

**CPRE Gloucestershire representations on GLOUCESTERSHIRE MINERALS LOCAL PLAN – PUBLICATION VERSION (Regulation 19)**

**PART B**

1. *Reference for representation: Duty to Co-operate (DtC)*
2. *Do you consider the document is Sound?:* No. DtC weakness results in document being 'Not effective' and 'Not consistent with national policy'
3. CPRE offers no comment on legal/ procedural compliance.
4. *Detailed comments.*

CPRE has raised concern over Gloucestershire County Council's (GCC's) implementation of the Duty to Co-operate (DtC) in previous public consultations on the evolving Minerals Local Plan (MLP).

There are 3 different types of aggregates identified in the MLP. With reference to sand and gravel, although effective implementation of the DtC is important, CPRE does not see it being likely to result in a different allocation for preferred areas or areas of search. That is because there is a general issue of scarce resources in adjacent authorities as well as in Gloucestershire.

GCC has differentiated between 2 types of crushed rock – Carboniferous and Jurassic – and has worked on a '70/30 split' between the county's separate areas of production – Forest of Dean (FoD) and Cotswolds. CPRE acknowledges the appropriateness of the distinction, given the very different characteristics of the rock types and the resultant range of uses.

The Jurassic limestone resource is located in the Cotswolds AONB, working of which is generally undesirable in protected landscapes, as indicated in national planning policy. However, there appear to be options which amply meet the MLP's needs and which CPRE accepts would not result in unacceptable levels of additional harm to the environment – given the existing quarry operations.

The situation regarding Carboniferous limestone is different. In the 'South West' there is major production in Somerset, North Somerset Unitary Authority (UA) and South Gloucestershire UA as well as in Gloucestershire. It has long been recognised that finding significant further resources in the FoD which could be exploited without major environmental damage is problematic. Most of the potentially exploitable rock lies either within the Wye Valley AONB or so close to it as to be likely to adversely affect the setting of the designated area. The extension to Stowe Hill Quarry, which is indicated to potentially supply the largest part of the calculated 'need', has severe adverse implications for landscape and local amenity and, we understand, a risk to the rare hydrogeological features of the Slade Brook SSSI. Despite this, paragraph 230 says 'It is expected that all Preferred Areas will have a reasonable prospect of coming forward during the plan period. If Stowe Hill were not to be approved then there are no other credible options to fill the 'gap'.

Under the pre. 2010 national minerals planning policy (MPS1 etc), regional apportionments for aggregates production were made by central Government and sub-apportionment to mineral planning authorities (MPAs) within the region was delegated to the regional authority. Prior to the dissolution of regional authorities the particular problems of environmental constraints in the FoD had been recognised and were being addressed in the latest sub-regional apportionment. The sub-regional apportionment process has now been replaced by the DtC.

GCC's Interim Duty to Cooperate Statement (May 2018), which accompanies the draft MLP, records an extensive list of contacts with other relevant organisations. However, in terms of 'outcomes', most are merely recorded as improving knowledge and awareness. None are shown to have influenced the formulation of the draft MLP.

We comment specifically on 2 of the recorded meetings. The outcome of a meeting with South Gloucestershire and North Somerset UAs in June 2013 is recorded as *'Confirmation that formal joint policy making at this time would not be realistic due to divergent plan-making timetables'*. Whilst CPRE appreciates the practical difficulties, plan making of different authorities is rarely, if ever, 'convergent'. For that to be recorded as justifying not jointly assessing the options, in quantitative terms, seems to make a mockery of the national directive.

The outcome of a meeting with the same 2 UAs in February 2015 says 'Understanding of plan preparation (covering minerals) timetables across partner authorities and increased knowledge of current and future factors affecting trends with cross-border crushed rock aggregate supplies'. That is highly relevant, but nothing material appears to have come from it in actually assessing demand and supply. Although the 6<sup>th</sup> LAA for Gloucestershire provides useful information on sales, and on export and import of crushed rock, it does not differentiate between Carboniferous and Jurassic rock (despite the MLP applying the 70/30 split). Para 4.16 of the LAA states *'In previous years it has been possible to publish annual monitoring data relating to [the] separate crushed rock landbanks. However, due to the decline in the number of working sites and distribution of independent operators, this cannot be done due to reasons of commercial confidentiality.'* Whatever the case for commercial confidentiality, this places CPRE at a disadvantage when trying to analyse the sales/export/import of Carboniferous limestone in respect of Gloucestershire.

Basic geography indicates how closely the demand and supply situations in Gloucestershire and South Gloucestershire are aligned. Markets for aggregates are not influenced by local authority boundaries, but by economics. The South Gloucestershire crushed rock quarries are at least as well located to supply the main demand areas of Gloucestershire as those in the FoD. (Until recently the major quarry at Tytherington was moth-balled for a considerable time, presumably because of lack of demand). CPRE acknowledges that the Bristol urban area is likely to be a major source of demand for South Gloucestershire and North Somerset quarries, though the urban area is also within reasonable distance of Carboniferous limestone quarries in Somerset.

CPRE does not contend that other MPAs can or should automatically 'bail out' Gloucestershire with regard to demand for Carboniferous limestone aggregate. There are

clearly demands from other areas which have to be considered. However, given the acute environmental and infrastructure constraints which apply to future site options in the FoD rock resource area, there should be available evidence that there has been a serious attempt to analyse and quantify the demand and supply options with relevant MPAs. That is especially applicable to South Gloucestershire which has such close transport links and, *prima facie*, has an existing substantial landbank which is well in excess of current needs based on its latest LAA.

#### *5. Proposed remedies*

At this stage any change has major implications. Probably the least disruptive option would be to remove the preferred area designations in the FoD, at least from the Stowe Hill site, and to make necessary amendments to the text in related policies. That would not preclude applications being made to work those areas, but, as CPRE understands the situation, statutory consultees have indicated that several years of additional monitoring data are needed to assess the hydrogeological risks at Stowe Hill.

The MLP could have a statement to the effect that every effort would be made to carry out a joint analysis of demand and supply options on the lines proposed above - under the DtC - and that the outcome would be reflected in the 1<sup>st</sup> review of the Gloucestershire MLP.

9 July 2018