

**REPRESENTATIONS TO THE CUMBRIA MINERALS AND WASTE DEVELOPMENT
FRAMEWORK - CORE STRATEGY**

SUBMITTED ON BEHALF OF

AGGREGATE INDUSTRIES UK LIMITED

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CUMBRIA MINERALS AND WASTE DEVELOPMENT FRAMEWORK

RESPONSE ON BEHALF OF AGGREGATE INDUSTRIES UK LIMITED TO THE SCHEDULE OF MATTERS AND ISSUES FOR EXAMINATION

1. Introduction

1.1 Aggregate Industries ("AI") sustains objections to the Core Strategy, based upon their original response, but also wishing to comment upon the up to date revisions and the response of Cumbria County Council ("Council") to the Inspector's request for further information.

2. Procedural & Conformity Matters (Matter 1)

2.1 AI is not attending the hearing session relating to this aspect. However, AI is keen to learn the Council's response to the following key issues:

- (vi) How do these DPDs relate to other relevant plans and strategies which influence the delivery of their proposals, and integrate effectively with plans prepared by other local planning authorities in the area (including district Local Plans, National Park plans and the plans of adjoining local authorities)?

AI notes that sites in the Yorkshire Dales National Park are particularly constrained and refers the Inspector to the extract from the Yorkshire Dales National Park Authority Minerals and Waste Development Plan Document Issues and Options (Appendix 1 hereto) which highlights (at Table 1) the end dates for quarries in the Yorkshire Dales National Park.

- (viii) Are the DPDs in general conformity with the approved and emerging Regional Spatial (including the Secretary of State's Proposed Changes to the draft RSS/final RSS)?; what is the current position on the partial review of the draft RSS, and how will the DPDs accommodate the outcome of this review?]

It should be noted that the adopted Yorkshire and Humber Regional Spatial Strategy seeks a reduced reliance on the National Parks and Areas of Outstanding Natural Beauty as sources of aggregates. The Inspector is referred to Policy ENV4 at Appendix 2 hereto.

3. Delivering the overall strategy (Matter 3)

(i) Climate Change

- (a) Does the strategy on climate change properly reflect the latest national and regional guidance on climate change, including the Proposed Changes to the draft RSS and Supplement to PPS1 on Climate Change?
- (b) Are the criteria, requirements, threshold and targets in Policy CS1 soundly-based, reasonable and in line with the latest regional guidance?
- (c) How will Policy CS1 ensure that developments make sufficient contribution to reducing greenhouse gas emissions and/or carbon-offsetting measures?

AI considers that the strategy should seek to ensure that the life cycle of minerals working is taken into account. Whilst policies to address the issue of mineral road miles are to be welcomed and alternatives to bulk transportation by road encouraged, the locational and other constraints inherent in this approach should be recognised and existing and/or potential facilities for transport and storage of minerals should be safeguarded. The policies should be workable and protect the mineral product.

As regards Policy CS1 in the initial response made, AI set out support for the concept of considering climate change implications of mineral development but objected to the wording of the policy on the basis that it did not go far enough and impose a requirement to consider the sustainability of extensions to existing quarries when compared to establishing new quarries. AI remains supportive of these general aspirations but is concerned that the policy has not been developed far enough and thus is unsound. The whole life cycle of high specification aggregate should be considered to prevent applications being refused on the basis of mineral miles alone.

- (d) Should Policy CS1 address the role of restoration proposals in climate change and enable a comparison between extending existing quarries and establishing new quarries?

Yes, the environmental effects of extending existing quarries should be taken into account and compared with the constraints associated with the establishment of new quarries.

Recommended Changes to the Core Spatial Strategy - with reference to the Core Spatial Strategy Policy CS1, it is therefore considered that the policy needs to be amended to take account of the above factors.

4. **Strategic areas for new development (Matter 4)**

Key issue:

What is the general basis and specific justification for the broad locations identified as strategic locations/ areas for new minerals and waste developments, and what is the criteria for allocating specific sites for minerals and waste developments in subsequent DPDs?

- (i) What is the basis and justification for the specified *Strategic Areas for New Developments*, including the specific references to Whitehaven, High Greenscoe Quarry & Ghyll Scaur Quarry?

Ghyll Scaur Quarry is recognised as a source of very high specification not just high specification aggregate. This is confirmed in the Report on the Sustainable Use of High Specification Aggregate for Skid Resistant Road Surfacing in England prepared by Capita Symonds extract attached at Appendix 3 as the basis for distinguishing Ghyll Scaur which is of national importance. Because of its national significance it is right to recognise the site at this stage as being a preferred area for new development.

- (iii) Does Policy CS7 and the accompanying text provide sufficient guidance and spatial direction for making specific site allocations in subsequent DPDs? What are the criteria for identifying broad locations for minerals and waste developments?

No. AI remains supportive of the general aspirations of the policy but further clarification is required to reflect the fact that Ghyll Scaur is a nationally important resource for the supply of very high specification road stone.

Recommended Changes to the Core Spatial Strategy - with reference to Policy CS7, it is considered that the policy should be amended to take account of the above.

- (iv) Does the identification of strategic areas for new minerals and waste development pre-empt the proper consideration of specific development proposals and site options at later stages of the planning process?

No, it is essential that sites of strategic importance are identified at this stage of the process. Because they are limited in number it is right to identify the strategic sites. The fact of their identification does not preclude consideration of specific proposals at a later stage in the planning process provided there is an adequate framework against which to do so. The two stages can be complementary. Ghyll Scaur is a major source of high very specification aggregate to the Highways Agency, supplying material for the maintenance, repair and new build of the motorway network nationwide. Resources of very high specification aggregates are increasingly limited and constrained to Cumbria primarily and Ghyll Scaur is particularly important as a source of this limited resource which can only become further constrained in time.

- (v) What is the significance of the *Strategic Locations for New Developments* for Municipal Waste Management Facilities and Minerals Supply shown on the Key Diagram?

The strategic locations are identified and will inform consideration at the site allocations stage.

5. Minerals Core Strategy & Delivering the Minerals Strategy (Matter 7)

Key issue:

Does the Core Strategy ensure that the best integration of social, economic and environmental costs and benefits is achieved, by applying the principles of sustainable development and by carefully considering how best to maintain an adequate and steady supply of minerals, commensurate with protecting the environment and securing the prudent use of nature resources?

(i) Minerals Strategy

- (c) What is the likelihood of pressures on Cumbria to make up shortfalls arising from reduced minerals extraction in the National Parks, and what are the implications for the Minerals Strategy?

The Minerals Strategy should take account of the closure and likely closure of sites in the Yorkshire Dales National Park in particular which will increase the pressure on Cumbria.

(ii) Safeguarding mineral resources

- (e) Is the approach and criteria set out in Policies CS14 & DC9 soundly based, consistent with national and regional policy and relevant to Cumbria?

Policy CS14 is not the most appropriate in all the circumstances, as it fails to demonstrate a robust and credible evidence base for meeting regional requirements for high specification road stone. The proposed changes to Policy CS14 fail to take account of the above and should include specific reference to Holmescales Quarry as an Area of Search. Without such a reference there is nothing in the policy to refer to sites of regional importance. As worded, the policy could lead to the loss of a regional resource prematurely which would be unsound. Policy CS 13 recognises the role of regionally important quarries. To be internally consistent so too should policy CS14.

- (f) Is the approach of Policy CS14 to specific quarries (including High Greenscoe & Ghyll Scaur quarries) soundly based?

The reference to Ghyll Scaur as a Preferred Area and/or Area of Search is sound. It should also reflect the national importance of Ghyll Scaur in terms of very high specification aggregate. With reference to the proposed changes to Policy CS14, it is considered that the policy should be amended to take account of the above. Because of what is set out above in (e) it is considered that the reference to specific quarries should include reference to those of regional significance.

(iv) **High-specification roadstones:**

- (a) Is the approach to high-specification roadstones, including current needs, reserves and landbank, soundly based and appropriate for Cumbria?

No, there is insufficient account taken of the regionally important resources, especially in the context of closure and likely closure of high specification road stone quarries in the Yorkshire Dales National Park.

(c) Is the policy for Ghyll Scar Quarry soundly based and does the Core Strategy provide sufficient guidance for future extensions to be considered in the subsequent Site Allocations DPD?

The policy for Ghyll Scar Quarry is soundly based provided it incorporates the suggested amendments as it recognises that it a Preferred Area of Search for an extension. In terms of the criteria against which any extension is to be judged it is considered that those are better set out in a Site Allocations DPD.

DLA Piper UK LLP

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