

Appendix 1 – Summary of Comments and Authorities’ Responses to the Waste and Minerals Local Plan Review Scoping Consultation and Call for Sites

Respondent	Topic	Comment Summary	Authorities' Response
Hampshire CC	DTC	Confirmation that there are no strategic mineral movements between Hampshire and East Sussex	Noted.
Hampshire CC	DTC	Authorities should not solely rely on the Statement of Common Ground to address soft sand issue.	Noted.
Hampshire CC	DTC	Further engagement in the plan-making process is welcome.	Noted.
Wealden District Council	Q1 & DTC	Grey Box titled "International Designations: Special Areas of Conservation" etc. below policy WMP27 is factually incorrect and not legally compliant and requires alteration. It is also unclear as to if the grey box is policy or supporting text.	The Authorities will seek to address this in the revised policies document.
Wealden District Council	Q4	Concern that international environmental designations are treated in the same way as other constraints. The assessment under the Habitats Regulations 2010 should be used instead.	The use of the word ‘significant’ within the constraints assessment appears to be causing confusion. The word ‘significant’ in this context is not intended to be related to the meanings in the Habitats Regulations. This will be clarified in revised methodology text.
Wealden District Council	DTC Q1, Q2, Q3	Additional cross boundary strategic matters including Ashdown Forest SAC, Pevensey Levels SAC and Ramsar Site and Lewes Downs SAC should be included specifically within the scope of the document.	The topic of international environmental designations within the Plan Area is being kept under review. Should it be identified that the any draft revised policies might have an impact on these designation the Authorities will give the matter further consideration.
Cemex	Q1	Review should consider how existing facilities i.e. wharves and railheads are protect from future development; and if there is any scope for land use changes around these facilities which would make them unable to increase production / operation.	Wharf safeguarding is one of the topics under review.

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Cemex	Q1	Are there existing planning constraints which limit operations that could be removed?	Planning conditions are attached to planning permissions on a site by site basis to ensure operations are acceptable.
Cemex	Q1	Review must put weight on safeguarding existing wharves and railheads because of encroachment and resulting complaints against existing operations.	Wharf safeguarding is one of the topics under review.
Cemex	Q1	Wharves and railheads can only be located in certain operations and great weight needs to be placed on safeguarding.	The effectiveness of the current safeguarding policies is being considered. The outcome from assessing how well the current policies are working will be reflected within the revised policies document.
Cemex	Q2	The CEMEX site at Shoreham is a long term commitment. CEMEX are seeking to invest in new ships and increase production at the site if planning policy and land uses enable this.	Noted.
Cemex	Q4	It is very important that the MPL review considers the constraints on existing facilities. It also needs to have policies in place which support increase production / operation from these sites. For example 24 hour working or increased movements, subject to no significant adverse impacts on surrounding land uses or the environment.	Comment noted. It is proposed to incorporate the 'agent of change' principle into the WMLP through the review.
Zoar Chapel	GEN	We do not know if the Site as the Old Factory (WMSP) is still on the list of sites, If it is I would remind you of our great concerns which were in our letter dated 24 November 2015. A copy of the letter and petition is enclosed.	The Old Factory Site is allocated in the Waste and Minerals Sites Plan for waste management uses.
DOD Safeguarding	GEN	The Ministry of Defence has not been consulted on this consultation and was notified via a third party.	The Authorities apologise for this oversight and have updated our consultation lists.
DOD Safeguarding	GEN	No safeguarding concerns.	Noted.
Polegate Town Council	GEN	It is difficult to comment on the impact until the draft plan is published.	Noted.

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Polegate Town Council	GEN	The area covers many local authorities, how will this be reflected at a planning level in their local plans?	The Waste and Minerals Local Plan forms part of the Local Plan for all the district and boroughs in East Sussex. It sits alongside their Local Plans and is used in the determination of planning applications.
Polegate Town Council	GEN	How are the infrastructure demands of this plan linked into those generated by housing and employment growth?	The provision of minerals is essential for the construction of buildings, roads and other infrastructure. Likewise, it is important that waste generated from growth can be managed safely.
Polegate Town Council	GEN	It would be good to know how many traffic movements there are in East Sussex and if it is projected if this will increase.	The effect on traffic movements is a consideration in both the site assessment and the Sustainability Appraisal. At this time it is difficult to say what estimates it will be possible to make, further information should be available as the Review progresses.
Polegate Town Council	GEN	There is not only the traffic movement on the road, but also the added pollution that may be generated as a result?	The effect of traffic movements is a consideration in both the site assessment and the Sustainability Appraisal. At this time it is difficult to say what estimates it will be possible to make, further information should be available as the Review progresses.
Aldershaw	Q2	Aldershaw manufactures handmade roof, floor and wall tiles using wadhurst clay excavated on their own site. Market for restoration and conservation materials within sensitive areas is significant and growing. Excavation started in 1999 and has continued to date, however the area of excavation limits the depth and has become a safety hazard to vehicles manoeuvring in the pit. Current production uses approximately 500 to 600 tonnes of clay	Noted. The proposed extension to the site is being considered as part of the Review.

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		<p>per year, but market exists to increase sales by 25%. To justify necessary expenditure a supply of 25 to 30 years of material is required.</p> <p>Proposed extension would work the existing face back in a north easterly direction, overburden to be stored and used later for reprofiling and restoration. No transport issues as extraction and quarrying are both on-site.</p>	
Peak District National Park	Q1	Agree with scope.	Noted.
Peak District National Park	Q1	Support the call for aggregate sites which are located outside of the South Downs National Park.	Noted.
Surrey County Council	GEN & DTC	No Comments	Noted.
Horsham District Council	DTC	Agree with scope; Please inform by correspondence regarding Soft Sand and Minerals Safeguarding topics; No other matters proposed.	Noted.
Natural England	DTC	No comments on scope; Please consult as required by regulation; no other topics proposed.	Noted.
Rother District Council	GEN	No existing or proposed allocation within the Rother District Local Plan (2006) or the emerging Development and Site Allocations Local Plan (DaSA) that affect the three mineral safeguarding areas in Rother. Nor the Robersbridge Railhead or Brett Concrete Works.	Noted.
Rother District Council	GEN	Two areas of safeguarded wharves are adjacent to employment allocations along Harbour Road, Rye.	Noted.
Rother District Council	GEN	Is the "old ARC wharf" a realistic allocation in the WMSP, given known issues with land ownership, condition of land (land contamination) and depth of river at that point?	Noted
Rother District Council	DTC Q1,Q2	Agree with scope, subject to comments (see this entry and below); DTC by correspondence only, to be kept under review;	Noted.
Rother District Council	DTC Q3	Request further information on proposed changes to WMP7a and WMP7b, it is unclear why these policies require amending. Further information	This will be published in due course.

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		is also requested on the extend of proposed changes to supporting text and which policies this will affect.	
Rother District Council	DTC Q3	How will the Authorities consider waste sites, if they were submitted to the Call for Sites?	The Authorities are not focusing on waste management provision within this review. In the event evidence is provided the Authorities will review this position and consider appropriate site assessment methodologies.
Rother District Council	DTC Q3	The safeguarded sites at Robertsbridge and Rye Harbour are close to, but not within areas subject to emerging Neighbourhood plans at Rye, Battle and Salehurst and Robertsbridge.	Noted.
Rother District Council	SCI	No comments.	Noted.
Highways England	CFES	No comments.	Noted.
Highways England	DTC	No comments.	Noted.
Highways England	SCI	No comments.	Noted.
Cyngor Sir Powys County Council	DTC Q1	Satisfied with approach set out under Matter A Minerals Provision. Mineral movements between Powys and the Plan Area have been identified.	Noted.
Cyngor Sir Powys County Council	DTC Q2	Powys seeks communication via correspondence	Noted.
Cyngor Sir Powys County Council	DTC Q3	It is anticipated that the current supply of crushed rock aggregate from Powys will be maintained. Should the Plan Area identify a significant changer in requirements it is requested that the MPA and the South Wales Regional Aggregated Working Party be informed.	Noted.
King, Geoff (Mr)	GEN	In the event that land currently the subject of application LW/799/CM9EIA) is submitted for inclusion within the local plan, this land should not be included on the following grounds: ecological impacts; effect on coast line; landscape character; conflict with Port Masterplan; development would not reflecting the aspirations set out in the planning permission for the expansion	All sites submitted for consideration will be assessed methodology documented within the Call for Evidence and Sites Document, subject to any alterations arising from the consultation.

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		of the harbour in 2015; conflict with Lewes District Local Plan on grounds of landscape character; conflict with Waste and Minerals Local Plan; LW/799/CM(EIA) contains flawed EIA assessment and wildlife assessment; consistency with previous planning decision made in 1966.	
Biffa Waste Services	Q1	Biffa is not, at this stage, seeking to nominate land, but would wish to encourage the Council to explore alternative restoration options for minerals sites to include provision for landfill of non-inert residual waste. (Biffa owns the Pebsham landfill which is currently undergoing restoration.) [Scope of review should be expanded to include restoration policies and the potential to allow non-inert landfill.]	This topic is already addressed within WMP8b. The authorities are do not have evidence that this policy required review at this time.
Environment Agency	Q4	Pleased to see the inclusion of key issues within our remit both within the constraints and opportunities are to be considered during the site assessment. Support inclusion of C20;C21;C22;P1; and P4.	Noted
Environment Agency	Q4	C22's custom grading aligns with the policies and principles set out in the EA's approach to groundwater protection. For clarity it is recommended that the full title of Groundwater Source Protection Zones is used. Whilst the grading system makes reference to Zone 4, there are no such designation within the Plan Area and this could be removed from the grading.	Noted. For completeness it has been decided to retain the reference to Zone 4.
Environment Agency	Q4	Recommend assessment also consider SPZ1c which relates to sub-surface activities which is necessary in considering oil and gas sites.	Noted.
Environment Agency	SCI	No comments	Noted
Environment Agency	DTC	We have reviewed the Duty to Co-operate Scoping Note and is satisfied that where necessary the EA has been recognised. We will engage with you on these matters as necessary either through ongoing discussions or at the	Noted.

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		formal states of the Plan production.	
Kent County Council	GEN	The amount of sharp sand and gravel available in Kent is not anticipated to be sufficient to meet the needs to 2030. Consequently, reliance on imports via wharves and railheads are likely to increase.	Noted.
Kent County Council	GEN	Kent are currently preparing for an Option consultation on minerals sites for a Minerals Sites Plan.	Noted.
Kent County Council	GEN	On this basis, the need to robustly safeguard the Plan Areas importation capacity will be vitally important for the steady and adequate supply of aggregates.	The safeguarding policies are within the scope of the review and consideration is being given to strengthening them.
Kent County Council	GEN	The potential loss of wharf capacity at Newhaven alluded to in section 2 of the CfES document is of particular concern.	Noted.
Kent County Council	GEN	The review should conclude that there is an ongoing requirement to safeguard aggregate wharves.	The Authorities will be considering reasonable options in line with national policy.
Kent County Council	GEN	The topic of soft sand supply remains and important planning matter to many minerals authorities in the South East.	Noted. Please refer to the Duty to Co-operate document for further information about soft sand provision.
Kent County Council	GEN	Specific consideration of including [soft sand] safeguarding measures and policies for potential new reserves of soft sand within the collective mineral planning administrative area is considered by KCC to be fundamental to achieving a sound mineral local plan review.	Noted. Please refer to the Duty to Co-operate document for further information about soft sand provision.
Kent County Council	GEN	KCC is keen to work collaboratively with the Authorities. Please keep KCC informed of the progression your Plan Review.	The Authorities welcome the opportunity to collaborate with KCC.
Brett Aggregates	Q1	Yes overall, but disagree with the 0.1mta apportionment referred to in paragraph 3.3.	Noted. National policy in relation to minerals provision has changed and the level of minerals provision is included within the scope of the Review.

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Brett Aggregates	Q1	Met with planning officers from ESCC in June 2013 and made representations to the WMSP EIP in 2016 raising concerns that ESCC hasn't sufficiently carried out its Duty to Co-operate with KCC, and disagreement with the apportionment figure.	This topic was addressed as part of the Examination into the Waste and Minerals Sites Plan in 2016.
Brett Aggregates	Q1	Brett Aggregates currently sell in the region of 325ktpa from Lydd Quarry; sales are roughly split 50/50 between ES and Kent.	Noted.
Brett Aggregates	Q1	In previous years extraction was entirely taking place in Kent, but this has now shifted to the East Sussex side. Consequently the land bank is being eroded by up to 4 times as anticipated resulting in insufficient reserves to meet the required 7 year land bank.	Noted. National policy in relation to minerals provision has changed and the level of minerals provision is included within the scope of the Review.
Brett Aggregates	Q1	The Review of the Plan should recognise the inability to meet the required land bank and should identify specific areas for minerals extraction. Brett are promoting a potential extension to Lydd Quarry.	Brett Aggregates made a submission to the Call for Sites and this is being considered.
Brett Aggregates	Q2	In 2016 Brett carried out an extensive borehole during and identified significant mineral resource at Broomhill North. We have also identified two additional areas which contain viable material resource and these have been submitted. In total these areas will deliver in the region of .078mt of sand and gravel and provide a further 3.5 years of reserve during the Plan period. Whilst this is not sufficient to get ESCC through to the Plan period of 2026, this is a significant step in the right direction and likely to provide up to 2024. Additional documentation supplied with site proposal.	Noted.
Brett Aggregates	Q3	With sales in excess of 300ktpa for most of the last 10 years, we [Brett Aggregates] are confident that the existing mineral reserve will be exhausted in less than 3 years time. We have no reason to believe these rates of sales will not continue.	Noted.
Brett Aggregates	Q4	Yes.	Noted.