



Andrew Lipiński
Office of the Deputy Prime Minister
Minerals and Waste Planning Division
Zone 4/A2
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Dear Andrew Lipiński

Consultation Paper on Annexes to Minerals Policy Statement 1

Wildlife and Countryside Link (Link) welcomes the opportunity to respond to the above consultation and hopes that the following comments can be taken on board by ODPM when it issues the final version of MPS1 and its associated annexes.

Link brings together voluntary organisations concerned with the conservation and protection of wildlife and the countryside. Our members practise and advocate environmentally sensitive land management and food production and encourage respect for and enjoyment of natural landscapes and features, the historic environment and biodiversity. Taken together, our members have the support of over 8 million people in the UK. This response should be read in conjunction with the more detailed responses of Link members and is supported by:

- Badger Trust (formerly National Federation of Badger Groups)
- Bat Conservation Trust
- British Mountaineering Council
- Buglife – The Invertebrate Conservation Trust
- Butterfly Conservation
- Campaign to Protect Rural England
- Council for British Archaeology
- Council for National Parks
- Friends of the Earth
- The Herpetological Conservation Trust
- Open Spaces Society
- Ramblers' Association
- Royal Society for Protection of Birds (RSPB)
- The Wildlife Trusts
- Woodland Trust

General comments

Generally, we are surprised that policy has been set out in the annexes rather than in the main text of MPS1. There is a danger that this may be overlooked and we suggest that all policy is contained in MPS1 and that any 'policy' in the annexes is only a restatement of what has gone before.



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"Bringing voluntary organisations in the UK together to protect and enhance wildlife and landscape, and to further the quiet enjoyment and appreciation of the countryside"

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Within each of the annexes there is reference within the aim of policy to delivering supply at 'acceptable' environmental cost. That is a subjective term open to interpretation and Link recommends reference to 'within environmental limits' which would be consistent with the terminology used in PPS1¹.

Within each annex there is reference within the aim to 'reduce' damaging environmental impacts during extraction and processing of primary aggregate and the production of alternatives. However, best practice would be to avoid these in the first instance wherever possible and then seek to reduce, as the government advises planning bodies to do in para 19 of PPS1. Link therefore recommends reference to 'avoid' damaging environmental impacts is added as a first priority.

Within each annex reference is made to 'preserve or enhance overall quality of environment once extraction has ceased'. This is welcome. However, Link suggests that this could be further improved by reference to making a positive contribution to the delivery of Biodiversity Action Plan targets wherever possible.

Detailed comments

Annex 1: Aggregates provision in England

The overall approach relates to provision of primary aggregates. In spite of the policy objective to encourage use of alternative materials there is little emphasis on this. Link considers that the final annex should contain positive advice to mineral planning authorities and the industry relating directly to the provision of alternative materials.

1.2.2 – Link welcomes the statement in this paragraph that the supply of aggregates must be achieved at an acceptable cost to society including environmental costs, although we suggest alternative wording above.

1.2.3(c) – Link considers that 'and re-use' should be added at the end of this bullet

1.2.3(g) – Link considers that 'inappropriate' should be amended to read 'environmentally damaging'.

1.3.6 – Link considers that environmental capacity/plan, monitor and manage approaches are the most compatible with sustainability objectives. Link recognises that thinking on how to integrate this concept into planning for aggregates is still at an early stage but given the imperative to ensure the wise use of natural resources and to protect the natural environment we strongly encourage ODPM to give careful consideration to how this might be achieved in practice. The BGS has recently been working in Yorkshire and the Humber and the scenarios done by the East Midlands RAWP (which have been submitted to the EM RPG/RSS EiP) may offer some possible solutions here.

¹ Para 19 of PPS1 states that plan policies and planning decisions should be based on recognition of the limits of the environment to accept further development without irreversible damage.





The references to environmental testing within the section on the provision for land won aggregates are welcome as is the acknowledgement that it may not be possible to meet the apportioned supply over the plan period at acceptable environmental cost. In the case of the latter, Link considers that the annex should clarify that in such cases the apportioned supply will not be met from within the plan area.

1.3.11 – Link recommends replacing the word permitted by ‘sought taking into account environmental constraints’. Maintaining a rolling 7-year landbank effectively guarantees infinite supply and does not look appear to be a very effective means of conserving aggregate resources and encouraging the use of alternatives.

In order to encourage the greater use of alternatives Link asks ODPM to consider including guidance that both MPAs and operators need to improve the local uptake of alternatives to primary aggregate. This would lend itself to a target in the core strategy or minerals development document.

1.3.12 – Link considers that bullet 1 is contradicted by the first sentence of 1.3.15. Otherwise this approach seems sensible. We agree with the advice in bullet 2 but are concerned that this could undermine the resolve of the industry to take such initiatives forward. One suggestion would be for MPAs to be encouraged privately to be more proactive in the issuing of prohibition orders. Bullet 3 seems sensible but we question how the industry is likely to view it and would encourage other bodies (such as amenity lobby and statutory agencies) to be involved in the MPAs’ consultation on non-working sites.

1.3.13 – for consistency with the spirit of 1.3.10, Link recommends replacing ‘key’ by ‘useful’ and ‘may’ in the first line by ‘should’. Furthermore, we feel it is essential that a further bullet point is added to incorporate the consideration of environmental constraints.

1.3.14 – Link welcomes the government’s policy that there is no role for the landbank indicator in National Parks and the recognition that any new planning permissions in National Parks, as in AONBs, will be the exception rather than the norm, for environmental reasons.

1.3.16 – while we recognise that more detailed guidance on marine aggregate extraction is set out in Marine Minerals Guidance Notes we would like to offer some specific comments on this paragraph. Link fundamentally disagrees with the policy approach towards the provision of marine sand and gravel. Simply continuing to contribute to meeting demand at a proportion no lower than in the recent past reflects an old style ‘predict and provide’ approach that takes no account of environmental limits.

Link therefore suggests that in the short term, government should set a precautionary limit on marine aggregate extraction based on best available information. Furthermore, in the medium term Link considers that government should determine the most sustainable level of exploitation for the marine environment based primarily upon scientifically-derived environmental limits.

1.3.17 – this appears sensible, subject the usual policy constraints not being lifted. However, outline permission for major developments should not cover the associated mineral extraction proposed.





Annex 2: Brick Clay Provision in England

2.3.12 – Link recommends that the guidance emphasises that landfill is an option of last resort within the waste hierarchy. We suggest that there should be a strict limit on the number of sites that might be allocated for landfill to ensure that there is no conflict with the objective of 'increasing the overall environmental quality of the environment once extraction has ceased'.

Annex 3: Natural Building and Roofing Stone Provision in England

The recognition that old building stone quarries may be an important nature conservation or archaeological resource is welcome. We consider it important that all quarry operations even of a small scale should be subject to conventional planning controls.

Limiting extraction to traditional building or roofing use will help with wise use of the mineral resource and will also prevent small building stone quarries undergoing transition to major aggregate operations.

Link hopes that the above response is helpful. Link has no objection to this response being made available for public inspection in the ODPM library.

Please do not hesitate to contact me should you require clarification of any of the above or any further information.

Yours sincerely

Ruth Chambers

Ruth Chambers
Chair, Minerals Working Group
Wildlife and Countryside Link

