

Local Members' Interest
N/A

Prosperous Staffordshire Select Committee – 24 July 2015

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

Recommendation

1. That the Select Committee review the final draft of the new Minerals Local Plan and make formal representations as appropriate.

Report of Mark Winnington, Cabinet Member for Economy, Environment & Transport

Summary

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

2. The Select Committee is being asked to review the final draft of the new Minerals Local Plan for Staffordshire which is currently open to public comment for a 6 week period ending on 31 July 2015. The final draft Plan is available to view via the Council's online [consultation portal](#).

Report

Background

How has the new Minerals Local Plan been previously considered by the Select Committee?

3. A report was presented to the Select Committee on [24 April 2014](#) to update Members of this Committee on progress with the preparation of the new Minerals Local Plan for Staffordshire and in particular, to inform on the consultation relating to the first draft of the new Plan. The report was noted and the Select Committee resolved that a small working group be set up to consider the Plan in more detail and produce a response to the consultation on behalf of the Select Committee.
4. On 9 May 2014, the working group met and recommended the following:
 - a. that as part of any planning permissions given there is a requirement made on a developer to maintain the road network during the operation of the site;
 - b. that mineral operations should be required to liaise with local communities and that the local member must be included in liaison groups for mineral extraction sites; and,

- c. that the Restoration Guarantee Bond or other financial guarantee to cover all or part of the restoration and aftercare costs be used routinely rather than as an exception.

What progress has been achieved since the consultation on the first draft?

5. The comments received from the Select Committee working group, together with all other comments received during the consultation on the first draft of the Plan, have been considered in the preparation of the final draft of the Plan and a summary of the feedback was [reported to the Council's Planning Committee in October 2014](#).
6. In response to the comments made by this Committee, the issues as set out under paragraph 4 above are addressed as follows:
 - a. In setting out the environmental considerations to be taken into account when assessing the impact of proposals for mineral development, policy 4 highlights the need for the assessment of traffic impacts. The new chapter 8 of the draft Plan explains how the policies will be implemented and appendix 7 lists matters that could be included in planning obligations (legal agreements). Included in that list are traffic management measures and funding to maintain or to improve roads.
 - b. Policy 4 of the draft Plan encourages mineral developers to establish and maintain good liaison with local communities. In addition, the reasoned justification for policy 6 encourages developers to involve liaison committees where there is ongoing review of restoration strategies/ plans. Appendix 7 lists the establishment of liaison committees as a matter that could be included in a planning obligation.
 - c. Policy 6 sets out requirements for restoration guarantee bonds and the approach of the first draft has been maintained so that developers would be required to demonstrate that there is adequate financial safeguards to ensure that the restoration and aftercare requirements would be fulfilled in the event that the company went into liquidation.
7. Additional site options were submitted by developers during the consultation on the first draft Plan and as a consequence a consultation took place during autumn 2014 to provide an opportunity for the public and interested parties to comment on the additional site options. The feedback from that consultation has been used in the assessment of those additional sites.
8. On 4 June 2015, the Council's Planning Committee resolved to approve the final draft of the new Minerals Local Plan to be used for public consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
9. The Planning Committee [report](#) explained that no significant changes had been made to the content or the format of the draft Plan since the first draft was published as no new issues had arisen during the earlier consultation and no significant changes had been made to minerals planning policy guidance in the meantime. The changes made to the draft Plan were made in response to the earlier

representations; to update evidence; or, to fine tune the policies and proposals. For example, policy 1 relating to the provision of sand and gravel was updated to take account of the latest survey data for aggregate sales and reserves (2013). Consequently, the level of sand and gravel provision in the draft Plan has been updated to reflect the latest 10 year sales average (5.0 million tonnes per annum) but this small adjustment had not affected the number of site allocations included in the Plan.

10. The final draft was published on the Council's [consultation portal](#) on 10 June 2015 and there is an opportunity for representations to be made on the final draft Plan up to 5pm on 31 July 2015. Comments should be made on whether the draft Plan meets the 'soundness' tests as set out in national policy as well as legal requirements for its preparation and representations made at this stage will be forwarded to the Planning Inspector when the Plan is submitted for examination.

What are the next steps for the Plan?

11. Having received representations on the final draft of the Plan, it is our intention to present the Plan (and any modifications) to the Full Council for adoption before being submitted to Planning Inspectorate for examination on behalf of the Secretary of State. At this stage we anticipate submitting the Plan in December 2015, the examination hearings taking place in the spring of 2016 and being in a position to adopt the Plan in the Autumn of 2016.

Link to Strategic Plan – The new Minerals Local Plan aims to support sustainable economic development by guiding decision making for new mineral development and thereby, to 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

[Report to Prosperous Staffordshire Select Committee on 24 April 2014](#): The new Minerals Local Plan for Staffordshire (2015 to 2030) - Draft for Consultation

[Report to Planning Committee on 4 June 2015](#): The new Minerals Local Plan for Staffordshire (2015 to 2030) – Final Draft for Consultation - June 2015

Summary of Community Impact Assessment for new Minerals Local Plan for Staffordshire

	Impact Assessment	
SCC Priority Outcomes & Impact Areas	Impact: (Positive/ neutral/ negative)	Provide brief detail of impact
Impact on access to more good jobs and increased economic growth	Positive	The Plan will support sustainable economic development by effectively guiding decision making for new mineral development.
Supporting healthier living and independence	Neutral	
Impact on feeling safer, happier and more supported in and by the community	Neutral	
Maximising the opportunities for a good quality physical environment	Neutral	The Plan seeks to avoid unacceptable adverse impacts on the environment and through the restoration of sites, encourages opportunities to enhance the environment.
Maximisation of use of community property portfolio	Neutral	
Addressing issues affecting rural areas	Positive	The Plan provides policies that aim to balance the need for mineral working (supporting employment within rural areas) with the need to protect landscape and biodiversity.
Equalities impact		
Age	Neutral	
Disability	Neutral	
Ethnicity	Neutral	
Gender	Neutral	
Religion/Belief	Neutral	
Sexuality	Neutral	
	Impact/ implications	
Resource and Value for money	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.	
Risks identified and mitigation offered	If a new Minerals Local Plan were not produced, there would be no local policies by which to assess proposals for mineral development. This could result in a scale of mineral development in the county that leads to unacceptable adverse impacts for local communities and the environment.	
Legal imperative to change/ implications	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.	