

Ref 902 Correspondence between AWP and NCC in relation to the LAA

Draft response of EMAWP to Revised Northants CC LAA, dated May 2013

1. Further to the submission of your draft Local Aggregates Assessment (LAA) January 2013 I would inform you that the East Midlands Aggregates Working Party (EMAWP) has the following comments. These comments reflect the written responses to consultation on the LAA.
2. The draft LAA broadly accords with the approach advocated in the NPPF and the CLG Guidelines on the Managed Aggregates Supply System (October 2012).
3. The EMAWP agrees that the average of the last 10 years sales should be used as the starting point for identifying future provision, and that this figure should be used unless there is strong evidence to indicate otherwise.
4. The NPPF states that the advice of the AWP should be taken into account when preparing the LAA. However, the draft LAA does not assess whether the 2009 sub-regional apportionment figure for sand and gravel should be used to inform any decision on a move away from the average of the past ten year sales figure in assessing future demand. In view of the significant downward trend in sales over the past ten years this is recommended. The general expectation that Northamptonshire will continue as a small producer of sand and gravel (given historic production levels) should be justified particularly since the economic low appears to be lifting and policy constraints to working of sand and gravel in the river valleys, which may have kept landbanks artificially low during the 1990s and early 2000s, have been relaxed.
5. Whilst the draft LAA examines other relevant local information, as required in the NPPF, the EMAWP notes that it is concluded that there is no need for any local adjustment. However, whilst only two future projects are identified and housing targets have been reduced, Northamptonshire remains an area of anticipated future growth and this should be taken much more fully into account than at present with a view to limiting future dependence on imports. The EMAWP recognises the uncertainty regarding, in particular, potential future house building but nevertheless would wish to ensure that the delivery of future growth, which may not be as slow as is anticipated, was not prejudiced by the lack of local aggregate provision.
6. The draft LAA also places significant reliance on imports to take up any shortfall in supply in the future which would impact on neighbouring MPAs, for example, Lincolnshire and Leicestershire.
7. To avoid potential supply problems, including undue pressure on neighbouring areas, if Northamptonshire County Council intends to continue to move forward with the proposed apportionment of 0.5 Mt (and the EMAWP is pleased to note that the average of the period 2001-2010 has been used since it is agreed that the period 2002-2011 is overly influenced by the worst years of the recession) then it should ensure that appropriate monitoring of supply and demand for sand and gravel within the County is undertaken and effective review procedures are in place to enable the prompt revision of apportionments in the event of a need to increase supply due to shortfalls being indicated between proposed provision and future demand.

8. The LAA indicates that some of the shortfall in sand and gravel is likely to be met by crushed rock with greater reliance placed on future rock production. However, although the proportion of sand and gravel Vs. rock production has levelled there is little evidence that rock production is materially increasing or substituting for historic sand and gravel supplies. Moreover, it is not clear that the available crushed rock would be suitable to substitute for sand and gravel in all cases.
9. Concern had been expressed that considerable reliance was being placed on reserves associated with one site (Bozeat) which was thought to create a potential supply problem if there was difficulty in rapidly increasing production in response to increased demand. However, it appears that unimplemented permissions at Earls Barton Spinney and Earls Barton West, together with other active sites, should ensure that this does not constrain the ability to meet future demand.
10. In conclusion, the EMAWP considers that the use of the last 10 year average sales, as set out in the draft LAA is acceptable as the basis for determining future provision within Northamptonshire. However, this is subject to appropriate monitoring and review procedures being included within the Minerals Local Plan to ensure that an early response can be made to unanticipated increases in demand brought about by higher rates of growth. This is necessary to ensure that a lack of local supply is not a material constraint to growth or that undue reliance is placed on imports, to the detriment of neighbouring areas.

Response to AWP from Northamptonshire County Council May 2013

I note the draft response and have the following comments:

- The response does not say anything about crushed rock provision and our approach to this (which is not to go for a ten year provision but to remain with the higher existing core strategy adopted figure). Could the response say something about crushed rock provision so that (thinking ahead) our partial review Inspector has an answer, if they seek it, to what the AWP's view is on this .
- Paragraph 4- The second and third sentences are unclear, especially as we do discount using the 2009 apportionment figure.
- Paragraph 6- I would disagree that the (revised) LAA places 'significant' reliance on imports. What it does say is there is likely to be imports if committed and allocated sites are not implemented .
- Paragraph 9- I don't understand the reference to a considerable reliance being placed on one site at Bozeat (especially as the rest of the paragraph goes on to say that there are unimplemented permissions elsewhere and other sites). In addition there are also a number of allocations in an adopted plan that could be relatively quickly processed if planning applications were to come through. I would therefore suggest that this paragraph be deleted as it doesn't add anything to the debate.

I would be grateful if the response could be updated to cover the first point on crushed rock.

**Response of EMAWP to
Revised Northamptonshire Local Aggregates Assessment,
May 2013 (Received Sept 2013)**

1. Further to the submission of your draft Local Aggregates Assessment (LAA) January 2013 I would inform you that the East Midlands Aggregates Working Party (EMAWP) has the following comments. These comments reflect the written responses to consultation on the LAA.
2. The draft LAA broadly accords with the approach advocated in the NPPF and the CLG Guidelines on the Managed Aggregates Supply System (October 2012).
3. The EMAWP agrees that the average of the last 10 years sales should be used as the starting point for identifying future provision, and that this figure should be used unless there is strong evidence to indicate otherwise.
4. The NPPF states that the advice of the AWP should be taken into account when preparing the LAA. However, the draft LAA does not convincingly justify why the 2009 sub-regional apportionment figure for sand and gravel should not be relevant when assessing anticipated future demand and any move away from using the average of the past ten year sales figure. In view of the significant downward trend in sales over the past ten years this is recommended. The general expectation that Northamptonshire will continue as a small producer of sand and gravel (given historic production levels) should be justified particularly since the economic low appears to be lifting and policy constraints to working of sand and gravel in the river valleys, which may have kept landbanks artificially low during the 1990s and early 2000s, have been relaxed.
5. Whilst the draft LAA examines other relevant local information, as required in the NPPF, the EMAWP notes that it is concluded that there is no need for any local adjustment. However, whilst only two future projects are identified and housing targets have been reduced, Northamptonshire remains an area of anticipated future growth and this should be taken much more fully into account than at present with a view to limiting future dependence on imports. The EMAWP recognises the uncertainty regarding, in particular, potential future house building but nevertheless would wish to ensure that the delivery of future growth, which may not be as slow as is anticipated, was not prejudiced by the lack of local aggregate provision.
6. The draft LAA also places significant reliance on imports to take up any shortfall in supply in the future, should demand be higher than suggested by the 10 year average figure, which would impact on neighbouring MPAs, for example, Lincolnshire and Leicestershire.
7. To avoid potential supply problems, including undue pressure on neighbouring areas, if Northamptonshire County Council intends to continue to move forward with the proposed apportionment of 0.5 Mt (and the EMAWP is pleased to note that the average of the period 2001-2010 has been used since it is agreed that the period 2002-2011 is overly influenced by the worst years of the recession) then it should ensure that appropriate monitoring of supply and demand for sand and gravel within the County is undertaken and rapid and effective review procedures are in place to enable the prompt revision of apportionments in the event of a need to increase supply due to shortfalls being indicated between proposed provision and future

demand. Such procedures should not be reliant on a review of the Local Plan since the timescales involved are likely to result in unacceptable delay.

8. Although there remain allocated sites these have not been brought forward and the County Council may wish to explore, including through dialogue with the industry, whether all of these sites may still be considered viable.
9. The LAA indicates that some of the shortfall in sand and gravel is likely to be met by crushed rock with greater reliance placed on future rock production. However, although the proportion of sand and gravel Vs. rock production has levelled there is little evidence that rock production is materially increasing or substituting for historic sand and gravel supplies. Moreover, it is not clear that the available crushed rock would be suitable to substitute for sand and gravel in all cases. It is suggested that the County Council undertakes an assessment (in conjunction with the industry) to determine the inter-changeability of the various rock reserves.
10. Concern had been expressed that considerable reliance was being placed on reserves associated with one site (Bozeat/Earls Barton) which was thought to create a potential supply problem if there was difficulty in rapidly increasing production in response to increased demand. Limits on production capacity therefore remain a concern despite an unimplemented permission at Earls Barton Spinney and other smaller active sites. The County Council should therefore seek to ensure that this does not constrain the ability to meet future demand.
11. Finally, the EMAWP confirms that it is content with the approach taken to crushed rock provision which is to continue to rely on the current adopted apportionment level.
12. In conclusion, the EMAWP considers that the use of the last 10 year average sales, as set out in the draft LAA is acceptable as the basis for determining future provision within Northamptonshire. However, this is subject to appropriate monitoring and review procedures being put in place and included within the Minerals Local Plan to ensure that an early response can be made to unanticipated increases in demand brought about by higher rates of growth. This is necessary to ensure that a lack of local supply is not a material constraint to growth or that undue reliance is placed on imports, to the detriment of neighbouring areas.

Response to AWP from Northamptonshire County Council September 2013

The County Council is both disappointed and concerned with this response which it considers has not only not reflected on the points we raised in our previous email of 30 May 2013 on the draft response, but from our perspective has actually taken a retrograde step with the additional comments included.

The authority considers the whole tone of the response to be almost overwhelmingly negative and this is even more marked when viewed against the responses made on other LAAs in the region. Even keeping the 2009 apportionment figure for crushed rock rather than a reduced 10 year annual average provision only receives the relatively dismissive comment of 'content' at the rear of the response. It is also questioned whether some (most?) of the comments are genuinely the general views of the group as a whole.

In relation to paragraph 4, the authority questions what the AWP actually considers to be a 'convincing' justification for this authority proposing to go with the NPPF guidance on a 10 year annual provision for sand and gravel, bearing in the authority's considerations on sand and gravel in the LAA?

As an authority that has an up to date suite of MWDF DPDs and which are now subject to regular reviews, the first iteration of which is currently at proposed submission stage- and which incidentally is in marked contrast to some other parts of the AWP area- this authority is extremely annoyed at being told to have 'effective review procedures' in place (paragraph 7).

Paragraph 9 continues to get the wrong end of the stick in relation to crushed rock being able to be substituted for sand and gravel. Of course crushed rock cannot be a substitute for sand and gravel. What the LAA says is that as a county we seem to be becoming an area where the sites for crushed rock are continuing to come forward and be implemented but sand and gravel sites aren't, and this could be leading to a change to the longstanding production balance between sand and gravel and crushed rock in the county.

The whole of paragraph 10 isn't a fair reflection on the situation in Northamptonshire and the authority questions what actually lies behind the assertion of the AWP that it has 'limits on production capacity' that are a 'concern'? Furthermore, this authority continues to strongly disagree that the (revised) LAA places 'significant' reliance on imports (para 6). What it does say is there is likely to be imports if committed and allocated sites are not implemented by the industry. It really does seem if the authority is being judged unfairly for the industry failing to put forward sites and deliver those that are allocated and committed.

The response of the AWP to the Northamptonshire LAA will be logged and made public as part of the publishing of responses to the Proposed Submission Minerals and Waste Local Plan, as will the above response to it. The above response is to be regarded as this authority's formal response to the AWP.