

GREATER MANCHESTER JOINT MINERALS PLAN
FURTHER REPRESENTATION ON BEHALF OF WILLIAM SINCLAIR HORTICULTURE LIMITED (WSHL)
AS RELATED TO THE MARCH 2012 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

1. This further written representation is submitted on behalf of William Sinclair Horticulture Limited (WSHL) and follows on from the MLA 3rd February and 22nd February 2012 submissions sent to Mr Christopher Hobson, Programme Officer.
2. This document follows the 5th April 2012 invitation from Mr Christopher Hobson for further representations to be submitted on matters raised within the NPPF and as related to the Greater Manchester Minerals Plan DPD Examination – for which the response deadline for representations was noted as 17th May 2012.
3. In our earlier representations, detailed evidence was set out for the reasons why WSHL disputes strongly the draft wording of Policy 6, for peat, and with the amendments sought for Policy 6 to read:

“Planning permission for peat extraction on sites that have not been previously worked will normally be refused.

Planning permission for an extension of time on sites that have been previously worked will be granted provided that the site is restored to lowland raised bog upon cessation of the extraction.”

Minerals Policy

4. The NPPF explains that minerals are essential to support sustainable economic growth and our quality of life (para 142). This statement applies to peat and to other fossil fuel minerals. There is however recognition that minerals are a finite resource and thus best use of them must be made to secure their long term conservation. “Best use” is plainly achieved by means of the hierarchy of supply looking to use substitute, or secondary and recycled, materials first before allowing primary extraction. It is submitted that this is the means in which Government regards extraction of minerals to meet sustainable needs. The hierarchical approach then is unchanged from previous national planning policy.
5. The approach of ensuring sufficient supply of material to provide the goods that the country needs remains unchanged (see para 142).
6. It continues to be a policy objective to take into account the contribution that substitute or secondary and recycled materials, and minerals waste would make to the supply of materials before considering primary materials whilst aiming to source minerals supplies indigenously (paragraph 143 second bullet point). If that is the aim for development plan preparation then it plainly is the objective of policy more generally.
7. The adopted NPPF provides (as the draft NPPF did) that when determining planning applications local planning authorities should not grant planning permission for peat extraction from new or extended sites (para 144 5th bullet). No further guidance is provided as to the meaning of the phrase “new or extended sites”.

8. In the context of the Government’s state of knowledge (namely its awareness that there is insufficient indigenous supply of peat to meet the residual need in the transition period) the NPPF cannot be construed as meaning no further planning permissions for peat extraction shall be granted. The NPPF cannot be read as precluding the grant of permission for time extensions relating to sites that have been previously extracted; to do so would result in the failure to achieve the policy objective set out in paragraph 142 within the Growing Media market; i.e. the peat that the country needs in the period until 2030 would not be provided from indigenous sources.
9. One NPPF policy change which is significant to the GMJMP is the requirement to give “great weight” to the benefits of mineral extraction including to the economy (paragraph 144). The requirement to give great weight to the benefit of mineral extraction is a strengthened emphasis that applies to peat extraction as much as to any other mineral. This marks a shift of approach from the draft NPPF.

Sustainable Development

10. The dimensions of sustainable development identified in paragraph 7 of the NPPF are of relevance. For the three roles identified – the economic, social and environmental roles. paragraph 8 of the NPPF explains that to achieve sustainable development - economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

The Core Planning Principles

11. The Core planning principles set out in the NPPF include the exhortation that every effort should be made objectively to identify and then meet development needs (paragraph 17 3rd bullet point). Within the previous representations a residual need for peat to 2030 has been objectively identified utilising robust assumptions. Having identified that residual need for the supply of peat, the proposed rewording of Policy 6 will assist in the delivery of the NPPF core planning principles.
12. The core planning principles also provide that planning should support the transition to a low carbon future in a changing climate, encourage the reuse of existing resources and the use of renewable resources (paragraph 1 6th Bullet point). The residual need identified in the previous submissions arises only after all available peat alternatives are assumed to be utilised. The provision of additional indigenous peat supply, by amending Policy 6, would thus support the use of all available non-peat alternatives and meet the shortfall to 2025.
13. The core planning principles also provide that planning should contribute to conserving and enhancing the natural environment. The proposed amendment to Policy 6 achieves this through securing the restoration of previously worked sites which would not otherwise be achieved. The principle goes on to explain that planning should direct development toward sites of lesser environmental value. That is the case with sites that have been previously worked for peat extraction but which have not been the subject of a restoration plan to lowland bog.

The Presumption in Favour of Sustainable Development

14. The NPPF states in terms that objectively assessed needs should be met except where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole (NPPF para 14 second bullet).
15. For reasons set out in the previous representation, there is a clear and compelling objective need for further supply of English peat to 2025. For this additional supply of peat to be from previously worked sites is a clear advantage that will be delivered through the proposed rewording of Policy 6.

Conclusion

16. For the reasons set out above in this further representation, publication of the NPPF adds weight to the reasons why the wording of Policy 6 should be amended in line with the previously submitted representation and as for the wording confirmed in para 3 of this submission.

Martin J Leay
On behalf of William Sinclair Horticulture Limited
24th April 2012