

## **Examination of the Nottinghamshire Minerals Local Plan**

### **Matter 3 – Minerals Provision Policies**

#### **Submission made by Heatons on behalf of Tarmac Trading Limited**

**Issue: Whether the minerals provision policies are positively prepared in terms of making adequate provision for minerals, whether they are consistent with national policy, justified and otherwise sound.**

#### **Policy MP1: Aggregate Provision**

##### **Question 19**

***What are the likely reasons for aggregates sales in Nottinghamshire remaining subdued when sales nationally are increasing?***

It is our view that the likely reasons aggregate sales have remained subdued are a result of:

1. lack of an adopted Mineral Plan – this will have provided uncertainty, particularly in regard to industry committing to the investment and risk without an in principle acceptance of mineral development through allocations, or areas of search.
2. Whilst there are a number of permitted sites within the County, the productive capacity at some sites is constrained. Previous predictions on operational capacity have been significantly larger than actual production.
3. Large production units – primarily Finningley – switching production from Nottinghamshire into Doncaster
4. The productive capacity of active operations (both plant capacity, operational constraints (e.g. planning conditions/HGV restrictions) and the number of active sites) play a role in the overall amount of sand and gravel that can be supplied. There are also reserves at many sites which are constrained under processing plant, stocking grounds and roadways.
5. Some sites only have small amounts of permitted reserve remaining and will begin to lessen production as reserves become depleted and potentially more difficult to work – constrained by plant, access roads etc

The following table/data taken from the EMAWP 2017 Annual Monitoring Report indicates the significance of sand and gravel sales from Nottinghamshire within the East Midlands region and that a large percentage of overall sand and gravel supply comes from a large number of operating units. As a sand and gravel producing Authority area it is essential to maintaining supply within the East Midlands, particularly now Leicestershire is likely to only have Lockington Quarry with the ability (there are available extensions) to operate throughout the Plan period. An extension to Brooksby

Quarry was granted planning permission in 2019 providing a further 5 years of mineral working. However, the remaining sites in Leicestershire are all due to close within the next 2-3 years.

| MPA              | Number of Active sand and gravel Production Units | Total 10 year sales | 10 year sales average – 2008-2017 | 3 year sales average – 2015 - 2017 |
|------------------|---|---------------------|-----------------------------------|------------------------------------|
| Nottinghamshire  | 11  | 18.96               | 1.9                               | 1.73                               |
| Leicestershire   | 5   | 11.58               | 1.16                              | 1.46                               |
| Derbyshire       | 4   | 10.10               | 1.01                              | 1.12                               |
| Lincolnshire     | 11  | 20.58               | 2.06                              | 2.25                               |
| Northamptonshire | 2   | 3.29                | 0.33                              | 0.33                               |

#### Question 20

***Given the proximity of quarries on both sides of the River Trent in Nottinghamshire and Lincolnshire, and changes in production on both sides of the river that can occur over time, does the identified need for sand and gravel adequately account for past and potential future changes?***

No. Historically operations were consolidated in the Trent Valley which saw an increase in operations across the boundary in Lincolnshire. Representations from Lincolnshire County Council to the Mineral Plan concur with this position.

At the same time, sites such as Finningley switched operations across the border to Doncaster which resulted in different supply pictures across the Trent Valley (indicating a reduction in production or perceived sales).

The current picture is that the Trent Valley area in Lincolnshire has significant levels of demand and a number of sites meeting that demand indigenously. Nottinghamshire has been heavily reliant on imports given the distance of operations to the County boundaries.

Long term, it is recognised that the Idle Valley does not have sufficient permitted operations to meet demand from South Yorkshire. This is therefore likely to result in a pull-on resource from the Newark/Trent Valley area. There is also likely to be a significant pull on resources from Leicestershire and the Newark/Trent Valley area has good connectivity to supply markets previously served by Brooksby Quarry (which has permitted reserves to 2024). It is our view that Nottinghamshire are reliant on a continued supply of imported sand and gravel from the Newark/Trent Valley areas and that additional reserves are available within Nottinghamshire that could assist in reducing this reliance.

#### Question 21

***Is the 3-year average sales figure for Sherwood sandstone sufficient to indicate an upward trend and would the provision in Policy MP1 be adequate if this were the case?***

As per sand and gravel provision the average sales are a monitoring tool based on historic production. They do not forecast or provide flexibility in the event of increased/upturns in demand. The variable physical properties and colour (ranging from red to yellow) of the Sherwood sandstones is a particular feature of this mineral in terms of the production of building/mortar sand in distinct market areas which may influence demand. The sands are not readily interchangeable because of those physical differences, and reserve / landbank figures alone may be misleading in terms of the need to maintain and increase supply of sand produced from the Sherwood Sandstone resources across Nottinghamshire.

#### **Question 22**

***To what extent does the planned provision for aggregates account for potential future increases in demand arising from infrastructure projects?***

It currently doesn't. Previous representations make this point extensively when referring to the Local Aggregate Assessment. It is firmly our view that the review of historic sales data is useful for monitoring but it does not sufficiently forecast future aggregate demand as per paragraph 207a of the NPPF. Basing the sand and gravel requirement on historic data and allocating sites to only meet that requirement allows no flexibility for upturns in demand or for new sites to be brought forward to replace worked out operations. The appended delivery schedules to our representations indicate that annual production can not meet the predicted (and in our view depressed) annual requirement for sand and gravel. There are insufficient sites allocated (also see response to question 29).

#### **Question 23**

***To what extent does the planned provision for aggregates account for the predicted sharp rise in housing development in 2020/21?***

As per comments above, the planned provision for aggregate is based on historic sales/production. A sharp rise in housing development will trigger a correlating increase in demand for aggregate. However, the MASS and LAA requires a 3 year 'trend' to demonstrate/trigger a need for a review of the Plan. This is not a positively prepared or effective strategy as it allows no flexibility or mechanism for increasing supply by increasing production at active sites or through new sites coming forward. Policy MP1 requires a demonstration of 'need' and it is unclear how/what information would be required to be classed as justified/sufficient to meet the policy test as it may not yet be reflected in sales/monitoring data. Operators will require some assurances through positively prepared policy that applications coming forward will be looked upon favourably regardless of whether they are an allocation in the Plan should a need for increased production arise.

#### **Question 24**

***To what extent does the planned provision allow for demand from the main urban areas of Nottingham, Mansfield and Newark?***

The Plan does not consider the transportation of mineral adequately in allocating sites. The closest quarries to the Nottingham conurbation are East Leake Quarry and quarries situated close to the County boundary in Derbyshire and Leicestershire. Some demand will be met by Newark/Trent Valley reserves due to the links via the A46.

Newark is predominantly served by Quarries situated east in the Newark/Trent Valley area. However, transporting mineral west of Newark is restricted by the availability of routes across the river. This forms renowned issues with congestion in Newark particularly at the A46 and A1 junctions. Travelling further west on the A617 (towards Mansfield) is further restricted by the capacity of Kelham Bridge.

Mansfield therefore is likely served by the Idle Valley resource supplemented by the Newark/Trent Valley. The Idle Valley resource is made up of a number of sites with very low production output. This resource is also used to serve the South Yorkshire/Doncaster areas. The LAA has identified that long term there is unlikely to be sufficient reserves to meet demand. This is also likely to be the case with reduced output (from that originally predicted when planning permission was granted) from Sturton Le Steeple. It is our view that additional reserves are available in the Idle Valley and additional sites should be allocated (Botany Bay was allocated within the Draft Plan consultation) or as a minimum a more flexible policy/strategy which allows sites to come forward to ensure production capacity is maintained and enhanced.

#### **Question 25**

***How has the contribution of secondary and recycled aggregates to supply before considering extraction of primary materials been considered?***

Tarmac support the MPA in seeking the use of alternative aggregates where practicable and the appreciation that there are limits on how far alternatives can substitute primary aggregate. Whilst support for alternative aggregate should be encouraged in the Plan, the contribution should be viewed as a 'bonus' over and above the required amount of primary aggregate. This is reflective of the NPPF (para 204 (b)) which states that Local Plans should take account of the, 'contribution that substitute or secondary and recycled materials and minerals waste would make'. The reduction in ash materials from coal fired power stations is also likely to increase the demand for primary aggregate over the Plan period to address this specific resource shortfall. The approach to recycled aggregates reflects the Mineral Products Association Long Term Aggregates Demand and Supply Scenarios Paper (2016-2030) which indicates that the potential for recycling has reached an optimum level (approximately 28-30% volume).

#### **Question 27**

***Should part 3 of Policy MP1 be subject to consideration of environmental, transport and other factors?***

It is not considered that this would be necessary as sites would be judged against and need to accord with other policies within the Plan. This is the process for allocated sites, and it is not considered necessary or justified for other sites to provide more.

#### **Policy MP2: Sand and Gravel Provision**

#### **Question 28**

***What evidence source supports the remaining reserves in Policy MP2?***

It is unclear how the Plan produced in late 2019 can have increased reserve figures than that contained within the LAA using 2018 sales data.

A Delivery schedule accompanied our representations to the Submission Draft of the MLP. The edited version (Appendix 1a) used the Mineral Planning Authority's own production figures but edited Tarmac's sites to reflect true production capacity. The spreadsheet shows the available production capacity from existing sites and proposed allocations as proposed within the Plan against the identified annual requirement for sand and gravel. The sites proposed for sand and gravel extraction including allocations are insufficient to even meet what we consider to be a depressed annual requirement.

## Question 29

### ***What are the reasons for the differences between these figures and the permitted reserves in the Local Aggregates Assessment?***

The LAA is using 2018 sales data, the Plan can provide more up to date reserve figures as it was produced in late 2019. It should also have been updated to reflect planning permissions issued and when sites have ceased working.

As referred throughout representations on the Mineral Plan, we consider that the Plan is underproviding for sand and gravel. The table provided below illustrates (using reserve figures from the Submission Draft MLP).

Of particular note are the impact that Sturton and Girton have on the overall reserve requirement. Tarmac have been clear that these sites will not work at the originally estimated 500,000 tonnes per annum. Due to operational constraints these sites are more likely to work at a rate of 100,000 tonnes per annum. As a result, over the Plan period, the available resource from each site is only 1.6 million tonnes (3.2 million tonnes total) as opposed to the quoted 11.06 million tonnes. Therefore, the total available resource over the Plan period drops from 35.11 million tonnes to 26.8 million tonnes. Policy MP1 states provision will be made for 32.30 million tonnes of sand and gravel. There is therefore a shortfall of 5.5 million tonnes of sand and gravel.

Large landbanks tied into sites skews the picture of available resource and the time it will take to work. It is also assumed that all allocations will come forward as Planning Applications. The delivery schedule (updated to reflect true production levels – particularly at Sturton and Girton submitted with our representations to the Submission Draft of the Plan) clearly shows that there are insufficient sites to ensure enough available production capacity to meet annual requirements. The permission end dates of a number of sites (particularly in the Idle Valley) will see a shortfall in provision over the Plan period.

Table 1 Sand and Gravel Requirements by Production Area

| Location    | Site Ref | Site Name          | Estimated Reserves (Mt) | Annual Output | Planning Permission Life            |
|-------------|----------|--------------------|-------------------------|---------------|-------------------------------------|
| Idle Valley | MP2a     | Newington South    | 0.39                    | 0.15          | 2022                                |
| Idle Valley | MP2b     | Finningley         | 0                       | 0             | 2019 (site has closed)              |
| Idle Valley | MP2c     | Sturton Le Steeple | 7.5/1.6 (actually       | 0.1           | Beyond Plan Period. <u>Based on</u> |

|              |      |                           |   |             |   |
|--------------|------|---------------------------|---|-------------|---|
|              |      |                           | available during the Plan period based on 0.1mt annual production)                    |             | <u>this production only 1.6 mt of reserve will be worked during the Plan period</u> |
| Idle Valley  | MP2d | Bawtry Road               | 0.6   | 0.04        | 2026  |
| Idle Valley  | MP2k | Bawtry Road West          | 0.18  |             | 2032  |
| Idle Valley  | MP2j | Scrooby South             | 0.62  | 0.04        | 2023  |
| Idle Valley  | MP2l | Scrooby Thompson Land     | 0.06  |             | 2021  |
| Idle Valley  | MP2m | Scrooby North             | 0.56  |             | 2038  |
| <b>TOTAL</b> |      |                           | <b>10.36</b>  | <b>0.33</b> |   |
|              |      |                           | <b>4.01</b>   | <b>0.33</b> | (excluding the full permitted reserves at Sturton)                                  |
| Newark       | MP2e | Cromwell                  | 2.4   | 0.2         | 2019 (currently undetermined Planning Application)                                  |
| Newark       | MP2f | Besthorpe                 | 0.5   | 0.2         | 2020 (completed. Extension granted planning permission)                             |
| Newark       | MP2o | Besthorpe East            | 3.3   |             | 2036  |
| Newark       | MP2g | Girton                    | 3.56/1.6 (actually available during the Plan period based on 0.1mt annual production) | 0.1         | 2036 (1.96 million tonnes not available during the Plan period)                     |
| Newark       | MP2h | Langford Lowfields        | 4.95  | 0.45        | 2026  |
| Newark       | MP2n | Langfield Lowfields North | 4.7   |             | 2032  |
| <b>TOTAL</b> |      |                           | <b>19.41</b>  | <b>0.95</b> |   |

|                 |      |            |              |             |  |
|-----------------|------|------------|--------------|-------------|--|
|                 |      |            | <b>17.45</b> |             |  |
| Nottingham City | MP2i | East Leake | 2.34         | 0.18        | 2026   |
| Nottingham City | MP2p | Mill Hill  | 3.0          | 0.28        | 2032   |
| <b>TOTAL</b>    |      |            | <b>5.34</b>  | <b>0.46</b> |  |
|                 |      |            |              |             |  |
|                 |      |            |              |             |  |
| <b>TOTAL</b>    |      |            | <b>35.11</b> | <b>1.74</b> |  |
|                 |      |            | <b>26.8</b>  |             | (excluding reserves at Sturton and Girton not worked during the Plan period) |