

Chichester District Council

THE CABINET

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West Sussex Joint Minerals Local Plan: Proposed Submission Draft - Consultation Response

1. Contacts

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2. Recommendation

2.1. That the Cabinet endorses the comments within this report to the West Sussex Joint Minerals Local Plan: Proposed Submission Draft (Joint Minerals Local Plan) as set out in paragraphs 5.2 - 5.4 below.

3. Background

- 3.1. West Sussex County Council (WSSCC) and the South Downs National Park Authority (SDNPA) are working in partnership to prepare a Joint Minerals Local Plan for West Sussex for the period up to 2033. This Plan will replace the existing Minerals Local Plan (2003). A copy of the Joint Minerals Local Plan has been placed in the Members' Room.
- 3.2. The Joint Minerals Local Plan has been published for comments on the Plan's 'soundness' and legal compliance, prior to its submission to the Secretary of State. The consultation period is open for an eight week period from the 16 January until 13 March 2017.
- 3.3. The Council previously made comments at an earlier consultation stage of the Joint Minerals Local Plan which was reported to Cabinet on 7 June 2016.
- 3.4. The Joint Minerals Local Plan has four key components:
 - Vision and strategic objectives for future mineral development in West Sussex;
 - Specific policies to achieve the strategic objectives for different mineral supply activities (Policies M1-M10);
 - Specific development management policies to ensure no unacceptable harm to the environment and communities of West Sussex (Policies M12-M26); and
 - Two site allocations that will make an important contribution to satisfy the need for minerals (Policy M11).

- 3.5. **Proposals within Chichester District** subject to development management policies, most existing minerals sites can be extended or an extension of time granted, if they are to maintain supply. However this is not encouraged inside the Area of Outstanding Natural Beauty (AONB) or the South Downs National Park (SDNP). Within the Chichester Local Plan area, this would apply to existing Sharp Sand and Gravel sites with planning permission.
- 3.6. There are no proposed allocations for additional mineral sites within the Chichester Local Plan area.
- 3.7. There is a proposal to safeguard minerals supply infrastructure including existing rail depots and wharves. Policy M10 retains Chichester Railway Sidings (adjacent to Via Ravenna) as a safeguarded site for its minerals transportation purposes.
- 3.8. **Minerals Safeguarding** The Joint Minerals Local Plan recognises that mineral resources are finite which must be protected for future generations to meet their own needs.
- 3.9. The 'safeguarding' strategy within the Joint Minerals Local Plan is to ensure that the sand and gravel, chalk, clay and sandstone resources are protected and not sterilised by other land uses. Within the Chichester Local Plan Area only sand and gravel are within a Minerals Safeguarding Area (MSA) as shown in Appendix 1.
- 3.10. Should proposals for development e.g. housing, be submitted that potentially impact on an MSA it is proposed that the application cannot be determined by the District Council until WSCC/SDNPA have been given the opportunity to comment. These proposals are supported.
- 3.11. Further explanation on when District/Borough Councils are required to consult WSCC/SDNPA on proposals for non-mineral development in a MCA is provided in a separate document 'Minerals Safeguarding Document', which has been published in addition to the Joint Minerals Local Plan.
- 3.12. The Council previously made comments suggesting amendments to the MCA consultation process which have been taken account of. Subsequently the changes made to the Minerals Safeguarding Guidance are supported.
- 3.13. The Development Plan and Infrastructure Plan Panel (DPIP) considered the Plan at their meeting on 19 January 2017. Their suggested amendments and comments are set out in paragraph 5.1 – 5.4 below. Following the meeting of DPIP it was confirmed that all the Council's previous comments relating to exemptions to the Minerals Consultation Area have been made to the Draft Minerals Safeguarding Guidance.

4. Outcomes to be Achieved

- 4.1. The Council's response to the consultation will assist WSCC/SDNPA in considering appropriate amendments to the Joint Minerals Local Plan. If accepted, the amendments will result in more efficient and effective planning application consultation arrangements with WSCC; the satisfactory supply of minerals, clarify the interpretation of policies and lead to less onerous demands on parish councils in the production of neighbourhood plans.

5. Proposal

- 5.1. The purpose of this report is to outline the response that Chichester District Council wishes to make to the Joint Minerals Local Plan Consultation, which are outlined below:

Comments to be made to WSCC on the Joint Minerals Local Plan

- 5.2. The Council supports the inclusion of the suggested size thresholds to be applied as an exception to the consultation criteria in Mineral Consultation Areas as outlined in the Minerals Safeguarding Guidance.
- 5.3. It is considered that Policy M9 as drafted is confusing with the use of 'not' making some of the statements a double negative. It is suggested that the wording of the policy is reconsidered.
- 5.4. Minerals Safeguarding Document: Section 4 refers to 'Consulting the Minerals Planning Authority on proposed allocations in the Local Plans and Neighbourhood Plans'. It is considered that this is too onerous for Parish Councils preparing a neighbourhood plan. All neighbourhood plans are already forwarded to the WSCC as part of the statutory consultation process at Regulation 14 and 16 stages. It is suggested that WSCC could make comments on whether potential sites are within an MCA and propose any policy wording at Regulation 14 stage. Section 4 of the guidance should be amended to reflect this approach.

6. Alternatives Considered

- 6.1. As minerals extraction is a contentious issue the option not to comment on the Joint Minerals Local Plan Consultation is not considered to be appropriate. It is important for the Council to contribute to the drafting of policies/strategy of the Joint Minerals Local Plan and shape its contents.

7. Resource and Legal Implications

- 7.1 None

8. Consultation

- 8.1. This report is the response to consultation.

9. Community Impact and Corporate Risks

- 9.1. While mineral extraction is a contentious issue the Council by commenting on the Joint Minerals Local Plan Consultation document is providing clarity to the process and minimising risk and the impact of policies/strategy as drafted.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		✓
Climate Change		✓
Human Rights and Equality Impact		✓

Safeguarding		✓
Other		✓

11. Appendix

11.1 Appendix 1: Sharp Sand and Gravel Resource Minerals Safeguarding Map

12. Background Papers

None

