



OFFICER REPORT TO LOCAL COMMITTEE REIGATE AND BANSTEAD

CONSULTATION ON SURREY MINERALS PLAN

7 DECEMBER 2009

KEY ISSUE

To note the proposals in the core strategy and primary aggregates development plan documents as agreed by the County Council, and to comment on draft proposals of the aggregates recycling development plan document and minerals site restoration supplementary planning document.

SUMMARY

The Surrey Minerals Plan core strategy and primary aggregates documents have been agreed for submission to government and this report outlines, for information, the main proposals as they affect Reigate and Banstead. Draft proposals for aggregates recycling and minerals site restoration have also been issued for consultation and the Committee is invited to comment on these.

OFFICER RECOMMENDATION

The Local Committee (Reigate and Banstead) is asked to:

- (i) Note the minerals core strategy and primary aggregates documents published by the county council prior to submission to the Government for independent examination
- (ii) Determine whether it wishes to submit any comments on the draft aggregates recycling and final draft minerals site restoration documents.

1 INTRODUCTION AND BACKGROUND

- 1.1 The Surrey Minerals Plan forms part of the development plan for Surrey and is being updated. Extensive consultation on the draft proposals took place in 2006 and 2008 since which time the proposed documents for submission to the Secretary of State have been prepared. The Cabinet approved the documents for submission on 29 September and this was endorsed by the County Council on 13 October.
- 1.2 The core strategy and primary aggregates development plan documents (DPD), which will be submitted to government in February 2010, have to be published prior to this to enable representations on their soundness to be made. Representations will be used to identify issues which will be examined by an independent Inspector.
- 1.3 Draft proposals for aggregates recycling and the final draft minerals site restoration documents are being published at the same time so that people are aware of the other aspects of the minerals plan. Comments on the proposals within these documents are invited prior to them being finalised later in 2010.

2 CORE STRATEGY AND PRIMARY AGGREGATES

- 2.1 The *Core Strategy DPD* provides the overall framework for mineral planning across the county to 2026. It includes a spatial strategy giving the geographical spread of economically viable mineral resources and the constraint this and environmental factors put on the choice of sites. The distribution of other mineral development facilities such as recycling sites and rail aggregate depots is also considered.
- 2.2 The strategy also has policies dealing with issues such as the efficient use of mineral resources and their safeguarding. Policies dealing with the strategic need for future working of aggregates, industrial sand, clay and oil and gas, the main minerals produced in Surrey, are set out. Finally, policies providing a framework for the detailed assessment of the environmental and transport implications of planning applications for mineral development, and the restoration of sites, are proposed.
- 2.3 The *Primary Aggregates DPD* makes site specific proposals for contributing towards the regional apportionment of aggregates. In terms of quantity produced, aggregates are the most significant mineral in Surrey. Sand and gravel for concrete comes mainly from the Lower Thames valley.
- 2.4 Soft or building sand is also part of aggregate production in Surrey and comes from the Lower Greensand Formation which outcrops in Surrey just to the south of the North Downs. Most of the resource in the borough is sterilised by the built-up area of Reigate/Redhill.

How the proposals affect Reigate and Banstead

- 2.5 The core strategy includes a policy on safeguarding existing rail aggregate depots in the county. One of the two facilities is located at Salfords, although this only operates intermittently. The effect of the policy is to ensure that the county council as mineral planning authority is consulted on development within the vicinity of the depot that might prejudice its refurbishment.
- 2.6 An area of search for potential silica sand extraction at Chilmead Farm, Nutfield Marsh lies partly within the borough although most of the site is in Tandridge.
- 2.7 As indicated above, potential resources of soft sand are largely sterilised by existing built-up areas. The Primary Aggregates DPD does not, therefore, include any proposals for new workings within the borough.

3 AGGREGATES RECYCLING AND MINERALS SITE RESTORATION

- 3.1 The *Aggregates Recycling DPD* indicates draft proposals for sites to meet the regional requirement to increase the availability of recycled materials so that it can contribute towards overall aggregate demand and reduce pressure on land-won production. The Surrey Waste Plan 2008 has identified locations where waste recycling and processing facilities may be developed. Seven of these are considered potentially suitable for aggregates recycling. One potential new site for a permanent facility has been identified and two sites for potential temporary facilities.
- 3.2 The *Minerals Site Restoration Supplementary Planning Document* (SPD) supports the core strategy policies on restoration by summarising best practice and developing indicative schemes for restoration of the sites identified as proposals in the core strategy and primary aggregates documents.

How the draft proposals affect Reigate and Banstead

- 3.3 One of the sites, identified in the Surrey Waste Plan as suitable for waste recycling and processing facilities and considered potentially suitable for aggregates recycling, is the Copyhold Works in Redhill. It is also proposed that an aggregates recycling facility might be co-located with the rail aggregates depot at Salfords.
- 3.4 As there are no proposals for mineral working in the borough there is nothing specific to Reigate and Banstead in the minerals site restoration SPD.

4 HOW TO MAKE REPRESENTATIONS

- 4.1 There has been extensive public consultation during the preparation of the plan, the outcome of which is reported in detail in one of the

background papers (Consultation Statement 2009) supporting the published documents. The documents, along with the background material listed at the end of this report, are available to view on the SCC website at <http://www.surreycc.gov.uk/mineralsplan> and representations/comments should be made by 18 December.

- 4.2 This round of consultation on the plan has two distinct parts
- the proposals for submission to government on the core strategy and on primary aggregates
 - the consultation stages on aggregates recycling and minerals site restoration
- 4.3 The former have been approved by the county council and this committee cannot formally make any representations. Members may wish, however, to be aware of how representations can be made to meet queries raised by constituents. Representations are meant to be directed at ensuring that the document is legally compliant with the Planning and Compulsory Purchase Act 2004 and that it is sound. Some guidance is given below.
- 4.4 Tests of legal compliance include whether the procedures and public involvement have been adequately fulfilled, whether a document conforms generally to national and regional policy and has regard to the sustainable community strategy for its area.
- 4.5 The tests of soundness are grouped under three headings – whether the document is justified, effective and consistent with national policy. These concepts are explained in more detail in the notes that accompany the publication stage representation form, but may be summarised as:
- justification is about the evidence base for the plan, the engagement of the local community, the appropriateness of the strategy and its sustainability.
 - effectiveness is about delivery of the plan and its ability to adapt should the context change significantly.
 - consistency with national policy is a pre-requisite and any departure from this must be clearly justified.
- 4.6 A separate consultation leaflet has been prepared for the aggregates recycling and minerals site restoration documents and provides the mechanism for response to these. At this stage the county council is seeking views on the proposals (final ones in the case of the restoration document) prior to making a decision on their content.

5 FINANCIAL/VALUE FOR MONEY IMPLICATIONS

- 5.1 The council is committed to a timetable for preparing the Surrey Minerals Plan through the Minerals and Waste Development Scheme. Failure to meet milestones could reduce the level of Planning and Housing Delivery Grant.

6 EQUALITIES IMPLICATIONS

- 6.1 These have been addressed in part through preparation of the Surrey Statement of Community Involvement, adopted July 2006. An Equality Impact Assessment has been carried out on the Minerals Plan and has not revealed any discernable discrimination against any of the Equality and Diversity strands.

7 RISK MANAGEMENT IMPLICATIONS

- 7.1 The council is required to publish an Annual Monitoring Report detailing progress of the Minerals Plan against milestones in the Minerals and Waste Development Scheme.

8 CRIME AND DISORDER IMPLICATIONS

- 8.1 None

9 CONCLUSION AND RECOMMENDATIONS

- 9.1 The core strategy provides a framework for determining future applications for mineral development. The site specific proposals in the primary aggregates document are necessary to meet demands for minerals essential to the construction sector. These are key elements in the Surrey Minerals Plan and were endorsed by Cabinet on 29 September as proposed documents for submission to government. The county council agreed on 13 October that they be published before submission to enable representations to be made. Members are asked to note the proposals made by the county council.
- 5.2 Comments on the proposals in the *Aggregates Recycling DPD* and the *Minerals Site Restoration SPD* may be submitted by 18 December. The county council will consider all comments received in preparing final versions of these two documents.

WHAT HAPPENS NEXT:

The documents will be progressed as shown in the table.

	Publication of draft for consultation	Publication of proposals for submission to the Government ¹	Submission of documents to the Government ²	Estimated Examination date [start of hearing]	Estimated adoption date
<i>Core Strategy DPD</i>		6 November 2009	February 2010	June 2010	November 2010
<i>Primary Aggregates DPD</i>		6 November 2009	February 2010	September 2010	January 2011
<i>Draft Aggregates Recycling DPD</i>	6 November 2009	November 2010	February 2011	June 2011	October 2011
<i>Final draft Minerals Site Restoration SPD</i>	6 November 2009				January 2011

- ¹ At this stage representations on soundness and legal compliance are invited
- ² Documents are submitted to the Government together with copies of representations and, where appropriate, a schedule of suggested amendments. The amendments should be minor only and not be of such significance that further consultation or appraisal is deemed necessary.

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BACKGROUND PAPERS:

- Strategic Environmental Assessment and Sustainability Appraisal (2009)
- Habitats Regulation Assessment and Appropriate Assessment of the Surrey Minerals Plan (2009)
- Report on the Strategic Flood Risk Assessment of the Surrey Minerals Plan (2009)
- Consultation Statement (2009)

- Assessment of potential yield for selected PMZs, Surrey (GWP 2009)
- Primary Aggregates Land Assessment (SCC 2006, updated 2009)
- Assessment of Pendell Farm Preferred Area for Silica Sand (GWP 2009)
- Assessment of aggregate recycling sites – long list (SCC 2009)
- Assessment of aggregate recycling sites – short list (SCC 2009)
- Rail Aggregate Depots (SCC 2008, updated 2009)
- Mineral Safeguarding Areas (SCC 2009)
- Transportation Assessment (SCC 2006, updated 2009)
- Strategic Transportation Assessment (SCC 2009)
- Hydrological Assessment (EA advice 2006, updated 2009)
- Geology of Surrey (SCC 2006, updated 2009)
- Silica Sand (SCC 2008, updated 2009)
- Non-aggregate minerals (SCC 2008, updated 2009)
- Surrey Minerals Plan (preferred option), (SCC 2006)
- Proposed amendments to Core Strategy (SCC 2008)
- Policy options for non-aggregate minerals, rail aggregate depots and recycled and secondary aggregates (SCC 2008)
- Recycled and secondary aggregates (SCC 2008)
- Landscape and Visual Impact Assessment (CBA consultants 2004 & 2006)