Matter 3: Minerals policies and sites

1. We consider that policy MS7 (Wangford) is unsound because:-

1.1. It is not consistent with national policies in the framework in the following ways:-

1.1.1. As outlined in section 85 of the Countryside and Rights of Way Act 2000, it is the duty of public bodies, for example Suffolk County Council, to conserve the natural beauty of AONB’s (Ref. vii)). Allowing a major industrial development in the AONB is not conserving the natural beauty of the AONB.

1.1.2. The Draft Local Plan is clearly not giving enough weight to conserving landscape and scenic beauty, wildlife or cultural heritage, as Planning Authorities are required to do under paragraph 115 of the NPPF (Ref. ii)).

1.1.3. The Draft Plan does not demonstrate the need for development under paragraph 116 of the NPPF (Ref. ii)), as the circumstances are not exceptional and the proposed development would not be in the public interest. Please see, for example, Ref. iii) pages 13 and 14 for details.

1.1.4. Paragraph 114 (first bullet point) of the NPPF outlines how MPA’s should, in their Local Plans, plan positively for the creation, protection etc. of networks of bio-diversity and green infrastructure and improve public access and enjoyment. It is hard to see how allowing a major industrial development in open countryside close to and on the route between two Nature Reserves (Hen Reedbeds and Reydon Wood) can be anything other than contrary to this requirement under planning law.

1.1.5. Furthermore, paragraph 114 (second bullet point) of the NPPF also goes on to say that local authorities should improve public access to and enjoyment of the Suffolk Heritage Coast. It is difficult to see how a major industrial development on the main road along the Blyth estuary into Southwold can be anything other than detrimental to improved public access to and enjoyment of the Heritage Coast.

1.1.6. Paragraph 118 (Fifth bullet point) of the NPPF says that planning permission should be refused for the loss or deterioration of irreplaceable habitats, including veteran trees outside ancient woodland, unless the benefits clearly outweigh the loss. There are a number of veteran oak trees in the hedgerows in the area of the proposed development (see Appendix 1). Not only will removing the soil and sand and gravel result in deterioration of the environment for these fragile trees, but the proposed system of working involves cutting some of them down, because they are in the way. The benefits of the proposed development do not outweigh the loss of and damage to the AONB generally. So, again, the NPPF is not being followed in this proposal.
1.1.7. Under paragraph 119 of the NPPF the presumption in favour of sustainable development (paragraph 14) does not apply at the moment because an appropriate assessment under the Habitats Directive is currently being considered.

1.2. The policy is not justified because it is not the most appropriate strategy based on reasonable alternatives, for the following reasons:-

1.2.1. There is plenty of suitable gravel available from elsewhere (Ref. iii) section 4).

1.2.2. The proposed development is incompatible with the Suffolk Coast and Heaths AONB Management Plan. In particular, the objectives of the Management Plan include (Ref. iv) page 3 objective 1) to “

"conserve and enhance the natural beauty and special qualities of the AONB and statutory bodies, public, private and third sector organisations pay regard to the purposes of the AONB”

1.2.3. There would be an unacceptable impact on the landscape of the AONB, if the proposed development went ahead. The effect on the AONB would be contrary to the NPPF and the AONB Management Plan in the following ways:-

- Destruction of the landscape character (Ref. iii) pages 7-8).
- Harmful visual impact (Ref. iii) pages 23-26).
- Loss of tranquillity due to noise (Ref. iii) page 26).

1.3. The policy is not effective because the appropriate assessment submitted by SCC in relation to the Habitats Directive appears to present reasons for not allowing development in Reydon/Wangford, rather than reasons for allowing the development. (Ref. v) section 1).
Appendix 1: Veteran Trees Assessment – using Natural England Guidelines

1. There are a number of large old characterful oak trees in the hedgerows on the proposed development site, and in the area generally. Presumably they are a legacy from when the land was owned by the Henham Estate.

2. There are very similar trees in the hedgerows bordering our field within a few metres of the proposed development, and one in the middle of this field (Approximate NGR TM 4751 7809). Taking this tree as an example of the oak trees in the area of and within the proposed development site and following the Natural England Guidelines in Ref. vi):-

   2.1. The girth at breast height is 4.7 metres, indicating that the tree is likely to be valuable in terms of conservation.

   2.2. The tree is growing on light land in an exposed position, so is likely to have been growing more slowly than many oak trees on heavier land and in more sheltered sites. It is clearly an old tree.

   2.3. The characteristic features found on veteran trees listed in section 2.1.1. of ref vi) are:-

   - Major trunk cavities or progressive hollowing (a large bough has fallen off it in the past and there is a large cavity in the trunk about 3 metres from ground level).
   - Decay holes (in the cavity).
   - Large (ish) quantities of dead wood in the canopy. It is starting to become a staghorn tree. Other similar oaks in the proposed development area are showing more advanced staghorn development.
   - An old look.
   - High aesthetic interest.

3. In summary, it would appear that there are significant numbers of veteran trees that would be affected by this development.
References:-


iii) Opposition to the inclusion of Wangford Quarry Extension (Policy MS7) in the draft Suffolk minerals and Waste Local Plan 2018 by Aileen and William Irving.

iv) Suffolk Coast and Heaths AONB Management Plan 2018-23 Summary

v) Habitats Regulation Assessment/Appropriate Assessment
