

9 October 2014

Agenda Item: 4

REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND CORPORATE SERVICES

MINERALS LOCAL PLAN – ADDITIONAL PUBLIC CONSULTATION ON SAND AND GRAVEL PROVISION – SHELFORD WEST

Purpose of the Report

1. To seek Committee approval for an additional eight week period of public consultation relating to the Minerals Local Plan Preferred Approach for the potential allocation of a sand and gravel extraction allocation at Shelford West.

Information and Advice

2. The Minerals Local Plan is a statutory document that all Minerals Planning Authorities must prepare. It identifies sites and sets out policies against which all minerals development proposals are assessed and determined by the County Council. The overall aim of the Plan is to ensure that sufficient minerals are provided to meet expected demand in the most sustainable way and to safeguard proven mineral resources from being unnecessarily sterilised by other development.
3. The current Plan was adopted in December 2005 and was prepared under previous Government legislation. This plan is now becoming out of date and work has begun on preparing a new plan to replace it. This will look ahead to 2030.
4. Following approval at September 2013 Environment and Sustainability Committee, public consultation on the County Council's Preferred Approach document took place between 23 October and 18 December 2013. This consultation raised issues in relation to the sand and gravel provision element of the Plan and a further consultation took place in May/June/July 2014 (following Committee approval).
5. A total of 1759 responses from 1565 respondents have been received on the additional sand and gravel consultation which can be broken down as follows:
 - Support: 22;
 - Object: 1669;
 - General comments: 68.
6. In addition to the above, 8 petitions were also received as follows:
 - Barnby Moor & Botany Bay: 5 Petitions with a total of 348 signatures;
 - Coddington: 1 petition with 67 signatures;

- Flash Farm: 1 petition with 72 signatures (no contact details enclosed);
 - Barton in Fabis: 1 petition with 22 signatures.
7. The majority of the objections related to specific sites at Barnby Moor (39 Objections), Botany Bay (28 objections), Coddington (144 Objections), Flash Farm (82 Objections) and Barton in Fabis (1251 Objections). The remaining objections related to other issues.
 8. All comments received on the additional consultation are still being analysed at this stage and as yet no conclusions can be drawn. However, during the consultation the operator for two sand and gravel sites at Shelford, which had been previously discounted as they were both considered as 'undeliverable' due to access issues, provided further information in regards to the potential for new access arrangements and the deliverability of the sites.

Shelford sand and gravel extraction

9. Discussions between the operator and the Highways Authority have been ongoing and these discussions have culminated in the view from the Highways Authority that revised access proposals on to the A6097 are acceptable in principle.
10. Previously two sites were put forward – the larger Shelford west site (6.5 million tonnes) and the Shelford east site (3.49 million tonnes). In light of the total quantities of the mineral, the ability of the operator to extract the mineral within the plan period and initial results of the Sustainability Appraisal for both sites (highlighting that the western site scores better than the eastern site), only the Shelford west site is considered as being deliverable during the plan period.
11. The revised proposal, submitted by the operator, for Shelford West states that production would be 500,000 tonnes per annum. 180,000 tonnes per annum would be barged along the River Trent to Colwick Industrial Estate to feed existing concrete batching plants with the remaining 320,000 tonnes per annum to be conveyed to a processing plant located close to the A6097 before then being transported by road via a new access directly onto the A6097 (Bridgford Street).
12. In order to minimise the impact of the transportation of the sand and gravel the conveyor would be counter sunk to a depth of approximately 1m along its length and would pass under Main Road and then follow a route located away from the Trent Valley Way, the Local Wildlife Site, the Scheduled Ancient Monument and the listed buildings at Shelford Manor before reaching the processing plant.
13. In light of this information and the issues raised it is necessary to undertake an additional consultation on the potential inclusion of the Shelford West site into the Minerals Local Plan for future sand and gravel extraction before the Minerals Local Plan can be taken forward to the next stage of the plan preparation process (Submission Draft).
14. The proposed consultation document is contained in Appendix A and provides further information with regards to the proposed extraction area at Shelford west, the potential locations of the conveyor route, processing plant and access to the A6097.

15. The Minerals Project Group has met to discuss this issue and support has been given for the additional consultation for the proposals. The project group requested a consultation period of eight weeks for consistency with previous consultation periods.

Next Steps

16. If Committee approve the additional consultation on sand and gravel extraction site at Shelford West the document will be published to allow a period of eight weeks public consultation.
17. The proposed consultation period is to run for a period of eight weeks between 15 October 2014 and 10 December 2014.
18. A 'Submission Draft' document will then be prepared, taking into account any comments received on the preferred approach document and the two additional consultations. Approval will be sought through Environment and Sustainability Committee and Full Council to publish it for a statutory six week period of consultation. The Minerals Local Plan, along with all representations received and other background information, will then be formally submitted to the Secretary of State and subsequently will be subject to an independent examination by a Planning Inspector. The Inspector's role is to consider the 'soundness' of the whole plan.
19. If considered 'sound' then the Local Plan can be adopted.

Other Options Considered

20. Not to undertake additional consultation on the proposed sand and gravel extraction site at Shelford West, however, this option has the potential for the Minerals Local Plan to be found 'unsound' at the Examination stage. The preparation of the Minerals Local Plan is a statutory requirement.

Reason/s for Recommendation/s

21. To seek approval to undertake an eight week period for representations on the potential inclusion of the Shelford west site into the Minerals Local Plan for future sand and gravel extraction. Production of the Minerals Local Plan is a statutory requirement.

Statutory and Policy Implications

22. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service 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

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

Implications for Sustainability and the Environment

24. The production of Minerals Local Plans and associated documents is a statutory requirement.

RECOMMENDATION/S

- 1) It is recommended that:-
 - a) Approval be given for eight weeks public consultation on the potential inclusion of the Shelford west site into the Minerals Local Plan for future sand and gravel extraction.
 - b) Authority to be given to the Group Manager in consultation with the Chairman to make any final minor drafting changes required prior to consultation.

Jayne Francis-Ward
Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Lisa Bell, Planning Policy Team Manager, ext 74547

Constitutional Comments (CEH 16.09.14)

25. The recommendations fall within the remit of the Environment and Sustainability Committee by virtue of its terms of reference.

Financial Comments (SEM 15/9/14)

26. The financial implications are set out in the report.

Background Papers and Published Documents

- Sustainability Appraisal for Shelford West: September 2014

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

APPENDIX A



Nottinghamshire
County Council

Minerals Local Plan Consultation

Additional Consultation on sand and gravel provision - Shelford West

15 October – 10 December 2014

**Have your say on the future of minerals
provision in Nottinghamshire**



Context

The Minerals Local Plan provides the planning policy context against which all proposals for new minerals development within Nottinghamshire will be assessed. This consultation exercise forms an informal stage in preparing the new Plan which will cover the period up to 2030.

This consultation on a further sand and gravel site at Shelford, Nottingham builds on the previous consultations that the County Council conducted between October and December 2013 on the Nottinghamshire Minerals Local Plan Preferred Approach document and between May and July 2014 on the Additional Consultation on Sand and Gravel Provision document.

The Preferred Approach document (2013) included the County Council's vision, strategic objectives, strategic policies, mineral provision policies (including land allocations) and development management policies making provision for adequate reserves of minerals to provide a steady supply to meet future needs.

The additional consultation on the sand and gravel provision (2014) provided for further consultation on two new additional sites at Barton in Fabis near Nottingham and Averham near Newark (Flash Farm) a further extension to the west of Langford Lowfields quarry and the deletion of the previously identified western extension to Girton quarry. It also included the revised Policy (MP2) and justification text alongside a policies map and inset maps identifying each site location and an outline of key information in the form of site briefs.

As part of the additional consultation on the sand and gravel provision between May and July 2014, further information and revisions were submitted in relation to two potential sand and gravel extraction sites at Shelford which had previously been assessed as undeliverable due to local access issues. These revisions have resulted in one of the sites (Shelford West) now being assessed as deliverable, in principle, within the Local Plan period as the Highways Authority now consider the revised access proposals to be acceptable. The Shelford East site is still assessed as undeliverable within the plan period due to the timescales proposed for the extraction of the western site.

In light of this information the County Council feels that it is necessary to undertake a further consultation on the inclusion in the Minerals Local Plan of the sand and gravel site at Shelford West. Once this consultation has been undertaken, the responses to this and the previous consultations will be carefully considered by the County Council as it decides which proposed quarry sites will be allocated in the Submission Draft document which will be subject to a further consultation period.

Public consultation

This consultation focuses solely on the Shelford West site and its accompanying Sustainability Appraisal. The public consultation runs for an eight week period from **15 October to 10 December 2014**. The documents are available on the County Council's website (see below) or hard copies are available on request. Comments on

the document can be made and viewed via the website. For clarity on the context of this additional consultation, the 2013 Preferred Approach document and the Additional Consultation on Sand and Gravel Provision document (May 2014) are also available on the website.

Comments on other parts of the Minerals Local Plan Preferred Approach will be considered if appropriate but previous responses to the Minerals Local Plan Preferred Approach and Additional Consultation on Sand and Gravel Provision documents remain valid and will not need to be submitted again.

Please consult the County Council's website to view the documents and to respond online at:

www.nottinghamshire.gov.uk/minerals

Alternatively you can email or write to us, using the response form, at the addresses shown below.

PLEASE NOTE THAT ALL COMMENTS THAT YOU MAKE WILL BE MADE PUBLIC.

Online www.nottinghamshire.gov.uk/minerals

Email development.planning@nottscc.gov.uk

Post

Planning Policy Team
Policy, Planning and Corporate Services Dept
Nottinghamshire County Council
County Hall
West Bridgford
Nottingham
NG2 7QP

Phone 0300 500 80 80 (customer contact centre)

This document can be made available in alternative formats or languages on request.

What happens next?

At the end of the consultation period the County Council will consider all comments received, alongside the comments received from the Preferred Approach consultation and the additional consultation on the sand and gravel provision. Relevant comments will be incorporated into a Submission Draft consultation document ready for another public consultation period prior to formal submission of the document to the Planning Inspectorate for examination and formal adoption.

Introduction

In geological terms the sand and gravel resource in Nottinghamshire is extensive, located in the Trent and Idle river valleys. Within the Trent Valley, production has historically been concentrated around Nottingham and Newark. This pattern has developed at least in part in response to a need to be close to the main markets for the mineral (due to sand and gravel being a low cost bulk material, meaning that haulage is a significant element of its cost). Currently between a third to a half of the County's production supplies markets in Yorkshire and Humberside, which the Idle Valley is well placed to serve.

Aggregates make a significant contribution to the construction industry, accounting for around 90% of the materials used. In England alone nearly a quarter of a billion tonnes are consumed every year. Sustaining this level of demand is of national concern and raises major planning and environmental issues. All mineral planning authorities are required to plan for a certain proportion of the national demand for all aggregate minerals, known as the local apportionment, and to maintain a certain level of permitted reserves, known as the landbank.

National policy sets out the way in which local authorities are required to establish the need for aggregate in their area. The National Planning Policy Framework (NPPF) requires Minerals Planning Authorities to produce a Local Aggregates Assessment (LAA) on an annual basis. This assesses both the demand for and supply of aggregates based on the average of the last 10 years production/sales data.

The LAA should take into account all possible supply options including the availability or otherwise of secondary or recycled aggregates as well as land-won sources. It also takes account of any significant local infrastructure projects that are taking place, or planned, and any opportunities or constraints that might influence future aggregate production.

Minerals Planning Authorities are also required to work with other local Mineral Planning Authorities through an Aggregate Working Party to ensure that the approaches taken remain consistent and adequate supply is maintained. Nottinghamshire County Council is part of the East Midlands Aggregate Working Party.

The first LAA was adopted by the County Council in July 2013 and sets out the 10 year production averages for each aggregate. Based on the average production figures, the plan needs to provide an estimated 49 million tonnes of sand and gravel over the plan period (2012 to 2030).

Some of the estimated demand can be met from the County's remaining permitted reserves (i.e. the mineral that is left in existing quarries that can still be worked). However, for sand and gravel, this is not sufficient to cover the whole of the plan period and additional reserves we will need to be permitted in order to make up the shortfall.

There are currently 11 permitted sand and gravel sites located around the county containing estimated reserves of 19.3 million tonnes. Using the annual production figure and the estimated Sand and Gravel reserves from 2011 it is estimated that the County Council need to provide an additional 30 million tonnes of sand and gravel up until 2030.

Shelford West

This is a new greenfield site located to the west of Shelford village, 15km from Nottingham. As part of the Additional Sand and Gravel Provision consultation (May to July 2014), Brett Aggregates put forward amendments to their previous site submission to overcome the proposed access arrangements which were originally deemed unacceptable by the Highways Authority.

The main revisions to the proposal include the development of a wharf on the River Trent to barge mineral and locating the processing plant away from the village close to the A6097.

The site is expected to be operational for 14 years with an estimated start date of 2016. Production from the site would be up to 500,000 tonnes of sand and gravel per annum and would largely serve the Nottingham markets.

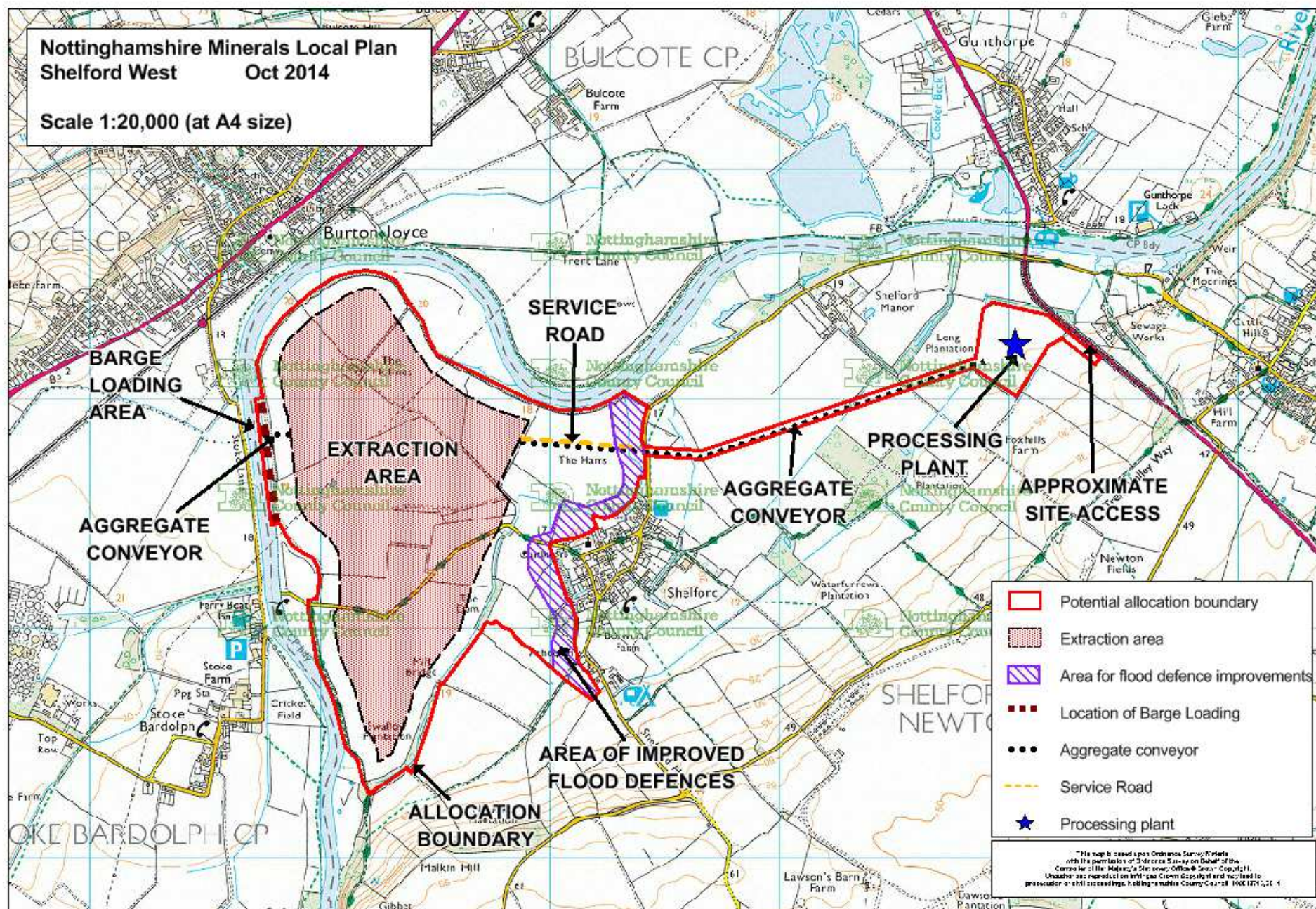
Approximately 180,000 tonnes per annum would be taken by barge to Colwick Industrial Estate for use in concrete batching plants with the remaining 320,000 tonnes per annum taken by conveyer to the processing plant. The processed sand and gravel would then be transported by road via a new access directly onto the A6097. Map 1 (below) provides further details of the site location and the proposed locations of the conveyor, processing plant and access.

In order to minimise the impact on the surroundings the conveyor would be set into a cutting to a depth of approximately 1m where ever possible along its length. It would pass under Main Road and then follow a route located away from the Trent Valley Way and important designations en-route to the processing plant.

The site development brief (Appendix 1) sets out further information relating to the proposal including key considerations.

**Nottinghamshire Minerals Local Plan
Shelford West Oct 2014**

Scale 1:20,000 (at A4 size)



APPENDIX 1: SITE DEVELOPMENT BRIEF

PA41 Shelford West

Grid reference: 466400 342800

District: Rushcliffe Borough Council

Parish: Shelford and Newton Parish Council

Area: 193 hectares (excluding processing plant)

Total mineral resource: 6.5 million tonnes

Quarry restoration

- Restoration of the site should be consistent with Policy SP2 – Biodiversity-led Restoration. Target restoration will depend on landform and substrate characteristics. However, priority habitats could include:
 - Reedbed
 - Floodplain Grazing Marsh
 - Marsh and Swamp
 - Ponds
- Other habitats that may be appropriate for creation include:
 - Wet Woodland
 - Lowland Neutral Grassland
- Restoration of this site has the potential to provide significant new areas of wetland habitat to increase the overall resource and in doing so contribute to aspirations for these habitats over a 50 year time frame, as per the Trent Valley Biodiversity Opportunity Mapping Project. Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site, and priority should be given to wetland habitats.
- Given the proximity the site to the River Trent, an additional consideration is the opportunity for floodplain reconnection in this area, which would bring ecological and sustainable flood management benefits, potentially through realignment of the floodbank, and which could include river re-braiding. Dialogue should be begun with the Environment Agency at an early stage to explore these ideas.

Location

- West of Shelford Village
- See map

Environmental and cultural designations

- Consider possible impacts on the nearby SSSIs of Colwick Cutting and Normanton Pastures
- Potential Indirect impacts on a number of Local Wildlife Sites including:
 - Swallow Plantation - part of the southern boundary
 - Shelford Carr - to the east of the boundary
 - Manor Lane Bank - to the east of the boundary
 - The bank of the River Trent: Burton Joyce to Lowdham - to the north of the site

- Potential indirect impacts on an area to the north of the site possibly conforming to the Section 41 habitat 'Coastal and Floodplain Grazing Marsh (known locally as 'Lowland Wet Grassland)
- Further investigation of the 'Pillow mound' found within the allocation will be required.
- Indirect impacts on Scheduled Ancient Monument to the South West of Shelford Manor
- Potential impacts on the listed buildings & Scheduled Ancient Monument in Shelford, Field Dyke, Shelford Manor Pond and the East Bridgford conservation area
- High archaeological potential including some of which may warrant preservation in situ. Use of metal detector on conveyor belt
- Consideration of Landscape Character Assessment, Policy Zone recommendations: 'conserve and create' – actions should conserve distinctive features and features in good condition, whilst creating new features or areas where they have been lost or are in poor condition.
- Grade 3 agricultural land

Access and transport

- 180,000 tonnes per annum transported from the site by barge along the River Trent to Colwick industrial estate for processing
- 320,000 tonnes per annum moved by conveyor from the extraction site to the processing plant before being taken by road along the A6097
- Machinery required on the extraction site to be brought in by river.
- No HGV access to the site from Shelford Hill or Main Road.

Amenity

- Temporary diversion to the Trent Valley Way where it crosses the site
- Creation of an additional right of way along the western and northern boundary of the site along the river.
- Additional flood defences proposed for the edge of Shelford village
- Counter sinking the conveyor belt along its length to minimise impact on surrounding area.

Water and flooding

- Mitigation of potential flooding should be considered through a Flood Risk Assessment as the site lies in Flood zone 3. No excavation within 45m of the toe of any flood defence or the River Trent itself.
- 9m stand off from any watercourse within the allocation
- Assess potential Impact on groundwater and surface water quality

Other

- The site is crossed by a National Grid high voltage overhead electricity transmission line (4VK route)