

## INDEPENDENT EXAMINATION OF THE GEDLING LOCAL PLANNING DOCUMENT (PART 2 LOCAL PLAN)

### Representations on behalf of Ibstock Group Limited

Comment ID lpd\_pub\_b/269

#### Matter 1: Legal Compliance

##### Issue 1f: Question 10: Legal compliance with respect to national policy

*“Q10. Are there any policies in the Plan that do not accord with the National Planning Policy Framework or advice in the Planning Practice Guidance?”*

##### **Response**

Representations were made by Ibstock on 4 July 2016 (Comment ID lpd\_pub\_b/269)<sup>1</sup>. In relation to considerations of national policy section 3.1 of the representation document refers. These representations refer to guidance contained in the NPPF (paragraphs 143 and 144) and web based PPG (paragraph 27-002, 27-003 and 27-005) in the context of minerals safeguarding and minerals consultation. Reference was also made to *“Mineral Safeguarding in England – Good Practice Advice”* published by the BGS in 2011 (report number OR/11/046).

Ibstock’s contention is that the draft Local Plan does not have due regard to national policy or guidance on safeguarding mineral resources and through the proposed housing allocations (H5 and H8 in particular) viable mineral resources at Dorket Head Quarry will be sterilised. Allied to this the proximity of allocation H5 could result in unreasonable burdens on the operation of the brickworks.

Both the NPPF and the PPG are clear that non-mineral development should not needlessly sterilise mineral resources of local and national importance. It is clear that the proximity of the proposed allocations would restrict the ability to extract clay reserves from within the mineral site (the extent of which is defined in the Minerals Local Plan) and also any future lateral extensions to the workings as it would be difficult to comply with modern environmental limits. Whilst national policy refers to prior extraction, this needs to be carefully planned in conjunction with the existing programme of extraction.

It is noted that the inspector has asked specific questions relating to national policy on minerals safeguarding in relation to the allocations noted above, particularly:

- Issue 7d; Lodge Farm Lane (H5) [policy LDP 64] Questions 30 and 31
- Issue 7f: Killisick Lane (H8) [Policy LDP 64] Questions 45 and 46

Changes proposed by the Council in relation to these allocations do not satisfy the objections raised by Ibstock in relation to the compliance with national policy and guidance. As such Ibstock retains its objection that the draft Plan is not compliant with national minerals policy. As the inspector has raised questions on mineral safeguarding in relation to

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<sup>1</sup> Representation in relation to the Gedling Borough Council Local Plan Allocations (Publications Draft, May 2016) Simon Ingram Planning & Estates Manager (South), Ibstock Brick, 4th July 2016

these allocations Ibstock would be happy to address the matter under Issues 7d (Q30 and Q31) and 7f (Q45 and Q46) to avoid any unnecessary repetition.



**Simon C Ingram BSc (Hons) MRICS PIEMA**

**Ibstock Brick Limited, Planning and Estates Manager (UK South)**

Ibstock Group Ltd. Simon Ingram, Dorket Head, Arnold, Nottingham, NG5 8PZ, United Kingdom

t: 01159 716805 m: 07831 524908 f: 01159 670121 e: [s.ingram@ibstock.co.uk](mailto:s.ingram@ibstock.co.uk)

And

**Chris Lowden**

Technical Director - Environmental & Social Impact Assessment  
SLR Consulting Limited

Email: [clowden@slrconsulting.com](mailto:clowden@slrconsulting.com)

Mob: +44 7765 407791

Tel: +44 115 964 7280

Aspect House, Aspect Business Park, Bennerley Road,  
Nottingham, NG6 8WR, United Kingdom