

Local Members' Interest
ALL

Prosperous Staffordshire Select Committee – 24 April 2014

The new Minerals Local Plan for Staffordshire (2015 to 2030) Draft for Consultation

Recommendation/s

1. That the report be noted.

Report of Mark Winnington, Cabinet Member for Economy & Infrastructure

Summary

What is the Select Committee being asked to do and why?

2. The purpose of the report is to update the Committee on the preparation of a new Minerals Local Plan for Staffordshire and in particular to inform on the forthcoming consultation on the draft Plan.

Report

Background

Why do we need a new Minerals Local Plan?

3. National planning policy gives great weight to the benefits of mineral extraction, including to the economy. An assessment by the industry estimates that each employee in the mineral products industry generates over £110,000 of value added per year which is more than double the national average. The industry nationally generated gross value added of over £4billion in 2011 amounting to 0.3% of total UK output.
4. Staffordshire quarries produce about two thirds of the sand and gravel sold in the West Midlands (approximately 2 to 3% of total land won aggregate produced in Great Britain); produce the greatest amount of clay and shale compared with any other county in England; the county has one of only 12 cement kilns in the UK; and 80% of the anhydrite used in the cement industry is produced from Staffordshire's only mine.
5. Given the importance of the minerals industry to the economy, it is important that we have a Local Plan that is effective in guiding decisions on mineral planning applications.

6. Our current / old Minerals Local Plan, adopted in 1999, was intended to plan for a period up to 2006. The life of the policies and proposals were extended when they were 'saved' in 2007 but it is now important that we adopt a new Plan with up to date policies and proposals to direct new mineral development to the right places to support sustainable economic growth over the next 15 years to 2030.
7. In preparing the new Minerals Local Plan, it has been necessary to take into account the circumstances that have changed since adoption of the old Plan including:
 - New legal requirements such as the 'duty to cooperate' on issues that have cross boundary impacts;
 - The National Planning Policy Framework which sets out the basis for assessing whether a Local Plan is 'sound';
 - The quantity of remaining permitted reserves to meet anticipated demand; and
 - Lessons learnt through decision making on planning applications and monitoring mineral development.

What progress has been made in preparing a new Plan?

8. Work on preparing a replacement Minerals Local Plan began in 2005 and progress so far involves:
 - 2007: The minerals industry and landowners were invited to submit site options with mineral resources;
 - 2008: Consultation was undertaken on 'issues and options' for a new Plan;
 - 2009: Progress is deferred when it was decided to concentrate resources on preparation of a new Waste Local Plan; and
 - 2013: Following adoption of the Waste Local Plan, work recommenced on preparing the Minerals Local Plan.
9. On 3 April 2014, the Planning Committee approved a draft of our new Plan for public consultation. This consultation will provide an opportunity for feedback on draft policies and proposals prior to preparing a final draft of the Plan which will be submitted to the Secretary of State for examination before an Inspector.

What are the next steps in preparing the new Plan?

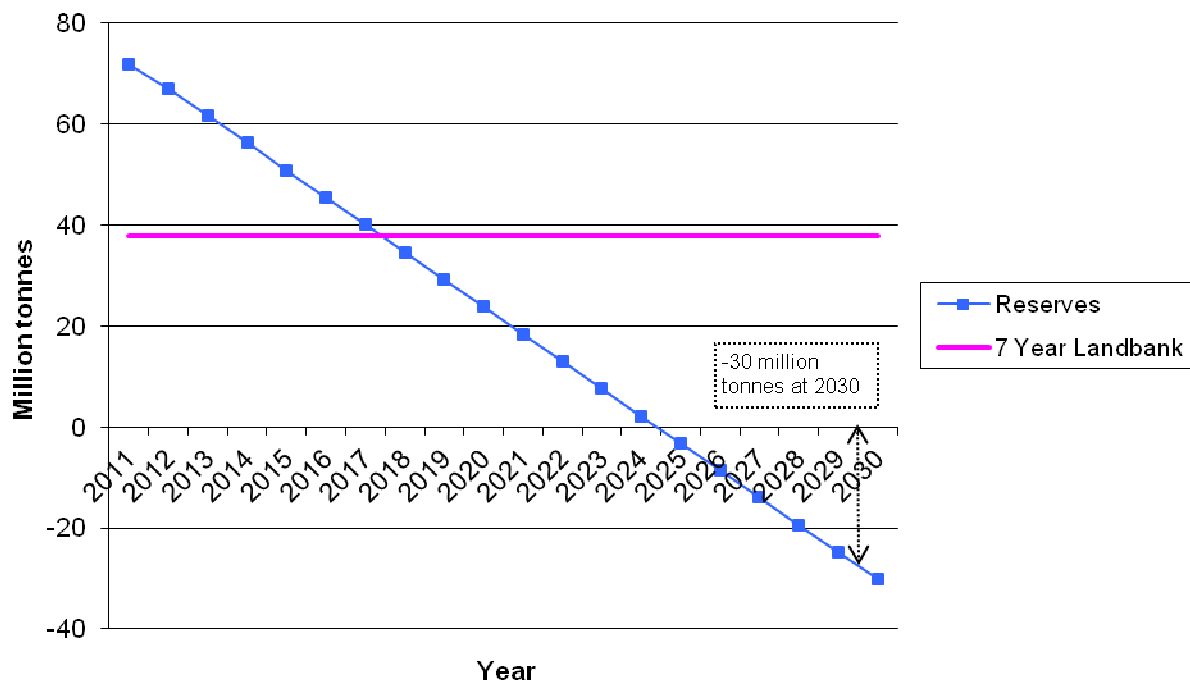
10. The consultation on the draft Plan, which will begin in May and run for at least 6 weeks, will be carried out in accordance with our recently updated Statement of Community Involvement. The consultation documents will be made available on the County Council's web site and a full range of consultees will be invited to provide feedback on the draft policies and proposals.

11. When a final draft Plan has been approved by the County Council, there will be a further opportunity to comment on the Plan before we submit the Plan for examination before an Inspector appointed by the Secretary of State. The Inspector will examine the Plan, having regard to representations received, to assess whether the Plan meets legal and procedural requirements and whether it is technically 'sound'.
12. Our timetable is to consult on a final draft Plan in November / December 2014 and to submit the Plan to the Secretary of State in spring 2015. We would then anticipate receiving the Inspector's Report in autumn 2015 and to be in a position to adopt the Plan in spring 2016.

What's in the new Plan?

13. The new Plan (refer to appendix 1 to [agenda item 4](#) for the Planning Committee on 3 April 2014) is arranged into 7 chapters. Chapters 2 to 5 summarise the evidence that has been considered in preparing the new Plan; Chapter 6 then identifies the Vision and Strategic Objectives for the Plan; and Chapter 7 sets out 6 policies with policies 1 and 2 referring to proposals / allocations for mineral working.
14. The new Plan is also accompanied by:
 - Appendices including a Proposals Map and Inset Maps (refer to appendix 2 to [agenda item 4](#) for the Planning Committee on 3 April 2014). There are 14 allocations shown on the Inset Maps and a larger area of search for sand and gravel workings west of the A38 shown on the Proposals Map;
 - An Interim Sustainability Appraisal report that sets out the assessment of options for the policies and proposals included in the Plan in terms of how they meet sustainability objectives;
 - A screening report in accordance with the requirements of the Habitat Regulations to assess whether there are likely to be any potentially significant effects on any European wildlife sites from the policies and proposals in the new Plan; and,
 - A scoping report for a Strategic Flood Risk Assessment that will consider the potential impact from the policies and proposals in the new Plan in terms of flood risk.
15. Based on a Vision for mineral development in the county to be achieved by 2030 and strategic objectives to deliver that Vision, 6 policies are proposed that will be used in determining planning applications. The policies are summarised as follows:
16. Policy 1 explains that we plan to maintain sufficient permitted sand and gravel reserves to produce 5.4 million tonnes of per annum. The Policy identifies extensions to 11 existing sites that would be supported in order to maintain that rate of production for the first 10 years of the Plan period. Then, by 2025, we anticipate that new site(s) will be needed and an area to the west of the A38 along the Trent Valley has been identified to provide a new site / sites. The policy also explains how we would assess proposals for extensions or new sites that have not been identified for meeting the need for aggregates.

Projected depletion of permitted reserves



17. The above graph illustrates the projected depletion of existing permitted sand and gravel reserves assuming that the proposed level of provision of 5.4 million tonnes is achieved each year up to the end of 2030. On this basis, there would be a shortfall of about 30 million tonnes over the Plan period that needs to be met by identifying additional sites/ allocations.
18. Policy 2 explains that we plan to maintain a 15 year landbank of permitted reserves for minerals used in cement manufacture and identifies 2 areas where extensions to existing sites would be supported. To maintain shale production an area close to the shale quarry at the Cauldon Cement Works has been identified. To maintain anhydrite / gypsum production an area close to Fauld Mine has been identified.
19. Policy 3 explains how we would safeguard minerals and avoid sterilisation by built development. The policy also explains how mineral infrastructure sites such as concrete batching plants would be protected from new development.
20. Policy 4 sets out the environmental criteria that would be used to assess planning applications for mineral development; and explains how we would encourage liaison with local communities and high environmental standards; and, how we would assess ancillary development on or near to mineral sites.
21. Policy 5 explains how we would assess proposals for hydrocarbon (methane gas) exploration, appraisal and production alongside policy 4.
22. Policy 6 explains how we would assess proposals for the restoration and aftercare of mineral sites; encourage regular reviews restoration strategies to ensure that the proposals are up to date; and, require mineral operators or landowners to

demonstrate that there is sufficient financial provision in place to restore the sites and complete the aftercare.

Link to Strategic Plan - The new Minerals Local Plan aims to support sustainable economic development by effectively guiding decision making for new mineral development and thereby contribute to the County Council's priority outcome where the people of Staffordshire will be able "to access more good jobs and feel the benefits of economic growth".

Link to Other Overview and Scrutiny Activity – N/A

Community Impact – See below

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Appendices/Background papers

1. Staffordshire and Stoke-on-Trent Minerals Local Plan 1994 – 2006
2. Guide to the submission of strategic site proposals (September 2007)
3. Issues and Options 2 consultation document (September 2008)
4. Habitat Regulations Assessment - Screening of Draft Issues and Options (September 2008)
5. A Strategic Flood Risk Scoping Study for the Minerals and Waste Development Framework (September 2007)
6. Letter dated 28 June 2011 from Councillor Winnington to Robert Neill MP
7. Draft Local Aggregate Assessment (October 2013)
8. Revised Sustainability Appraisal Scoping Report for Minerals Local Plan (2013)
9. Minerals and Waste Development Scheme – November 2013
10. Revised Statement of Community Involvement 2014

Summary of Community Impact Assessment (including a Health Impact Assessment, if applicable) for new Minerals Local Plan for Staffordshire

		Impact Assessment	
SCC Priority Outcomes & Impact Areas		Impact: (Positive/neutral/negative)	Provide brief detail of impact
Prosperity, knowledge, skills, aspirations		Positive	The Plan will support sustainable economic development by effectively guiding decision making for new mineral development.
Living safely		Neutral	
Supporting vulnerable people		Neutral	
Supporting healthier living		Neutral	
Highways and transport networks		Positive	The Plan will take into account the impacts of mineral development on the highway network. The Plan also makes provision for minerals used in constructing highways.
Learning, education and culture		Neutral	
Children and young people		Neutral	
Citizens & decision making / improved community involvement		Positive	The Plan provides an opportunity for engagement with local communities affected by mineral working and to comment on the Plan's preparation. A policy also encourages mineral operators to engage with local communities through pre-application discussions and by setting up site liaison committees
Physical environment including climate change		Positive	The Plan sets out criteria for assessing the environmental impact of mineral development, including the impacts of climate change.
Maximisation of use of community property portfolio		Neutral	
Equalities impact			
Age		Neutral	
Disability		Neutral	
Ethnicity		Neutral	
Gender		Neutral	
Religion/Belief		Neutral	
Sexuality		Neutral	
		Impact/ implications	
Resource and Value for money In consultation with finance representative		Preparation of the Minerals Local Plan will be supported by the Planning, Policy and Development Control Team and resources will be required to enable consultation on and examination of the Plan.	

<p>Risks identified and mitigation offered From corporate risk register categorisation</p>	<p>If a new Minerals Local Plan were not produced, there would be no local policy by which to assess proposals for mineral development. This could result in a scale of mineral development in the county that results in unacceptable adverse impacts for local communities and the environment.</p>
<p>Legal imperative to change In consultation with legal representative</p>	<p>Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Provision of new up to date policy provides a more robust basis for local decision making on planning applications.</p>