# Minerals and Waste Local Plan Publication Stage Representation Form

## Page 1: Suffolk Minerals and Waste Local Plan Publication Stage Representation

### Q1. Please state if you are responding:

As an agent

### Q2. Personal Details:

*No Response*

### Q3. Agent's Details:

<table>
<thead>
<tr>
<th>Title</th>
<th>Mr</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Name</td>
<td>Chris</td>
</tr>
<tr>
<td>Last Name</td>
<td>Hemmingsley (received via email)</td>
</tr>
<tr>
<td>Job Title (where relevant - if this is not relevant, please write N/A)</td>
<td>Senior Planning Manager</td>
</tr>
<tr>
<td>Organisation (where relevant - if this is not relevant, please write N/A)</td>
<td>Brett Group</td>
</tr>
<tr>
<td>Address Line 1</td>
<td>Robert Brett House</td>
</tr>
<tr>
<td>Address Line 2</td>
<td>Ashford Road</td>
</tr>
<tr>
<td>Address Line 3 (if this is not required, please write N/A)</td>
<td>Canterbury</td>
</tr>
<tr>
<td>Address Line 4 (if this is not required, please write N/A)</td>
<td>Kent</td>
</tr>
<tr>
<td>Post Code</td>
<td>CT4 7PP</td>
</tr>
<tr>
<td>Telephone Number (if you do not wish to provide this information, please write N/A)</td>
<td><em><strong>REDACTED</strong></em></td>
</tr>
<tr>
<td>Email address (where relevant - if this is not relevant, please write N/A)</td>
<td><em><strong>REDACTED</strong></em></td>
</tr>
<tr>
<td>Name and address of the person or organisation you are acting as an agent for</td>
<td>Brett Group</td>
</tr>
</tbody>
</table>

### Q4. To which part of the Local Plan does this representation relate?

| Paragraph | - |
| Policy    | MP1 |
| Policies Map | - |

### Q5. Do you consider the Local Plan is

*No Response*
Q6. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Following the 'Preferred Options' Consultation in December 2017, Wf? welcome the changes Suffolk County Council (SCC) have made incorporated into the submission draft plan document. Brett are therefore supportive of the Submission Draft Plan in principle, however, we would like to make further representation in regard to specific policies as set out below: Policy MP1 Brett welcome SCC’s Proposed Change which sees the ‘addition of an assessment of other relevant information, the 3 year average, and the need to review’ being added to the supporting text. However, Brett continue to stand by comments raised in its 11th December 2017 consultation, in that in line with the NPPF there needs to be a commitment to ‘at least’ a seven year land bank which also includes provision of such at the end of the plan period (2036).

Q7. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

No Response

Q8. SCC Response

No Response

Q9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No Response

Q10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

No Response

Q11. Your details:

Name  C Hemmingsley
Date  20 July 2018
By E-mail and Post

20th July 2018

Mr G Gunby
Development Manager
Minerals & Waste Policy
Planning & Development Section
Resource Management
Suffolk County Council
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Dear Mr Gunby

Brett Group Response to Suffolk County Council Minerals and Waste Plan:

I write in regard to the Suffolk County Council Minerals and Waste Plan; submission draft consultation June to July 2018, and set out below representations made by the Brett Group.

Policy response

Following the ‘Preferred Options’ Consultation in December 2017, we welcome the changes Suffolk County Council (SCC) have made incorporated into the submission draft plan document. Brett are therefore supportive of the Submission Draft Plan in principle, however, we would like to make further representation in regard to specific policies as set out below:

Policy MP1
Brett welcome SCC’s Proposed Change which sees the ‘addition of an assessment of other relevant information, the 3 year average, and the need to review’ being added to the supporting text. However, Brett continue to stand by comments raised in its 11th December 2017 consultation, in that in line with the NPPF there needs to be a commitment to ‘at least’ a seven year land bank which also includes provision of such at the end of the plan period (2036).

Policy MP3
It is noted that SCC have not responded to comments raised by Brett in regard to Policy MP3. Whilst welcoming policy MP3 in regard to the potential use of ‘Borrow Pits’, we would again like to reiterate our comments from the past two rounds of consultation in that flexibility should be brought into the policy to ensure that an existing quarry may also be considered to supply major civil engineering projects. The benefits of one compared to another should be evaluated on a case by case individual merits basis ensuring that a borrow pit does not overtly impact on the continued supply of mineral from, or adversely impact on the restoration of, existing quarry sites.
Policy MP5
SCC have commented on the previous Brett consultation response confirming that the NPPF and Planning practice guidance recommend plans include policies on cumulative impact. It is considered by SCC appropriate that a cumulative impact policy is included in this plan. Whilst Brett agree that NPPF states that in preparing Local Plans, local authorities should ‘...take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality’, we would reiterate our comments from the previous consultation responses in that minerals can only be worked where they occur and therefore mineral sites are often in close proximity to each other. It was demonstrated in the last MLP review at a site in Kirton that phasing of sites, particularly cross-operator, is unfeasible and lead to a site being stymied by another operator’s site. Therefore, it is considered that physical location of mineral and market demand should drive the need argument with cumulative impact being a matter to be addressed through the screening/scoping exercise as part of the EIA process and be looked at on a site by site basis at the detailed application stage.

Policy MP6
It is noted and welcomed that various restoration ‘options’ are now listed in Policy MP6, however, we continue to have concern in regard the emphasis on, and preference for, biodiversity restoration. Whilst noting the words ‘net gain’ and appreciating the potential for flexibility here, we note caution that any calculation for a net gain for biodiversity is likely to be complex and will change according to both the time period and also the future management of the land. We trust that each restoration will be judged on a site by site basis on its own merits whilst recognising the aims of SCC to achieve net gains for nature as well as their aspiration of ‘Creating the Greenest County’.

Policy MP9
We very much welcome policy MP9 (formally MP10) in the recognition of safeguarding for port, rail, concrete, asphalt and recycled materials facilities both in terms of development pressures on these safeguarded sites but also from direct/indirect impact from existing and proposed surrounding land uses. Brett also welcome the revised text which seeks to clarify that the onus of mitigation when development takes place within the vicinity of a safeguarded minerals related facility (as defined) is on the developer, not the operator of the site.

WP8
It is noted that the previous Policy MP5 (Recycled Aggregates) is now contained within Policy WP8. Whilst generally supportive of Policy WP8, and understanding of SCC’s response to our previous consultation requesting that subsidiary activities (such as recycling or asphalt plant) may be retained past the life of a minerals site. We continue to have concerns in regard to the second paragraph that states ‘At mineral sites, planning permission will be limited to the life of the mineral operation’. We would very much like see more flexibility in the policy so as not to preclude the retention of such facilities post landfilling should it be demonstrable that this site remains the most practical, viable and suitable location for such ongoing working subject to planning consent tests and process as required. Further, we note that the former Policy MP5 wording whereby the County Council ‘encourages temporary aggregates recycling facilities at minerals and landfill sites and encourage the siting of permanent recycling facilities near to the source of raw material ....etc’ has not been carried into WP8. We would request that these words are re-inserted into Policy WP8.
WP11
We acknowledge the changes made to Policy WP11, and note the change to make options a) and b) alternatives by the introduction of the word ‘or’. However we remain concerned about the implications of section c) on the ability to deliver a) or b) particularly if required for a suitable restoration of a minerals scheme in terms of finding viable types and quantities of infill material.

Site Specific Representation:
Brett welcome the continued inclusion of the three Brett Quarry site extensions (Barham, Layham and Pannington), within the submission draft plan. Having reviewed the site selection reports, consultation representations and the respective SCC responses for each of the three Brett sites, we have no further comments to add at this stage.

Correspondence:
Please note that future correspondence in regard to the Suffolk County Council Minerals and Waste Plan should be directed to: Simon Treacy, Planning Director, Group Planning & Development, Brett Group, Robert Brett House, Ashford Road, Canterbury, Kent, CT4 7PP. Tel: [Redacted]

Conclusion:
The Brett Group would be very grateful if you would consider the detail of our consultation response and would welcome the opportunity of discussing our representation with you in due course.

Yours sincerely,

Chris Hemmingsley
Senior Planning Manager
Group Planning & Development
Brett Group