

## Appendix 4

### Assessment of consistency of 'saved' Minerals Local Plan policies (1999) with the National Planning Policy Framework (2012)

To determine which of the Minerals Local Plan policies can continue to be used in the consideration of planning applications, an assessment of these policies against the NPPF has been undertaken. The Local Plan policies have been placed in one of the following categories as a result of this assessment:

- **Fully consistent with the NPPF** – policies in this category either replicate the NPPF, add to the NPPF (whilst remaining consistent with the thrust of the document), or provide less detail/caveats than the NPPF (whilst not contradicting it). These Local Plan policies can continue to be applied alongside the NPPF.
- **Consistent, in part, with the NPPF** – a number of the 'saved' Local Plan policies contain a significant level of detail. Parts of these policies are consistent with the NPPF, whilst certain parts are not. These policies need to be applied by judging the weight that can be applied to them, alongside the NPPF, in the specific circumstances of each individual application.
- **Inconsistent with the NPPF** – policies that take a different direction and view on matters to the content of the NPPF. These policies should no longer be applied.
- **Not covered by the NPPF** – policies which address issues not specifically covered by the NPPF although they may fall under other legislation or non- cancelled guidance e.g. MPG14

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<b>Policy No.</b>	<b>MLP policy title</b>	<b>Consistency with NPPF</b>
1	General Approach	<b>Consistent, in part, with the NPPF</b> The NPPF does not refer to the extension of existing/permitted non-aggregate sites, or the location of mineral processing and manufacturing plant which is covered in this policy.
2	Future Provision of Aggregates	<b>Fully consistent with the NPPF</b> References to SERPLAN now out of date
3	Sites for the provision of sand and gravel extraction	<b>Fully consistent with the NPPF</b>
4	Preferred Areas and Areas of Search	<b>Fully consistent with the NPPF</b>
5	Outside the Areas of Search and Preferred Areas	<b>Consistent, in part, with the NPPF</b> NPPF states provision should be in form of specific sites, preferred areas, AoS and locational criteria. The “special circumstances” in the policy could therefore be considered to be such criteria.
6	Extraction of aggregates at Broomhill North, Scotney Court extension and Wall farm	<b>Fully consistent with the NPPF</b>
7	Rye Harbour	<b>Not covered by the NPPF</b> –Not specifically covered by the NPPF although falls under other legislation or guidance e.g. MPG14
8	Shoreham Port	<b>Fully consistent with the NPPF</b>
9	Newhaven Port	<b>Fully consistent with the NPPF</b>
10	Rail transport from Newhaven Port	<b>Fully consistent with the NPPF</b>
11	Rye Port	<b>Fully consistent with the NPPF</b>

12	Mountfield Coated Roadstone Plant	<b>Fully consistent with the NPPF</b>
13	Rail Depots	<b>Consistent, in part, with the NPPF</b> The NPPF does not specifically refer to the location of rail depots which is covered in this policy.
14	Recycling Material	<b>Consistent, in part, with the NPPF</b> The NPPF does not specifically refer to the location of recycling facilities which is covered in this policy.
15	Existing Clay Sites	<b>Consistent, in part, with the NPPF</b> The NPPF does not specifically refer to the location of manufacturing plants or new clay workings distant from their plant which is covered in this policy.
16	New Clay sites	<b>Consistent, in part, with the NPPF</b> The NPPF does not specifically refer to the location of new manufacturing plants or new clay workings which is covered in this policy.
17	Future Clay Reserves	<b>Fully consistent with the NPPF</b>
18	Clay working in the AONB	<b>Consistent, in part, with the NPPF</b> Policy 18 does not rule out an AoNB location for new clay working/activities. The NPPF states that as far as practical landbanks of non-energy minerals should be from outside AONBs.
19	Ashdown Brickworks (clay extraction)	<b>Consistent, in part, with the NPPF.</b> Policy is largely out of date. The NPPF does not specifically refer to the location of new clay workings distant from their plant.
20	Chalk	<b>Consistent, in part, with the NPPF</b> Policy is largely out of date The NPPF does not specifically refer to the demand for or location of chalk for non-cement uses.
21	Tarring Neville	<b>Consistent, in part, with the NPPF</b> Policy is largely out of date. The NPPF does not specifically refer to the demand for or location of chalk for non-cement uses

22	Filching Quarry restoration	<b>Consistent, in part, with the NPPF</b> The NPPF does not specifically refer to the location of chalk for non-cement uses. However restoration at the earliest opportunity is sought.
23	Meeching Quarry	<b>Consistent, in part, with the NPPF</b> The NPPF does not specifically refer to the location of chalk for non-cement uses.
24	Cement Manufacture	<b>Consistent, in part, with the NPPF.</b> Policy 24 resists cement manufacturing. NPPF requires MPAs to provide 15 years permitted reserves for existing cement plants. There are however no plants in the Plan area.
25	Chalk for construction fill	<b>Fully consistent with the NPPF</b>
26	Gypsum	<b>Consistent, in part, with the NPPF</b> Policy 26 does not rule out an AoNB location as the current activities are already in such a designation. The NPPF states that as far as practical landbanks of non-energy minerals should be from outside AONBs.
27	Restoration and management around Robertsbridge and the Brightling Mine	<b>Fully consistent with the NPPF.</b> The detail of this policy is not covered by the NPPF but high standard restoration and aftercare is.
28	Retention of rail link at Robertsbridge	<b>Fully consistent with the NPPF</b>
29	Plasterboard Manufacturing and recycling	<b>Consistent, in part, with the NPPF</b> Policy 29 is largely out of date. The detail of this policy is not covered by the NPPF but encouragement for recycling is.
30	Hydrocarbons	<b>Consistent, in part, with the NPPF</b> Policy 30 only sets out development criteria for hydrocarbon operations which meet the requirements of (former) Structure Plan policy. The NPPF also requires MPAs to distinguish between the 3 different phases of development. This would have been covered in the Structure Plan policy.
31	Development Control- Environmental	<b>Consistent, in part, with the NPPF</b>

	Assessment	Policy 31 covers many environmental criteria some details are not covered by the NPPF. However, it does not cover impact on human health, tip and quarry slope stability, differential settlement of quarry back fill, mining subsistence, migration of contamination and cumulative effects.
32	Safeguarding	<b>Consistent, in part, with the NPPF</b> Policy 32 safeguards many of the types of site identified in the NPPF, but in a way that is based on actual locations rather than potential sites for specify uses.
33	Breaches of planning control	<b>Not covered by the NPPF</b>
34	Restoration	<b>Consistent, in part, with the NPPF</b> Policy reflects the requirements of the NPPF but does not refer to aviation safety.
35	After-use	<b>Consistent, in part, with the NPPF</b> Some but not all of the afteruses set out in the NPPF are included in policy 35. The policy also refers to landfilling and built development which are not covered by the NPPF.
36	Review of sites	<b>Not covered by the NPPF</b>

