

CHAPTER 6 : POLICIES FOR THE EXTRACTION OF AGGREGATES

INTRODUCTION

Besides identifying Preferred Areas for the working of sand and gravel in the County, it is a function of the Plan to set out the detailed policies for the control of these and other mineral workings. These are set out below to supplement the policies of the County Structure Plan and to guide minerals operators and the general public as to what is acceptable in the County.

LOCATION OF SAND AND GRAVEL EXTRACTION

POLICY 1 - PREFERRED AREAS

IN AREAS DEFINED ON THE PROPOSAL MAP AS PREFERRED AREAS FOR SAND AND GRAVEL EXTRACTION, PLANNING PERMISSION WILL BE GRANTED FOR SAND AND GRAVEL EXTRACTION, SUBJECT TO AN EVALUATION AGAINST OTHER RELEVANT DEVELOPMENT PLAN POLICIES.

In order to limit the environmental and blighting effects of proposals for sand and gravel working in this County to a minimum, the Local Plan incorporates a restricted number of sites which are considered to be acceptable and least damaging on environmental grounds for minerals extraction and sufficient, if worked, to satisfy the County's share of Regional Production. All other known deposits of sand and gravel in the County are indicated as being identified only and are not expected to be considered for working during the life of this Plan unless the circumstances covered by Policies 2 and 3 are encountered.

The criteria which have been used to identify the location of Preferred Areas for sand and gravel extraction are set out in paragraph 5.4 of this document and conform with the criteria identified in the Approved County Structure Plan Policy M.4 (see Appendix 2).

POLICY 2 - OTHER SAND AND GRAVEL DEPOSITS

APPLICATIONS FOR PLANNING PERMISSION TO EXTRACT SAND OR GRAVEL IN AN AREA NOT WITHIN AN IDENTIFIED PREFERRED AREA FOR SAND AND GRAVEL EXTRACTION WILL FIRST BE ASSESSED AGAINST THE METHODOLOGY SET OUT IN PARAGRAPHS 5.3 AND 5.4 OF THIS PLAN. IF THE AREA IS SUBJECT TO NO CONSTRAINTS OR ONLY ONE SECONDARY CONSTRAINT, PLANNING PERMISSION WILL BE GRANTED SUBJECT TO AN EVALUATION AGAINST OTHER RELEVANT DEVELOPMENT PLAN POLICIES. IF THE AREA IS SUBJECT TO A PRIMARY CONSTRAINT OR MORE THAN ONE SECONDARY CONSTRAINT PLANNING PERMISSION WILL NOT NORMALLY BE GRANTED.

As the geological map coverage of the County is incomplete and may also lack sufficient detail within the areas covered, it is to be expected that other deposits may be located outside those identified in the Proposals Maps. Other environmentally acceptable applications in areas within the identified deposits might also be brought forward. In this event the County Council will consider such sites against the same criteria as those used in identifying the areas in Policy 1 in order to ensure consistency.

Exceptionally permission may be granted on sites which fail the test of the Methodology, for example when there is an overriding need to meet a specialist end use and no suitable alternative sources have been permitted in the County or the surrounding area. In such circumstances the applicant will be expected to provide a full justification for an exception to the policy.

PROTECTION OF MINERAL RESOURCES

6.4 POLICY 3

IN ORDER TO SAFEGUARD ALL IDENTIFIED AGGREGATE DEPOSITS, SIGNIFICANT SURFACE DEVELOPMENT PROPOSED WITHIN THE IDENTIFIED AGGREGATE DEPOSITS WILL BE RESISTED, UNLESS THERE ARE OVERRIDING FACTORS WHICH IN THE NATIONAL, REGIONAL OR LOCAL INTEREST MUST BE SATISFIED, OR UNLESS THE MINERAL CAN BE EXTRACTED PRIOR TO THE COMMENCEMENT OF THE SURFACE DEVELOPMENT IN THIS INSTANCE PLANNING PERMISSION FOR MINERALS EXTRACTION PRIOR TO SURFACE DEVELOPMENT WILL BE GRANTED PROVIDING:-

THERE IS NO SIGNIFICANT, ENVIRONMENTAL IMPACT RESULTING FROM THE MINERAL EXTRACTION;

THAT THE MINERALS EXTRACTION CAN TAKE PLACE WITHIN THE TIMESCALE OF THE PROPOSED DEVELOPMENT.

IN THE CIRCUMSTANCES WHERE THE AGGREGATE DEPOSIT IS BELIEVED TO EXIST, THE PROPOSED DEVELOPER MAY BE REQUIRED TO UNDERTAKE A GEOLOGICAL SURVEY TO ESTABLISH THE EXISTENCE OR OTHERWISE OF AN ECONOMIC DEPOSIT BEFORE ANY APPLICATION FOR SURFACE DEVELOPMENT IS DETERMINED.

The County Council recognises the long term requirements of the aggregates industry and, in accord with MPG1, the importance of safeguarding deposits which are, or may become, of economic importance, from unnecessary sterilisation by surface development. The policy seeks to safeguard all identified aggregate deposits and encourage the extraction of minerals prior to other forms of development taking place. In addition the policy requires any prospective developer to establish the existence or otherwise of the minerals deposit.

CUMULATIVE IMPACT

6.5 POLICY 4

IN CIRCUMSTANCES WHERE AN APPLICATION FOR AGGREGATE MINERAL WORKING COULD, IF PERMITTED AND IMPLEMENTED, TOGETHER WITH EXISTING PERMISSIONS AND WORKINGS, CUMULATIVELY RESULT IN AN UNACCEPTABLE LOCAL ENVIRONMENTAL IMPACT IN TERMS OF THE WORKING OR THE LONG TERM RESTORATION OF THE SITE OR SITES. THE COUNTY COUNCIL WILL SEEK TO IMPOSE CONDITIONS OR USE PLANNING AGREEMENTS TO AMELIORATE THE EFFECTS OF THE ENVIRONMENTAL IMPACT. IF THIS IS NOT POSSIBLE, THE APPLICATION WILL BE REFUSED.

The County Council are concerned to ensure that the impact of aggregate extraction on the environment, the landscape and residential amenity are minimised. The County Council will seek in these circumstances to reduce the impact by the imposition of conditions, agreements to specified working methods, and the strict observance of the proposals for restoration of the site under Policies 11-14. If the impact cannot be significantly reduced, the County Council may refuse the application. The cumulative effect of existing site or sites would include workings either existing or proposed, both within and outside the County boundary.

ABBERLEY HILLS QUARRYING POLICY

POLICY 5

WITHIN THE AREA SHOWN ON THE PROPOSALS MAP AS THE ABBERLEY HILLS QUARRYING POLICY AREA, UNLESS IT CAN BE SHOWN THAT THE NEED FOR THE MINERAL OVERRIDES ENVIRONMENTAL CONSIDERATIONS, NO FURTHER PLANNING PERMISSIONS WILL BE GRANTED BY THE COUNTY COUNCIL FOR QUARRYING APART FROM THE POSSIBLE MODIFICATION OF WORKING SUBJECT TO ENVIRONMENTAL CONSIDERATIONS WITHIN THE EXISTING LATERAL LIMITS OF WOODBURY AND SHAVERS END QUARRIES.

The County Council believe that the landscape of the Abberley Hills is of such importance as to merit its exclusion from further consideration for hard rock extraction.

EXTRACTION OF MINERALS OTHER THAN AGGREGATES

POLICY 6

ANY APPLICATION FOR PLANNING PERMISSION FOR THE SURFACE EXTRACTION OF MINERALS OTHER THAN SAND AND GRAVEL WILL BE CONSIDERED AND EVALUATED AGAINST THE CONSTRAINTS AND OTHER CRITERIA SPECIFIED IN STRUCTURE PLAN POLICY M4 AND CTC.7A.

Geological information of other mineral deposits, with the exception of coal and salt, is not available. It is considered appropriate, therefore, to ensure a consistency of approach, that the extraction of all other surface minerals is considered against the same criteria as aggregates extraction. The likelihood of underground mining in the County is remote and does not justify the formulation of a specific policy in this Plan. Any such application along with any for soil extraction would be dealt with on their merits.

PREFERRED HARD ROCK EXTENSION AREAS

POLICY 7

IN AREAS OF HARD ROCK DEFINED ON THE PROPOSALS MAP AS PREFERRED EXTENSION AREAS TO EXISTING QUARRIES, PLANNING PERMISSION FOR CRUSHED ROCK EXTRACTION WILL BE GRANTED, SUBJECT TO AN EVALUATION OF THE APPLICATION AGAINST OTHER RELEVANT DEVELOPMENT PLAN POLICIES. IN ALL OTHER AREAS OF HARD ROCK DEFINED ON THE PROPOSALS MAP, APPLICATIONS FOR CRUSHED ROCK EXTRACTION WILL BE EVALUATED AGAINST THE CRITERIA IN PARAGRAPHS 5.3 AND 5.4 OF THIS PLAN, EXCEPT THAT, FOR THE REASONS SET OUT IN PARAGRAPH 3.8, AREAS OF OUTSTANDING NATURAL BEAUTY AND AREAS OF GREAT LANDSCAPE VALUE WILL NOT BE TREATED AS CONSTRAINTS IN THE SIEVE PROCESS. HOWEVER, APPLICATIONS FOR CRUSHED ROCK EXTRACTION WILL BE ALSO EVALUATED UNDER OTHER RELEVANT DEVELOPMENT PLAN POLICIES AND IN PARTICULAR STRUCTURE PLAN POLICIES M6, M7, M8 AND CTC7A.

The Structure Plan Policy M.7 seeks that extensions to existing quarries should normally be examined prior to identifying new quarries. The Local Plan identifies three Preferred Extensions to existing quarries which are considered to be acceptable and conform to the constraints criteria set out in Chapter 5. It is recognised as part of the reassessment process undertaken by the Authority that the permitted reserves at existing quarries will be

unlikely to permit the Authority to maintain its crushed rock production capacity throughout the Plan period. Consequently, because of the geological difficulties inherent in identifying potential sites the policy will also allow the Authority to consider applications for crushed rock extraction from within the identified hard rock deposits.

HIGHWAY IMPROVEMENTS AND ACCESS

6.9 POLICY 8

PLANNING PERMISSION FOR MINERALS EXTRACTION WILL ONLY BE GRANTED WHERE THE ACCESS ALONG LOCAL HIGHWAYS WOULD BE ADEQUATE IN BOTH PHYSICAL AND ENVIRONMENTAL TERMS FOR THE LIKELY TRAFFIC GENERATED BY THE WORKING. ANY NECESSARY HIGHWAY IMPROVEMENTS WILL BE SECURED BY THE IMPOSITION OF PLANNING CONDITIONS WHERE PRACTICAL, WITH AN AGREEMENT BEING SOUGHT WHEN PERMISSION WOULD OTHERWISE HAVE TO BE REFUSED.

One of the primary causes of public concern with any minerals operation is vehicle movements to and from sites and their effects on the surrounding highway network and the local environment. The County Council are anxious to minimise the disturbance caused by the movement of minerals, particularly by road.

RESTORATION POLICIES

6.10 POLICY 9 - RESTORATION BY THE USE OF FILL MATERIALS

CONSIDERATION WILL BE GIVEN TO THE PROGRESSIVE RESTORATION BY THE USE OF FILL MATERIALS OF EXCAVATIONS MADE IN THE COURSE OF MINERAL WORKING WHEN:

- (A) THE LOCATION OF THE EXCAVATION RELATIVE TO THE AMOUNT AND SOURCE OF FILL AVAILABLE MAKES IT A FEASIBLE PROPOSITION;
- (B) THE HIGHWAY NETWORK IS CAPABLE OF COPING WITH THE ADDITIONAL TRAFFIC;
- (C) IT WOULD NOT POSE AN UNACCEPTABLE THREAT OF POLLUTION TO WATER SOURCES OR ADVERSELY AFFECT THE AMENITIES OF NEARBY RESIDENTIAL OR OTHER OCCUPIED PROPERTY; AND
- (D) THE PROPOSED AFTER USE IS NOT PREJUDICED AS A RESULT OF LANDFILL OPERATION.

The County Council do not consider it necessarily incompatible to use waste or other fill materials to raise the land surface to its original levels. It is proposed that should such a proposal be made, the infilling should take place concurrently with the extraction in order to minimise the length of time of working. If this practice is to be followed, the waste disposal scheme needs to be properly designed at the outset and properly managed during the life of the working. It is also important if this method is pursued that an adequate supply of waste is established for the expected life of the working, and that proper measures are taken to avoid possible contamination of ground water sources and that the proposed after-use is not prejudiced as a result of the landfill operations.

6.11 POLICY 10 - PROGRESSIVE RESTORATION

THERE WILL BE A PRESUMPTION IN FAVOUR OF SCHEMES WHICH SEEK TO MINIMISE THE AREA OF LAND BEING WORKED AT ANY ONE TIME, SUBJECT TO NOT COMPROMISING THE PROPOSED RESTORATION TO THE AGREED BENEFICIAL AFTER USE OR AFFECTING ADVERSELY THE STANDARD OF RECLAMATION ACHIEVABLE IN PURSUANCE OF THE AGREED AFTER USE OR TO A STATE CAPABLE OF BENEFICIAL AFTER USE.

The County Council do not wish to see large areas of agricultural land taken out of production at any one time. Proposals which seek to secure an early restoration of land after the removal of the mineral will receive more favourable consideration than those which do not.

RECLAMATION

6.12 POLICY 11

RECLAMATION - ALL PROPOSALS FOR MINERAL DEVELOPMENT MUST BE ACCOMPANIED BY A DETAILED PROPOSAL FOR THE RECLAMATION OF THE SITE TO AN AGREED AFTER-USE OR TO A STATE CAPABLE OF A BENEFICIAL AFTER-USE; AND, WHERE PRACTICAL AND APPROPRIATE, BY PROPOSALS FOR THE RESTORATION AND AFTERCARE OF THE PROPOSED WORKING. PERMISSION WILL NOT BE GIVEN IF:

- (A) THE PROPOSED FORM OF RESTORATION IS NOT IN SCALE AND CHARACTER WITH THE SURROUNDING COUNTRYSIDE; OR
- (B) THE RESTORATION PROGRAMME CANNOT BE COMPLETED WITHIN A REASONABLE TIMESCALE; OR
- (C) THE PROPOSALS FOR RESTORATION AND/OR AFTER-CARE ARE CONSIDERED TO BE INADEQUATE.

RESTORATION TO AGRICULTURE

6.13 POLICY 12

WHERE THE PROPOSED AFTER USE IS AGRICULTURAL EVERY EFFORT MUST BE MADE TO RESTORE THE LAND TO THE HIGHEST POSSIBLE QUALITY. IN THE CASE OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND IT MUST BE RESTORED TO A HIGH STANDARD. AT THE TIME OF MAKING THE APPLICATION, APPLICANTS WILL BE REQUIRED TO PRODUCE A SCHEME FOR RECLAMATION, INCLUDING PLANS DEALING WITH METHODS OF STRIPPING AND STORING SOILS, RESTORATION AND, WHERE APPROPRIATE, AFTERCARE.

The high standard of reclamation referred to in the policy will be in accordance with paragraphs 3(1) of Schedule 5 of the Town and Country Planning Act 1990. The restoration of best and most versatile agricultural land will be to the required standard when its physical characteristics are restored, as far as is practical to do so, to what they were when the land was last used for agriculture. The Authority will seek MAFF's advice on the potential for restoration of any land falling into this category and to obtain a statement of the physical characteristics of the land prior to working.

RESTORATION TO WATER-USES

6.14 POLICY 13

PROPOSALS FOR MINERALS EXTRACTION WHERE THE METHOD OF WORKING WILL RESULT IN LAKES BEING FORMED, SHOULD DEMONSTRATE THAT THE PROPOSED AFTER-USE CAN BE ACHIEVED AND THAT:

THE LAKE OR LAKES SO FORMED ARE APPROPRIATE IN THEIR LANDSCAPING AND FORM FOR THE PROPOSED AFTER-USE;

IT IS ACCOMPANIED BY PROPOSALS FOR THE MAINTENANCE OF THE LAKE OR LAKES;

THE METHOD OF WORKING BE DESIGNED FROM THE OUTSET FOR THAT SPECIFIC END USE.

RESTORATION FOR NATURE CONSERVATION, FORESTRY, OUTDOOR RECREATION

6.15 POLICY 14

PROPOSALS FOR MINERALS EXTRACTION WHERE THE PROPOSED AFTER USE IS NATURE CONSERVATION, FORESTRY OR OUTDOOR RECREATION SHOULD INCLUDE A WORKING PLAN WHICH WILL INDICATE:

THE METHOD OF WORKING AND RESTORATION;

THE PROPOSALS FOR THE LONG TERM MANAGEMENT OF THE SCHEME.

MAINTENANCE OF ENVIRONMENTAL STANDARDS DURING WORKING

6.16 POLICY 15

PROPOSALS FOR MINERALS EXTRACTION WILL BE REQUIRED TO SHOW THAT HIGH ENVIRONMENTAL STANDARDS WILL BE MAINTAINED DURING THE PERIOD OF WORKING AND THAT THE SITE CAN BE WELL RESTORED. SUCH PROPOSALS IN THE GREEN BELT MUST CONTRIBUTE TO THE GREEN BELT PURPOSES BY MAINTAINING ITS OPENNESS AND VISUAL AMENITY AND MUST BE ENVIRONMENTALLY AND ECOLOGICALLY ACCEPTABLE. PROPOSALS WHICH DO NOT SATISFY THESE CRITERIA WILL BE REFUSED.

TREATMENT OF PUBLIC RIGHTS OF WAY

6.17 POLICY 16

PROPOSALS FOR PLANNING PERMISSION FOR MINERAL EXTRACTION SHOULD INCLUDE THE IDENTIFICATION OF PUBLIC RIGHTS OF WAY LIKELY TO BE AFFECTED BY THE DEVELOPMENT AND INDICATE IN THE SUBMITTED WORKING PLAN, THE LOCATION OF SUCH PATHS AND THE PROPOSALS FOR THEIR TREATMENT BOTH DURING AND AFTER THE WORKING.

The intention of this policy is to ensure that Public Rights of Way are protected both during and after a mineral site is worked and that the issues concerned with Public Rights of Way, particularly their recreational use, are taken into account at an appropriate time in the

planning process. It is hoped that this consideration will enable prospective developers to take appropriate measures to reduce the impact of the development on the users of the Public Right of Way.

ALTERNATIVE, SECONDARY AND RECYCLED AGGREGATES

6.18 POLICY 17

TO REDUCE THE NEED FOR AGGREGATE EXTRACTION FROM GREENFIELD SITES, ENCOURAGEMENT WILL BE GIVEN TO THE USE OF ALTERNATIVES TO PRIMARY AGGREGATES. APPLICATIONS FOR PLANNING PERMISSIONS FOR THE PRODUCTION, PROCESSING, TREATMENT AND STORAGE OF ALTERNATIVE, SECONDARY OR RECYCLED AGGREGATES WILL BE TREATED ON THEIR MERITS, TAKING INTO ACCOUNT THEIR IMPACT ON THE ENVIRONMENT AND RESIDENTIAL AMENITY AND HAVING REGARD TO RELEVANT DEVELOPMENT PLAN POLICIES.

Planning Authorities in the County are encouraged to promote the reclamation of alternative aggregates, especially from the arisings from demolitions during re-developments.