

<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES</b>	<b>AGENDA ITEM: 7</b>
<b>DATE OF MEETING:</b>	<b>10 JUNE 2010</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY SERVICES</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>KEVIN EXLEY (EXT 8717) Kevin.exley@south-derbys.gov.uk</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>MINERALS CORE STRATEGY. KEY ISSUES AND OPTIONS</b>	<b>REF:</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: EDS17</b>

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## **1.0 Recommendations**

- 1.1 That the general contents of the 'Minerals Core Strategy Key Issues and Options be noted and:
- That the joint Minerals Planning Authorities (MPAs) use historic minerals demand as the basis for future sand and gravel requirements for the reasons set out in para 4.16
  - That for the period beyond 2020 an approach for identifying future sand and gravel sites based on areas of search be supported given the lack of clarity over exact minerals apportionments post 2020 as set out in para 4.19
  - Members note comments about the future sustainability of sand and gravel extraction in the Trent Valley and the potential need to identify alternative locations (such as the Dove Valley around Foston and Sudbury) for sand and gravel extraction towards the end of the Plan period as set out in paras 4.12 and 4.19
  - That The Council support the joint MPAs approach of dealing with secondary waste site through the Waste Local Development Framework as set out in para 4.25.
  - That the Council support the production of a long-term strategy to guide minerals sites restoration within the Trent Valley, but request that for all sites a presumption in favour of dry after uses wherever possible and that any document be prepared in consultation with this Authority as set out in paras 4.31-4.33)

## **2.0 Purpose of Report**

- 2.1 To inform Members of, and formulate a response to, a joint consultation from Derbyshire County Council and Derby City Council on the Minerals Core Strategy Key Issues and Options within Derbyshire focusing specifically on issues that affect South Derbyshire.
- 2.2 A copy of the Minerals Core Strategy Key Issues and Options report and supporting documentation has been placed in the Member lounges and the District Council's main reception. Copies of the Plan are also available to view on the County Council's website at:  
[http://www.derbyshire.gov.uk/environment/planning/planning\\_policy/minerals\\_waste\\_development\\_framework/minerals\\_core\\_strategy/default.asp](http://www.derbyshire.gov.uk/environment/planning/planning_policy/minerals_waste_development_framework/minerals_core_strategy/default.asp)

### **3.0 Executive Summary**

- 3.1 Derbyshire County Council and Derby City Council are jointly preparing the Derby and Derbyshire Minerals Core Strategy. The purpose of this Plan will be to provide planning guidance related to minerals development up to 2030 within Derbyshire outside of the Peak District National Park.
- 3.2 The Plan, due to its early stage of preparation, does not include any detail on specific site allocations but instead seeks comments on 20 strategic issues which are listed in full at paragraph 4.3. This report focuses on four issues of interest to communities in South Derbyshire including determining how much sand and gravel will be needed during the period 2020 to 2030, how best to identify minerals sites in the period from 2020 onwards given the lack of certainty regarding aggregates targets; how aggregates recycling sites should be planned for and whether the joint MPA should try to restore minerals sites based on a long term restoration strategy.
- 3.3 This reports sets out five recommendations related to these issues as set out in section 1 of this report.

### **4.0 Detail**

- 4.1 Within Derbyshire (outside of the Peak National Park) it is the responsibility of Derbyshire County Council and Derby City Council to deal with planning matters related to minerals.
- 4.2 Both Authorities are jointly preparing the Derby and Derbyshire Minerals Core Strategy Development Plan Document. The purpose of this Plan will be to provide planning guidance related to minerals development up to 2030. The Plan, once adopted will include policies and site proposals to ensure that development takes places in a way, which causes the least harm to people and the environment.
- 4.3 Work on the Plan started in 2009 and as such is still at an early stage. For this reason the joint MPAs are trying to gather opinions about a number of strategic options which will be tackled in the Plan. A comprehensive list of all the issues considered in the Minerals Core Strategy Issues and Consultation are set out below.

- **Issue 1**     **Calculating the Provision for Aggregate Minerals beyond 2020**
- **Issue 2**     **Evaluation of Sites for Sand and Gravel**
- Issue 3     Criteria Based Policy for Industrial Limestone
- Issue 4     Identifying Future Working Areas for Coal Extraction
- Issue 5     Surface Mining Constraint Areas
- Issue 6     Proper and Efficient use of Building Stone
- Issue 7     Meeting the Need for Building Stone
- Issue 8     Managing how we make provision for Clay
- Issue 9     Managing how we make provision for Vein Minerals
- Issue 10    Managing how we make provision for Conventional Oil & Gas
- Issue 11    Managing how we make provision for New Coal Exploitation Technologies
- Issue 12    Reducing the Supply of Aggregates from the Peak Park
- **Issue 13**    **Safeguarding Sites for Recycled Aggregates**
- Issue 14    Reworking Spoil Tips for Secondary Aggregates
- Issue 15    Definition of Mineral Safeguarding Areas
- Issue 16    Safeguarding Policy
- Issue 17    Reducing the Landbank for Aggregate Crushed Rock in Derbyshire

- **Issue 18** **Should there be a Strategic Scheme for the Restoration of Sand & Gravel Workings in the Trent Valley**
- Issue 19 Should there be a Strategic Scheme for the Restoration of Quarries along the A515 Corridor, Buxton
- Issue 20 Site Suggestions

4.4 Of the 20 issues identified by the joint Authorities most are of little, or no relevance to communities in South Derbyshire and have been screened out for consideration in this report. However four issues (highlighted with black text and in bold script) are considered to be of interest to communities in South Derbyshire and are outlined in turn below. Members' views are sought on the options identified in the Minerals Core Strategy document for dealing with these four issues.

### **Issue 1: Calculating the Provision for Aggregate Minerals beyond 2020**

4.5 Government Policy requires that the Minerals Planning Authorities (MPAs) make adequate provision for primary aggregates (crushed rock and sand and gravel) for the period of the strategy, which in this case is 2030. However minerals apportionments included in national and regional policy only set out detailed apportionments to 2020. This leaves a 10 year gap for which the joint MPAs will have to show an apportionment figure even though there is no absolute certainty about future minerals requirements over this period.

4.6 The joint MPAs have identified two different ways of identifying assumed aggregate apportionments over the period 2020-30. These are as follows:

- Project forward agreed rates of provision based on the apportionment figures for the period up to 2020
- Using average actual past rates of production

### **Issue 2: Evaluation of Sites for Sand and Gravel**

4.7 Current regional sand and gravel apportionments require Derbyshire to provide an average of about 1.49 million tonnes (mt) of sand and gravel each year from 2005 to 2020. This amounts to 23.84mt of sand and gravel over this period. Actual sales of sand and gravel between 2005 and 2008 totaled 4.86mt. Reserves that already have planning permission amount to 10.64mt. This comes to 15.5mt and this figure should be subtracted from the total requirement to 2020 (23.84 million tonnes). This means that the joint MPAs will have to identify sites to provide a further 8.3mt to ensure that Derbyshire provides its share of the regional apportionment of sand and gravel to 2020.

4.8 If the agreed annual apportionment is rolled forward on a straight line basis to 2030 (See Issue 1), this would amount to an additional requirement of 14.9mt for the period 2021-2030. However because figures have not been agreed for this period, there is less certainty about the exact requirement for sand and gravel over this timeframe.

### **Site Allocations**

4.9 In terms of site allocations Government policy is that strategic sites may be identified in core strategies. The joint MPAs notes that it will be a key objective of the plan to make an appropriate level of provision for sand and gravel supply as part of a national and regional managed aggregates supply system. The joint MPAs consider that because there is some clarity over aggregates provision required to 2020, it may be preferable to identify specific sites to that date, but from 2020 onwards, when

there is less certainty over sand and gravel requirements, identifying areas of search may be a better approach for guiding minerals development.

#### **New Sites or Extensions to Existing Sites.**

- 4.10 In respect of minerals sites Government policy advises that there are benefits to extending existing sites rather than opening up new ones. These benefits arise mainly from reduced environmental disturbance, especially where access and mitigation measures are already in place. There are however disadvantages to extending minerals sites, not least the potential cumulative impact that continued extraction could have on an area if successive extensions are permitted.
- 4.11 All sand and gravel workings in Derbyshire are currently located in the Trent and Derwent Valleys in an area stretching from Attenborough and Willington. The joint MPA consider that there is more potential in this area for new permissions to take the form of extensions to existing sites rather than wholly new sites. Resources are, however, gradually becoming depleted and remaining resources are often in locations that are considered to be increasingly sensitive in environmental and social terms.
- 4.12 There are sufficient resources at these existing operations in potentially acceptable locations to sustain agreed levels of extraction to 2020, but towards the end of the strategy period (2020 - 2030), it is likely that further extensions could be in increasingly sensitive locations. As a result, the benefits of allowing extensions to existing sites may be increasingly outweighed by the disadvantages of cumulative impact. It is likely that progressive expansion of existing operations may become a less satisfactory option as the Core Strategy progresses. **To deal with this issue the joint MPAs indicate that there may be a need to find alternative locations capable of accommodating new sand and gravel workings. One area which the Core Strategy highlights as being potentially able to accommodate new development is the area of Dove Valley around Foston and Sudbury** although the Plan notes that the potential of this location will need to be explored.

#### **Officer Comment / Suggested Response for issues 1 and 2**

- 4.13 Issues 1 and 2 identified by the MPA effectively deal with two closely related issues. The first is how should the Core Strategy deal with uncertainty over future minerals requirements (as detailed apportionments only cover the period to 2020). The second is given this uncertainty what is the best approach for identifying where future minerals sites should be located.
- 4.14 Having reviewed the Plan it is considered that the approach identified by the joint MPA appears logical. This approach is to allocate specific sites to cover the period up to 2020 as there is already a clear need which will have to be met.
- 4.15 Beyond 2020 (during the latter part of the Plan period), the Core Strategy Issues and Options document identifies two potential approaches for predicting likely future sand and gravel requirements. The first approach is to roll existing annual apportionments forward for the period of 2020 to 2030. This would set a requirement of 1.49mt per annum or 14.9mt over the whole period. The second approach would be to assume a requirement based on historic production rates within the County between 2005-2008. This would set a smaller requirement of 12.1mt between 2020 and 2030 (1.21mt per annum).
- 4.16 Clearly the difference between the two outlined approaches could be significant and may have a material impact on the number of sand and gravel sites, which will need

to be planned for over the plan period. However having reviewed the evidence set out in the background paper and requirements included in the current Minerals Local Plan, long-term trends indicate that sand and gravel production has been falling within Derbyshire over recent history. For example the Adopted Minerals Local Plan covers the period 1992-2006. This Plan made provision for an annual supply of 2.4mt of sand and gravel. Over this period the predicted level of demand was considerably higher than actual production, which only averaged 1.69mt per annum. Since 2005, evidence included alongside the Core Strategy Issues and Options document indicates that actual demand for sand and gravel has continued to fall year on year from 1.34mt in 2005 to 1.10mt in 2008. Given recent economic conditions it is likely that demand for sand and gravel has continued to fall since 2008 and will remain subdued in the near term. And whilst demand may increase as economic conditions improve other external factors such as increasing landfill costs and the introduction of the Site Waste Management Plan Regulations in 2008 will encourage the efficient use of materials and reduce waste from the construction sector. At the same time it is also likely that the reuse of recycled and secondary aggregates will reduce the need for primary won materials.

**4.17 Given the above there is justification for assuming demand notably below the current apportionment figures for the period 2020 -30. As such it is recommended that a lower sand and gravel requirement would seem to represent a more realistic indicator of future sand and gravel requirements.**

4.18 In respect of allocating sites to meet future sand and gravel need the joint MPAs preferred approach to identifying sites is to allocate specific extensions to existing sites rather than allocating new ones. For the period beyond 2020 areas of search will be included in the Plan.

4.19 Whilst areas of search would not set out the exact location of minerals sites required to meet sand and gravel need post 2020, it does go some way to identify the broad locations available to meet demand after the period. **In the absence of clear and precise minerals requirements to guide the MPA in the latter part of the plan period the use of areas of search would appear to be a flexible and straightforward approach for dealing with future aggregates need and this approach should be adopted by the joint MPA.** In respect of extending sites the comments in the Issues and Options report that resources within the Trent Valley are being depleted and further extensions to minerals sites may not represent the most sustainable option should be noted by Members.

4.20 It is also worth noting that as 2020 approaches and new minerals apportionments are identified for Derbyshire outside of the Peak District a partial review of the Minerals Core Strategy may be triggered. Should this occur specific sites capable of meeting sand and gravel needs during the latter part of the proposed plan period may be identified in an updated Plan providing greater certainty on the precise location of future minerals sites.

### **Issue 13: Safeguarding Sites for Recycled Aggregates**

4.21 Secondary aggregates are materials that are produced from other mineral operations or as industrial by-products, such as colliery spoil, quarry waste, power station ash and blast furnace slag. Recycled aggregates can similarly be sourced from a wide variety of materials, such as arisings from construction and demolition, highway maintenance, excavation and utility operations

- 4.22 Current national guidelines for the provision of aggregate minerals are based on the assumption that recycled wastes and other alternative materials will meet 23% of demand for aggregates over the period up to the end of 2016. There is no local target for Derbyshire in terms of producing aggregate from alternative sources; however the Government assumes that the East Midlands region as a whole will produce some 95mt of alternatives to aggregates over the period between 2001 and 2016. This has enabled the regional figure for the required provision of primary land won aggregates to be at a lower level than it otherwise would be.
- 4.23 Policy 37 Regional Spatial Strategy requires that Local Development Frameworks should identify and where necessary safeguard sites suitable for recycling, reprocessing and transfer of material including construction and demolition wastes. It is likely that the most appropriate sites to recycle construction & demolition wastes would be found near to where the waste is generated and where it can be re-used. The joint MPA consider that the issue of finding suitable sites is a key strategic issue best addressed through the preparation of the Derby & Derbyshire Waste Core Strategy. This is because minerals operations typically result in the production of significant volumes of waste used in the restoration of quarry workings.

**Officer Comment / Suggested Response: Issue 13**

- 4.25 It is noted that the joint MPA indicate that the most appropriate policy document in which to consider the safeguarding of individual sites suitable for the recycling, reprocessing and transfer of materials including construction and demolition waste is the Waste Core Strategy. **This approach would seem sensible given that construction and demolition waste represented nearly half of all waste produced in 2003 in the East Midlands.**

**Issue 18: Should there be a Strategic Scheme for the Restoration of Sand & Gravel Workings in the Trent Valley**

- 4.26 In the past, sand and gravel workings have been restored to after-uses with an approach that has concentrated on the requirements for the specific site rather than also considering its context within the wider surrounding landscape of the river corridor. As sand and gravel workings have developed over a wider area, this approach has resulted in a landscape that has become progressively fragmented; the overall cultural and environmental integrity of the landscape is gradually being altered.
- 4.27 The joint MPA indicates that an alternative approach may be to develop an overall strategy for the restoration of sand and gravel workings in the Trent Valley, to ensure that the “new” landscape is planned properly and coherently. This could assist in the future allocation of sites for sand and gravel extraction.
- 4.28 If this approach were chosen the joint MPA would devise a landscape appraisal based analysis and plan of the Trent Valley showing areas designated for certain after-uses, which would be used to guide restoration schemes if or when a particular site was worked for sand and gravel. It is likely that certain areas would be protected from sand and gravel extraction, as a result of their historic, cultural or environmental importance.
- 4.29 However, there is an increasing shortage of inert fill material with which to restore former sand and gravel workings (as materials are recycled or reprocessed for use as secondary aggregates). This has important implications for any strategy to restore sites in the river valleys and means the majority of fill material that becomes available

will have to be directed to sites where restoration to dry after uses is most critical. This will apply particularly to sites close to East Midlands Airport where, if restored to water uses, would increase the risk of birdstrike. This will be an important consideration in drawing up a restoration strategy for the Trent Valley.

### **Officer Comment / Suggested Response: Issue 18**

4.30 Policy 28 of the Regional Spatial Strategy sets out a number of regional priorities for environmental and green infrastructure Policy. The purpose of this policy is to ensure that Local Authorities work with statutory environmental bodies, developers, landowners and communities to develop green infrastructure plans which balance the need for new development against broader environmental issues and set out, ahead of development, new green infrastructure required to meet the needs of existing communities

4.31 In highlighting a potential option to prepare a long-term landscape strategy for the restoration of sand and gravel workings in the Trent Valley, it would appear that the joint Minerals Planning Authority is seeking to guide the restoration of minerals sites according to the principles set out in Policy 28 of the RSS, rather than deliver restoration on an ad-hoc basis. **There is clearly significant merit in preparing a long-term strategy to guide restoration. However, any such strategy should in all instances prioritise 'dry after uses' ahead of water-based schemes.** This is because the restoration of previous gravel sites has had a significant impact on the character of the Trent Valley Washlands.

4.32 This is reflected in both the County Council's Landscape Character Assessment which states *"There have been major changes to landscape character as a result of large scale mineral extraction"*, and a recent assessment undertaken by the Countryside Quality Counts (an initiative supported by Natural England, English Heritage and Defra). Based on the work of this organisation recent research has indicated that the Trent Valley Washlands is a 'diverging landscape' which has experienced a marked change in character which is inconsistent with the wider landscape.

4.33 Should the joint MPA decide to prepare a long-term landscape strategy for the restoration of sand and gravel workings in the Trent Valley it is also essential that any strategy be consistent with other existing and proposed Green Infrastructure Strategies and Plans. These include the 6Cs Green Infrastructure Study and the South Derbyshire Green Infrastructure Study and Plan (currently proposed but not commenced), both of which will guide our own Local Development Framework Core Strategy. In order to ensure that any long term restoration strategy is consistent with The District Council's own LDF and green infrastructure proposals we would request that this Authority be consulted on any emerging strategic restoration strategy for sand and gravel workings in the Trent Valley.

## **5.0 Financial Implications**

5.1 None

## **6.0 Corporate Implications**

6.1 The Minerals Core Strategy will contribute towards Sustainable Growth and Opportunity, which is included as a theme within the South Derbyshire District Council's Corporate Plan (2009-14). Specifically the plan will make provision for

sand and gravel, most of which will be used to sustain economic development locally.

## **7.0 Community Implications**

7.1 The Minerals Core Strategy could have implications for a number of themes included in the South Derbyshire Sustainable Community Strategy including Sustainable Development which seeks to develop opportunities to implement environmental improvements alongside growth and Vibrant Communities which includes the priority to increase in the percentage of people who feel South Derbyshire is an attractive place to live.

## **8.0 Conclusions**

8.1 This report sets out a number of officer recommendations regarding future waste site provision. Specific conclusions are set out in Section 5 of this report.

## **9.0 Background Papers**

9.1 Minerals and Safeguarding Evidence Papers