

Review of adjacent Mineral Planning Authorities' Development Plans.

Focus: Considering what adjacent Mineral Planning Authorities are doing with regards to Mineral Safeguarding Areas and whether or not cross-boundary issues are being considered in terms of the Black Country.

West Midlands Regional Spatial Strategy

	Relevant Minerals Policies	Key issues relevant to the Black Country
Regional Spatial Strategy 11 (RSS11) (Former RPG11) for the West Midlands	<p>Policy M1 Mineral Working for Non-Energy Minerals</p> <p>Policy M2 Minerals – Aggregates</p> <p>Policy M3 Minerals – The use of alternative sources of materials.</p> <p>Policy M4 Energy Minerals</p>	<p>‘Appropriate provision should be made in the West Midlands for the supply of nationally and Regionally significant minerals.’</p> <p>‘Mineral planning authorities should continue to work together to make provision for land won primary aggregates to 2016 on the basis of the apportionment agreed by the RPB.’</p> <p>The sub-regional sand and gravel apportionment referred to here (0.506 million tones per annum 2001-2016) is currently shared by Solihull and Walsall and monitored annually by WMRAWP.</p> <p>The reliance on land won primary aggregates is to be reduced through encouragement of alternative sources of material.</p> <p>It should be recognized by development plans that energy minerals are of national and Regional importance, in terms of meeting future needs.</p>
RSS11 Revision	Same as above. The RSS revision is currently at Phase 3.	The Phase 1 revision focuses primarily on the Black Country, although little consideration is given to minerals. Phase 2 has recently been published and Phase 3 is currently taking place. Minerals policy has been highlighted as an area of technical work being required to be done.

1. Warwickshire County Council

Adopted:

Adopted development plan document	Relevant Minerals Policies (saved policies)	Key issues relevant to the Black Country
<p>Minerals Local Plan for Warwickshire, adopted February 1995.</p>	<p>Requested prior to 1st April 2007 that 7 policies be saved. Saved policies (as per letter from West Mids Regional Assembly) are: M1 Areas of Search and Preferred Areas; M4 Sand and Gravel Extraction in the context of Landbanks; M5 Sterilisation of mineral reserves; M6 Considerations and Constraints affecting Minerals Extraction; M7 Mitigation and Planning Conditions/Agreements; M9 Restoration of Mineral Workings; M10 Monitoring of Mineral Sites.</p>	<p>None of the saved policies relate directly to cross-boundary issues, or make reference to the Black Country.</p> <p>Policy M5 is most relevant to MSAs as it considers the prevention of sterilization of mineral reserves whereby: <i>“Where appropriate and whether within or outside the identified areas of search and preferred areas, the County Council will seek to secure the winning of proven and potentially workable minerals prior to the implementation of development which would otherwise sterilize them”.</i></p> <p>The Minerals Local Plan doesn’t highlight specific MSAs, however Areas of Search and Preferred Areas of Search are identified on the Proposals Map, with the closest being:</p> <ul style="list-style-type: none"> - Middleton Hall, - Bodymoor Heath, - Lea Marston.
<p>Warwickshire Structure Plan 1996-2011, adopted August 2002.</p>	<p>Requested prior to 1st April 2007 that 6 policies be saved. Saved policies (as per letter from West Mids Regional Assembly) are: GD7 Previously developed sites (requested to be included with Phase 3 review); I2 Industrial land provision (district figures to be included in RSS Phase 2 Review); T10 Developer contributions (SPD guidance to be produced); TC2 Hierarchy of town centres (District matter); T7 Public transport (safeguarding of land for Warwick and Leamington Park and Ride).</p>	<p>None relate specifically to minerals, although there may be some relevance to previously developed land.</p>

1. Warwickshire County Council (continued)

Emerging:

Emerging development plan document	Relevant Minerals Policies / Status	Key issues relevant to the Black Country
Waste Core Strategy (at Preferred Options stage, published in August 2007)	<p>Submission has been delayed due to the requirement for a Strategic Flood Risk Assessment (SFRA) and following advice from the GOWM, it needs to go back to the options stage.</p> <p>This will set the long-term vision for waste development across the county up to 2021 and provide the framework for waste DC.</p>	None directly applicable to minerals
Waste Allocations DPD	This is unlikely to commence until 2010 once the policies in the Waste Core Strategy have been submitted to the Secretary of State for approval.	None directly applicable to minerals
Minerals Core Strategy (at Preferred Options stage, published in January 2007)	<p>Submission was delayed due to the requirement to carry out a SFRA and following advice from the GOWM.</p> <p>This will set the long-term vision for minerals development across the county up to 2021 and provide the framework for minerals DC. This document will identify strategic sites and it is not anticipated that the County will prepare a separate Minerals Allocations DPD.</p> <p>Next stage will be a revised Spatial Options paper rather than submission. It is expected that this will take place before January 2009.</p>	<p>Warwickshire propose to encourage extensions to existing sand and gravel quarries and to allocate sites and preferred areas for future sand and gravel and crushed rock extraction with the aim of maintaining landbanks in line with national and regional requirements.</p> <p>It is also proposed to identify preferred locations for brick clay extraction containing proven and economically viable deposits, with priority being given to extensions to the Etruria Marl quarry at Kingsbury.</p> <p>It is not proposed to provide guidance on the location of facilities for recycling and secondary use.</p> <p>It is also proposed to seek to restrict coal extraction / proposals only permitted where accompanied by full environmental assessment / mitigation measures.</p>

2. Staffordshire County Council

Adopted:

Adopted development plan document	Relevant Minerals Policies (saved policies)	Key issues relevant to the Black Country
<p>Staffordshire and Stoke-on-Trent's Mineral Local Plan (1994 to 2006) adopted December 1999.</p>	<p>Requested prior to 1st April 2007 that 26 policies be saved and 5 proposals saved (as per letter from West Mids Regional Assembly) are:</p> <ul style="list-style-type: none"> 2 Need for minerals (landbanks); 5 Conservation of minerals (Mineral Consultation Areas); 6 <i>Conservation of minerals (MSAs)</i>; 9 Restoration and aftercare; 10 Use of legal agreements; 12 Proximity to sensitive development; 19 Other sites of cultural/natural importance; 20 Other sites of cultural/natural importance (conservation); 21 Landscape character and quality; 22 Advanced tree planting; 24 archaeological evaluation; 25 Archaeological recording; 26 Historic landscapes; 30 Traffic impact appraisal; 31 Traffic legal agreements; 35 Ancillary industrial development; 38 Exceptional circumstances; 39 Working of extensions; 46 Fauld Mine Anhydrite Landbank; 48 Cauldon Works – Cement Minerals – landbank; 49 Shale reserves at cauldron Cement Works; 51 Sand and gravel borrow pits; 52 Sand and gravel borrow pits – legal agreements; 54 Crushed rock at Cauldon Low; 56 Silica sand landbank for Moneystone Quarry; 57 Silica sand ay Moneystone; <p>Proposal 1 Newchurch Area of search for Anhydrite; Proposal 3 <i>Minerals Safeguard Areas for Etruria Marl</i>; Proposal 4 Cauldon Shale Quarry Area of search; Proposal 5 Sand and gravel site specific allocations (Croxden / Pottal Pool / Tucklesholme farm / Barton / Alrewas South and Whitemoor Haye / Leasowes Farm); Proposal 7 Moneystone Quarry Area of search.</p>	<p>Policy 5 is relevant: <i>“Development within Mineral Consultation Areas should not sterilize or seriously hinder the extraction of mineral deposits of economic value which are capable of being worked in accordance with MLP policy 4.</i></p> <p><i>Where the proposed development falls within the Mineral Consultation Areas and may have a significant impact upon mineral resources then the responsibility rests with the prospective developer to prove the existence, or otherwise, quantity and quality of the mineral prior to the determination of the planning application”.</i></p> <p>Policy 6 directly relates to MSAs whereby: <i>“Development within Mineral Safeguard Areas should not sterilize or seriously hinder the extraction of mineral deposits of economic value which are capable of being worked in accordance with MLP policy 4.</i></p> <p><i>Where the proposed development falls within the Mineral Safeguard Areas and may have a significant impact upon mineral resources, then the responsibility rests with the prospective developer to prove the existence or otherwise quantity and quality of the mineral prior to the determination of the planning application”.</i></p> <p>There are also 5 proposal areas which would benefit from being researched to see whether they lie on the boundary with the Black Country.</p> <p>Proposal 3 relates to MSAs for Etruria marl and may be of direct relevance to the Black Country, where there may be cross-boundary issues.</p>

2. Staffordshire County Council – continued

Adopted development plan document	Relevant Minerals Policies (saved policies)	Key issues relevant to the Black Country
Staffordshire and Stoke on Trent Structure Plan 1996-2011, adopted February 2002.	<p>Staffordshire requested prior to 1st April 2007 that 79 policies be saved. Stoke City requested that only 3 be saved. Saved policies of most relevance to minerals (as per letter from West Mids Regional Assembly) are:</p> <p>MW1 The need for minerals;</p> <p>MW3 The efficient use and recycling of minerals;</p> <p>MW4 Conservation of mineral resources;</p> <p>MW6 Evaluation of proposals;</p> <p>MW7 Relationship to conservation and/or development initiatives;</p> <p>MW8 Transportation of minerals and waste;</p> <p>MW9 Reclamation</p>	<p>Policy MW4 is the most relevant to MSAs:</p> <p><i>“Important mineral resources should not be permanently sterilized or unduly restricted by other forms of development occurring on, or in close proximity to, identified mineral resources or allocated, existing or permitted mineral workings. The safeguarding of these resources does not imply that permission for mineral working will automatically be granted. When other development is proposed, the mineral should, where practicable, be extracted before such development commences, provided that the winning and working of minerals can be undertaken in an environmentally acceptable manner, within a reasonable timescale, and that the site can be restored to a condition which does not prevent the approved after-use taking place”.</i></p>

2. Staffordshire County Council (continued)

Emerging:

Emerging development plan	Relevant Minerals Policies / Status	Key issues relevant to the Black Country
Minerals Core Strategy	<p>The Issues and Options document was published in November 2005.</p> <p>The Preferred Options was published in 2007 however consultation has been postponed on the advice of the GOWM on the basis that further work is required to identify preferred options for mineral working. This resulted in a consultation exercise at the end of 2007 when mineral operators were invited to put forward potential sites for future working.</p>	<p>Following consultation with mineral operators, a list of sites was published in January 2008 and this includes Yorks Bridge.</p> <p>In light of mineral safeguarding, looking at the Preferred Options paper, all the sites located on the administrative boundary between Staffordshire and the Black Country have been identified (shown on Fig 1 of Preferred Options document):</p> <p>Aggregate minerals: Operational Sand and Gravel:</p> <ul style="list-style-type: none"> - Middleton Hall (actually within Warwickshire); - Shireoak; - Anglesey; - Enville Road. <p>Permitted non-energy mineral sites:</p> <ul style="list-style-type: none"> - Himley Round North; - Himley Road South; - Fir Street (Sedgeley); - Wilnecote; - Essington Works <p>Staffordshire has been reviewing MSAs in accordance with the latest national policy guidance. They have recently been involved in a pilot project with the BGS to define detailed MSAs and MCAs which has been used as the basis for developing the BGS practice guide.</p> <p>It is proposed to maintain landbanks for sand and gravel and limestone in line with national and regional requirements and replace the locational approach towards extraction with an environmental criteria-based approach</p>

		<p>towards identifying future sites.</p> <p>It is also proposed to maintain a 25 year supply of brick clays to specified works, where possible and to plan for this on the basis of recent levels of production at quarries.</p> <p>It is likely that Staffordshire will plan for future opencast coal working by identifying constraints within shallow coalfields and reviewing the extent of the resource.</p>
Waste Core Strategy	This commenced in November 2007 and is too early to assess.	
Minerals Site Allocations DPD	Identifies new reserves to meet mineral demand.	Sites located along the administrative boundary between Staffordshire and the Black Country may also be subject to MSA designation.
Code of Practice for mineral and waste developers SPD	Sets out guidance on site operations and reclamation.	None.
Cauldon Quarries Area Action Plan DPD	Sets out policies for developing limestone resources, protecting the environment and securing environmental improvements.	None.
Central Rivers Area Action Plan DPD	Policy for development of mineral sites in certain parts of the Trent/Tame valleys and potential management/after uses.	To be confirmed.
Review of mining and waste sites SPD	Provides a profiles for each site setting out the environmental issues to be reviewed and improvements to be secured through the planning system.	To be confirmed.

3. Worcestershire County Council

Adopted:

Adopted development plan document	Relevant Minerals Policies (saved policies)	Key issues relevant to the Black Country
Hereford and Worcester Minerals Local Plan, adopted April 1997.	Requested prior to 1 st April 2007 that 5 policies be saved . Saved policies (as per letter from West Mids Regional Assembly) are: Policy 1 Preferred Areas (Sand & Gravel); Policy 2 Other Sand and Gravel Deposits; Policy 5 Abberley Hills Quarrying Policy Policy 6 Extraction of Minerals other than Aggregates; Policy 7 Preferred Hard Rock Extension areas.	No saved policies relate directly to MSAs. It is worth noting however that there are a number of sand and gravel quarries north of Bromsgrove, close to the administrative boundary of Dudley.
Worcestershire County Structure Plan 1996-2011, adopted June 2001.	Requested prior to 1 st April 2007 that 106 policies be saved . Of these saved policies (as per letter from West Mids Regional Assembly), the most relevant to minerals are: M1 Regional Production; M2 Safeguarding of Deposits; M3 Mineral Extraction; M4 restoration and Aftercare; M5 Abberley and Malvern Hills; M6 Recycled materials;	Policy M3 is of direct relevance to MSAs whereby: <i>“Known mineral deposits will be safeguarded as far as possible. Proposals for development which would sterilize them or prevent them being worked will be resisted unless:</i> <i>(i) it can be demonstrated that no workable deposit exists; or</i> <i>(ii) the mineral is extracted prior to the commencement of the proposed development; or</i> <i>(iii) extraction is not possible without unacceptable effects on the environment”.</i> This seeks to avoid the sterilization or prejudice of future working.

3. Worcestershire County Council (continued)

Emerging:

Emerging development plan	Relevant Minerals Policies / Status	Key issues relevant to the Black Country
Minerals Core Strategy	There is no intention to produce a minerals core strategy, as there is a landbank of at least 7 years of sand and gravel with possible 6 years worth through undetermined planning applications. Small scale crushed rock is also not a problem within the county.	None.
Waste Core Strategy	Submitted to the Secretary of State in January 2007 and has been subsequently withdrawn.	None.

4. Shropshire County Council and Telford & Wrekin

Adopted development plan document	Relevant Minerals Policies (saved policies)	Key issues relevant to the Black Country
<p>Shropshire and Telford and Wrekin Joint Structure Plan, adopted November 2002.</p>	<p>Requested prior to 1st April 2007 that 24 policies be saved. Of these saved policies (as per letter from West Mids Regional Assembly), the most relevant to minerals are:</p> <ul style="list-style-type: none"> P16 Air Quality P31 Sustainable Transport Strategy P33 Safeguarding Rail Infrastructure P35 Road freight P37 The Highway Network P51 Geological Sites P58 A sustainable Approach to Minerals Development P59 Environmental Considerations P60 Landbanks for non-energy minerals P61 Regional apportionments for aggregates P62 Secondary aggregates P64 Waste minimization P65 Provision of waste facilities P66 Protection of waste management sites P67 Environmental considerations P68 Transport of minerals and waste P69 Reclamation and afteruse 	<p>Although these authorities do not directly adjoin the administrative boundary of the Black Country, there are close links with Wolverhampton, particularly where supply of fireclay is concerned.</p>
<p>Shropshire and Telford and Wrekin Minerals Local Plan, adopted April 2000.</p>	<p>Requested prior to 1st April 2007 that 20 policies be saved. Of these saved policies (as per letter from West Mids Regional Assembly), the most relevant to minerals are:</p> <ul style="list-style-type: none"> M1 A more sustainable approach to mineral development M2 The need for minerals M3 Development control considerations M4 Operational considerations M6 Protecting Archaeological remains M7 Benefits to the countryside and the local economy M8 Planning obligations M10 Ancillary development M11 Transport of minerals 	<p>Policy M29 is most relevant.</p>

	<p>M14 The future working of sand and gravel M15 Sand and gravel working outside the allocated sites and preferred areas M16 The future working of crushed rock M17 Secondary aggregates M18 Limestone quarrying on Wenlock Edge M20 Building stone M21 Coal and fireclay working M22 Brick clay working M27 Reclamation and afteruse M29 Safeguarding mineral M30 Comprehensive working of mineral resources.</p>	
Shropshire Waste Local Plan, adopted October 2004.	<p>Requested prior to 1st April 2007 that 26 policies be saved. Of these saved policies (as per letter from West Mids Regional Assembly), the most relevant to minerals are:</p> <p>3 Waste generation by new development 4 Protecting Shropshire's environment and communities 9 safeguarding of waste management sites 13 Construction and demolition waste recycling 21 Landfill mining 22 Beneficial re-use of construction and demolition waste 28 Reclamation</p>	

Emerging:

Emerging development plan	Relevant Minerals Policies / Status	Key issues relevant to the Black Country
Minerals Core Strategy	This was submitted to the Secretary of State in October 2006 and has subsequently been withdrawn.	None.
Mineral Resources DPD	This was submitted to the Secretary of State in October 2006 and has also subsequently been withdrawn.	None.

5. Solihull Council

Adopted:

Adopted development plan document	Relevant Minerals Policies (saved policies)	Key issues relevant to the Black Country
<p>Solihull Unitary Development Plan, adopted February 2006</p> <p>N.B <i>This document will be relevant until 2009;</i></p>	<p>Policy M1 Search for new minerals; Policy M2 Protection of sand and gravel resources; Policy M3 Supply of aggregates;</p> <p>Proposal M3/1 Identification of land for possible future sand and gravel working</p> <p>Policy M4 Mineral extraction, restoration and after-care</p> <p>Proposal M4/1 The Council will prepare a strategy for the future use of the Meriden Sands Area.</p>	<p>Policy M4 is of most relevance to MSAs:</p> <p><i>“The Council will safeguard known sand and gravel resources in the Borough by identifying a Mineral Consultation Area on the Proposals Map within which proposals for surface development will be restricted. Where appropriate and whether within or outside identified sites, the Council will seek to secure the winning of proven and potentially workable minerals prior to the implementation of development which would otherwise sterilize them”.</i></p>

Emerging:

Emerging development plan	Relevant Minerals Policies / Status	Key issues relevant to the Black Country
Core Strategy	This commenced recently. The Issues and Options consultation is expected to take place in summer 2008.	

5. Birmingham City Council

Following a telephone conversation with the Strategy Team at Birmingham City Council on 10 January 2008, it has been confirmed that there are no mineral sites within the administrative boundary of Birmingham; therefore no further consideration needs to be made.

The adopted UDP doesn't include any minerals policies, but includes waste policies aimed at waste minimization in new development. The Core Strategy is still in its early stages of preparation and the Issues and Options document has not been published yet.