

From: alex.willis@bnpparibas.com [<mailto:alex.willis@bnpparibas.com>]

Sent: 06 January 2017 14:44

To: Brett, Sue A

Cc: Perigo, Stuart

Subject: RE: Draft Cumbria Minerals and Waste Local Plan - Supplementary Sites Consultation (Autumn 2015)

Sue

Thank you for your email.

We are happy to agree your proposed amendment to paragraph 18.26 as set out in your email below dated 21 December 2016. We also agree that further changes should be made to the Local Plan to include clear triggers for the monitoring and review of the Local Plan (including allocation M27) and would welcome the opportunity to comment further on these once they have been drafted.

I have also set out a few further amendments to your proposed new paragraph 18.27 and Policy SAP4 below. Blue is proposed new text and orange strikethrough is text to be deleted.

Proposed new paragraph 18.27 and 18.28

“The existing Roose Quarry and the proposed Preferred Area for its future extension (M27) lie adjacent to the existing gas terminals. Recent engineering work at the terminals has led to consolidation of gas processing ~~stores~~ at the north terminal, which is closest to M27, and this is likely to have ~~has~~ increased the risks at this terminal. The results of the new safety case for gas processing ~~storage~~, being prepared for the Health & Safety Executive, is ~~are~~ not scheduled for issue until 2017. Whilst it is acknowledged that this consolidation, and perhaps future operations, ~~at~~ on the ~~north~~ terminals estate, may impact upon the feasibility of M27 to be worked for sand and gravel; the County Council consider that this is an important site that will help to provide an adequate and steady supply of this mineral over the Plan Period; therefore, the site has been retained as a strategic allocation. However, a clear and robust monitoring framework has been developed, which would trigger a review of the Local Plan, if necessary, once the information becomes available regarding the feasibility of the site for future minerals extraction. Any review of the Plan could lead to the removal of this site or to the consideration of a smaller area, as appropriate. Furthermore, planning permission will not be granted for development at M27 until further information is available to demonstrate it is safe to do so.

Given the proximity of the gas terminals, future quarrying at M27 has the potential to have a detrimental impact on operations at the terminals. Accordingly, as part of any future planning application for M27, the applicant will be required to consult with the Estates Management team of the owners of the terminals (currently Centrica plc) and any development should not have a detrimental impact on the terminals.”

Policy SAP4

POLICY SAP4 Areas for minerals	
Preferred areas	
M18	Stamphill, Long Marton, for gypsum
M27 *	land adjacent to Roosecote sand and gravel quarry, Barrow-in-Furness
Areas of Search	
M5	land adjacent to High Greenscoe Quarry, near Dalton-in-Furness, for brickmaking mudstones
M6	land between Overby and High House sand and gravel quarries, near Abbeytown
M8	land adjacent to Cardewmires sand and gravel quarry, near Dalston
M10	land adjacent to Silvertop limestone quarry, near Brampton
M11	land adjacent to Kirkhouse sand and gravel quarry, near Brampton
M12	land near to Roosecote sand and gravel quarry, Barrow-in-Furness

*= Subject to potential removal or reduction in the extent of this allocation

These proposed amendments simply seek to provide clarity in both the Policy and supporting text that due to the current uncertainty regarding the safety of quarrying on M27 planning permission shouldn't be granted until it is. They also seek to ensure any future development of this land has no detrimental impact on the terminals in recognitions of their importance and nature of operations at these, particularly given the other concerns raised in our 23 June 2016 representations and noted at the hearing session, including Security, Vibration and Dust, Noise, Flood Risk and Access.

I trust these proposed amendments will be acceptable to you and would be grateful if you could please confirm whether these changes will be included in your proposed draft amendments to the minerals section sent to the Inspector?

Kind regards



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From: Brett, Sue A [<mailto:Sue.Brett@cumbria.gov.uk>]

Sent: 04 January 2017 09:41

To: WILLIS Alex

Cc: Perigo, Stuart

Subject: RE: Draft Cumbria Minerals and Waste Local Plan - Supplementary Sites Consultation (Autumn 2015)

Morning Alex

The basis for monitoring the Local Plan is set out in chapter 17, especially paragraphs 17.9 to 17.11. Following the Hearing sessions, I need to add in further text on the triggers that we identified during these sessions (which will be a non-exhaustive list). Some triggers are already set out in Appendix 3 of the Local Plan, though these are targeted at the Plan's policies. I will need to draft a table for other triggers identified.

There is a very wide range of non-policy triggers, of which the unavailability of site allocation M27 (Roose sand quarry) is just one type, but they generally form Contextual Indicators. These measure background events and circumstances that have a bearing on policy performance – the social, economic and environmental context it operates within.

In practice, there is a continuous process of 'Plan, Monitor, Manage', which doesn't just start once the Local Plan is adopted. For example, during the preparation of the Local Plan, a number of site allocations have been removed once planning permissions have been granted or sites become unavailable (e.g. M31 Salthouse potential rail sidings).

The monitoring process, as set out in chapter 17, includes preparation of the annual Authority Monitoring Report, the annual Local Aggregates Assessment and the biennial Waste Needs Assessment. All of these

use data gathered from planning permissions, site monitoring visits, case officers, nationally available data, etc.

In the case of Roose sand quarry (M27), once the HSE report is published and a decision made on the extent of the incident Effect Zones, the Council can then make an informed decision on how this will affect the Local Plan. If it was shown that site M27 is completely unavailable for further sand extraction, then we would look to the Area of Search (M12) identified on the far side of Rampside Road – this would not trigger a full or partial review of the Plan. If it was shown that site M12 was also completely unavailable for sand extraction, then it is likely that we would consider a partial review, though that may only take the form of a public consultation on alternative sites and then an Addendum to the Plan. Of course, we would be in discussion with the industry and also look at the results of the latest LAA – both of these will be influenced by financial decisions still to be taken on proposed national infrastructure projects in the county.

I hope that sets out the situation more clearly, but please get back to me if you have further questions.

Best regards, Sue

From: alex.willis@bnpparibas.com [<mailto:alex.willis@bnpparibas.com>]

Sent: 03 January 2017 17:13

To: MWLP

Subject: RE: Draft Cumbria Minerals and Waste Local Plan - Supplementary Sites Consultation (Autumn 2015)

Sue

I'm just trying to understand how the proposed monitoring of the allocation and potential future review which work in practice?

I can call you or speak to Stuart after Committee tomorrow if that's easier?

Kind regards



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From: MWLP [<mailto:mwlp@cumbria.gov.uk>]

Sent: 21 December 2016 15:05

To: WILLIS Alex

Subject: RE: Draft Cumbria Minerals and Waste Local Plan - Supplementary Sites Consultation (Autumn 2015)

Hello Alex, sorry it's taken a while to send you the promised text for your consideration – I had 4 sets of text to prepare and send to the relevant parties.

I set out below amendments to paragraph 18.26 of the Cumbria MWLP, and also a new paragraph to insert as 18.27. I would be grateful if you could read through and comment upon that text. Green is new text, red strikethrough is to be deleted.

Page No	Paragraph	Proposed Main Modification
170	Paragraph 18.26	<p>Amend paragraph 18.26, to read:</p> <p>“Further areas for sand and gravel extraction are, therefore, required and policy SAP4 proposes the allocation of six sites (two at Roosecote) for sand and gravel extraction, all of which have been proposed by mineral operators as meeting their needs for the Plan period. These include areas adjacent to both Roosecote Quarry (site M27 and site M12) and Peel Place Quarry (site M15), which, as discussed in chapter 5, have been identified in policy SP8 as strategic locations for resources of sand and gravel in the south west of the county. Ongoing monitoring, through the LAA process, will clarify how the Plan is performing and assist in consideration of any planning applications received.”</p>
170	Following paragraph 18.26	<p>Insert new paragraph 18.27, to read:</p> <p>“The existing Roose Quarry and the proposed Preferred Area for its future extension (M27) lie adjacent to the existing gas terminals. Recent work at the terminals has led to consolidation of gas stores at the north terminal, which is closest to M27, and this has increased the risks at this terminal. The results of the new safety case for gas storage, being prepared for the Health & Safety Executive, are not scheduled for issue until 2017. Whilst it is acknowledged that this consolidation, and perhaps future operations, at the north terminal may impact upon the feasibility of M27 to be worked for sand and gravel, the County Council consider that this is an important site that will help to provide an adequate and steady supply of this mineral over the Plan Period; therefore, the site has been retained as a strategic allocation. However, a clear and robust monitoring framework has been developed, which would trigger a review of the Plan, if necessary, once the information becomes available regarding the feasibility of the site for future minerals extraction. Any review of the Plan could lead to the removal of this site or to the consideration of a smaller area, as appropriate.”</p>

The Inspector will start looking at the proposed modifications for a 2 week period, starting 9 January, so has asked me to send a draft of the minerals section by 6 January. If you cannot make that deadline, then I'll send her what I can and forward your contribution during the following 2 weeks.

If you need any clarification or have any questions, please get back to me.

Hope you have a happy holiday. Regards, Sue

Sue Brett
 Minerals & Waste Planning Policy
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