

British Aggregates Association

**10 Brookfields
Calver, Hope Valley
Derbyshire S32 3XB**

Tel/Fax: 01433 639879

Mobile: 07711 492 378

phuxtable@british-aggregates.com

www.british-aggregates.co.uk

11th January 2008

**Kim Chowns
Communities and Local Government,
PSI (E)
Zone 1/G10
Eland House
Bressenden Place
London SW1E 5DU**

Dear Kim

Town and Country Planning (Environmental Impact Assessment) (England) (Amendment) Regulations 2007

Thank you for the opportunity to comment on these proposals.

The British Aggregates Association (BAA) represents the interests of some 80 members of which 60 are independent and privately-owned SME quarry companies throughout the UK with some 10% of national output and who operate out of over 100 sites. We are part of the consultation and lobbying process both in the UK and Europe – and are also represented through the CBI (Confederation of British Industry) Minerals Group and CPA (Construction Products Association). We have individual member representation on all the ten Regional Aggregates Working Parties (RAWPs) in England and Wales, and through the national steering groups; and work closely and constructively with other stakeholders including the Planning Officers' Society (POS).

We would make the following comments:

- Minerals operations should not be considered as multi-stage development as permission is only granted after all matters have been satisfactorily dealt with - and this should be clearly stated in Reg 2(1).
- Legally you cannot have an outline planning permission for minerals development.
- Whilst noting the assertion that the need for additional EIA (for example on a ROMPs review where there was no previous EIA) will be "unlikely" and "only in exceptional circumstances" there is no clear and unequivocal guidance to assist local planning authorities. This gives unnecessary potential for over-application of precaution by

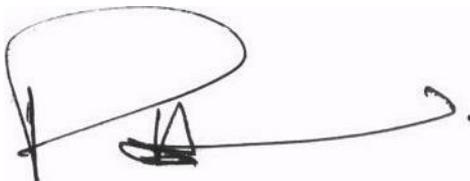
individual authorities – and several of our SME members are concerned over this particularly for small projects where the costs are already approaching prohibitive levels.

- This point needs clarification in the forthcoming CLG Circular and Practice Guide on EIA and we look forward to seeing copy of this ahead of publication. This should be finalised before implementing any changes to the current EIA regulations.
- Several members are also concerned regarding the implications for periodic ROMPs and also applications to vary planning conditions where a new permission might be considered as being sought.
- The regulations must be able to differentiate between full applications for new developments; and those for continuation of existing operations for which at present the system fails to deliver eg S73 application to vary a planning condition particularly where EIA research may be seasonally restricted.

We are supportive of the response you have received from Ken Hobden of the QPA.

If you require any further information or clarification, or would like to discuss any aspects further please do not hesitate to contact me.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Peter Huxtable', with a large, stylized initial 'P' and a long horizontal stroke extending to the right.

Peter Huxtable
MA(Cantab) CEng FIQ FIMMM
Secretary