

CHAPTER 6: IMPLEMENTATION AND MONITORING

Implementation

The National Planning Policy Framework (NPPF) requires local planning authorities to monitor their local plans, to ensure that the policies and proposals within them are deliverable and will be subject to review. To allow this to happen the Nottinghamshire Minerals Local Plan Preferred Approach contains a number of Strategic that will be implemented and the policies stemming from these will be monitored and any issues identified will be addressed through future revision of the local plan.

The policies set out in the Local Plan will be primarily implemented through the development management process; planning applications, compliance on monitoring of minerals development and unauthorised mineral development, and the NPPF.

Monitoring is important in facilitating the delivery of sustainable minerals development, the County will monitor all minerals development granted by the authority and will use appropriate compliance measures, such as regular site visits and enforcement action, to ensure all permitted minerals development comply with the terms of their planning permissions.

The minerals Preferred Approach identifies the provision of aggregate minerals supply that is needed to meet demand during the plan period; 2015-2030. It makes separate provision for secondary and recycled aggregates, brick clay, gypsum, silica sand, industrial dolomite, building stone, coal and hydrocarbons.

The Preferred Approach contains overarching strategic policies mineral provision policies and development management policies, all of which have been developed to ensure that the overall approach is delivered in an environmentally sustainable way.

Monitoring

The Planning and Compulsory Purchase Act 2004 requires the production of an Annual Monitoring Report (AMR). The AMR covers both minerals and waste development.

The County produces an AMR each December and the purpose of the report is to review:

- Progress in preparing the new planning policy documents that will make up the development framework;
- How well existing minerals and waste planning policies are working;

- New national or other relevant policy guidance that needs to be taken into account;
- Updates in local social, economic and environmental indicators that may influence existing and future minerals and waste policies.

Alongside the AMR a requirement to prepare a Local Aggregates Assessment (LAA) was introduced through the publication of the National Planning Policy Framework in March 2012.

The LAA sets out:

- Summaries of past aggregate production, number of active quarries and the distribution of the extracted mineral.
- Future apportionment levels based on the NPPF 10 year average figure and comparison to past apportionment figures.
- The key issues that could affect the future demand for aggregates over the next plan period.

More detailed guidance on LAAs was published by the Department for Communities and Local Government (DCLG) in October 2012 and adds the requirement to produce a 3 year average production figure in order to monitor future demand.

Nottinghamshire County Council will work with the minerals industry and other mineral planning authorities, including through the East Midlands Aggregates Working Party to monitor sales, distribution and reserves of aggregate minerals and changes in patterns of supply to inform future forecasting and demand.

Observations recorded in the AMR and LAA will feed into reviews of the Minerals Local Plan, and if the strategy is not delivering or is indeed over delivering minerals an early review of the local plan maybe necessary.

GLOSSARY

Aftercare: Action necessary to bring restored land up to the required standard for an agreed after-use such as agriculture, forestry or amenity.

Air Quality Management Area (AQMA): A designation made by a local authority where an assessment of air quality results in the need to devise an action plan to improve quality of air.

Amenity: Something considered necessary to live comfortably.

Ancient Woodland: Woodland that is believed to have existed from at least medieval times.

Archaeology and Historic Buildings Record (AHBR): An index to the known archaeological sites and finds, historic buildings, designed and historic landscapes, parks and gardens and industrial monuments in the county.

Area of Outstanding Natural Beauty (AONB): Areas of countryside considered to have significant landscape value, and protected to preserve that value. Originally identified and designated by the Countryside Commission under Sections 87 and 88 of the National Parks and Access to the Countryside Act 1949. Natural England is now responsible for designating AONBs and advising Government and other organisations on their management and upkeep.

Best and most versatile agricultural land (BMV): The Agricultural Land Classification (ALC) provides a method for assessing the quality of farmland to enable informed choices to be made about its future use in the planning system. It helps underpin the principles of sustainable development. The ALC system classifies land into five grades, with Grade 3 subdivided into 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a by policy guidance (see PPS7). This is the land which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non-food uses such as biomass or fibres and developers. Where significant development of agricultural land is unavoidable, poorer quality land should be used in preference to that of higher quality, except where this would be inconsistent with other sustainability considerations. Government policy is set out in Planning Policy Statement 7 (PPS7) Sustainable Development in Rural Areas published in August 2004 (paragraphs 28 and 29).

Biodiversity Action Plan (BAP): Is a plan which addresses threatened species and habitats and is designed to protect and restore biological systems.

Biodiversity Opportunity Area (BOA): Specific geographical areas with the best opportunity to restore and create habitats of regional importance. They are defined entirely on the basis of identifying those areas where conservation action is likely to have the most benefit for biodiversity based on existing

biodiversity interest and opportunities for enhancement. The purpose of BOAs is to guide support for land management as they represent those areas where assistance for land management and habitat restoration would have particular benefit.

Bird strike: Risk of aircraft collision with birds, which are often attracted to landfill sites containing organic waste.

BREEAM Standards: (Building Research Establishment Environmental Assessment Method) a design and assessment method for sustainable buildings.

Brownfield: Land which has been previously developed.

Carbon dioxide (CO₂): The most important greenhouse gas produced by human activities.

Climate change: The significant and lasting change in the statistical distribution of weather patterns over periods ranging from decades to millions of years.

Co-location: The placement of several activities in a single location.

Community Infrastructure Levy (CIL): A new charge which local authorities in England and Wales will be empowered, but not required, to charge on most types of new development in their area. CIL charges will be based on simple formulae which relate the size of the charge to the size and character of the development paying it. The proceeds of the levy will be spent on local and sub-regional infrastructure to support the development of the area.

Community Strategy: Community Strategies outline the local community's wishes and priorities, they can be used as a tool to ensure local government and other services meet local needs.

Conservation Areas: Designated areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Core Strategy: The Hampshire Minerals and Waste Core Strategy was adopted in 2007. The strategy included an 'over-arching' strategic approach to development. It was produced jointly by Hampshire County Council, Portsmouth and Southampton City Councils and the New Forest National Park Authority.

Countryside: Areas that are not urbanised.

Cumulative impact: Impacts that accumulate over time, from one or more sources, and can result in the degradation of important resources.

Curtilage: A legal term describing the enclosed area of land around a dwelling. It is distinct from the dwelling by virtue of lacking a roof, but distinct from the area outside the enclosure in that it is enclosed within a wall or barrier of some sort.

Development Plan Document (DPD): Spatial planning documents which are subject to independent examination, at which those making representations have a right to be heard.

Development Scheme: A project plan for the development of statutory and other planning documents.

Draft National Planning Policy Framework (dNPPF): The emerging national planning policy framework. This was issued in draft, for consultation in July 2011.

Dormant sites: A site where planning permission for mineral extraction was granted and implemented prior to, and on or subsequent to, the 1 July 1948 and respectively, at which no mineral working has been carried out to any substantial extent. It is unlawful to carry out mineral working on a dormant site until full modern planning conditions have been approved by the relevant Minerals Planning Authority.

Energy security: An association between national security and the availability of natural resources for energy consumption.

Environment Agency (EA): A public organisation with the responsibility for protecting and improving the environment in England and Wales. Its functions include the regulation of industrial processes, the maintenance of flood defences and water resources, water quality and the improvement of wildlife habitats.

Environmental Impact Assessment (EIA): Systematic investigation and assessment of the likely effects of a proposed development, to be taken into account in the decision-making process under the Town and Country Planning (Environment Impact Assessment) (England and Wales) Regulations 1999. The process is undertaken for a proposed development that would significantly affect the environment because of its siting, design, size or scale.

Flood Risk Zones (FRZ): Defined geographical areas with different levels of flood-risk. Flood-risk zones are defined by the Environment Agency. Planning Policy on development in flood risk areas is covered in Planning Policy Statement 25.

Gardens of Special Historic Interest: Gardens which appear on English Heritage's Register of Historic Parks and Gardens.

Greenbelt: An area designated in planning documents such as Structure Plans, providing an area of permanent separation between urban areas. The

main aim of green belt policy is to prevent urban sprawl by keeping land permanently open; the most important quality of green belts is their openness.

Green economy: An economy which is low carbon, resource efficient and socially inclusive.

Greenhouse gas (GHG): Gases resulting from various processes which, when emitted into the atmosphere, trap heat from the sun causing rises in global temperatures – a process often referred to as the greenhouse effect.

Green waste: Compostable garden waste.

Groundwater Source Protection Zones (GPZ): Geographical areas, defined by the Environment Agency, used to protect sources of groundwater abstraction.

Habitats Regulation Assessment (HRA): Statutory requirement for Planning Authorities to assess the potential effects of land-use plans on designated European Sites in Great Britain. The Habitats Regulations Assessment is intended to assess the potential effects of a development plan on one or more European Sites (collectively termed 'Natura 2000' sites). The Natura 2000 sites comprise Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). SPAs are classified under the European Council Directive on the conservation of wild birds (79/409/EEC; Birds Directive) for the protection of wild birds and their habitats (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).

Health and Safety Executive (HSE): The national independent watchdog for work-related health, safety and illness.

Health Impact Assessments: An assessment of the impacts of policies, plans and projects on health in diverse economic sectors using quantitative, qualitative and participatory techniques.

Heavy goods vehicles (HGV): A vehicle that is over 3,500kg unladen weight and used for carrying goods.

Highways Authority: The organisation responsible for the administration of public roads.

Historic Environment Record (HER): A public record of all aspects of the historic environment of the county.

Infrastructure Planning Commission (IPC): The independent body that examines applications for nationally significant infrastructure projects until April 2012.

Joint Baseline Report: Outlines the baseline information on the main sustainability issues for Hampshire and supports the Sustainability Appraisal.

Land bank: A measure of the stock of planning permissions in an area, showing the amount of un-exploited mineral, with planning permissions, and how long those supplies will last at the locally apportioned rate of supply.

Landscape character: A combination of factors such as topography, vegetation pattern, land use and cultural associations that combine to create a distinct, recognisable character.

Land-won aggregates / minerals: Mineral/aggregate excavated from the land.

Listed Buildings and Sites: Buildings and sites protected under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Local Flood Risk Management Strategy (LFRM): A statutory plan detailing the strategy for local flood-risk management.

Local Nature Reserves (LNR): A statutory designation made (by principal local authorities) under Section 21 of the National Parks and Access to the Countryside Act 1949. They are places of local, but not necessarily national, wildlife or geological importance and also often have good public access and facilities. Local Nature Reserves are almost always owned by local authorities, who often pass the management of the Local Nature Reserves onto County Wildlife trusts.

Local Transport Plan (LTP): A statutory plan detailing the future transport approach in a given area.

Managed Aggregate Supply System (MASS): A system of addressing the spatial imbalances in supply and demand, used by government to secure adequate and steady supplies of minerals needed by society and the economy without irreversible damage, within the limits set by the environment and assessed through sustainability appraisals.

Material considerations: A material consideration in the UK is a process in Planning Law in which the decision maker, when assessing an application for development, must consider in deciding the outcome of an application.

Ministry of Defence (MoD): The Government department responsible for implementation of the government defence policy and the headquarters of UK armed forces.

Minerals Consultation Area (MCA): An area identified to ensure consultation between the relevant district or borough planning authority, the minerals industry and the Minerals and Waste Planning Authorities before certain non-mineral planning applications made within the area are determined. The Nottinghamshire Mineral Consultation Area covers the same areas as the Mineral Safeguarding Area.

Minerals Policy Statements: National guidance on minerals planning issues, slowly replacing the previous Mineral Planning Guidance Notes.

Mineral Safeguarding Area (MSA): The MSA is defined by minerals and waste planning authorities. They include viable resources of aggregates and are defined so that proven resources of aggregates are not sterilised by non-mineral development. The MSA does not provide a presumption for these resources to be worked.

National Nature Reserve (NNR): A nationally important biological or geological site declared by Natural England and managed through ownership, leasehold or a nature reserve agreement.

National Register of Parks and Gardens: The English Heritage register of historic parks and gardens of national importance.

Natura 2000 sites: Designated land including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) and Ramsar sites.

Permitted capacity: Mineral reserves with planning permission for future extraction.

Permitted development rights: Permitted development rights grant automatic planning permission to proposals for development that is a physical operation, or a material change of use, or both.

Planning Policy Statements (PPS): National planning policy guidance PPS12 on developing local development frameworks and PPS25 on development and flood risk.

Primary Route Network (PRN): A network of regionally significant highways, or routes for longer distance travel.

Proposals Map: A map on an Ordnance Survey base showing spatial application of appropriate policies from the Development Plan.

Rail depot: A railway facility where trains regularly stop to load or unload passengers or freight (goods). It generally consists of a platform and building next to the tracks providing related services.

Ramsar Sites (Wetlands of International Importance): Sites of international importance for waterfowl protected under the Ramsar Convention of the Conservation of Wetlands of International Importance, ratified by the UK Government in 1976.

Regionally Important Geological Sites (RIGS): Regionally Important Geological and Geomorphological Sites (RIGS), designated by locally developed criteria, are currently the most important sites for geology and geomorphology outside statutorily protected land, such as Sites of Special Scientific Interest (SSSI).

Regional Spatial Strategy (RSS): Prepared by the regional body, the RSS sets out policies in relation to the development and use of land in the region (The South East Plan was adopted in 2007 but Government policy is to remove this part of the development plan).

Renewable energy: Energy which comes from natural resources such as sunlight, wind, rain, tides and geothermal heat, which are naturally replenished.

Restoration: The process of returning a site to its former use, or restoring it to a condition that will support an agreed after-use, such as agriculture or forestry.

Rights of Way (RoW): Paths which the public have a legally protected right to use.

Safeguarding: The method of protecting needed facilities or mineral resources and of preventing inappropriate development from affecting it. Usually, where sites are threatened, the course of action would be to object to the proposal or negotiate an acceptable resolution.

Scheduled Ancient Monument (SAM): Nationally important archaeological sites included in the Schedule of Ancient Monuments maintained by the Secretary of State under the Ancient Monuments and Archaeological Areas Act 1979.

Secondary aggregate: Materials that do not meet primary aggregate (e.g. sand/gravel and crushed rock) specifications but which can be used instead of them. Secondary aggregates are by-products of other processes, including the production of primary aggregates.

Section 106 agreement (S106): The Town and Country Planning Act 1990 allows a local planning authority (LPA) to enter into a legally-binding agreement or planning obligation with a landowner when granting planning permission. The obligation is termed a Section 106 Agreement. These agreements are a way of dealing with matters that are necessary to make a development acceptable in planning terms. They are increasingly used to support the provision of services and infrastructure, such as highways, recreational facilities, education, health and affordable housing.

Section 278 agreement (S278): A legal agreement between developers or other interested parties and the Local Authority for changes and improvements to highways.

Sensitive Human Receptors: Locations where people live, sleep, work or visit that may be sensitive to the impact of minerals and waste activity on health, well-being and quality of life. Examples include houses, hospitals and schools.

Sharp sand and gravel: Coarse sand and gravel suitable for use in making concrete.

Sites: Other than the usual meaning, specific sites are identified for minerals and waste activities in the Plan where there are viable opportunities, have the support of landowners and are likely to be acceptable in planning terms.

Sites of Importance for Nature Conservation (SINC): A local designation conferred on an area of particular interest in Nottinghamshire for its biodiversity by the Nottinghamshire Biodiversity Information Centre according to criteria agreed with Natural England and the Hampshire Wildlife Trust. These sites may be designated for a range of ecological interests and may be of national importance.

Site of Special Scientific Interest (SSSI): A national designation for an area of special interest because of its flora, fauna, or geological or physiographical features, selected by Natural England and notified under Section 28 of the Wildlife and Countryside Act 1981.

Sites and Monuments Record (SMR): The National Trust Sites and Monuments Record (NTSMR) is a resource and repository of information about the archaeology and historic landscapes under National Trust care.

Soft sand: Fine sand suitable for use in such products as mortar, asphalt and plaster.

Source Protection Zone (SPZ): Geographical areas defined by the Environment Agency and used to protect sources of groundwater abstraction.

Special Area of Conservation (SAC): Areas which have been given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity.

Special Protection Area (SPA): An area of importance for the habitats of certain rare or vulnerable categories of birds or for regularly occurring migratory bird species, required to be designated for protection by member states under the European Community Directive on the Conservation of Wild Birds (79/409/EC).

Statement of Community Involvement (SCI): A Local Development Document which sets out the standards the Planning Authority intend to achieve when involving the community in preparing Local Development Documents, or when making a significant development control decision. It also sets out how the Authority intends to achieve these standards. A consultation statement must be produced showing how the Authority has complied with its SCI.

Sterilisation: When a change of use, or the development, of land prevents possible mineral exploitation in the foreseeable future.

Strategic Environmental Assessment (SEA): A system of incorporating environmental considerations into policies, plans, programmes and part of European Union Policy. It is sometimes referred to as strategic environmental impact assessment. Strategic Environmental Assessment (SEA) is intended to highlight environmental issues during decision-making about strategic documents such as plans, programmes and strategies. The SEA identifies the significant environmental effects that are likely to result from implementing the plan or alternative approaches to the plan.

Strategic Flood Risk Assessment (SFRA): An assessment of the potential flood risk such as from groundwater and fluvial flood risk, undertaken at the appropriate level (county or district).

Strategic Route Network (SRN): The National Primary Route Network in the county and other roads designated by the County Council as being of more than local importance in Nottinghamshire.

Sustainability Appraisal (SA): In United Kingdom planning law, an appraisal of the economic, environmental, and social effects of a plan from the outset of the preparation process, to allow decisions that are compatible with sustainable development. *Since 2001, sustainability appraisals have had to conform to the EU directive on Strategic Environmental Assessment (SEA).*

Sustainable Development: Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Sustainable Drainage Systems (SDS): A sequence of water-management practices and facilities designed to drain surface water in a more suitable way than the conventional practice of routing run-off through a pipe to a watercourse.

Time-limited development: Development which has a time limit imposed when the development must be completed.

Townscape: The appearance of a town or city; an urban scene.

Urban Areas: An area characterised by higher population density and vast human features in comparison to areas surrounding it. Urban areas may be cities, towns or conurbations.

Use Classes: The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as Use Classes. This includes B1 (Business), B2 (General Industrial) and B8 (Storage or Distribution).