

**19 July 2018****Agenda Item: 12****REPORT OF THE CORPORATE DIRECTOR, PLACE****NOTTINGHAMSHIRE MINERALS LOCAL PLAN – PUBLIC CONSULTATION ON  
THE DRAFT MINERALS LOCAL PLAN****Purpose of the Report**

1. To seek Committee approval to consult on a Draft Minerals Local Plan.

**Information**

2. A Minerals Local Plan is a statutory document that all Minerals Planning Authorities must prepare. It can identify site specific allocations of land for mineral development and planning policies against which all future minerals development proposals are assessed and determined by the County Council. The overall aim of the Plan is to ensure a steady and adequate supply of minerals is provided to meet expected demand in the most sustainable way.
3. The current Plan was adopted in December 2005 and was prepared under previous Government legislation. This plan is now out of date and work has begun on a new plan to replace it, following the decision of Council to withdraw a previous plan from examination. The new plan will look ahead to 2036.
4. Before it can be adopted, the new Local Plan must go through various stages of public consultation and community involvement culminating in an Independent Examination by a government appointed inspector.
5. A small Member led working group was established at the outset of the development of the new minerals local plan. This working group has met at key stages to discuss the main issues as they have arisen and to provide a Member steer.

**Feedback from the Issues and Options Consultation**

6. The preparation of the new Minerals Local Plan commenced in 2017 with an informal public consultation on the issues and options faced over the new plan period. 570 representations were received from a total of 76 organisations and individuals. This included statutory bodies, district and parish councils, neighbouring county councils, the minerals industry, interest groups and Members of the public.

7. Where relevant, the consultation responses have been used to inform the preparation of the draft plan. A summary of the key issues is set out below:
  - Sand and gravel provision
8. The majority of the public thought that expected demand over the plan period had been overstated. Reasons for this included: The reduced need for primary minerals due to new construction methods, the level of recycled aggregates not being fully taken into account and the lack of analysis regarding the availability of aggregates in the East Midlands to supply Nottinghamshire.
9. The minerals industry thought that expected demand was too low. Reasons for this included: Rising aggregate sales both at the sub-national and national level, limited ability of the plan to provide a steady and adequate supply over the plan period and a reliance of purely recession sales data to forecast future demand.
  - Prioritisation of extensions to existing quarries before new quarries are developed
10. It was acknowledged that extensions to existing sites could be more sustainable than new quarries, however the majority thought that all quarry proposals should be assessed on their own merits.
  - Geographical spread of sand and gravel quarries
11. There was clear support for a geographical spread of sand and gravel quarries across the county. Reasons for this included: Reduce transport distances to the main markets, minimising the impact of HGV traffic on the environment and local communities and maintaining overall supply.
  - Secondary and recycled aggregates
12. Views on recycled aggregates were split. Some respondents thought that recycled aggregates were underutilised and that a greater use of these would significantly reduce demand for primary aggregates. Others acknowledged the important role that recycled aggregates play in meeting overall demand, however it was noted that future growth in the recycled aggregates market was limited and primary aggregates were still needed.
  - Potential extraction of Industrial Dolomite
13. Concern was expressed from a number of respondents regarding the potential impacts on Creswell Crags from any future quarrying of Industrial dolomite in Nottinghamshire.
  - Unconventional Hydrocarbons
14. Respondents expressed concerns regarding shale gas exploration (fracking). Reasons for this included the potential impacts on climate change, water quality, the wider environment and impacts on local communities.
  - Impact from minerals related HGVs

15. Respondents raised concerns regarding the impact of additional HGVs from minerals development. Issues included high level of existing traffic, increased congestion and pollution, and the suitability of the road network.
- Use of river barge to transport minerals
16. Responses to this issue were split. Some supported this mode of transport as it would reduce the amount of HGV traffic (and the associated emissions and congestion). Others questioned the financial feasibility of moving mineral by barge, particularly over shorter distances.

#### Preparation of the Draft Plan Consultation Document

17. The Draft Plan consultation document is a further stage in the preparation of the final Minerals Local Pla. There is no requirement for the Council to consult on a Draft version of the Plan but there is a duty to involve the community in the preparation of the Plan and a draft version of the Plan will enable individuals and organisations to view the plan and make comment. It sets out the draft approach for each mineral, the consultation responses received, and how the findings of the Sustainability Appraisal have influenced the draft plan. A copy of the Draft Minerals Plan is attached in **Appendix 1**.
18. A key aim of the Plan is to identify expected demand for individual minerals over the plan period. In many cases permitted reserves are inadequate for the plan period and new site specific allocations will need to be identified if the county is to continue supplying its share of national and local minerals supplies.
19. The biggest shortfall over the plan period is for sand and gravel, where an additional 14.8 million tonnes will need to be identified over the plan period. This is based on the most recent average sales data set out in the Nottinghamshire Local Aggregates Assessment published in October 2017.
20. As a result of the identified shortfall, the Draft Plan proposes extensions to existing permitted sand and gravel quarries at:
- Bawtry Rd, Scrooby
  - Langford Lowfields
  - East Leake
- and new greenfield quarries at:
- Botany Bay
  - Mill Hill near Barton in Fabis
21. The Draft Plan also proposes extensions to the existing Sherwood Sandstone quarries at Bestwood II and Scrooby Top, an extension to the existing permitted clay pit at Dorket Head known as Woodborough Lane and a southern extension to the existing gypsum quarry at Bantycok.
22. The Draft Plan also sets out a proposed list of planning policies against which planning applications for future minerals development will be assessed. These include the protection of local amenity, protection and enhancement of biodiversity and geodiversity, Landscape character, the historic environment and highways safety and vehicle movements. The full list can be found in the draft plan in **Appendix 1**.

## Next Steps

23. If committee approve the Draft Minerals Plan for consultation, it is planned to publish it for a eight week period between 27 July and 28 September 2018. Officers are also proposing to hold a series of surgeries at local libraries to inform, answer questions and promote responses. Officers will attend meetings of relevant parish councils on request and will be asking parish councils to publicise the proposals and the opportunity to make comment in their local areas.
24. A submission version of the Local Plan document will then be prepared, in light of comments received on the draft plan. Approval will then be sought through Communities and Place Committee to publish it for a further period of consultation. The Minerals Local Plan, along with all representations received, will then be formally submitted to the Secretary of State and subsequently subject to an independent examination

## **Other Options Considered**

25. Not to carry out a consultation on a draft Plan and move straight to a final Plan. This option has been considered but it is considered important for the sake of allowing public involvement in the proposed sites before the Plan is finally prepared and submitted for examination, that a Draft Plan be prepared.

## **Reason/s for Recommendation/s**

26. To enable community involvement and comment on the draft proposals in the Plan.

## **Statutory and Policy Implications**

27. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

28. The costs of preparing and examining the Minerals Local Plan will be met through a reserve which has been established to cover these costs.

## **RECOMMENDATION/S**

It is recommended that the Committee approves:

- 1) The publication of the draft Minerals Local Plan for a period of eight weeks public consultation;
- 2) Authority to be given to the Service Director for Investment and Growth in discussion with the Chairman to make any final minor changes required prior to consultation.

**Adrian Smith**  
**Corporate Director, Place**

**For any enquiries about this report please contact:** Steven Osborne-James, Principal Planning Policy Officer, Tel: 0115 9772109

**Constitutional Comments [RHC 14/06/2018]**

29. Communities and Place Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

**Financial Comments [RWK 07/06/2018]**

30. The financial implications are set out in paragraph 28 of the report.

**Background Papers and Published Documents**

- 'None' or start list here

**Electoral Division(s) and Member(s) Affected**

- 'All'