognise the fact that Building Stone, like some aggregates, is a regional commodity with established markets in Scotland and surrounding counties. It is not therefore founded on a robust evidence base and is not sufficiently flexible. This failing can be corrected by amending the text of the second bullet point to: '.....meet the need for stone to match regional vernacular building.'	Unsound written 9
2566	DEVELOPMENT CONTROL POLICY DC 6	The policy fails to recognise the fact that Building Stone, like some aggregates, is a regional commodity with established markets in Scotland and surrounding counties. It is not therefore founded on a robust evidence base and is not sufficiently flexible. This failing can be corrected by amending the text of the second bullet point to: '.....meet the need for stone to match regional vernacular building.'	Unsound written 7
REPRESENTOR ID 169	ORGANISATION	SURNAME Steele	Statutory CTTE? No

Representation	Comment on	Representation - Where long documents have been submitted this section may only include extracts . Complete documents can be viewed on CD or on the consultation software. www.cumbria.gov.uk/planning-environment/planning/policy/minerals_waste/mwdf/SubmissionDrafts.asp	Soundness? Attend examination? TOS
2557	Document	1.Reply in courtesy to your meticulous attention to public involvement. 2.No change in my view that enhanced capacity for waste recycling and landfill in the quarry on the fellside above Kendal is even more important now that transport and pollution issues are more pressing.	Sound written
REPRESENTOR ID	187	ORGANISATION Cumbria Wildlife Trust	SURNAME Willshaw
			Statutory CTTE? Yes
2587	DEVELOPMENT CONTROL POLICY DC 1		Sound written
2588	DEVELOPMENT CONTROL POLICY DC 2		Sound written
2586	DEVELOPMENT CONTROL POLICY DC 3	Cumbria Wildlife Trust are pleased to see that species and habitats have been included for consideration in the Cumulative Environmental Impact Policy DC3.	Sound written
2590	Paragraph 5.1	Please change the word "eco-system" to ecosystem. The generally used term is ecosystem and this is used elsewhere in the document. "Eco-system" is not the correct or accepted term to use. Cumbria Wildlife Trust would like to see mention of Ecosystem Services in this part of the document. Ecosystem services are defined by Defra as services provided by the natural environment that benefit people. Ecosystem services provide outputs or outcomes that directly and indirectly affect human wellbeing, and these considerations can link well to taking an economic approach. The underlying case for the valuation of ecosystem services is that it will contribute towards better decision-making, by ensuring that policy appraisals fully take into account the costs and benefits to the natural environment and by highlighting much more clearly the implications for human wellbeing, while providing policy development with new insights. These two documents give more details about ecosystem services: http://www.parliament.uk/documents/upload/postpn281.pdf http://www.defra.gov.uk/wildlife-countryside/natres/pdf/eco_valuing.pdf	Sound written
2591	Paragraph 5.7	Cumbria Wildlife Trust are pleased to see the full wording from PPS9 included in this paragraph.	Sound written
2592	DEVELOPMENT CONTROL POLICY DC 10	Cumbria Wildlife Trust supports DC Policy DC10.	Sound written
2594	Paragraph 5.9	Cumbria Wildlife Trust supports paragraph 5.9, especially the recognition that enhancement of biodiversity should take place wherever possible, and that long term management should take place where appropriate.	Sound written
2593	Paragraph 5.11	Cumbria Wildlife Trust supports the requirement for early attention to ecological surveys in the preparation of a planning application.	Sound written
2597	Paragraph 5.31	Cumbria Wildlife Trust supports the moves here to strengthen ecological networks and contribute to UK and Cumbria BAP habitats through afteruse and restoration. The Trust is very pleased to see that schemes which are technically feasible and self supporting will be encouraged (and conversely we hope that those which are not will be discouraged).	Sound written
2595	Paragraph 5.32	In the Objectives/Afteruse Options table below para 5.32 please change the reference from "bio-diversity" to biodiversity as this is the term used throughout the rest of the document and is generally presumed to be the correct term.	Sound written
2596	DEVELOPMENT CONTROL POLICY DC 16	Cumbria Wildlife Trust supports Policy DC 16 and considers that it is a great improvement on the policy wording proposed at the Preferred Options stage.	Sound written
2598	Paragraph 6.4	Cumbria Wildlife Trust supports the inclusion of a requirement for biodiversity survey as part of the local list in the new 1App form.	Sound written
REPRESENTOR ID	196	ORGANISATION Barrow Borough Council	SURNAME Huck
			Statutory CTTE? Yes
2704	Document	The majority of generic Development Control Policies are supported. The one policy of concern is Development Control Policy DC4	Soundness Not Specified written

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2705	DEVELOPMENT CONTROL POLICY DC 4	The one policy of concern is Development Control Policy DC4, which sets out the criteria for waste management facilities, listed in Policy D9 above. The policy indicates that such facilities, including scrapyards, vehicle dismantlers will be permitted on existing or planned industrial estates (subject to other environmental criteria). Whilst I recognise the difficulties of siting such facilities, and that they can often be accommodated within industrial units, there should not be a blanket presumption of approval. In the Borough, for example, they would not be appropriate if located within the new Waterfront Business Park as it would run counter to the intended purpose of a higher quality business park with higher value employment areas. The policy should take account of such circumstances and, in particular, should refer to the objective of Policy CS2.	Soundness Not Specified other
REPRESENTOR ID 212	ORGANISATION Carlisle City Council	SURNAME Hardman	Statutory CTTE? Yes
2731	DEVELOPMENT CONTROL POLICY DC 11	The policy does not sufficiently protect the historic environment. Whilst it is recognised that planning should remain positive the emphasis of this policy does not sufficiently reflect protection of the historic environment in line with national policy. The last section of the policy should be reworded to increase the emphasis that permission will not be granted unless the need decisively outweighs the interest and there is no detriment to any matters of historic importance.	Unsound written 4B
2732	DEVELOPMENT CONTROL POLICY DC 17	In relation to DC17 on Planning Obligations we had objected that there was no reference to ensure Legal agreements were in place prior to development. Whilst this is common practice the practice is changing from consent subject to S106 to a basis whereby the signing of a S106 is conditioned. If the condition doesn't state this has to be done prior to development things could go wrong.	Soundness Not Specified written
REPRESENTOR ID 285	ORGANISATION Dalston Parish Council	SURNAME Auld	Statutory CTTE? Yes
2656	Document Dalston parish Council had no comments to make.		Soundness Not Specified other
REPRESENTOR ID 299	ORGANISATION Craven District Council	SURNAME Gunn	Statutory CTTE? Yes
2564	Document		Soundness Not Specified other
REPRESENTOR ID 342	ORGANISATION	SURNAME Cook	Statutory CTTE? No
2814	DEVELOPMENT CONTROL POLICY DC 15	This policy protects existing and active farm units, through the protection of soil resources. Our support specifically applies to land that would be disturbed as a consequence of an extension to Peel Place Quarry. An extension would destroy the soil resource over a large part of High house farm and would, as a consequence, have a severe effect on the farms viability. We would request that the County Council identifies their full support to the policy that conserves soil resources in this situation.	Sound written
REPRESENTOR ID 394	ORGANISATION Stephenson Halliday	SURNAME Edwards	Statutory CTTE? No
2808	Document General Comments On the whole the policies seem to provide a sensible modernisation of the policy framework established by the Cumbria Minerals and Waste Local Plan.		Sound other
2809	DEVELOPMENT CONTROL POLICY DC 8	It is not clear what the phrase achieve significant enhancements for, the environment and communities means. This needs clarification.	Soundness Not Specified other
2810	DEVELOPMENT CONTROL POLICY DC 9	The safeguarding of minerals resources is welcomed and supported.	Sound other
REPRESENTOR ID 427	ORGANISATION The Coal Authority	SURNAME Bust	Statutory CTTE? No
2723	Section Fails Test 6 internal consistency of DPDs It would be helpful if there was a cross-reference made to Core Strategy Policy 5 in order to ensure that the document is 'clear, succinct and easily understood by all as required by paragraph 2.2 of PPS12. The Coal Authority encourages and supports the working of coal in environmentally and socially acceptable ways to meet the market requirements. This forms part of national policy frameworks for a diverse and secure energy supply and incorporates the principles of sustainable development. It should be remembered that surface mining frequently assists in the removal of surface dereliction. However, The Coal Authority believes that the local benefits of mining go well beyond the removal of this dereliction. It provides the opportunity for the treatment of surface and sub-surface contamination and instability which may not be as well understood. The removal of shallow, old workings and shafts with subsequent restoration often provides a stable platform for further surface developments. Other local benefits often include a reduction in the hazards of mine gases and spontaneous combustion, improved water quality from treating minewater discharges and the recovery of minerals other than coal which helps to support the fire and brick clay industries. The ability of the industry to continue its significant contribution to the energy supply in Britain is dependent equally upon the success in an extremely competitive energy market place and success through the rigorous planning processes. A surface mine operation can last on average from one to five years, therefore it is essential that new environmentally acceptable sites are brought forwards on a regular basis to replace the sites nearing the end of their life and those which have become exhausted. There is no shortage of coal in the ground, the planning framework has been set out and The Coal Authority believes that the industry can find sites that meet the strict criteria, providing that the planning processes are undertaken in a professional, fair and impartial manner. Suggested improvement: Cross reference to Core Strategy Policy 5		Unsound 6 attend

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2721	DEVELOPMENT CONTROL POLICY DC 9	Fails Test 6 as it is inconsistent with other DPDs; Fails Test 7 since it is based on out of date evidence and also Fails Test 8 There is no Proposals Map to give spatial illustration to Policy DC 9 regarding implementation Policy DC 9 serves to ensure that the District Council consults the County Council on planning applications which falls within the defined Minerals Consultation Areas in order to prevent sterilisation. Paragraph 2.21 of PPS12 indicates that the proposals map will need to illustrate in plan form the areas where certain policies apply. There is no proposals map to define these boundaries on an OS base; the Key Diagram contained in the Core Strategy can only be illustrative. It is therefore unclear how this policy can be implemented and applied (test 8). If the County Council and District Council have shared information, it is therefore not fully in the public domain and accessible to all stakeholders as is not meeting the intentions of paragraph 2.2 of PPS12 which seeks to ensure that LDDs are 'clear, succinct and easily understood by all Paragraph 4.8 refers to the establishment of MCA in 1981 (this is probably a simple typographical error since the Core Strategy, paragraph 10.5 refers to 1982). Reference was made in paragraph 4.12 of the Core Strategy that The Coal Authority had previously identified that the West Cumbria coalfield is a notified consultation area for proposed buildings and pipelines. This should be illustrated on a Proposals Map and should be relatively easy to prepare. This creates an inconsistency between DPDs (test 6) Suggested improvement: Prepare the Proposals Map to illustrate precisely the boundaries on an OS base where the Minerals Consultation Areas exist, including coal.	Unsound 6 attend
2721	DEVELOPMENT CONTROL POLICY DC 9	Fails Test 6 as it is inconsistent with other DPDs; Fails Test 7 since it is based on out of date evidence and also Fails Test 8 There is no Proposals Map to give spatial illustration to Policy DC 9 regarding implementation Policy DC 9 serves to ensure that the District Council consults the County Council on planning applications which falls within the defined Minerals Consultation Areas in order to prevent sterilisation. Paragraph 2.21 of PPS12 indicates that the proposals map will need to illustrate in plan form the areas where certain policies apply. There is no proposals map to define these boundaries on an OS base; the Key Diagram contained in the Core Strategy can only be illustrative. It is therefore unclear how this policy can be implemented and applied (test 8). If the County Council and District Council have shared information, it is therefore not fully in the public domain and accessible to all stakeholders as is not meeting the intentions of paragraph 2.2 of PPS12 which seeks to ensure that LDDs are 'clear, succinct and easily understood by all Paragraph 4.8 refers to the establishment of MCA in 1981 (this is probably a simple typographical error since the Core Strategy, paragraph 10.5 refers to 1982). Reference was made in paragraph 4.12 of the Core Strategy that The Coal Authority had previously identified that the West Cumbria coalfield is a notified consultation area for proposed buildings and pipelines. This should be illustrated on a Proposals Map and should be relatively easy to prepare. This creates an inconsistency between DPDs (test 6) Suggested improvement: Prepare the Proposals Map to illustrate precisely the boundaries on an OS base where the Minerals Consultation Areas exist, including coal.	Unsound 7 attend
2721	DEVELOPMENT CONTROL POLICY DC 9	Fails Test 6 as it is inconsistent with other DPDs; Fails Test 7 since it is based on out of date evidence and also Fails Test 8 There is no Proposals Map to give spatial illustration to Policy DC 9 regarding implementation Policy DC 9 serves to ensure that the District Council consults the County Council on planning applications which falls within the defined Minerals Consultation Areas in order to prevent sterilisation. Paragraph 2.21 of PPS12 indicates that the proposals map will need to illustrate in plan form the areas where certain policies apply. There is no proposals map to define these boundaries on an OS base; the Key Diagram contained in the Core Strategy can only be illustrative. It is therefore unclear how this policy can be implemented and applied (test 8). If the County Council and District Council have shared information, it is therefore not fully in the public domain and accessible to all stakeholders as is not meeting the intentions of paragraph 2.2 of PPS12 which seeks to ensure that LDDs are 'clear, succinct and easily understood by all Paragraph 4.8 refers to the establishment of MCA in 1981 (this is probably a simple typographical error since the Core Strategy, paragraph 10.5 refers to 1982). Reference was made in paragraph 4.12 of the Core Strategy that The Coal Authority had previously identified that the West Cumbria coalfield is a notified consultation area for proposed buildings and pipelines. This should be illustrated on a Proposals Map and should be relatively easy to prepare. This creates an inconsistency between DPDs (test 6) Suggested improvement: Prepare the Proposals Map to illustrate precisely the boundaries on an OS base where the Minerals Consultation Areas exist, including coal.	Unsound 8 attend
2724	DEVELOPMENT CONTROL POLICY DC 16	Fails Test 4 no apparent account of PPG14 There is no reference to the need to address the public safety issues which can be addressed through appropriate restoration and remediation arising from land instability following mineral workings. Suggested improvement: An additional criteria (e) is included: 'restoration is undertaken using industry best practice to minimise the public safety hazards which can arise from the legacy of mineral workings and reduce the burden on the public purse.'	Unsound 4B attend
REPRESENTOR ID	475	ORGANISATION Appleby Town Council	SURNAME Connell Statutory CTTE? Yes
2568	Paragraph 3.2	Same point as before (representation 2656). Nothing specific. We've discussed this over the phone, and you've explained why specific locations and proposals aren't included.	Soundness Not Specified written
REPRESENTOR ID	476	ORGANISATION Durham County Council	SURNAME Oliver Statutory CTTE? Yes
2573	Document	The County Council supports the general approach of the Generic Development Control Policies DPD. We welcome the complementary nature of the document to the Core Strategy, as set out in PPS12.	Soundness Not Specified other
REPRESENTOR ID	486	ORGANISATION Allerdale Borough Council	SURNAME Ward Statutory CTTE? Yes
2658	Document	Policy DC15 - the Council supports the principle of this policy and considers it sound. With respect to the remaining generic development control policies, the Council has no objection and consider them to be sound.	Sound written
2659	DEVELOPMENT CONTROL POLICY DC 15	The Council supports this policy and considers it to be sound.	Sound written
REPRESENTOR ID	489	ORGANISATION Lazonby Parish Council	SURNAME Thomson Statutory CTTE? Yes
2811	DEVELOPMENT CONTROL POLICY DC 2	That the "text" comment that "operators are encouraged to engage with local communities, through site liaison committees, about issues that may arise from any operations" should feature as an element of Generic Development Control Policy 2, and that liaison should be 'requirement' rather than simply an 'encouragement'.	Soundness Not Specified written
2812	DEVELOPMENT CONTROL POLICY DC 3	That 'where adverse impacts cannot be avoided or mitigated for' the need to 'appropriate compensatory measures to be identified and secured' should be developed to give guidance on what such 'compensatory measures' may be. In some cases there may be a case for 'compensatory measures' not being necessary or justified.	Soundness Not Specified written

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2813	DEVELOPMENT CONTROL POLICY DC 16	We feel that the string of requirements to be met, especially in areas that already have high quality biodiversity, will exclude almost any other after-use that is anything other than restoration to pre-development status. we think that the list of requirements could be made less restrictive.	Soundness Not Specified written
REPRESENTOR ID	492	ORGANISATION Quarry Products Association	SURNAME Bromley
			Statutory CTTE? No
2736	DEVELOPMENT CONTROL POLICY DC 9	The policy as currently worded does not safeguard minerals, it is weighted towards development. The policy should be reworded 'â€¦..will not be permitted unless the following is achieved and reference should be made to; A guide to mineral safeguarding in England, which states a number points that should be followed in order to safeguard minerals. This is not in accordance with MPS1 (para 13) and therefore fails soundness test 4.	Unsound attend 4B
2735	DEVELOPMENT CONTROL POLICY DC 11	The policy is not in line with PPG16 and the CBI Code in that no consideration is given to the possibility of permission and "rescue and record". The words '.....these interests or unless "rescue and record" is appropriate' " should be added to the final sentence.	Unsound attend 4B
2737	DEVELOPMENT CONTROL POLICY DC 17	Point (h) the final point in the policy should be deleted. Normal mitigation measures for aspects such as dust and noise are covered in a planning application by the ALSF fund.	Soundness Not Specified other
REPRESENTOR ID	493	ORGANISATION Cemex UK Operations	SURNAME Frost
			Statutory CTTE? Yes
2753	DEVELOPMENT CONTROL POLICY DC 1	Other than marine dredged material sand and gravel and rock quarries do not justify, and cannot support, transport by rail or sea. The potential should not, therefore, be a requirement for the location of a quarry. Furthermore this requirement may well conflict with the Plan's stated aim to have sites close to communities and the markets they serve and is in conflict with b'. The word and' should be deleted at the end of a.	Soundness Not Specified other
2755	DEVELOPMENT CONTROL POLICY DC 6	It is too prescriptive to require development to accord with all relevant policies and this is not in accord with guidance or court cases, which have noted that it is only necessary for developments to be generally in accord with the Development Plan. This sentence should be reworded to reflect this requirement. 6 a â€" this is not in accordance with guidance given in MPS 2 as it implies that if the reserves are just at the required level then planning permission will not be granted. F Furthermore it does not allow for the merits of a particular proposal to be taken in to account, e.g. special need, employment or other benefits, etc.	Soundness Not Specified other
2757	DEVELOPMENT CONTROL POLICY DC 8	This needs to be in accordance with the provisions of the Environment Act 1995 and the guidance on ROMP applications which, inter alia, require that the consideration of applications should not unduly affect the asset value and viability of the quarry. This policy needs to be caveated as such.	Soundness Not Specified other
2758	DEVELOPMENT CONTROL POLICY DC 17	This should be a generic policy relating to, where appropriate, the need to secure planning obligations or legal agreements and should specify the matters that may be included as each proposal should be judged on its merits. In any event it is in appropriate to include item h as the loss of amenity should be made through normal mitigation measures aimed at dealing with specific issues, such as noise attenuation. Compensation to local communities for general loss of amenity and any inconvenience that may result from mineral working is, and should be, addressed by the Aggregates Levy which government imposes supposedly specifically for this purpose. It is for the local communities to make a case for funding/provision from this fund to address impacts. The minerals industry should not be required to pay twice!	Soundness Not Specified written
REPRESENTOR ID	495	ORGANISATION Confederation of UK Coal Producers	SURNAME Brewer
			Statutory CTTE? No
2784	DEVELOPMENT CONTROL POLICY DC 9	Policy DC9, whilst generic, is inadequate if the MCAs do not include shallow coal reserves.	Soundness Not Specified written