

## Summary of the Minerals Local Plan Development

1. WCC commenced development of the Minerals Local Plan in 2012. The Minerals Local Plan is the statutory planning document which determines the approach to mineral development in the county of Worcestershire.
2. Prior to this, the last Minerals Local Plan adopted by Worcestershire County Council was the County of Herefordshire and Worcestershire Minerals Local Plan, adopted in 1997. Subsequent changes to national planning policy including the revocation of the Regional Spatial Strategy and the implementation of the National Planning Policy Framework (NPPF) have resulted in the majority of the planning policies in this plan being superseded, with only a minimal number of "saved" policies being applicable to minerals applications in the county.
3. Initial work on the Minerals Local Plan cumulated in the First Stage Consultation in 2012. This consultation took the form of:
  - A consultation leaflet which outlined minerals issues in Worcestershire, how they might be addressed and how people could be involved in the development of the Minerals Local Plan, and included questions to help develop the evidence base for the plan
  - An open morning at Worcester Woods Country Park
  - An interactive online quiz
  - A workshop for stakeholders, including County and District councillors and officers, minerals industry, and statutory organisations
4. A total of 37 responses were received during the consultation and the main issues which were raised during the consultation were:
  - Restoration of sites
  - Impact of mineral working
  - Links between sites and corridors
  - Matters for the strategy
5. A series of background documents was also published for consultation alongside the First Stage of the Minerals Local Plan. These were:
  - Coal in Worcestershire
  - Salt and Brine in Worcestershire
  - Clay in Worcestershire
  - The Draft Local Aggregates Assessment for Worcestershire
  - Ensuring an adequate and steady supply of industrial and energy minerals
  - Contributing towards Worcestershire's priorities (which set out how the Minerals Local Plan could contribute towards the Council's corporate priorities and the priorities of the Sustainable Community Strategy)
  - The Malvern Hills Acts (which looked at the unique legislative framework regarding mineral working in the Malvern Hills).
6. These documents formed the early evidence base for the Minerals Local Plan and outlined key matters which the plan needed to take into account in the development of policy and approach.
7. The First Stage Consultation also provided an opportunity to comment on the Sustainability Appraisal Scoping Report.

8. The Second Stage Consultation on the Minerals Local Plan commenced in November, 2013. The consultation included three open days, staffed by members of the Minerals and Waste Planning team to facilitate wider involvement in the plan, promote discussion and answer questions. The open days were held at Worcester Woods Country Park, the Spadesbourne Suite (Bromsgrove) and Kidderminster Library. Two specific workshops were proposed, one for the minerals industry and the second to focus on green infrastructure. Places could be booked on these workshops through the consultation process. Unfortunately, no booking were received for these workshops, and they did not take place.

9. The interactive minerals quiz which had been developed for the First Stage Consultation remained active on the website throughout the Second Stage Consultation as a way of engaging the community and generating interest in minerals planning.

10. The consultation documents included a main document which set out the processes undertaken and options considered in arriving at the proposed approaches and covered the following topics:

- A portrait of Worcestershire
- A draft vision and objectives for what the Minerals Local Plan should aim to achieve
- A draft of a spatial strategy
- Details of minerals required and their locations
- Ideas for the working of minerals and restoration of sites
- Details of minerals safeguarding and proposals for implementation

11. In addition to this document, a series of background papers were also available for consultation. These were:

- Analysis of Mineral Resources in Worcestershire
- Coal in Worcestershire
- Salt and Brine in Worcestershire
- Clay in Worcestershire
- Building Stone in Worcestershire
- The Local Aggregates Assessment for Worcestershire – June 2013
- The Draft Local Aggregates Assessment for Worcestershire – October 2012
- Ensuring an adequate and steady supply of industrial and energy minerals
- Contributing to Worcestershire's priorities
- Minerals and Climate Change.
- The Malvern Hills Acts
- Profile documents for Environmental Character Areas

12. A total of 66 responses were received in response to the Second Stage consultation. The main issues raised are summarised below:

- The restoration-led approach of the plan was supported by the conservation organisations, although the minerals industry expressed reservations which were actioned in the subsequent stages of the minerals local plan through refinement of the areas of search and the methodology employed to determine them.
- Cross boundary issues were raised as an issue of concern, and further engagement was proposed with local authorities within and surrounding Worcestershire. These included projected housing

development and demand for aggregates, crushed rock provision and sustainable transport.

- Individuals and parish councils expressed concern about particular sites, and ensuring that Worcestershire's local character is captured and expressed in the draft plan.
- There was general agreement that the proposed policy criteria were correct, and that these should form the basis for policy development.
- Monitoring was identified as a cross-cutting issue in the responses, and further work needed to identify how monitoring requirements could be incorporated into the draft policies for the third stage consultation.

13. The Second Stage Consultation included an opportunity to comment on the initial Sustainability Appraisal and the Habitats Regulations Assessment, with the main issues raised concerning consideration of alternative approaches within the plan and soil compaction.

14. The full suite of background documents was consulted on alongside the second call for sites in summer 2015, covering the following topics:

- Analysis of Mineral Resources (updated)
- Sand and Gravel in Worcestershire (new)
- Crushed rock in Worcestershire (new)
- Clay in Worcestershire (updated)
- Building stone in Worcestershire
- Silica sand in Worcestershire (new)
- Salt and brine in Worcestershire
- Coal in Worcestershire (updated)
- Oil and Gas in Worcestershire (new)
- Batching plant in Worcestershire (new)
- Local Aggregates Assessment (updated)
- Supply of industrial and energy minerals
- Biodiversity and mineral sites in Worcestershire: Guidance for the sustainable management of biodiversity action plan habitats at Worcestershire mineral sites
- Contributing towards Worcestershire's priorities
- Minerals and Climate Change
- The Malvern Hills Acts
- Profile documents for the Environmental Character Areas

15. The Third Stage Consultation on the Minerals Local Plan commenced in December, 2016. This consultation was on a draft version of the plan which included draft policies, both strategic and development management policies, alongside areas of search, preferred area and specific site allocations, and included the following:

- A portrait of Worcestershire giving an overview of the minerals found in Worcestershire and identifying the key issues affecting the county.
- A draft vision and 13 objectives for what the Minerals Local Plan should aim to achieve.
- A key diagram which set out very broadly what type of development the County Council would like where.
- A spatial strategy that included five "strategic corridors" where development should be located, with three "specific sites" and two "preferred areas" within the corridors.

- Green infrastructure priorities for each strategic corridor.
- Details of how much of each mineral we need to provide and when.
- Development management policies setting out the criteria that would be used when determining planning applications for minerals development, covering a broad range of issues, including the environment, health and flooding.
- Policies to safeguard minerals and supporting infrastructure.
- An implementation and monitoring framework.
- A third 'call for sites'.

16. No further background documents were developed for this consultation, as a full draft of the plan it was based on the available background documents and these remained on the website to inform any consultations and further plan development.

17. The consultation included a series of six open days which were held at Upton Assembly Rooms, Bromsgrove Library, Kidderminster Library, The Hive (Worcester), Droitwich Library and Evesham Library.

18. A total of 56 responses were received in response to the Third Stage consultation which are summarised below:

- The landscape scale green infrastructure approach was generally supported, although greater emphasis was needed on the balance between the social, economic and environmental aspects of green infrastructure.
- The spatial strategy with the priorities for each strategic corridor was well received although the potential to better integrate flood betterment and water quality enhancements was raised.
- Amendments to proposals to ensure contributions to the corridors priorities during both working and restoration phases and to clarify the need to balance comprehensive extraction of mineral resources with the need for landforms and restoration which are appropriate within the landscape.
- Concern was raised over how the strategic corridors were identified, and the misunderstanding that these were based solely on environmental considerations and that the corridors were too wide to provide certainty.
- Comments were received on a number of the policies, with amendments required to bring them in line with national policy, and whether it was appropriate to rely solely on national policy for green belt.
- A requirement for further and ongoing work with District councils concerning safeguarding and in particular the consideration of urban areas and allocated housing and employment sites.
- Concerns related to the ability to supply adequate sand and gravel resources, primarily due to the small number of allocated sites and low level of industry interest.
- Some issues with the sand and gravel sales and imports/ export figures.
- The approach to crushed rock and industrial minerals was supported, although some wording alterations were suggested with regard to the landbank requirements in national policy.

- It was suggested that the natural and historic environment should be addressed through separate objectives and that the links between the objectives and the policy framework lacked clarity.

19. The Third Stage Consultation also included a Sustainability Appraisal, Strategic Flood Risk Assessment, Habitat Regulations Assessment, Equality Impact Assessment and Health Impact Assessment for comment. There was very limited comment on these documents; Historic England raised a concern about the approach to as yet uncovered archaeology on minerals sites and further work was proposed with the Environment Agency concerning the wider water environment. Both of these issues were addressed as part of subsequent revisions to the Minerals Local Plan.

20. The Fourth Stage Consultation on the Minerals Local Plan commenced in December, 2018, on a full draft of the plan including strategic and development management policies.

21. The consultation included a single open day at The Hive, Worcester, chosen as a central location for the county. A total of 36 responses were received to this consultation.

22. As outlined in the adopted 2018 Local Development Scheme, the Fourth Stage Minerals Local Plan did not include any "preferred area" or "specific site" allocations. These will be considered through the separate Mineral Site Allocations Development Plan Document.

23. The Fourth Stage Consultation proposed:

- a preference for mineral development within site allocations, including "areas of search"; these areas of search were defined in the Fourth Stage Consultation Minerals Local Plan, based on known mineral resources which have passed viability, environmental and amenity tests.
- five large "strategic corridors" which contain the areas of search, with locally appropriate priorities set for each of the strategic corridors to help coordinate how mineral working and restoration should take place to maximise benefits for the environment, the economy and communities.
- policies to enable a sufficient supply of minerals.
- policies to guide the assessment of minerals planning applications, covering issues including health, well-being, and the natural, built, historic and water environments.
- policies to safeguard important mineral resources, mineral sites and supporting infrastructure for the future.

24. The main issues raised in this consultation concerning the Minerals Local Plan were:

- The need for flexibility in sand and gravel supply, and potential differences in the markets for sand and gravel deposits in the north and the south of the county.
- Policies were broadly supported, but some points raised to ensure policy wording closely reflects national policy and guidance, specifically in relation to silica sand, biodiversity, the historic environment, and health impact assessments.

- The importance of Worcestershire's river terrace geology in understanding how it was formed and the Palaeolithic archaeology it may hold. Potential impacts on non-designated archaeology.
- Support for the green infrastructure approach, but with the need for flexibility and ability to manage any conflicting priorities.
- Concern that the strategic corridors and areas of search could result in blight for properties and landowners.
- Updated data availability and minor data errors in some mapped information.
- Transport impacts and the suitability of local road networks for transporting minerals, and concerns over implementation and monitoring to ensure conditions are met.

25. The consultation on the Minerals Local Plan also included a series of statutory documents including the Sustainability Appraisal, Habitats Regulations Assessment, Strategic Flood Risk Assessment, Health and Equalities Impact Assessments. No significant comments were received on any of these documents, although Natural England provided new evidence in relation to the Severn Estuary SPA and functionally linked land.

26. The matters raised in response to the Fourth Stage consultation have been addressed through relatively minor amendments to the plan to form the Publication Version which will be the subject of the regulation 19 consultation.

### **Duty to Co-operate and Statements of Common Ground**

27. The NPPF requires minerals resources and minerals infrastructure to be safeguarded from non-minerals development, even if there are no current proposals for extraction of the mineral. Non-minerals development includes housing and employment land.

28. Throughout the development of the Minerals Local Plan, WCC have worked with the City, Borough and District Local Planning Authorities to develop a safeguarding policy which will safeguard the most important minerals resources and infrastructure from development and, where full safeguarding is not possible, to encourage extraction of some of the mineral resource prior to alternative development.

29. This policy has been refined throughout the development of the Minerals Local Plan, and will be subject to a Statement of Common Ground between Worcestershire County Council and the six District Local Planning Authorities.

30. The last working crushed rock quarry in Worcestershire, Broadway Quarry, ceased working in 2009, and has subsequently been restored. Worcestershire's crushed rock requirement has since this date been accommodated from imported resources from outside of the County, predominantly from the South West region.

31. Crushed rock was included in the calls for sites, but no sites have been submitted through this process. There are crushed rock deposits in the county, predominantly in the Malvern and Abberley Hills, and Cotswolds. However, there are significant constraints on the extraction of these resources. These constraints are not necessarily an absolute impediment to minerals extraction but the combination of the significant level of environmental protection imposed through legislation and policy tests and the unique responsibility of the M H Trust together

mean that crushed rock has not been worked in Worcestershire since 2010 and is unlikely to be commercially attractive for the foreseeable future.

32. To address this, discussions have taken place with the West Midlands, East Midlands, South West and South Wales Aggregate Working Parties, which concluded that Worcestershire's production guideline for crushed rock should be reduced to 0 tonnes, rather than being based on the average of the previous 10 years sales, but that the emerging Minerals Local Plan should provide a policy framework which could enable crushed rock development to take place. The Mineral Planning Authorities and Aggregate Working Parties have indicated that supplying Worcestershire's demand for crushed rock can be accommodated.

33. The Minerals Local Plan does include policies for crushed rock, enabling applications for crushed rock to be determined should any come forward in the lifetime of the plan, and indicators have been included in the plan to ensure that this situation is monitored.

34. A memorandum of understanding has been developed with Gloucestershire County Council and Herefordshire Council to address minerals and waste issues in general. Mineral supply matters, including crushed rock, will be subject to a Statement of Common Ground between Worcestershire County Council and surrounding Mineral Planning Authorities and the West Midlands Aggregate Working Party.

35. The Minerals Local Plan has a focus on delivering green infrastructure which has informed the development of the policies and the strategic corridors. To assist in this development, a Green Infrastructure Steering Group has developed from members of the Worcestershire Green Infrastructure Partnership including the Worcestershire Wildlife Trust, Natural England and, internally Archive and Archaeology, Countryside Services and Environmental Policy.

36. This joint working has been on a voluntary basis, but has assisted in developing the policies in the Minerals Local Plan and the corridor priorities.

37. This ongoing collaboration will be reflected in a Statement of Common Ground to continue working towards delivery of the green infrastructure objectives of the Minerals Local Plan.