

10 October 2013

**Agenda Item:**

## **REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND CORPORATE**

### **MINERALS LOCAL PLAN – PUBLIC CONSULTATION ON PREFERRED APPROACH**

#### **Purpose of the Report**

1. To seek Committee approval for a six week period of public consultation on the Minerals Local Plan Preferred Approach.

#### **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 This plan is now becoming out of date and work has begun on preparing a new plan to replace it.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. The new Minerals Local Plan contains a vision and strategic objectives, strategic policies, site allocations and development management policies.
5. Before it can be adopted, the new Local Plan must go through various stages of public consultation and community involvement culminating in an examination in public by an independent planning inspector.
6. The preparation of the new Minerals Local Plan commenced in 2011, there was an informal public consultation on the Issues and Options in 2012. Over 1,100 representations were received from a total of 196 organisations and individuals, including statutory bodies, local district and parish councils, neighbouring county councils, the minerals industry, interest groups and members of the public. These comments have been used to inform the Preferred Approach.
7. The Nottinghamshire Local Aggregates Assessment (LAA) was approved by this Committee in July 2013. The LAA sets out:

- A forecast of the demand for aggregates based on the average of 10-years sales data and other relevant local information;
- An analysis of all aggregate supply options, as indicated by landbanks, mineral plan allocations and capacity data; and
- An assessment of the balance between demand and supply, and the economic and environmental opportunities and constraints that might influence the situation.

The LAA is used to inform the Minerals Local Plan approach to future aggregate requirements for Nottinghamshire.

8. The proposed preferred approach document looks at each of the main options for each mineral and explains which ones are preferred and which have been rejected and why. It shows how account has been taken of the various consultation responses the County Council has received and also shows how the findings of the Sustainability Appraisal have influenced the document. The document can be viewed under meetings on the County Council's public website.
9. A small advisory Member/Officer Project Group has been established. This has met at key stages to discuss the main issues as they have arisen and to provide a Member steer. The proposed preferred approach was discussed at a meeting held in September 2013 and the general approach was supported by Members on the project group.

### Key Issues

10. Nottinghamshire is a major minerals producing area where a diverse range of minerals are exploited. The biggest extractive industries are sand and gravel and gypsum extraction but brick clay, limestone, building stone and oil are also exploited. In most cases permitted reserves are inadequate for the plan period and new resources in suitable locations will need to be found if the County is to continue supplying its share of national and local mineral supplies.
11. The biggest shortfall is of river (or alluvial) sand and gravel, where up to a further 30 million tonnes will need to be identified to meet the shortfall set out in the Nottinghamshire Local Aggregates Assessment (LAA) until 2030.
12. Three new sand and gravel sites are identified in the Preferred Approach document, these are at Coddington near Newark and at Barnby Moor and Botany Bay to the north of Retford.
13. New minerals could also be exploited in the future. These include high grade industrial dolomite, coal bed methane and shale gas. Extraction of industrial dolomite, found only in a small area in the north-west of the County, is needed to replace production at Whitwell Quarry in Derbyshire. Large resources of coal bed methane and shale gas may also underlie significant parts of the County and new technologies are making their extraction economically viable. The Government requires all Minerals Planning Authorities to set out policies as to how applications for the exploration, appraisal and extraction of these hydrocarbons will be assessed.
14. The Minerals Local Plan Preferred Approach is supported by a series of background and technical papers which summarise the evidence that has been used to prepare it.

15. Based on previous consultation responses and sustainability appraisal findings, the document sets out what is considered to be the most appropriate approach towards meeting the future minerals needs sustainably and to make use of existing infrastructure.

### Next Steps

16. If Committee approve the proposed preferred approach document for consultation it will be published to allow a period of public consultation. The proposed consultation period is to run for a period of six weeks between 23 October 2013 and 6 December 2013.
17. A 'Submission Draft' document will then be prepared, taking into account any comments received on the preferred approach. Approval will be sought through the Environment and Sustainability 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 will be subject to an independent examination by a Planning Inspector. The Inspector's role is to consider the 'soundness' of the whole plan.
18. If considered sound then the Local Plan can be adopted. Adoption is scheduled for March 2015.

### **Other Options Considered**

19. None. Preparation of the Minerals Local Plan is a statutory requirement.

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

20. To seek approval to undergo a six week period for representations on the Minerals Local Plan Preferred Approach. Production of the Minerals Local Plan is a statutory requirement.

### **Statutory and Policy Implications**

21. 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**

22. 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**

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

## **RECOMMENDATION/S**

- 1) It is recommended that the Committee approves:
  - a) The publication of the Minerals Local Plan Preferred Approach for a period of 6 weeks public consultation;
  - b) Authority to be given to the Chairman in consultation with the Group Manager to make any final minor 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 (SHB. 04.09.13)**

24. Committee have power to decide the recommendation

### **Financial Comments (SEM 06/09/13)**

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

### **Background Papers and Published Documents**

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

