1. Introduction

The purpose of this topic paper is to provide an explanation for the inclusion of the new policy for Concrete Batching, Asphalt and Stone Coating Plants in the draft Minerals Local Plan (MLP).

This topic paper outlines the changes to national policy which the new policy and supporting text reflects. It also explains the process and considerations taken into account in the development of this new policy.

An outline of the new ‘Safeguarding’ section of the draft MLP, which contains this new policy, is also included within this topic paper.

2. Current National Planning Policy

Paragraph 143 of the NPPF\(^1\) states that in preparing local plans, local planning authorities should safeguard:

‘existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.’

3. Adopted Minerals Local Plan

The current adopted Minerals Local Plan does not contain any policies or text for Concrete Batching, Asphalt and Stone Coating Plants. Since the adoption of the existing MLP, national policy has been updated to include requirements that did not exist at the time the adopted MLP was published.

A Concrete Batching, Asphalt and Stone Coating Plants policy and supporting text has been included in the draft Minerals Local Plan to reflect the changes to national policy (as seen above in section 2).

4. Initial Consultation Representations

A list of policy headings were presented in the Initial Consultation for consultees to provide comments on. There was general support for that the list contained an

adequate range of topics, but very few comments were submitted relevant to Concrete Batching, Asphalt and Stone Coating Plants.

**ISSUE 15:**

*Is the proposed selection procedure for Minerals Safeguarding Areas and Minerals Consultation Areas appropriate?*

The majority of representations for issue 15 agreed that the proposed selection procedure for Mineral Safeguarding Areas (MSAs) and Mineral Consultation Areas (MCAs) is appropriate. Although this issue was related to the identification of MSAs and MCAs for mineral resources, one comment was submitted asking if existing, planned and potential mineral processing sites should be included within MSAs and MCAs. The relevant representation and Hertfordshire County Council’s response can be seen in the table below.

**ISSUE 21:**

*Does the list of strategic policy headings cover all the topics that should be included in the Minerals Local Plan?*

Whilst there was general consensus that the list of policy headings contained the necessary topics related to minerals planning, one representation raised the issue of including other added value and ancillary facilities to policies relating to mineral extraction. The representation and Hertfordshire County Council’s response can be seen in the table below.
<table>
<thead>
<tr>
<th>Comment ID.</th>
<th>Issue No.</th>
<th>Name of Consultee</th>
<th>Summary of Representation</th>
<th>HCC Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>MLPIC80</td>
<td>15</td>
<td>Hampshire County Council (Rob Sellen)</td>
<td>Questions if existing, planned and potential mineral processing sites e.g. concrete batching plants and aggregate recycling facilities should be safeguarded and included in MCAs due to the role in which secondary aggregates contribute to the supply of minerals. Also refers to chapter 13 -secondary and recycled aggregates.</td>
<td>This is the current intention as identified as a requirement within paragraph 143 of the NPPF to safeguard existing planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products, and the handling, processing and distribution of substitute, recycled and secondary aggregate material. Agree that secondary and recycled aggregates play an important part in contributing to the supply of minerals. Such sites are safeguarded under waste policy 5 of the Waste Core Strategy and Development Management Policies document.</td>
</tr>
<tr>
<td>MLPIC184</td>
<td>21</td>
<td>Tarmac (Mike Pendock)</td>
<td>Yes - If not already covered, Policy 8 should include other added value and ancillary facilities to mineral extraction</td>
<td>Secondary and recycled aggregate plants at mineral sites are granted separate planning permissions under the Development Plan taking account of both the Minerals Local Plan and the Waste Local Plan and, once approved, are safeguarded under Policy 5: Safeguarding of Sites in the Waste Core Strategy and Development Management Policies document (adopted Nov 2012). Additionally, in compliance with NPPF para 143, the MLP will safeguard any existing, planned and potential concrete batching plants, the manufacture of coated materials, other concrete products, and the handling, processing and distribution of substitute, recycled and secondary aggregate material</td>
</tr>
</tbody>
</table>
5. Other Mineral Authorities Examples

It is important that, as well as looking at Hertfordshire’s own plans and strategies, the approach of other minerals planning authorities are examined as best practice. The table below outlines the relevant policies’ within other Minerals Planning Authorities Local Plans. This information has been used to help shape the suggested Concrete Batching, Asphalt and Coated Stone Plants policy in the Draft Minerals Local Plan.

<table>
<thead>
<tr>
<th>Local Plan</th>
<th>Example of Policy</th>
</tr>
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</table>
| **Bedford Borough, Central Bedfordshire and Luton Borough Councils**  
Minerals and Waste Local Plan  
Adopted January 2014 | **Mineral Strategic Policy MSP 4 Safeguarding Concrete Batching, Asphalt and Stone Coating Plants**  
All concrete batching, asphalt and stone coating plants permitted within the Plan area will be safeguarded and there will be a presumption against development that could prejudice the ongoing operation of such facilities. |
| **Essex Minerals Local Plan**  
Adopted 8 July 2014 | **Policy S9- Safeguarding mineral transhipment sites and secondary processing facilities**  
The following mineral facilities identified on the Policies Map are of strategic importance and shall be safeguarded from development which would compromise their continued operation.  
**Safeguarded Transhipment Sites:**  
a. Chelmsford Rail Depot  
b. Harlow Mill Rail Station  
c. Marks Tey Rail depot  
d. Ballast Quay, Fingringhoe (safeguarding to apply only up to the end of mineral extraction at the nearby Fingringhoe Quarry)  
e. Parkeston Quay East, Harwich (for potential operation)  
**Safeguarded Coated Stone Plant:**  
f. Sutton Wharf, Rochford  
g. Stanway, Colchester  
h. Wivenhoe Quarry  
i. Bulls Lodge, Chelmsford  
j. Essex Regiment Way, Chelmsford  
k. Harlow Mill Rail Station |
### Policy 16: Safeguarding - minerals infrastructure

Infrastructure that supports the supply of minerals in Hampshire is safeguarded against development that would unnecessarily sterilise the infrastructure or prejudice or jeopardise its use by creating incompatible land uses nearby.

Minerals sites with temporary permissions for minerals supply activities are safeguarded for the life of the permission.

The Hampshire Authorities will object to incompatible development unless it can be demonstrated that:

- a. the merits of the development clearly outweigh the need for safeguarding; or
- b. the infrastructure is no longer needed; or
- c. the capacity of the infrastructure can be relocated or provided elsewhere. In such instances, alternative capacity should:
  - i. meet the provisions of the Plan, that this alternative capacity is deliverable; and
  - ii. be appropriately and sustainably located; and
  - iii. conform to the relevant environmental and community protection policies in this Plan; or
- d. the proposed development is part of a wider programme of reinvestment in the delivery of enhanced capacity for minerals supply

### 6. Way forward for Draft Plan

The revised Minerals Local Plan introduces a new section on ‘Safeguarding’ which introduces the new policy on ‘Concrete Batching, Asphalt and Stone Coating Plants’. The policy takes into account comments made at initial consultation stage and incorporates the new national policy requirements.

The draft Policy is proposed as follows:

<table>
<thead>
<tr>
<th>Policy 10: Concrete Batching, Asphalt and Coated Stone Plants</th>
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</thead>
<tbody>
<tr>
<td><strong>All existing (with permanent permission), planned and potential concrete batching plants, asphalt and coated stone plants operating under planning permissions granted by the County Council will be safeguarded from development which would compromise their operation.</strong></td>
</tr>
<tr>
<td><strong>Where these facilities are situated within a host quarry, wharf or rail depot facility, they are safeguarded for the life of the host site.</strong></td>
</tr>
</tbody>
</table>
Harper Lane, St Albans, as identified on Inset Map 6, is a safeguarded and strategic site for the bulk transportation of minerals by rail and for the handling, processing and distribution of substitute, recycled and secondary aggregate material.

Any proposals for non-mineral development which fall within the Minerals Infrastructure Consultation Areas, other than applications for 'excluded development', will be subject to consultation with the Minerals Planning Authority.

The safeguarded sites are shown on the Policies Map.

Policy Supporting Text:

It is recognised in the new Policy 10: Concrete Batching, Asphalt and Coated Stone Plants, that all existing, planned and potential concrete batching plants, asphalt and coated stone plants operating under planning permissions will be safeguarded from development which would compromise their operation.

Supporting text explains that Local Planning Authorities are expected to consult with the Minerals Planning Authority where proposals for development fall within the Mineral Infrastructure Consultation Areas for safeguarded concrete batching, asphalt or coated stone plants. The supporting text includes an excluded development list which includes a list of applications that are exempt from consultation as to avoid unnecessary consultation for every planning application that falls within the Mineral Consultation Area. The excluded development list can be seen below:

<table>
<thead>
<tr>
<th>Mineral Type</th>
<th>Excluded Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>MICAs for Concrete Batching, asphalt and coated stone plants</td>
<td>• Householder planning consent: Applications for single householder development and alterations to existing single buildings including works within the boundary/garden of a house i.e. (domestic extensions, conservatories, loft conversions, dormer windows, garages and similar structures within the curtilage of an existing dwelling house – car ports, outbuildings)</td>
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<tr>
<td></td>
<td>• Applications for Advertisement Consent</td>
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<td></td>
<td>• Applications for Listed Building Consent</td>
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<td></td>
<td>• Lawful Development Certificate (LDC)</td>
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<td></td>
<td>• Prior Notifications (telecommunications; forestry; agriculture; demolition)</td>
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<tr>
<td></td>
<td>• Applications for prior approval</td>
</tr>
<tr>
<td></td>
<td>• Applications for removal, variation and approval of conditions</td>
</tr>
<tr>
<td></td>
<td>• Applications for Tree Works (including consent under Tree Preservation Orders and notification of</td>
</tr>
</tbody>
</table>
The new ‘Safeguarding’ chapter of the draft Minerals Local Plan includes two additional policies which both relate to the safeguarding of minerals and mineral infrastructure. These two policies include: revised Policy 9: Railheads and Wharves and a new Mineral Safeguarding Policy. Both policies also have separate excluded development lists in their supporting policy text. Please refer to the ‘Review of Railheads and Wharves’ and ‘Mineral Safeguarding’ topic papers for more information on these two policies and for more information on the new ‘Safeguarded’ section of the draft MLP.