

LONDON PLAN EIP 2018-2019.

Statement by Day Group Ltd. ID 1479

Matter number M70 Aggregates

Introduction.

Day Group Ltd operates four aggregate railheads and an aggregate wharf within London, importing in the most sustainable ways possible a significant percentage of the 10 million tonnes of primary aggregate consumed by construction activities in the Capital each year.

We are pleased to have the opportunity to comment on the current draft of the London Plan.

Aggregate wharves and rail depots can generate noise and dust. They need the flexibility to be available 24/7 to accommodate ships and trains and are likely to be the source of a significant number of short lorry journeys in supplying local construction projects.

Strong national and local planning policies already exist to safeguard wharves and rail depots (referred to in the Plan as railheads) but these are not always implemented effectively by Local Planning Authorities. This can lead to incompatible development close to wharves and railheads which if poorly designed/built can lead to complaints from residents. This can result in limitations being imposed on the operation of these strategically critical facilities, the inevitable outcome of which will be an increased number of long-distance lorry journeys to supply existing demand from sources further away.

M70 Aggregates – Questions.

Would Policy SI10 provide a justified and effective strategic framework for the steady and adequate supply of aggregates to support construction in London? In particular:

- a) *Would the approach taken to land-won aggregates accord with national policy? What is the justification for the landbank apportionment in the four boroughs identified? Would the approach taken be effective in ensuring an adequate supply of aggregates to meet the level of growth envisaged?*

No Comment on a)

- b) *In the absence of a target for recycling/reuse of construction, demolition and excavation waste by 2020 and the recycling of that waste as aggregate, would the policy be effective?*

Yes. We support the Mayor's deletion of the target as it cannot be evidenced or demonstrated as practicable. It would not be justified or effective as required by NPPF para 35. It is important to realise that not all construction, demolition and excavation (CDE) waste is recyclable as aggregates. Whilst timber, metals and other materials may be recycled and soils and other 'soft' materials reused elsewhere, these materials cannot replace aggregates.

- c) *Would the approach taken to safeguarding resources and facilities, as set out in SI10C, be effective in ensuring the steady and adequate supply of aggregates to support construction in London?*

No – SI10C refers solely to the safeguarding of sand and gravel resources from development that would otherwise sterilise them. It only relates to sand and gravel deposits in the ground.

Since London is so utterly dependant on rail and ship imports of primary aggregates the London Plan needs to address the safeguarding of aggregate resources and the infrastructure needed to import the 80% or so that comes into the capital by rail or ship as well as sites for the production of recycled and secondary aggregates, asphalt, concrete and concrete products.

Policy SI10 should make clear that there is equivalent safeguarding protection afforded to railheads in Policy T7 as there is to wharves in Policy SI15. This will consolidate and clarify the policy approach to the sustainable transportation of aggregates and the safeguarding of related facilities and infrastructure. SI10 will then meet the requirements of NPPF Para 204 (e).

See also suggested note 9.10.4.

These changes would result in the removal of SI10 D2, which currently references safeguarding in what is a clause about environmental impact.

An alternative approach to clarifying that there is an equivalent emphasis on the safeguarding of railheads would be to create a new section in the Sustainable Infrastructure chapter relating to Rail Freight. This should contain the wording currently contained in T7C.

Rail and specifically Rail Freight does not appear in any policy headings in the whole London Plan.

Section 9 'Sustainable Infrastructure' contains 4 water related policies and nothing specific to rail.

Section 10 'Transport' contains 6 parking related policies and nothing specific to rail.

Although safeguarding railheads is dealt with in T7, even the proposed new heading for the policy has removed the word 'Freight'.

Thus, as currently drafted the requirement for the safeguarding of railheads is not given the same prominence as for wharves. The NPPF makes no distinction between the types of sites that need to be safeguarded.

d) *Would Policy SI10 adequately address the full range of environmental and other impacts of aggregate facilities?*

No – it only addresses the negative impacts without recognising and encouraging the positive. It is possible that by focussing solely on local, often negative impacts the wider regional benefits may be ignored, resulting in prejudice against the use of sustainable transport means such as rail and ship thereby inevitably putting more lorries on London's roads.

We recommend that the clause SI10D is amended to recognise that the overall environmental benefits of using rail or ship deliveries may be significantly positive.

e) *Would it provide appropriate, justified and effective guidance on development management matters?*

No comment on e).

Day Group's recommended amendments to Policy SI10 and supporting text:

Policy	Proposed amendments in blue (Mayor's 'minor changes' in red)	Justification
SI10 B	<p>3) support the production of recycled and secondary aggregate and, where practicable, expand capacity at/or adjacent to aggregate wharves and rail depots and quarries during their operational life, within or adjacent to major construction projects.</p>	<p>Minor amendment to recognise the contribution made to London's aggregate requirements by secondary aggregates (by-products from industrial processes) and in accordance with NPPF Para 204(b).</p>
SI10 C	<p>All Mineral Planning Authorities in London should identify and safeguard in their Development Plans:</p> <ol style="list-style-type: none"> 1. sand and gravel resources from development that would otherwise sterilise future potential extraction - through defining Mineral Safeguarding Areas, 2. existing, planned and potential aggregate rail depots and wharves, 3. existing planned and potential sites for the manufacture of asphalt, concrete and concrete products and for the processing and distribution of construction, demolition and excavation waste and of secondary aggregates. 	<p>To clarify the purpose of this clause, which should be the safeguarding of resources and infrastructure from sterilisation or constraint due to new development, and to properly reflect the requirements of NPPF (para 204) and Planning Practice Guidance (para 005).</p>
SI10 D	<p>To reduce the overall environmental impact of producing and supplying aggregates Development Plans should:</p> <ol style="list-style-type: none"> 2) recognise the wider regional environmental benefits of minimising the movement of aggregates by road and maximising the movement of aggregates by rail / water. <p>2) safeguard wharves and/or railheads with existing or potential capacity for aggregate distribution and/or processing to minimise the movement of aggregates by road and maximise the movement of aggregates by sustainable modes.</p>	<p>Remove – better covered by a revised S10C dealing with safeguarding and focusses this clause on environmental impacts.</p>

	<p>2A) 3) ensure that the whole environmental and the amenity planning conditions are imposed on impacts of new aggregate facilities are assessed and so that noise, dust and traffic impacts are effectively controlled through the planning system.</p> <p>2B) 4) ensure new development in proximity to safeguarded sites are designed and built to avoid and mitigate potential conflicts, in line with the Agent of Change principle.</p>	<p>To ensure that all impacts are assessed and considered using the existing processes. (Ref NPPF para 204).</p> <p>What is built is not always the same as what is designed. It is only what is built that will provide mitigation.</p>
<p>para 9.10.1</p>	<p>London needs a reliable supply of construction materials to support continued growth. National planning policy requires Mineral Planning Authorities to maintain a steady and adequate supply of aggregates. These include land-won sand and gravel, crushed rock, marine sand and gravel and recycled and secondary materials. Most Almost all of the primary aggregates used in the Capital come from outside London, including marine sand and gravel and land-won aggregates, principally crushed rock from other regions. There are relatively small resources of workable land-won sand and gravel in London.</p>	<p>It is important to recognise the contribution made to London's aggregate supply by 'secondary' aggregates (NPPF para 204), of approx. 400kt per annum at present.</p> <p>This minor suggested change emphasises the fact that London has very little 'indigenous' aggregate, thereby highlighting the importance of safeguarding railheads and wharves.</p>
<p>Para 9.10.4</p>	<p>Boroughs should protect existing, planned and potential sites for aggregate extraction and transportation, processing and manufacture from development that may result in constraints on their operation or expansion, in accordance with the Agent of Change principle. Existing and future wharf capacity is essential, especially for transporting marine-dredged aggregates, and should be protected in accordance with Policy SI15 Water transport. Equally important-essential are railway depots for importing crushed rock from other parts of the UK and these should be protected in accordance with Policy T7 Freight and deliveries, servicing and construction. Railheads are vital to the sustainable movement of aggregates and boroughs should protect them.</p>	<p>Ref NPPF para 204 and 'Agent of Change'.</p> <p>This comes close to giving railheads the same status as safeguarded wharves as per NPPF para 204.</p>