

Guidance for Consultation in Decision-Making Safeguarding Aggregate Supply in London March 2022

Introduction

The following guidance has been produced and agreed by the members of the London Aggregates Working Party (LAWP). The LAWP comprises representatives from the aggregates industry, the Greater London Authority, the London Boroughs, Port of London Authority, and Crown Estate. It is tasked with monitoring aggregate supply in London and accordingly advises local authorities and Government on aggregate policy.

It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that London needs. It is important that sites safeguarded for the transportation, distribution, processing and/or production of aggregates are appropriately considered during decision-making on planning applications. The following guidance has therefore been produced with the aim of ensuring better consultation with aggregate stakeholders during the decision-making of non-minerals planning applications in London, which may affect how these critical sites operate.

It should be noted that the following is guidance only and the responsibility for ensuring all obligations concerning consultation are met remains with the determining authority. However, this guidance is a starting point to improve the current level of consultation and achieve a more consistent pan-London approach.

Policy Framework

The National Planning Policy Framework (NPPF) (2021) states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Chapter 17 of the NPPF and the associated parts of the National Planning Practice Guidance (NPPG) outline the necessary consideration that needs to be given to minerals when determining planning applications. In particular, the NPPG highlights the protection that should be afforded to mineral resources, in addition to the existing, planned and potential sites which store, handle and transport these resources.

The London Plan 2021 includes policy SI 10 regarding Aggregates. It outlines that all Mineral Planning Authorities (all London boroughs) should, in Development Plans identify mineral safeguarding areas to protect sand and gravel resources from development that would otherwise sterilise future potential extraction. Mineral Planning Authorities should also identify and safeguard sites and facilities, including wharves and railheads, with existing, planned or potential capacity for transportation, distribution, processing and/or production of primary and/or secondary/recycled aggregates. All development proposals should be designed to avoid and mitigate

potential conflicts with sites safeguarded for the transportation, distribution, processing and/or production of aggregates, in line with the Agent of Change principle.

In order to ensure this policy framework is successfully implemented through the decision-making process, the LAWP believe that better consultation is required between the determining authorities and aggregate stakeholders.

Safeguarded Sites & Where to Find Them

The majority of aggregates used in London come from marine sand and gravel and land-won aggregates (primarily crushed rock) from outside of London. There are however a number of active and planned **land-won aggregate sites** in London and their ability to operate without unduly restrictions should be material in the determination of development nearby. The LAWP Annual Reports, which are available on its website [London Aggregates Working Party | London City Hall](#), provide up to date information on land-won aggregate sites and comprises a list of all extant operations. They each also include a map of the sites.

Furthermore, land may have been identified as a **mineral safeguarding area**, in order to protect sand and gravel resources from development that would otherwise sterilise future potential extraction. These are designated through a borough local plan and therefore can be found on local plan policy maps.

However, as most aggregates used in the capital will come from outside of London, it is essential that sites and facilities with existing, planned or potential capacity for the **transportation, distribution, processing and/or production** of primary and/or secondary/recycled aggregates are also safeguarded. These are safeguarded through a borough local plan and therefore can be found on local plan policy maps.

Of particular importance are railway depots, which are used for importing crushed rock from other parts of the UK. Safeguarded **railheads** are again designed through a borough local plan and therefore can be found on local plan policy maps. Specific planning policy protection for safeguarded railheads is included in London Plan policy T7D.

In addition, **river wharves** also form an important part of the safeguarded sites and facilities, especially for transporting marine-dredged aggregates, which are identified through a borough local plan. In London, a network of wharves is protected from redevelopment by Safeguarding Directions, which are reviewed periodically by the Mayor of London. Specific planning policy protection for safeguarded wharves is included in London Plan policy SI 15. The safeguarded wharves can also be found here: <https://maps.london.gov.uk/planning/>

In terms of facilities relating to the processing and/or production of primary and/or secondary/recycled aggregates, in London this typically consists of the manufacturing of **concrete (concrete batching plants), concrete products, bricks, and asphalt**. Again, these are identified through a borough Local Plan.

In addition to local plan policy maps, the LAWP is pursuing the interactive provision of safeguarded sites/facilities and mineral safeguarding areas on a separate interactive GIS map.

Non-Safeguarded Sites

It may be the case that there are sites and facilities with existing or planned capacity for the transportation, distribution, processing and/or production of aggregates that have not been safeguarded in local plans. This may be because new planning permissions have been granted since the local plan was adopted. It may be because the issue of aggregates was not addressed through the local plan or sites were not highlighted by stakeholders through the plan-making process.

Nevertheless, the LAWP considers that consultation and engagement with these sites is still required to ensure a sufficient supply of minerals is maintained in London and that proposals do not conflict with other development plan policies, including London Plan policies D13 and D14 relating to the Agent of Change as well as specifically noise.

As these have not been formally safeguarded, they will not appear on local plans. Planning officers will therefore need to engage with the owner and/or operator of these sites through the standard consultation process. Once identified, local planning authorities are encouraged to log these separately on internal GIS systems until they are safeguarded through the next iteration of the local plan.

When to Consult

Non-mineral related land use decisions have the potential to impact the working of aggregate sites and operation of aggregates infrastructure. When considering applications for non-aggregates development, the determining planning authority has a responsibility to consider this potential impact in line with the relevant development plan policies and other material planning considerations. In order to do so successfully, the determining authority should consult the operator and/or owner of the minerals sites/facilities listed above when appropriate.

As a general rule of thumb, the LAWP would recommend consulting site operators and/or owners on all major planning applications **within 250m of a site or facility** with existing, planned or potential capacity for the transportation, distribution, processing and/or production of primary and/or secondary/recycled aggregates. The local planning authority should consider circumstances where this distance will need to be expanded further including on the opposite bank of the rivers, particularly the Thames, noting that noise travels further across open areas and bodies of water. Planning officers should be mindful that the site may be located outside of the determining authority's boundary. The LAWP recommends that a 250m buffer is created around safeguarded and known non-safeguarded sites on back office GIS systems, in order to assist planning officers in achieving successful consultation.

Certain types of development are very unlikely to have an impact on these sites, including householder applications, minor extensions, and reserved matters (unless relating to mitigation measures to make the development acceptable in line with safeguarding policies). However, the determining planning authority should remain

mindful that even small developments have the potential to significantly impact these sites and therefore consultation may still be required on small developments. The determining authority will be required to exercise judgement on when they consult, in order to strike a balance between ensuring comprehensive consultation and keeping the process manageable for all parties. Individual operators may wish to set their own thresholds for consultation, which should be taken into account.

As with all consultation, early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. The local planning authority should therefore encourage developers to engage with relevant aggregate stakeholders when approached through the pre-application process.

Who to Consult

When consultation is deemed to be required, the determining planning authority should consult both the site operator and owner, noting that these parties may be different. When consulting for the first time, the determining authority may have difficulty sourcing the consultees. The LAWP consists of representatives from the aggregates industry and would encourage planning officers to engage with the Working Party if they are struggling to find a contact. Once the contact has been established, the LAWP recommends including these details as part of back office GIS systems.

Issues to address

In order to safeguard facilities from adverse impacts from non-minerals development, and implement the Agent of Change principle, it is particularly important that the following issues should be addressed through the consultation process:

- The potential for the proposed development to result in loss of a safeguarded site or facility;
- The potential for the proposed development to be sensitive to the operation of an existing or planned facility, particularly due to noise and dust generation at any time of the day including from the handling and processing of minerals and heavy goods vehicles;
- Measures necessary to mitigate the sensitivity of the proposed development to adverse effects including design, orientation, acoustic barriers and distance.

Monitoring

The implementation and effectiveness of this guidance will be monitored periodically as a standing item at LAWP meetings. If decision-makers or stakeholders have any feedback or queries regarding the implementation of this guidance, then please utilise the following contact details:

Interim Secretary to the London Aggregates Working Party (LAWP) up until April 2022:
vanessa.rowell@capita.com