

# Newark and Sherwood DC AADMDPD - Examination Matter 9 Further Representations on behalf of British Sugar

14 October 2024

Our Ref: JL/19-02752

Representation Numbers: 0198, 0199, 0200 and 0201

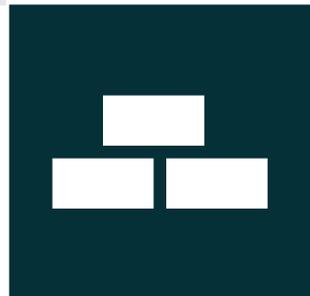


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**Appendices**

Appendix 1 British Sugar Site Plan



## 1 INTRODUCTION

- 1.1 This Statement has been prepared on behalf of British Sugar plc ('British Sugar') in response to Matter 9 in relation to Questions 9.26 and 9.29, posed within Examination Document ID02 – Inspectors Matters, Issues and Questions ('MIQ's), following previous representations by British Sugar in December 2022 and November 2023.
- 1.2 British Sugar is owned by its parent company, Associated British Foods ('ABF'), a multinational food processing and retailing company. As is confirmed below, British Sugar has been operating a sugar beet processing factory at its site in Newark (see location plan at **Appendix 1**) that first opened over a century ago, and active investment continues at the site to ensure that it continues to evolve and thrive as an economic asset to the District. As such, British Sugar is a key stakeholder in the District, and wishes to ensure that the Local Plan continues to support their operations and growth.
- 1.3 Whilst writing, and for the Inspector's information, it will be noted that previous representations on behalf of British Sugar have raised the matter of the misleading and inappropriate reference to the factory being a "hazardous installation". The local authority has confirmed that the reference relates to a historic Hazardous Substance Consent (HSC) for the storage of sulphur trioxide. For the avoidance of any doubt, British Sugar's records indicate that sulphur trioxide has not been present on site since the early 1990s, and the storage tank and associated equipment have been removed and no longer exist. British Sugar is therefore working with the Newark and Sherwood District Council to revoke the redundant HSC (as the revocation can only be processed by the District Council in this case). Although it is recognised that the related policy, DM10, is not included within the MIQs, it is nevertheless requested that reference to the site as a hazardous installation be removed from the proposals map.
- 1.4 In addition, it is noted that the submission draft of Policy DM4 requires new wind energy schemes to comply with the requirements of footnotes 57 and 58 of the NPPF. As the Inspector will be aware, the government published a Policy Statement on 8 July 2024 which deleted these footnotes. As such, there is no justification for DM4 to replicate these footnotes and the relevant part of the draft policy should be deleted. It is trusted that the Inspector will address this with the local authority through the examination process, but for the avoidance of doubt British Sugar would support this.

## 2 BRITISH SUGAR AND THE NEWARK SUGAR FACTORY

- 2.1 British Sugar Plc was formed in 1936, and has been one of Associated British Foods' ('ABF') subsidiary companies since 1991. It is the sole British producer of sugar from sugar beet and processes all sugar beet grown in the UK by around 2,300 growers. From the four factories in the UK, including Newark Sugar Factory, a total of circa 8 million tonnes of sugar beet is processed annually.
- 2.2 British Sugar's sugar processing creates a number of co-products including topsoil, animal feed, LimeX and aggregates. Furthermore, their innovative approach to the operation also enables the creation of a range of co-products from power generation and bioethanol. British Sugar is continuously reviewing opportunities to grow and diversify the operations in partnership with ABF's subsidiary or third party agri-food sector businesses while reducing greenhouse gas emissions to operate more sustainably.
- 2.3 British Sugar supports up to 7,000 UK jobs in the wider economy, and supplying over 50% of the UK's demand for sugar.
- 2.4 The Newark Sugar Factory, which extends to 87.9ha, has been in operation since its opening in 1921. British Sugar has continuously made investments in the site. Newark sugar factory is now an advanced manufacturing plant, processing 1.6 million tonnes of locally grown sugar beet to produce 235,000 tonnes of sugar. The Newark Sugar Factory is of national importance, producing home-grown sugar and other related produces. British Sugar as a whole, services over 50% of the domestic sugar market which, in turn, helps underpin food security in the UK, in line with the Government's food strategy (June 2022).

- 2.5 The factory is a key part of the local and regional economy. As well as directly employing 150 permanent staff and additional seasonal employees, the factory supports off-site/indirect jobs within the catchment area and circa 560 local farmers (with sugar beet grown by local growers) and several haulage companies.
- 2.6 In addition to the production of sugar, the sustainable production of the site ensures that British Sugar operates a circular economy, turning raw materials into products thus avoiding unnecessary waste. In fact, there is only 200g of waste from every tonne of sugar produced. The result is the production of much more than sugar, with co-products including:
- Animal feed from residual sugar beet fibre which is supplied to the livestock industry;
  - Topsoil from soil recovered from sugar beet which is used primarily by the landscaping industry;
  - LimeX, a liming material supplied to agriculture;
  - On-site power generation (Combined Heat and Power) and the export of electricity into the electrical grid, and
  - Aggregates from stones recovered from sugar beet which is used by civil engineering, road building and construction industries.
- 2.7 British Sugar is fully committed to its ongoing and long-term operations at Newark. For example, the business last year invested in a new waste-water treatment plant to improve the quality of water being discharged. Furthermore, the animal feed dryers have recently been converted to use natural gas, which has reduced the carbon emissions.
- 2.8 These recent investments (totalling £10m) have improved the environmental and sustainability credentials of Newark Sugar Factory. British Sugar is continually reviewing further opportunities to diversify while at the same time reducing greenhouse gas emissions from the sugar beet processing operation through on-site renewable energy development. Through its parent company, ABF Sugar, British Sugar is committed to the SBTi targets, British Sugar's operations at Newark are diverse and they will continue to invest in further opportunities for diversification, efficient operations and carbon emission reductions, which will strengthen its role in the agri-food sector in the region and the sustainable, low carbon future.

### 3 RESPONSE TO THE INSPECTORS' QUESTIONS

**Issue 1 – Whether the policies relating to climate change and the natural and built environment are positively prepared, justified, effective and consistent with national policy**

**Policy DM8 - Development in the Open Countryside**

**Question 9.26 - What is meant by small scale employment development and how will that be determined?**

- 3.1 The overall aim of DM8 (focussing development in built-up areas, and restricting development in the countryside to specific categories) is generally supported by British Sugar. However, in the absence of any site-specific identification within the Development Plan (as currently proposed by the local authority, but see further comments below), it has to be recognised that any improvements or expansion to the British Sugar factory would – in terms of principle – be addressed against Policy DM8. As such, this policy is key to the ongoing and long-term operations of the factory, and its ability to continue to evolve to changes in technology and the economy.
- 3.2 British Sugar's primary position is that the factory site (given its scale and long-standing contribution to the local economy, including the supply chain) should be identified as a previously developed site, where improvements and supporting development should be supported in principle (subject to normal

development management considerations such as transport impact, ecology etc). However, in the absence of this, it is even more key to British Sugar that this policy is sufficiently flexible to allow improvements and supporting development on major development sites.

- 3.3 In this context, the policy – as currently drafted – is vague and defaults to small scale development in the first instance, which is undefined and the explanatory text suggests that any development for the expansion of existing businesses will be limited:

*“Expansion of viable business and recreational uses will be supported subject to site specific assessment. It should be recognised that the expansion of any given site is likely to be limited at some point by its impacts on the countryside.”*

- 3.4 There is no material definition of what constitutes “small scale employment” development, and it is unclear – where development is proposed on existing developed sites – whether “small” should be assessed in absolute terms or in comparison to the existing employment development. The policy should be clarified in these terms and as a minimum (if the local authority and Inspector are not minded to identify the British Sugar site as a previously developed site – see following question) the policy should confirm that development on previously developed employment sites is supported where it will bolster the factory’s operations and continued innovation.

**Question 9.29 - Overall, will the Plan contribute to the achievement of sustainable development? Are any main modifications necessary for soundness?**

- 3.5 As previously confirmed, the general focus of restricting development in the countryside is recognised and supported. However, Policy DM8 does not make adequate allowance for development on major previously developed sites such as the British Sugar Factory, and it will not contribute to the achievement of sustainable development in these terms, and is contrary to the NPPF, as:

- it is not positively prepared, particularly as there is no other allocation or development management policies which recognise the significance of the Newark Sugar Factory to the local and regional economies and support its ongoing operation and growth, and
- it is not consistent with the NPPF Paragraphs 81, 82 and 84 (September 2023 version), which require planning policies to:
  - help create the conditions in which businesses can invest, expand and adapt, placing significant weight on the need to support economic growth;
  - set out a clear economic vision and strategy to positively and proactively encourage sustainable economic growth, and
  - enable the sustainable growth and expansion of all types of business in rural areas.

- 3.6 Suggested changes to Policy DM8 are provided in the following section of these representations. However, in order that the continued operation and growth, of this key and long-standing local employer, it is considered that the factory must be identified in the Development Plan as a previously developed site where appropriate development (beyond what would normally be considered appropriate in the open countryside) is permitted in principle, see following section for precise wording.

- 3.7 Such recognition would bring Newark in line with the other sugar beet processing factories in the UK – in Wissington, Cantley and Bury St Edmunds. These sites are on the edge or outside the settlement boundaries and benefit from a site specific designation or allocation supporting existing operations and growth in the adopted and/or emerging Local Plans, as follows:

- **Wissington Sugar Factory** is designated as a Major Employment Site under Policy LP10 in the emerging Local Plan for King’s Lynn and West Norfolk Borough (currently at the examination stage), supporting the factory’s ongoing operation and growth.

- **Cantley Sugar Factory** is a site specific allocation under Policy CAN1 in the adopted Broads Local Plan, supporting the factory's ongoing operation and growth.
- **Bury St Edmunds Sugar Factory** is designated as a General Employment Area and allocated as British Sugar under Policy BV16 of the adopted Bury St Edmunds Vision 2031 document, which supports British Sugar's continued operation and growth and protects areas intrinsic to British Sugar's operations for uses in connection with the ongoing operation and continued growth of the factory.

3.8 It is requested that the same approach is taken for Newark Sugar Factory, instead of designation of the site as a hazardous installation.

3.9 For the avoidance of any doubt, this should not be considered as an "omission site", in the sense of a development site being promoted through the examination process by a developer, notwithstanding that it has not been selected by the local authority for inclusion in the Development Plan. Rather the policy reference to the site would merely confirm the facts on the ground, and ensure that the planning system does not hold up future employment expansion, innovation and supporting development on a major, previously developed site which (by its nature) is industrial rather than rural in character (notwithstanding its location outside, albeit close to, the existing settlement of Newark).

#### 4 SUMMARY AND PROPOSED AMENDMENTS TO THE LOCAL PLAN TO ENSURE SOUNDNESS

4.1 In summary, Policy DM8 is considered to be insufficiently supportive of development at major, previously developed sites such as the British Sugar Factory, and is contrary to national policy. To make the policy sound, the following changes are suggested:

*"8. Employment uses*

*Employment development should be small in scale unless a larger scale can be justified and will only be supported where it can demonstrate the need for a particular rural location and a contribution to providing or sustaining rural employment to meet local needs in accordance with the aims of Core Policy 6 of the Amended Core Strategy.*

*Proposals for **the improvement and enhancement including renewable energy development, and/or the proportionate expansion of existing businesses will be supported ~~where they can demonstrate an ongoing contribution to local employment.~~** Such proposals will not require justification through a sequential test.*

*Proposals to expand existing businesses or construct buildings for new businesses in the open countryside are more likely to be appropriate in areas such as industrial estates and **the Newark Sugar Factory site**, where the principle of such development is established. Where it is demonstrated that it is necessary, expansion into adjacent areas could be considered appropriate if the impacts are judged to be acceptable. The proportionality of such developments should be assessed individually and cumulatively, and impacts on both the immediate vicinity and the wider setting should be considered. It should be demonstrated that location on existing employment allocations or on employment land within urban boundaries or village envelopes is not more appropriate.*

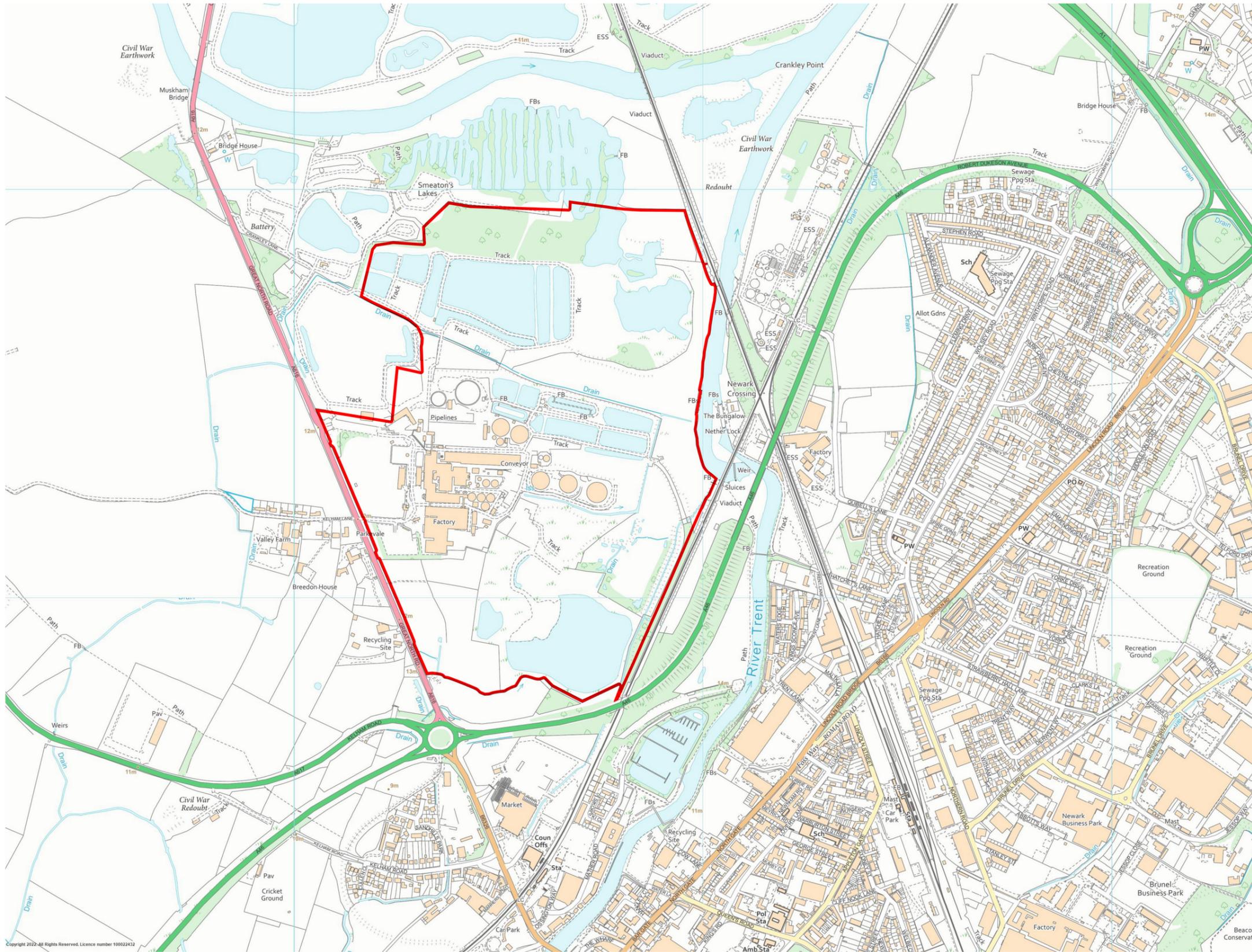
In addition, it is considered that – in order to make the plan sound – the factory be identified on the proposals map, and the following be included within the Development Plan (as an allocation):

*"Newark Sugar Factory's continued operation and the role it plays, both within the District and the wider area, as a major employment site is supported. Newark Sugar Factory including areas intrinsic to the operations of British Sugar are protected for uses in connection with the ongoing operation and continued growth of the factory. Appropriate forms of development/uses on these*

*areas, including renewable energy development connected to British Sugar's operation, will be supported, having regard to the relevant requirements of the Local Plan."*

Appendix 1

# Newark Sugar Factory Site Plan



**SITE LOCATION PLAN**

Newark Sugar Factory  
 Great North Road  
 NEWARK  
 NG24 1DL



Scale @ A4 : 1:10,000  
 Plan No. : 19-02752\_SLP01