GLOUCESTERSHIRE MINERALS LOCAL PLAN 2018-2032

INDEPENDENT EXAMINATION

HEARING SESSIONS - PROGRAMME

Between 11th and 12th June 2019

Venue: The Council Chamber, Shire Hall, Gloucestershire County Council, Westgate Street, Gloucester GL1 2TG

Sitting times : Tuesday and Wednesday – 10.00 to 13.00 and 14.00 to 17.00

The number in square brackets after each question is the number allocated to the questions in the original Inspector's Matters, Issues and Questions Document.

The timetable and list of participants may be subject to change.
Hearing participants are respondents who have requested an oral hearing.

DATE	TOPIC	PARTICIPANTS
TUESDAY 11 JUNE **10.00 am**	Introduction by the Inspector Opening Statement by Council **AGENDA** **A LEGAL COMPLIANCE** **Main Matter 1 – Duty to Co-operate and Legal Issues** **Duty to Co-operate** Has the Council engaged constructively, actively and on an ongoing basis with all relevant organisations on strategic matters of relevance to the plan's preparation, as required by the Duty to Co-operate (under s 20(5)(c) and 33A)? On which issues has co-operation taken place? How was co-operation carried out and with what results? Has this been documented? Are there any outstanding issues? [1] How has the Duty to Co-operate been met with regard to the spatial plans of the constituent City, Borough, and District Councils and Neighbouring Councils? [2] **Planning and Compulsory Purchase Act 2004, Section 19 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)** Has the Plan been prepared in accordance with the Local Development Scheme including content and timescale? [3]	

	Has the Plan been prepared in compliance with the adopted Statement of Community Involvement (SCI), allowing for effective engagement of all interested parties and meeting the minimum consultation requirements set out in the regulations? [4] Is it clear that the Plan accords with the advice provided in paragraph 214 of the National Planning Policy Framework (July 2018) in that the policies in the previous National Planning Policy Framework (March 2012) (NPPF) will apply for the purposes of the Examination of the Plan? Would an additional modification be required in this regard? 5] Has the Council carried out a Sustainability Appraisal (SA) and prepared a report on the findings of the appraisal? Is there clear evidence to indicate why, having considered reasonable alternatives, the strategy in the Plan is the most appropriate response? Does the methodology conform to that in the National Planning Policy Framework (March 2012) (NPPF) and Planning Policy Guidance (PPG)? [6] Is the Plan consistent with national policy, including the NPPF and PPG? Are there any significant departures from national policy? If so, have they been justified? [7] Does the Plan comply with the 2004 Act and the 2012 Regulations in terms of publishing and making available the prescribed documents? [8] How does the Plan secure development that contributes to the mitigation of, and adaptation to, climate change? [9] Have issues of equality been addressed in the Plan? [10] **Conservation of Habitats and Species Regulations 2017** Does the Plan meet the requirements of the Conservation of Habitats and Species Regulations 2017, including any relevant case law [in particular the ruling of 12 April 2018 by the Court of Justice of the European Union (CJEU) People over Wind, Peter Sweetman v Coillte Teoranta, Case 323/17] to consider the likely significant effects of projects or plans on European protected sites, individually or in-combination? In particular, have Appropriate Assessments been undertaken under the Habitats Directive? If not, has a screening exercise shown that there is no need for such assessments? [11]	

	B SOUNDNESS **Main Matter 2 – The Spatial Strategy** Issue: Whether the Vision and Objectives of the Plan are the most appropriate, are soundly based and provide an appropriate basis for meeting the future demand for minerals sustainably. Does the Plan reflect future patterns of growth in the County? [12] Does the Plan cover everything necessary, as set out in the NPPF and PPG? [13] Do the vision and objectives reflect the most appropriate matters, including the commitment to the three dimensions of sustainable development? [14] Explain how the outcomes of the Sustainability Appraisal (SA) reflect the principles of sustainable development, including climate change and sustainable transport. [15] Does the Plan demonstrate that adequate consideration has been given to cross-boundary issues and strategic priorities? [16] Does the Strategy adequately reflect the vision and objectives for mineral development? [17]	
14.00pm	**Main Matter 3 – Whether the Plan makes adequate provision for the encouragement of the use of secondary and recycled aggregates?** **Issue:** Whether the Plan sufficiently promotes the use of secondary and recycled aggregates? Does the Plan provide clear guidance regarding the contribution that secondary and recycled aggregates should make as an alternative to primary land won aggregates? [18] How realistically can Policy SR01 be applied and monitored with particular regard to the demonstration of circumstances wherever the use of secondary and recycled aggregates in preference to primary aggregates is 'reasonable and practicable to do so? [19] Does the supporting text to Policy SR01 provided sufficient guidance to applicants and City, Borough and District Council's as to how compliance with the policy is expected to be achieved? [20] How will the effectiveness of Policy SR01 be monitored? [21]	

	Main Matter 4 – Protecting Mineral Resources, Infrastructure and facilities **Issue**: Whether the Plan adequately balances the needs of competing development? Is the appropriate balance struck between the needs of competing development with the need to protect the mineral resource? [22] Is the difference, use and application between Mineral Safeguarding Areas (MSA's) and Mineral Consultation Areas (MCA's) clear? [23] Should 'buffers' be defined around existing mineral working sites? [24] Is Policy MS01 sufficiently clear as to the meaning and relevance of 'needless sterilisation' and how this should be demonstrated? [25] Notwithstanding the fact that the examination is to be conducted pursuant to the guidance provided in the under the NPPF (2012), should the 'agent of change' principle be reflected in Policies MS01 and MS02? [26]	
DATE	**TOPIC**	**PARTICIPANTS**
WEDNESDAY 12 JUNE **10.00am**	**AGENDA** **Main Matter 5 – Whether the Plan make adequate provision for the steady and adequate supply of aggregate minerals?** **Issue:** Whether the provision made in the plan for the future supply of aggregate minerals would deliver a steady and adequate supply? Is the basis for the calculation of the future demand for sand and gravel clear in relation to how average annual sales over the last 10 years have been applied? [27] Is the use of average sales of crushed rockover the last 10 years an appropriate basis for determining future demand? [28] Is Policy MW01 sufficiently flexible to enable aggregate provision to meet the demands of large unforeseen construction projects? Should Policy MW01 refer to the circumstances where development proposals for aggregate working may be required to respond to an unforeseen localised demand as oppose to only being permitted to maintain the landbank? [29] Are the allocations for sand and gravel working in Policy MA01 sufficient to maintain a steady and adequate supply of such minerals? [30]	

	Do the allocations in Policy MA01 discourage new operators? [31] Should 'Allocation 01: Land to the east of Stowe Hill Quarry' be retained as an allocated site within the Plan? If not, what effect would this have on future supply requirements? [32] Is Policy MA02 sufficiently flexible to take into account a need to meet localised unforeseen demand such as enabling development and borrow pits? [33] Is Part III of Policy MA02 sufficiently clear as to what is mean by the 'residual working of an area of aggregate mineral resource' and how this should be demonstrated? [34] **Main Matter 6 –Minerals other than aggregates** **Issue:** Whether the Plan makes adequate provision for other minerals? Is the Plan positively prepared regarding the provision of natural building stone? [35] Is the word 'only' in policy MW05 necessary? [36] Should Policy MW06 include waste related development such as C&D recycling and recovery? [37] Is Policy MW06 and its supporting text positively prepared and are the circumstances where a comparative analysis is required clear? [38]	

14.00pm	**Main Matter 7 – Development Management** Issue: Whether the Development Management policies strike an appropriate balance between seeking to provide sustainable development and protecting people and the environment? **Policy DM01** Is the Policy sufficiently clear as to what is meant by amenity and are the examples provided in the policy unduly restrictive? [39] Should the Policy cater for any circumstances where mitigation may not be achievable? [40] Should the Policy refer to the use of any buffer zones? [41] Are the circumstances in which development proposals will require a Health Impact Assessment clear and justified? [42] Does the Policy provide sufficient guidance to inform developers of the content and extent of information that should be provided in support of development proposals to demonstrate that the adverse impacts on amenity can be mitigated? [43] **Policy DM02** Is the policy sufficiently clear as to how cumulative impacts are to be determined and considered? [44] **Policy DMO3** Is the policy consistent with paragraph 32 of the NPPF? [45] Is the policy appropriately worded and should it recognise that the use of road transport should be minimised but in some circumstances it cannot be eliminated? [46] Should the policy refer to the amenity impacts of road transport? [47] **Policy DM04** Is the policy consistent with the NPPF. Is the policy unduly onerous or restrictive? [48] As minerals can only be worked where they are found, should this be reflected in Part a of the Policy? [49] Is it clear as to what is meant by 'water compatible'? [50]	

	Policy DM05 Does the policy provide sufficient clarity and appropriately considers the manner in which watercourses are to be taken into account? [51] **Policy DM06** Is the policy consistent with the NPPF? [52] **Policy DM07** Does the policy imply that soil enhancement should be demonstrated in all mineral development proposals? [53] **Policy DM08** Is the policy consistent with the NPPF and supporting guidance? [54] Is the policy unduly onerous with regard to the preservation of non-designated assets in situ? [55] Are elements of paragraphs 372 and 376 contradictory? [56] **Policy DM09** Should the policy recognise that mineral development may not be sympathetic to the landscape during the extraction phases? [57] Should the Policy or supporting text be more positive in recognising that mineral extraction can contribute to the quality of the built environment within the AONB? [58] **Policy DM10** Should the policy or supporting text recognise that mineral development may have a temporary effect on openness? [59] Notwithstanding the guidance provided in the NPPF, is paragraph 395 sufficiently clear for the Plan to be effective? [60] Should the policy also refer to minerals infrastructure? [61] **Policy MR01** Is the policy and supporting text sufficiently clear regarding the effect of new restoration proposals on previously agreed schemes and the potential need for the importation of waste materials and relationship with the Waste Core Strategy? [62]	

	Main Matter 8 – Monitoring and Implementation Issue: Whether the monitoring and implementation arrangements will be effective? Is the approach to minerals monitoring in the Plan practicable? [63] Does the monitoring process for minerals provide for co-operation and participation and are appropriate participants involved? [64] How do the monitoring and implementation arrangements ensure that the Councils engage constructively, actively and on an ongoing basis with all relevant organisations on strategic matters of relevance to the Plan's preparation, as required by the Duty to Co-operate? [65] **Main Matter 9 – Appendices** **Issue:** Whether the detailed development requirements for the Plan allocations provide sufficient guidance to inform a planning application? Should Allocation 01 be deleted (See question 32 also)? [66] Should Allocations 02, 03, 04, 05, 06 and 07 contain reference to Catchment Management Plans? [67] Allocation 04 - are the potential impacts on heritage assets appropriately taken into account? [68] Does Allocation 06 adequately consider the effect of development on the integrity of the local highway network and water resources? [69] Allocation 06 – are matters of economic impact, aerodrome safety, historic environment and ecology adequately covered? [70] Allocation 07 – are matters of aerodrome safety adequately covered? [71] **CLOSE** **Next Steps** Discussion with the Council regarding the next stages in the administrative and procedural matters following the close of the Hearing Sessions.	