

Evaluation of the Conformity of
the Surrey Minerals Plan with the
National Planning Policy
Framework (NPPF) (February
2019 version)

Review of Minerals & Waste Development Scheme 2020

Annex 2: Evaluation of the Conformity of the Surrey Minerals Plan with the National Planning Policy Framework (NPPF) (February 2019 version)

1. The Surrey Minerals Plan (SMP) comprises:
 - The Minerals Plan Core Strategy Development Plan Document (DPD), 2011;
 - The Primary Aggregates DPD, 2011;
 - The Aggregates Recycling Joint DPD, 2013.
2. This document evaluates the conformity of the adopted SMP with the current version of the National Planning Policy Framework (NPPF), which was published in February 2019. The adopted Core Strategy DPD and Primary Aggregates DPD were developed, examined and adopted at a time when national planning policy was set out in Planning Policy Statements (PPS), Minerals Policy Statements (MPS), Planning Practice Guidance (PPG), and Minerals Planning Guidance (MPG).
3. The Aggregates Recycling Joint DPD was developed under the auspices of national planning policy in the form of PPS and PPG, but the first version of the NPPF was published in 2012, during the course of the examination of the DPD.

The Minerals Plan Core Strategy (adopted 19 July 2011)

4. The Core Strategy sets out the vision, objectives and spatial strategy for mineral development to 2026 incorporating specific policies on silica sand, brick clay and oil and gas, together with generic development control policies. It also identifies preferred areas and areas of search for silica sand and brick clay extraction. The proposals map identifies Mineral Safeguarding Areas, preferred areas and areas of search.
5. Public hearings for the Core Strategy and Primary Aggregates DPDs were held between October 2010 and January 2011. The inspector's report¹ concluded that: *"The Surrey Minerals Plan Core Strategy DPD provides an appropriate basis for the planning of the County over the next 15 years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered."*

¹ See Inspector's report on the examination into the Surrey Minerals Plan Core Strategy DPD, 23 May 2011.

The Primary Aggregates DPD (adopted 19 July 2011)

6. The Primary Aggregates DPD sets out the policy framework to address the need for provision of sharp sand, gravel and soft sand in Surrey. It also identifies preferred areas to meet the need for primary aggregates, which are shown on the proposals map, and contains policies for controlling primary aggregate extraction.
7. The Inspector's report² concluded that: *"The Surrey Minerals Plan Primary Aggregates Development Plan Document provides an appropriate basis for the planning of the County over the next 15 years. The Council has sufficient evidence to support the preferred areas identified and can show, in almost all cases, that they have a reasonable chance of being delivered."*

The Aggregates Recycling Joint DPD (adopted 12 February 2013)

8. The Aggregates Recycling Joint DPD sets out proposals with regard to the provision of aggregate recycling facilities across the county for the period up to 2026. It lists existing temporary and permanent aggregates recycling facilities and identifies potential new sites.
9. The NPPF was published during the course of the public examination (March – June 2012). The council prepared a supplementary self-assessment³ of the consistency of the plan with the NPPF (2012) in response to the Inspector's request for such an evaluation. A new policy, numbered AR1, which makes explicit the presumption in favour of sustainable development was included in the DPD as a main modification to ensure conformity with the NPPF 2012.
10. The Inspector concluded that the Plan was "sound" in accordance with the NPPF and that it therefore provides an appropriate basis for the planning of aggregate recycling development within the county over the subsequent 14 year period.

Framework for the evaluation of conformity

11. The current version of the NPPF, published in February 2019, includes aspects of minerals policy previously set out in Minerals Policy Statements and more specific technical advice in Minerals Planning Guidance. The NPPF 2019 also sets out policy across a range of other areas that are

² See Inspector's report of the examination into the Surrey Minerals Plan Primary Aggregates DPD, 23 May 2011.

³ See Aggregates Recycling Joint Development Plan Document. Assessment of compliance with the National Planning Policy Framework, August 2012

relevant to minerals planning and development in Surrey, including the protection of communities and the environment from harmful impacts and the promotion of economic growth and development.

12. The evaluation set out in the following table (Table 1) is based on Part 2 (Local Plan Form & Content) of the Planning Advisory Service (PAS) Local Plan Route Mapper Tool Kit, published in October 2019. The evaluation has been tailored to reflect the focus of the Surrey Minerals Plan, and consequently questions relating to matters that do not fall within the scope of the MWPAs planning powers (e.g. housing, changes to Green Belt boundaries, etc.) have been excluded from the evaluation.
13. Paragraph 35 (pp.11-10) of the NPPF 2019 set out the following key criteria against which the soundness of a Plan is to be judged. The evaluation set out in the following table includes reflection on the extent to which the current SMP can be considered to still satisfy those core soundness requirements.
- **Positively prepared** – Does the Plan provide a strategy able to meet the objectively assessed needs of the area, developed in agreement with other authorities, and consistent with the goal of achieving sustainable development. See Table 1, Part A.
 - **Justified** – Does the Plan set out an appropriate strategy for the area and topics of concern, taking into account reasonable alternatives, and is it based on proportionate evidence. See Table 1, Part B.
 - **Effective** – Is the Plan deliverable, and does it make provision for joint working on cross-boundary matters. See Table 1, Part C.
 - **Consistent with national policy** – Does the Plan enable the delivery of sustainable development in accordance with the policies set out in the current version of the NPPF. See Table 1, Part D.

Summary of the key findings of the evaluation & recommendation

14. Overall the adopted Surrey Minerals Plan remains broadly in conformity with the planning policy principles set out in the NPPF. However, much of the land identified in the Plan for primary aggregate working has gained planning permission over the period since adoption of the Plan, and the MWPA is approaching the point at which additional reserves will need to be identified to meet anticipated demand for concreting aggregate and soft sand over the next 15 years. In addition, national policy on matters of community and environmental protection has developed further since adoption of the Plan in 2011 (e.g. the incoming requirement for development to deliver biodiversity net gain, the UK Government commitment to achieve net zero emissions by

2050, etc.), and there is consequently a need to review and update the approach set out in the adopted Plan.

15. A comprehensive review of the Surrey Minerals Plan development plan documents is proposed as part of the review of the Minerals & Waste Development Scheme 2020. The review of minerals planning policy in Surrey will be paired with an immediate review of the strategy and policies set out in the Surrey Waste Local Plan, culminating in the preparation of a combined Minerals & Waste Local Plan for submission

Table 1: Evaluation of the adopted Surrey Minerals Plan – Soundness & Conformity with the NPPF 2019

| Has the Plan been Positively Prepared? | |
|--|---|
| Part A Providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development. [NPPF 2019, paragraph 35(a), p.12] | |
| Conformity Question | Evidence |
| <p><i>A1: Does the Plan provide a positive vision for the future; a framework for addressing needs & other economic, social & environmental policies</i></p> | <p>Surrey has been a significant source of land-won primary aggregates for many years and remains a net exporter of primary sand and gravel. However, due to environmental considerations (principally landscape and nature conservation designations), maintaining production of concreting aggregate at past sales levels was not considered to be a sustainable prospect beyond the plan period (i.e. up to 2026), a position confirmed by the Minerals Plan Inspector. The adopted SMP makes provision (Policy MA1, <u>Primary Aggregates DPD</u>) for land won primary aggregates sufficient to continue to supply demand in Surrey and surrounding areas until 2026 (based on average sales from the last 10 years) but towards and beyond this date it is likely that reserves will come close to exhaustion. The criteria based Policy MC11 (<u>Core Strategy DPD</u>) introduces flexibility to the Plan by allowing other sites for sand and gravel extraction to come forward where appropriate, whilst policies MA2 and MA3 (Primary Aggregates DPD) provide certainty as to the locations in which concreting aggregate extraction would be expected to come forward over the Plan period. Policies MC8 and MC9 (Core Strategy DPD) provide a degree of certainty as to the locations in which silica sand and brick clay would be extracted over the Plan period, and a degree of certainty as to the MWPAs ability to provide the required landbanks for those mineral resources.</p> <p>The <u>Aggregates Recycling Joint DPD</u> makes provision for an increase in the production of recycled aggregates in the County to meet the production targets set out in Policy MC5 of the Core Strategy DPD through the allocation of a small number of sites for development as permanent or temporary facilities (Policies AR2 and AR3). Policy AR4 makes provision for the potential development of aggregate recycling facilities on land other than that identified under Policies AR2 and AR3.</p> |
| <p><i>A2: Does the Plan contribute to the achievement of sustainable development / apply the presumption in favour of sustainable development?</i></p> | <p>The <u>Core Strategy DPD</u> and the <u>Primary Aggregates DPD</u> were adopted prior to the introduction of the presumption in favour of sustainable development, which was first set out explicitly in the 2012 version of the NPPF. The consistent supply of mineral resources is necessary to support the economy, which is addressed through policies MC6 through MC13, and policy MC16 of the Core Strategy DPD and policies MA1 through MA3 of the Primary Aggregates DPD. The Core Strategy DPD also contains policies that promote the efficient use of mineral resources (MC4) and the production of recycled and secondary aggregate as an alternative to primary aggregate resources (MC5), which seek to reduce demand on non-renewable natural resources and improve the materials efficiency of the economy. Policies MC14 and MC15 in the Core Strategy DPD provide for the protection of communities and the environment from the adverse impacts of mineral working and associated development, and policies MC17 and MC18 provide for the timely restoration of former mineral workings to forms of afteruse that are beneficial to the host communities.</p> <p>The <u>Aggregates Recycling Joint DPD</u> includes a policy (AR1) which explicitly sets out the presumption in favour of sustainable development and the steps that the MWPA would take to ensure that development permitted under the DPD contributes to that goal.</p> |

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| Is the Plan justified? | |
|--|---|
| Part B An appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence. [NPPF 2019, paragraph 35(b), p.12] | |
| Conformity Question | Evidence |
| <p><i>B1: Is the strategy appropriate for the Plan area?</i></p> | <p><u>Mineral Extraction</u>: The spatial strategy options for the SMP, with reference to the extraction of mineral resources, were constrained by geology and geography, and by the economic viability of resources in terms of the costs associated with extraction. The distribution of allocated sites (Preferred Areas) set out in the adopted SMP reflected the extent of potentially recoverable reserves at that point in time. The situation has changed over the lifetime of the current Plan, with planning permission granted for the extraction of concreting aggregate in respect of five of the Preferred Areas listed under Policy MA2 (Primary Aggregates DPD) and applications submitted in respect of a further two Preferred Areas, and planning permission granted for soft sand extraction in respect of the one Preferred Area listed under Policy MA3 (Primary Aggregates DPD). For silica sand, covered by Policy MC8 (Core Strategy DPD), planning permission has been granted for extraction from part of the Preferred Area identified under that policy, and an application has been submitted for further working from another part of the identified Preferred Area. For brick clay, covered by Policy MC9 (Core Strategy), an application has been submitted for brick clay extraction from the areas of search identified at Ewhurst Brickworks near Walliswood, applications have not been made in respect of any of the other three areas of search for brick clay identified in the adopted Plan.</p> <p><u>Aggregate Recycling</u>: The spatial strategy for aggregate recycling facilities was partly informed by the site allocations made in the adopted Surrey Waste Plan and Preferred Areas identified in the adopted Surrey Minerals Plan Core Strategy DPD.</p> <p>Replacement of the Surrey Waste Plan by the Surrey Waste Local Plan (WLP) would alter the allocation status of four of the sites currently identified under paragraph 50 of the Aggregates Recycling Joint DPD as potentially suitable for the development of aggregates recycling facilities, which would mean that they would no longer be viable options for such development, and the one site identified in paragraph 50 of the Aggregates Recycling Joint DPD that would still be allocated in the Surrey WLP would be allocated for a specific use (dry mixed household waste recycling) which would also rule it out as a location for aggregate recycling.</p> |
| <p><i>B2: Is the adopted strategy still supported by the available evidence?</i></p> | <p>Of the three Preferred Areas for concreting aggregate extraction also identified as potentially suitable locations for aggregate recycling under Policy AR3 of the Aggregates Recycling Joint DPD, none have been granted planning permission for mineral working and an application for extraction has been made in respect of only one site (Preferred Area D, Milton Park Farm at Egham).</p> <p>Of the three sites allocated for the development of temporary or permanent aggregate recycling facilities under Policy AR2 of the Aggregates Recycling Joint DPD, only one has been the subject of a planning application for such activity. Whilst planning permission was granted for the development of a facility at the Salfords Depot site in Salfords near Redhill to process incinerator bottom ash (IBA) and to produce secondary and recycled aggregate that permission has not been implemented.</p> |

Table 1: Evaluation of the adopted Surrey Minerals Plan – Soundness & Conformity with the NPPF 2019

| Is the Plan effective? | |
|--|--|
| Part C Deliverable over the Plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground. [NPPF 2019, paragraph 35(c), p.12] | |
| Conformity Question | Evidence |
| <p><i>C1. Does the plan continue to provide a framework for the delivery of a sustainable supply of minerals?</i></p> | <p><u>Mineral Extraction</u>: The spatial strategy options for the SMP, with reference to the extraction of mineral resources, were constrained by geology and geography, and by the economic viability of resources in terms of the costs associated with extraction. The distribution of allocated sites (Preferred Areas) set out in the adopted SMP reflected the extent of potentially recoverable reserves at that point in time. The situation has changed over the lifetime of the current Plan, with planning permission granted for the extraction of concreting aggregate in respect of five of the Preferred Areas listed under Policy MA2 (Primary Aggregates DPD) and applications submitted in respect of a further two Preferred Areas, and planning permission granted for soft sand extraction in respect of the one Preferred Area listed under Policy MA3 (Primary Aggregates DPD). For silica sand, covered by Policy MC8 (Core Strategy DPD), planning permission has been granted for extraction from part of the Preferred Area identified under that policy, and an application has been submitted for further working from another part of the identified Preferred Area. For brick clay, covered by Policy MC9 (Core Strategy), an application has been submitted for brick clay extraction from the areas of search identified at Ewhurst Brickworks near Walliswood, applications have not been made in respect of any of the other three areas of search for brick clay identified in the adopted Plan.</p> <p><u>Aggregate Recycling</u>: The spatial strategy for aggregate recycling facilities was partly informed by the site allocations made in the adopted Surrey Waste Plan and Preferred Areas identified in the adopted Surrey Minerals Plan Core Strategy DPD.</p> <p>Replacement of the Surrey Waste Plan by the Surrey Waste Local Plan (WLP) would alter the allocation status of four of the sites currently identified under paragraph 50 of the Aggregates Recycling Joint DPD as potentially suitable for the development of aggregates recycling facilities, which would mean that they would no longer be viable options for such development, and the one site identified in paragraph 50 of the Aggregates Recycling Joint DPD that would still be allocated in the Surrey WLP would be allocated for a specific use (dry mixed household waste recycling) which would also rule it out as a location for aggregate recycling.</p> <p>Of the three Preferred Areas for concreting aggregate extraction also identified as potentially suitable locations for aggregate recycling under Policy AR3 of the Aggregates Recycling Joint DPD, none have been granted planning permission for mineral working and an application for extraction has been made in respect of only one site (Preferred Area D, Milton Park Farm at Egham).</p> <p>Of the three sites allocated for the development of temporary or permanent aggregate recycling facilities under Policy AR2 of the Aggregates Recycling Joint DPD, only one has been the subject of a planning application for such activity. Whilst planning permission was granted for the development of a facility at the Salfords Depot site in Salfords near Redhill to process incinerator bottom ash (IBA) and to produce secondary and recycled aggregate that permission has not been implemented.</p> |

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Table 1: Evaluation of the adopted Surrey Minerals Plan – Soundness & Conformity with the NPPF 2019

| Part D Is the Plan consistent with national policy? Enabling the delivery of sustainable development in accordance with the policies in this Framework. [NPPF 2019, paragraph 35(d), p.12] | |
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| Conformity Question | Evidence |
| Facilitating the Sustainable Use of Minerals (NPPF 2019, Chapter 17, paragraphs 203-211, pp.58-61) | |
| <i>D1. Provide for the extraction of mineral resources of local & national importance</i> | <p>The adopted Surrey Minerals Plan Core Strategy DPD and Primary Aggregates DPD provide for the extraction of a range of mineral resources within Surrey, including primary aggregate (sharp sand and gravel; soft sand), silica sand, brick clay, and oil and gas. Policy MC7 (Core Strategy DPD) provides for the maintenance of a landbank of 7 years supply of aggregate minerals, covering concreting aggregate (sharp sand and gravel) and soft sand, which is consistent with the requirement set out in paragraph 207(f) (p.60) of the NPPF 2019. That policy commitment is implemented through the identification of Preferred Areas for aggregate mineral working, listed under Policy MA2 (Concreting Aggregate) and Policy MA3 (Soft Sand) in the Primary Aggregate DPD. Planning permission has been granted for the extraction of concreting aggregate at five of the Preferred Areas listed under Policy MA2 and applications have been submitted in respect of a further two Preferred Areas, with planning permission granted for soft sand extraction at the one Preferred Area listed under Policy MA3.</p> <p>For silica sand Policy MC8 (Core Strategy DPD) commits to the maintenance of a landbank of at least 10 years supply, which is consistent with the requirement set out for industrial minerals in footnote 68 to paragraph 208(c) (p.60) of the NPPF 2019. Planning permission has been granted for extraction from part of the Preferred Area identified under that policy, and a further application has been recently submitted for further working from another part of the identified Preferred Area.</p> <p>For brick clay Policy MC9 (Core Strategy) commits to the maintenance of a landbank of at least 25 years supply, which is consistent with the requirement set out for industrial minerals in footnote 68 to paragraph 208(c) (p.60) of the NPPF 2019. An application has been submitted for brick clay extraction from the areas of search identified at Ewhurst Brickworks near Walliswood. No applications have been made in respect of any of the other three areas of search for brick clay identified in the adopted Plan.</p> |
| <i>D2. Take account of the contribution that substitute or secondary & recycled materials & minerals waste would make to the supply of materials, before considering extraction of primary materials.</i> | <p>Policy MC4 (Efficient Use of Mineral Resources) and Policy MC5 (Recycled & Secondary Aggregates) in the Core Strategy DPD make provision for the production and use of recycled and secondary aggregates as a substitute for primary aggregate resources. Policy MC5 sets targets for recycled and secondary aggregate minerals production of 0.8 million tonnes per year by 2016, and at least 0.9 million tonnes per year by 2026.</p> <p>The Aggregates Recycling Joint DPD seeks to support the delivery of sufficient secondary and recycled aggregate production capacity through the identification of areas of land suitable for the development of permanent or temporary aggregate recycling facilities. However, as noted in C1 above, many of the sites allocated or otherwise identified in the Aggregates Recycling Joint DPD have not come forward for development as secondary and recycled aggregate production facilities, which brings the appropriateness of those allocations into question.</p> |

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| Part D Is the Plan consistent with national policy? | |
|--|--|
| Enabling the delivery of sustainable development in accordance with the policies in this Framework. [NPPF 2019, paragraph 35(d), p.12] | |
| Conformity Question | Evidence |
| Facilitating the Sustainable Use of Minerals (NPPF 2019, Chapter 17, paragraphs 203-211, pp.58-61) | |
| <i>D3. Safeguard mineral resources by defining Mineral Safeguarding Areas.</i> | Policy MC6 in the Core Strategy DPD sets out the MWPA's policy approach with respect to the identification and protection of Minerals Safeguarding Areas (MSAs). The Policy requires the eleven Local Planning Authorities in Surrey to include the MSAs on their Local Plan proposals maps and to consult the MWPA where development proposals could affect land within an MSA. |
| <i>D4. Encourage the prior extraction of minerals, where practical & environmentally feasible, if it is necessary for non-mineral development to take place.</i> | Objective 2.3 of the Core Strategy DPD (p.13) seeks to safeguard the supply of minerals by “ensuring prior extraction of mineral resources, where possible, if land is to be sterilised by other development”. That commitment is re-iterated in paragraph 5.4 (p.29) of the supporting text to Policy MC6, which states that “The MPA will treat prior working as an important objective when consulted on development within a minerals safeguarding area which would otherwise result in sterilisation of the resource.”. |
| <i>D5. Safeguard existing, planned & potential sites for: the bulk transport, handling and processing of minerals, the manufacture of concrete & concrete products & the handling, processing & distribution of substitute, recycled & secondary aggregate material.</i> | <p>Policy MC16 (Rail Aggregate Depots) in the Core Strategy DPD provides for the safeguarding of the two existing rail heads in Surrey, at Salfords and Woking, which in combination with other rail depots in the surrounding area (including London) provide sufficient capacity to handle anticipated imports over the Plan period (up to 2026). Policy MC16 also makes provision for the development of new depots, where the need for such facilities can be demonstrated.</p> <p>Policy MC6 (Safeguarding Mineral Resources & Development) in the Core Strategy DPD provides for the safeguarding of sites that are used, or are proposed for use, as recycled and secondary aggregate production facilities. The majority of mineral workings in Surrey are situated on land located within the Green Belt, which makes the permanent retention of recycled and secondary aggregate production facilities following the completion of mineral working challenging, as such facilities would potentially conflict with the openness of the Green Belt. Planning permissions for aggregate recycling facilities on minerals sites are therefore usually conditioned to require the removal of all plant and associated hard standings. Similarly, concrete batching plants and facilities for the manufacture of coating materials are not considered appropriate in the Green Belt, and where such facilities have been permitted (e.g. mortar batching plants associated with soft sand quarries) the permissions have been temporary and tied with the timeframe for restoration of the host quarry.</p> |
| <i>D6. Set out criteria or requirements to ensure that permitted & proposed operations do not have unacceptable adverse impacts on the natural & historic environment or human health</i> | Policy MC14 (Reducing the adverse impacts of Minerals Development) and Policy MC15 (Transport for Minerals) in the Core Strategy DPD address the matter of the potential harmful effects of minerals working and associated development on host communities and the natural and historic environments. Key development criteria are also identified for each of the Preferred Areas for mineral working identified in the Primary Aggregates DPD and the Core Strategy DPD, which provide specific guidance on the matters to be addressed for each allocated site. |

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| Part D Is the Plan consistent with national policy? | |
|--|---|
| Enabling the delivery of sustainable development in accordance with the policies in this Framework. [NPPF 2019, paragraph 35(d), p.12] | |
| Conformity Question | Evidence |
| Facilitating the Sustainable Use of Minerals (NPPF 2019, Chapter 17, paragraphs 203-211, pp.58-61) | |
| <i>D7. Recognise that some noisy short-term activities, otherwise unacceptable, are unavoidable to facilitate minerals extraction</i> | Policy MC14(i) in the Core Strategy DPD makes provision for the assessment of the noise impacts associated with proposals for mineral working and associated development as part of the development management process. The potential for some stages of the minerals extraction process to generate significant noise disturbance is acknowledged in paragraph 6.8 (p.40) of the supporting text to Policy MC14. |
| <i>D8. Ensure that worked land is reclaimed at the earliest opportunity, taking account of aviation safety, & that high-quality restoration & aftercare of mineral sites takes place.</i> | Policy MC17 (Restoring Mineral Workings) and Policy MC18 (Restoration & Enhancement) in the Core Strategy DPD set out the key principles that underpin the MWPA approach to the restoration of former mineral workings. A high standard of restoration and aftercare is required, with restoration to be completed at the earliest opportunity, and to be undertaken in a progressive manner where appropriate. Further detailed guidance on the process of mineral site restoration is provided in the Restoration SPD. Updating would provide an opportunity to provide clearer guidance on the relationship between mineral site restoration and the provision of biodiversity net gain, and the mitigation of the impacts and causes of climate change. |
| <i>D9. When planning for on-shore oil & gas development, including unconventional hydrocarbons, clearly distinguish between the three phases of development (exploration, appraisal & production) & address constraints on production & processing within areas that are licensed for oil & gas exploration or production;</i> | Policy MC12 (Oil & Gas Development) in the Core Strategy DPD covers onshore conventional oil and gas development, and makes reference to the three phases of on-shore oil and gas development, with some further discussion set out in paragraphs 5.37 to 5.39 (pp.37) of the supporting text to Policy MC12. The policy would benefit from being updated in light of the increased interest and scrutiny that hydrocarbon development applications have attracted in recent years, and the changes made to the NPPF following the High Court judgement in Stephenson v. SoS MHCLG [2019] EWHC 519 (Admin) (quashing of paragraph 209a). Over the Plan period the MWPA has received and determined applications relating to all phases of hydrocarbon development in respect of conventional hydrocarbons. Policy MC13 makes provision for underground gas storage where capacity and geological circumstances are proven to be suitable for such use, and requires that such development only be permitted where it can be proved that there would be no significant adverse impacts on the environment. Over the Plan period no applications have been received relating to the proposed underground storage of gas in previously exploited geological structures. |
| <i>D10. Encourage underground gas & carbon storage & associated infrastructure if local geological circumstances indicate its feasibility</i> | Unconventional gas and oil (shale gas and shale oil) have emerged as potentially significant sources of hydrocarbon energy supply since the adoption of the Plan. Policy MC12 in the Core Strategy DPD does not include specific reference to the issue of the potential for shale oil associated with the Weald Basin in Surrey, and that deficiency would need to be addressed in the review of the Plan. There is evidence, from the operation of the permitted unconventional hydrocarbon well-site at Preese Hall in Lancashire, that hydraulic fracturing to release shale gas or oil causes small magnitude tremors. Given recent seismic activity in Surrey (the Newdigate sequence of tremors which occurred over 2018 and 2019, attributed by the British Geological Survey to natural causes) the extent to which it would be feasible to safely explore and exploit unconventional hydrocarbon resources within the county is open to question. |

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| Part D Is the Plan consistent with national policy? | |
|--|--|
| Enabling the delivery of sustainable development in accordance with the policies in this Framework. [NPPF 2019, paragraph 35(d), p.12] | |
| Conformity Question | Evidence |
| Promoting Sustainable Transport (NPPF 2019, Chapter 9, paragraphs 102-111, pp.30-32) | |
| <i>D17. Address the potential impacts of development on transport networks.</i> | Surrey currently imports crushed rock and some marine aggregates by rail at two depots, which are safeguarded under Policy MC16 (Rail Aggregate Depots) of the Core Strategy DPD. A 2009 regional study (<i>Aggregate Wharves & Rail Depots in South East England</i>) identified a number of potential future depot sites, none of which were located within Surrey, which support the MWPA position at the time that there was no significant need for additional depots in the county. The adopted Minerals Plan (Policy MC16 in the Core Strategy DPD) does not prevent industry from bringing forward proposals for new depots if appropriate sites can be identified and the need for the new facility can be justified. |
| <i>D18. Promote the use of sustainable transport options.</i> | |
| <i>D19. Take account of the environmental impacts of traffic & transport infrastructure use, incl. opportunities to avoid or mitigate adverse impacts & realise environmental net gains.</i> | |
| Protecting Green Belt Land (NPPF 2019, Chapter 13, paragraphs 133-147, pp.40-43) | |
| <i>D20. Plan positively to enhance the beneficial use of the Green Belt, such as opportunities to, provide access; outdoor sport & recreation; retain & enhance landscapes, visual amenity & biodiversity; or to improve damaged & derelict land.</i> | Policy MC3 (Spatial Strategy – Mineral Development in the Green Belt) in the Core Strategy DPD sets out the MWPA policy position on mineral working and associated development in the Metropolitan Green Belt. Given that 73% of the county of Surrey is currently designated as Green Belt, including much of the land within which the county's reserves of potentially viable mineral resources are found, the question of the protection of the Green Belt is a key consideration for the MWPA. For the forthcoming Plan period the limited extent of remaining workable reserves of concreting aggregate is likely to result in greater reliance on recycled and secondary aggregate, and may create a need for permanent facilities for the production of such materials (historically such facilities have been located on mineral sites on a temporary basis). The MWPA's approach to minerals related development in the Green Belt may therefore require review and reconsideration. |
| Meeting the Challenge of Climate Change, Flooding & Coastal Change (NPPF 2019, Chapter 14, paragraphs 148-169, pp.44-48) | |
| <i>D21. Take a proactive approach to mitigating & adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity & landscapes, & the risk of overheating from rising temperature.</i> | The adopted Surrey Minerals Plan does not include a policy that deal specifically and exclusively with the question on the impacts of mineral extraction and associated development on the causes of climate change, or on the opportunities that may arise to address the impacts of change, although the matter is discussed to some extent in paragraphs 1.40 to 1.45 (p.8) of the Core Strategy DPD. Reference is made in Policy MC18 (Restoration & Enhancement) of the Core Strategy DPD to the potential for mineral site restoration to present opportunities for climate change mitigation, such as additional flood alleviation capacity. In light of the UK Government commitment to achieve net zero emissions by 2050 the MWPA's approach to the climate change impacts and opportunities associated with the activities of the minerals industry may require review and reconsideration. |

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| Part D Is the Plan consistent with national policy? | |
|---|--|
| Enabling the delivery of sustainable development in accordance with the policies in this Framework. [NPPF 2019, paragraph 35(d), p.12] | |
| Conformity Question | Evidence |
| Meeting the Challenge of Climate Change, Flooding & Coastal Change (NPPF 2019, Chapter 14, paragraphs 148-169, pp.44-48) | |
| <i>D22. Support appropriate measures to ensure the future resilience of communities & infrastructure to climate change impacts.</i> | Reference is made in Policy MC18 (Restoration & Enhancement) of the Core Strategy DPD to the potential for mineral site restoration to present opportunities for climate change mitigation, such as additional flood alleviation capacity. In light of the UK Government commitment to achieve net zero emissions by 2050 the MWPA's approach to the climate change impacts and opportunities associated with the activities of the minerals industry may require review and reconsideration. |
| <i>D23. Strategic policies should manage flood risk from all sources.</i> | Clause (ii) of Policy MC14 (Reducing the adverse impacts of minerals development) in the Core Strategy DPD provides specific guidance on the approach that is to be taken with reference to the assessment of the potential impacts of mineral extraction and related development on flood risk from all sources, and on the management of minerals site drainage. Where specific site allocations are affected by significant flood risk that fact is reflected in the key development criteria set out in the Primary Aggregates DPD or the Core Strategy DPD. |
| Conserving & Enhancing the Natural Environment (NPPF 2019, Chapter 15, paragraphs 170-183, pp.49-53) | |
| <i>D24. Contribute to & enhance the natural & local environment by protecting & enhancing valued landscapes, sites of biodiversity or geological value & soils, recognising the intrinsic character & beauty of the countryside, & the wider benefits from natural capital & ecosystem services.</i> | <p>Policy MC2 (Spatial Strategy – Protection of key environmental interests in Surrey) in the Core Strategy DPD provides for the protection of a range of high level nature conservation and landscape designations – including SPAs, SACs, Ramsar Sites, SSSIs and AONBs – from the potentially adverse impacts of mineral working and associated development.</p> <p>Clauses (iii) and (iv) of Policy MC14 (Reducing the adverse impacts of minerals development) in the Core Strategy DPD provide for the protection of the landscape and of the natural environment, biodiversity and geological conservation interests from the potentially adverse impacts of mineral extraction and associated development.</p> <p>Policy MC18 (Restoration & Enhancement) in the Core Strategy DPD recognises the opportunities that mineral site restoration can present in terms of the enhancement of the landscape and of biodiversity interest (e.g. through the creation and ongoing management of new areas of semi-natural habitat), and for the creation of wider ranging green or wildlife corridors through the adoption of a coordinated approach with other nearby development proposals.</p> |
| <i>D25. Distinguish between the hierarchy of international, national & locally designated sites, take a strategic approach to maintaining & enhancing networks of habitats & green infrastructure, & plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.</i> | <p>Where specific site allocations coincide with land of biodiversity interest or landscape value, including designated sites, that fact is reflected in the key development criteria set out in the Primary Aggregates DPD or the Core Strategy DPD.</p> <p>There is scope to further develop the opportunities for biodiversity and landscape enhancement presented by mineral site restoration, particularly in the former case within the context of the incoming requirement for development to demonstrate biodiversity net gain. There is also scope to develop an approach to minerals (and waste) planning in Surrey that more explicitly recognises the effects that such development can have on ecosystem services within the county and further afield, and the implications of such development for the county's natural capital.</p> |

Table 1: Evaluation of the adopted Surrey Minerals Plan – Soundness & Conformity with the NPPF 2019

| Part D Is the Plan consistent with national policy? Enabling the delivery of sustainable development in accordance with the policies in this Framework. [NPPF 2019, paragraph 35(d), p.12] | |
|--|---|
| Conformity Question | Evidence |
| Conserving & Enhancing the Natural Environment (NPPF 2019, Chapter 15, paragraphs 170-183, pp.49-53) | |
| <i>D26. Identify, map & safeguard components of local wildlife-rich habitats & wider ecological networks, promote the conservation, restoration & enhancement of priority habitats, ecological networks & the protection & recovery of priority species, & identify & pursue opportunities for securing measurable net gains for biodiversity.</i> | <p>Policy MC18 (Restoration & Enhancement) in the Core Strategy DPD recognises the opportunities that mineral site restoration can present in terms of the enhancement of biodiversity interest (e.g. through the creation and ongoing management of new areas of semi-natural habitat), and for the creation of wider ranging green or wildlife corridors through the adoption of a coordinated approach with other nearby development proposals.</p> <p>There is scope to further develop the opportunities for biodiversity enhancement presented by mineral site restoration, particularly within the context of the incoming requirement for development to demonstrate biodiversity net gain. There is also scope to develop an approach to minerals (and waste) planning in Surrey that more explicitly recognises the effects that such development can have on ecosystem services within the county and further afield, and the implications of such development for the county’s natural capital.</p> |
| <i>D27. Ensure that a site is suitable for its proposed use taking account of ground conditions, any risks arising from land instability & contamination, and the likely effects of pollution on health, living conditions & the natural environment.</i> | <p>Clause (vii) of Policy MC14 (Reducing the adverse impacts of minerals development) in the Core Strategy DPD provides guidance on the approach that is to be taken with reference to the assessment of the potential impacts of mineral extraction and related development on the quality and integrity of land and soil resources, and on the stability of land.</p> <p>Policy MC17 (Restoring Mineral Workings) in the Core Strategy DPD requires that land affected by mineral working be restored to a standard that enables an appropriate afteruse.</p> |
| <i>D28. Sustain & contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas & Clean Air Zones, and the cumulative impacts from individual sites in local areas.</i> | <p>Clause (i) of Policy MC14 (Reducing the adverse impacts of minerals development) in the Core Strategy DPD provides guidance on the approach that is to be taken with reference to the assessment of the potential impacts of mineral extraction and related development on local air quality with respect to emissions of dust and fumes, including from traffic. Where specific site allocations are situated in areas that are subject to designation as AQMAs that fact is reflected in the key development criteria set out in the Primary Aggregates DPD or the Core Strategy DPD.</p> <p>The adoption of the Plan predates proposals for the designation Clean Air Zones, and the relationship of allocated sites to designated AQMAs is likely to have changed in the period since the Plan was adopted. The question of impacts on air quality should be revisited and a clearer policy approach set out in the new Plan.</p> |

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| Part D Is the Plan consistent with national policy? Enabling the delivery of sustainable development in accordance with the policies in this Framework. [NPPF 2019, paragraph 35(d), p.12] | |
|---|---|
| Conformity Question | Evidence |
| Conserving & Enhancing the Historic Environment (NPPF 2019, Chapter 16, paragraphs 184-202, pp.54-57) | |
| <i>D29. Contribute to & enhance the historic environment by protecting & enhancing valued historic landscapes, sites of archaeological value, & built heritage assets.</i> | Policy MC2 (Spatial Strategy – Protection of key environmental interests in Surrey) in the Core Strategy DPD provides for the protection of a range of high level heritage designations – including Scheduled Monuments Listed Buildings and Registered Parks & Gardens of Special Historic Interest – from the potentially adverse impacts of mineral working and associated development. The policy also provides for the protection of national and local designated landscapes, including AONBs and the Surrey AGLV, which have an important contribution to make to the protection of heritage in terms of both known assets and those that have yet to be discovered, and their contexts and settings. |
| <i>D30. Plans should distinguish between the hierarchy of international, national & locally designated sites, take a strategic approach to maintaining & enhancing heritage assets.</i> | Clauses (iii) and (v) of Policy MC14 (Reducing the adverse impacts of minerals development) in the Core Strategy DPD provides for the protection of the landscape and the historic environment from the potentially adverse impacts of mineral extraction and associated development. |
| <i>D31. Identify, map & safeguard heritage & archaeological assets, promote the conservation, restoration & enhancement of such assets & their contexts & settings.</i> | Where specific site allocations coincide with land of landscape value or with land or other assets (e.g. buildings, structures, etc.) of heritage interest, including designated sites and features, that fact is reflected in the key development criteria set out in the Primary Aggregates DPD or the Core Strategy DPD. Over the period since adoption of the Plan (in 2011) the policy approach to the protection of heritage assets and interests has typically functioned well, and has enabled the MWPA to take account of the implications of minerals development for such assets and interests in the decision making process. However, in light of proposed changes to the planning system there is scope to examine how best to ensure that heritage assets continue to receive a high level of protection going forward. |

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