



Minerals Plan

Preferred Option and Policies

October 2015



Minerals Plan - Preferred Option and Policies



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Introduction 1

1 Introduction

1.1 The Warwickshire Minerals Plan (which was formerly called the 'Minerals Core Strategy') is a Development Plan Document which sets out the spatial strategy, vision, objectives and policies for guiding minerals development in the County for a 15 year period. It also provides the framework for minerals development management including implementation and monitoring so that any new planning applications submitted will be assessed against the most up to date policies which accord with the most recent Government guidance.

What have we done so far?

1.2 Work commenced on the Minerals Core Strategy in 2006/2007. During 2008/09, there was a major amendment to the scope of Warwickshire's Minerals Core Strategy, which meant that instead of moving forward to the submission stage, it was agreed with Government Office for the West Midlands that the Issues and Options would be revisited. The Council consulted on the 'Minerals Core Strategy - Revised Spatial Options' document in February 2009. This set out three strategy options for locating new minerals development, 19 key issues and policy principles and a number of potential minerals sites submitted to the Council for possible allocation in the plan. The 27 sites were submitted by operators, landowners or developers following the Council's 'call for sites' in late 2008. The 27 site submissions covered a variety of different mineral types (including sand and gravel, cement clay/limestone, shallow coal and Etruria marl brick clay). All site submissions were included in the document and no decisions were made on the sites as views were sought on the submissions before more detailed analysis of the sites was undertaken.

1.3 The Council considered all the responses received and were working towards the next consultation when Central Government wrote to all Waste Planning Authorities advising that waste plans should be produced as soon as possible to ensure compliance with European legislation. Consequently, since 2010, the Council has prioritised the progression of the waste plan. The Warwickshire Waste Core Strategy was adopted in July 2013 and the Council is now in a position to restart work on the Minerals Plan.

1.4 The National Planning Policy Framework (NPPF) and supporting technical guidance was issued in March 2012. The Government has also produced updated planning policy guidance in what is now known as Planning Practice Guidance for minerals. This provides guidance on the planning for mineral extraction in plan making and the planning application process. The Council needs to ensure that its policies, strategy and proposals accord with this guidance in order for the plan to be found sound. The NPPF and the Planning Practice Guidance replace the former Minerals Planning Guidance Notes and Statements.

Where are we now?

1.5 Government guidance requires that Mineral Planning Authorities (MPAs) should plan for a steady and adequate supply of minerals including the provision of certain amounts of 'aggregates' i.e. sand and gravel and crushed rock. The Government issued a revised aggregates apportionment for the West Midlands region in June 2009 and requested that the West Midlands Regional Assembly (WMRA) should apportion amounts to individual MPAs, taking into account advice from the Regional Aggregates Working Party (RAWP) and the MPAs. Although the WMRA chose a

1 Introduction

preferred methodology for calculating the apportionments, the RAWP and the majority of the MPAs did not agree with the recommendation. In March 2010, the WMRA and all other Regional Planning Bodies were abolished as part of the Government's Localism agenda and the proposed apportionments were never formally adopted.

1.6 Since that time, the Government has produced the National Planning Policy Framework. This requires that MPAs should prepare a Local Aggregate Assessment (LAA) based on a rolling average of 10 years past sales and other relevant local information. Warwickshire County Council presented its LAA to the West Midlands Aggregate Working Party (WMAWP) on 24th June 2014 and since then it has been adopted. The second LAA (2015 Local Aggregates Assessment) is in draft form and forms part of this consultation. The LAA was published on the Council's website for comment at the same time and views were requested up to 31st August 2014.

Sand and gravel provision in Warwickshire

1.7 The National Planning Policy Framework states that MPAs should make provision for a sand and gravel landbank of at least 7 years of permitted reserves. Based on the Council's existing apportionment, Warwickshire's landbank currently stands at 7.2 years based on calculations within the most recent LAA (2015). A number of sites have closed since 2008 and only one new site at Wolston Fields has been put forward by the industry since then, which started operating in late 2014.

Crushed rock provision in Warwickshire

1.8 The National Planning Policy Framework requires that MPAs should maintain a crushed rock landbank of at least 10 years. Warwickshire's crushed rock landbank remains healthy at 29.18 years with a 25,680,700 tonnes reserve at December 2013. However, there is only one quarry producing crushed rock with limited reserves remaining and much of the County's landbank is provided by other permitted sites which are dormant but which are not currently operational. As part of the LAA consultation process, the Council has assessed the potential deliverability of these sites as this may impact on the County's landbank and crushed rock provision over the plan period.

Provision of other minerals in the County

1.9 There are also landbank targets for cement working (15 years) and brick clay (25) years which are relevant to Warwickshire. However, there is only one site for each of these minerals and their continued operation depends more on mineral safeguarding than finding new sites. For this reason all minerals other than aggregates will be addressed in the plan through specific planning policies rather than site allocations and these will form part of this consultation.

Underground Coal Gasification (UCG) and Fracking

1.10 Underground Coal Gasification is a separate process to fracking and involves the burning of coal seams underground and using the resulting gas to produce energy. The Coal Authority is responsible for issuing licences granting the right to access the coal, but no UCG operations can take place until the applicant has secured all other necessary rights and permissions. This would

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include securing the necessary permission from Warwickshire County Council as the Mineral Planning Authority. The Minerals Plan will need to contain a policy to ensure that UCG proposals can be adequately assessed and this will have to accord with national planning policy guidance.

1.11 Fracking is a process whereby the rock is fractured by injecting water at high pressure which forces gases through pipes above the surface. The Minerals Plan will look to address the issue through a policy in the plan. However, it should be noted that the geology within Warwickshire may not be conducive to enabling fracking as there are no major shale deposits in the County. No operator has expressed any interest in fracking in the County at the current time.

2 Policy Context

2 Policy Context

National Minerals Planning Policy

National Planning Policy Framework

2.1 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It replaced all previous Planning Policy Statements/ Guidance Notes and Minerals Policy Statements/ Guidance Notes.

2.2 The key policy messages are:

- Identify and include policies for extraction of mineral resources of local and national importance in their area, but should not identify new sites or extensions to existing sites for peat extraction;
- So far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously;
- Define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked; and define Minerals Consultation Areas based on these Minerals Safeguarding Areas;
- Safeguard: - existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and existing planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.
- Set out policies to encourage the prior extraction of minerals, where practicable and environmentally feasible, if it is necessary for non-mineral development to take place;
- Set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip-and-quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;
- When developing noise limits, recognise that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction; and
- Put in place policies to ensure worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place, including for agriculture (safeguarding and conserving the long term potential of best and most versatile agricultural land, geodiversity, biodiversity, nature woodland, the historic environment, recreation and soil resources).

Policy Context 2

Minerals Planning Practice Guidance

2.3 The Guidance advises on planning for mineral extraction in plan making and the application process. It explains what minerals are and why permission is required to extract minerals. It sets out how minerals can be safeguarded from non-mineral development, and how local authorities can identify suitable locations for mineral development and how they can plan for mineral extraction.

2.4 Mineral planning authorities are encouraged to plan for minerals extraction using Ordnance Survey-based proposals maps and relevant evidence provided by the minerals industry and other appropriate bodies.

2.5 This approach will allow mineral planning authorities to highlight areas where mineral extraction is expected to take place, as well as managing potentially conflicting objectives for use of land.

2.6 Mineral planning authorities should plan for the steady and adequate supply of minerals in one or more of the following ways (in order of priority):

1. designating Specific Sites – where viable resources are known to exist, landowners are supportive of minerals development and the proposal is likely to be acceptable in planning terms. Such sites may also include essential operations associated with mineral extraction;
2. designating Preferred Areas - these are areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extraction; and/or
3. designating Areas of Search – areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply.

Local Planning

Warwickshire Minerals Local Plan (adopted 1995)

2.7 The Minerals Local Plan was adopted in February 1995 and remained in effect until September 2007. Thereafter, only certain policies were saved to form part of the statutory development plan for Warwickshire. The saved policies remain in effect until the new Minerals Plan is adopted.

Warwickshire Waste Core Strategy (adopted 2013)

2.8 The Warwickshire Waste Core Strategy was adopted at the meeting of Full Council on the 9th July 2013. Once adopted, these policies became part of the statutory development plan for Warwickshire, replacing the saved policies of the Warwickshire Waste Local Plan 1999.

Warwickshire Local Transport Plan (WLTP)

2.9 The Warwickshire Transport Plan sets out how the County and its partners intend to improve transport and accessibility, as well as outlining longer term improvement schemes in the County for the period up to 2026. The County's existing Local Transport Plan (LTP3) came into effect on the 1st April 2011. The Minerals Development Framework will need to accord with the policies and principles of the LTP3.

2 Policy Context

District and Borough Local Plans

2.10 These provide the planning policy context at a local level. In the same way as the Minerals and Waste Local Plans are being replaced by new Local Plans, each district and borough in Warwickshire is in the process of producing new Local Plans. Rugby and North Warwickshire now have adopted plans and the other Districts and Boroughs are now in the latter stages of plan preparation.

Warwickshire's Sustainable Community Strategy

2.11 At the heart of the Minerals plan is the community strategy for the County which is the "Warwickshire Strategic Partnership Plan". This plan will help to shape the Minerals Local Development Framework. It has been produced by a number of agencies including the County Council, the Districts and Boroughs, Health Care Trusts, the Police and business and community organisations. The strategy aims to provide a strategic County-wide direction to specific activities which can only be achieved in partnership and act as a strategic driver for progressing the key issues facing Warwickshire, the sub-regional, regional and national partners. The aims of the strategic plan are to provide:

- Good quality housing available at an affordable price.
- Safe environments for all those who live, play, work and visit Warwickshire.
- A natural environment, climate and resources that support and enhance lives for future generations.
- Sustainable economic growth, where jobs are created and retained; and residents are equipped with appropriate skills and competencies.
- The best possible health and well-being for all.
- The plan sets out the context for the MDF and this is outlined in our spatial portrait below.

Planning Policy summary

2.12 The national and local plans, policies and guidance set out above set the context for the Minerals Plan. In applying these policies, plans and guidance to produce the County's Plan, it is important to have a thorough understanding of the local context. The next chapters will provide a spatial portrait of the County's characteristics as well as a broad overview of Warwickshire's mineral context.

Spatial Portrait 3

3 Spatial Portrait

Locational Context

3.1 Warwickshire lies to the south and east of the West Midlands conurbation and has established strong sub-regional links with the adjoining authorities of Coventry and Solihull and wider linkages with different parts of the West Midlands. The location of the County also means that it also has economic links with the East Midlands and the South East.

3.2 Warwickshire is bounded to the north west by the West Midlands Metropolitan conurbation and Staffordshire, Leicestershire to the north east, Northamptonshire to the east, Worcestershire to the west, Oxfordshire to the south and Gloucestershire to the south west. Despite the focus of population within the main towns of the County, a significant part of Warwickshire is rural in nature with the majority of people living in the north and central areas of the County.

3.3 Warwickshire is a two tier local authority and has five district/borough areas:

- North Warwickshire Borough
- Nuneaton and Bedworth Borough
- Rugby Borough
- Stratford-on-Avon District
- Warwick District

Population

3.4 Warwickshire is home to 548,000 people according to the latest population figures from the 2012 mid-year estimates. There has been a 20% increase in the annual number of births in Warwickshire during the last 10 years. Population sizes within the districts and main settlements are shown in Table 3.1 and Table 3.2, but the largest towns in Warwickshire as of 2011 are Nuneaton (pop 82,000), Rugby (72,100), Leamington Spa (49,600) and Bedworth (37,200).

3.5 Across Warwickshire, as a whole the highest rates of projected population growth are in the groups aged 65 and over. The rate of growth increases with age, with the oldest age group (those aged 85 and over) projected to increase by more than 40% between 2011-2021.

3 Spatial Portrait

Table 3.1. Population sizes (mid 2012 estimates) – source: Quality of Life in Warwickshire, 2013/14.

Districts	Population
North Warwickshire	62,200
Nuneaton and Bedworth	125,800
Rugby	100,800
Stratford-upon-Avon	120,600
Warwick	138,600
Warwickshire	548,000

Table 3.2. The population of the main settlements in Warwickshire.

	Mid 2002 Ward Estimates	Mid 2011 Ward Estimates	% change 2002-2011
Alcester	6,000	6,800	13.3
Atherstone and Mancetter	10,900	11,000	0.9
Bedworth	34,700	37,200	7.2
Coleshill	6,300	6,500	3.2
Kenilworth	23,300	23,400	0.4
Leamington Spa	45,800	49,600	8.3
Nuneaton	78,500	82,000	4.5
Polesworth	7,000	7,000	0.0
Rugby	61,700	72,100	16.9
Shipston-on-Stour	4,500	5,000	11.1
Southam	6,500	6,600	1.5
Stratford-upon-Avon	22,300	27,600	23.8
Studley	6,000	5,900	-1.7
Warwick	26,100	30,100	15.3
Wellesbourne	7,000	7,000	0.0

Spatial Portrait 3

Table 3.2. The population of the main settlements in Warwickshire.

	Mid 2002 Ward Estimates	Mid 2011 Ward Estimates	% change 2002-2011
Whitnash	8,200	8,800	7.3

Notes: Mid 2011 ward population estimates are the most recent population estimates available. The definition of Bedworth used here includes the wards of Bede, Exhall, Heath, Poplar, Slough but not Bulkington ward, which has a population of 6,000. All figures are rounded to the nearest 100.

Source: *Warwickshire Observatory; National Statistics mid-year population estimates, (www.statistics.gov.uk)* © Crown Copyright 2009.

Employment and Training

3.6 The market towns of northern and eastern Warwickshire were industrialised in the nineteenth century and include Atherstone, Bedworth, Nuneaton and Rugby. Major industries include (or included) coal mining, textiles, engineering and cement production, but heavy industry has been in decline, being replaced by distribution centres, light to medium industry and services. The prosperous towns of central, southern and western Warwickshire include Leamington Spa, Stratford upon Avon, Kenilworth, Alcester and Warwick which sustain light to medium industries, services and tourism as major employment sectors.

3.7 Whilst the sub-region retains its traditional links with manufacturing (particularly the motor industry), it has experienced significant growth in the service sector economy over the last 20 years. The completion of the M40 in the early 1990s and improved rail services between the West Midlands and London has resulted in the creation of jobs in the area.

3.8 The number of people who are claiming Job Seekers Allowance in Warwickshire is below the national and regional levels. At borough and district level, the proportion of residents claiming benefits ranges from very low in Stratford-on-Avon District (1.8%) to fairly high in Nuneaton and Bedworth Borough (8%). Only Nuneaton and Bedworth Borough has a claimant count higher than the national and regional average for England and Wales in youth unemployment. There has been a decrease in the number of claimants over the last year in every Borough and District.

3.9 Over one in five (21.6%) of Warwickshire residents have no formal qualifications. This varies at a local level and when comparing Warwickshire to the national average (England & Wales), the County is positively outperforming. One of the targets for Warwickshire County Council and the Warwickshire LEP (who are working on a skills strategy for the sub-region) is to develop the skills of Warwickshire residents.

Quality of Life in Warwickshire

3.10 Despite being a prosperous County there are inequalities, with the majority of the less prosperous areas with higher levels of deprivation being located in the north of the County in the Boroughs of Nuneaton and North Warwickshire. However, even in the more prosperous southern

3 Spatial Portrait

districts, pockets of deprivation exist. Higher levels of deprivation are often epitomized by the physical and practical problems of lack of transport and support services and of limited employment opportunities outside the main towns.

3.11 The latest English Indices of Deprivation (IMD 2010) provide the most detailed and comprehensive measure of deprivation and disadvantage to date. They reveal that Nuneaton and Bedworth has the highest levels of deprivation in the County ranking 108th out of 326 authorities in England whilst Stratford upon Avon ranks as the least deprived in the County with a national rank of 278th. Various indicators measured at Super Output Level reveal a mixed picture within the County in terms of health and disability, income, employment, crime, educational skills and training and barriers to housing and living environment deprivation. For income deprivation, employment, crime and education the general pattern is that the larger concentrations of deprivation are in Nuneaton and North Warwickshire with only a few isolated pockets in Stratford and Warwick. The picture in relation to Barriers to Housing and Services is slightly different with the problem areas particularly in the more prosperous districts of Stratford and Warwick. Housing is less affordable in these areas. A total of 63 areas in Warwickshire are ranked in the top 30% most deprived SOAs in England in terms of access to services and housing, compared to the higher number of 97 in the IMD 2007. Of these 63 SOAs, 31 in Stratford-on-Avon, 15 are in Warwick with a further 10 in North Warwickshire and 7 in Rugby. There are no SOAs in the top 30% most deprived in terms of access to services and housing in Nuneaton & Bedworth. Some 29 SOAs feature in the top 10% compared to 35 on this measure in the IMD 2007. Also two SOAs located in Stratford on Avon and one SOA in Warwick are ranked in the top 1% most deprived areas in England in terms of access to services and housing. These areas are Stoneleigh in Warwick District ranked 163rd (out of 32,482 SOAs) and Ladbroke & Priors and Long Compton SOAs in Stratford on Avon which are ranked 195th and 276th respectively.

3.12 The annual Warwickshire Quality of Life Survey 2010 shows that all boroughs and districts have experienced a downward trend in the numbers of people claiming Job Seekers Allowance benefit in the last year. Whilst the health of people across the County is generally above the national average, the performance across a range of indicators between boroughs and districts presents a more varied picture. On a positive note, fear of crime levels have fallen and are currently the lowest seen in the County in ten years. This is mirrored by a fall in recorded crime across the County with just under 10% of fewer crimes being recorded in 2009-10. Serious road casualties have also continued to see a decline in numbers and are half the number experienced ten years ago. Waste disposed of per head of population is still falling and recycling and composting rates are continuing to build on previous improvements.

Transport

3.13 Warwickshire lies at the heart of Britain's transport network with several key strategic routes passing through the County including the M6, M6 toll, M40, M42, M45 and M69 along with a number of key trunk routes including the A5, A45, and the A46. The A46 and A444 act as a key route in the North-South corridor from Nuneaton down to Leamington and Warwick and the A46 provides a strategic link between the East Midlands (M1/M69) and the South West (M5). Warwickshire experiences a high level of through road freight traffic movement (M6, M40, M42 and A46).

Spatial Portrait 3

3.14 Warwickshire is well connected by rail with the West Coast Main Line running through the County from the north west to London and the south east. These are important passenger and freight movements. There are two rail freight terminals in the County, both of which lie in North Warwickshire; Birch Coppice and Hams Hall. The Daventry International Rail Freight Terminal (DIRFT) is also located just beyond the Rugby borough border in Northamptonshire.

3.15 There are also plans for a high speed rail link through the County, known as HS2. In 2010, the Department for Transport with HS2 Ltd announced the proposed route for a high speed rail link between Birmingham and London Euston. The proposed route is highlighted in Fig. 1.1. Whilst the HS2 rail proposals are at a very early stage, there may be implications for the emerging Minerals Plan. The HS2 proposals will be closely monitored through future Annual Monitoring Reports and taken into account at all stages as the Minerals Plan develops.

3.16 There are four canals which run through Warwickshire which form the Warwickshire Ring. The Coventry Canal links Coventry and Fradley Junction just north of Lichfield. It also runs through the towns of Bedworth, Nuneaton, Atherstone, Polesworth and Tamworth. It is navigable for boats up to 21.9m (72ft) length. The Stratford-upon-Avon Canal runs for 25 miles in total, comprising two sections. The southern section starts at the River Avon in Stratford-upon-Avon and stretches north as far as Kingswood Junction near Lapworth, where it is connected to the Grand Union Canal by a short spur. The northern section continues, joining the Worcester and Birmingham Canal at Kings Norton Junction in south Birmingham.

3.17 The 135 mile Grand Union Canal links Birmingham and London and enters Warwickshire by coming in via the south-east by Braunston Junction near Daventry. It joins up with the Oxford Canal to share a small section. They both head west, travelling between Long Itchington to the north and Southam to the south, before splitting again at Napton Junction. Here the Oxford Canal turns south to travel out of the County while the Grand Union heads north-west. The Oxford Canal is a 78 mile long narrow canal linking Oxford with Coventry via Banbury and Rugby.

3.18 The settlement pattern and transport infrastructure, together with the existing mineral sites within the County, are shown in Fig. 1.1. The County Council's advisory lorry routes are shown in Fig. 1.2.

3 Spatial Portrait

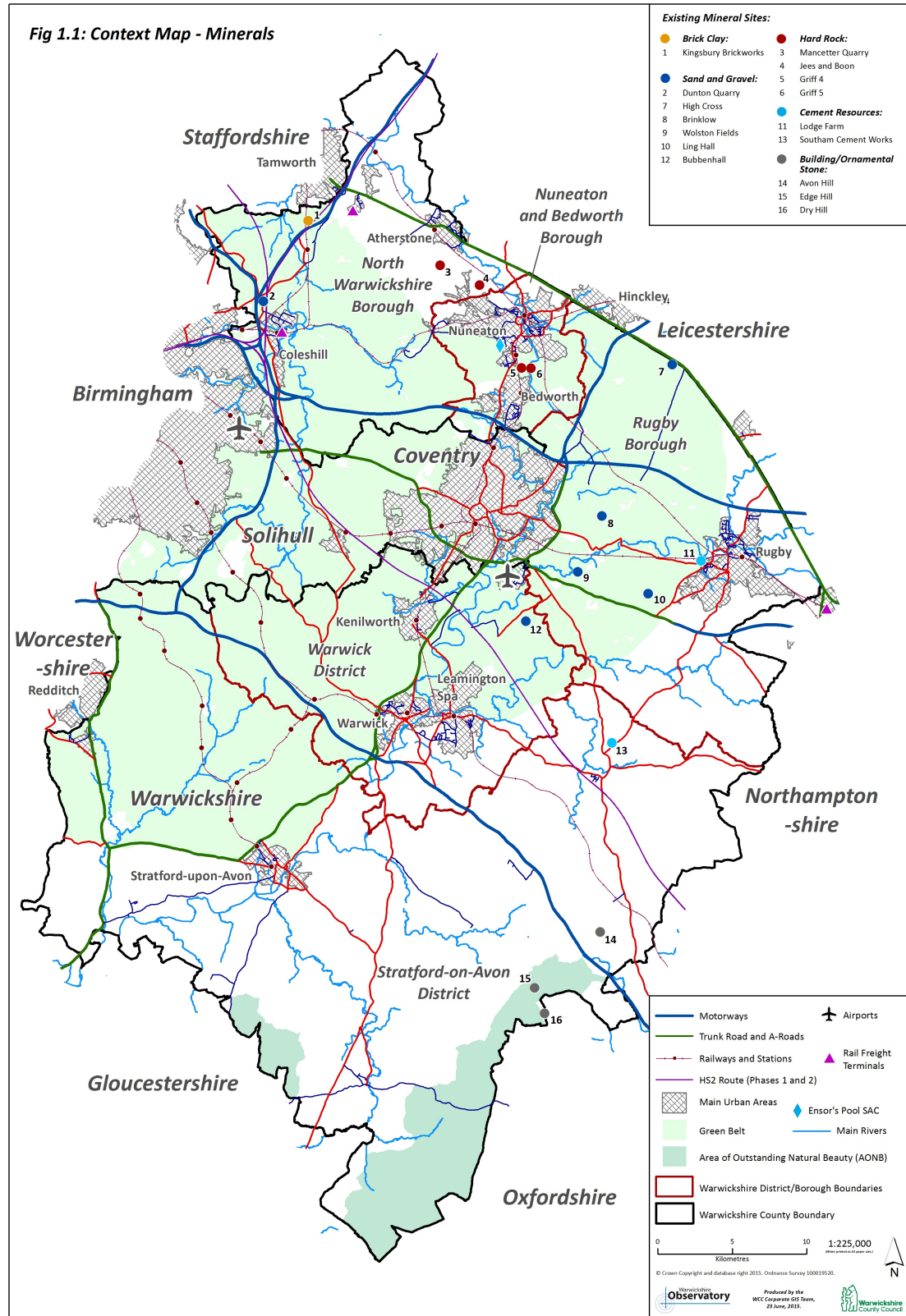


Figure 1.1 Sub-regional context - Minerals

Spatial Portrait 3

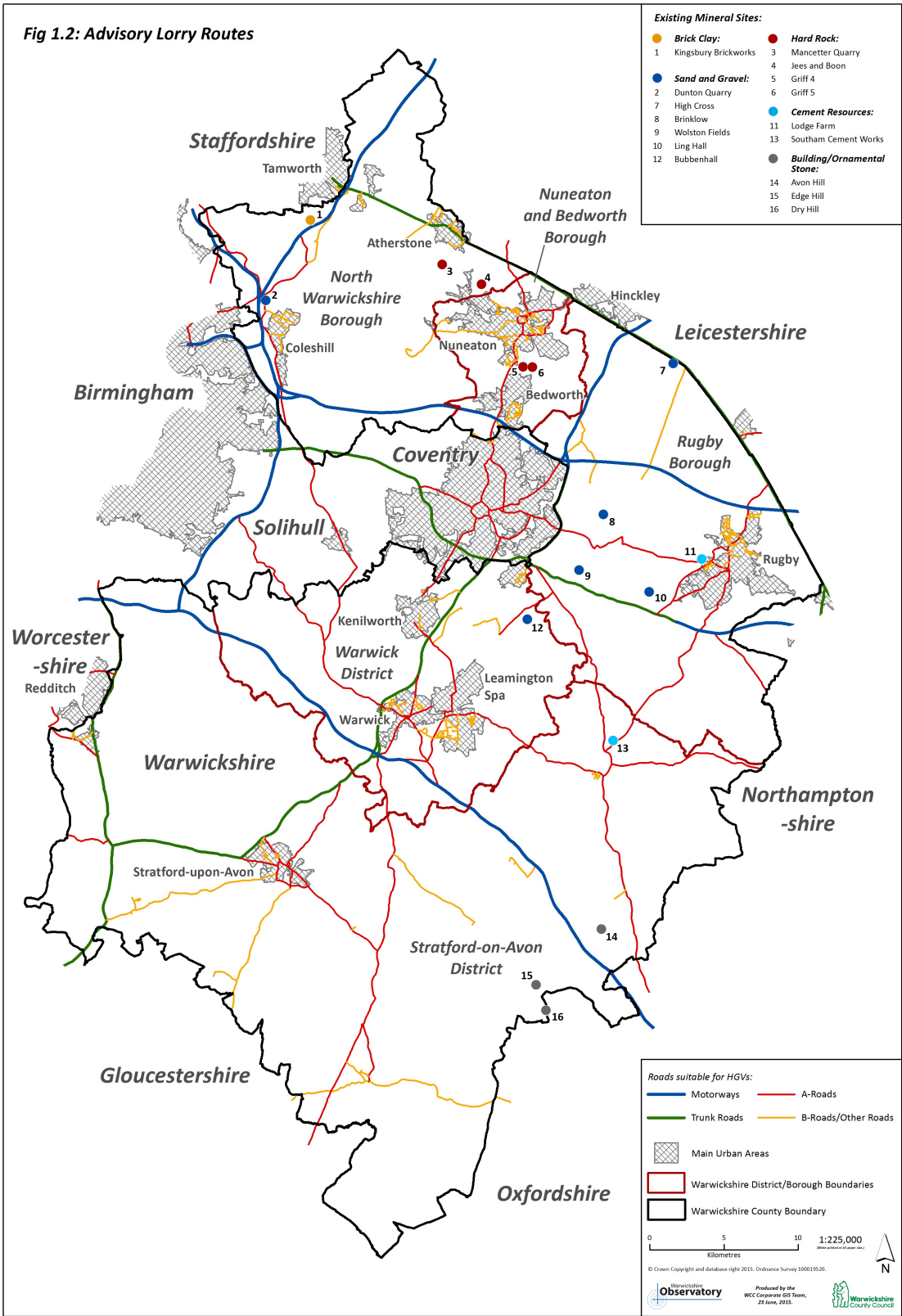


Figure 1.2 Advisory Lorry Routes in Warwickshire

3 Spatial Portrait

Environment

3.19 Warwickshire has a landscape of considerable variety and complexity, with seven distinct landscape character areas: Arden, Dunsmore, Avon Valley, Feldon, Cotswolds, High Cross Plateau and Mease Lowlands. Part of the Cotswolds character area is designated as an Area of Outstanding Natural Beauty (AONB), a national designation to conserve the natural beauty of landscapes of recognised importance. Furthermore, a large proportion of the County is covered by a swathe of designated Green Belt (depicted in Fig. 1.3).

3.20 There are many sites designated for nature conservation purposes within the County. There is one site designated as of European importance for nature conservation - the Ensor's Pool Special Area of Conservation (SAC) in Nuneaton. There are approximately 62 nationally designated Sites of Special Scientific Interest (SSSIs) and 253 locally designated Local Wildlife Sites (LWSs). 20 of the SSSIs are designated for reasons of geological interest. Furthermore, there are approximately 90 Local Geological Sites (LGSs, formerly Regionally Important Geological Sites) within the County. There are no National Nature Reserves, although there are 22 Local Nature Reserves.

3.21 In accordance with Articles 6.3 and 6.4 of the European Habitats Directive, Warwickshire County Council must undertake a Habitats Regulations Assessment (HRA) to assess that its plans or projects, either individually or in combination, do not impact upon the conservation objectives of European designated sites. As Warwickshire is host to a site of European importance (shown on Fig. 1.3), and there are sites in proximity of the county, an initial screening assessment has been undertaken. Further assessment will be undertaken as the Minerals Plan develops.

3.22 The County has seen a decrease in unimproved grassland as well as a loss of hedgerows and traditionally managed woodland. Warwickshire is one of the two worst hit Counties in England, as flower rich pasture and meadowland has reduced to just a few hundred acres (a 97% loss between the second World War and 1996) and approximately 32% of hedgerows have been lost, both as a result of agricultural intensification. Although there have been isolated successes in halting the loss of Warwickshire's biodiversity, there is a need for appropriate spatial planning to protect and enhance wildlife populations and habitats. Therefore the Plan will seek to support the overarching aim and objectives of the County's Biodiversity Strategy, and seek to protect or enhance the 26 species and 24 habitats set out in the Warwickshire, Coventry and Solihull Biodiversity Action Plan. The Biodiversity Action Plan is informed by the Habitat Biodiversity Audit (HBA), a project led by the Warwickshire Wildlife Trust that seeks to provide up-to-date, accurate and readily accessible ecological data to partners including the County Council. This will provide accurate measurements and monitoring of priority habitats in the County. The Warwickshire Biological Records Centre also provides information on species distribution and ecological sites in the County. This work will provide an important context for the Minerals Plan and will help to shape the proposals and policies contained within it.

3.23 The County's Historic Environment Record (HER) has recorded 18,882 Historic Landscape Character Areas (including 4968 Historic Farmstead Records) and 10,470 monuments. Of these monuments, 198 are designated as Scheduled Monuments of national importance. The County also has approximately 6,008 Listed Buildings of historical or architectural interest and 138 Conservation Areas. Furthermore, there are 31 Registered Parks and Gardens and there is 1

Spatial Portrait 3

Registered Historic Battlefield at Edgehill. Warwickshire's historic landscape makes a considerable contribution to the County's character and local distinctiveness and the Warwickshire Historic Landscape Characterisation project (in conjunction with English Heritage) will further contribute to the understanding of how the County's landscape has developed over time, and its capacity for change, so that an integrated approach to its sustainable management can be established.

3.24 Warwickshire's topography and river drainage pattern means that parts of the County are at particular risk of flooding. In recent years a number of large scale events have occurred across the country. The floods of 2007 were unusual for the County as they spread across 75 communities and affected between 5 and 150 homes in each. This reflects the fact that the County is relatively flat and has numerous watercourses. The most severely and regularly affected areas are all of the reaches of the Leam and Avon and the tributaries of these rivers. Stratford-upon-Avon and Leamington are the main urban areas mostly affected by large scale flooding but many more rural towns and villages have also suffered.

3.25 In August 2007, Warwickshire County Council, Coventry City Council, Solihull Metropolitan Borough Council and the Districts and Boroughs of Warwickshire commissioned consultants to produce a level 1 Strategic Flood Risk Assessment (SFRA) in accordance with Planning Policy Statement 25 - Development and Flood Risk (PPS 25) which was in place at that time. The outputs from the SFRA provide information to inform the Minerals Plan to ensure that due regard is paid to flood risk in the creation of policies and plans. The SFRA maps all forms of flood risk and uses this as an evidence base to locate new development primarily in low flood risk areas. Areas of 'low' (zone 1), 'medium' (zone 2) and 'high' (zone 3) risk are mapped using data collected from many sources, including the Environment Agency, Warwickshire County Council, Severn Trent Water, the Highways Agency and the Canal and Rivers Trust. The level 1 SFRA was completed in February 2008 and the areas of medium and high risk are shown on the Minerals constraints map in Fig. 1.3.

3 Spatial Portrait

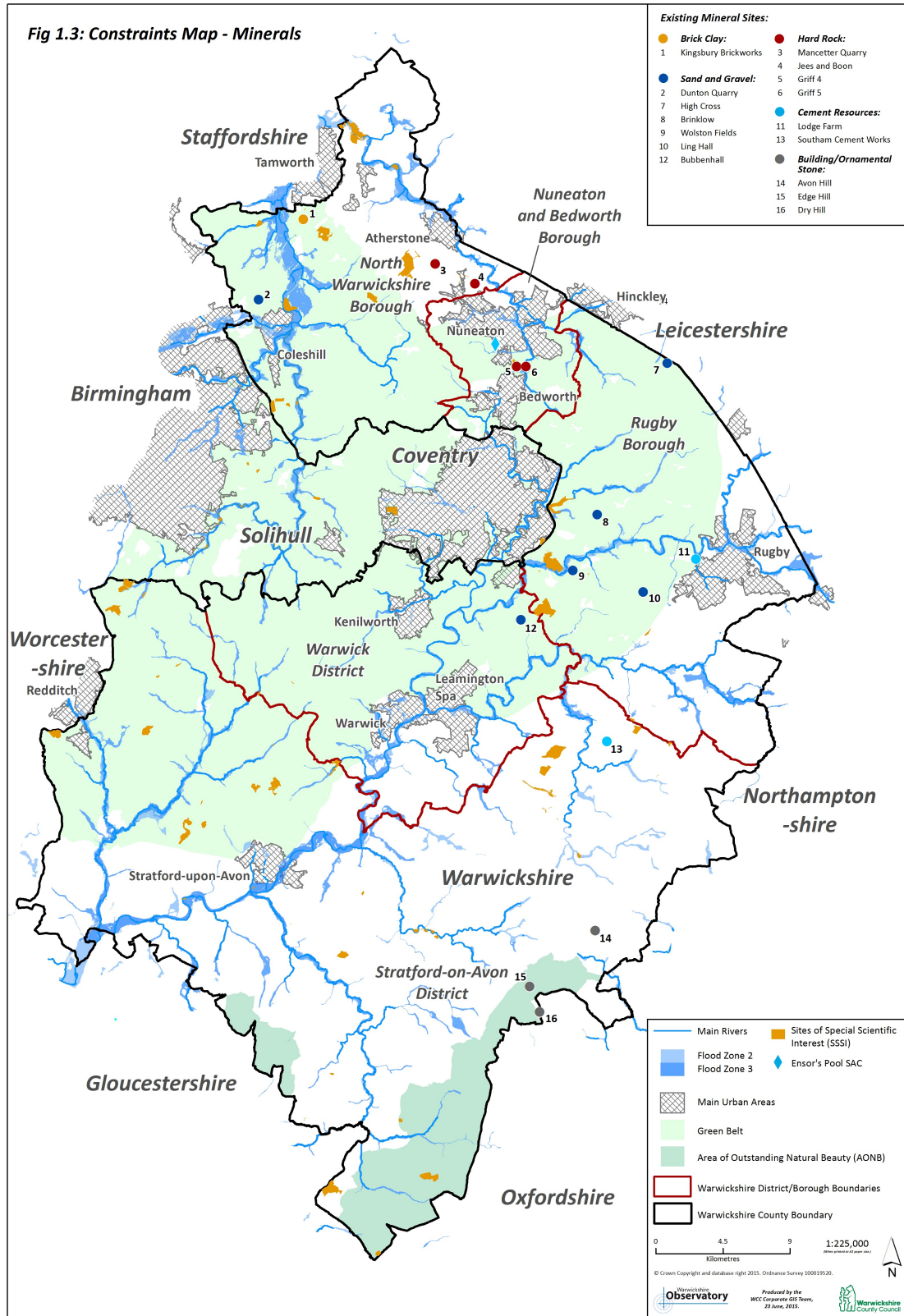


Figure 1.3 Mineral Constraints Map

Spatial Portrait 3

3.26 Since the SFRA was carried out in 2008, some areas have been remodelled, including the Rivers Stour and Leam, Shotton Brook and additional modelling has been undertaken for Southam on the river Itcham and the Pingle Brook. The most recent updates to the SFRA is available on the Environment Agency website.

3.27 In addition, when considering the wider implications around hydrology over and the above flooding issues, the Water Cycle Study (WCS) is an important part of the evidence base. A WCS is a more holistic approach than the SFRA as it helps to determine what sustainable water infrastructure is required and where and when it is needed.

3.28 The WCS has been carried out at a sub-regional level and covers all the districts within Warwickshire. The existing sub-regional Water Cycle Study is considered adequate to inform the development of the Minerals Plan.

3.29 As a co-deliverer of the Water Framework Directive (WFD) 2000/60/EC, Warwickshire County Council needs to ensure that its policies and strategies support the Directive's aspirations and targets. The WFD does not allow for any drop in quality of the water environment, and aims for all waterbodies to achieve 'Good' status by 2015. The Environment Agency have subsequently produced River Basin Management Plans (RBMPs) which assess the current state of the water environment and include measures for protecting and improving the water environment. The RBMPs specify what is required to be undertaken to ensure that Good Status is achieved on schedule.

3.30 Whilst the administrative area of Warwickshire covers the three river basins of the Severn, the Humber and the Thames, the majority of the County lies within the Severn river basin. The policies contained within the Minerals Plan will therefore need to help to achieve the aims, objectives, priorities and targets set out in these plans, particularly the Severn RBMP.

3.31 To achieve this, while mitigating climate change and the additional development proposed, policy and decision makers need to take a tough stance on the control of water pollution, ensuring betterment from the existing situation is achieved wherever possible, and the risk of contamination of Controlled Waters is minimised in all new developments and redevelopment proposals.

3.32 In order to achieve the Spatial Vision we have, in previous consultations, set out a number of objectives, which have been refined during our previous consultation work. These are set in the context of the main objectives for national mineral planning. These are set out in chapter 6.

Question 1

Spatial Portrait

Is there any other information or data which you would like to be included in the Spatial Portrait? If so please set out what you would like to see included.



4 Minerals Context

4 Minerals Context

The diverse mineral resources of Warwickshire have been exploited since the first human settlements developed in the County. Today extraction of coal, sand and gravel, crushed rock and brick clay still occur and extensive reserves of these minerals still exist. A map of the County's geology with all of the existing mineral sites is shown in Figure 1.4 below.

Minerals Context 4

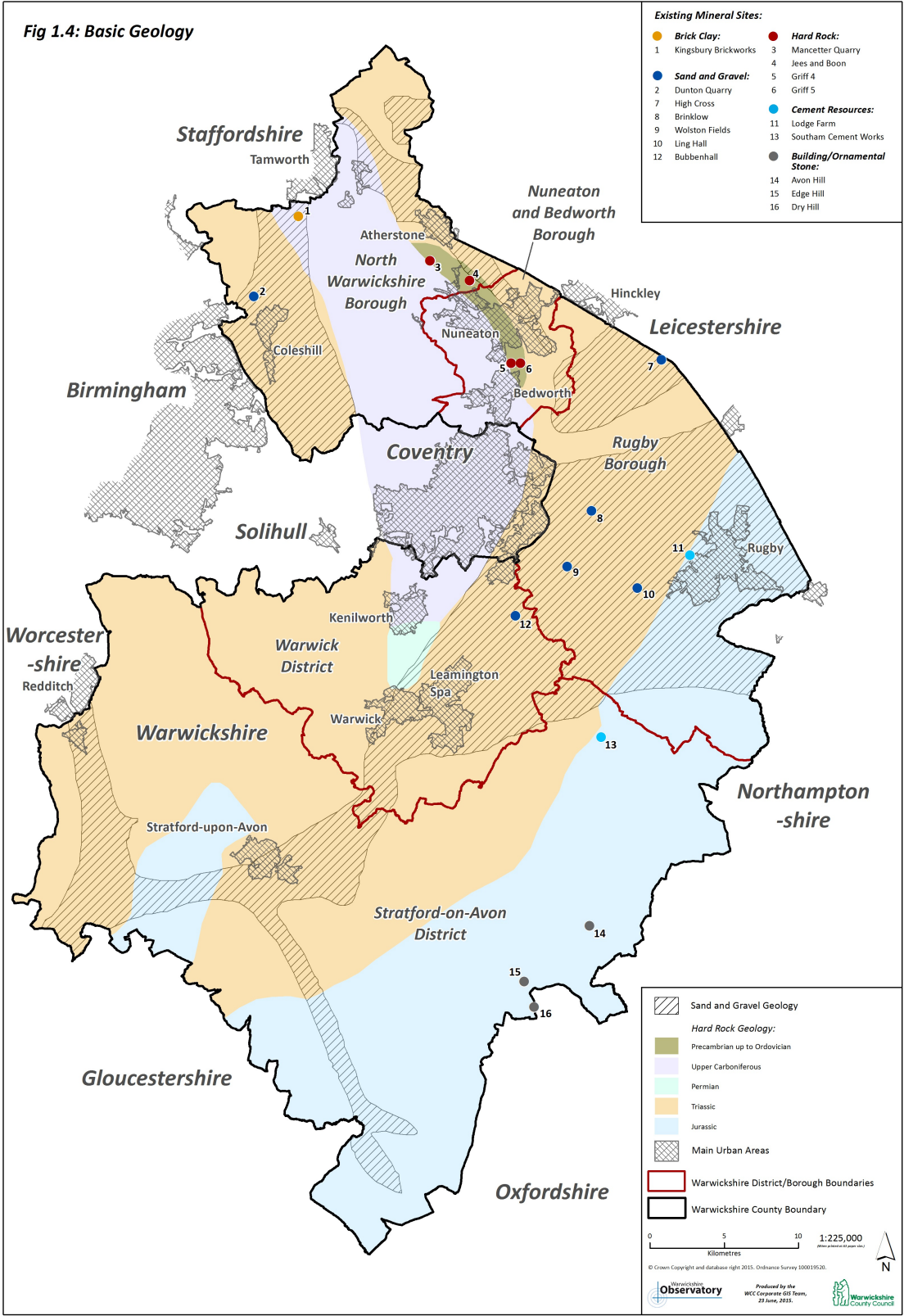


Figure 1.4 Warwickshire's Geology.

4 Minerals Context

Sand and Gravel

4.1 Sand and Gravel has traditionally been extracted on a large scale for centuries. The mineral resource is widespread around the County but is generally found in river terrace deposits along the floors of major river valleys such as the Tame and the Avon. Glacial deposits of sand and gravel are also widespread but are mainly centered around Dunchurch and Wolston, and along the A5 corridor from Hilmorton to Wolvey. There are a number of large sand and gravel quarries in these areas. Warwickshire's proximity to the West Midlands Conurbation and increasing demand from within the County has led to a depletion of reserves in recent years.

Brick Clay

4.2 Historically bricks have been made across Warwickshire wherever suitable clay was found. The use of local clay for the production of bricks has ceased with the exception of the large scale brickworks at Kingsbury which extracts the high quality Etruria Marl which is part of the County's Carboniferous sequence of rocks. However, this is a major plant of regional significance owing to the specialist brick types which are exported around the country.

Building Stone

4.3 The use of local stone for building purposes has been widespread in Warwickshire with Warwick and Kenilworth Castles being obvious examples. Stately homes, churches and various settlements have been constructed from local materials such as Triassic sandstones and Jurassic Ironstones, reflecting the County's varied geology. However, the stone quarries supplying local materials have all but finished, which is creating a problem in repairing local buildings and retaining the local distinctiveness of many towns and villages.

Coal

4.4 Coal from the Carboniferous Coal Measures which are exposed at the surface in the north of the County has been exploited since Roman Times. Small scale operations from shallow pits continued until the middle to late 19th century when numerous deep mines began operational in North Warwickshire reflecting an increase in the demand for coal and advances in mining technology. The last deep mine at Daw Mill, near Arley in North Warwickshire closed in 2013 following a huge underground fire. Previously, coal extraction had taken place in the Corley Moor area at a depth of around 800 – 900 metres.

Cement Production

4.5 The production of cement has a long history in Warwickshire with extraction of the required minerals (Jurassic Lias limestones and shales) occurring around Southam and Rugby. Current production comes from the one cement plant in Rugby, where locally extracted materials are mixed with chalk from Bedfordshire.

Minerals Context 4

Crushed Rock

4.6 The Precambrian and Ordovician igneous rocks which outcrop around Nuneaton up to Mancetter in North Warwickshire are a vital source of high specification roadstone and aggregates which supply the main road networks of the West Midlands and neighbouring regions. Warwickshire produces approximately 1.4 million tonnes per annum ⁽¹⁾ and still has a healthy landbank.

1 (This figure is shown in conjunction with the figure for Staffordshire for reasons of commercial confidentiality).

5 Key Issues for Minerals in the County

5 Key Issues for Minerals in the County

Warwickshire Local Aggregate Assessment

5.1 The NPPF requires the preparation and maintenance of an evidence base (The Local Aggregates Assessment) to inform its annual production requirements based on a methodology of a rolling average of the previous 10 years' sales and other relevant local information such as levels of planned construction including housebuilding. The 2014 LAA using 2012 data gave a production requirement of 0.751 million tonnes per annum which equates to a figure of 12.241 million tonnes over the 15 year plan period (2017-2032). However, the draft 2015 LAA using 2013 data shows the production requirement down to 0.688 million tonnes and the 15 year plan requirement down to 10.3 million tonnes.

5.2 The Planning Officers Society and the Mineral Products Association have recently published good practice guidance on LAAs and this advises that the starting point for the LAA should be the latest available 10 year sales, which is the 2013 data. The guidance also emphasises the importance of taking account of other relevant local information. The guidance accepts that there is no currently defined methodology for quantifying and translating aggregates demand from future housebuilding rates. The guidance simply encourages local information to be based on sound evidence which is relevant, adequate, proportionate and up to date. To address any concerns about a low 15 year plan requirement a figure of 10% has been added to the plan requirement. Based on the draft 2015 LAA the plan requirement would increase from 10.3 million tonnes to 11.6 million tonnes using the 10% addition. The robustness of this approach can be tested through this consultation.

Major Key Issues

5.3 In the Revised Spatial Options document in 2009 we looked at a whole range of issues which we invited comments on. Since that time the situation in the County with regard to minerals has changed considerably and there is a new policy framework in place; namely the National Planning Policy Framework. Therefore, we have sought to highlight the main key issues in light of the new policy guidance and changes within the mineral context of the County. Particular developments within the County include the sharp reduction in sand and gravel production over the last 6 years and potential interest in Underground Coal Gasification.

Key Issue 1

Meeting the demand for aggregates and other minerals

The NPPF states that MPAs should plan for a steady and adequate supply of aggregates and other minerals through the provision of landbanks. There is a requirement for at least a 7 year landbank for sand and gravel and 10 year landbank for crushed rock. There are also landbank targets for other minerals. However, the main issue for this plan to address is the shortfall in sand and gravel. Without adequate sand and gravel there will not be enough aggregate to serve the construction industry in the County and the sub-region. The current landbank is 7.2 years, however this needs to be maintained throughout the plan period. The issue is how can this be addressed.

Key Issues for Minerals in the County 5

Key Issue 2

How to address the reduction in sand and gravel production in the county?

It is important that the County delivers aggregates to serve the construction industry in the County and to contribute to the needs of the West Midland Metropolitan Area. However, whilst the construction industry has come out of recession there is a shortage of sites coming forward to provide primary aggregates within the County. Several sites have ceased production in the last 4 years leaving the County with only 2 active sand and gravel sites and only 1 active crushed rock site. The current landbank is 7.2 years for sand and gravel and 29 years for crushed rock. Of greater relevance is the fact that the sales figure for 2013 was 209,000 tonnes. This figure has reduced from 1.19 million tonnes in 2007 and is unlikely to increase in the short term. WCC has carried out a Local Aggregates Assessment and the average production over a period of the last 10 years is 0.688 million tonnes.

The industry has only submitted one planning application since 2003 for a new quarry so the question remaining is whether the minerals industry is still interested in extracting sand and gravel in the County, whether it considers the quality of the material in the County to be inferior and not worth extracting for the concrete market, or whether there is better quality material in surrounding areas to serve local markets.

Key Issue 3

Mineral Safeguarding and Prior Extraction

The NPPF states that Mineral Planning Authorities should define Mineral Safeguarding Areas (MSAs) in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development. There is no presumption that any resources defined will be worked. However, where planning applications for non-mineral development are submitted, the relevant district or borough should consult the County Council and where it would be practicable and environmentally feasible to work the mineral, we may seek a mineral survey to be carried out prior to determination. In some cases we may insist on prior extraction of the mineral before the non-mineral development is carried out.

Safeguarding extends to ensuring that existing or potential facilities required for the transportation and storage of minerals are also protected. Where there are existing or potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail or inland waterways of minerals, including recycled, secondary and marine-dredged materials, these should be safeguarded. At present there is no bulk transportation of minerals by either rail or inland waterways in Warwickshire.

In addition, safeguarding should also be extended to existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.

5 Key Issues for Minerals in the County

Key Issue 4

Mitigating environmental impacts

Mineral development can have a significant adverse impact on the environment. This could be in a number of different ways including the effect on natural resources (including water, air and soil), biodiversity, geodiversity, archaeology, heritage and cultural assets and their settings, the quality and character of the landscape, adjacent land uses or occupiers, the distinctive character and setting of the County's settlements, and the effect on the openness of the Green Belt.

Generally, when a planning application is submitted for mineral development one or more of these areas could be affected. However, in many situations these can be addressed by the operator or developer by avoiding these areas, redirecting the impact and/or proposing adequate mitigation. For instance if there is a potential landscape impact it could be mitigated by redesigning the scheme or creating new features or planting large areas of trees. To ensure that this is provided to an acceptable standard, planning conditions would be attached to any planning permission. If it was considered that the adverse effects were unacceptable and could not be mitigated it could be a reason for refusing the planning application.

Key Issue 5

Secondary and Recycled Aggregates

Recycled aggregates are aggregates derived from reprocessing materials previously used in construction (not including asphalt which is treated as a separate material). Recycled materials include recycled concrete from construction and demolition waste material (C&DW), road planings and railway ballast.

Secondary aggregates are usually by-products of other industrial processes not previously used in construction. Different materials are common to specific areas depending on what the manufacturing process is in that area. In Warwickshire one of the main secondary aggregates is the residual cement kiln ash from the cement manufacturing process at Rugby Cement Works.

The issue regarding recycled and secondary aggregates is ensuring that the maximum amount of this material is reused in the construction process which can then be substituted for primary aggregates.

By recycling more aggregate to a standard whereby it can re-used in new construction projects, it ensures that less primary aggregate is required and hence fewer quarries are needed. This is more sustainable than relying wholly on primary aggregates. Policies in the plan are required which encourage such uses.

Key Issues for Minerals in the County 5

Key Issue 6

Shortage of inert fill for restoration to agriculture

One problem related to the increase in recycling of aggregate material is that so much material is now being recycled that there is now not enough material to fill the quarry voids quickly once extraction has been completed. It may take longer for quarries to be restored back to agriculture if that is the proposed end use. This can be a problem for communities which may be left with an un-restored quarry for several years longer than they had initially been promised. One potential solution to this is to encourage the use of low level land restoration so that less fill material is needed to restore sites back to agriculture. Another solution is to focus on restoring part of the site to the best and more versatile agricultural land leaving the remainder to be used for nature conservation and recreational uses.

Key Issue 7

Restoration and potential for promoting Green Infrastructure

There is great competition for land around urban areas from housing and employment uses as well as other land uses. As urban areas increase in size they may be situated close to existing or proposed quarries. Once restored, mineral workings usually enable large areas to be used for environmentally beneficial uses which may include nature conservation and recreation. These may be able to be incorporated in to the green infrastructure network for boroughs and districts. Minerals plans and District Local plans need to be “joined up” to ensure that future opportunities are recognised early in the plan process.

Key Issue 8

Restoration for Waste Management Uses

Increasingly, former mineral sites are becoming used for recycling operations. Sites which may have been submitted with restoration by infilling with inert waste such as aggregates to agricultural use may also have been given permission for temporary recycling facilities to provide a continuing source of infill material. This has occurred at several locations such as Coleshill, Dunton and Middleton Hall without any adverse impact. Where such uses are demonstrated to be environmentally acceptable, they can help with recycling of inert waste in the County.

5 Key Issues for Minerals in the County

Key Issue 9

Transportation of Minerals

All transportation of minerals in Warwickshire is currently by road. It is desirable that new quarries are located as close as possible to potential markets which include the major towns in the County and potential large new infrastructure centres. Shorter distances to the markets will reduce travel costs and hence be more sustainable.

Transportation of minerals can be a potential problem if quarries are located away from the main trunk and “A” road system. Generally, mineral extraction sites are not approved if it requires lorries to travel through minor roads and centres of population including both towns and villages. Any site submissions with potential transport/ highway problems will be rejected unless it can be demonstrated that the issues can be satisfactorily mitigated. Although there is no transportation of minerals by canal or rail in the County at present, it is a highly sustainable option and should be encouraged where opportunities arise.

Key Issue 10

Flooding and flood alleviation

New Planning Practice Guidance states that Local authorities and developers should seek flood risk management opportunities to reduce the overall level of flood risk in the area and beyond. This can be achieved, for instance, through the layout and form of development, including green infrastructure and appropriate application of sustainable drainage systems through safeguarding land for flood risk management.

New mineral developments can help reduce the impact of flooding in some areas where there may be opportunities to restore quarries as flood attenuation and storage areas. This may be in association with other objectives of the Minerals Plan such as encouraging biodiversity, informal recreation and contributing to the green infrastructure of the county as a whole.

Key Issue 11

Onshore Oil and Gas

Shale Gas and Fracking

The Department for Communities and Local Government has recently issued planning practice guidance for onshore oil and gas and this includes unconventional hydrocarbons, hydraulic fracturing and coal bed methane. The guidance states that it is likely that Warwickshire County Council would be responsible for assessing planning applications in Warwickshire where planning permission is required. This is a highly contentious national issue and the current

Key Issues for Minerals in the County 5

situation in Warwickshire is that no proposals have come forward to date. The most recent information that the County Council has received from the British Geological Survey is that of the main potentially prospective shale gas rocks, none are present in Warwickshire in thicknesses or depths that would be expected to be commercially viable.

However, while shale gas development in Warwickshire may be unlikely in the short term, this is a new technology and the plan must address any potential developments in that industry. Therefore policies have been drafted to enable any such proposals to be assessed.

Key Issue 12

Underground Coal Gasification

Underground Coal Gasification (UCG) is a separate process to fracking and involves the controlled combustion of coal seams underground and using the resulting gas to produce energy. The Coal Authority is responsible for issuing licences granting the right to access the coal, but no UCG operations can take place until the applicant has secured all other necessary rights and permissions. This would include securing the necessary permission from Warwickshire County Council as the Mineral Planning Authority. A Conditional license application was made to the Coal Authority in May 2013 by Cluff Natural Resources Plc. No decision was made by the Coal Authority and WCC were told that Cluff would let their applications lapse as it wished to focus on offshore areas where there were larger reserves.

The Minerals Plan will need to contain a policy to ensure that UCG proposals can be adequately assessed and this will have to accord with national planning policy guidance. A draft policy is produced for the consultation.

Key Issue 13

Coal

Whilst the NPPF gives a general presumption against the extraction of coal there are large coal reserves in the County. There appear to be no plans to reopen Daw Mill Colliery by UK Coal, which closed in 2013 following a major underground fire. Neither does there appear to be any plan to sink another pit head or even return to surface coal extraction in the County. As there are large coal reserves deep underground and on the surface in the north of the County and in the Warwickshire coalfield and there is likely to be a shortage of energy nationally in the short to medium term, there is always going to be the possibility that coal may be considered economically viable to extract in the future (see Fig 1.5). It is important therefore that policies are in place whereby applications for coal extraction can be assessed.

5 Key Issues for Minerals in the County

5.4 If you feel that we have omitted any particular issues that is of concern please let us know by completing the online questionnaire below or by sending your views to us in writing or email. The County Council address is at the front and back of the document.

Question 2

Other Issues?

Do you agree with the Key issues and are there any other issues you would like to see included in the Minerals Plan?

Vision and Objectives 6

6 Vision and Objectives

Spatial Vision and Objectives of the Minerals Plan

6.1 The Spatial Vision provides an image of what the County may look like at the end of the plan period (2032) in setting out how the Minerals Plan will be implemented and paying particular regard to Community Strategies.

6.2 We have refined the Vision through the previous two consultations at Issues and Options and Preferred Options stage. The Vision has now been amended to accommodate these previous comments to the wording set out below:

6.3 By the end of the plan period in 2032 Warwickshire will have provided a range of minerals to support sustainable economic growth and improve the quality of life in the County.

6.4 Whilst minerals can only be worked where they are found, minerals sites will have been focussed as close as possible to the main settlements of Stratford, Warwick, Kenilworth, Leamington, Rugby, Nuneaton, Bedworth and Atherstone).

6.5 Minerals will have been safeguarded from non-mineral development and opportunities for prior extraction will have been sought wherever possible.

6.6 New quarries will have been located where they are environmentally acceptable or where any adverse impacts will have been mitigated to an acceptable standard through strong design and the imposition of planning conditions.

6.7 Recycled and Secondary Aggregates will continue to make a major contribution to the supply of materials to the construction industry in the County and as technology develops will continue to provide a substitute for primary aggregates in new construction projects.

Question 3

Spatial Vision

Do you agree with the Spatial Vision and would you like to see any changes to the wording?

Objectives of the Warwickshire Minerals Plan

6.8 The Government's objectives for mineral planning (as required in Section 39 of the Planning and Compulsory Purchase Act 2004) provide the framework for the Warwickshire Mineral Plan objectives.

6.9 The following section identifies the key objectives that will guide the Warwickshire Minerals Plan. These objectives have been derived from the national objectives from knowledge based on minerals planning in the local area and from feedback based on two sets of consultation carried out from 2006-2007.

6 Vision and Objectives

6.10 The objectives produced previously within the plan process and following the Revised Spatial Options consultation, have now been developed further. The objectives have been scrutinised twice and refined following stakeholder comments. Having assessed the national mineral objectives and taken in to account these consultation comments, we have prepared a revised set of objectives to help achieve the Spatial Vision. These are as follows:

- i. To secure a steady and adequate supply of aggregates and other minerals required to support sustainable economic growth at the national, sub-regional and local level.
- ii. To help deliver sustainable mineral development by promoting the prudent use and safeguarding of Warwickshire's mineral resources and help prevent sterilisation of land from non mineral development.
- iii. To promote the use of recycled and/or secondary materials and promote waste minimisation to reduce the overall demand for primary mineral extraction for construction aggregates.
- iv. To protect, conserve and enhance the natural and historic environment and avoid, reduce or mitigate potential adverse effects associated with mineral developments.
- v. To have full regard for the concerns and interests of local communities and protect them from unacceptable environmental adverse impacts resulting from mineral developments;
- vi. To minimise the impact of the movement of bulk materials by road on local communities and where possible encourage the use of alternative modes of transport.
- vii. To ensure mineral sites are restored to a high standard once extraction has ceased and ensure that each site is restored to the most beneficial use(s).
- viii. To promote the use of locally extracted materials to encourage local distinctiveness and reduce transportation distances.
- ix. To reduce the effect of mineral development on the causes of climate change.
- x. To ensure the best quality agricultural land is protected or replaced to its former quality.

Question 4

Objectives

Do you agree with the Minerals Plan Objectives and would you like to see any changes to their wording?

Spatial Strategy and Preferred Site Options 7

7 Spatial Strategy and Preferred Site Options

Spatial Strategy and Preferred Site Options

7.1 The spatial strategy has been adapted following the previous Revised Spatial Options consultation in 2009 in which the optimum option was considered to be Option 3, focusing on development corridors.

7.2 To reflect the need for sites for sand and gravel only, the need to maintain supplies until 2032, the desire to reduce further transport distances and use main transport routes and to support growth and infrastructure in main settlements and markets has meant that the original Preferred Option (Option 3) has been amended. Option 3a omits the development corridors in favour of supporting the development of the main settlements in the County and adjoining markets such as Coventry (See Figure 1.6).

7.3 Following the 2013/2014 request for sites and sites identified from the 2009 consultation, 30 potential sand and gravel sites have been submitted (shown in Appendix 1). The sites were assessed according to national policy practice guidance in terms of landowner support, confirmation of viable resources and acceptability in planning terms (free from major constraints, location, spatial option fit, sustainability and deliverability). This has been reinforced by undertaking a Sustainability Appraisal. To maintain production capacity throughout the plan period a total of 9 sites were selected and these are shown on the preferred spatial option map, Figure 1.6 and the Key Diagram is shown in Figure 1.7.

7.4 In terms of other minerals (brick clays, crushed rock, cement and building stone) the existing sites for each mineral are shown on Figure 1.3. There are no plans to allocate sites for any other minerals including coal and therefore, any applications for new mineral sites or extensions to existing sites will be assessed through the criteria based policies in the plan. Any known mineral resources will be safeguarded so that applications for non-mineral developments in those areas can be assessed fully.

7 Spatial Strategy and Preferred Site Options

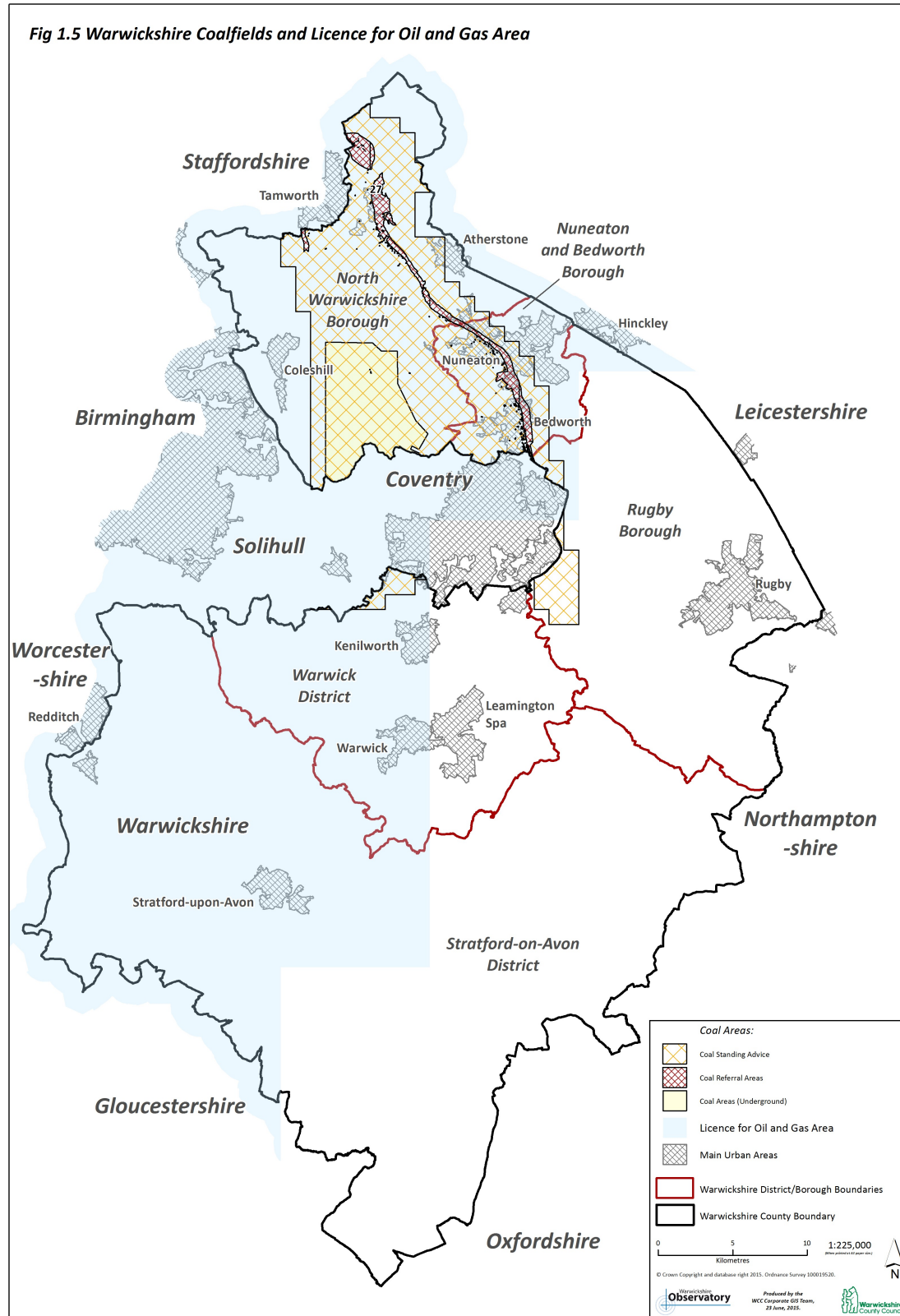


Figure 1.5 Warwickshire Coalfields and Licence for Oil and Gas Area

Spatial Strategy and Preferred Site Options 7

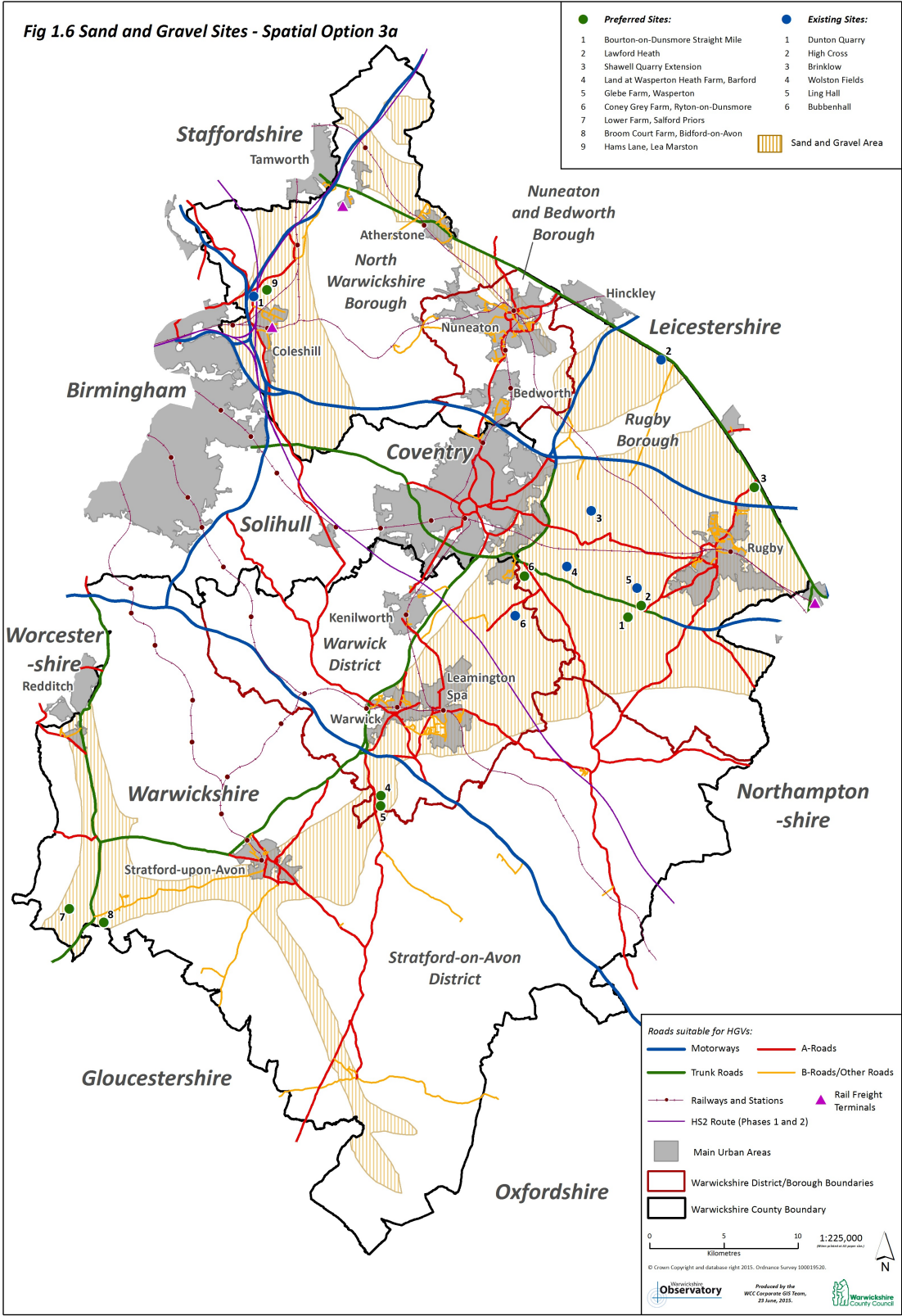


Figure 1.6 Sand and Gravel Sites - Spatial Option 3a

7 Spatial Strategy and Preferred Site Options

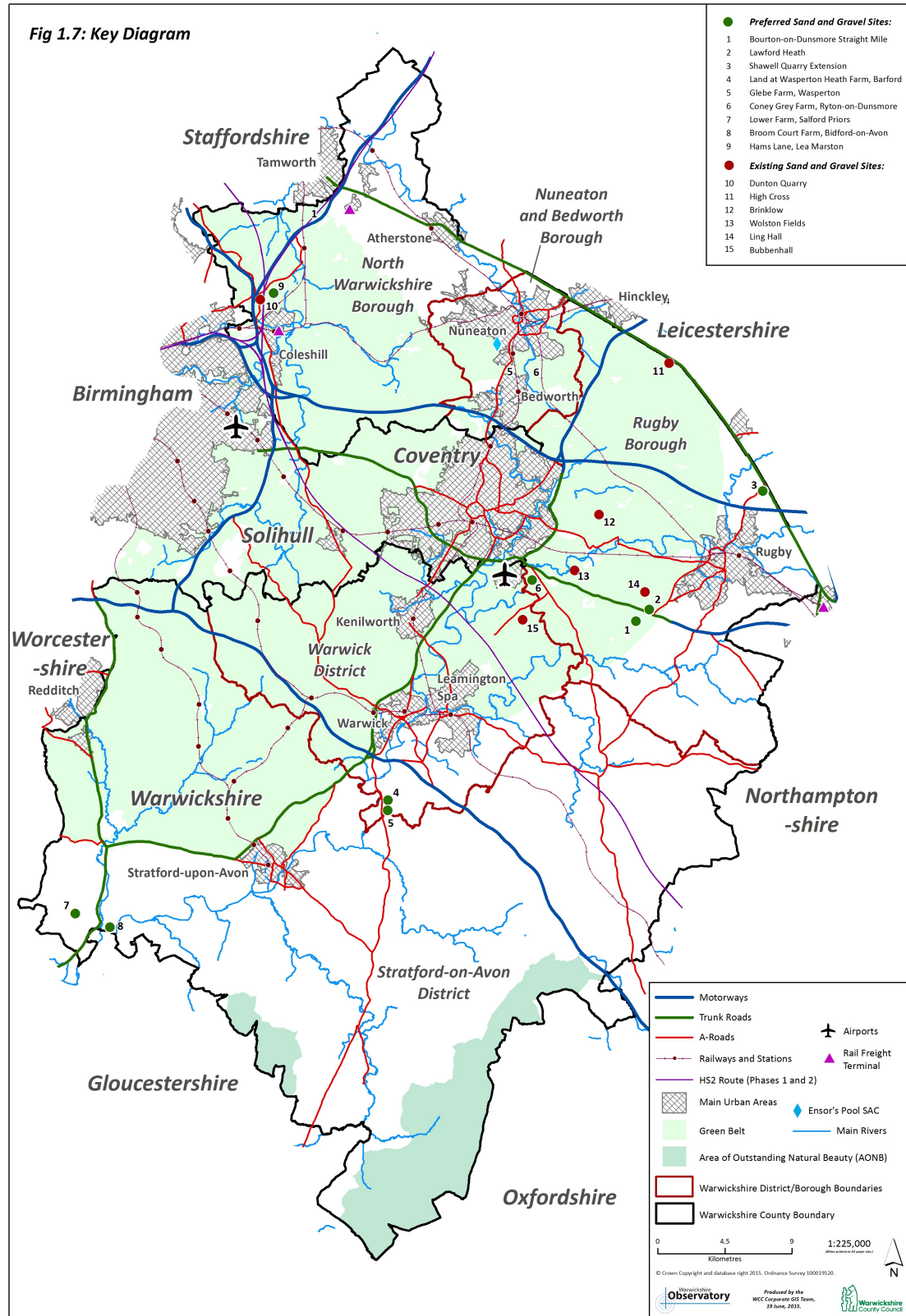


Figure 1.7 Key Diagram

Spatial Strategy and Preferred Site Options 7

Question 5

Spatial Strategy

Do you agree with the Spatial Strategy set out the Key Diagram in Figure 1.6 and can you set out your reasons for this?

Preferred Site Options

7.5 In order to provide sufficient resources to maintain production of sand and gravel throughout the plan period the Council needs to allocate a number of mineral sites. Thirty Sites have been assessed and those which are acceptable in planning terms, are supported by the landowners, have confirmed viable resources and are deliverable have been selected.

7.6 To be acceptable in planning terms means that the sites are in the right location, are of the right size, are generally free of major constraints and are sustainable. Having a suite of sites providing for the local delivery of materials to meet the development and infrastructure needs of the main settlements has been a key determinant and is reflected in Spatial Option 3a (Figure 1.6) and the Key Diagram (Figure 1.7).

7.7 Mineral working in the County has been characterised by small sites operating at low levels. A key feature of the 30 sites submitted for consideration has been the variety of promoters and potential developers and the ways of developing sites. Nine sites have been selected for allocation and these are defined in the policy set out below.

7.8 The allocation of the site does not mean that planning permission will be automatically granted for all the land defined on the individual site plans or that all of the estimated tonnages will be delivered. Preparation of planning applications may see tonnages increase or decrease because of better information derived from such things as detailed drilling, planning requirements having to be met or compliance with policies in the development plan.

7.9 The tonnages shown in the policy reflect the information provided by the promoter including their views on possible annual production. Where a range in production has been suggested the Council have selected the lowest figure for the purposes of selection and allocation to ensure deliverability. Annual production could rise or fall depending upon the market conditions existing during the life of the plan.

7.10 Sites have been categorised as follows:

- Small - 0.3 – 0.5 million tonnes
- Medium - 0.5 – 1 million tonnes
- Large - 1 -2 million tonnes
- Very large - 2 million tonnes +

7 Spatial Strategy and Preferred Site Options

Policy SO

Overarching Policy - Mineral Sites to be Allocated

To meet the demand for and supply of sand and gravel in the County during and up to the end of the plan period (2032) of 11.33 million tonnes the following sites are allocated for mineral development, as identified on the Key Diagram Fig 1.7 and individual site plans Figs 1.8 – 1.16.

Table 7.1

Reference	Site	Tonnage (mt)
Site 1	Bourton on Dunsmore	2.25
Site 2	Lawford Heath	2.47
Site 3	Shawell Quarry	0.87
Site 4	Wasperton	1.8
Site 5	Glebe Farm, Wasperton	0.3
Site 6	Coney Grey Farm, Ryton	0.4
Site 7	Salford Priors	0.8
Site 8	Broom Court Farm, Bidford	1.65
Site 9	Hams Lane, Lea Marston	1.06
TOTAL		11.60

Site 1 Bourton on Dunsmore (serving Rugby and Coventry development needs)

7.11 This is a very large new site (110ha) lying south of the A45 and north of Bourton on Dunsmore Village and either side of the Straight Mile (B4453). It has the potential to release 2.25 - 3 million tonnes of sand and gravel during the plan period to serve the markets of Rugby and Coventry. It would partly replace mineral extraction which has ceased at nearby Ling Hall Quarry.

7.12 The site is currently in agricultural use comprising medium to large hedged fields. There are no major settlements nearby and it has good access to the local highway network. The site could be developed in phases and by working the land north of the Straight Mile first and from south west to north east. This would allow important hedgerows and hedgerow trees to be protected and advance planting to take place and establish to Blooms Garden Centre and Bernards Nursery to reduce any impacts from mineral working. The southern parcel could then be worked from north east to south west to minimise any potential impacts on the north side of Bourton on Dunsmore Village. The site would be restored to agriculture using imported inert fill and by lowering the level

Spatial Strategy and Preferred Site Options 7

of the land. However, there may be opportunities to provide ecological enhancements to the restoration of the site. PROWs R186,187 and 306 within the site would have to be temporarily diverted during the development of the site.

7.13 Early development of the site (years 2017- 2022) would provide increased production capacity in the County at an estimated rate of 150,000 tonnes per annum.

Policy S1

Allocation at Site 1 Bourton on Dunsmore

Land at Bourton on Dunsmore shown on Fig 1.8 is allocated for sand and gravel working subject to the following requirements

- suitable access (signals/roundabout) onto Straight Mile (B4453);
- improvements may be required to the junction of A4071 and B4453;
- light controlled crossing or conveyor under Straight Mile;
- phased working and progressive restoration to agriculture;
- a minimum stand-off of 100m from Blooms Garden Centre and Tile Barn;
- 30m stand-offs from Bog Spinney and Popehill Spinney (ancient woodlands);
- advanced tree and hedgerow planting;
- protected species surveys;
- an archaeological evaluation;
- preparation of an Environmental Management Plan for the site;
- quality soils to be stored on site for future use in the restoration of the site;
- mobile plant to be located so as to reduce impact on the openness of the Green Belt.

7 Spatial Strategy and Preferred Site Options

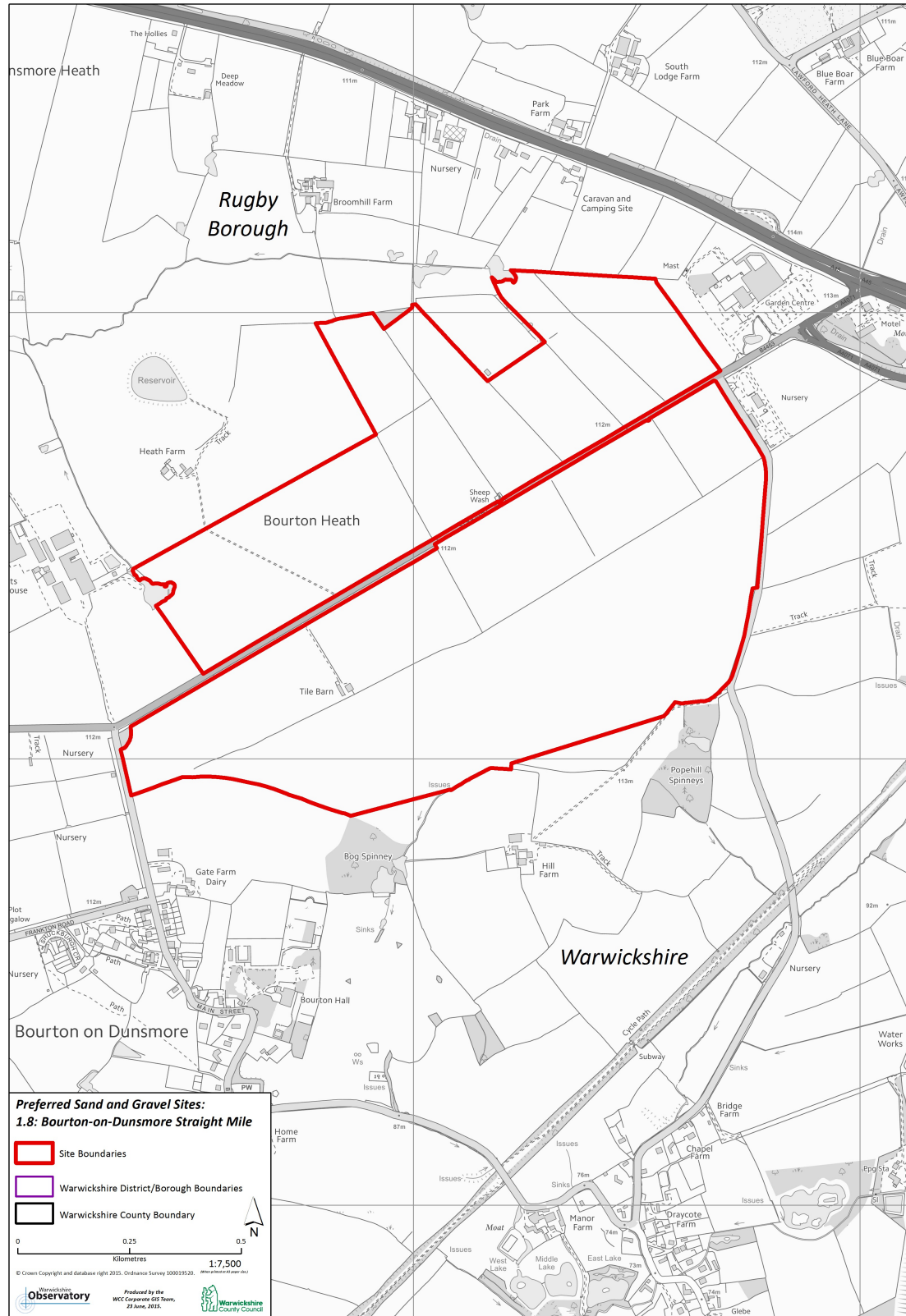


Figure 1.8 Site 1 Bourton on Dunsmore

Spatial Strategy and Preferred Site Options 7

Question 6

Bourton on Dunsmore

Do you have any comments on the allocation of Bourton On Dunsmore?

Site 2 - Lawford Heath (serving Rugby and Coventry development needs)

7.14 This is a very large new site (113ha) comprising four parcels of land lying north of the A45 at Lawford Heath. It has the potential to release 2.47 million tonnes of sand and gravel during the plan period to serve the markets of Rugby and Coventry. It would partly replace mineral extraction which has ceased at nearby Ling Hall Quarry.

7.15 The site is currently in agricultural use comprising medium to large hedged fields. There are no major settlements nearby and it has good access to the local highway network. Excluding land at the northern end of the central parcel would provide protection to the two very small settlements The Crescent and The Ryelands. The site could be developed in phases which would allow important hedgerows and hedgerow trees to be protected to reduce any impacts from mineral working. The site would be restored to agriculture using imported inert fill and by lowering the level of the land. However, there may be opportunities to provide ecological enhancements to the restoration of the site. PROW R164 within the site would have to be temporarily diverted during the development of the site.

7.16 Development of the site at the end of the first five year period (2021) would provide increased production capacity in the County at an estimated rate of 200,000 tonnes per annum and would allow any potential cumulative impacts such as, on the local highway network from the early operation of Site 1, to be addressed. The opportunity to work the site back to Ling Hall processing plant should be explored. The eastern half of the site lies within an Area of Search in the adopted 1995 Minerals Local Plan (AS3).

Policy S2

Allocation at Site 2 Lawford Heath

Land at Lawford Heath shown on Fig 1.9 is allocated for sand and gravel working subject to the following requirements:

- the exclusion of the land shown on Fig 1.9;
- suitable access;
- phased working and progressive restoration to agriculture;

7 Spatial Strategy and Preferred Site Options

- a minimum stand-off of 100m from Park Farm, Blue Boar Farms, South Lodge Farm, North Lodge Farm and Wolston Grange Nursing Home, individual properties on Coalpit Lane, and north side A45 to the east of A4071;
- opportunity to work the site back to Ling Hall Quarry plant site being investigated;
- protected species surveys;
- an archaeological evaluation;
- preparation of an Environmental Management Plan for the site;
- quality soils to be stored for future use in the restoration of the site;
- mobile plant to be located so as to reduce impact on the openness of the Green Belt.

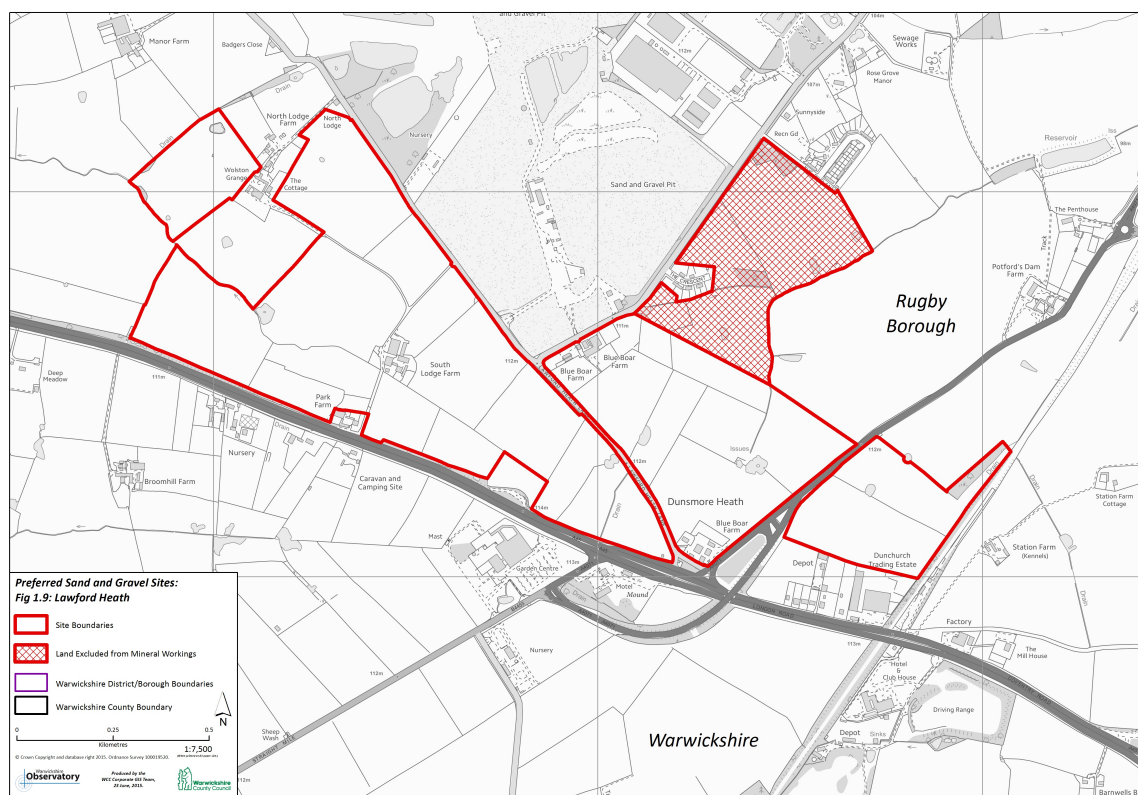


Figure 1.9 Site 2 Lawford Heath

Spatial Strategy and Preferred Site Options 7

Question 7

Lawford Heath

Do you have any comments on the allocation of Site 2 Lawford Heath?

Site 3 - Shawell Quarry (serving Rugby and Nuneaton development needs)

7.17 This is a medium size site providing a small extension (33ha) to the existing Shawell Quarry in Leicestershire to the east of the A5. The site lies to the west of the A5 and south of the A426 at the junction of the A5/A426. It has the potential to release 0.67 million tonnes of sand and gravel during the plan period to serve the markets of Rugby and Nuneaton.

7.18 The site is currently in agricultural use comprising medium to large hedged fields in a very open landscape. There are no major settlements nearby and the quarry has good access to the local highway network. The site could be developed in phases which would allow important hedgerows to be protected to reduce any impacts from mineral working. Advance planting at the junction of the A5/A426 would help minimise any impacts on the properties on the north side of the A426. It would be restored to agriculture using imported inert fill and by lowering the level of the land. However, there may be opportunities to provide ecological enhancements to the restoration of the site. PROW R64x within the site would have to be temporarily diverted during the development of the site.

7.19 The early development of the site (years 2017-2021) would provide increased production capacity in the County at an estimated rate of 300,000 tonnes per annum. The site would be worked back by overland conveyor to Shawell Quarry.

Policy S3

Allocation at Site 3 Shawell Quarry

Land at Shawell Quarry shown on Fig 1.10 is allocated for sand and gravel working subject to the following requirements:

- the site being worked back by overland conveyor to Shawell Quarry;
- phased working and progressive restoration to agriculture;
- a minimum stand-off of 100m from individual properties on north side of A426 at the junction of A5/A426;
- advance tree planting at the junction of A5/A426;
- 30m stand off from Coton Spinney and Newton Spinney;



7 Spatial Strategy and Preferred Site Options

- protected species surveys;
- an archaeological evaluation.

Spatial Strategy and Preferred Site Options 7

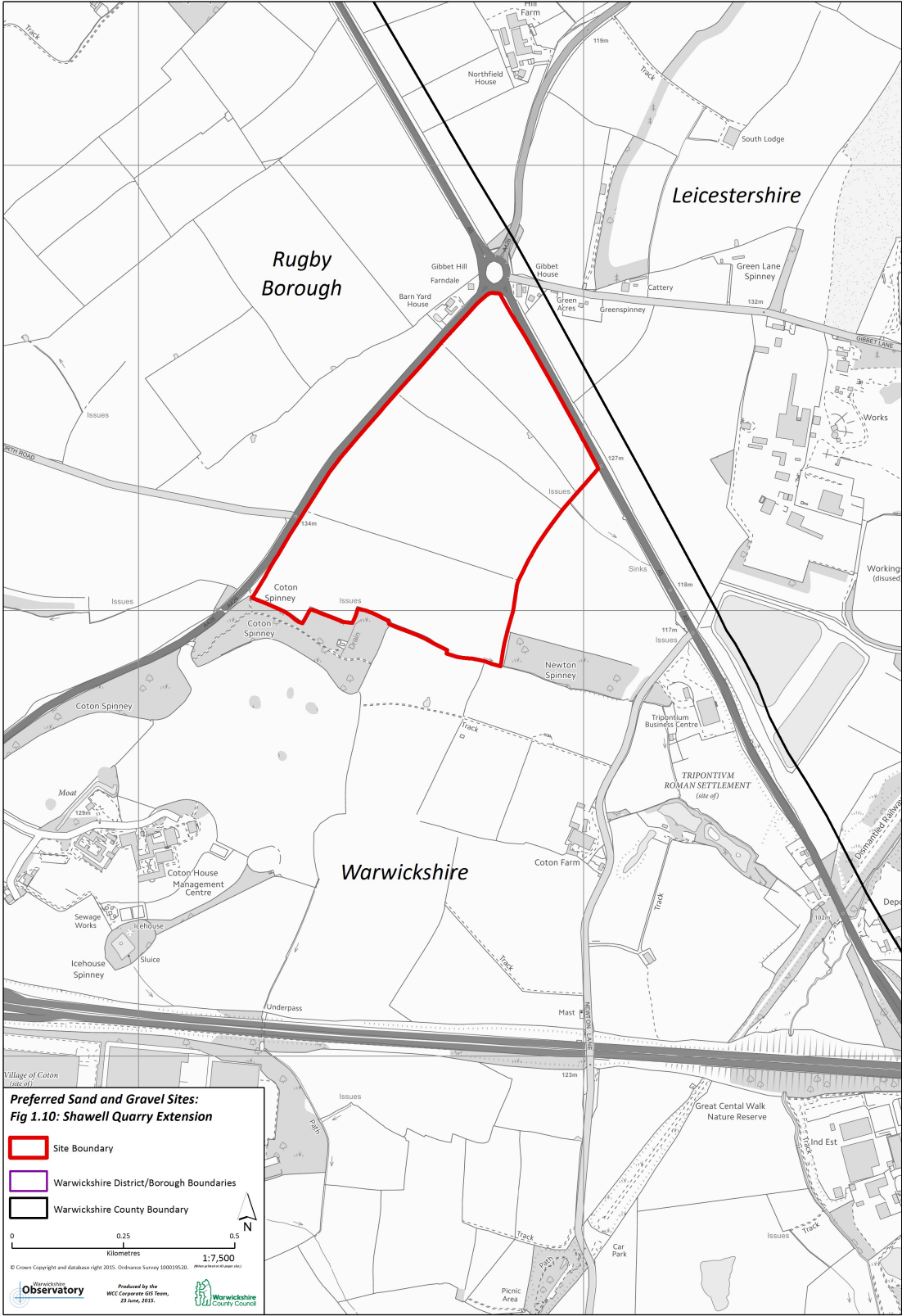


Figure 1.10 Site 3: Shawell Quarry Extension

7 Spatial Strategy and Preferred Site Options

Question 8

Shawell Quarry Extension

Do you have any comments on the allocation of Shawell Quarry Extension?

Site 4 - Wasperton (serving Warwick and Leamington development needs)

7.20 This is a large site (110ha) lying to the south of Barford and east of Wasperton adjacent to the A429 although mineral extraction according to the promoters would be limited to 60ha. It has the potential to release 1.8 million tonnes of sand and gravel during the plan period to serve the markets of Warwick and Leamington.

7.21 The site is currently in agricultural use comprising large hedged fields. The settlements of Barford and Wasperton lie nearby but the site has good access to the local highway network. The site could be developed in phases which would allow important hedgerows to be protected to reduce any impacts from mineral working. stand offs and advance planting would help minimise any impacts to properties on the south and west side of Barford village on Wasperton Lane and Wellesbourne Road respectively. It would be restored to agriculture using imported inert fill and by lowering the level of the land. However, there may be opportunities to provide ecological enhancements to the restoration of the site. PROW W101a within the site would have to be temporarily diverted during the development of the site.

7.22 The early development of the site (years 2017- 2021) would provide increased production capacity in the County at an estimated rate of 200,000 tonnes per annum.

Policy S4

Allocation at Site 4 Wasperton

Land at Wasperton shown on Fig 1.11 is allocated for sand and gravel working subject to the following requirements:

- suitable access onto Wellesbourne Road (A429) using one of the existing farm accesses towards the south of the site;
- phased working and progressive restoration to agriculture;
- a minimum stand-off of 100m from individual properties on the west side of Wellesbourne Road south of Barford Village and south of the village (Wasperton Lane), The Forge Cottage, Wasperton Farm, Holloway Farm, Glebe Farm and Seven Elms;
- advance tree planting near to the Village;
- protected species surveys;

Spatial Strategy and Preferred Site Options 7

- an archaeological evaluation;
- preparation of an Environmental Management Plan for the site;
- quality soils to be stored on site for future use in the restoration of the site.

7 Spatial Strategy and Preferred Site Options

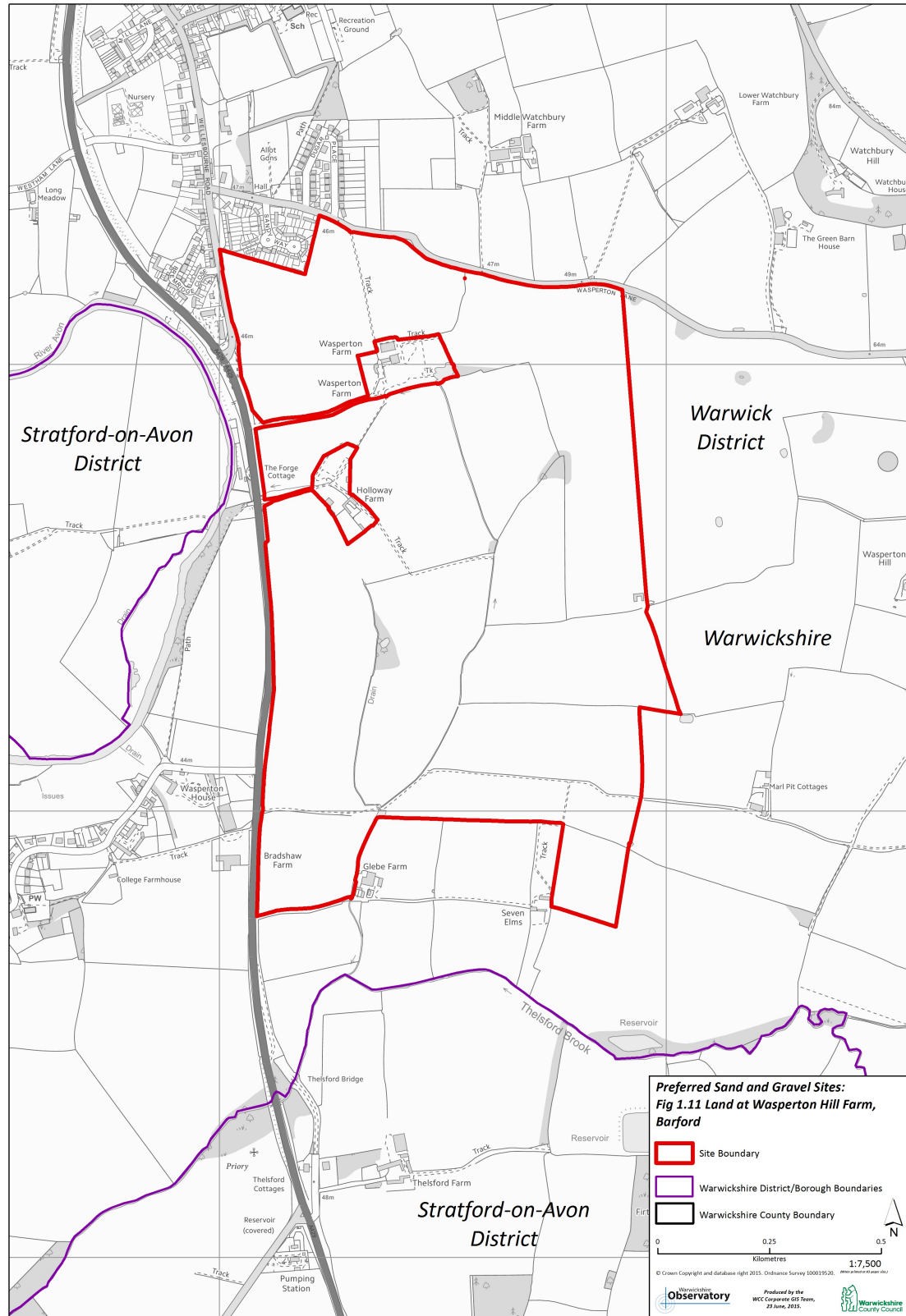


Figure 1.11 Site 4 Land at Wasperton

Spatial Strategy and Preferred Site Options 7

Site 5 - Glebe Farm, Wasperton (serving Warwick and Leamington development needs)

7.23 This is a small site (14ha) lying to the east of Wasperton and north east of Thelsford Bridge on the A429. It has the potential to release 0.3 million tonnes of sand and gravel during the plan period to serve the markets of Warwick and Leamington. It adjoins the southern boundary of Site 4. Wasperton

7.24 The site is currently in agricultural use comprising large hedged fields. The settlement of Wasperton lies nearby. The site could be developed in phases to reduce any impacts from mineral working. Stand offs would help minimise any impacts to two properties - Glebe Farm and Seven Elms. It would be restored to agriculture using imported inert fill and by lowering the level of the land. However, there may be opportunities to provide ecological enhancements and flood alleviation capacity as part of the restoration of the site. PROW W100 within the site would have to be temporarily diverted during the development of the site.

7.25 The site could be developed either in years 2017- 2021 or later 2024-2025 depending how Site 4 is developed at the detailed planning application stage. The site could provide a modest amount of increased production capacity in the County at an estimated rate of 100 -200,000 tonnes per annum. As only one access onto the A429 is acceptable to the Highway Authority for mineral working, this site can only be worked in conjunction with Site 4 and not as a freestanding mineral site.

Policy S5

Allocation at Site 5 Glebe Farm, Wasperton

Land at Glebe Farm, Wasperton shown on Fig 1.12 is allocated for sand and gravel working subject to the following requirements:

- only being worked in conjunction with Site 4;
- phased working and progressive restoration to agriculture;
- a minimum stand-off of 100m from Glebe Farm and Seven Elms ;
- protected species surveys;
- an archaeological evaluation.

7 Spatial Strategy and Preferred Site Options

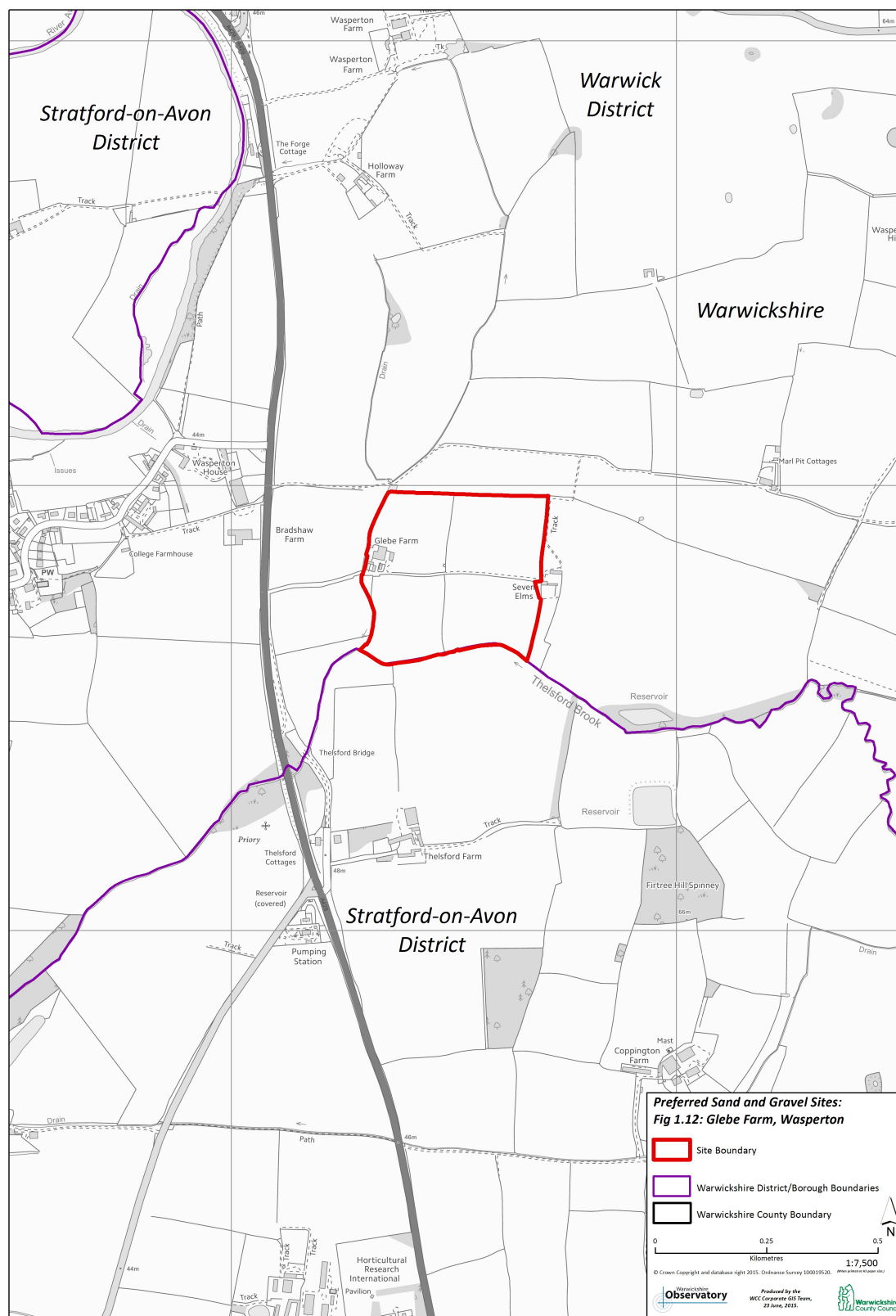


Figure 1.12 Site 5 Glebe Farm, Wasperton

Spatial Strategy and Preferred Site Options 7

Question 9

Glebe Farm, Wasperton

Do you have any comments on the allocation of Glebe Farm, Wasperton?

Site 6 - Coney Grey Farm, Ryton (serving Coventry and Kenilworth development needs)

7.26 This is a small satellite site (47ha) lying to the east of Coventry Airport business park and west of the A423 at Ryton. It has the potential to release 0.3 -0.4 million tonnes of sand and gravel during the plan period to serve the markets of Coventry and Kenilworth. Material is likely to be processed at Bubbenhall Quarry.

7.27 The site comprises medium to large scale mixed farming with hedged field boundaries in the main and a block of woodland to the west. The eastern half of the site has previously been worked and restored to a lower level and with imported wastes. The entrance to the site on A423 is to a new roundabout to serve the new Prologis business park. There are no settlements nearby and the site has good access to the local highway network. Only the centre and west side would be worked. Stand offs and advance planting would help minimise any impacts to properties fronting the eastern half of the site (south and north). It would be restored to agriculture using imported inert fill and by lowering the level of the land. However, there may be opportunities to provide ecological enhancements and flood alleviation as part of the restoration of the site. PROW R152 within the site would have to be temporarily diverted during the development of the site.

7.28 Since the site is a satellite site, development would be dependent on the availability of appropriate processing plant. It would provide a modest increase in production capacity in the County at an estimated rate of 100,000 tonnes per annum.

Policy S6

Allocation at Site 6 Coney Grey Farm, Ryton

Land at Coney Grey Farm, Ryton shown on Fig 1.13 is allocated for sand and gravel working subject to the following requirements:

- operating as a satellite in conjunction with appropriate processing plant in this part of the County;
- phased working and progressive restoration to agriculture with increased biodiversity;
- a minimum stand-off of 100m from individual properties fronting onto the eastern half of the site (north and south);
- suitable stand off from the River Avon;

7 Spatial Strategy and Preferred Site Options

- advanced planting on the roadside boundary and next to properties fronting onto eastern half of the site;
- protected species surveys;
- an archaeological evaluation;
- preparation of an Environmental Management Plan for the site;
- quality soils to be stored on site for future use in the restoration of the site.

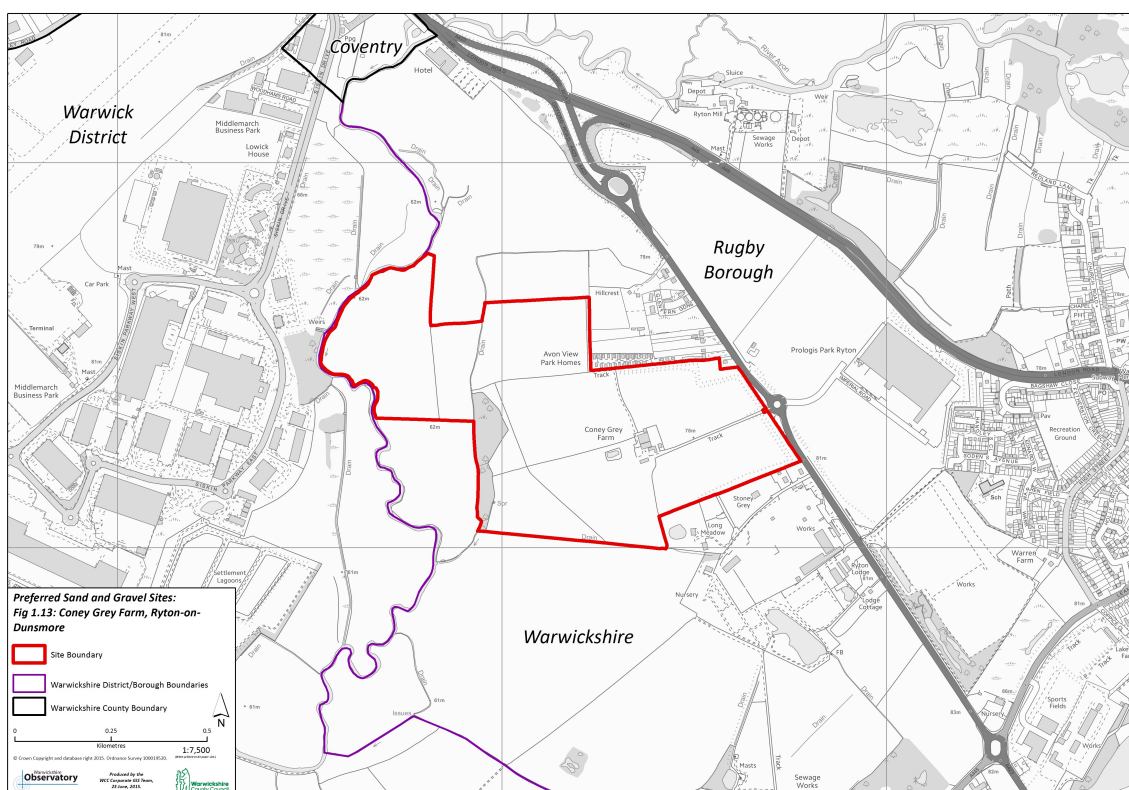


Figure 1.13 Site 6 Coney Grey Farm, Ryton on Dunsmore

Question 10

Coney Grey Farm, Ryton on Dunsmore

Do you have any comments on the allocation of Coney Grey Farm, Ryton on Dunsmore

Spatial Strategy and Preferred Site Options 7

Site 7 - Salford Priors (serving Stratford, Redditch and Evesham development needs)

7.29 This is a medium site comprising two parcels of land either side of School Road and lying to the west of Salford Priors and east of Iron Cross (B4088) covering an area of 62ha. It has the potential to release 0.8 million tonnes of sand and gravel during the plan period to serve the markets of Stratford, Redditch and Evesham.

7.30 The site comprises a number of fields of intensively managed farmland. The settlements of Salford Priors and Iron Cross lie nearby. The site could be developed in phases as this would allow important hedgerows to be protected to reduce any impacts from mineral working. The exclusion of land at the eastern end of the southern parcel and stand offs would help minimise any impacts to properties on B4088, School Road, and Tothall Lane. It would be restored to agriculture using imported inert fill and by lowering the level of the land. However, there may be opportunities to provide ecological enhancements as part of the restoration of the site. PROW AL5 within the site would have to be temporarily diverted during the development of the site.

7.31 The early development of the site (years 2017- 2021) would provide increased production capacity in the County at an estimated rate of 100,000 tonnes per annum. The northern parcel lies close to the route of the Marsh Farm Quarry access route and entrance so the opportunity should be taken to explore the possibility of connecting the site with this road which would negate the need to provide a new access onto B4088. The site lies just to the north of an Area of Search in the adopted 1995 Minerals Local Plan (AS9).

Policy S7

Allocation at Site 7 Lower Farm, Salford Priors

- Land at Salford Priors shown on Fig 1.14 is allocated for sand and gravel working subject to the following requirements:
- the exclusion of the land shown on Fig 1.14;
- a suitable access onto B4088 to be used to access both parcels of land;
- the opportunity to use the Marsh Farm Quarry access road and entrance for access to the site being explored;
- a suitable crossing point/conveyor under School Road between the northern and southern parcels of land;
- phased working and progressive restoration to agriculture;
- a minimum stand-off of 100m from properties on B4088, School Road, and Tothall Lane;
- protected species surveys;
- an archaeological evaluation;

7 Spatial Strategy and Preferred Site Options

- preparation of an Environmental Management Plan for the site;
- quality soils to be stored on site for future use in the restoration of the site.

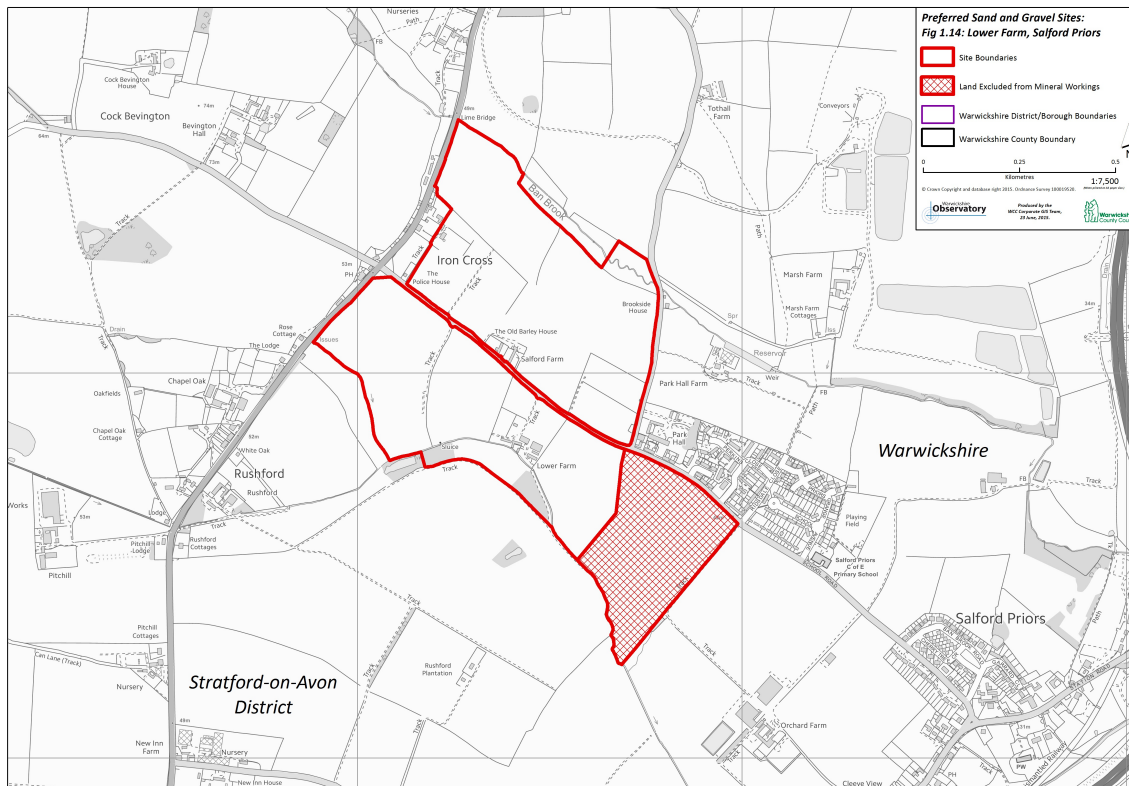


Figure 1.14 Site 7 Lower Farm Salford, Priors

Question 11

Lower Farm, Salford Priors

Do you have any comments on the allocation of land at Lower Farm, Salford Priors

Site 8 - Broom Court Farm, Bidford on Avon (serving Stratford, Redditch and Evesham development needs)

7.32 Although a very large site was submitted of 149ha and 3 million tonnes comprising two parcels of land either side of Salford Road the northern half has not been selected as an allocation. Therefore, only the southern half goes forward as an allocation.

Spatial Strategy and Preferred Site Options 7

7.33 This is a large site of 69ha and lies to the south of Salford Road (B439) between the A46 and the edge of Bidford on Avon. It has the potential to release 1.65 million tonnes of sand and gravel during the plan period to serve the markets of Stratford, Redditch and Evesham.

7.34 The site is currently in agricultural use comprising a mixture of small-medium fields at the northern end and large scale arable land south of the existing access track and adjacent to the River Avon. The settlement of Bidford lies nearby. The site could be developed in phases and this would allow important hedgerows and two small woodlands to be protected to reduce any impacts from mineral working. Stand offs would help minimise any impacts to properties opposite the eastern access track, the nursery, allotments, cemetery and small marina. It would be restored partly to agriculture and partly to water (flood alleviation and marina). However, there may be opportunities to provide ecological enhancements as part of the restoration of the site.

7.35 The later development of the site (years 2022-2032) would provide increased production capacity in the county at an estimated rate of 150,000 tonnes per annum. The majority of the site lies within an Area of Search in the adopted 1995 Minerals Local Plan (AS10).

Policy S8

Allocation at Site 8 Broom Court Farm , Bidford

Land at Broom Court Farm, Bidford shown on Fig 1.15 is allocated for sand and gravel working subject to the following requirements:

- suitable access onto Salford Road (B439) with all vehicles turning left out of the site and proceeding to A46;
- phased working and progressive restoration to agriculture/water with increased biodiversity;
- the retention of the two small woodlands within the site;
- a minimum stand-off of 100m from properties on B439, nursery, allotments, cemetery and small marina;
- suitable stand off from the River Avon;
- protected species surveys;
- an archaeological evaluation;
- preparation of an Environmental Management Plan for the site;

7 Spatial Strategy and Preferred Site Options

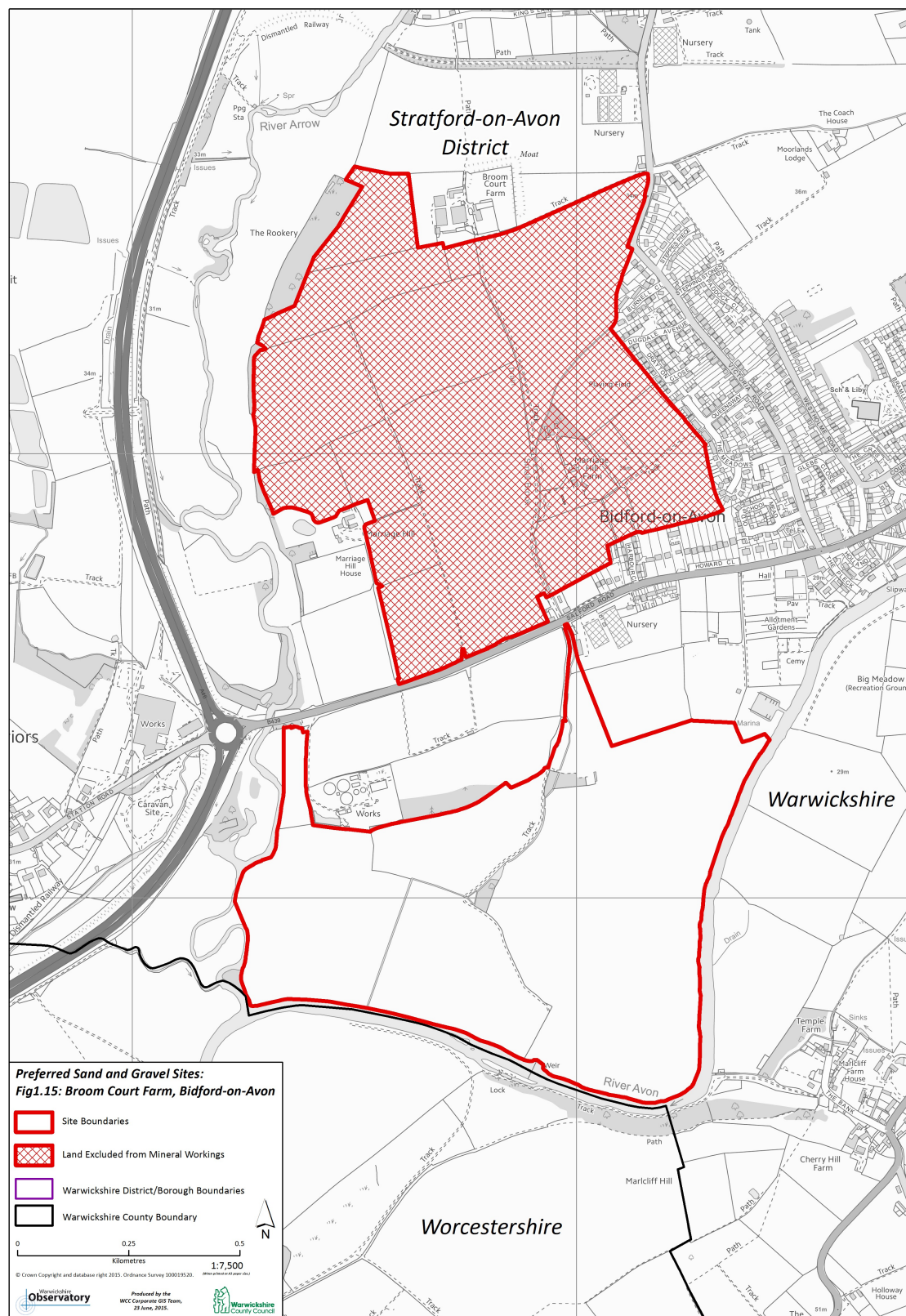


Figure 1.15 Site 8 Broom Court Farm, Bidford

Spatial Strategy and Preferred Site Options 7

Question 12

Broom Court Farm, Bidford

Do you have any comments on the allocation of Broom Court Farm, Bidford

Hams Lane, Lea Marston (serving North Warwickshire and Birmingham and Solihull development needs)

7.36 This is a large site lying to the west of Lea Marston near to Junction 9 of M42 (Dunton Island) covering an area of 48ha. It has the potential to release 1.06 million tonnes of sand and gravel during the plan period to serve the markets of North Warwickshire and Birmingham and Solihull.

7.37 The site is currently in agricultural use comprising large open hedged fields. The settlement of Lea Marston lies nearby but the site has good access to the local highway network. There are three overhead pylons on the site which are to be retained. The site could be developed in phases which would allow important hedgerows to be protected to reduce any impacts from mineral working. Stand offs would help minimise any impacts to properties on Blackgreaves Lane and Reindeer Park off Kingsbury Road. It would be restored to agriculture using imported inert fill. However, there may be opportunities to provide ecological enhancements as part of the restoration of the site particularly in the north east corner. PROWs M14, M16 and M23 within the site would have to be temporarily diverted during the development of the site.

7.38 The later development of the site (years 2026- 2032) would provide increased production capacity in the County at an estimated rate of 100,000 tonnes per annum although the development of HS2 to the south west of the site may suggest an earlier implementation date. The site lies not far from an existing mineral and waste site at Dunton. The opportunity to work the site back to Dunton ought to be explored.

Policy S9

Allocation at Site 9 Hams Lane, Lea Marston

Land at Hams Lane, Lea Marston shown on Fig 1.16 is allocated for sand and gravel working subject to the following requirements:

- suitable access onto Hams Lane and all vehicles turning right;
- explore the opportunity to work the site back to Dunton Quarry by overland conveyor;
- phased working and progressive restoration to agriculture;
- a minimum stand-off of 100m from individual properties on Blackgreaves Lane and at Reindeer Park, Kingsbury Road;

7 Spatial Strategy and Preferred Site Options

- 30m stand off from Dunton Wood;
- additional woodland planting;
- protected species surveys;
- an archaeological evaluation;
- preparation of an Environmental Management Plan for the site;
- quality soils to be stored on site for future use in the restoration of the site.
- mobile plant to be located so as to reduce impact on the openness of the Green Belt.

Spatial Strategy and Preferred Site Options 7

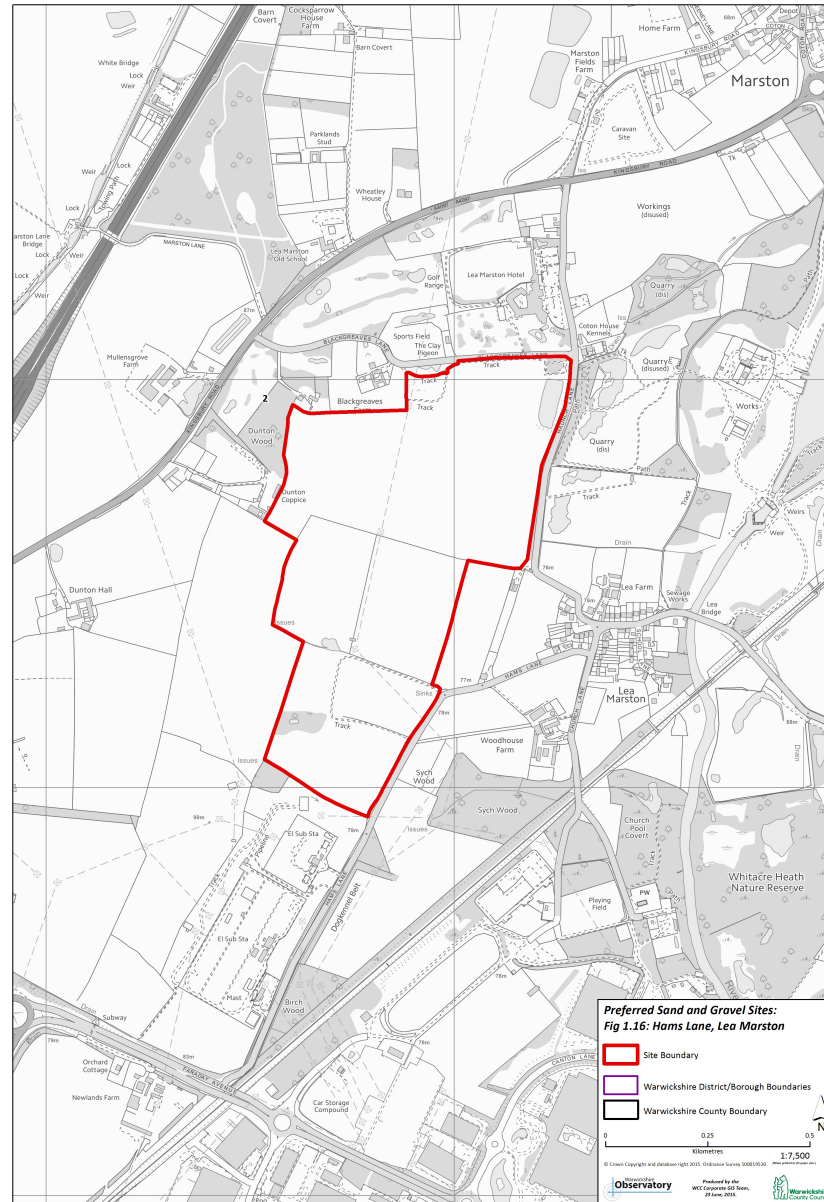


Figure 1.16 Site 9 Hams Lane

Question 13

Hams Lane, Lea Martson

Do you have any comments on the allocation of Hams Lane, Lea Martson

8 Core Strategy Policies

8 Core Strategy Policies

Minerals Core Strategy Policies

Policy MCS 1

Supply of Minerals and Materials

The County Council will seek to maintain a supply of materials from alternative sources and will take account of this before considering the extraction of aggregate minerals in the County.

The Council will seek to ensure that during the plan period there is a sufficient supply of minerals through Warwickshire's appropriate contribution to local and national needs.

The Council will seek to maintain landbanks of permitted reserves for aggregate minerals and for clay.

Where there is no identified shortfall in provision (when assessed against Government guidance) any planning application for mineral development will be treated on its merits and assessed against all other relevant Development Plan policies, taking into account the guidance of the National Planning Policy Framework and all other relevant material planning considerations.

Justification

8.1 Minerals are essential to support sustainable economic growth and the quality of life in Warwickshire. It is important therefore that there is a sufficient supply of material to provide the infrastructure, buildings, energy and the goods the County needs. Warwickshire contains many mineral resources including sand and gravel, hard rock, brick clay, coal; cement raw materials and building stone.

8.2 However a significant part of the County is rural in nature and there are a wide variety of landscapes one of which is partly designated nationally as an Area of Outstanding Natural Beauty (AONB) (Cotswolds AONB). The County is also rich in wildlife and habitats and has an important cultural heritage which adds to its character and local distinctiveness. A key concern is the protection of the countryside from the movement of freight by road and ensuring that quarry traffic avoids rural settlements, environmentally sensitive areas and the use of minor and unsuitable roads. Continuing to maintain a sufficient supply of materials during the plan period will always be constrained by the need to protect the county's natural and built environment and its local communities.

8.3 By maximising the use of alternative sources of materials (recycled and secondary materials and mineral wastes) the supply of land won minerals can be managed more sustainably. The maintenance of appropriate land banks of minerals reserves will provide an indicator of continuing security of supplies and when new supplies may be needed.

Core Strategy Policies 8

8.4 In order to conserve resources, ensure that resources are used sustainably and the environment and local communities are protected, proposals for new mineral development where is no identified shortfall will be treated strictly on their merits having regard to the development plan and any other relevant material planning considerations.

Question 14

Supply of Minerals and Materials

Do you agree with Policy MCS1 and do you have any further comments on the policy wording and justification?

Policy MCS 2

Provision of Aggregate Minerals

Policy MCS2a - Sand and Gravel

The Council will seek to ensure that there is a steady and adequate supply of sand and gravel, taking account of the Council's latest landbank figures, based on annual monitoring and Local Aggregates Assessment (LAA) information. The County's requirement based on the LAA is 10.32 million tonnes over the 15 year plan period.

Proposals for sand and gravel extraction within the sand and gravel areas identified on the Proposals Map will be supported where the proposal makes an appropriate contribution to the County's sand and gravel requirements and the proposal accords with all other relevant development plan policies.

Proposals for sand and gravel extraction within the sand and gravel reserve on the key diagram will be supported where the proposal:

- a) makes an appropriate contribution to the County's aggregate requirements; and
- b) the proposal would accord with all other relevant development plan policies.

Policy MCS2b - Crushed Rock

The Council will seek to ensure that there is a steady and adequate supply of crushed rock, taking account of the Council's latest landbank figures, based on the latest published annual monitoring and Local Aggregates Assessment information.

Proposals for crushed rock working will be supported where the proposal:

- falls within the broad locations for crushed rock working on the key diagram; and

8 Core Strategy Policies

- makes an appropriate contribution to the County's aggregate requirements; and
- the proposal would accord with all other relevant development plan policies.

Proposals outside the broad locations will only be approved where the proposal:

- makes an appropriate contribution to the County's aggregate requirements; and
- the proposal would accord with all other relevant development plan policies; and
- it is demonstrated that the proposal would provide significant operational, transport and environmental benefits from working in that location.

Proposals for the working of limestone in the Cotswold AONB for crushed rock provision will not normally be supported unless there are sufficient benefits from the proposal that over-ride any potential adverse impacts from working in that location.

Justification

8.5 Paragraph 145 of the National Planning Policy Framework (NPPF) says that a steady and adequate supply of aggregates should be planned for by taking a number of measures including the preparation of an annual Local Aggregates Assessment, taking account of guidelines on future provision, making provision for land won resources through sites or areas or policy criteria, providing appropriate landbanks and granting planning permission for sustainable mineral development.

8.6 The latest Local Aggregates Assessment shows an adjusted shortfall of 11.33 million tonnes of sand and gravel to be provided over the life of the plan (2017-2032) taking account of future demand for, and supply of, aggregate minerals in the county. To ensure that the annual predicted rate of production is maintained during the plan period nine sites need to be identified and provided for in the plan.

8.7 The Council will regularly monitor the performance of the policies and proposals in the plan including the length of the landbank and will seek to ensure that a minimum 7 year landbank for sand and gravel is maintained subject to; appropriate proposals coming forward which are acceptable in planning terms and sustainable. However it needs to be recognised that for nearly ten years the landbank for sand and gravel in the County has been well below national targets. There are a low number of operating sites having small production capacities; a number of quarries have closed with no new replacements; and there have been only a small number of planning applications submitted some which were withdrawn before being determined. While there may be difficulties in gaining new planning permissions and in recent years the recession may have significantly affected demand for construction materials this does not adequately explain the continuing low level of permitted reserves in the county. The minerals industry have advised that the quality of the resource in Warwickshire is a major factor which will affect the viability of any

Core Strategy Policies 8

proposals and limit the number of new planning applications being submitted. As production in the County has declined the amount of imports has increased from 202,000 in 2005 to 359,000 in 2009 according to the government's four yearly surveys of aggregates.

8.8 Designation of a site in the local plan does not guarantee that planning permission will be granted. However, the expectation is that a proposal is capable of being formulated and brought forward within these sites and can be made acceptable in planning terms. Proposals therefore need to be viable, well prepared, carefully sited and designed and capable of being delivered during the life of the plan.

8.9 For proposals coming forward outside the designated sites there will be two tests to be met and they are the provision of significant operational, transport, environmental and restoration benefits and compliance with all other relevant development plan policies.

Question 15

Provision of Aggregate Minerals

Do you agree with Policy MCS2 and do you have any further comments on the policy wording and justification ?

Policy MCS 3

Crushed Rock

The Council will seek to ensure that during the plan period there is a steady and adequate supply of crushed rock, taking account of the Council's latest landbank figures, based on the latest published annual monitoring and the latest Local Aggregates Assessment (LAA).

The Council will seek to maintain a minimum 10 year landbank for crushed rock.

Proposals for the winning and working of crushed rock will be supported where:

- the proposal would accord with all other relevant development plan policies; and
- it is demonstrated that the proposal would provide significant operational, transport, environmental and restoration benefits from working in that location.

Proposals for the working of limestone in the Cotswold AONB for crushed rock provision will be refused unless it can be clearly demonstrated that it is in the public interest and that there are very significant benefits arising from the proposal which would over-ride any potential adverse impacts from working in that location.

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Justification

8.10 There is a regionally important resource of hard rock which is restricted to a narrow outcrop which extends from Bedworth to Nuneaton and Atherstone. The rocks have high polished stone value (PSV) content and are used mainly for roadstone and rail ballast.

8.11 There is now only one active crushed rock quarry in Warwickshire near Atherstone at Mancetter, although there are other reserves which may not be economically viable to extract at Griff (V) and Jeas and Boon. These quarries have been previously worked but have been left inactive in recent years.

8.12 The current landbank stands at 29 years (2013 data) based on figures reported by the minerals industry which is well about the 10 year landbank requirement set out in the NPPF. A further 2 million tonnes extension was permitted in August 2015 at Mancetter Quarry.

8.13 Due to the limited nature of the outcrop and the extensive landbanks there are no plans to allocate sites for future working of crushed rock in the County.

8.14 For proposals coming forward there will be two tests to be met which are the provision of significant operational, transport, environmental and restoration benefits and compliance with all other relevant development plan policies.

8.15 The NPPF says that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty. The conservation of wildlife and cultural heritage are also important considerations in these areas. For major development such as the working of limestone for crushed rock provision, planning permission should be refused except in exceptional circumstances where it is in the public interest.

8.16 Proposals for mineral working in the AONB should include an assessment of the following:

- The need for the development, including in terms of national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Question 16

Crushed Rock

Do you agree with Policy MCS3 and do you have any further comments on the policy wording and justification?

Core Strategy Policies 8

Policy MCS 4

Secondary and Recycled Aggregates

Proposals for the reception, processing, treatment and distribution of waste materials for the production of recycled and secondary aggregates will be supported where the proposal will promote the management of waste in accordance with the principles of the Waste Hierarchy and facilitate a reduction in the need for primary aggregates and will accord with all other relevant development plan policies.

Justification

8.17 Recycled aggregates comprise construction, demolition and excavation waste such as brick, stone, concrete and asphalt which have been processed to provide products for the construction industry to re-use. The recycling of aggregates is important in the County and there are 9 operational sites one of which Dunton Quarry at Curdworth is a major facility providing materials to the local and regional construction industry. In 2013 575,388 tonnes of construction and demolition waste material was recycled in the County.

8.18 New facilities will be supported where they will help deliver sustainable waste management, facilitate a reduction in the production of primary aggregates and are in conformity with development plan policies.

Question 17

Secondary and Recycled Aggregates

Do you agree with Policy MCS4 and do you have any further comments on the policy wording and justification?

Policy MCS 5

Safeguarding of Minerals and Minerals Infrastructure

Mineral resources of economic importance within the Mineral Safeguarding Areas shown on the Policies Map will be safeguarded from sterilisation by incompatible non-mineral development.

Non-mineral development within the Mineral Safeguarding Areas shown on the Policies Map will have to demonstrate that the sterilisation of mineral resources of economic importance will not occur as a result of the development and that the development would not constrain or hinder future extraction in the vicinity. If this cannot be demonstrated, prior extraction will be sought where practicable.

8 Core Strategy Policies

Prior extraction will be supported where:

- it is practicable;
- It can be carried out without any unacceptable adverse impacts;
- It can be carried out within a reasonable timescale; and
- There are proposals to restore the site should the development be delayed or not implemented.

Existing permitted sites and facilities for the storage, handling and processing of minerals and recycled and secondary materials will be safeguarded from non -mineral development which could constrain or hinder their existing and potential use for these purposes.

Justification

8.19 It is a Government requirement that known mineral resources should not be needlessly sterilised by non-mineral development, and that there should be prior extraction of the mineral if it is necessary for such development to take place.

8.20 In Warwickshire the resources of economic importance are brick clay, sand and gravel, crushed rock, building stone, cement raw materials and coal. The resources that have been identified for long term safeguarding and designated as Mineral Safeguarding Areas, or MSAs are shown in Appendices 2-6. This is based on a report produced on behalf of the County Council by the British Geological Survey which mapped the extent of mineral resources in the County.

8.21 Proposals for non- mineral development within a MSA must demonstrate that the sterilisation of mineral resources of economic importance will not occur as a result of the development, and that the development would not pose a serious hindrance to future winning and working of minerals. If sterilisation is likely to occur then the County Council will seek prior extraction of the mineral resource where it is practicable, where there are no unacceptable adverse impacts and where it can be carried out in a reasonable timescale and the site can be properly restored if development is delayed.

8.22 In preparing local plans the NPPF says that local planning authorities should safeguard:

- Existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals including recycled, secondary and marine dredged materials; and
- Existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.

8.23 There are no existing, planned or potential rail heads, rail links to quarries or bulk transport facilities in the County. There are concrete batching plants, a mortar plant, and coated material plants in the county on existing mineral sites which should provide a degree of protection particularly

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those in the Green belt. However the nine sites providing recycled and secondary aggregate materials in the County are quite important so for the duration of their life these facilities will be safeguarded in accordance with Policy MCS5 from non -mineral development which could constrain or hinder their existing and potential use.

8.24 The encroachment of incompatible activities around minerals development sites/facilities may create conflict due to either the more sensitive nature of other forms of development or their on-going occupation or usage. This could potentially impose constraints, reducing the viability of future mineral operations. It is the non minerals developer's responsibility to determine site specific potential impacts, as well as identification and implementation of mitigation measures where necessary. The County Council may advise that development should not be permitted if it would constrain the effective operation of existing sites or sites allocated for future mineral development.

Question 18

Safeguarding of Minerals

Do you agree with Policy MCS5 and do you have any further comments on the policy wording and justification?

Policy MCS 6

Brick Clay

The Council will seek to maintain a minimum of 25 years permitted reserves of brick clay to support capital investment required for new or existing plant for brick manufacturing and the maintenance and improvement of existing plant and equipment, particularly premium brick clays such as those from the Etruria Formation.

Proposals for brick clay extraction will be encouraged where the proposal makes an appropriate contribution to local and national markets, releases minerals which will create products that facilitate good quality design and the proposal accords with all other relevant development plan policies.

Proposals for the long term stockpiling of clays released through the extraction of other minerals or prior extraction will be supported unless the proposals;

- are not practicable and environmentally feasible;
- will lead to any unacceptable adverse impacts; and
- Accord with all other relevant development plan policies.

8 Core Strategy Policies

Justification

8.25 The NPPF says that mineral planning authorities should plan for a steady and adequate supply of industrial minerals by providing a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment of at least 25 years for brick clay and for cement primary and secondary materials to support a new kiln.

8.26 There is only one brickworks operating in the County at Kingsbury, which supplies a range of brick products to local and regional markets from on-site marls and clays.

8.27 Clays are also worked at Southam and are transported to Rugby for use in the production of cement.

8.28 These facilities currently have access to sufficient materials to meet future needs. Proposals for extensions to existing or new marl/clay quarries to meet future needs will be considered in accordance with policies in this plan and the policies in the relevant development plan.

8.29 Where important marl/clay resources could be released through the working of other minerals or prior extraction and they cannot be stockpiled for future use at existing quarries and/or mineral related facilities then support will be given to long term stockpiling on sites which are practicable and environmentally feasible, which will not lead to any unacceptable adverse impacts, and which accord with all other relevant development plan policies.

Question 19

Brick Clay

Do you agree with Policy MCS6 and do you have any further comments on the policy wording and justification?

Policy MCS 7

Building Stone

The Council will support proposals for small scale extraction of building stone where the proposal encourages local distinctiveness, contributes to good quality design and provides for high quality restoration at the earliest opportunity and accords with all other relevant development plan policies.

Proposals for building stone extraction in the Cotswolds AONB will only be approved where the proposal provides very significant benefits that outweigh any unacceptable adverse impacts of working in that AONB location.

Core Strategy Policies 8

Justification

8.30 The NPPF asks mineral planning authorities to consider how to meet any demand for small scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking account of the need to protect designated sites and recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.

8.31 There are three sites which have worked building stone, Edge Hill and Dry Hill in the Cotswold AONB and Avon Hill outside the AONB but all of them are not currently operational. There is at present no demand for additional sites or for material to be released for future working. Proposals therefore for existing sites or new sites within or outside the AONB will be considered in accordance with the policies in this plan and the policies in the relevant development plan. Proposed working in the AONB will be subject to a high level of scrutiny consistent with the need to conserve the landscape and scenic beauty of the area and also its wildlife and cultural heritage.

Question 20

Building Stone

Do you agree with Policy MCS7 and do you have any further comments on the policy wording and justification?

Policy MCS 8

Coal Mining (opencast and deep mining)

Proposals for coal mining will only be approved where the proposal is demonstrated to be environmentally acceptable, or can be made so through planning conditions. Where this cannot be demonstrated, planning permission will only be granted where the proposal is demonstrated to provide national, local or community benefits that clearly outweigh the adverse impacts arising from the proposal and where it accords with all other relevant development plan policies.

In particular, appropriate consideration will need to be given to the proposal's impacts in terms of:

- contribution to delivering an indigenous source of energy and securing a diverse energy mix;
- disposal of colliery spoil (deep mining);
- minimising the nature and extent of surface subsidence (deep mining)
- Arrangements for the extraction and stockpiling of other minerals (surface mining).

8 Core Strategy Policies

For surface coal mining proposals the County Council will have regard to the desirability of the preservation of natural beauty, of the conservation of flora and fauna and geological or physiological features of special interest and of the protection of sites, buildings, structures and objects of architectural, historic or archaeological interest and the extent to which the coal operator has complied with the duty under Section 53 of the Coal Industry Act 1994 when preparing any planning application.

Justification

8.32 Coal from the Carboniferous Coal Measures which are exposed at the surface in the north of the County has been exploited since Roman Times. Small scale operations from shallow pits continued until the middle to late 19th century when numerous deep mines began operational in North Warwickshire reflecting an increase in the demand for coal and advances in mining technology. The last deep mine at Daw Mill, near Arley in North Warwickshire closed in 2013 following a huge underground fire. Previously, coal extraction had taken place in the Corley Moor area at a depth of around 800 – 900 metres.

8.33 Whilst the NPPF gives a general presumption against the extraction of coal there are large coal reserves in the County. There are no plans to reopen Daw Mill Colliery and neither does there appear to be any plan to sink another pit head or even return to surface coal extraction in the County. As there are large coal reserves deep underground and on the surface in the north of the County and in the Warwickshire Coalfield and there is likely to be a shortage of energy nationally in the short to medium term, there is always going to be the possibility that coal may be considered economically viable to extract in the future.

8.34 The extent of the Warwickshire Coalfield is shown on Fig 1.5. Proposals for future working of coal by conventional underground or surface means will therefore be considered in accordance with the policies in this plan and the policies in the relevant development plan.

8.35 For surface coal mining proposals the County Council will have regard to the desirability of the preservation of natural beauty, of the conservation of flora and fauna and geological or physiological features of special interest and of the protection of sites, buildings, structures and objects of architectural, historic or archaeological interest and the extent to which the coal operator has complied with the duty under Section 53 of the Coal Industry Act 1994 when preparing any planning application.

Question 21

Coal Mining

Do you agree with Policy MCS8 and do you have any further comments on the policy wording and justification?

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Policy MCS 9

Conventional Hydrocarbons

Outside the Cotswolds AONB proposals to explore, appraise, and produce oil and natural gas will generally be supported where they do not give rise to any unacceptable adverse impacts on the environment, transportation and residential amenity and the development accords with all other relevant development plan policies.

Justification

8.36 The exploration, appraisal or production of hydrocarbons can only take place in areas where the Department of Energy and Climate Change (DECC) have issued a licence under the Petroleum Act 1998 (Petroleum Licence). The current licensing areas affecting the county and under offer (14th Landward Oil and Gas Licensing Round) shown on Figure 1.5.

8.37 The NPPF says that mineral planning authorities should clearly distinguish between the three phases of development (exploration, appraisal (testing) and production) and address constraints on production and processing within areas that are licensed for oil and gas production.

8.38 Exploration involves acquiring geological data to establish whether hydrocarbons are present by seismic surveys and drilling. Appraisal follows exploration and is concerned with determining the extent of the deposit or its production characteristics to establish whether it can be economically exploited. This can involve further seismic work, longer-term flow tests and the drilling of further wells. The production phase involves the drilling of a number of wells together with the installation of pipelines, erection of processing facilities and temporary storage tanks. Production can last up to 20 years or more. When work ceases the facilities will be dismantled and the sites restored.

8.39 Conventional oil and gas are usually located in porous reservoirs of sandstone or limestone.

8.40 Separate planning permission is required for each phase of hydrocarbon extraction although some initial seismic work may not require express planning permission.

8.41 There has only been one application for permission to drill exploratory wells for conventional hydrocarbons and that was near Kingsbury in 2001. The drilling did not confirm the presence of any hydrocarbons and no further work was carried out. Since then no interest has been shown in carrying out exploratory work in the county to search for oil or natural gas deposits. There are no national or local targets for the production of oil and natural gas each proposal within the licence area needs to be considered on its own merits.

8.42 The NPPF says that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty. The conservation of wildlife and cultural heritage are also important considerations in these areas. For major development such as the exploration, appraisal and production of oil or natural gas planning permission should be refused except in exceptional circumstances where it is in the public interest.

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8.43 Developers should avoid developing proposals within influencing distance of sites designated as being internationally and nationally important for nature conservation. Heritage assets and their settings should also be avoided.

8.44 Sites will not be encouraged where access is required to transport plant, machinery and materials for drilling, processing and production through residential areas, sensitive land uses or via roads which are minor or considered unsuitable by the Highway Authority for HGV use.

8.45 Normally drilling takes place 24 hours a day, 7 days a week for safety reasons. The ability to directional drill means that access to a reservoir to recover the gas/oil may be secured from distant locations and fewer wells. However, this has the potential to have significant impacts on the residential amenity of properties and communities near to a proposed site(s).

8.46 Particular consideration will be given to the close proximity of any proposed well head(s) to any residential properties and to settlements in the County. The cumulative effects of continuous drilling in one location following exploration or several locations close-by will also be given particular scrutiny.

8.47 Proposals for conventional hydrocarbon extraction will be considered in accordance with the policies in this plan and policies in the relevant development plan.

Question 22

Conventional Hydrocarbons

Do you agree with Policy MCS9 and do you have any further comments on the policy wording and justification?

Policy MCS 10

Unconventional hydrocarbons –Shale Gas and Coal Bed Methane

Proposals to explore, appraise, produce shale oil/gas, and coal bed methane will only be supported where they do not give rise to any unacceptable adverse impacts on the environment, transportation and residential amenity and the development accords with all other relevant development plan policies.

Particular consideration will be given to the impacts on:

- International and national designations for nature conservation;
- Heritage assets and their settings;
- Tourism facilities;

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- Local highway network;
- Residential properties and settlements; and
- Water environment.

Proposals for the exploration, appraisal and production of shale oil/ gas in the Cotswolds AONB will be refused unless it can be clearly demonstrated that it is in the public interest and that there are very significant benefits arising from the proposal which would over-ride any potential adverse impacts from working in that location.

Justification

8.48 The Department for Communities and Local Government has issued planning practice guidance for onshore oil and gas and this includes unconventional hydrocarbons, hydraulic fracturing and coal bed methane. The guidance states that it is likely that Warwickshire County Council would be responsible for assessing planning applications in Warwickshire where planning permission is required.

8.49 The situation in Warwickshire is that no proposals have come forward to explore, appraise or produce shale gas/oil to date. The most recent information that the County Council has received from the British Geological Survey is that of the main potentially prospective shale gas rocks, none are present in Warwickshire in thicknesses or depths that would be expected to be commercially viable. Clear geological evidence of the suitability of any source rocks in the county for shale gas/oil extraction will need to be submitted as part of any proposals.

8.50 However, while shale gas development in Warwickshire may be unlikely in the short term, the plan must address any potential developments in that industry.

8.51 Shale gas is methane found in rocks deep (2,000 -3,000 metres) below the earth's surface which had previously been considered too impermeable to allow economic recovery. Coal bed methane is methane that is extracted from unworked coal seams at shallower depths (150-1,500m)

8.52 Hydraulic fracturing or fracking is the process of opening and/or extending existing narrow fractures or creating new ones in gas or oil bearing rock by injecting water and sand and non –hazardous chemical additives, which allows gas or oil to flow into wells to be captured.

8.53 The exploration, appraisal or production of unconventional hydrocarbons can only take place in areas where the Department of Energy and Climate Change (DECC) have issued a licence under the Petroleum Act 1998 (Petroleum Licence). At present there are no licence areas in Warwickshire. As a result of the Infrastructure Act 2015 the formal consent of the Secretary of State for Energy and Climate Change is now also required. Consent cannot be issued unless a scheme to provide benefits, financial or otherwise, for the local area is in place, irrespective of planning permission. To grant consent, the Secretary of State must be satisfied that 13 specific conditions on environmental matters and information are met.

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8.54 The NPPF says that mineral planning authorities should clearly distinguish between the three phases of development (exploration, appraisal (testing) and production) and address constraints on production and processing within areas that are licensed for unconventional hydrocarbons.

8.55 Exploration involves acquiring geological data to establish whether hydrocarbons are present by seismic surveys and drilling and in the case of shale gas hydraulic fracturing. Appraisal follows exploration and is concerned with determining the extent of the deposit or its production characteristics to establish whether it can be economically exploited and will also involve hydraulic fracturing. This can involve further seismic work, longer-term flow tests and the drilling of whether wells. The production phase involves the drilling of a number of wells together with the installation of pipelines, erection of processing facilities and temporary storage tanks. For unconventional hydrocarbons exploratory drilling may take considerably longer than drilling for conventional oil and gas and will involve removing water from the coal seam in the case of coal bed methane. Production can last up to 20 years or more. When work ceases the facilities are dismantled and the sites restored.

8.56 Unconventional oil and gas usually comes from sources such as shale and coal seams which act as the reservoirs.

8.57 Separate planning permission is required for each phase of unconventional hydrocarbon extraction although some initial seismic work may not require express planning permission.

8.58 There are no national or local targets for the production of unconventional hydrocarbons each proposal within the licence area needs to be considered on its own merits. There are no requirements to safeguard potential shale gas/oil resources.

8.59 The NPPF says that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty. The conservation of wildlife and cultural heritage are also important considerations in these areas. For major development such as the exploration, appraisal and production of shale gas/oil planning permission should be refused except in exceptional circumstances where it is in the public interest.

8.60 Developers should avoid developing proposals within influencing distance of sites designated as being internationally and nationally important for nature conservation. Heritage assets and their settings should also be avoided.

8.61 Sites will not be encouraged where access is required to transport plant, machinery and materials for drilling, processing and production through residential areas, sensitive land uses or via roads which are minor or considered unsuitable by the Highway Authority for HGV use.

8.62 Normally drilling takes place 24 hours a day, 7 days a week for safety reasons. This has the potential therefore to have significant impacts on the residential amenity of properties and communities near to proposed sites. Particular consideration will be given to the close proximity of any proposed well head(s) to any residential properties, to settlements and to tourism facilities in the county. The cumulative effects of continuous drilling in one location or several locations close-by will also be given particular scrutiny.

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8.63 Proposals for unconventional hydrocarbon extraction will be considered in accordance with the policies in this plan and the policies in the relevant development plan.

Question 23

Unconventional hydrocarbons

Do you agree with Policy MCS10 and do you have any further comments on the policy wording and justification?

Policy MCS 11

Underground Coal Gasification

Proposals for Underground Coal Gasification, the production of syngas and the erection of plant to utilise the gas to produce energy and/or other fuels and chemical feedstocks will be refused unless the proposal(s) is environmentally acceptable or can be made so by planning conditions or obligations and it provides national, local or community benefits which clearly outweigh the likely impacts to justify the grant of planning permission.

In determining any proposal(s) particular consideration will be given to the impacts of the proposals on:

- International and national designations for nature conservation;
- Heritage assets and their settings;
- Local highway network;
- Residential properties and settlements; and
- Water environment.

Justification

8.64 Underground Coal Gasification (UCG) is a separate process to fracking involving controlled combustion of coal seams beneath the ground and the recovery of the resulting gases. The coal can be accessed by carefully controlled directional drilling of several wells that penetrate the coal seam for an appropriate distance. Normally two wells are required one to inject steam and air or oxygen to ignite the seam and the other to recover the gas-water vapour mixture (syn gas). Syngas is mainly a mixture of methane, hydrogen, carbon monoxide and carbon dioxide. The gas can be utilised in on-site and/or off- site plant to produce energy (via gas combustion), fuels (diesels) and chemical feedstocks (fertilisers).

8.65 Any power station that proposes to use gas produced by Underground Coal Gasification will need to demonstrate that it is carbon capture ready before planning permission may be given for the construction of the power station. New power stations that use the gas as a fuel will also

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be subject to the Emissions Performance Standard. The Standard, introduced through provisions of the Energy Act 2013, recently came into force and places a limit on the amount of carbon dioxide emissions that new fossil fuel power stations can emit.

8.66 The Coal Authority is responsible for issuing licences granting the right to access the coal, but no UCG operations can take place until the applicant has secured all other necessary rights and permissions. This would include securing the necessary planning permission from Warwickshire County Council as the Mineral Planning Authority. A Conditional Licence application was made to the Coal Authority in May 2013 by Cluff Natural Resources Plc. No decision was made by the Coal Authority and the County Council were told that Cluff would let their application lapse as it wished to focus on offshore areas where there were larger reserves.

8.67 There are no national or local targets for the production of syngas and the production of energy, other fuels and/or chemical feedstocks from UCG each proposal needs to be considered on its own merits.

8.68 Developers should avoid developing proposals within influencing distance of sites designated as being internationally and nationally important for nature conservation. Heritage assets and their settings should also be avoided.

8.69 Sites will not be encouraged where access is required to transport plant, machinery and materials for drilling wells, producing and utilising syngas to produce energy, other fuels and chemical feedstocks, through residential areas, sensitive land uses or via roads which are minor or considered unsuitable by the Highway Authority for HGV use.

8.70 Normally drilling the wells takes place 24hours a day, 7 days a week for safety reasons. The erection and operation of plant to recover and utilise the syngas to produce energy, other fuels and chemical feedstocks has the potential to have significant impacts on the residential amenity of properties and communities near to proposed site(s). Particular consideration will be given to the close proximity of the proposed wells, gas recovery and utilisation plant to any residential properties and settlements in the County. Proposals for Underground Coal Gasification, the production of syngas and the erection of plant to utilise the gas to produce energy and/or other fuels and chemical feedstocks will be considered in accordance with the policies in this plan and the policies in the relevant development plan.

Question 24

Underground Coal Gasification

Do you agree with Policy MCS11 and do you have any further comments on the policy wording and justification?

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9 Development Management Policies

Development Management and the Planning Application Process

Warwickshire County Council as the Minerals Planning Authority is responsible for dealing with all planning applications for minerals development in the County. In order to fully consider such proposals, an applicant will need to submit sufficient information for the Council to base its development control decisions.

Pre-application consultation should be undertaken with the Council to establish what supporting information will be required as part of the planning application, particularly where there may be a need for an Environmental Impact Assessment (EIA) in accordance with the Town and County Planning (Environmental Impact Assessment) Regulations 2011. This will ensure that the environmental impacts of proposed developments are assessed in a systematic way and that planning applications are prepared and processed in an effective and efficient manner.

A screening opinion should be sought from the Council if there is any uncertainty as to whether an EIA is required. Where an EIA is required, operators should seek a scoping opinion from the Council to establish the content and level of detail required for the planning application as part of the pre-application consultation process. Planning applications that fall within the scope of the EIA Regulations will not be determined until a satisfactory Environment Statement (ES) has been submitted and all necessary information has been considered. The Council may need to consult other bodies, such as the Environment Agency and Natural England before an opinion is given.

Warwickshire County Council strongly encourages developers to consult with the local community at the earliest stage of any proposal. This will foster a positive attitude and a high level of co-operation between the minerals industry and the communities they serve.

Planning Control

Planning permissions will usually be subject to a number of planning conditions designed to avoid, reduce and minimise unacceptable adverse amenity impacts of the development. These are imposed, as appropriate, to control the implementation, operation and restoration of the permitted development. Paragraph 206 of the National Planning Policy Framework sets out the six tests for planning conditions which are as follows:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects.”

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Where the use of planning conditions to address unacceptable impacts is not possible, developments may be made acceptable in planning terms through the use of planning obligations. These are usually legal agreements (S 106) between the planning authority and those with an interest in a piece of land (i.e. developers) that help to ensure that wider environmental impacts, including those beyond the development boundary, can be resolved and managed

Government guidance in the NPPF (paragraph 204) states that planning obligations should only be sought where they meet all of the following policy tests

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Planning obligations can also be used to secure some community benefits from the development – this may consist of infrastructure, landscaping or community facilities, which the developer will agree to provide as part of the proposal. These planning obligations are often only finalised once an application has been approved in principle. The Community Infrastructure Levy Regulations 2010 (Reg. 122) states that planning obligations must meet the statutory tests of :

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Where permission is to be granted for a proposal to develop a minerals site, conditions will be imposed, or in appropriate circumstances, agreements entered into to secure any of the following where required measures listed are not exhaustive:

- measures to mitigate amenity impacts to acceptable levels - including access/ road improvements, limits on vehicle numbers/movements, limits on outputs, visual intrusion, noise, illumination, odour, dust, and emissions (to air, water or soil), establishment of liaison meetings, etc.
- measures to protect, conserve and enhance ecological, geological, archaeological and other historic assets
- site design - including location, design and size of buildings, plant or structures, disposal and management of overburden and other extracted materials, landscaping, screening, protection of existing trees, hedgerows and shrubbery, flood prevention, protection of the water environment, use of sustainable drainage systems, protection of public rights of way, and where appropriate waste management considerations.
- site operations - including commencement and duration of the permission, materials to be processed and stockpiled , hours of working, vehicle movements, materials and soil management/movements, environmental monitoring/ control regimes, storage/containment of waste, site security etc.
- measures for reinstatement, decommissioning, restoration, aftercare/future management and monitoring of the site to bring it back to a beneficial and appropriate afteruse.

The Community Infrastructure Levy Regulations 2010 (as amended) allows local authorities to charge funds from developers to ensure that costs incurred in providing necessary infrastructure to support the development can be funded (wholly or partly) by owners or developers. Such

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infrastructure would include, but may not be confined to, roads and other transport facilities, flood defences, schools and other educational facilities, medical facilities, sport and recreational facilities, open spaces and affordable housing. The charging authorities (i.e. The District and Borough Councils) wishing to charge a levy will need to produce a charging schedule setting out the levy rates for their area. Where no charging schedule is in place, existing s106 contributions will continue to be applied.

Temporary permissions

In some circumstances, the Council may consider it appropriate to grant temporary planning permission for certain development proposals. This may be for operational reasons, or to monitor the impacts of the proposed development including any proposed mitigation before permanent permission is considered. Where the granting of temporary permission is deemed appropriate, the nature and scale of the operation, together with the location of the site, and the nature, extent and delivery of the proposed mitigation will be taken into account to determine the duration of the planning permission.

Pollution control matters

The Environment Agency (EA), as Waste Regulatory Authority, is concerned with controlling the pollution aspects of mining, mining related activities and waste facilities through Environmental Permitting. The EA is required to consult Mineral Planning Authorities when new permit applications are being considered for approval. Where a permit is required for land identified for a waste management use as part of or associated with mineral development and planning permission is required, the planning permission would need to be secured before the EA can grant the permit. The EA also controls certain aspects of the aftercare of mineral sites to prevent pollution such as the discharge of surface and/or ground water from a site. The roles of Mineral Planning Authorities and the EA in the regulation and enforcement of mineral sites are therefore separate but complementary. The Council will therefore need to liaise with the EA and other relevant bodies to ensure that their information and expertise is used for all its decision making.

Minerals safeguarding and mining legacy issues

Warwickshire contains many minerals resources including sand and gravel, hard rock, brick clay, coal, cement raw materials and building stone. The NPPF states that Mineral Planning Authorities should define Minerals Safeguarding Areas (MSAs) in their Local Plans to ensure that mineral resources are adequately and effectively considered in land use planning decisions so that they are not needlessly sterilised.

All Developers are required to check whether proposals lie within the County Council's delineated Minerals Safeguarding Areas, available at www.warwickshire.gov.uk/msa. Although the Minerals Local Plan is not currently adopted, the British Geological Survey has completed a piece of work to delineate MSAs for Warwickshire accessible at www.warwickshire.gov.uk/msa. For non-mineral developments in MSAs that may potentially sterilise minerals resources of sufficient economic or conservation value, the County Council will seek to secure the extraction of minerals prior to development taking place provided that it is practicable, environmentally acceptable and that the

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benefits of the extraction would outweigh any adverse impacts. Prior extraction may also help to remove potential land instability and public safety problems in the process. There may also be opportunities to use the extracted mineral on site during construction, thereby reducing the transportation of materials long distances.

The Coal Authority has defined Coal Mining Development Referral Areas in Warwickshire to help planning authorities identify higher risk areas that may be affected by coal mining legacy issues. This may include abandoned coal mines; shallow coal workings (recorded and probable); mine entries; coal seam outcrops; mine gas sites and areas; recorded coal mining related hazards; fissures and previous surface mining sites. The Standing Advice Area is the remainder of the defined coalfield. In this area no known risks have been recorded, and as such presents a lower potential risk to new development proposals, although there may still be unrecorded issues in this area. Further information on these areas, and how mining legacy issues should be addressed, is available at

http://coal.decc.gov.uk/assets/coal/whatwedo/developers_resource_pack.pdf.

Monitoring and enforcement

Mineral Planning Authorities have a responsibility for the monitoring of mineral planning permissions and conditions. If problems become apparent through site monitoring or site visits or where problems are drawn to the Council's attention between visits, then the Council will seek to resolve any issues as quickly as possible. Where breaches of planning control take place and there is a potential risk to the environment or communities, the Council will exercise its powers to serve legal notices to remedy any breaches of planning control. It may use its powers to implement legal action to halt unauthorised development and where necessary, require appropriate remedial work to be carried out. Further details of the County Council's policies on monitoring and enforcement can be obtained from the authority's adopted enforcement plan.

Community liaison

Although mineral development can provide both economic and environmental benefits for an area, the nature of the facility or its operations can result in concern or anxiety within the local community. Operators of mineral sites will form part of that community, and as such are required to consult and inform members of that community.

Mineral operators and/or developers are strongly encouraged to participate in community liaison meetings, particularly where planning permission for mineral development is sought. Where planning permission has been granted, operators are strongly encouraged to take part in ongoing liaison meetings. Community liaison meetings will provide a valuable forum where the local community is informed of current progress of the site and how operations have complied with conditions attached to any planning permission. They can also provide an opportunity for constructive discussion about any concerns or problems so that they can be resolved to the satisfaction of both the local community and the mineral operator.

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The following section provides the Development Management policies for assessing mineral development proposals. The policies should not be read in isolation and proposals will need to demonstrate that they comply with all the other relevant Core Strategy and Development Management policies.

Policy DM 1

Protection and enhancement of the natural and built environment

Mineral development should protect, conserve, and where possible enhance, the natural and built environment by ensuring that there are no unacceptable adverse impacts upon:

- natural resources (including water, air and soil resources);
- biodiversity;
- geodiversity;
- archaeology;
- heritage and cultural assets and their settings;
- open space, sport, tourism and other recreational facilities and land
- the quality and character of the landscape;
- adjacent land uses or occupiers; and
- the distinctive character and setting of the County's settlements;

And the development satisfies Green Belt policies.

Any mineral development proposals which could lead to a new negative likely significant effect on any of the qualifying features of any European Site (Natura 2000 sites) will not be permitted unless there are no alternatives and there are imperative reasons of overriding public interest that could be of a social and economic nature or relating to human health, public safety or benefits of primary importance to the environment.

Mineral development proposals should demonstrate that valued landscapes and sites, species, habitats and heritage assets (an indicative list of sites, species, habitats and heritage assets is contained in Table 9.1 and, where relevant, their settings) of international and national importance will be preserved or conserved and, where possible, enhanced. The level of protection to be afforded to the asset will be commensurate with its designation and significance.

Proposals should also maintain or, where possible, enhance biodiversity and recognised sites, species, habitats and heritage assets (an indicative list of sites, species, habitats and heritage assets is contained in Table 9.1) of sub-regional or local importance, as well as designated Local Green Spaces or open space, sports and recreational facilities and land identified in Local Development Documents as of specific importance. The level of protection to be afforded to such assets will be commensurate with the level of importance and contribution to wider ecological or geological/geomorphological networks.

Mineral development should be undertaken in close consultation with local communities in order to address any valid local concerns raised by the proposals.

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If it is considered that the development is justified against the above criteria, proposals will only be permitted where the adverse impacts will be

- i) Avoided; or
- ii) Satisfactorily mitigated (where it is demonstrated that adverse impacts have been avoided as far as possible); or
- iii) Adequately compensated or offset as a last resort where any adverse impacts cannot be avoided or satisfactorily mitigated.

Justification

Soil Resources

The NPPF states that the planning system should protect and enhance valued soils and prevent the adverse effects of unacceptable levels of pollution. This is because soil is an essential finite resource that provides for the growing of foods, timber and other crops, acts as a store for carbon and water, a reservoir for biodiversity and a buffer against pollution.

Measures should be taken to protect and conserve soil resources during mineral working and prevent soil from being adversely affected by pollution.

Ecology and Geology

The Minerals Local Plan needs to safeguard Warwickshire's rich biodiversity and geodiversity. The NPPF states that local planning authorities should set out the strategic priorities for their area including strategic policies which deliver climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment including landscape. Areas and features of designated international, national and local importance need to be identified and protected. Proposals will also need to seek to maximise opportunities for enhancement or improvement where possible.

The Mineral Planning Authority has a statutory duty under the Natural Environment and Rural Communities Act (2006) to have regard to the purpose of conserving biodiversity in exercising its functions.

Warwickshire is host to one site of international ecological importance; Ensor's Pool Special Area of Conservation, although there are 4 other designated sites within 15km of the Warwickshire boundary. These sites are afforded specific statutory protection, as set out in Circular 06/2005 (Biodiversity and Geological Conservation). In accordance with Articles 6.3 and 6.4 of the European Habitats Directive, where proposals may impact upon internationally designated sites, developers must undertake an appropriate assessment to demonstrate that the proposal, either alone, or in combination with other plans, policies or programmes would not have a significant adverse impact upon the integrity of such sites. Where a proposal may have adverse effects on the integrity of a site or sites designated as of international importance for nature conservation, planning permission will only be permitted where it is demonstrated there are no suitable alternatives and there are imperative reasons of overriding public interest.

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Nationally designated sites such as SSSIs are afforded high protection. There are currently 62 SSSIs within the County, with 20 of these designated for reasons of geological interest. Where a proposed development is likely to have an adverse effect on a SSSI (either individually or in combination with other developments), planning permission will not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, planning permission will only be granted where the benefits of the development at that site clearly outweigh the likely impacts on the site and its qualifying features, and any broader impacts on the national network of SSSIs. Where necessary, conditions and/or planning obligations will be used to mitigate the harmful effects of the development and, where possible, to ensure the conservation and enhancement of biological and geological/geomorphological assets.

Sites of designated sub-regional or local importance do not carry the weight of statutory protection. However, they can still play a valuable role in contributing to the biodiversity and geodiversity of an area, as well as improving environmental quality and contributing to climate change adaptation and mitigation. Where a mineral proposal may have an adverse impact upon any locally designated assets, measures should be implemented to reduce any adverse impact to an acceptable level (further guidance is set out in Circular 06/2005). In certain circumstances, there may be other material considerations or factors that may bring wider benefits that may override the preservation of the asset. Where significant adverse impacts on ecological assets cannot be avoided or appropriately mitigated, a developer would need to provide at least replacement habitats on, or in close proximity to the site, that as a minimum provide an equal benefit to those lost or affected. Such measures may include provision of new areas for biodiversity, or enhancing existing areas.

DEFRA announced in the Natural Environment White Paper that work would be undertaken with local planning authorities and their partners to test biodiversity offsetting in a number of pilot areas. The Coventry, Solihull and Warwickshire local authorities have been chosen as a pilot and are working jointly to develop an offsetting mechanism to compensate for losses or adverse impacts to ecological assets that would result from new development. It is intended that the mechanism will be used to create, protect, enhance and manage a network of biodiversity assets identified in the sub-regional Green Infrastructure Strategy.

Planning permission will not be granted where mineral developments would result in the loss or deterioration of irreplaceable habitats (i.e. Ancient semi-natural woodland or the loss of aged or veteran trees) unless it is demonstrated that development in the location would give rise to significant benefits that would outweigh the subsequent loss or damage.

Mineral proposals should support the overarching aim and objectives of the County's Biodiversity Strategy and protect or enhance the priority species and habitats identified in the Warwickshire, Coventry and Solihull Biodiversity Action Plan. The ecological data held by the Warwickshire Biological Records Centre and the data collected as part of the Habitat Biodiversity Audit will provide a valuable evidence base for informing development control decision making. Mineral development should be designed:

- to improve the quality of priority habitats both within and outside sites
- to increase the size of priority habitat areas where possible
- to create new areas of priority habitat

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- to enhance ecological connections between, or to join up, areas of priority habitat through the use of corridors, 'stepping stones' or other features
- Mineral development proposals should also support the overarching aim and objectives of any Local Geodiversity Action Plans covering the County. Where mineral proposals may provide opportunities for geological recording or potential for geo-conservation (e.g. retention of geological exposures during operations and on restoration or sites with temporary exposures during mineral extraction or engineering works), appropriate consultation should be undertaken with the County's Keeper of Geology (details available at www.warwickshire.gov.uk/museum).

Heritage and Cultural Assets

The NPPF outlines that the historic environment and heritage assets should be conserved for the benefit of present and future generations. It sets out that applicants should identify all heritage assets that may be affected by a proposed development.

The Mineral Planning Authority has a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special regard to the desirability of preserving the setting of a listed building (S.66) and for special regard to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area (S.72).

The County's Historic Environment Record available at <http://timetrail.warwickshire.gov.uk/> should be consulted as a minimum and where heritage assets and their settings may be affected, applicants should undertake an appropriate assessment of the significance of the impact. In assessing the impacts, the level of detail will need to be proportionate to the significance of the asset with appropriate expertise sought where necessary.

Where the development is likely to have a significant adverse effect on heritage or cultural assets of designated national importance (or their settings) planning permission will not be granted unless it is demonstrated through an appropriate assessment that the asset is adequately preserved, conserved or protected, or that any adverse impacts are adequately mitigated, or there is an overriding reason of national importance for the development to take place in that location that outweighs the adverse impacts on the asset.

Where an application site includes, or is considered to have the potential to include heritage assets with archaeological interest, applicants should submit an appropriate desk-based assessment and, where desk-based research is insufficient to properly assess the interest, a field evaluation. This information together with an assessment of the impact of the proposal should be set out in the application. It should detail the sources that have been considered and the expertise that has been consulted.

Some archaeological assets may require preservation in situ, or where impractical, the investigation and recording of the finds. Where preservation in situ is required for nationally important remains, developers will be required to agree to a scheme of further archaeological mitigation before the development can take place. Where archaeological features are potentially affected by the proposals, the Council may require contributions from the developer through a planning agreement to record preserve and manage such features.

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Where the development is likely to have an adverse impact on important archaeological remains, planning permission will not be granted unless the nature and significance of the remains have been ascertained through an appropriate assessment and where adverse impacts are anticipated, adequate provision for preservation in situ, excavation or recording of the interest has been made in accordance with the significance of the asset.

Recreational assets

Warwickshire is host to many important open spaces, sports, tourism and other recreational assets. Their existence, amenity and use will need to be safeguarded when planning mineral development.

Proposals will need to demonstrate that there will be no unacceptable adverse impact on open spaces, sports, tourism and recreational assets, particularly those identified in District Local Plans/Development Frameworks as of specific importance. Proposals should be appropriately designed to reduce adverse impacts as far as possible. Where a mineral development would result in an unacceptable adverse impact on any open spaces, sports, tourism and recreational assets, appropriate mitigation and/or compensatory measures will need to be implemented to offset the adverse impacts. In assessing impacts upon such assets, the findings of relevant green infrastructure or open space, recreation and sports/playing field studies should be considered, with a particular focus on existing provision and identified future needs in terms of quantity, quality and accessibility.

Landscape, Countryside and Green Belt

Warwickshire's landscape is varied and complex, although there are seven distinct landscape character areas; Arden, Dunsmore, Avon Valley, Feldon, Cotswolds, High Cross Plateau and Mease Lowlands. Part of the Cotswolds character area is designated as an Area of Outstanding Natural Beauty (AONB), a national designation to conserve the natural beauty of a landscape of recognised importance.

Proposals for mineral development should protect and where possible enhance the quality and character of the countryside and valued landscapes. Developers will need to include an assessment of the adverse impacts upon local landscape character and that of adjacent areas that is appropriate to the scale and nature of the proposed development. Proposals should be designed having taken account of any relevant local landscape character assessments, guidelines (the latest Warwickshire Landscape Guidelines are available at <http://www.warwickshire.gov.uk/landscapeguidelines>) or design codes.

For proposals that lie within or in close proximity to the Cotswolds AONB, the development must preserve the quality and character of the area and comply with the necessary policies of the Cotswolds AONB Management Plan. Proposals in proximity to settlements must safeguard their character, setting and rural amenity through mitigation measures including acceptable separation distances, and appropriate landscaping and planting.

The County Council values the important contribution that trees, hedgerows and woodland make to the environment. Developers are required to identify trees, woodland or hedgerows that may potentially be affected as part of a minerals proposal. Removal of trees, woodland or hedgerows should be avoided where possible. Areas identified for woodland conservation or enhancement

9 Development Management Policies

and trees covered by Tree Preservation Orders (TPOs) will be afforded particular protection. A tree survey will often be required for proposals affecting trees or proposals to fell trees. Where trees, hedgerows or woodland are intended to be lost as part of a proposal, appropriate compensatory planting should be provided as part of the development.

Warwickshire's historic landscape makes a considerable contribution to the County's character and local distinctiveness and the Warwickshire Historic Landscape Characterisation (HLC) project (in conjunction with English Heritage) will further contribute to the understanding of how the County's landscape has developed over time and its capacity for change. In order for there to be an integrated approach to its sustainable management, minerals proposals should be informed by the HLC, as well as any other relevant landscape assessments or guidelines for the County.

Green Belt

A large proportion of the County is covered by a swathe of designated Green Belt. The fundamental aim of designating Green Belt is to prevent urban sprawl by keeping land permanently open. The NPPF states that there is a presumption against 'inappropriate development' and such development should not be approved, except in 'very special circumstances' where other considerations clearly outweigh the harm to the Green Belt.

Mineral proposals (including mineral extraction and engineering operations) located within the Green Belt that do not preserve the openness of the Green Belt and conflict with the purposes of including land in the Green belt would be regarded as 'inappropriate development'. New buildings, plant or machinery which are not ancillary to mining operations may also be regarded as inappropriate development if they do not pass these tests. In these instances, it is for the applicant to demonstrate why permission should be granted.

Indicative list of environmental assets*

Indicative list of environmental assets*				Minerals Plan - Preferred Option and Policies	
Sites designated for their nature conservation or geological/geomorphological importance				87	
				Heritage assets	Species
International	<ul style="list-style-type: none"> - Ramsar - Natura 2000 (Special Areas of Conservation, Special Protection Areas) 	<ul style="list-style-type: none"> - Any internationally designated habitats 	<ul style="list-style-type: none"> - Any internationally protected species - European protected species 	<ul style="list-style-type: none"> - World Heritage Sites - Any heritage assets of international significance 	
National	<ul style="list-style-type: none"> - National Nature Reserves - Sites of Special Scientific Interest (SSSI) 	<ul style="list-style-type: none"> - Ancient Semi-Natural Woodland - National BAP Habitats 	<ul style="list-style-type: none"> - National BAP species - Notable and protected species identified under Section 41 of the Natural Environment and Rural Communities Act 2006 	<ul style="list-style-type: none"> - Registered Historic Battlefields - Registered Historic Parks and Gardens - Scheduled Ancient Monuments - Listed Buildings - Conservation Areas 	
Local	<ul style="list-style-type: none"> - Local Nature Reserves - Local Wildlife Sites - Local Geological Sites 	<ul style="list-style-type: none"> - Local BAP Habitats 	<ul style="list-style-type: none"> - Local BAP Species - Species identified on local rare, endangered and vulnerable lists 	<ul style="list-style-type: none"> - Historic environment and heritage assets recorded on the County's Historic Environment Record and local lists - Historic Farmsteads 	

Indicative list of environmental assets*			
Sites designated for their nature conservation or geological/geomorphological importance		Habitats	Heritage assets
		Species	
<i>*There may be instances where undesignated species, habitats or heritage assets are identified as part of the planning application process (e.g. through pre-determination.) Where such assets are of demonstrably of equivalent significance to designated assets, then the level of protection to be afforded to the asset will be commensurate with its significance.</i>			

Table 9.1

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Question 25

Natural and built environment

Do you agree with Policy DM1 and do you agree with the Policy Wording?

Policy DM 2

Managing Health, Economic and Amenity Impacts of Mineral Development

Planning permission will not be granted for mineral development proposals which have unacceptable adverse impacts on the local environment, economy (including tourism) or communities through any of the following:

- noise
- lighting/illumination
- visual intrusion
- vibration/blast vibration
- public health
- dust
- emissions to air/odours
- contamination
- water quality
- road traffic
- loss of best and most versatile agricultural land
- land instability

Either individually or cumulatively with other existing or proposed developments.

Proposals will only be permitted where the adverse impacts will be

- i) Avoided; or
- ii) Satisfactorily mitigated where an adverse impact cannot be avoided or the *adverse impacts have been avoided as far as possible*.

Justification

Mineral development can generate concerns from local communities relating to adverse impacts on health, local amenity and the economic viability of local businesses. The health and quality of life of local communities, and the activities of local businesses, will need to be safeguarded where they may be impacted by mineral development. There are measures that can be implemented that can seek to control certain impacts of mineral developments and their operations. However,

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planning permission will not be granted where specific, objectively proven impacts are demonstrated to have an unacceptable adverse impact on the viability of a nearby business, local amenity or the health of local communities.

Several mineral developments on a site, or several in close proximity to one another, can result in an unacceptable total adverse impact on the environment or affected communities. Where mineral development is proposed on, or in proximity to another development, the cumulative impacts of all developments in the locality must be taken into account.

The types of impacts that may affect health and amenity are addressed below.

Noise

Mineral development are likely to produce noise from mineral extraction operations, movement and replacement of soils, material production processes, vehicles and heavy machinery, including reversing alarms, as well as from ancillary development and the transportation of material to and from mineral sites. Noise impacts should be appropriately mitigated to an acceptable level and informed by a noise assessment by an independent acoustician. Proposals should be designed to minimise, mitigate or remove noise at the source. Noise limits will be set at noise sensitive properties to protect amenity taking into account the nature, duration and type of activities/operations proposed and whether they are temporary or continuous.

Lighting/Illumination

Mineral development can produce light pollution, particularly where operations take place at night. Unacceptable levels of light pollution can have an adverse effect on the environment and the quality of life of local communities. Lighting or illumination impacts will need to be controlled to an acceptable level, with a lighting assessment undertaken where necessary that takes account of issues such as positioning, height, alignment, light intensity and period of use. Where necessary, the Council will use controls at the planning application stage to minimise any potential adverse impacts but adverse impacts can be limited by good design.

Vibration/Blast Vibration

Vibration is often linked with blasting at mineral sites particularly those producing crushed rock. There are three effects associated with blasting; namely, ground vibration, air overpressure and projected rock particles (fly rock). The extent of the disturbance is dependent on the type and quantity of explosives, degree of confinement, the distance to the nearest buildings, the geology and topography of the site and atmospheric conditions.

Proposals should aim to minimise vibration from blasting by using other forms of extraction techniques or by the careful design of the quarry, and controlling the number of blasts and quantity of explosives. Suitable limits and controls may need to be imposed to protect surrounding areas

Visual Intrusion

Mineral proposals will need to ensure that any visual impacts of the development are not of an unacceptable level. Visual impact is normally assessed from publicly accessible viewpoints of the development site. In assessing visual impact, all component parts of the development should be

Development Management Policies 9

considered e.g. the quarry design and measures to screen the site, layout of the site, access routes, height and design of built structures and landforms, ancillary plant and infrastructure such as fences, and proposals for restoring the site to an appropriate after use.. Where necessary, proposals will need to demonstrate through a suitable assessment that any unacceptable adverse visual impacts of the development upon the amenity of local land uses and users and the general landscape are, or have been made to be, acceptable.

Public Health, Dust and Emissions to air

Mineral development can impact upon local air quality through emissions (both from on-site operations and vehicle movements on and off-site), dust and in some circumstances odour. Air quality in Warwickshire is generally good, although there are localised air quality problems caused by road transport where levels of nitrogen dioxide and particles have exceeded pollutant levels. Subsequently, nine Air Quality Management Areas (AQMAs) have been declared in the County, although an AQMA is Henley-in-Arden in Stratford District is likely to be declared in the future.

Where necessary, proposals will need to demonstrate through a suitable assessment that any such impacts are of an acceptable impact. The Council will work closely with regulatory partners in the assessment of planning applications (and submitted assessments where necessary) and the imposition of conditions on planning permissions where required.

Mineral development can have an impact upon climate change through the production of greenhouse gas emissions therefore, proposals should make provision to reduce greenhouse gas emissions and impacts upon climate change.

Contamination

It is possible in some circumstances for mineral operations and activities to contaminate land particularly where waste management operations and activities are also involved and this is an important issue that needs to be addressed. Measures should be taken to prevent the mobilisation and migration of contaminants on and off the site and to control emissions to water and land. Proposals for mineral operations and activities that would lead to unacceptable levels of contamination on and/or off site as part of the operation, restoration or aftercare of that development will not be permitted.

Best and most versatile agricultural land

The NPPF defines 'best and most versatile' agricultural land as land of grades 1 (Excellent), 2 (Very good) and 3a (Good) of the MAFF Agricultural Land Classification (ALC) system. The guidance says that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. It adds that where significant development of agricultural land is demonstrated to be necessary local planning authorities should seek to use of areas of poor quality land in preference to that of higher quality.

9 Development Management Policies

The latest ALC information indicates that 0.1% of land in the County is grade 1, 11.9% is grade 2, 74.5% is grade 3, 7.9% is grade 4 and 0.1% is grade 5. However, these statistics were created before the sub-division of grade 3 into 3a and 3b. Subsequently, the appropriate consultation should be undertaken with Natural England where necessary to establish the exact grade of the agricultural land to be affected (see Natural England Technical Information Note TIN 049).

Development on 'best and most versatile' agricultural land will only be permitted where it is demonstrated as part of the planning application that the development of the land outweighs the economic and other benefits of retaining the agricultural land. In these cases, a detailed agricultural land assessment may need to be produced.

Land instability

The NPPF seeks to ensure that unstable land is sufficiently taken into account in the planning process and outlines the ways in which land instability, either natural or man-made, should be treated when planning applications are to be considered.

Mineral development can cause the following land instability problems which could have environmental consequences:

- Differential settlement of quarry backfill which will impact upon future after uses;
- Mining subsidence;
- Tip and quarry slope stability particularly in old colliery waste tips.

Mineral development should not create land instability both on and off site and during and after completion of mining operations. Any minerals won and worked or released by underground methods should ensure that adequate precautions are taken to avoid, minimise subsidence problems on the ground surface.

Mineral waste tips must be designed, constructed, operated and maintained so that instability or movement likely to cause risk to the health and safety of any person is avoided.

Developers are strongly encouraged to engage in pre-application consultation with the planning authority so that land stability issues can be discussed at the outset and resolved where necessary prior to the registration of the application.

The Coal Authority has defined Coal Mining Development Referral Areas in Warwickshire to help identify higher risk areas that may be affected by coal mining legacy issues. The Standing Advice Area is the remainder of the defined coalfield. In this area no known risks have been recorded, and as such presents a lower potential risk to new development proposals, although there may still be unrecorded issues in this area. Further information on these areas, and how mining legacy issues should be addressed, is available at http://coal.decc.gov.uk/assets/coal/whatwedo/developers_resource_pack.pdf.

The prior removal of minerals, where practicable and environmentally feasible, can remove or treat land instability problems both on site and on adjoining land.

Development Management Policies 9

Question 26

Health, Economic and Amenity Impacts

Do you agree with Policy DM2 and do you agree with the Policy Wording?

Policy DM 3

Sustainable Transportation

- Mineral development proposals should use alternatives to road transport where feasible.

Developers must demonstrate that the proposal facilitates sustainable transportation by:

- minimising transportation distances;
- minimising the production of carbon emissions; and
- Where road is the only viable method of transportation, demonstrating that there is no unacceptable adverse impact on the safety, capacity and use of the highway network.

Where appropriate, applications for mineral development will need to be accompanied by a Transport Assessment (see Guidance on Transport Assessment - Department for Transport (March 2007)). The Transport Assessment will need to demonstrate that:

- the proposed development has direct access or suitable links which are also environmentally acceptable to the routes set out on the Warwickshire Advisory Lorry Route map and the strategic highway network;
- the proposal seeks to keep the transportation of minerals, mineral derived products and wastes to a minimum;
- the highway network is able and suitable to accommodate the additional number of movements;
- the proposal (either alone, or in combination with other developments) will not result in an unacceptable detrimental impact on road safety;
- the proposal has adequate arrangements for parking, loading/unloading and vehicle movements within the site;
- the proposed access arrangements are safe and convenient for users;
- the transportation of minerals, mineral derived products and wastes (either alone, or in combination with other developments) will not result in an unacceptable impact on environmental designations, the environment or noise sensitive local communities; and
- Sufficient mitigation or compensatory works directly related to the development are identified that may need to be funded by the developer in conjunction with the proposal.

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Justification

The NPPF says that developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. It also says that mineral planning authorities should ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health from traffic.

The majority of mineral, mineral derived products and wastes movements are currently by road which can have an adverse impact on local communities and the environment through noise, vibration, air pollution, carbon emissions, visual intrusion, highway/public safety and impacts upon local amenity. Where proposed developments are likely to have impacts on the transport network, applicants are strongly encouraged to engage with the appropriate transport authorities at the earliest possible stages of development. This will ensure that developments can be designed to avoid impacts at the outset, or to consider mitigation measures at the earliest possible stages. Such transport authorities may include the following (as appropriate): the Highways Agency, the county Highways Authority, the Warwickshire Police Road Safety Unit. Further information is available at <http://www.warwickshire.police.uk/crimeprevention/Personalsafety/roadsafety/roadsafetyinwarwickshire/roadsafetyunitroadsandcontacts> or by emailing planningconsultations@warwickshire.police.uk; Network Rail; or Canal and Rivers Trust.

The Warwickshire Advisory Lorry Route Map available at www.warwickshire.gov.uk sets out the best available routes for heavy goods vehicles to use. Sites will not be encouraged where access is required through residential areas, sensitive land uses or via roads which are minor or considered unsuitable by the Highway Authority for HGV use.

A comprehensive Transport Assessment (TA) will need to be submitted with a planning application where a development is likely to have significant transport and related environmental impacts. The TA should identify the measures that will be taken to adequately mitigate or overcome the anticipated transport impacts of the proposal, and improve accessibility and safety for all travel modes. Where a development will have relatively limited transport implications, a Transport Statement may be appropriate. This will be the case where a proposed development is expected to generate relatively low numbers of trips or traffic flows, with minor transport impacts. Applicants are strongly encouraged to undertake pre-application discussions with the relevant Highway Authority (the Highways Agency is the responsible highway authority for trunk roads and trunk motorways and the County Council is the highway authority for all other roads in Warwickshire) to establish whether a TA is required, and if so, the scope of the assessment required to consider the transport and related environmental impacts of the proposed development. The TA should include routing, on-site and off-site parking, hours/days of movement, driving conduct and complaints procedures. TAs should be incorporated into pre-application discussions and/or planning agreements and as part of the mitigation measures where necessary. Many impacts of transporting minerals, mineral derived wastes can be controlled through the use of appropriate conditions attached to a planning permission. However, developers will be encouraged to consider routing restrictions controllable by agreement to ensure the potential transport impacts of mineral development are minimised.

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Where the road network is not adequate for the amount or type of movements, legal agreements will be sought to achieve appropriate improvements to mitigate the adverse impacts. Routing agreements will also be used where necessary to ensure that adequate/appropriate routes are used to prevent unacceptable adverse impacts upon local communities. Restrictions on the number/type of movements or outputs/sales may also be applied where necessary where road network improvements may have an unacceptable adverse impact on areas of designated landscape importance e.g. the Cotswold AONB or Conservation Areas or other environmentally sensitive areas.

Where minerals, mineral derived products and wastes are to be transported to or from the site, Lorries should be sheeted or netted to prevent the deposit of materials on the public highway. Operators should also encourage drivers not to arrive at the sites before the start of operations, as this can often cause significant disturbance to local residents at an early time of the day.

The NPPF advises that applicants are encouraged to submit travel plans for developments where there are likely to be significant transport implications from certain types of development. Travel plans help to raise awareness of the impacts of travel decisions, and they can help to deliver sustainable transport objectives through facilitating reductions in car usage, increasing use of public transport, reducing traffic speeds, improving road safety and providing environmentally friendly transportation of materials. Where travel plans are to be submitted alongside a planning application, they should be produced in consultation with the relevant highway authority and local transport providers.

The Warwickshire Local Transport Plan 3 (LTP3) provides information on how the County Council and its partners intend to improve transport and accessibility in Warwickshire for the period up to 2026. The LTP3 provides an important transport context for the Minerals Local Plan and applicants may find that the study and the supporting evidence may help when producing transport information for a planning application.

Question 27

Sustainable Transportation

Do you agree with Policy DM3 and do you agree with the Policy Wording?

Policy DM 4

Public Rights of Way and Recreational Highways

Mineral development proposals will only be granted where it is demonstrated that there will be no unacceptable adverse impact upon public rights of way and recreational highways, unless suitable permanent diversions or alternative routes are provided. Temporary diversions or alternatives may be required during construction or restoration works.

9 Development Management Policies

Justification

Public Rights of Way and Recreational Highways

Public Rights of Way (PRoW) are public highways that are protected by law and include footpaths, bridleways, restricted byways and byways open to all traffic (BOAT). The 'Definitive Map and Statement of Public Rights of Way' (DMS) is a legal document and sets out conclusive evidence of these routes. However, checks should be undertaken with the Warwickshire County Council Rights of Way Team to confirm the location and true widths of PRoWs as some additional routes may not be shown on the published version of the DMS.

Recreational highways are unclassified roads (UCRs) with an unsealed surface in the County which form valuable links in the recreational highway network. Because they are highways recreational UCRs are managed in the same way as the rights of way network but mainly for recreational use.

A PRoW or recreational unclassified road (UCR) will be affected by mineral development where it:

- crosses or is adjacent to an application site
- is to be used for site access (whether temporary or permanent)
- Will be crossed by an access road (whether temporary or permanent).

Applicants are required to identify all relevant Prows that may be affected by the development following the appropriate consultation with the Warwickshire County Council Rights of Way Team. Where mineral development is likely to affect a PRoW, the Rights of Way Team should be consulted at the earliest opportunity as part of any pre-application discussions. Where PRoW may be adversely impacted during the development, suitable diversions or alternative routes (which are not inconvenient to users) should be provided. New waste development should protect and enhance Public Rights of Way and access. Proposals should seek to comply with the policies set out in the Council's latest Rights of Way Improvement Plan (Rights of Way and Recreational Highway Strategy 2011 -2026) available at www.warwickshire.gov.uk/rowip (ROWIP).

Enhancement may be achieved by improvements to the network through practical works on existing routes, contributions to longer term management of affected routes, new paths or upgraded paths or cycle tracks particularly those providing better and/or additional links to the network or provision of promotional materials Providing greater and better access to the countryside in general may also be considered as an enhancement.

Question 28

Public Rights of Way and Recreational Highways

Do you agree with Policy DM4 and do you agree with the Policy Wording?

Development Management Policies 9

Policy DM 5

Flood Risk and Water Quality

Planning permission will not be granted where mineral development proposals would be likely to increase the risk of flooding elsewhere.

Planning permission will not be granted where mineral development proposals would have a detrimental effect on water quality or achieving the targets of the Water Framework Directive.

Justification

Water and Flood Risk

Climate change is likely to lead to increased and new risks of flooding within the lifetime of planned developments. Mineral development needs to be appropriately planned and designed to avoid, reduce and where necessary manage flood risk. However, the restoration of existing and new mineral workings in flood risk areas to increase flood water storage and enhance the natural environment can sometimes be beneficial.

The County's Strategic Flood Risk Assessment (SFRA) should be consulted as part of the preparation of any planning application for mineral development as it provides the basis of the Sequential Test through providing information on the probability of flooding, taking into account other sources of flooding and the impacts of climate change.

An appropriate Site Specific Flood Risk Assessment is required for all planning application proposals that lie within flood zones 2 and 3, and proposals of over 1 hectare in Flood Zone 1, in accordance with national guidance (Currently the NPPF and the Technical Guidance to the NPPF). Where new development may be vulnerable to flooding, the development should be designed to be appropriately flood resistant and resilient, with safe access and egress during flood events.

Proposals for minerals development should seek to use water efficiently during the lifetime of the operation to avoid water shortages and environmental degradation.

Minerals development should maximise opportunities to reduce the causes and impacts of flooding, both on and off site, through incorporating measures such as Sustainable Drainage Systems (SuDS). The use of SuDS such as ponds, reed beds and other landscape features that help to reduce flood risk, improve water quality and increase biodiversity will be supported.

Water Quality

The County Council is a co-deliverer of the Water Framework Directive. The Water Framework Directive sets a target of aiming to achieve at least 'Good Status' in all water bodies by 2015. Water quality will be a significant planning concern if mineral workings indirectly affect water bodies. Mineral development activities can potentially have an adverse impact on ground and surface water quality unless they are appropriately planned, designed and monitored throughout the life

9 Development Management Policies

of the development. Under the Pollution Control regime, the Environment Agency is responsible for regulating mineral development activities to ensure that water quality meets set standards to prevent harm to the environment or human health.

New proposals should include an explanation of how the proposed development would affect a relevant water body in a river basin management plan and how the impacts will be mitigated. Proposals for mineral development will only be permitted where it can be demonstrated that provision has been made to protect and where appropriate, enhance ground and surface water. Where mineral development may have an unacceptable adverse impact on surface or groundwater quality, planning permission will not be granted.

Question 29

Flood Risk and Water Quality

Do you agree with Policy DM5 and do you agree with the Policy Wording?

Policy DM 6

Aviation Safeguarding

Planning permission will not be granted for mineral development proposals where it would have an unacceptable adverse impact on aviation safety.

Justification

Civil and military aerodromes and technical sites must be safeguarded in accordance with the Town and Country Planning (Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002. This seeks to ensure that their operation and development are not inhibited by:

- buildings, structures, erections or works which infringe protected surfaces, obscure runway approach lights or have the potential to impair the performance of aerodrome navigation aids, radio aids or telecommunication systems;
- lighting which has the potential to distract pilots; or
- developments which have the potential to increase the number of birds or the bird hazard risk such as the restoration of mineral workings by infilling with wastes

Where mineral development proposals are located within 13km of officially safeguarded civil aerodromes, 8 miles of military aerodromes or delineated safeguard areas for NATS Technical Sites, the appropriate consultation must be undertaken in accordance with Town and Country Planning (Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas)

Development Management Policies 9

Direction 2002. In the event that the appropriate authorities consider that the mineral development may result in an unacceptable risk to such aerodromes or sites, planning permission should not be granted.

Question 30

Aviation Safeguarding

Do you agree with Policy DM6 and do you agree with the Policy Wording?

Policy DM 7

Reinstatement, reclamation, restoration and aftercare

Planning permission for mineral development will not be granted unless satisfactory provision has been made for high quality reinstatement or restoration of the site, for the steps to be taken to bring the land up to the required standard for the intended after use and for the long term management of its after use and unless it has been demonstrated that the site can be reclaimed at the earliest opportunity.

Justification

The Minerals Local Plan seeks to ensure that the highest possible standards of restoration which contributes to achieving local and national objectives are delivered at the earliest opportunity in Warwickshire.

Planning permission will not be granted unless satisfactory information is submitted to demonstrate that provision will be made for high quality restoration and/or aftercare of a site and where necessary and appropriate long term management of its intended after use. For uses of land such as nature conservation the level of aftercare and future management will be higher and will be required for a longer period of time. Such extended aftercare will be secured by a planning obligation secured before planning permission is granted.

- the intended after use;
- phasing;
- storage and management of soils/overburden;
- filling operations (if required);
- final landform and levels;
- vegetation establishment;
- removal of site infrastructure;
- landscaping and tree planting;
- provision of surface features; and
- Aftercare and long term management and monitoring.

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For mineral extraction sites where expected extraction is likely to last for many years it may prove beneficial for the principles of the restoration or after-use to be established at the planning application stage, rather than detailed schemes drawn up at the outset. This is because there may be technological/operational innovation or policy changes over the period of operation. In these cases, a more flexible approach may lead to a restoration proposal that is both beneficial and deliverable. This is particularly important for large sites and areas where workings are concentrated such as in river valleys.

Restoration of sites should normally be undertaken in phases (progressive) to minimise local disturbance and impacts and to minimise the area of land required at any one time by the mineral working.

Extensions to mineral workings either laterally or by deepening can provide opportunities to delay the restoration of an existing site creating the potential for significant environmental harm. Extensions to existing mineral working will not be permitted unless it can be demonstrated that the majority of the site cannot be restored to its intended after use due to practical or technical reasons.

Question 31

Reinstatement, reclamation, restoration and aftercare

Do you agree with Policy DM7 and do you agree with the Policy Wording?

Policy DM 8

Mineral Safeguarding

Non - mineral development within the Minerals Safeguarding Areas on the Policies Map which is incompatible with the safeguarding of minerals should not proceed unless;

- it can be clearly demonstrated that the mineral concerned is no longer of any value, or potential value, or economically viable deposits of a similar quality exist elsewhere in the county; or
- It can be clearly demonstrated that the mineral cannot be extracted prior to the development taking place; or
- The incompatible development is of a temporary nature and can be completed and the site restored before the mineral needs to be extracted; or
- The development is of a minor nature which would not constrain or hinder the extraction of the mineral resource; or
- There is an over-riding need for the development.

Development Management Policies 9

Justification

Other forms of development may impact on minerals development, either through surface development sterilising mineral resources or encroachment of incompatible development affecting the operational viability of the minerals development. As such the existence of existing and allocated sites for minerals development should be taken into consideration with regard to the determination of proposals for other forms of development.

Proposals for incompatible development within a MSA must demonstrate that the sterilisation of mineral resources of economic importance will not occur as a result of the development, and that the development would not pose a serious hindrance to future extraction. The developer should obtain site specific geological survey data to establish the existence or otherwise of a mineral resource of economic importance (such as type, quantity of the reserve and overburden to reserve ratio).

Geological information should be provided in a minerals resource assessment to accompany the planning application. Such information will be used to ascertain the likelihood and viability of the mineral being worked before any application for development that might sterilise the potential deposit is determined.

The County Council may advise that development on or near mineral reserves should not proceed before the mineral is extracted, or that steps are taken to avoid sterilisation of the deposit. However, the County Council will not seek to prevent development where extraction is unlikely to occur in the future.

Where it is determined that it is necessary for the development to take place the County Council will seek prior extraction of the mineral. Separate planning applications will be required for the prior extraction and the non- minerals development.

Question 32

Mineral Safeguarding

Do you agree with Policy DM8 and do you agree with the Policy Wording?

Policy DM 9

'Whole Life' Approach to Mineral Developments

All mineral proposals shall be prepared and implemented using a 'Whole Life' approach to planning, construction, operation, reinstatement and restoration.



9 Development Management Policies

Justification

Mineral developments must address issues such as effects on the climate (carbon emissions), operational effects on the environment and resource efficiency; people who live in proximity to the facility and who will be affected by its operation; and sustainable supply chain – both suppliers and customers. This is known as ‘Whole Life’ approach.

Question 33

‘Whole Life’ Approach to Mineral Developments

Do you agree with Policy DM9 and do you agree with the Policy Wording?

Implementation and Monitoring 10

10 Implementation and Monitoring

Implementation

10.1 As the Minerals Planning Authority, Warwickshire County Council will play a leading role in implementing the policies of this Minerals Plan in a variety of ways. This will include:

- Determining planning applications in accordance with the Development Plan, government policy and guidance and other material considerations;
- Attaching conditions to planning permissions where appropriate;
- Seeking planning obligations or legal agreements with developers where necessary;
- Enforcing breaches of planning control where necessary;
- Encouraging co-operation and dialogue between the minerals industry and the communities by facilitating consultation and participating in liaison meetings;
- Consulting and engaging a wide range of stakeholders including other County Council departments, District and Borough Councils, Parish Councils, adjoining Minerals Planning Authorities, the West Midlands Aggregate Working Party, the Environment Agency, Natural England, English Heritage, the Health and Safety Executive, DEFRA, the Highways Agency and other interest groups;
- Working collaboratively with the minerals industry issuing advice, guidance or supplementary policy documents where required.

10.2 Monitoring

10.2 Warwickshire County Council has a legal duty to monitor policy implementation as part of its Authority Monitoring Report (AMR). The table below provides a proposed monitoring framework to assess the implementation of the policies by establishing performance indicators, targets and possible sources of information. On reviewing policy implementation on an annual basis (as a minimum), it will allow the Council to gather information to shape future policy formulation and decision making, to examine the effectiveness of its policies and, where necessary, to identify policy changes or interventions.

Question 34

Implementation and Monitoring

Do you agree with the methodology for implementation and monitoring in the county and do you have any further comments?

10 Implementation and Monitoring

Table 10.1				
Policy	Objectives	Performance Indicator Achieved	Target	Information Source
S1 S2 - S10	i	1. Amount of sand and gravel permitted. 2. Number of sites producing sand and gravel. 3. Permissions within Allocated Sites or outside allocated sites.	1. Planned level of provision met. 2. Planned production levels maintained during plan period. 3. All sites permitted during plan period	1. Planning Applications/Annual Monitoring Report(AMR) 2. Aggregates Working Party (AWP) Annual Surveys/Annual Mineral Raised Inquiry (AMRI) returns/Local Aggregates Assessment (LAA). 3. Planning Applications/AMR
MCS1	i	1. Amount of recycled and secondary aggregates produced. 2. Sales of sand and gravel comparing with rolling 10 and 3 years sales averages. 3. Reserves of sand and gravel, crushed rock and clay	1. Sales of recycled and secondary aggregates 2. Sales of sand and gravel to meet planned level of provision. 3. Maintain landbanks of permitted reserves – Sand Gravel - 7 years. Crushed Rock - 10 years and 25 years for Brick Clay	1/2/3. AWP Annual Surveys/LAA
MCS2	i	1. Sales of sand and gravel. 2. Reserves of sand and gravel.	1. Planned level of provision met. 2. Sand and Gravel landbank - 7 years.	1/2 AWP Annual Surveys/LAA 3/4. Planning Applications/AMR

Implementation and Monitoring 10

Table 10.1				
Policy	Objectives	Performance Indicator	Target	Information Source
Achieved				
		3. Permissions within Allocated Sites. 4. Number of sites permitted outside allocated sites.	3. All sites permitted during plan period. 4. No permissions granted unless the material planning benefits outweigh the material planning objections.	
MCS3	i	1. Sales of crushed rock. 2. Reserves of crushed rock. 3. Permissions granted.	1. Planned level of provision met. 2. Crushed rock landbank - 10 years 3. No permissions in the Cotswold AONB	1/3. Planning Applications/AMR 2. AWP Annual Surveys/LAA
MCS4	iii	1. Number of proposals granted 2. Amount of new capacity provided.	1/2. All proposals in line with policy.	1. Planning Applications/AMR
MCS5	ii	1. Extent of MSAs sterilised by non -mineral development. 2. Number of objections made by WCC to proposals which sterilise mineral resources of economic importance.	1/2. No sterilisation of mineral resources contrary to requirements of policy. 3. No loss of minerals infrastructure sites contrary to requirements to policy.	1/2/3. Planning Consultations/AMR

10 Implementation and Monitoring

Table 10.1				
Policy	Objectives	Performance Indicator Achieved	Target	Information Source
		3. Number of mineral infrastructure sites adversely affected by non -mineral development		
MCS6	i, viii	1. Production of clay 2. Reserves of Clay 3. Permissions for long term stockpiling of clays	1. Planned level of provision met 2. Clay landbank – 25 years 3. No target	1/2. Annual survey by WCC/AMR. 3. Planning Applications/AMR
MCS7	I, viii	1. Approved proposals meet criteria	1. All proposals in line with policy.	1. Planning Applications/AMR
MCS8	i	1. Approved proposals meet criteria	1. All proposals in line with policy.	1. Planning Applications/AMR
MCS9	i	1. Approved proposals meet criteria	1. All proposals in line with policy.	1. Planning Applications/AMR
MCS10	i	1. Approved proposals meet criteria	1. All proposals in line with policy.	1. Planning Applications/AMR
MCS11	i	1. Approved proposals meet criteria	1. All proposals in line with policy.	1. Planning Applications/AMR
DM1	iv, v	1. Approved proposals meet environmental criteria. 2. Mineral development carried out in close consultation with local communities. 3. Number of Site Liaison Committees	1. All proposals in line with policy. 2. All proposals subject to early consultation with local communities. 3. No target	1/2. Planning Applications. 3. AMR

Implementation and Monitoring 10

Table 10.1				
Policy	Objectives Achieved	Performance Indicator	Target	Information Source
DM2	v, x	1. Approved proposals meet environmental criteria. 2. Number of applications refused due to adverse health, amenity, economic or environmental effects	1/2 All applications are in line with environmental criteria except where the material planning benefits of the proposals outweigh the material planning objections.	1/2 Planning applications/AMR
DM3	vi	1. Approved proposals meet criteria. 2. Number of Transport Assessments submitted.	1. All proposals in line with policy. 2. All proposals accompanied by Transport Assessment where appropriate	1/2 Planning Applications/AMR
DM4	iv, v	1. Approved proposals meet criteria. 2. Length of public rights of way/recreational highways lost and/or created	1. All proposals in line with policy. 2. No loss of public rights of way/recreational highways.	1/2 Planning Applications/AMR
DM5	ix	1. Approved proposals meet criteria	1. All proposals in line with policy.	1. Planning Applications/AMR
DM6	iv, v	1. Approved proposals meet criteria	1. All proposals in line with policy.	1. Planning Applications/AMR
DM7	vii	1. Approved proposals meet criteria	1. All proposals in line with policy.	1. Planning Applications/AMR

10 Implementation and Monitoring

Table 10.1				
Policy	Objectives	Performance Indicator	Target	Information Source
Achieved				
DM8	ii	1. Extent of MSAs sterilised by non -mineral development. 2. Number of objections made by WCC to proposals which sterilise mineral resources of economic importance.	1/2. No sterilisation of mineral resources contrary to requirements of policy.	1/2. Planning Consultations/AMR
DM9	ix	1. Approved proposals meet criteria	1. All proposals in line with policy.	1. Planning Applications/AMR

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Term of reference	Abbreviation (where used)	Definition
Aftercare		The management and treatment of land for a set period of time immediately following the completed restoration of a mineral workings to ensure the land is returned to the required environmental standard.
After-use		The long term use that land formerly used for mineral workings is restored to. This use can be agricultural, forestry or public amenity such as country parks.
Aggregates		Sand, gravel crushed rock and other bulk materials used by the construction industry.
Apportionment		The proportional split of the regional guidelines for the supply of aggregates for the West Midlands which is shared between the Mineral Planning Authorities.
Areas of Search		Areas of Search are designated sites which have mineral potential but for which there hasn't been the detailed investigation to prove the quality of the deposit. Therefore industry is encouraged to assess the economic viability. These areas have been examined against environmental constraints and their identification confers a general presumption in favour of proposals for extraction within them.
Area of Outstanding Natural Beauty	AONB	These are statutory designations under the National Parks and Access to the Countryside Act 1949. The primary objective is the conservation of the natural beauty of the landscape.
Biodiversity		There are three distinct levels to biodiversity: The variety of ecosystems and habitats (woodland, grasslands and wetlands), The number of different species and The genetic variation within individual species. Some examples

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Term of reference	Abbreviation (where used)	Definition
Biodiversity Action Plan		of biodiversity include; meadows full of wild flowers, hedgerows full of blossom, and woods filled with birdsong.
	BAP	UK and Local action plans to identify, conserve and protect existing biological diversity and to enhance it where possible. Action plans for the most threatened species and habitats have been set out to aid recovery, and reporting rounds show how the UKBAP has contributed to the UK's progress towards the significant reduction of biodiversity loss called for by the Convention on Biological Diversity.
Borrow Pit		A temporary and usually small scale mineral extraction operation specifically to supply mineral to a major construction project nearby.
Buffer Zones		These are areas drawn around settlements or properties in which mineral development is prohibited. The purpose of these zones is to protect settlements from disruption caused by the working of the minerals.
Carboniferous		A division of geological time from around 360-290 million years ago.
Clay		A very fine-grained mineral with particles measuring less than 0.002mm. It has high plasticity when wet and considerable strength when air-dry. It is a very useful engineering material.
Construction and Demolition Waste		Waste arising from construction, repair, maintenance and demolition of buildings and structures, including roads. It consists mostly of brick, concrete, hardcore, sub-soil and top-soil, but can also contain quantities of timber, metal, plastics and occasionally hazardous waste materials.
Coal		Combustible mineral formed from organic matter (mostly plant material). A fossil fuel most commonly used in energy production.
Crushed rock		Naturally occurring rock which is crushed into a series of required sizes to produce an aggregate.

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Term of reference	Abbreviation (where used)	Definition
Department for Communities and Local Government	DCLG	Government department with national responsibility for housing, urban regeneration, local government and planning. The responsibilities of the ODPM transferred to the DCLG on 5 th May 2006.
Department for the Environment Food and Rural Affairs	DEFRA	Government department with national responsibility for sustainable waste management.
Development Control Policies		A set of criteria-based policies required to ensure that all development within the area meets the vision and strategy set out in the plan.
Development Plan Documents	DPDs	These outline the key development goals of the Local Development Framework. These are documents that have been subject to rigorous community involvement, consultation and independent examination. Once adopted, development control decisions must be made in accordance with the DPDs, unless material considerations indicate otherwise.
Environment Agency	EA	The principal environmental regulatory body in England and Wales. Responsible for promoting improvements in waste management, permitting waste management facilities including landfills and ensuring consistency in regulation across England and Wales.
Flood Zones		These are areas that could be affected due to flooding from rivers. Flood zone 3 indicates the extent of a flood (1 in 100) chance of happening in any year. Flood zone 2 indicates the extent of an extreme flood with a 0.1 per cent (1 in 1000) chance of happening in any year. Flood zones are defined in planning policy for England and are produced ignoring the presence of existing flood defences, since defences can be 'overtopped' if a flood occurs which is higher than the defences are designed to withstand. Defences can even fail in extreme events.
Green Belt		Areas of land defined in Structure Plans and district wide Local Plans that are rural in character and adjacent to urban areas, where permanent and strict planning controls apply in order to check surrounding countryside from further

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Term of reference	Abbreviation (where used)	Definition
Green Infrastructure		encroachment; prevent neighbouring towns from merging into one another; preserve the special character of historic towns and assist urban regeneration.
		Green Infrastructure is a network of high quality green spaces and other environmental features. It is a resource capable of delivering a wide range of environmental and quality of life benefits for local communities. Included in Green Infrastructure are parks, open spaces, playing fields, woodlands, allotments and private gardens. Key considerations for green infrastructure are the functions or ecosystem services it provides. It should be considered at a broader scale than is necessarily the case for individual areas
Greenfield Land		Undeveloped or vacant land not included in the definition of 'previously developed land'.
Hazardous Waste		Broadly any waste on the European Hazardous Waste list that has one or more of fourteen hazardous properties.
Inspector's report		This will be produced by the Planning Inspector following the Independent Examination and may contain binding recommendations for the Council to consider. The report will then be subject to an internal QA process in the Inspectorate before dispatch. The Local Planning Authority then has two weeks to carry out the fact check.
Jurassic		A division of geological time from around 200-135 million years ago.
Landbank		The total amount of permitted reserves of a mineral within the County.
Local Biodiversity Action Plan		Non-statutory plan developed through partnership working and seeking to identify local priorities and to determine the contribution they can make to the delivery of the national Species and Habitat Action Plan targets.
Local Development Document	LDD	A document that forms part of the Local Development Framework. Can either be a Development Plan Document or a Supplementary Planning Document.

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Term of reference	Abbreviation (where used)	Definition
Local Development Framework	LDF	LDF is the term used to describe a group of documents produced by the Local Planning Authority detailing: Development Plan Documents, Supplementary Planning Documents, Statement of Community Involvement, Local Development Scheme, Authority Monitoring Reports
Local Development Scheme	LDS	Sets out the programme for the preparation of the Local Development Documents.
Mineral Consultation Areas	MCAs	MCAs define broad areas in which the presence of minerals resources has been identified but not assessed in detail. Currently Warwickshire County Council's MCA's define areas where there is a presence of aggregate resources . This has been supplied to all five District Councils within the County. As Mineral Planning Authority Warwickshire requires to be consulted on all planning applications falling within the Mineral Consultation Areas with the following exceptions. Development in accordance with the allocations of an adopted or deposited local plan, Householder applications such as extensions to houses, Reserved Matter applications unless the Mineral Planning Authorities specifically requested consultation at the outline stage, Minor developments, such as fences, walls, bus shelters, Applications for listed buildings unless specifically requested, Advertisement applications, Extensions or alterations to an existing use/building which do not fundamentally change the scale and character of the use/building, but sub-division of a dwelling will require consultation.
Mineral Development		An activity related to the exploration for the extraction and working of minerals, including tipping of soil and ancillary operations such as the construction and use of processing plant.
Mineral Reserves		Mineral deposits which have been investigated and are proven to be of economic importance due to the quality, quantity and nature of the deposit.
Mineral Resource		A potential source a mineral where the deposits nature, quality and quantity has yet to be assessed or is not yet economic.

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Term of reference	Abbreviation (where used)	Definition
Mineral Safeguard Areas		These are clearly identified sites where mineral reserves are known, assessed and are very likely to be subject to a planning application for extraction in the near future. Warwickshire would expect to be consulted in the event of any planning application or proposed development within these sites and where sterilisation of the reserves would occur, permission should be refused unless overriding conditions exist or the mineral could be extracted prior to the development.
Minerals and Waste Development Scheme	MWDS	A project plan and timetable for the preparation of the Minerals and Waste Development Frameworks and all of its constituent documents.
Minerals Plan Document		A documents which sets out the long term vision, objectives and strategy for mineral development across Warwickshire up to 2021, and provides the framework for mineral development control.
National Planning Policy Framework	NPPF	Sets out the government's planning policies for England.
Office of the Deputy Prime Minister	ODPM	Former government department with responsibility for planning and local government. The responsibilities of the ODPM transferred to the DCLG on 5 th May 2006.
Permitted Reserves		Mineral deposits with the benefit of planning permission for extraction.
Planning and Compulsory Purchase Act 2004	PCPA	An Act to make provision relating to Spatial Development and town and country planning; and the compulsory acquisition.
Planning Inspectorate	PINS	The Government agency responsible for scheduling independent examinations. PINS employ planning inspectors who sit on independent examinations.

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Term of reference	Abbreviation (where used)	Definition
Preferred Area		Area containing mineral resources, which can be identified with a high degree of certainty and where the principle of extraction has been established. These areas must be subject to extensive consultation before they are formally delineated.
Previously Developed Land	PDL	Previously developed land is that which is or was occupied by a permanent structure (excluding agricultural and forestry buildings), and associated fixed surface infrastructure. The definition covers the curtilage of the development. Previously developed land may occur in both built up and rural settings. The definition includes defence buildings and land used for mineral extraction and waste disposal where provision for restoration has not been made through development control procedures. The definition excludes land and buildings that are currently in use for agricultural and forestry purposes and land built up areas which has not been developed previously (e.g parks, recreation grounds and allotments even though these may contain certain urban features such as paths, pavilions and other buildings). Also excluded is land that was previously developed but where the remains of any structure or activity have blended into the landscape in the process of time (to the extent that it can be reasonably considered as part of the natural surroundings), and where there is a clear reason that could out-weigh the re-use of the site such as its contribution to nature conservation or it has subsequently been put to an amenity use and cannot be regarded as requiring redevelopment.
Primary Aggregates		Material extracted or produced from natural occurring mineral deposits used as an aggregate.
Proposals Map		Illustrates the policies and proposals in the development plan documents and any saved policies that are included in the local development framework.
Public Consultation		A process through which the public is informed about proposals by the planning authority or developer and invited to submit comments.

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Term of reference	Abbreviation (where used)	Definition
Polished Stone Value	PSV	This is a value given to an individual aggregate, found by subjecting the aggregate to a standard polishing process and then testing the aggregate with the Portable Skid Resistance Tester. Aggregate that has a PSV value (over 60) is regarded as a High Skid Resistant Aggregate. High PSV stone is used for the production of asphalt, for road surfacing.
Quarry		A type of open pit mine from which rock or minerals are extracted. They are often shallower than other types of open pit mine.
Ramsar Site		Internationally important sites designated under the Convention on Wetlands of International importance especially as water fowl habitat, Ramsar 1971.
Reclamation		The process of returning an area to an acceptable environmental state, whether for the resumption of the former land use or for a new use. It includes restoration, aftercare, soil handling, filling and contouring operations.
Recycled Aggregates		Aggregates produced from recycled construction waste such as crushed concrete, road planing's etc.
Recycling		Involves the reprocessing of waste materials, either into the same product or a different one.
Regionally Important Geological Site	RIG	A non-statutory regionally important geological or geomorphological site (basically relating to rocks, the Earth's structure and landform).
Registered Parks and Gardens		Gardens, grounds and other planned open spaces, such as town squares. The emphasis of the register is on 'designed' landscapes, rather than on planting or botanical importance. Historic parks and gardens are a fragile and finite resource: they can easily be damaged beyond repair or lost forever.
Restoration		Once mineral developments have ceased sites are required to be returned to an acceptable environmental state whether this be a continuation of the existing land use or the creation of a new one.

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Term of reference	Abbreviation (where used)	Definition
Re-use		The reuse of materials in their original form, without any processing other than cleaning. This can be practised by the commercial sector with the use of products cleaned.
Rural Areas		The rural areas of the county are those outside of the built up areas of Nuneaton, Bedworth, Rugby, Kenilworth, Leamington Spa, Warwick and Stratford-upon-Avon, Atherstone, Polesworth/Dordon and not 'Hams Hall'.
Sand and Gravel		A finely divided rock, comprising of particles or granules that range in size from 0.063 to 2mm for sand, and up to 64mm for gravel. It is used as an important aggregate mineral.
Saved Plan/Policies		Under the Planning Compulsory Purchase Act (2004) the Minerals and Waste Local Plans for Warwickshire have been 'saved' for a period of three years (until September 2007). Selected policies within these plans have been further 'saved' beyond September 2007, but will be progressively replaced by the emerging DPDs within the new MWDF.
Scheduled Ancient Monuments		Sites and remains designated under the Ancient Monument and Archaeological Areas Act 1979 to ensure protection from development.
Secondary Aggregates		These are materials that originate as waste products from quarrying and mining activities or as a by-product from an industrial process which can be processed and used as an aggregate in the construction industry.
Sites of Special Scientific Interest	SSSI's	A site statutorily protected for its nature conservation, geological or scientific value designated under the Wildlife and Countryside Act 1981 (as amended).
Special Area of Conservation		Candidate and proposed: designated with the intention to protect habitats of threatened species of wildlife, under the European Community Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora.
Special Landscape Areas		An area recognised as being of County level landscape importance. A non-statutory landscape designation, Special Landscape Areas frequently border Areas of Outstanding Natural Beauty, protecting the landscape settings of these statutorily designated areas.

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Term of reference	Abbreviation (where used)	Definition
Special Protection Area		Internationally important sites designated under Council Directive 79/403/EEC on the Conservation of Wild Birds 1979.
Strategic Environmental Assessment (SEA)		Local Planning Authorities must comply with European Union Directive 2001/42/EC which requires a high level, strategic assessment of local development documents (DPDs and, where appropriate SPDs) and other local programmes (e.g. the Local Transport Plan and the Municipal Waste Management Strategy) that are likely to have significant effects on the environment.
Statement of Community Involvement	SCI	A document which outlines the standards and approach that the County will undertake in engaging with stakeholders and the local community in producing its Minerals and Waste plans.
Sterilisation		This occurs when developments such as housing, roads or industrial parks are built over potential mineral reserves.
Strategic Flood Risk Assessment	SFRA	An assessment which identifies the main risks to a development site from flooding and recommends mitigation measures to reduce the impact of flooding to the site and surrounding area.
Sustainability Appraisal	SA	Local Planning Authorities are bound by legislation to appraise the degree to which their plans and policies contribute to the achievement of sustainable development. The process of Sustainability Appraisal is similar to Strategic Environmental Assessment but is broader in context, examining the effects of the plans and policies on a range of social, economic and environmental factors. To comply with Government Policy, Warwickshire County Council produces a Sustainability Appraisal that incorporates a Strategic Environmental Assessment of its Minerals and Waste Local Development Documents.
Sustainable Development		Development which seeks to meet the needs of the present without compromising the ability of future generations to meet their own needs.

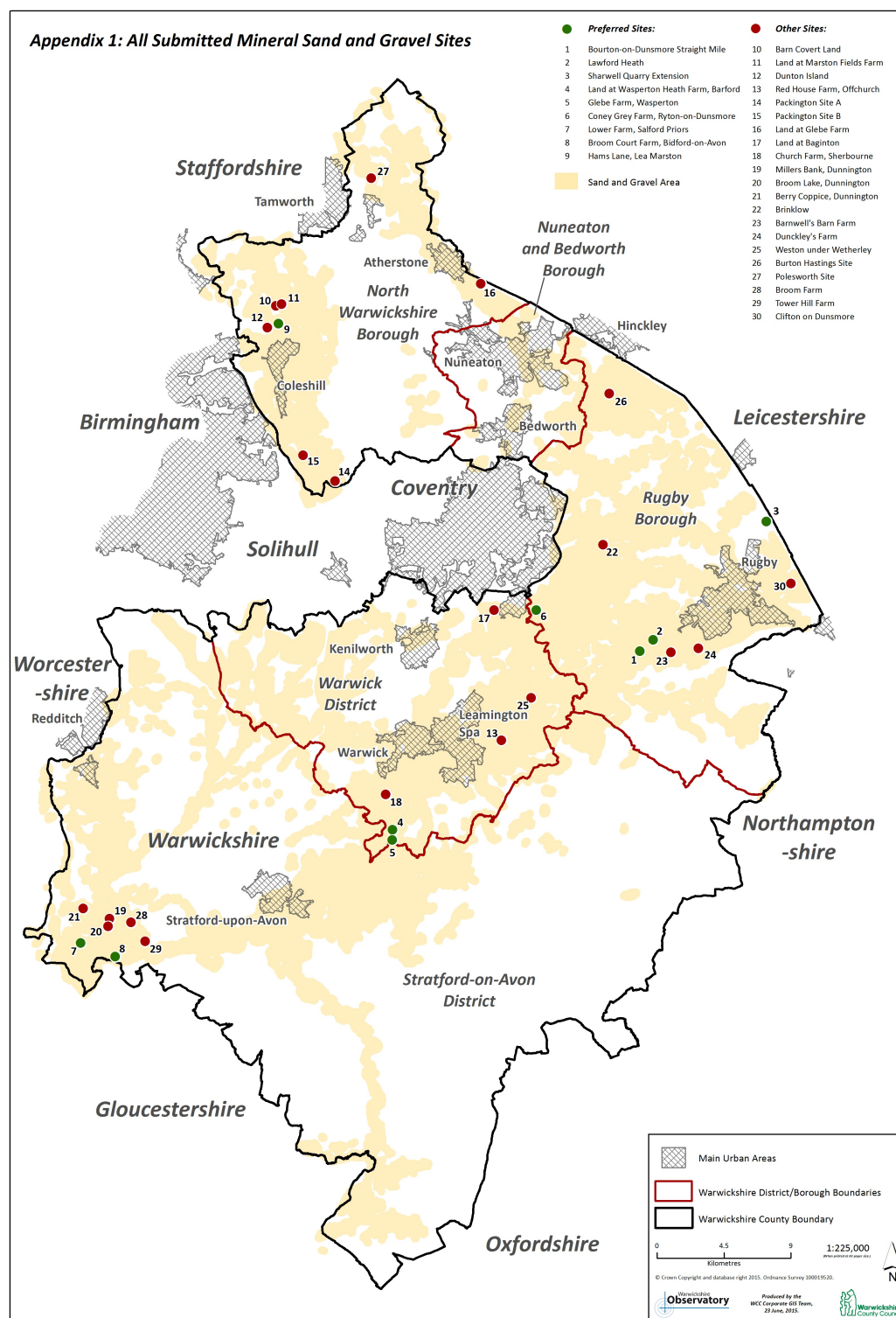
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Term of reference	Abbreviation (where used)	Definition
Sustainable Mineral Extraction		Means using mineral resources efficiently, so as to carry out mineral working only where it is needed, ensuring that there is sufficient balance between the economic, social, and environmental goals of sustainable development.
Waste Local Plan		A statutory detailed land use plan, produced by the County Council. Its purpose is to set out specific land use policies in relation to waste management development in the County. The policies are applied to planning applications for waste disposal facilities, such as landfill sites, incinerators and recycling depots.

Table 11.1

1 Mineral Sites Submission Plans

Appendix 1 Mineral Sites Submission Plans



Map 1.1 All Submitted Sand and Gravel Sites

Mineral Safeguarding Plans 2

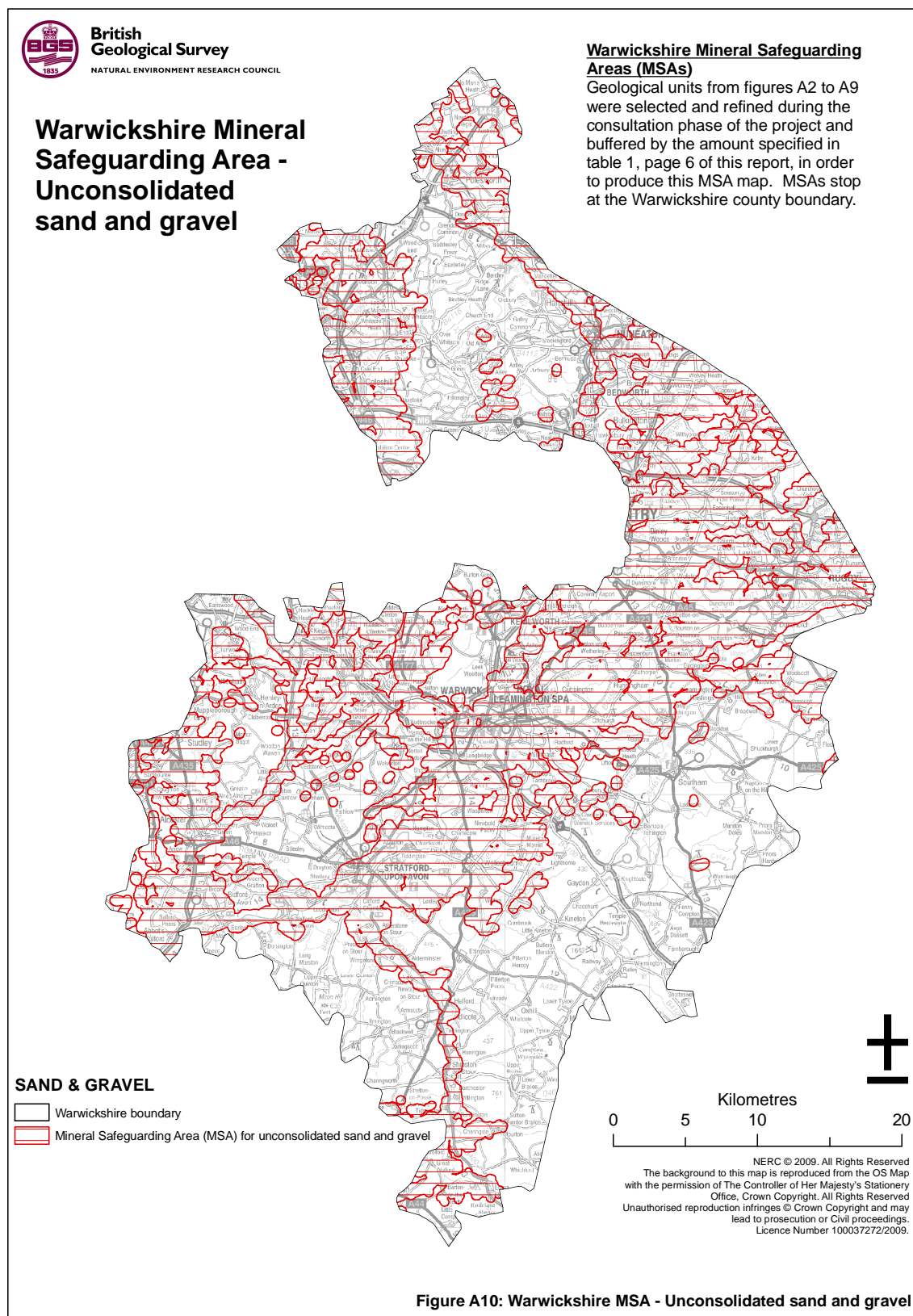
Appendix 2 Mineral Safeguarding Plans

2.1 Warwickshire County Council commissioned the British Geological Survey (BGS) to delineate its Mineral Safeguarding Areas (MSA's).

2.2 We have produced MSA's for all the main minerals in the county; these are for sand and gravel, crushed rock, coal, building stone, brick clay and cement raw materials.

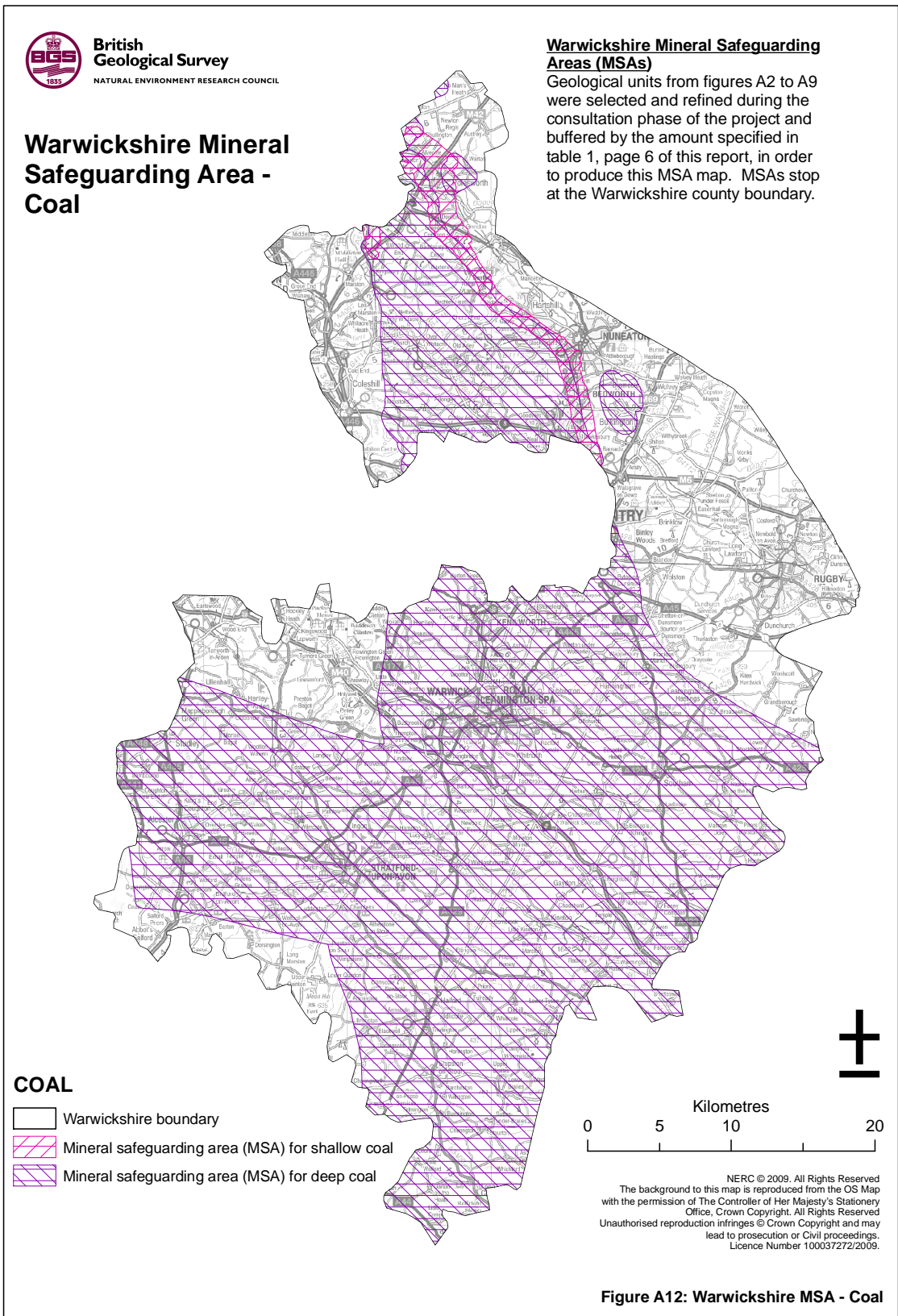
2.3 These are all shown below. They are also shown on a composite map.

2 Mineral Safeguarding Plans



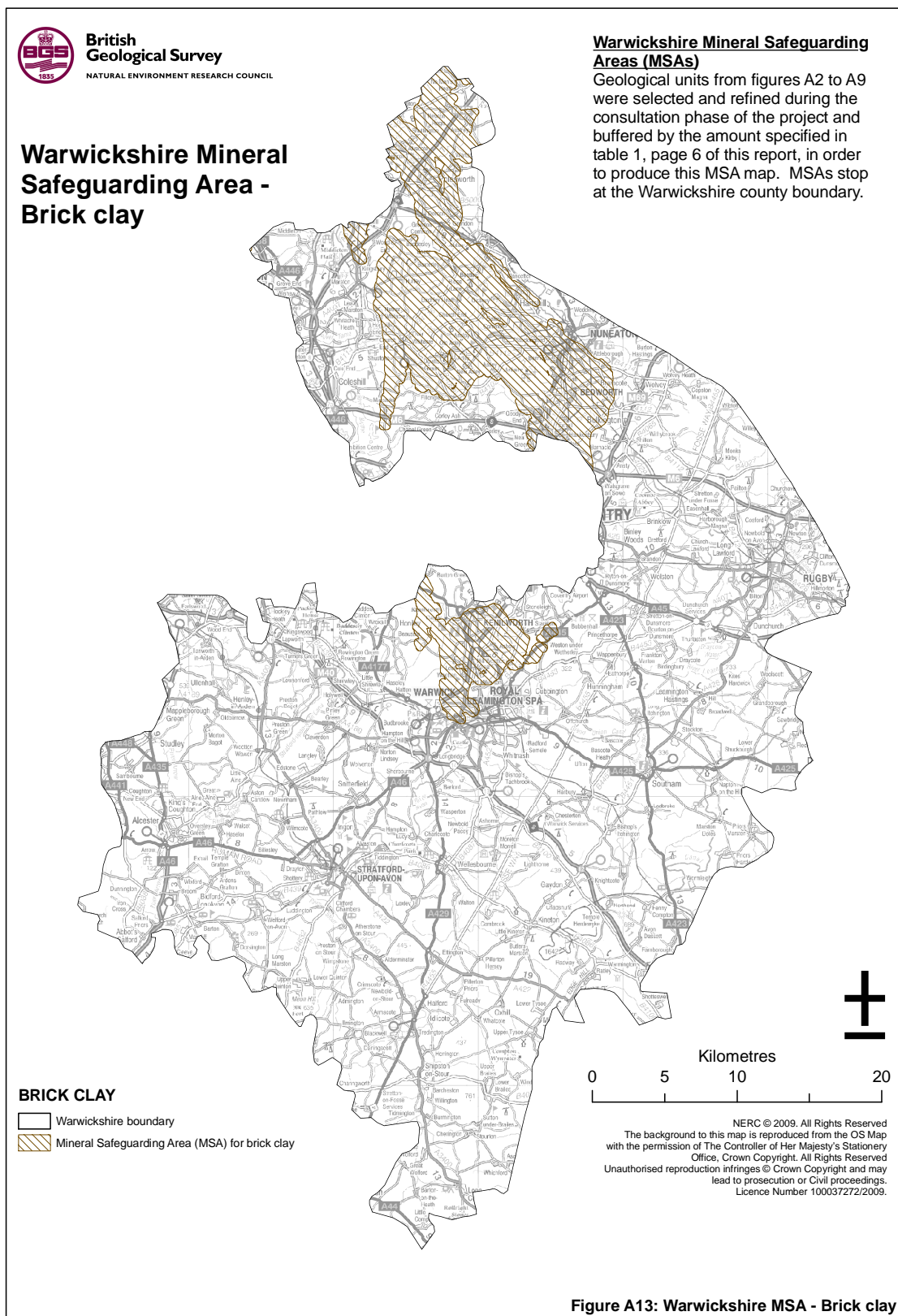
Map 2.1 Crushed rock

Mineral Safeguarding Plans 2



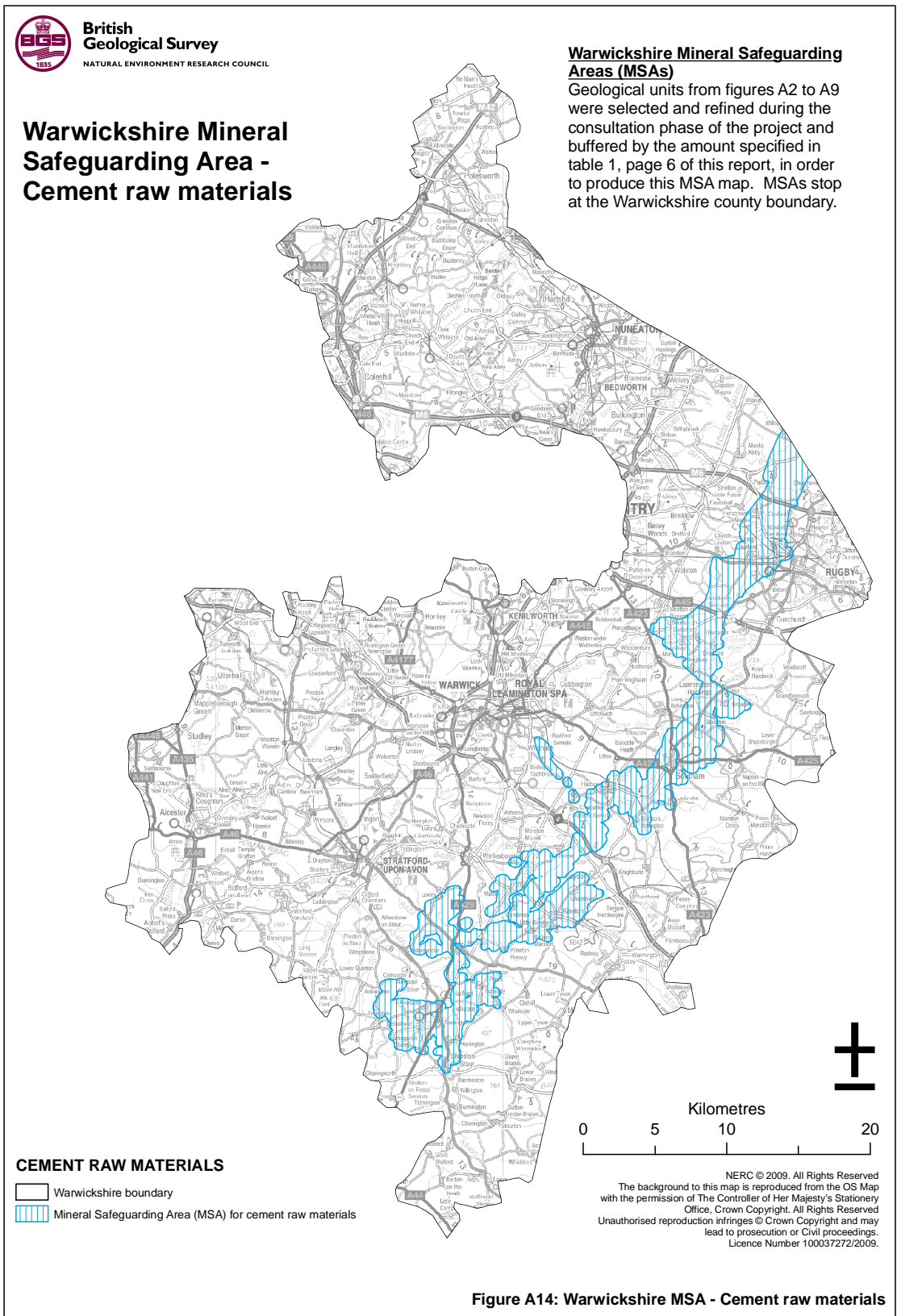
Map 2.2 Coal

2 Mineral Safeguarding Plans



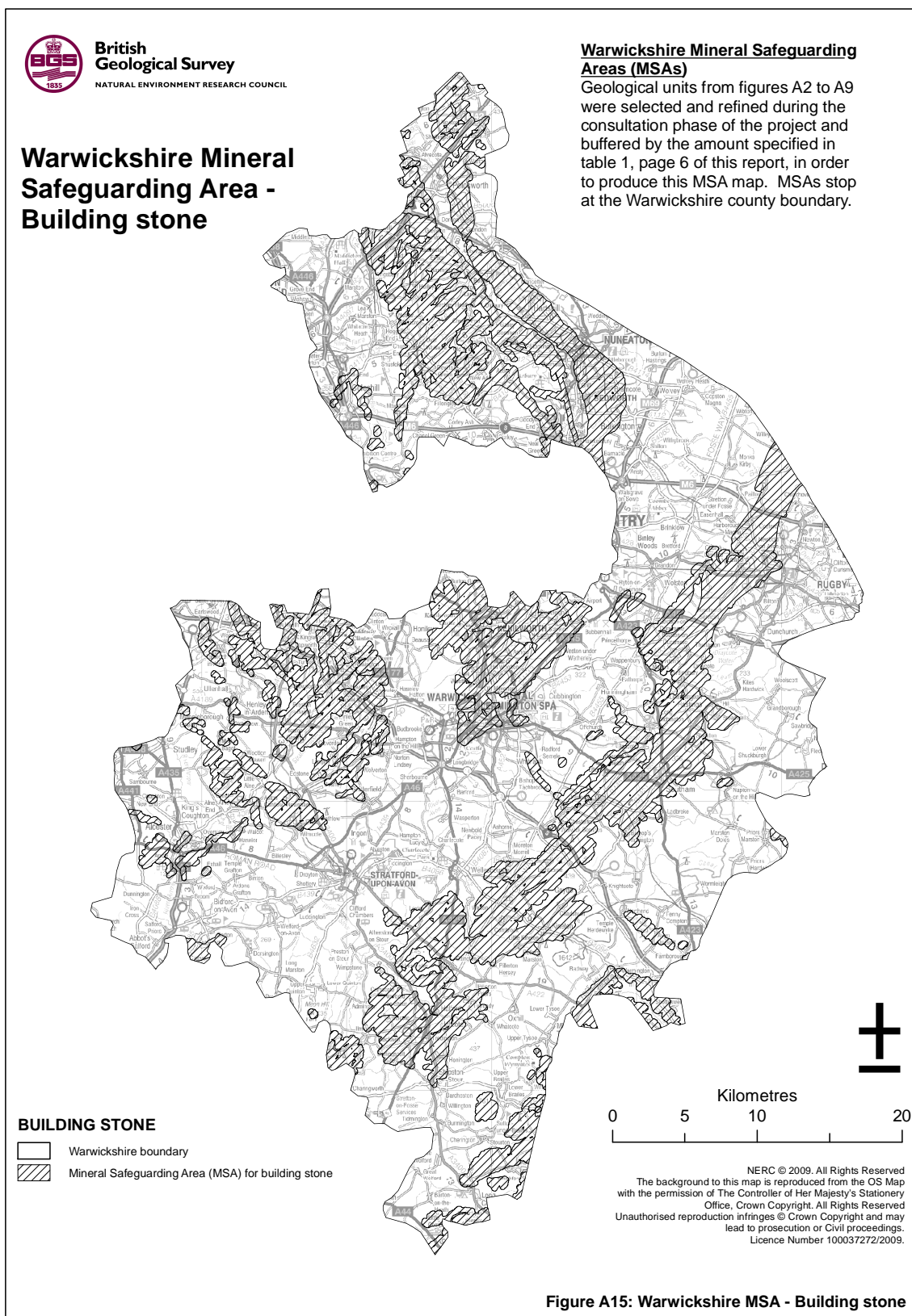
Map 2.3 Brick clay

Mineral Safeguarding Plans 2



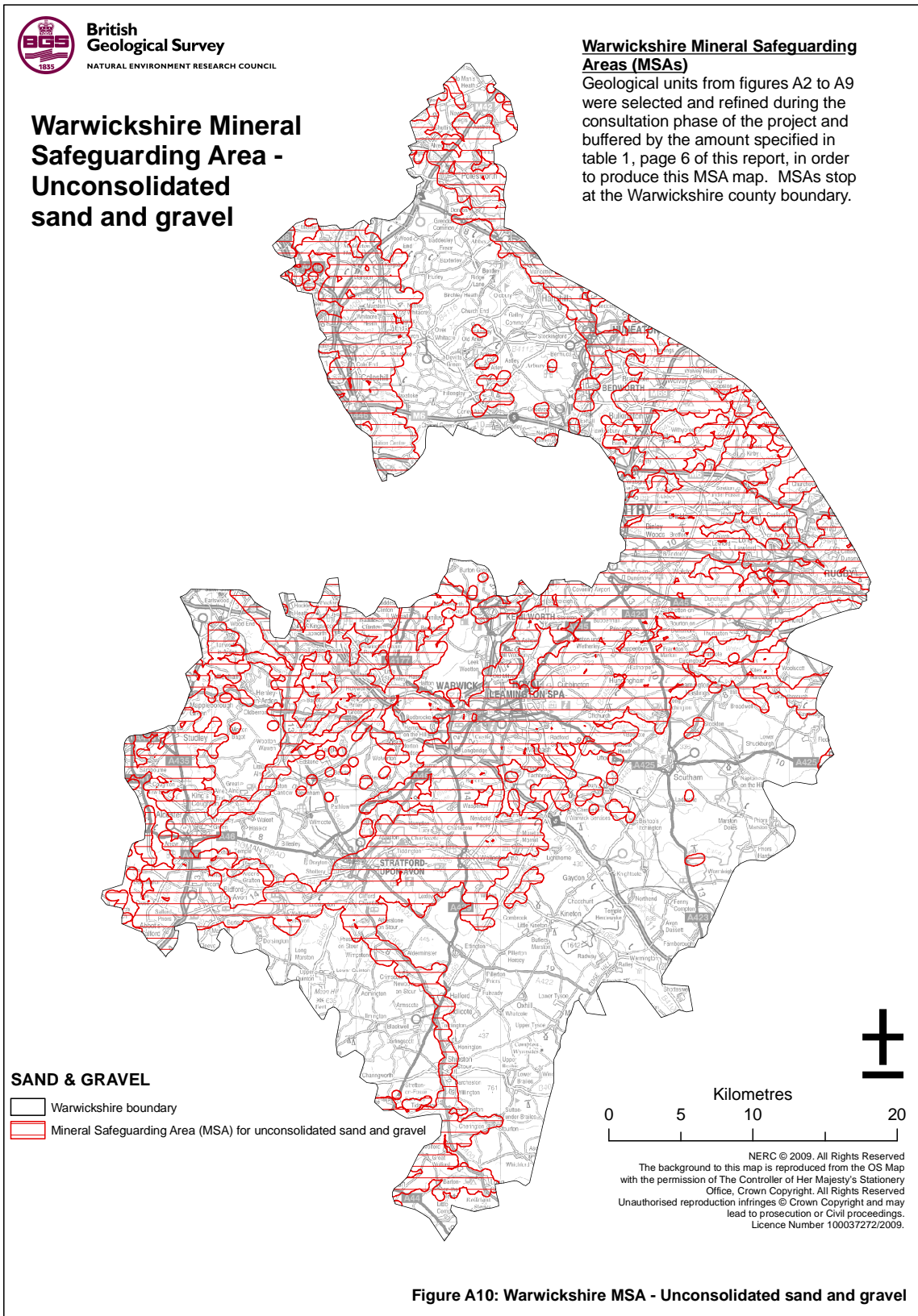
Map 2.4 Cement raw materials

2 Mineral Safeguarding Plans



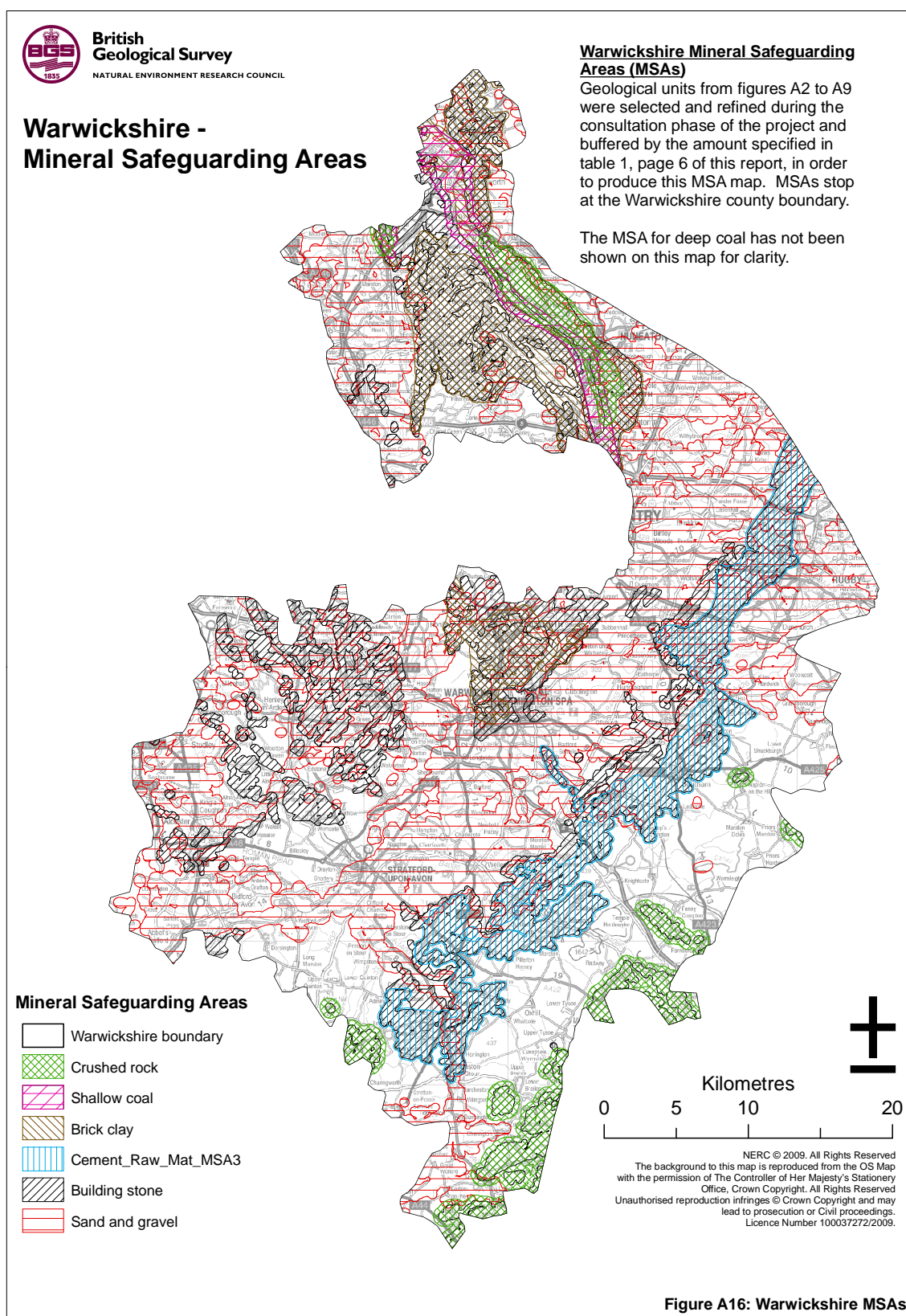
Map 2.5 Building stone

Mineral Safeguarding Plans 2



Map 2.6 Sand and gravel

2 Mineral Safeguarding Plans



Map 2.7 Composite map