

TELFORD AND WREKIN LOCAL PLAN EXAMINATION

This hearing statement is made for and on behalf of Seabridge Developments Limited and responds to questions set out in the Inspectors Matters and Issues document.

MATTER 7 – ENVIRONMENTAL RESOURCES.

Questions

7.1 Is the Local Plan's approach to the safeguarding of mineral resources, bearing in mind the changes to policy ER2 that are now suggested, clearly expressed and sufficiently justified?

We feel that the approach taken to mineral resources is flawed since it would appear that the Council is providing obstacles to development on a prescriptive basis that seem to have the purpose of supporting its proposed development allocations within the plan to the exclusion of a large number of other sustainable proposals and which is also as the potential to be highly restrictive of development contrary to the aims and objectives espoused in the NPPF.

It can be seen from Appendix G of the plan (Mining Consideration Areas) (MCA's) that Mining Consideration Areas are relatively contained to a narrow range of locations within the borough and that the council recognizes the limited scope for mining within the borough. Accordingly, a strict and prescriptive set of proposed amendments to the policy has only one purpose and that is to further restrict development within the borough. In particular, the inclusion of buffer zone areas within the Safeguarded areas and the exemption excluded at xiv in relation to overriding factors which are in the national, regional or local interest clearly demonstrate the limited growth option now apparently favoured by the council.

Further, we consider the changes proposed by the council to be so fundamental in nature, restrictive and controversial that the proposals would potentially render the plan unsound and conclude that reconsultation on this matter could be the appropriate remedy.

Accordingly we **object** to the proposed changes and conclude that the revisions are unsound having regard to national policy and unduly limit the potential for growth

within the borough and propose that, other than reconsultation, the only remedy would be a modification to the plan reinstating the original wording and provisions of Policy ER2.

7.2 Are the extent and nature of the Mineral Safeguarded Areas, including the exclusion of urban areas, sufficiently justified with reference to the evidence base and relevant policy and guidance?

We feel that Mineral safeguarded Areas are not sufficiently justified having regard to the evidence base. It is clear from Appendix G: Mining Consideration Areas (and its knowledge and experience gained as a mining community over many years) that the council has sufficient knowledge of the locations of workable and economically viable mineral resources within the borough to safely exclude many of the areas proposed as Mineral Safeguarded Areas (MSA's) and buffer zones. The proposed reworded policy and MSA's are unduly restrictive, without foundation and contrary to the objectives of the NPPF with regard to growth.

Further, we can only conclude that the exclusion of the mineral safeguarded areas within the urban areas is specifically tailored to assist with the selection of the proposed SUE (H1) at Muxton by denying access to data showing mineral resources at that location.

The above conclusion can only be reinforced by noting that the extent of the Mineral Safeguarded Areas delineated on the A2 Borough Wide proposals Map is in error and specifically omits that section of mineral exclusion area adjacent to SUE proposal H1 which is shown on the Mineral Exclusion Area Map.

It is also clear from the Statement of Common Ground between the Council and the Mineral Products Association (MPA) evidenced at G3 that the MPA disagree with the council and wish for the mineral safeguarded areas to "wash" through the urban boundary such that they are considered in accordance with national and good practice espoused by the latest BGS guidance (para 1.1.4) which is endorsed in PPG without which it is likely legal challenge could be a remedy for some in the Industry.

7.3 Is it clear which areas are now proposed as buffer zones in the Council's proposed changes?

We feel that the location of buffer zones is relatively clear, however, as mentioned above, we feel that these areas are unduly restrictive particularly given the councils knowledge of mining areas and workable resources and that they are being utilized to unduly restrict development and growth...a recurring position observed in the councils evidence.

Adrian Seabridge

Director – Seabridge Developments Limited.