The consultation is open until 8th March 2013

Please note that responses will be treated as in the public domain. If there is a concern relating to confidential supporting information for example, please get in touch with us.

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To view and download this and other related documents, and to respond to the minerals consultation online, please visit: www.somersetconsults.org.uk

For further details of the Somerset Minerals and Waste Development Framework please visit our website. www.somerset.gov.uk/mineralsandwaste
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1. Introduction

1.1 Minerals are essential for economic development, our quality of life and the creation of sustainable communities. Minerals planning ensures that the need for minerals by society and the economy is carefully balanced against the impacts of extraction and processing on people and the environment.

What is this Preferred Options document for?

1.2 The publication of the National Planning Policy Framework¹ (NPPF) in 2012 introduced new requirements and policy areas for Somerset County Council as Mineral Planning Authority for Somerset (excluding Exmoor National Park). The NPPF reformed the planning system, replacing a suite of Planning Policy Statements and Minerals Policy Statements, and setting new requirements for local minerals planning policy. The NPPF requires an annual Local Aggregate Assessment to be produced, and introduced a new national approach towards peat.

1.3 Somerset County Council undertook a Minerals Options consultation from December 2011 to February 2012. Since then, new research and related developments on policy areas such as energy minerals require further consideration and consultation.

1.4 The Preferred Options document has been produced to allow Somerset County Council to:
- Consult on new elements such as energy minerals.
- Consult on elements of the Minerals Options consultation which require further clarity.
- Consult on the preferred policy options for all minerals within Somerset.
- Provide an opportunity for further consultation with a wide range of stakeholders, including the general public.

1.5 Feedback from this consultation will guide the preparation of the Pre-submission Minerals Plan in 2013.

1.6 The production of this document and the Pre-submission Minerals Plan is supported by an extensive evidence base, in particular including six minerals topic papers which contain the further reasoning, justification and supporting information for the choices made for Somerset’s emerging minerals policy.

1.7 The six topic papers are listed below and will be published on completion on the Council website² at www.somerset.gov.uk/mineralsandwaste.
- Topic Paper 1: Aggregates
- Topic Paper 2: Peat Reserves and Supply
- Topic Paper 3: Building Stone
- Topic Paper 4: Energy Minerals
- Topic Paper 5: Restoration
- Topic Paper 6: Mineral Safeguarding Areas

² The direct link is: http://www.somerset.gov.uk/irj/public/services/directory/service?rid=/guid/b0bcbc12-1bd1-2c10-2681-d4120b79c72d.
1.1 It is anticipated that Topic Papers 3, 5 and 6 will be published alongside the Preferred Options and Topic Papers 1, 2 and 4 will follow in the coming months.

What is the Minerals Plan for?

1.9 Previous to this consultation the emerging Minerals Plan was known as the Minerals Core Strategy. However, to take account of the NPPF and the new Town and Country Planning (Local Planning) (England) Regulations 2012 the Minerals Core Strategy has been renamed the Somerset Minerals Plan.

1.10 The Minerals Plan will set out the vision and planning policy framework for minerals development in Somerset. Policy must be defined for long enough to provide the minerals industry with a clear picture of the future to enable decisions about investment to be made. It will give certainty to local communities about minerals development in their area in terms of where activity is now and is likely to be over the next plan period. It also sets out what limits and controls should be placed on minerals activity to ensure any negative environmental and community impacts are mitigated as far as possible and at an acceptable level.

1.11 Government guidance suggests the Minerals Plan should cover a period of at least 15 years beyond the date of adoption. The Minerals Plan is expected to be adopted during 2014, and will cover the period to 2030.

1.12 Current policies and proposals for the development of mineral resources in Somerset are found in the Somerset Minerals Local Plan which was adopted in April 2004 and covers the period up to 2011. Those policies from the Minerals Local Plan that conform to national guidance and are still relevant have been ‘saved’ and will continue to be in force until they are replaced by polices in the Minerals Plan. In any areas of policy conflict with the NPPF, the weight attributed to the NPPF shall increase over time, especially from March 2013 (12 months after the NPPF was issued).

1.13 The Minerals Plan will not deal with waste issues unless there is a direct link with minerals (for example, in aggregates recycling). Waste issues are covered in the Waste Core Strategy scheduled for adoption by the County Council in 2013.

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Sustainability Appraisal

1.14 This Preferred Options document identifies the key issues associated with mineral extraction in the plan area and suggests a number of different options for consultation. Local Planning Authorities are bound by legislation to appraise the degree to which their plans and policies contribute to the achievement of sustainable development. The process of Sustainability Appraisal examines the effects of plans and policies on a range of social, economic and environmental factors. A select number of sustainability objectives were identified through a scoping process which looked at high level international and national policies and plans to local level.

1.15 The vision, objectives and preferred policy options presented in this paper have been reviewed in terms of their sustainability so that the economic, social and environmental effects of each option can be compared, assisting consultees in their consultation responses. Preferred policies will be amended where appropriate to reflect comments in the draft Sustainability Appraisal Report. The draft Sustainability Appraisal Report is available on the Council website at www.somerset.gov.uk/mineralsandwaste.
2. Policy Context

2.1 The Somerset Mineral Plan must have regard to a wide range of policies, legislation and guidance at international, national and local levels. In particular, in March 2012 the National Planning Policy Framework (NPPF) was published, replacing nearly all existing Planning Policy Statements and Guidance, excluding the following documents which were retained:

- MPG8 and MPG9: Interim Development Order Permissions (IDOS)
- MPG14: Review of Mineral Planning Permissions
- National and Regional Guidelines for Aggregates provision in England 2005-2020

2.2 The NPPF sets out the Government’s strategic objectives for all planning matters including minerals. The overarching principle underlying the NPPF is the presumption in favour of sustainable development; and this is embedded in the Somerset Minerals Plan via proposed policy SD1.

2.3 As recognised in national policy, minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is sufficient supply of material to provide the infrastructure, buildings and goods that the country needs. However, since minerals are a finite natural resource, and can be only worked where they are found, it is important to make best use of them and manage the impacts of their extraction appropriately. Sound policy and effective engagement between the County Council (as Minerals Planning Authority) and all stakeholders is essential.

2.4 In addition to the NPPF, the Department for Communities and Local Government has also published Technical Guidance to the NPPF. The Technical Guidance provides additional clarity on dust emissions; noise emissions; stability in surface mine working and tips; restoration and aftercare; and landbanks.

2.5 The planning policy documents that are most relevant to the Plan are referenced throughout this document. More detail on national planning policy can be found on the Department for Communities and Local Government website www.communities.gov.uk.

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3. Description of Somerset

3.1 Somerset County Council is the Minerals Planning Authority for the whole of Somerset, excluding Exmoor National Park.

3.2 Somerset lies at the heart of the South West, covering an area of 3,450km² and is divided into five districts: South Somerset, West Somerset, Mendip, Sedgemoor and Taunton Deane. Somerset is largely a rural county with a dispersed rural pattern; the main towns in the county are Bridgwater, Yeovil and Taunton, which are vital for service provision and supporting the economy and are home to approximately 26% of the county’s population.

Population
3.3 Somerset has an estimated population of approximately 530,000⁶ of which 62% are of working age. The age structure of Somerset’s population does not follow the same pattern as the national age structure. A large proportion of Somerset has an ageing population with 21% of the population aged 65 or over.

Economy
3.4 Somerset’s economy is supported by its people, culture and environment. Historically Somerset has had a primary and secondary sector economy, relying on agriculture and manufacturing industries; however, over the last decade there has been a shift away from these industries towards higher value tertiary and creative sector businesses such as engineering and aerospace. The county is also a popular tourism destination, demonstrated by its world-renowned cultural events and local attractions such as the Glastonbury Festival.

3.5 Somerset is home to major businesses (such as AugustaWestland, Clarks International and Yeo Valley) as well as a wide range of small and medium sized enterprises that play a significant role in the local economy.

3.6 Somerset’s economy in 2008 was worth a total of £8.53 billion contributing to 9% of the economic output in the South West. The productivity for Somerset’s economy is currently below both National and Regional averages. This is largely because of the rural nature of the county and the lack of higher educational centres; however, over recent years this has been changing and Somerset’s creative class is growing with many colleges providing access to higher education.

⁶ Census 2011.
3. Minerals extraction is of considerable economic importance within the county providing direct and indirect employment and expenditure. Approximately 1,400 people were employed by quarrying in the Mendips in 2009 whilst approximately £160 million was spent in association with the winning, working and processing of crushed rock into aggregates and the production associated products within the Mendip Hills.8

3.8 Building stone quarries and the peat industry are much smaller scale employers; nonetheless they provide local and skilled jobs.

Transport
3.9 There are 6,604 kilometres (4104 miles)9 of roads in the county. Somerset’s largest urban centres – Taunton, Yeovil and Bridgwater – are well connected by road and have good accessibility. However, the dispersed geography of the county means that accessibility is a key issue in rural areas due to a relatively limited local road network – the Mendip Hills, central moors and uplands of western Somerset are particularly constrained.

3.10 The M5 motorway creates a major transport corridor running north to south through Somerset and the A303 provides eastward connectivity towards London. Somerset also has mainline rail connections from Taunton to London, Bristol, the Midlands and the North and to the south west peninsular. Services from Yeovil also connect to London, South Wales, the south coast and Exeter.

3.11 Somerset is served by port facilities around Bridgwater at two key wharfs: Dunball and Combwich, both of which are in commercial operation. Dunball has better road access being located off junction 23 of the M5 whereas Combwich wharf, located in the village of Combwich, is accessible along B and C classified roads.

3.12 Additionally within Somerset there is 6,129 kilometres (3808 miles) of footpaths, bridleways and byways.

Environment
3.13 The Somerset landscape contains a great variety of habitats which not only make the county an attractive place to live and visit but also make it one of the most biologically diverse and valuable areas for conservation in the UK. Somerset has a large number of environmental assets including areas of European and national importance which are designated for nature, biodiversity and landscape conservation.

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7 This includes production of associated products both on and off quarry sites within the Mendip Hills and other facilities which are located outside the Mendip Hills but which are dependant on commercial quarrying that occur within the Mendip Hills.
8 Brian Perry, MQP, Employment and Financial Benefits of Quarrying on the Mendips 25/01/2011.
3. Description of Somerset

3.14 The most valuable nature and biodiversity elements of the county are protected by several hierarchical designations including, ten Special Areas of Conservation (SAC), two Special Protection Areas (SPAs) and two Ramsar sites. Exmoor National Park is also partly in Somerset, with the remainder located over the border in Devon.

3.15 In addition to the European designations there are four Areas of Outstanding Natural Beauty (AONB) (the Mendip Hills, the Blackdown Hills, the Cranborne Chase and West Wiltshire Downs and the Quantocks), representing some of the most valuable landscape features within the county, 127 Sites of Special Scientific Importance (SSSI) and 13 National Nature Reserves (NNR), approximately 2500 Local Wildlife Sites (LWS) and 218 Local Geological Sites (LGS).

3.16 Somerset is home to seven species threatened on a global scale and there are over 800 species on Somerset’s Biodiversity Action Plan list of ‘priority species’, including the otter, water vole and hairy click beetle. This list, which is evolving as more research is undertaken, highlights those plants and animals most in danger of disappearing in Somerset and/or where careful planning can have greatest affect.

Built Heritage

3.17 Somerset has approximately 660 scheduled ancient monuments with a further 12,000 sites or features recorded on the county Sites and Monuments Records as being of archaeological importance, and 173 building Conservation Areas. The quarrying of building stone is an essential part of the maintenance and development of these heritage assets.

3.18 Figure 1 in Appendix 1 illustrates a range of the features of Somerset described above.

Minerals Overview

3.19 Somerset produces three main mineral types: aggregates, building stone and peat. The location of minerals activity in Somerset is shown in Figure 2 in Appendix 1.

Aggregates

3.20 Somerset is the largest producer of crushed-rock aggregate in the south of England with an average of 10-12 million tonnes produced over recent years. The vast majority is extracted from the quarries in the east Mendip Hills of which a significant proportion is exported to other counties by rail. Two of the east Mendip quarries, Torr Works and Whatley, have their own rail heads which connect to the mainline. These rail-linked quarries are essential for meeting Somerset’s contribution to national aggregate supply with almost 50% of Somerset extracted aggregate being exported by rail. The A37 and the A361 are the main routes used for exporting aggregates by road.

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10 Data available on Somerset Historic Environment Record: http://webapp1.somerset.gov.uk/HER/map.asp?flash=true.
3.21 Quarries in the Mendip Hills Area of Outstanding Natural Beauty (AONB) and those located close to Bridgwater meet more local construction and industrial need. Relatively minor quantities of sand and gravel are worked on the Devon border.

**Building Stone**

3.22 A variety of stones and stone products are produced to meet local needs, quarries tend to be quite small and are spread across the county.

3.23 The supply of building stone makes an important contribution to the minerals sector in Somerset and their use is reflected in the distinctive character and the built heritage of the County. Building stones are used on existing buildings for restoration, conservation and extensions as well as for new building work. The use of appropriate building stone is a material factor in maintaining the local character of the buildings in the county. It is therefore important to ensure that an adequate supply of building stone is available for conservation and new building work.
3. Description of Somerset

Peat

3.24 Peat is extracted from an area to the west of Glastonbury on the Somerset Levels and produces 9%\(^{11}\) of the UK peat product. It is incorporated in horticultural products with varying proportions of imported moss peats and non-peat alternatives.

3.25 Peat extraction is well established in Somerset and the Council has limited extraction in two Peat Protection Zones, constraining the impacts of peat extraction both on the environment and local communities. Peat is used in growing media in two main markets: amateur gardeners and professional growers.

3.26 The government and various environmental organisations have been encouraging the development of reduced-peat and peat-free products and providing information to the growing media users on the effects of peat extraction.

3.27 The recently published Natural Environment White Paper\(^ {12}\) contains three peat related targets:

- A progressive phase-out target for 2015 for government and the public sector on direct procurement of peat in new contracts for plants
- A voluntary phase-out target for 2020 for armature gardeners
- A final voluntary phase-out target of 2030 for professional growers of fruit, vegetables and plants.

3.28 Aggregates, peat and building stones are all considered in separate chapters within this document.

Other Minerals (including energy minerals)

3.29 Other minerals have been worked in the past such as clay, gypsum, iron, brick clay, coal and oil. Although there are no proposals to develop any of these minerals at the present time there may be justification for safeguarding some minerals, such as shallow coal reserves, for future generations. Safeguarding is discussed in a later chapter.

3.30 Off-shore oil and gas production is expected to decline significantly over the next few years, so there has been a greater emphasis on developing on-land supplies, in addition to encourage non-fossil fuel based energy technologies.

3.31 Licences have been issued by the Department for Energy and Climate Change which give exclusive rights for exploration and extraction of oil and gas resources within a defined area. Three licences have been issued that are located totally or partially in Somerset, covering parts of the Mendip Hills (these licence areas are illustrated in Figure 3 in Appendix 1). Further information and discussion with regards to developing new policy to address potential applications for shale gas and other energy minerals are considered later in this document.


4.1 As stated in the previous section, Somerset has a wealth of environmental and historic resources and designations, ranging from Areas of Outstanding Natural Beauty to Listed Buildings.

4.2 Somerset also has a wealth of mineral resources, which make an important contribution to economic and community infrastructure development both in Somerset and further afield. This can be on a small scale – for example, linked with the conservation of a listed building – or it can be on a large scale linked with major development projects such as the London Olympics site. Recognising that the supply of minerals is market led, the County Council will support sustainable management of the county’s mineral resources over the Plan Period and beyond.

4.3 This section outlines key issues facing the delivery of the Somerset Minerals Plan for Somerset, setting the need for minerals supply in a local context.

Aggregates

4.4 National policy requires Minerals Planning Authorities to plan for a steady and adequate supply of aggregates, amongst other things, by preparing an annual Local Aggregate Assessment. The County Council has yet to publish its Local Aggregate Assessment (LAA); but it continues to gather the underlying data in discussion with the minerals industry. The LAA and other relevant information will inform the preparation of Minerals Topic Paper 1 that will be published alongside the Pre-submission Somerset Minerals Plan.

4.5 Complying with such technical requirements is of course only a small part of the picture. Minerals policy must provide sufficient reassurance and support to the minerals industry, thereby encouraging further investment, whilst also helping to identify, monitor and mitigate related impacts. There are various ways to mitigate adverse impacts via the planning process, as well as consider the benefits of a proposal, and the Somerset Minerals Plan will need to embed these via its aggregates strategy and Development Management policies.

Peat

4.6 Central government has given a clear national steer, via the National Planning Policy Framework, that Minerals Planning Authorities should not grant further peat permissions. Somerset has considerable peat reserves, some of which have been worked for a number of years. Going forward, the management of these sites offers a great opportunity to support nature conservation and encourage biodiversity.

4.7 Minerals policy must be guided by the direction set in the NPPF, whilst also recognising the role of these sites in the county’s ecological networks – in particular via peat site restoration schemes.

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13 National Planning Policy Framework (paragraph 145).
4. Key issues

4.8 The Council has limited scope to influence decisions on the transport of peat. However, assuming there is still a demand for peat and the phase out of peat extraction locally takes place as guided by the NPPF, it must be mindful of the impact of increased transport movements on the strategic and local road networks and the ‘exportation’ of impacts of peat extraction elsewhere.

Building stone
4.9 Whilst most of the crushed rock resource in Somerset lies in the Mendip Hills, different types of building stone are found across much of the county. The diversity of the county’s building stone is an asset that is reflected in the character of our buildings, villages and towns. To ensure that this character is retained, minerals policy must support local building stone extraction to support local demand, whilst recognising markets also exist further afield. This can occur on a scale that is relatively small compared with quarrying for aggregates.

4.10 The County Council has undertaken further research (summarised in Minerals Topic Paper 3) that helps to demonstrate the type of building stones that may be needed during the Plan Period and clarify what is needed if potential applicants wish to propose a new building stone quarry. The lack of planning applications associated with particular building stone types, combined with relevant industry feedback, suggests that the adopted Minerals Local Plan does not provide sufficient support for such development; therefore the Somerset Minerals Plan should seek to take a new approach.

Energy minerals
4.11 Most governments across the globe are looking for greater energy security. This has a local impact, as industry seek to discover and exploit accessible reserves of energy minerals (such as oil, gas and coal) without causing unacceptable environmental impacts.

4.12 Somerset has extracted coal in the past; however, further coal mining in Somerset is unlikely and national policy has given a clear steer away from coal-fired power stations, acknowledging their impact on climate change.

4.13 Somerset potentially has gas reserves; for example within coal beds or possibly within the county’s shale resource. Minerals policy needs to ensure there is a robust local policy on this issue, providing clarity to industry and also to local communities who might be concerned about what any proposals for exploration, appraisal and/or production might mean.

4.14 It is anticipated that the Department for Energy and Climate Change will issue further research results and guidance on oil and gas development, which will inform the preparation of Minerals Topic Paper 4 that will be published alongside the Pre-submission Somerset Minerals Plan.
4. Key issues

**Restoration**

4.15 The importance of adequate site restoration cannot be over-stated. If minerals are extracted from the land, it is vital that a suitable scheme is agreed at the outset of that development to secure benefits for the site in the long-term. More than ever before, minerals policy has a clear and powerful remit to support site restoration to high environmental standards – considering in sufficient detail how the landscape will change as a result of the minerals development and what might be the best outcome for the site in the long-term. Minerals Topic Paper 5 outlines the Council’s approach to this in more detail.

**Safeguarding**

4.16 The importance of the county's minerals resource necessitates a robust approach to safeguarding. Resources, sites and associated infrastructure that can supply needed minerals must be protected from other forms of development that might compromise or prevent future operations. Such sterilisation should be avoided, and the Somerset Minerals Plan, supported by Minerals Topic Paper 6, will aim to provide a clear approach to minerals safeguarding in Somerset.
5. Vision and Plan Objectives

5.1 In preparing its preferred policy and supporting evidence base, Somerset County Council has identified a number of issues facing the county which the Somerset Minerals Plan will need to address. These are summarised in Chapter 4.

5.2 As Minerals Planning Authority the County Council must consider if the proposed development represents an acceptable use of the land and would not lead to unacceptable impacts on the environment and/or local communities.

5.3 The basic principles for sustainable development are set in policy SD1 and its supporting text. The vision for the Somerset Minerals Plan helps to crystallise the Council’s approach into a concise message for minerals development plans for the Plan Period up until 2030.

The vision for sustainable minerals management in Somerset
To ensure sustainable supply and use of minerals to meet society’s needs, strengthening Somerset’s economy without generating unacceptable impacts on local communities and the environment.

Implementation of the Plan will support the county’s strategic role in aggregates supply, so that by 2030 Somerset remains a leading national supplier of aggregates.

The County Council will maintain and enhance the county’s built heritage through the use of locally-sourced building stone and ensure that its peat resources and energy minerals are appropriately managed.

Effective restoration of existing sites will be required throughout the Plan Period, thereby achieving environmental, social and economic gains from minerals development and strengthening the resilience of ecological networks.

QUESTION 1. Do you support the vision?
- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.

5.4 Helping to provide a bridge between high level vision and more focused planning policy, the County Council has devised Plan Objectives that begin with those targeting the spatial implications of provision and operation, followed by those focused mainly on the impacts of minerals development.
Plan Objectives

Objective A
To ensure that Somerset is able to provide an adequate and steady supply of minerals in accordance with government guidance in order to contribute to national, regional and local requirements without compromising the local environment.

Objective B
To protect local communities in Somerset from impacts on human health associated with minerals extraction and transportation, whilst recognising the employment opportunities linked with minerals extraction and the positive economic impacts that the minerals industry can have in Somerset.

Objective C
To avoid the unnecessary sterilisation of valuable mineral resources by other types of development, recognising that there may be competing development uses in some locations.

Objective D
To ensure that operational mineral sites are restored to an appropriate high environmental standard, incorporating environmental and community enhancements, at the earliest possible opportunity.

Objective E
To bring together the minerals industry and local communities to identify and implement suitable reclamation schemes at dormant or abandoned mineral workings in Somerset that are problematic and unlikely to be worked again, for social, environmental and / or economic benefit.

Objective F
To reduce the impacts of minerals extraction on our climate and help to conserve finite resources.

Objective G
To reduce the impacts arising from minerals transportation on local communities and the environment by maximising opportunities for the movement of minerals by rail or water.

Objective H
To protect the natural and historic environment of Somerset from impacts associated with minerals extraction and transportation.
5. Vision and Plan Objectives

QUESTION 2. Do you support the plan objectives?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
6. General Sustainability Principles

6.1 The principles of sustainable development should form a central part of local decision making. Central government highlights the combination of an economic role, environmental role and social role for planning policy in delivering sustainable development, adhering to the basic premise that we should meet the needs of the present without comprising the needs of future generations.

6.2 National policy states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change. Furthermore it states that local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.

6.3 Gas/fuel oil makes up almost three quarters of the energy consumption from crushed rock sites which would appear to suggest that energy management decisions not relating to electricity supply are paramount in carbon reduction activities.

6.4 Efficient transportation of minerals is one area that is covered within the minerals planning arena (policy DM8 refers). It is important to recognise that demand can change depending on other areas and policy. It makes sense to constrain transport movements to those that are acceptable in accordance with policy DM8.

6.5 Another area in which general principles can be considered is in effective restoration. Renewable energy development may be one possible after-use for a minerals site after it has ceased operation. Policy DM6 refers.

6.6 Set in this context, it is appropriate that the County Council considers the energy impact of minerals operations and thus the potential role of minerals planning in working with industry to lower the carbon footprint of such development in Somerset.

6.7 It is expected that minerals planning applications will normally include consideration of the energy and/or carbon impacts of the proposal in particular, but not limited, to an assessment on how the applicant mitigates climate change and/or adapts to its effects.

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14 National Planning Policy Framework (paragraph 94).
15 National Planning Policy Framework (paragraph 97).
17 According to the Minerals Production Association report “Accelerating progress... meeting the challenges, Summary Sustainable Development Report 2011” carbon dioxide emissions from crushed rock workings increased between 2009 and 2010 (from 5.27 to 5.5 kg/tonne).
6.8 One way in which the minerals industry can lower its carbon footprint is to consider the integration of renewable energy within new development proposals. With that in mind, renewable energy production was covered in the Aggregates section of the Minerals Options consultation. However, beyond a broader agenda linked with supporting sustainable development, the County Council does not have a focused planning remit on renewable energy since that is primarily a District Council matter. The importance of keeping these two areas of planning separate was highlighted by a number of stakeholders in their consultation responses.

6.9 When considering proposals for minerals development in Somerset, the County Council will take a positive approach that reflects the presumption in favour of sustainable development introduced via the National Planning Policy Framework. This presumption will be embedded in the Somerset Minerals Plan via policy SD1. It sets an ethos which underlies all policies in the Somerset Minerals Plan and the minerals planning decisions taken by Somerset County Council.

Preferred Policy SD1: Presumption in favour of sustainable development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or Specific policies in that Framework indicate that development should be restricted.

QUESTION 3. Do you support Preferred Policy SD1: Presumption in favour of sustainable development?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
Strategic Policies
7. Aggregates

Introduction
7.1 Aggregates represent an essential part of the economy. They are used extensively in construction, and are critical for the maintenance of existing infrastructure and new development such as roads, housing, schools and flood defences.

7.2 As with all minerals, aggregates can only be worked where they occur. There is an imbalance between where these essential mineral resources can be worked and where they are most in demand. As a result the impacts of mineral extraction, such as transport impacts, noise and vibration, are also unevenly distributed. It is important that such impacts are minimised.

7.3 In addition, it is important to maximize the benefits of such development. These can include the provision of local jobs, habitat and amenity creation through rolling-restoration, and support of quarry-related local projects within and beyond site boundaries.

7.4 The Carboniferous limestone deposit in the Mendip Hills is a nationally and locally important resource. Aggregate extraction has been focused in the East Mendip area for many years, with two large rail-linked quarries, Whatley and Torr, exporting significant quantities of stone by rail since the 1970s. Active quarries are also present in the eastern, central and western Mendips supplying more local markets and working at lower annual outputs. A single quarry, Moons Hill, works an igneous resource which produces both general construction aggregate and road surfacing aggregates. A small quantity of crushed rock is also produced near Bridgwater on the west side of the M5. Figure 4 in Appendix 1 illustrates the active, inactive and dormant aggregate quarries together with their geological resource.

Primary and secondary aggregates
7.5 Primary aggregates include land-won and marine-dredged sand and gravel, and crushed rock. Primary minerals are not renewable. It is important that primary aggregates are not wasted and that alternatives are used where possible.

7.6 The use of recycled and secondary aggregates, known as alternative aggregates, has steadily risen over the last decade or so. Between 25% and 30% of aggregate need is now met by alternatives, driven largely by the cost of disposal, but also by a national push to improve the sustainability of construction.

7.7 Some construction projects require a proportion of their aggregates supply to be made up of recycled materials. Somerset’s Waste Core Strategy contains policy that supports the recycling and reuse of inert waste. It supports the recycling of aggregates, and encourages developers to consider the waste and resources agenda during the early stages of development. It is important that the Somerset Minerals Plan also supports the expansion of the market for recycled and secondary aggregates.
7. Aggregates

Maintaining a steady and adequate supply

7.8 National policy\(^{18}\) states that Minerals Planning Authorities should plan for a steady and adequate supply of aggregates. This is delivered in a number of ways. A starting point is the Local Aggregates Assessment (LAA), which should be prepared annually based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options.

7.9 At the time of preparing this Preferred Options document, Somerset County Council is yet to complete its first formal LAA. The Council is using recently published guidance from the Department for Communities and Local Government (DCLG) to inform its LAA, and dialogue with other minerals planning authorities. The Council is currently gathering relevant data on aggregates, thus ensuring that its emerging policy is underpinned by a robust evidence base. The Council’s first LAA will be published alongside its Pre-submission Minerals Plan.

7.10 Adequate consideration of the transportation method is a vital factor in sustainable aggregate supply and reducing impacts on local communities. Rail or water supply is preferable to road supply and should be encouraged wherever possible. Where it is not possible, optimal use should be made of the vehicle fleet; for example, lorries used to deliver primary aggregates back-hauling waste aggregates for recycling. Development Management policy will be used to help the Council to consider this matter when determining planning applications.

7.11 Supply has previously been managed by predicting the national need for aggregate which is then apportioned by region and subsequently to each mineral planning authority area. The national need for primary land-won minerals is based on previous sales figures, predictions of construction demand, and supply of alternative and recycled materials. National demand for primary aggregates has been falling, largely due to increased use of alternative aggregates and more efficient use of aggregates in construction. During the current economic downturn there has been a fall in demand but it is expected to pick back up when the economy does.

7.12 The South West regional apportionment for 2005 to 2020 is 412.73 million tonnes (Mt) for crushed rock and 85Mt for sand and gravel. The South West Regional Aggregates Working Party (SWRAWP) now the South West Aggregates Working Party (SWAWP) recommended to government an apportionment of the regional figure based on averaged historic proportional contributions over the period 2004 to 2008. Somerset’s recommended crushed rock apportionment for 2005 to 2020 was 214.65Mt which equates to a provision of 13.41Mt each year. Somerset’s sand and gravel apportionment was included with Devon. Together the counties have an apportionment of 14.91 Mt which equates to an annual apportionment of 0.92 million tonnes.

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\(^{18}\) The National Planning Policy Framework (paragraph 145).
7.13 The NPPF states that mineral planning authorities should take account of published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates. However, the apportionment of 13.41Mt for Somerset is higher than recent annual supply. For this reason, and in accordance with the NPPF, future provision for crushed rock in Somerset will be informed by the annual LAA and advice from the SWAWP.

7.14 Somerset will seek, throughout the plan period of the Somerset Minerals Plan, to provide for crushed rock based on the rolling average of 10 years sales data included in its annual LAA. Currently this 10 year average equates to 10.82Mt. This provision will be reviewed annually in line with Somerset’s landbank to ensure that a steady and adequate supply of aggregates is planned for.

Landbank

7.15 The landbank is the quantity of mineral with planning permission for extraction and is to be used principally as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans19.

7.16 National policy20 requires the Minerals Planning Authority to make provision for a minimum of 10 years worth of supply for crushed rock. This is to ensure on-going supply for the construction industry. Whilst under-provision of permissions is likely to result in a need to identify new reserves, a large landbank does not necessarily mean that additional reserves should not be permitted. There may be markets which cannot be supplied by the existing permissions due to distance to market or type of aggregate being supplied. Or sites may become constrained due to current methods of working or location of processing facilities. Such market and operational factors need to be considered alongside applications for additional reserves.

7.17 Somerset’s crushed rock landbank is approximately 450 million tonnes. Based on Somerset’s current average of 10 years sales data (10.82Mt), Somerset has sufficient permitted reserves for the next 41 years.

7.18 The NPPF does not require a landbank to be provided at the end of the plan period. Furthermore, landbank is to be used principally as an indicator, as stated above. Thereby it is proposed that Somerset will provide a 15 year landbank from the middle of the plan period (2022) and (as already mentioned) will conduct a rolling review, annually, throughout the plan period thereby addressing any risk of not providing a landbank at the end of the plan period. It should also be noted that a 15 year landbank is longer than the 10 year minimum and takes account of Somerset’s nationally important aggregates supply.

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19 The National Planning Policy Framework (paragraph 145).
20 The National Planning Policy Framework (paragraph 145).
7.19 The Development Management policies in this Plan ensure that this approach to the landbank does not lead to an unacceptable impact on the county, when coupled with other relevant policies in the Development Plan.

7.20 The approach to crushed rock supply and landbank will take account of published National and Sub National Guidelines, the LAA and advice from the SWAWP. Additionally a rolling annual review throughout the plan period will address any risk of not providing a landbank at the end of the plan period.

Preferred Policy SMP1: Crushed rock supply and landbank

For the plan period Somerset will seek to maintain sufficient crushed rock supply based on the rolling average of 10 years sales data to maintain a 15 year landbank of permitted reserves from the middle of the plan period.

Other Options Considered
The Options consultation presented options on the issue (Issue A1) of how big the crushed rock landbank should be: option (a) proposed a set period from the end of the plan period, and option (b) stated that additional reserves should not be identified now. Since the Options consultation, the NPPF has been issued and approval was given for a new application at Torr Works which significantly increased the size of the landbank in Somerset. The issue of landbank in Somerset has reduced in its significance, but still policy coverage is needed – hence the proposed preferred approach in SMP1.

QUESTION 4. Do you support Preferred Policy SMP1: Crushed rock supply and landbank?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
Proposals for the extraction of crushed rock

7.21 There are a total of 9 active crushed rock quarries in Somerset of which 5 are located in the East Mendips. To inform the position, Somerset County Council commissioned an independent study to assess whether any of the county’s sites should be considered "strategic". Strategic sites were sites considered central to the achievement of the Minerals Plan and where investment requires a long lead-in. This work identified three sites: Torr Works, Whatley Quarry and Moons Hill Quarry21.

7.22 Torr Works and Whatley are two of the nine rail-linked quarries currently in England that can supply in excess of 1 million tonnes per year. They make a sizeable contribution to the needs of London and the South East for crushed rock and are considered nationally important. Almost all of the aggregate supplied from the South West to London and the South East is transported by rail, most of which is derived in Somerset.

7.23 Moons Hill is the only active quarry in Somerset producing skid resistant stone with a relatively high polished stone value (PSV) which makes it suitable for highway surfacing. The next nearest supply of similar materials is from South Wales or Cornwall. As a result, the quarry supplies aggregate to a large geographical area, including Somerset, Wiltshire, Dorset and even as far as London. The site is a sustainable option for Somerset and the markets it supplies; an absence of supply from the Mendips would result in much higher road miles to distribute stone to Somerset’s roads and those of the surrounding counties.

7.24 This research helps to demonstrate the importance of these three sites from a strategic perspective. Thus, these sites may find it more straight-forward to justify additional reserves as they provide supplies that cannot be easily replaced by more sustainable alternative sources (see criterion a) in preferred Policy SMP2). Factors to take into account in assessing the sustainability of proposed additional reserves include, amongst others, distance to markets, transport methods, potential sterilisation of minerals within existing workings, and the ability to create a beneficial final restoration scheme. Also the applicant must demonstrate that the proposal would not hinder the expansion of the secondary / recycled aggregates market.

7.25 The Council is mindful that reducing supply to only a very few sites has the potential to result in adverse environmental and social impacts including loss of jobs when smaller sites close, sterilising viable future reserves, and focusing impacts at a few sites. Also it can stifle competition. Consequently, the Somerset Minerals Plan must adopt a balanced approach, hence including criterion b) of Preferred Policy SMP2, and help to maintain local supply – not least to Somerset’s own construction industry.

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Key messages from the Options consultation: If additional reserves are needed for a demand that cannot be met from existing reserves, how much should be permitted

Split! 50% agreed the quantity of additional reserves is irrelevant as long as the environmental and local community impacts can be mitigated or are not significant. 45% believed that when the landbank is already sufficient any addition under exceptional circumstances should be limited.

Key message from the Options consultation: Maintaining local supply

No majority view! 24% preferred proposals only being permitted if they result in significant benefits to local communities or the environment and do not significantly increase the landbank. 47% suggested that proposals should only be permitted if they result in significant benefits to the local community or the environment and are proportionate to the output at the relevant site. 24% felt that there is no need to make provision for additions to the landbank when it is excessive.

7.26 It is agreed that the quantity of additional reserves to be permitted for a demand that cannot be permitted from existing reserves should not be limited as, amongst other factors, this could potentially constrain the economic viability of the respective site to invest in its future. Thereby proposals will be considered on their own merits and account will be taken of influencing factors such as production capacity and required investment at sites.

7.27 In respect of maintaining local supply and not stifling competition, it is believed to be inappropriate to only permit proposals if they are proportionate to the output at the relevant site, as again, this may potentially constrain the economic viability of the respective site to invest in its future if it cannot obtain an economically viable increase in permitted reserves. This may result in applications not coming forward/being permitted and therefore active sites to cease working, potentially leading to an increased cumulative impact felt by local communities due to increased working of other existing sites, and also a potential loss in employment. It is understood significant benefits for the local environment and local communities cannot be delivered for all proposals, as this may not be possible in certain circumstances. However, if such benefits cannot be provided adequate reasoning for why will be expected.

7.28 National policy makes clear that local planning authorities should give "great weight" to the benefits of the mineral extraction "including to the economy". The economic benefit of the proposal will therefore be an important aspect of the reasoned justification underlying any new proposal. However, it will not be considered acceptable only to state the broad economic impact without also considering the local setting and the potential for local benefits.
7.29 A demonstrable local benefit (mentioned in Preferred Policy SMP2) could include continued local benefit through employment or reduction of quarrying impact, for example through improvements to access, relocation of plant, better control of working methods, reduction in road transport, or improved restoration scheme. The larger the reserves being sought, the more significant the benefit should be. Where a clear benefit to the local community or environment cannot be identified within the proposal itself, additional benefits might include contributions to local environmental projects, the maintenance of public footpaths through operator owned land, or revocation of dormant mineral permissions unlikely to be worked in the foreseeable future.

7.30 In determining what represents a significant increase in the landbank, the Council as Minerals Planning Authority will be guided by its rolling average of 10 years sales data. Anything greater than the 10 year average at the time of any application will be regarded as significant.

22 The National Planning Policy Framework (paragraph 144).
Preferred Policy SMP2: Proposals for the Extraction of Crushed Rock

Planning permission for new permitted reserves in Somerset for the extraction of crushed rock will be granted if the applicant demonstrates that:

a) there is a need for the specified mineral type that cannot be met from another more sustainable permitted source;

OR

b) without significantly increasing the size of the landbank the proposal will deliver demonstrable long-term benefits to the local community and/or local environment;

AND for both a and b

c) the proposal includes adequate measures to mitigate adverse impacts on the environment and local community or, as a last resort, proportionately compensate for or offset such impacts.

Other Options Considered

Taking account of the Options consultation responses to Issues A2 and A3, Preferred Policy SMP2 provides a balanced approach, taking into account the environmental, economic and social impacts of development as well as operational circumstances and market conditions affecting all of Somerset’s sites.

QUESTION 5. Do you support Preferred Policy SMP2: Proposals for the Extraction of Crushed Rock?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
Sand and gravel

7.31 National policy\textsuperscript{23} requires the Minerals Planning Authority to make provision for the maintenance of lanbanks for a minimum of 7 years worth of supply for sand and gravel. As previously mentioned Somerset’s sand and gravel apportionment has historically been included with that of Devon and Cornwall. The shared total for 2005 to 2020 is 15 million tonnes.

7.32 The sand and gravel site at “Whiteball” straddles the Somerset – Devon border. The Whiteball site supplies aggregates into both counties and has always contributed towards Somerset’s shared apportionment with Devon and Cornwall.

7.33 As previously mentioned the NPPF states that mineral planning authorities should take account of published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand and supply of aggregates. But also that supply should be informed by the LAA and other relevant local information.

7.34 Somerset has not supplied any sand and gravel in the past 10 years (or at most very minor quantities), as the production at Whiteball has been supplied by extraction on Devon’s side of the site. Therefore Somerset does not have a 10 year average that it can use to inform any potential future supply from Somerset. However, taking account of the past apportionment arrangement, that the Whiteball site supplies aggregates into both counties and Somerset County Council’s joint approach to working with Devon County Council; Somerset will maintain its approach towards Whiteball and the local supply it contributes to.

Key messages from the Options consultation: SAND AND GRAVEL

Mixed! 29% preferred retaining the Areas of Search and Preferred Areas around Whiteball. 18% suggested reviewing potential Areas of Search or Preferred Areas through a call for sites. 35% favoured a criteria-based policy approach.

7.35 The Council believes that it is appropriate to retain the Areas of Search and Preferred Areas around Whiteball and to include a criteria-based approach in its policy on sand and gravel, based on the following factors:

- the spread of opinion during consultation;
- historic and current cooperation with Devon County Council;
- there are sufficient reserves within the area of search and preferred area to contribute to the required demand for land-won sand and gravel over the plan period, which is to be planned for by Devon and Somerset together; and
- no additional areas of interest have been put forward by the minerals industry.

\textsuperscript{23} The National Planning Policy Framework (paragraph 145).
7.36 In addition, Somerset’s sand and gravel is supplemented with dredged supplies landed at Dunball.

7.37 To allow for the possibility that another location is identified during the Plan Period, the policy also includes a criteria-based approach, which hinges on two main factors: the need for further supplies and the suitability of the proposed site.

7.38 Evidence must be provided by the applicant on the need for additional supplies of sand and/or gravel linked with an identified shortfall. The applicant should consider and reference the market requirement for the material and relevant projections from Devon and Somerset County Council including, but not to limited, their Local Aggregates Assessments.

7.39 Furthermore, applicants for “new” locations must also demonstrate the rationale for that proposed alternative location. Site appraisal should establish and demonstrate how the site in question was arrived at and how others were discounted. This is independent of any requirement for Environmental Impact Assessment (EIA) which may be required.

Preferred Policy SMP3: Shared Sand and Gravel Reserves

Somerset County Council will retain the Areas of Search and Preferred Area around Whiteball to contribute towards sand and gravel supply in conjunction with Devon County Council.

Planning permission for the extraction of sand and/or gravel in Somerset which is outside of the retained Areas of Search and Preferred Areas will be granted if the applicant demonstrates that:

a) there is a market need for the proposal linked with an identified shortfall in the Somerset and Devon area;

and

b) all reasonable and realistic alternatives have been considered;

and

c) the proposed development will, in particular, be in accordance with Development Management policies.

Other Options Considered

The Options consultation presented three policy options in Issue A4 for sand and gravel. The feedback yielded a spread of opinion on the options given. Noting this, Somerset County Council proposes a combination of two of the options in Preferred Policy SMP3, whereby reserves are retained as areas of search and preferred areas around Whiteball, and a criteria-based policy which allows for consideration of other locations.
QUESTION 6. Do you support Preferred Policy SMP3: Shared Sand and Gravel Reserves?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.

Dormant Sites

7.40 Dormant quarries have a planning permission but do not have agreed modern conditions. They cannot be worked without agreeing conditions first. Dormant sites can be problematic for all stakeholders, including industry, the planning authority and local communities.

7.41 Some dormant sites are considered problematic because the site has an adverse impact on the local community and/or environment (as outlined in Table 3 on page 24 of the Somerset Minerals Options Consultation24).

7.42 Some dormant sites can be considered problematic simply due to the perceived notion that they may one day re-open.

7.43 Dormant quarries are required under the Mines and Quarries Act 1954 to provide an efficient and properly maintained barrier so designed and constructed as to prevent a person from accidentally falling into the quarry. Under the Environmental Protection Act 1990 the Local Authority has the enforcement powers and can declare the unfenced quarry a statutory nuisance and is empowered to take remedial measures themselves and recover the cost from the quarry owner.

7.44 Under Part II of the Mines and Quarries (Tips) Act 1969 the Local Authority is given the enforcement power to ensure that disused tips25 do not, by reason of instability, constitute a danger to members of the public. If it appears to the Local Authority that a disused tip is unstable and, by reason of that instability, constitutes or is likely to constitute a danger to members of the public, the Local Authority can serve a notice requiring land owners to carry out remedial works. Where a Local Authority feels necessary it may itself carry out remedial operations and any works of reinstatement reasonably necessary and can recover the costs from the land owner.

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25 In the case of the Mines and Quarries (Tips) Act 1969 the expression “tip” means an accumulation or deposit of refuse from a mine or quarry (whether in a solid state or in solution or suspension).
7.45 Policy SMP4 includes a list of sites that are considered to be dormant by the County Council. The probability of some of these sites re-opening is small, primarily because the sites would find it difficult to be compliant with modern conditions and do not have the potential to be worked again. For these sites Somerset County Council shall seek the relinquishment and reclamation of associated planning permissions at the earliest opportunity by working with the minerals industry, land owners, District Councils and other interested organisations and groups.

7.46 In particular, an applicant that submits a planning application will need to relinquish planning permission for a dormant site if the applicant owns a dormant site in Somerset and is unable to demonstrate that the landbank is low and that the new proposal fully mitigates all adverse impacts associated with the new permission.

**Preferred Policy SMP4: Dormant Sites**

Any applicant that submits a planning application for minerals development in Somerset who holds an extant planning permission for a dormant site in Somerset shall relinquish the extant permission for that dormant site unless the applicant can:

- demonstrate that the current landbank is low and that the new proposal fully mitigates all adverse impacts associated with the new permission;

  **OR**

- demonstrate that it is feasible to resume working at that dormant site in accordance with policies in the Somerset Minerals Plan and have the potential to be worked again.

The following dormant sites are considered unlikely to work again:

- Chelmscombe
- Cloford
- Cookswood
- Emborough
- Highcroft
- Lime Kiln Hill (West)
- Stoke Lane
- Tadhill
- Tor Hill
- West Quantoixhead
- Westdown

**Other Options Considered**

The Options consultation considered three mechanisms to potentially manage dormant sites and asked three questions relating to dormant sites to inform the policy approach. In light of consultation responses and discussions with the industry mechanism one was taken forward as the most deliverable option – see Preferred Policy SMP4.
7. Aggregates

QUESTION 7. Do you support Preferred Policy SMP4: Dormant Sites?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.

Restoration

7.47 The Somerset Minerals Plan will encourage minerals sites to be restored at the earliest possible opportunity to a range of after uses including: biodiversity, conservation, recreation, tourism and industrial uses. A wider range of benefits to the local community and environment can and will be pursued.

7.48 It should be noted that dormant sites are live habitats and need to be handled sensitively. The County Council will refer to the latest information available and ensure that it is sensitive to the broader implications of any decision on the local ecological network.

7.49 Appropriate environmental standards can be demonstrated via the provision of a landscape strategy, restoration conditions and aftercare schemes.26

Key messages from the Options consultation: RESTORATION

Mixed! 47% of respondents considered that restoration and after-use of quarry sites should be determined on a site by site basis. 42% of respondents thought that restoration should be determined by meeting criteria defined in an agreed long term strategic landscape scale restoration strategy for the East Mendips.

7.50 The Options consultation responses provided a mixed collection of opinions on restoration. Since the consultation ended, all comments received have been considered and meetings with the minerals industry and restoration workshops have taken place to inform Preferred Policy SMP5 and Topic Paper 5 (which contains a large amount of information and reasoning behind the policy).

7.51 Taking account of all consultation responses, policy SMP5 will now apply to all aggregate sites, noting previously it was only intended for sites in the East Mendips. It was suggested that all aggregate sites in Somerset could contribute to and meet the requirements of this policy, not just sites in the East Mendips.

7.52 Preferred Policy SMP5 provides a headline vision that guides the restoration and after-use of all aggregate sites. It is linked to a number of criteria, listed below the policy, which help the industry to demonstrate how they comply with this vision.

26 Technical guidance to the National Planning Policy Framework.
Preferred Policy SMP5: Restoration and After-use

Restoration and after-use proposals for aggregate sites should seek to contribute to and enhance the local environment by minimising impacts on and providing net gains for habitats, biodiversity, geodiversity, landscape and communities and providing gains that improve the resilience of ecological networks. Proposals should demonstrate how the listed criteria have been met.

Criteria:

a) Demonstrate a high level of collaboration with other land uses/management practices/programmes/quarry operators/conservation bodies to contribute to landscape-scale restoration.

b) Support improved public access to the natural environment.

c) Provide a broad range of potential after uses for the community – leisure and amenity opportunities for example, that do not conflict with biodiversity and ecological networks.

d) Minimise impacts to an acceptable level on the visual impact of mineral development on the surrounding environment and communities.

e) Minimise impacts to an acceptable level on and provide net gains in biodiversity, thereby contributing to the Government’s commitment to enhance biodiversity including by establishing coherent ecological networks that are more resilient to current and future pressures.

f) Contribute to the achievement of UK Biodiversity Action Plan (UK BAP) and Local Biodiversity Action Plan (LBAP) habitat and species targets.

g) Demonstrate the consideration and use of biodiversity offsetting using the biodiversity methodology developed by Somerset County Council\(^\text{27}\).

h) Provide benefits beyond planning permission boundaries.

i) Provide for adaptation or mitigation to impacts of climate change on habitats, species and ecological networks.

N.B. Further supporting information explaining the listed criteria above can be found in Topic Paper 5.

Other Options Considered
Preferred Policy SMP5 is a combination of both options in Issue A5 that were presented in the Options consultation. Option a) supported the restoration of sites on a site by site basis; whereas option b) supported a landscape scale approach. The County Council has taken account of further recommendations from stakeholders, acknowledging the importance of the opportunity available to take a broader approach and the ways in which this could be delivered.

7.53 The delivery of Preferred Policy SMP5 and the associated criteria in any aggregates planning application should be informed by Figure 5 included in Appendix 1, which has been created by Somerset Wildlife Trust’s Living Landscape team in conjunction with Somerset County Council as part of the new requirement in National Policy\textsuperscript{28} to assess existing and potential components of ecological networks.

7.54 The maps included in the adopted Somerset Minerals Plan will be subject to revision to take account of changes in the ecological networks. The maps will be reviewed iteratively by Somerset County Council and the Somerset Wildlife Trust. New maps will be published on the Somerset County Council’s website.

QUESTION 8. Do you support Preferred Policy SMP5: Restoration and After-use?  
- Yes  
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.

Water Resources
7.55 There is potential for quarrying to impact significantly on groundwater resources and as proposals for quarrying become deeper the risks are increased. The Minerals Plan will continue to place a very high importance on the protection of the water regime.

7.56 The water resources in the Mendips are particularly pressured because they are important for public water supply, local agricultural supply and are within an area of particularly deep quarrying activity. The Mendip Hills groundwater system is complex and predicting the effects of drawdown to access minerals is also complex. The Minerals Local Plan policy (Policy M38) advocated a precautionary approach regarding water impacts, and this is broadly the approach proposed in Preferred Policy SMP6 (with a minor adjustment to reference “other water interests” in the first bullet point).

\textsuperscript{28} The National Planning Policy Framework (paragraph 165).
Preferred Policy SMP6: Aggregate Working and Water Resources

Proposals for the extraction of crushed rock from below the water table will only be permitted if:

- they do not cause significant harm to the water environment or other water interests;
- monitoring will ensure early warning is given of any potentially unacceptable level of derogation and the applicant will be responsible for taking the necessary remedial action before the effects of derogation become irreversible;
- the applicant can secure acceptable compensatory arrangements for all parties who are harmed by the derogation;
- the applicant is able to provide acceptable alternative sources of water;
- the applicant is able to provide satisfactory information on the likely characteristics of the final water body; and
- the applicant accepts as part of the remedial measures that extraction under the permission may have to be suspended or cease permanently.

QUESTION 9. Do you support Preferred Policy SMP6: Aggregate Working and Water Resources?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
8. Peat

Introduction
8.1 Peat is an organic material formed from the remains of vegetation growing in wet conditions. Deposits of lowland peat have gradually built up to depths of several metres in the Somerset Levels and Moors, representing thousands of years at a rate of accumulation of around 0.45mm/year. Within the existing extraction areas peat is typically 2 to 3m thick and exceptionally 4m thick. As a result of this accumulation, peatlands are important stores of carbon.

8.2 Peat is nutrient rich and, following extraction and processing, can be used as a growing medium in horticulture and amateur gardening. The majority of Somerset peat is a sedge peat which is relatively dense and holds more moisture than other lighter peats. It is ideal for mixing with lighter imported peats or “light alternatives” such as coir (a coconut derivative), wood shavings or wood fibre. Some green-waste compost can be combined with sedge peat as long as it is of good quality, not too dense and is combined with other lighter materials.

8.3 The peat industry in Somerset is based in the central Brue valley to the west of Glastonbury, concentrated into two areas called Peat Production Zones, supplemented by Areas of Search where future peat workings might be appropriate. The Somerset peat areas are illustrated in Figure 6 in Appendix 1.

8.4 Zoning has proved an effective way in constraining the impacts of peat extraction. This is crucial because peat habitats have significant ecological value and the areas where it has been worked in Somerset contain a variety of environmental designations ranging from local to national and even international importance. The area also has substantial archaeological importance.

National policy
8.5 Central government and various environmental organisations have been encouraging the development of reduced-peat and peat-free products and providing information to the growing media users on the damaging effects of peat extraction.

8.6 The Natural Environment White Paper, “The Natural Choice: Securing the value of nature”, published in June 2011 makes a commitment by the government for English gardening to be peat-free by 2020 and professional horticulture to be peat-free by 2030. The White Paper also announced the creation of a task force, with an initial remit to explore how to overcome barriers to further reducing peat use in horticulture. Since then the Task Force has broadened its remit to reflect its long-term goals and adopted a new title: the Sustainable Growing Media Task Force. Whilst preparing this Preferred Options document, the Chairman of the Task Force published his report and draft roadmap Towards Sustainable Growing Media seeking feedback by 30th September 2012. The report and road map set out the Chairman’s thoughts on the work of the Task Force to date and the challenges ahead as well as presenting a draft roadmap that shows how his proposals can be taken forward into actions.

Available at: http://www.defra.gov.uk/peat-taskforce/
8.7 The report discusses whether peat can be responsibly sourced stating that “there are some sources of peat that a pragmatist would say are not caught up in the initial problem (of depleting biodiversity) and deserve bespoke attention and narrative.” This was named the “Somerset question” and questions whether extraction of peat that converts farmland into biodiverse wetlands and other habitats should be exempt from the pressure to avoid all peat?

8.8 Furthermore it is stated by some that the best place to extract peat from is archaic peat land and agricultural land, such as the peat lands in Somerset, rather than un-drained pristine bogs such as those in Ireland and the Baltic states.

8.9 However, as a Mineral Planning Authority, the County Council has a duty to align with national policy and guidance, unless there is a demonstrable reason for not doing so. The Government’s commitment toward a peat-free approach was substantially strengthened by publication in March 2012 of the NPPF, which introduced a much tougher government stance on peat.

8.10 The NPPF makes it clear that new applications for peat extraction should not be granted and in preparing local plans Mineral Planning Authorities should not identify new sites or extensions to new sites for peat extraction. Unless the current approach in the NPPF changes and/or new national policy/guidance is provided for different sources of peat being treated differently – Somerset County Council, as Mineral Planning Authority, will follow the NPPF’s direction.

8.11 The NPPF’s approach to peat recently came under scrutiny linked with an appeal for a planning application to extend the period of peat extraction for land at Chat Moss Peat Works, Greater Manchester. In response to the appeal, the Secretary of State agreed with the Inspector’s conclusions that the Government has made it clear that the use of peat in horticulture is unsustainable. Whilst the NPPF requires the economic benefits of mineral extraction to be given significant weight, like the Inspector, the Secretary of State considered that this had to be set in the context of the Government’s position on peat and considered against the consequences of peat extraction on climate change and biodiversity.

8.12 The Secretary of State concluded that there was no national planning policy imperative for new sources of peat supply to be brought forward, and that the release of peat resources in Chat Moss would frustrate the move from peat to non-peat media.

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30 The National Planning Policy Framework (paragraphs 143 and 144).
Furthermore, the Secretary of State recognised that while a dismissal of the appeal would result in a number of local jobs being lost, investment in the manufacture of non-peat substitutes would, in the longer term, create employment. The Secretary of State did not agree with the idea that refusal of these appeals would inevitably lead to peat extraction elsewhere that would generate higher levels of emissions; this argument paid insufficient account of non peat media coming forward in the period that peat extraction would be proposed.

The Secretary of State considered that continued extraction of peat from the site would result in substantial emissions of CO₂ this impacting on climate change and contrary to the NPPF. The proposals would also delay the restoration of the site to lowland raised bog by many years, and this delay would be contrary to the NPPF which sought restoration at the earliest opportunity to high environmental standards.

The NPPF does not prevent continued peat extraction on sites that have already been granted planning permission. However, the Secretary of State considered that this does not mean new proposals on existing sites should automatically be approved. Careful consideration needs to be given to each case, looking in particular at the consequences for climate change and biodiversity.

Peat production policy

The NPPF states that planning authorities should "not identify new sites or extensions to existing sites for peat extraction" and should "not grant planning permission for peat extraction from new or extended sites".

The NPPF does not explicitly cover the issue of time extensions to existing peat sites. As a result, some stakeholders may argue that extending the time period for existing workings may be acceptable. However, in the recent appeal against the planning application to extend the period of peat extraction at Chat Moss Peat Works (see above) the Inspector stated that there is no reason not to assume the NPPF relates to time.

Without further explicit guidance or policy from government, the County Council must interpret the NPPF at face value i.e. the government position on peat is that further permissions should not be granted. This position is supported by a large proportion of stakeholders who replied to the County Council Options consultation.

Key messages from the Options consultation: Establishing a landbank for peat

76% of respondents believed that no further peat permissions should be granted.
8.19 Consequently, in light of the NPPF\textsuperscript{32} it is believed that it is no longer appropriate to retain the Areas of Search included in the adopted Minerals Local Plan. However, it is still appropriate to retain the Peat Production Zones (PPZ) as they will be relevant for any future reviews of mineral planning permission (ROMPs) decisions.

8.20 In terms of supply and demand, sales of Somerset-excavated peat have been in decline over recent years and most recently have been around 55,000m\textsuperscript{3} according to published Office of National Statistics figures\textsuperscript{33}. Assuming a linear decline in sales in line with government targets to zero sales in 2030, around 700,000m\textsuperscript{3} of peat will be required for the plan period. On this basis, using the information held by the Minerals Planning Authority and notwithstanding the direction set by the NPPF, it is believed that there is sufficient peat already permitted for the plan period. Information supporting these figures can be found in the Minerals Options Paper consulted on in 2011 and Minerals Topic Paper 2.

8.21 In ecological terms there are occasions where modification of a permission due to unforeseen site operational difficulties for example, such as the inability to extract peat as envisaged, can result in an improved restoration scheme due to more peat being left in the permission area. Granting such a modification may warrant a small additional area of working being permitted. Arguably this provides the only circumstances under which the Council may be justified in granting planning permission for an existing peat site.

**Preferred Policy SMP7: Peat Production**

Permission for peat extraction will not be granted unless there is a significant net environmental benefit, such as an improved restoration scheme for an existing permission that contributes to biodiversity and the ecological network, with no net increase in peat reserves.

The proposed development will, in particular, be in accordance with Development Management policies.

**Other Options Considered**

The Options consultation, via Issue P1, considered whether a landbank for peat should be established. The majority of consultation responses were against this, supporting option b), to not grant any further peat permissions, which is in accordance with the NPPF. Preferred Policy SMP7 has adopted this approach.

\textsuperscript{32} The National Planning Policy Framework (paragraphs 143 and 144).

8. Peat

QUESTION 10. Do you support Preferred Policy SMP7: Peat Production?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.

Permissions within Special Protection Areas

8.22 The approach to peat extraction has changed substantially over the years. Historic decisions mean that there are sites now located in and within close proximity to the Somerset Levels and Moors Special Protection Area (SPA), a European-level wildlife designation.

8.23 A screening process initially identified 70 sites with permission for peat extraction that may have the potential to negatively impact on the Somerset Levels and Moors Special Protection Area. Further screening has now reduced this number and these sites are referred to by the council as “Regulation 63” sites. It is the Council’s responsibility to review these permissions under the Conservation of Species and Habitats Regulations 2010 and determine whether they can be worked in accordance with their existing permissions or need modification or revocation.

8.24 In Issue P2, the Options consultation presented two policy options to manage the sites with the potential to impact on the Somerset Levels and Moors Special Protection Area. The feedback highlighted that there was considerable support for the modification or revocation of peat permissions to be compensated from the public purse. Defra has since indicated that they will consider reimbursing the planning authority where costs are high and where the action taken is no more than necessary to remove the risk. In light of this and the Options consultation responses, work is being undertaken to review the Regulation 63 sites with any compensation claims being payable from the public purse in accordance with legislation.\textsuperscript{34}

8. Peat

Key messages from the Options consultation: Sites with potential to impact on the Somerset Levels and Moors SPA

Preferred Option! 26% agreed that permissions that will have a detrimental effect on the Somerset Levels and Moors SPA can be voluntarily revoked and offset by grant of permission at an alternative less sensitive site. Whereas 55% believed that peat permissions that will have a detrimental effect on the Somerset Levels and Moors SPA should be reviewed and permissions modified or revoked as appropriate, and that loss of asset will have to be compensated from the public purse.

Transport and factory site impacts

8.25 The County Council must be mindful of the potential implications of preserving and protecting the county’s peatlands. If peat demand continues while Somerset’s reserves dwindle in line with national policy, peat imports from Ireland and Baltic nations could increase to replace local peat, thereby exporting environmental and archaeological damage and potentially increasing vehicle movements in Somerset. The Minerals Planning Authority has no direct control over this issue.

8.26 Peat reserves and imports can only be monitored accurately with the support of the industry. Peat imports nationally have made up around 68%\(^{35}\) of peat used in England/UK according to the most recently available statistics. This is despite there being a plentiful supply of national peat.

8.27 As previously mentioned a light moss peat is imported to Somerset, mostly from Ireland, which mixes well with the denser local sedge peat to produce a well balanced growing medium. There are also non-peat lighteners used, but they can be more variable in quality and potentially harder to source than moss peat. All imports, peat and non-peat, will result in increased transport impacts on local communities. Imported peat will also increase the carbon footprint.

8.28 Several of the peat factory sites have a planning status that allows them to operate independently of any peat extraction permission. The future use of these factory sites is unlikely to be under the control of Somerset County Council, unless it relates to a minerals or waste activity. Planning control for development other than minerals extraction or waste management and associated buildings and plant is a District council issue and is dealt with by Mendip and Sedgemoor District Councils for the areas concerned.

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8.29 The majority of the factories processing growing media products have Class B2 land use allowing the factories, after peat use has finished, to be used for general industrial activities, including some waste activities such as wood chipping. These permissions are not connected to a minerals permission, are not time limited, and do not have restrictions on stockpiling or lorry movements for example. Ideally a growing media industry based on imported materials would move to more suitably located sites with better road connections. The economic reality is that this is unlikely to happen in the near future. However some former processing sites have closed and been redeveloped for uses more in keeping with the quiet nature of the area.

8.30 In discussion with the relevant District Councils, Somerset County Council will promote and support potential after-uses of factory sites that provide positive enhancement to the local area and will not create unacceptable environmental impacts if possible. Growing media processing sites will be encouraged, where possible, to relocate to more suitable locations closer to good transport links.

8.31 In light of the NPPF and potential impacts mentioned above, it will be important to monitor the peat industry in order to identify negative impacts of new policy if they occur. If data show there is continued demand for peat products and imported peat is shown to have increased because of a shortage of Somerset peat, policy preventing further peat permissions in Somerset may need to be reviewed.

8.32 Whilst there are limited opportunities to reduce transport impacts at factory sites unassociated with minerals permissions, transport impacts can be reviewed and conditions reconsidered linked to minerals permissions at their periodic reviews, which occur every 15 years. Concerns have been raised that in light of the government’s aim for all horticulture to be peat-free by 2030, the rate of peat extraction in the UK could increase to ensure all existing reserves are extracted before this date. Preferred Policy SMP8 is proposed to help to control this issue.

8.33 A transport plan would be expected to identify vehicle routes, the frequency of vehicle movements, vehicle types and also demonstrate how any harmful effects will be avoided on the local highway network.

**Preferred Policy SMP8: Transport**

Transport plans will be submitted with any proposal for peat working including ROMPs. Conditions will be applied to permissions to ensure impacts remain acceptable and to control extraction rates.
Reclamation Framework

8.34 The reclamation of former peat extraction sites has been a concern due to relatively little restoration having been carried out historically. Improvements have been achieved through modern working conditions that have been attached to old planning permissions via planning legislation brought in through the 1980s and 1990s. Extensive reclamation to nature conservation is possible and has occurred in areas of former peat extraction. The majority of these areas were restored by nature conservation organisations following the withdrawal of a major peat producer from Somerset. Unlike many of the peat extraction sites, these sites were only partially worked and therefore benefited from peat remaining within the excavations. Most extraction sites in Somerset remove all the peat, leaving relatively deep water overlying a clay base which limits restoration opportunities.

8.36 Three potential options for site restoration and afteruse following peat extraction are provided in the Minerals Local Plan, these options are:

- Activities that promote nature conservation and enhance wildlife conservation.
- Agriculture or forestry use that does not conflict with the maintenance and promotion of the wildlife interest.
- Areas for land and water based activities which do not conflict with the wildlife interest and quiet nature of the area.

8.37 These restoration options were included in a framework map (see Figure 7 in Appendix 1) within the Minerals Local Plan that identified broad areas where restoration types would be most suitable. By locating similar restoration types in particular areas it was thought that a greater potential benefit could be achieved and impacts controlled. Respondents to the peat issues paper consultation highlighted that there is mismatch between adjacent land uses following restoration despite the restoration framework.

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36 Planning and Compensation Act 1991: Interim Development Order Permissions
8.38 The Options consultation therefore consulted on how the emerging Minerals Plan should approach peat reclamation.

**Key messages from the Options consultation: Reclamation Framework**

**Preferred Option!** 48% believed that the existing framework for reclamation should be revised, taking account of changes in the industry and opportunities such as biodiversity ambitions of the Natural Environment White Paper.

8.39 In summary, work to date and feedback that has been collated in support of a revised reclamation framework suggests that peat reclamation should:

- Contribute to and provide net gains in restoration prioritising nature conservation and biodiversity.
- Be bigger, better and more joined up.
- Establish more resilient and coherent ecological networks.
- Make links with and be sympathetic to the surrounding environmental designations, land uses and species.
- Encourage new industries, such as tourism, that are compatible with existing land uses and environmental designations that allow the Levels and Moors to benefit economically – ensuring that the benefits and any potential impacts are spread across all local communities in the Levels and Moors, making use of the cultural corridor that runs east/west through the Peat Production Zone, thereby improving access.
- Consider biodiversity offsetting as a mechanism to compensate for residual and unavoidable impacts on wildlife caused by development. Offsets should be calculated using the biodiversity methodology developed by Somerset County Council.\(^{38}\)
- Contribute to the achievement of UK Biodiversity Action Plan (UK BAP) and Local Biodiversity Action Plan (LBAP) habitat and species targets. Promoting the preservation, restoration and re-creation of priority habitats, such as wetlands which is included on S41 of the NERC Act,\(^{39}\) and the protection and recovery of priority species populations.

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\(^{38}\) Biodiversity offsetting methodology available at:

\(^{39}\) The Natural Environment and Rural Communities (NERC) Act came into force on 1st Oct 2006. Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The list has been drawn up in consultation with Natural England, as required by the Act.
● Be flexible to ensure an ever changing approach as ecosystems change and to allow a variety of habitats.
● Ensure there are no adverse impacts on water quality.
● Consider habitat and drainage connectivity and seek opportunities to incorporate flood storage and include features that help maintain water quality in restored areas as well as the surrounding ditch system.

8.40 Further information and explanation on peat reclamation is provided in Minerals Topic Paper 5, including land uses/activities that are not considered appropriate.

8.41 Through discussion in workshops held in September 2012 it was agreed that as a result of the NPPF’s stance regarding peat the primary opportunity to implement new peat reclamation frameworks is via reviews of old mineral permissions (ROMPs) and Section 73 planning applications. The need for (and effectiveness of) a mapped restoration framework is therefore questionable.

8.42 It is proposed that future peat site reclamation will be supported by Preferred Policy SMP9 without a revised, mapped framework. This policy captures the key messages that have been collated during the preparation of this document. The policy will be supported by supporting text in the Pre-Submission Minerals Plan - drawn from text included in this chapter and Minerals Topic Paper 5.

Preferred Policy SMP9: Reclamation

Approval for proposals for the restoration, aftercare and afteruse of former peat workings will be given to those schemes which deliver net gains in nature conservation and increase the resilience of ecological networks. Schemes for other afteruses must demonstrate that the proposed afteruse does not conflict with this approach.

It is envisaged that other afteruses could include leisure activities or certain types of business activities that do not have an intrusive and/or adverse impact on the local environment.

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40 Section 73 planning applications apply for the removal or variation of conditions on existing planning applications.
Other Options Considered
The Options consultation responses to Issue P3 identified a preferred option (option b) to revise the existing reclamation framework, taking account of changes in the industry and opportunities such as biodiversity ambitions of the Natural Environment White Paper.

Since then, all comments received have been considered and discussions with stakeholders and a restoration workshop have taken place to inform Preferred Policy SMP9 and Topic Paper 5.

8.43 Implementation of agreed restoration schemes is dependent on the holder of the planning permission / operator and the County Council agreeing that the site has ceased to be worked and there is no chance that the site would be worked again. In short, a clear definition of “cessation” is needed. Without a definition there is the potential for a lack of clarity as to when the restoration scheme should start and thereafter worked sites to be restored. Therefore, as part of this Preferred Options consultation, comments are invited on what such a definition should cover.

QUESTION 12. Do you support Preferred Policy SMP9: Reclamation?
- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.

QUESTION 13. How would you define the term cessation in the context of peat site working?
9. Building Stone

Introduction
9.1  Building stones are an important resource and a key part of the economic minerals sector in Somerset. They are used in existing buildings for restoration, conservation and extensions, as well as for new building work. Their use is integral to the distinctive character and the built heritage of Somerset.

9.2  The use of the term building stone in this paper refers to all natural stone products, including architectural masonry (dimension stone), walling stone, roofing stone, paving etc.

9.3  It is vital to ensure that an adequate supply of building stones is available for restoration, conservation and new building work so that the local character of the county is maintained.

9.4  The use of local stone is generally preferred to the use of reconstituted and/or imported stone which can have differing aesthetic or physical characteristics to local stone, particularly after weathering. The use of imported or alternative materials also raises questions about the transport of materials, the carbon footprint of related activity and the “export” of the environmental and social impacts from quarrying. Nonetheless the use of imported building stone, reconstituted stone or the wrong type of local stone may increase in building works unless there is a suitable source of supply of local stone types.

9.5  Most comments on the value of built heritage, made during the County Council’s consultation, have said that the importance and use of local stone has so far been given insufficient recognition in Somerset.

Key messages from the Options consultation:
LOCAL STONE FOR LOCAL DEMAND

63% of respondents to the Options consultation thought that the County Council should affirm the importance of building stone for maintaining local character and develop policy in support of new building stone quarries where a need for the stone can be demonstrated.
9. Building Stone

Somerset: a rich resource
9.6 Somerset provides a rich resource of building stone, which is reflected in the character of its built development.

9.7 There are currently 15 operational building stone quarries in Somerset producing 8 different types of stone. The location of the operational building stone sites and the extent of the different geological resources are illustrated in Figure 8 in Appendix 1. Historically there are approximately 40 different building stone types that have been used locally, reflecting the diversity of the geological resource and the changes in quarrying activity over time. As many building stones types previously used within the County are no longer quarried.

9.8 Active sites in Somerset include five permissions for the extraction of Blue Lias, one permission for White Lias, eight permissions for oolitic and similar limestone, and one permission for Permo-Triassic sandstone. Theoretically the production limits set within the planning permissions would allow for the annual production of 14,200 tonnes of Blue Lias; 21,500 tonnes of oolitic and similar limestones (including Ham Stone and Doulting Stone); and 1500 tonnes of sandstone. These maximum permitted levels of extraction may not be the same as the actual amounts quarried and are not an indication of available reserves.

9.9 During the plan period the minerals industry may propose changes to existing permissions and/or new sites for the stones currently worked and the Council’s planning policy must consider this possibility. In addition, the Somerset Minerals Plan will also support the extraction of needed stones that are not currently extracted but which form an integral and important part of the county’s built heritage.

9.10 Minerals Topic Paper 3 outlines the outcomes of a research project commissioned by Somerset County Council on needed building stones formerly worked within the County, and needed stones which are currently worked but may potentially be at risk of short supply during the plan period. Specifically, the project identified 17 needed stone types for closer scrutiny (see categories B&C in Table 1). The project did not consider stone types which are currently used but not in short supply or types which are used only very scarcely.
### 9. Building Stone

Table 1: Somerset building stone types, including the stone types already worked and those identified as "needed" in Minerals Topic Paper 3.

<table>
<thead>
<tr>
<th>CATEGORY A: Building stone types that are worked in Somerset, for which current supply may be sufficient to meet future demand over the Plan Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ham stone</td>
</tr>
<tr>
<td>Inferior Oolite (including Hadspen Stone and Doulting Stone)</td>
</tr>
<tr>
<td>Forest Marble</td>
</tr>
<tr>
<td>Cornbrash</td>
</tr>
<tr>
<td>Capton Sandstone</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CATEGORY B: Building stone types that are worked in Somerset, identified as “needed” (in Minerals Topic Paper 3), as current supply may not meet future demand over the Plan Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blue Lias</td>
</tr>
<tr>
<td>White Lias</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CATEGORY C: Building stones that were formerly quarried in Somerset and which may be “needed” (as identified in Minerals Topic Paper 3) during the Plan Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chert / Flint</td>
</tr>
<tr>
<td>Calcareous Grit</td>
</tr>
<tr>
<td>Inferior Oolite (Misterton Stone only)</td>
</tr>
<tr>
<td>Yeovil Stone</td>
</tr>
<tr>
<td>Marlstone (including Moolham Stone and Petherton Stone)</td>
</tr>
<tr>
<td>Wedmore Stone</td>
</tr>
<tr>
<td>North Curry Sandstone</td>
</tr>
<tr>
<td>Draycott Stone</td>
</tr>
<tr>
<td>Otter Sandstone (including Lydeard Stone, Nynehead Sandstone)</td>
</tr>
<tr>
<td>Milverton Stone (Milverton Conglomerate)</td>
</tr>
<tr>
<td>Wiveliscombe Sandstone</td>
</tr>
<tr>
<td>Lower Carboniferous Limestone (Vallis Limestone, Chinastones, Cheddar Limestone and Cheddar Oolite only)</td>
</tr>
<tr>
<td>Morte Slates</td>
</tr>
<tr>
<td>Ilfracombe Slates</td>
</tr>
<tr>
<td>Hangman Sandstones (including Triscombe Stone, Trentishoe Grits)</td>
</tr>
</tbody>
</table>
9. Building Stone

**Building stone extraction**

9.11 Building stones are usually extracted in small scale quarries with outputs amounting to only a few thousand tonnes per year and without the requirement for blasting, unlike crushed rock aggregate production. As such, the associated impacts are more easily managed with appropriate planning conditions.

9.12 Building stone quarries are often in close proximity to residential property and other sensitive land-uses and so require careful consideration via the planning process.

9.13 Stakeholders have expressed a preference (via consultation feedback) for the development of a larger number of smaller quarries as a source of local building stone (compared with a smaller number of larger quarries). This helps to reduce the carbon footprint of such development, in particular by reducing the need to transport material over longer distances; also it reflects the current nature and scale of building stone activity in Somerset.

9.14 The Preferred Policy SMP10 outlines the Council’s strategic support for the extraction of building stone. It envisages two sorts of applications for building stone extraction.

9.15 The first focuses on stones already worked where existing sites reflect a long-standing operation and market (both locally and outside Somerset) for the material.

9.16 The second form of application focuses on “needed” stones which are either not currently worked or are currently worked but may potentially be at risk of short supply during the plan period. In such cases the Somerset Minerals Plan aims to provide clarity on the points an applicant should consider when preparing a building stone quarry application for submission. In this way the Council seeks to support applications that meet certain strategic criteria. To help applicants to prepare a suitable application, the Council have prepared the checklist shown in Table 2.

9.17 National policy states that when determining planning applications, local planning authorities should recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites. This flexible approach is supported through Preferred Policy SMP10 as not only does it support the extraction of stone from existing sites but it also focuses on “needed” stones which are either not currently worked, or are currently worked but may potentially be at risk of short supply during the plan period. Furthermore the policy is supported by criteria that aim to inform potential planning applications for “needed stones”, recognising the need for small scale sites.

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42 The National Planning Policy Framework (paragraph 144).
Table 2: Strategic Building Stone Criteria

<table>
<thead>
<tr>
<th>STRATEGIC CRITERIA &amp; CONSIDERATIONS</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>The proposal site should be located within a needed stones Mineral Safeguarding Area identified for needed stones (see Maps 2 to 9 included in Minerals Topic Paper 3)</td>
</tr>
<tr>
<td></td>
<td>Where stone resources, viability and availability permit, the re-opening of a former quarry site (or opening of a site adjoining a former quarry), will be favoured over the opening and working of a new ‘fresh’ site</td>
</tr>
<tr>
<td>Buildings and settlements</td>
<td>Proposal sites situated further away from settlements will be favoured over sites located closer to habited areas.</td>
</tr>
<tr>
<td>Permitted extraction levels</td>
<td>The proposal site will remain small-scale during its operational life, i.e. permitted extraction will not normally exceed an average of 2000 tonnes per annum.</td>
</tr>
<tr>
<td>Geology and need for the building stone</td>
<td>Evidence of the geology and presence of the specified building stone type at the proposal site (including demonstration of proven adequate reserves) should be provided. A suitable method for this would be by a brief geological report, including results of any recent trial pits/exposures along with relevant stratigraphic logs and supporting photographs. The availability of selected rock samples for inspection would also be beneficial.</td>
</tr>
<tr>
<td></td>
<td>Supporting information demonstrating the extent of the historical use of the stone (in buildings, settlements, Conservation Areas etc) and data supporting the current and projected market need for the stone for heritage conservation and /or new build purposes, should be provided.</td>
</tr>
<tr>
<td></td>
<td>Evidence that demand cannot be met from a more sustainable permitted source i.e. supporting information indicating whether the same building stone remains available at other locations, and the rationale behind selecting the proposal site in favour of other locations, should be provided.</td>
</tr>
<tr>
<td>Ecology and biodiversity</td>
<td>Consideration may be given to proposals on a case-by-case basis at sites which are designated or protected on account of their geological features, for example geological SSSI or County Geological Sites (RIGS), where small-scale re-exposure of the geology may benefit the interest for which the site is designated.</td>
</tr>
</tbody>
</table>
9.18 Minerals Safeguarding Areas for building stone are, in part, underpinned by the research summarised in Minerals Topic Paper 3 on Building Stone, coupled also with the content summarised in Minerals Topic Paper 6 on Safeguarding. Figure 9 illustrates a summary of the Mineral Safeguarding Areas proposed for Somerset.

9.19 Preferred Policy SMP10 seeks clarity from the applicant on the building stone type, the resource identified and the identified market need for that stone. Table 2 also notes that the re-opening of a former building stone quarry site or opening of a site adjoining a former building stone quarry will normally be favoured above the opening and working of a fresh new site, where stone resources, viability and availability permit. This is in line with national policy.43

9.20 For all applications, Development Management policies also help to consider geographical aspects of new sites, linked with impact on local communities and the environment.

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Preferred Policy SMP10: Proposals for the extraction of building stone

Planning permission for new permitted reserves in Somerset for the extraction of building stone will only be granted if the applicant demonstrates that:

**EITHER**

a) there is an identified need for a stone currently worked in Somerset, that is linked with maintaining or enhancing the distinctive character and built heritage of Somerset or a significant historic building or settlement elsewhere, which cannot be met from a more sustainable permitted source;

and

b) the nature, scale and duration of the operations are appropriate to the character of the local area;

**OR**

c) the proposal for a needed stone listed in categories B and C in Table 1 adheres to the strategic criteria identified in Table 2;

**AND**

d) the proposed development will, in particular, be in accordance with Development Management policies.

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43 The National Planning Policy Framework (paragraph 144).
Other Options Considered
The Options consultation on Issue BS1 undertaken by the County Council has revealed clear support that affirms the importance of building stone for maintaining local character and to develop policy in support of new building stone quarries where a need for the stone can be demonstrated.

QUESTION 14. Do you support Preferred Policy SMP10: Proposals for the extraction of building stone?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.

Building stone reclamation, cutting and dressing
9.21 The criterion in Preferred Policy SMP10 and Table 2 which states that the demand could not be met by a more sustainable permitted source should, in effect, also include consideration of the market for the reclamation of building stone.

9.22 The Council favours the reclamation of stone where it can be demonstrated that it does not damage existing heritage assets above the establishment of new quarries; and, vice versa, it favours the establishment of new quarries above reclamation if there is a demonstrable need for the mineral (in accordance with proposed policy) and where a reclamation-led approach would be likely to damage heritage assets.

9.23 On-site dressing and cutting facilities are favoured above off-site facilities, in order to minimise the transportation impacts. However, where off-site dressing and cutting is proposed the benefits of the reduced impacts for the site and its surroundings must be assessed against the potential transport impacts.
The restoration of building stone quarries

9.24 As supported in National Planning Policy\textsuperscript{44} high quality restoration and aftercare of building stone sites should take place, including for agriculture, geodiversity, biodiversity, native woodland, the historic environment and recreation.

9.25 Progressive restoration commenced at the earliest opportunity will be required wherever is practicable and schemes should recognise the value of retaining un-restored quarry faces which contribute to the interpretation of the geology of Somerset.

9.26 Further information and support is provided in Policy DM6 on restoration and aftercare.

Preferred Policy SMP11: Restoration and after-use of building stone quarries

Restoration proposals for building stone sites should seek to provide net gains in and enhance any of the following: recreational and other benefits for local communities, geodiversity, biodiversity, native woodland and the historic environment.

Acceptable after use proposals will be prerequisite for the granting of planning permission for building stone quarries. Proposals will be expected to include the use of quarry waste derived from the site for backfill and in order to secure this, the removal of materials from site will be restricted to the type of stone for which permission was granted.

QUESTION 15. Do you support Preferred Policy SMP11: Restoration and after-use of building stone quarries?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.

\textsuperscript{44} The National Planning Policy Framework (Paragraph 143).
10. Energy minerals

10.1 The main minerals classed as ‘energy minerals’ are coal, oil and gas. Such resources play a crucial role in modern society. They supply energy to power industry and heat homes, fuel to transport goods and people all over the world, and they can be used in the manufacturing process of everyday items.

10.2 Somerset County Council has worked and will continue to work with relevant parties such as North Somerset Council, Bath and North East Somerset Council and the Environment Agency to ensure its strategy is appropriately informed and there is a co-ordinated approach to this issue across county boundaries.

Coal
10.3 According to the Department of Energy and Climate Change (DECC) coal accounts for 29% of the UK’s electricity supply, 22% of the coal used in the UK is imported mainly from Russia and Columbia\(^4\). Coal has been mined in Somerset in the past; but it is not expected that coal mining or shallow coal workings will be reactivated in Somerset in the foreseeable future. Furthermore, national policy includes a presumption against coal working,\(^5\) which reflects a widely held desire to see energy supplied by cleaner alternatives such as nuclear power and renewable resources.

Oil and Gas
10.4 Oil and gas are derived almost entirely from decayed plants and bacteria. Most of the oil and gas extracted in the UK is mined offshore, in particular beneath the North Sea and the Irish Sea. In 2010 over 128 million tonnes of oil and gas were extracted from offshore processes around the UK.

10.5 North Sea gas reserves are declining and the UK has become a net importer of gas. Developing domestic supplies of gas is seen as a valuable step in reducing our reliance on imports. Reflecting this, there is a greater emphasis on developing onshore supplies. This contributes toward the country’s energy security.

10.6 The Department of Energy and Climate Change (DECC) manages the release of licences which give exclusive rights for exploration and extraction of oil and gas resources within a defined area. Whilst Somerset does not have an active oil and gas industry at present, a total of three licences (termed PEDLs - Petroleum Exploration and Development Licences) have been issued so far that are located totally or partially in Somerset. These licences are illustrated in Figure 3 in Appendix 1.

\(^5\) The National Planning Policy Framework (paragraph 149).
10.7 The current round of "PEDL" licences are time limited. It is expected that the licence will end at the end of the initial term (June 2014) if the licensee has not at least begun drilling a well by then. DECC do often grant extensions to operators if they can demonstrate that they are doing all that they can to achieve that date. Further licence rounds may be expected, as central government continue to support further exploration and greater energy independence. Having an exclusive licence does not entitle the licensee to undertake development associated with gas exploration and production. It is only the first step and gives exclusivity to the licensee for their respective license area. The next steps are outlined in the following subsection.

Unconventional oil and gas

10.8 There is a growing interest across the UK in the exploitation of "unconventional" reserves; for example, linked with extracting natural gas from shale via the process of hydraulic fracturing (otherwise known as fracking) and/or extracting gas from coal seams (potentially linked with former coal mines).

10.9 The exploitation of coal bed methane (CBM) relies on the extraction of gas from unworked, undisturbed coal seams via boreholes drilled from the surface. The coal seams are dewatered via the boreholes, allowing methane gas to flow out. Coal bed methane extraction is not the same as fracking; however, fracking may be employed to improve gas recovery.

10.10 Fracking is the process of opening and/or extending existing narrow fractures or creating new ones in gas-bearing rock, to allow gas to be captured. A mixture of water, chemicals and sand is pumped under pressure down a borehole into the rock. The sand is used to prop the fractures open, thus supporting the extraction of natural gas. Fracking to access shale gas reserves is at a very early stage of development in the UK.

10.11 There are three phases of what is termed "unconventional" development of oil and gas, as outlined by the National Planning Policy Framework (NPPF): exploration; appraisal; and production. The NPPF states that when planning for onshore oil and gas development, Minerals Planning Authorities should clearly distinguish between these stages. With this in mind, it will be imperative that any potential applicant communicates with the County Council at an early stage of any proposed activity linked with unconventional oil and gas in Somerset, and that such communication continues throughout the process.

10.12 The Somerset Minerals Plan will include a policy that distinguishes between these phases of development, which are termed "key stages" in Preferred Policy SMP12. Through the implementation of this policy, the County Council will respond to any changes in national policy or state-of-the-art developments in technology, particularly linked with the number and nature of key stages.

10.13 Planning permission for exploration and/or appraisal does not imply that long-term production will be permitted.
Potential impacts of unconventional oil and gas development

10.14 Preferred Policy SMP12 will help the County Council to consider the range of impacts that could result from oil and gas exploration and production. In particular these include, but are not limited to, the following considerations:

- the abstraction of any groundwater and its impacts;
- the disposal of water and/or waste water arising;
- local amenity, in particular noise and vibration;
- land stability and seismic induced events;
- transport generated in conjunction with sites; and
- the timing and method of flaring of gas.

10.15 Policy SMP12 reflects the need for conditions to be imposed on planning permissions to manage such impacts. Further information on the impacts of such development will be included in Topic Paper 4.

10.16 Concerns have been raised about the impacts of fracking on issues such as water quality and land stability, particularly in the USA (which operates under a different system of regulations and policies). Fracking is a relatively new concept in the UK and should be considered in the context of UK regulations and policies, such as the Environment Agency’s approach to the protection of water resources. Research is being carried out to improve the UK’s knowledge of the impacts of fracking, in particular by the British Geological Survey (a government-funded organisation).

10.17 It is also important to consider that each proposal will be assessed on a case-by-case basis. The nature and potential impacts of proposals will vary, not least depending on local geology.

10.18 The County Council, as Minerals Planning Authority, must satisfy itself that the impacts of proposed development can be appropriately mitigated. Given the sensitive nature and value associated with the aquifers in the Mendips, it is important to take a precautionary approach. This can be facilitated by reference to a range of relevant policies in the Development Plan – such as the proposed Development Management policies on local amenity, water resources and land stability, as well as the more general policy on sustainable development (SD1). Also it is facilitated by working with other interested parties, in particular the Environment Agency and neighbouring Minerals Planning Authorities.
10. Energy minerals

Carbon
10.19 When considering the extraction of unconventional oil and gas, it is important to bear in mind the important role that the energy / power sector has to play in the reduction of carbon emissions. According to the Low Carbon Transition Plan, this sector is predicted to be one of the single biggest contributors: an estimated 50% of the yearly emissions cuts between now and 2020 being achieved by making the energy mix greener. The government expects that by 2020 40% of the energy produced will come from low carbon sources with a further 30% being obtained via renewable technologies. The Carbon Plan, published in December 2011, sets out plans for achieving the emissions reductions committed to in the first four carbon budgets up to 2027, on the way to reducing UK emissions by 80% from 1990 levels in 2050.

10.20 The carbon footprint of shale gas extraction needs further research\(^{47}\). Linked with this consideration, the environmental assessment required by Preferred Policy SMP12 will need to include sufficient detail on the carbon footprint of the proposed development (alongside other environmental considerations).

Maintaining a watching brief
10.21 For the immediate future, at the time of writing this document, the County Council will maintain a watching brief on this topic.

10.22 Significant research projects have already been completed such as the report on shale gas fracturing prepared by Dr Green, Professor Styles and Dr Baptie, and a study produced by the Royal Society and the Royal Academy of Engineering which identified that the health, safety and environmental risks of fracking can be effectively managed in the UK.\(^ {48}\)

10.23 It is anticipated that DECC will further clarify its position on unconventional oil and gas development in the coming months, informed by the latest research and consideration of feedback on this issue.

10.24 The County Council will work with all relevant authorities regarding any interest shown in the exploration, appraisal and/or production of oil and gas in Somerset including, but not limited to, the Environment Agency, the Health and Safety Executive (HSE) and DECC.

Preferred Policy SMP12: Proposals for the exploration, appraisal and/or extraction of energy minerals

Planning permission for the exploration, appraisal and/or extraction of energy minerals in Somerset will be granted if the applicant demonstrates that:

a) the impacts of the proposed development on the environment and local communities are acceptable, in particular with reference to Development Management policies 1-12;

b) the proposal is located and designed to mitigate adverse impacts on the environment and local community or, as a last report, proportionately compensate for or offset such impacts; and

c) the proposal is supported by comprehensive economic and environmental assessments.

Somerset County Council, as Minerals Planning Authority, will require the submission of a new planning application for each key stage in the extraction of energy minerals in Somerset.

QUESTION 16. Do you support Preferred Policy SMP12: Proposals for the exploration, appraisal and/or extraction of energy minerals?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
11. Safeguarding

Introduction

11.1 Somerset is rich in mineral resources, and it is important that these natural resources are protected and that minerals policy manages them carefully to ensure there are sufficient supplies for future generations – especially as minerals can only be worked where they naturally occur. The process of mineral safeguarding is essential to ensure the ability of future generations to meet their needs for minerals is not comprised by non-mineral planning decisions.

11.2 Non-mineral development such as the construction of housing means any mineral resource underneath, or close to that development will be sterilised, thus preventing the extraction of this mineral.

11.3 Safeguarding mineral resources simply means that the presence of mineral resources is flagged up for consideration alongside all other issues that are taken into account when deciding whether to grant a planning permission. It may be that the non-mineral development can be located in an alternative more sustainable location, or that the mineral can be removed prior to the development being constructed (known as prior-extraction), or, on balance, the overriding need for the development is greater than the need for the mineral.

11.4 Government policy\textsuperscript{49} and good practice guidance\textsuperscript{50} requires mineral planning authorities (such as Somerset County Council) to adopt appropriate policies to provide protection for proven economic mineral resources of local and national importance to minimise the opportunity of these resources becoming sterilised, and unable to be worked.

11.5 It is important to note that there is no presumption that resources identified in Mineral Safeguarding Areas will be worked, nor is the aim of a Mineral Safeguarding Area to wholly prevent other development from occurring.

11.6 Two separate designations are used for mineral safeguarding: Mineral Safeguarding Areas and Minerals Consultation Areas, which are defined as:

- Mineral Safeguarding Areas – designate proven economic mineral resources so they are not needlessly sterilised by non-mineral development.
- Mineral Consultation Areas – identify the areas within Somerset County Council where the district and borough authorities are required to consult the Mineral Planning Authority over non-minerals development (as required in Preferred Policy SMP13).

\textsuperscript{49} National Planning Policy Framework (paragraph 143)
\textsuperscript{50} BGS and the Coal Authority (2011) Mineral Safeguarding in England: good practice advice.
11. Safeguarding

11.7 For some types of non-mineral development, the sterilising effect on mineral resources may be negligible. Preferred Policy SMP14 specifies those types of development, in the proposed exemption list, that lie within a Mineral Safeguarding Area that do not need to be considered on minerals grounds.

Mineral Consultation Areas

11.8 Somerset County Council will continue to work with District and Borough Authorities to firmly embed minerals planning policy across the County. The Mineral Safeguarding Areas identified by the County Council will be presented on proposal maps in District and Borough Local Development Documents. This enables planning authorities to ensure that mineral resources are not unnecessarily sterilised when they consider planning applications.

11.9 For robust safeguarding and to allow for adequate consultation to be carried out between the County Council, and District and Borough planning authorities, the whole of the extent of the Mineral Safeguarding Areas will be covered by a Mineral Consultation Areas.

11.10 When a District or Borough planner receives a planning application they will check which designations apply within the location of that application. Mineral Consultation Areas will be incorporated in their development plans and the district planner will therefore know to notify the Minerals Planning Authority (the County Council) about the proposal. This will allow the Minerals Planning Authority time to comment on the significance of that proposal on the winning and working of minerals before the District or Borough determines the planning application for the non-mineral development.

Preferred Policy SMP13: Mineral Consultation Areas

District and Borough Councils should consult the County Council as Minerals Planning Authority on any planning applications they receive for non-minerals development within the designated Mineral Consultation Area, as shown on Figure 9. The District and Borough Councils should ensure that procedures set out in Preferred Policy SMP14 are followed. The Minerals Planning Authority will resist inappropriate development within the Mineral Consultation Area.

Proposed allocations for new development in Local Development Documents should take account of safeguarding policy and should seek to avoid sterilisation of underlying minerals in accordance with these policies.
11. Safeguarding

QUESTION 17. Do you support Preferred Policy SMP13: Mineral Consultation Areas?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.

Minerals to be safeguarded

11.11 As already mentioned the main minerals worked in Somerset are aggregates (namely crushed rock and minimal amounts of sand & gravel), building stone (of which there are various types) and peat. Please see respective sections of this document for more information on these three minerals.

11.12 Safeguarding does not attempt to predict how much resource will be needed over the plan period but safeguards the viable mineral resource. Viability will change over time. Resources currently considered non-viable may potentially become viable for working in the plan period due to demand or changing economic circumstances.

11.13 The Options consultation listed minerals to be safeguarded that are currently worked and those that are not currently worked but may become economic again.

Key message from the Options consultation: SAFEGUARDING

88% of respondents to this consultation agreed with the mineral types suggested for safeguarding. As well as those outlined in the Options Paper, further suggestions were made by several respondents, and these have, if appropriate, been included in current work.

11.14 It is intended to safeguard the mineral resources listed in Table 3. Table 3 includes resources that are currently worked and those that are not currently worked but may become economic again. Further information on safeguarding can be found in Minerals Topic Paper’s 3 and 6. These Topic Papers include justification for why these resources have been proposed for safeguarding and how their respective geographical areas have been designated as Mineral Safeguarding Areas. Both Topic Papers include detailed maps illustrating the Mineral Safeguarding Areas. Figure 9 in Appendix 1 illustrates a summary of all of the Mineral Safeguarding Areas proposed for Somerset.

11.15 It should be noted that some mineral resource areas are proposed to be safeguarded as both aggregate and building stone, as they have been used for both purposes – historically and recently. Therefore they appear in Table 3 in more than one category.
11.6 Despite the NPPF’s stance regarding peat (see the Peat section in this document) it has been identified for safeguarding as the phase out targets for peat use, as identified in the Natural Environment White Paper, are 2020 and 2030 - thereby peat working may continue until 2030. It is considered appropriate to safeguard peat that is located within the Peat Production Zones and in all current extant permissions, thereby safeguarding current economic operations that may potentially be impacted by or impact upon any non-minerals development proposed in close proximity to current workings.

Table 3: Mineral resources to be safeguarded in Somerset

<table>
<thead>
<tr>
<th>Aggregates</th>
<th>Building Stones</th>
<th>Other Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carboniferous limestone</td>
<td>Ham Stone</td>
<td>Peat</td>
</tr>
<tr>
<td>Suprerior sand and gravel (recent and Permo-Triassic)</td>
<td>Forest Marble</td>
<td>Surface Coal</td>
</tr>
<tr>
<td>Silurian andesite</td>
<td>Capton Sandstone</td>
<td></td>
</tr>
<tr>
<td>Budleigh Salterton Pebble Beds</td>
<td>White Lias</td>
<td></td>
</tr>
<tr>
<td>Devonian Sandstones (high PSV - namely the Hangman Sandstone Formation)</td>
<td>Inferior Oolite (Misterton Stone)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Inferior Oolite (including Hadspen Stone and Doulting Stone)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cornbrash</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Blue Lias</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Chert/Flint</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Calcareous Grit (Upper Greensand)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Yeovil Stone</td>
<td></td>
</tr>
<tr>
<td></td>
<td>North Curry Sandstone</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wedmore Stone</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Otter Sandstone (including Lydeard Stone and Nynehead Sandstone)</td>
<td>Dolomitic Conglomerate (Draycott Stone)</td>
</tr>
<tr>
<td></td>
<td>Dolomitic Conglomerate (Draycott Stone)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Budleigh Salterton Pebble Beds (Milverton Stone)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lower Carboniferous Limestone (including Vallis Limestone, Cheddar Oolite, Cheddar Limestone, Chinastones, Canningington Park Limestone)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ilfracombe Slates</td>
<td></td>
</tr>
</tbody>
</table>
The entire extent of resources present in Somerset are not proposed for safeguarding. The best current estimate of viable resources is proposed for safeguarding for future possibly use. In identifying the Mineral Safeguarding Areas for the resources in Table 3 data & maps prepared by the British Geological Survey (BGS) were used to define the proposed mineral safeguarding areas, along with geological memoirs and the application of local knowledge gathered from consultation. The maps used were the 1:100,000 scale BGS Resource Map for the County, and additional detail was provided by 1:50,000 scale BGS digital geological map data. Information providing the justification for how each mineral safeguarding area was selected is provided in Minerals Topic Paper’s 3 and 6.

Extent of the resource to be safeguarded

When defining the extent of safeguarding areas the inclusion or exclusion of urban areas and environmental designations needs to be considered. It should be borne in mind that mineral safeguarding is not precluded by the presence of either as sterilising development takes place in these areas. Additionally defining Mineral Safeguarding Areas in urban areas avoids disputes over the definition of what constitutes an urban area and the need to amend Mineral Safeguarding Areas to reflect urban expansion. Guidance\(^{51}\) indicates that these areas should only be removed from Mineral Safeguarding Areas in exceptional circumstances, for example where the mineral extraction method would be incompatible with working in a built up area, such as blasting required for hard-rock extraction. The exclusion of any areas from Mineral Safeguarding Areas is justified in Minerals Topic Papers 3 and 6.

Guidance\(^{52}\) indicates that Mineral Safeguarding Areas should usually cover the whole resource and not be curtailed by other planning considerations. As acknowledged in earlier text, incompatible development close to a Mineral Safeguarding Area may sterilise part or all of the resource. It is recommended by the British Geological Survey that it is appropriate to extend the Mineral Safeguarding Area beyond the resource boundary, creating a buffer, to take account of such risks. The extent of these boundaries will vary between minerals and their methods of extraction.

This concept of extending the boundary was tested through the Options Paper consultation, along with suggested buffers, depending on the mineral resource. These suggested buffers, which are detailed in Table 4, were well received in the consultation, with 60% of respondents agreeing that the buffer zones were appropriate.

\(^{51}\) BGS and the Coal Authority (2011) Mineral Safeguarding in England: good practice advice
11. Safeguarding

Table 4: Suggested buffer widths

<table>
<thead>
<tr>
<th>Mineral Working</th>
<th>Minimum buffer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peat sites and building stone quarries</td>
<td>100m</td>
</tr>
<tr>
<td>Low output aggregate quarries (&lt;250,000 tonnes/year)</td>
<td>200m</td>
</tr>
<tr>
<td>Higher output aggregate quarries</td>
<td>400m</td>
</tr>
</tbody>
</table>

11.21 These buffers have been added to the relevant minerals resource safeguarding areas illustrated in Figure 9 in Appendix 1 and the Figures in Topic Papers 3 and 6.

Minerals facilities

11.22 In line with the National Planning Policy Framework, it is proposed to safeguard selected mineral related infrastructure and facilities in order to support the continued extraction and operation of economically viable mineral resources.

11.23 Facilities for concrete batching, the manufacturing of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material play an integral part to the supply of minerals and will be included for safeguarding. Somerset County Council is in the process of collating more information on these sites.

11.24 Additionally, the National Planning Policy Framework requires mineral planning authorities to safeguard existing rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities.

11.25 The Options consultation proposed to safeguard the current railheads at Torr Works and Whatley Quarry in the Mendips and Dunball Wharf, north of Bridgwater, which is used to land marine sand for construction uses and imported peat. Dunball Wharf is already safeguarded in the existing Minerals Local Plan. There was support for this approach from responses to the Options consultation and therefore it is proposed to safeguard the facilities outlined in Table 5 and illustrated in Figures 10 – 12 in Appendix 1.

Table 5: Safeguarded Minerals Infrastructure Facilities

<table>
<thead>
<tr>
<th>Dunball wharf</th>
</tr>
</thead>
<tbody>
<tr>
<td>Torr Works railhead</td>
</tr>
</tbody>
</table>
QUESTION 18. Please provide details (the location including grid reference, and details of the type of facility) of any facilities you believe should be safeguarded other than those listed in Table 5 and the extent of the safeguarding area.

11.26 It is anticipated that Combwich wharf will be used for the movement of a range of raw materials (including aggregates) by EDF Energy linked with the construction of Hinkley Point C Nuclear Power Station, assuming the relating Development Consent Order is issued. It is not considered that Combwich wharf needs to be safeguarded linked with minerals development, noting that the existing strong links with EDF Energy’s proposals.

Preferred Policy SMP14: Safeguarding

Planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area or prejudice the use of safeguarded operational and/or permitted mineral sites (including quarries, mines, associated plant and infrastructure and facilities), as defined in Figures 9 – 12 unless:

a) It can be demonstrated that the mineral resource, operations or facilities will not be detrimentally affected and the development proposal would not suffer unacceptable adverse impacts as a result of the mineral operations; or

b) The mineral can be extracted where it would otherwise be sterilised by development providing the prior extraction would not cause unacceptable harm to local communities or the environment and that the primary use has been deemed acceptable by the relevant planning authority; or

c) The applicant can demonstrate to the satisfaction of the Mineral Planning Authority that the mineral concerned is not of economic value; or

d) The development within the Mineral Safeguarding Area is exempt as set out in the exemption list in Table 6.
11. Safeguarding

**Table 6: Proposed exemption list**

- Applications for householder development within the curtilage of a property.
- Applications for extensions or alterations to existing buildings and for change of use of existing development which do not fundamentally change the scale and character of the building/use.
- Development in accordance with allocations of an adopted or deposited local plan where the plan took account of prevention of unnecessary mineral sterilisation and determined that prior extraction should not be considered when development applications in a Mineral Safeguarding Area came forward.
- Minor developments such as fences, walls, bus shelters, works to trees.
- Advertisement applications.
- Applications for temporary planning permission.
- Reserved Matter applications unless the Mineral Planning Authority specifically requested consultation at the outline stage.
- Applications for Listed Building Consent unless specifically requested.

**QUESTION 19. Do you support Preferred Policy SMP14: Safeguarding?**

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
Development Management Policies
12.1 Somerset has a wide variety of landscape elements, features and characteristics, which individually and in combination create the varied character of the county and help to make the Somerset landscape unique.

12.2 Parts of the county’s landscape are designated as Areas of Outstanding Natural Beauty (AONBs) to recognise the high quality of the landscape and its scenic beauty and to conserve and enhance its natural beauty. The National Planning Policy Framework (NPPF) addresses the issues that need to be considered if development is proposed within AONBs which have the highest status of protection. Consequently it is important that the County Council should broaden its approach to landscape character to cover more than just those ‘high quality’ landscapes such as those found in designated areas.

12.3 The Levels and Moors are identified as a distinctive landscape type in Natural England’s Landscape Character analysis. Although without a formal landscape designation at present the Somerset Levels and Moors are recognised as having unique characteristics which need to be conserved and, where possible, enhanced. Furthermore it is important to recognise and protect the valuable contribution that heritage assets make in determining the character of the landscape types in Somerset.

12.4 National policy indicates that minerals planning should include criteria-based policy against which proposals for any development will be judged. To consider landscape and visual impact as in other areas of impact assessment, the County Council requires the applicant to demonstrate how any adverse effects will be avoided, reduced or mitigated.

12.5 National policy refers to the distinction of national, regional and local designations; therefore it is important the policy reflects this and AONBs are given significant weight in line with the NPPF53. Also the County Council must consider any proposal in the context of the wider Development Plan; for example, also including reference to relevant District planning policies. Consideration should also be given to AONB Management Plans to ensure any decisions are made with regard to the policies or objectives adopted therein and with due regard to the primary purpose of AONB designation i.e. conservation and enhancement of natural beauty.

12.6 There are currently operational mineral sites within the Mendip Hills AONB and policy needs to ensure these sites can continue being worked without resulting in significant adverse impacts on the landscape character and the visual amenity of the area.

12.7 Landscape Character Assessments (LCA), conducted by the District Councils, help to identify, classify and describe the landscape assets of the District. Any proposed development should refer to the appropriate LCA and apply the appropriate management to such landscape features.

Preferred Policy DM1: Landscape and Visual Amenity

Planning permission will be granted for mineral development subject to the applicant demonstrating that:

a) the proposed development will not have an adverse impact on the landscape character and visual amenity of the area; and

b) where proposed development unavoidably affects landscape character, how any adverse impacts will be avoided or, if that is not possible, effectively mitigated.

Proposals on or adjacent to current mineral workings in or within the setting of an Area of Outstanding Natural Beauty (AONB) will need to take full account of the relevant AONB Management Plan and demonstrate that the proposed further development at those existing workings will not have a significant adverse impact on the visual amenity of the area.

QUESTION 20. Do you support Preferred Policy DM1: Landscape and Visual Amenity?
- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
13.1 Somerset has a rich source of biodiversity and geodiversity, much of which is acknowledged to be worthy of protection (see Chapter 3).

13.2 European legislation, transposed into national policy and guidance, the National Planning Policy Framework and other statutory requirements ensure that European and National designations afford appropriate protection to these areas. Consequently it is appropriate for the Somerset Minerals Plan to consider the issues of biodiversity and geodiversity in a more local context, and ensure that locally significant sites also are afforded appropriate protection.

13.3 In addition to conservation designations, there are other factors linked to biodiversity which need to be considered as part of minerals planning, such as the risk of birdstrike associated with mineral workings including those which have been restored. This is especially relevant for those sites which have been restored with conservation as a primary function; such as wet lands which attract bird life. Aerodromes and associated infrastructure are protected by Government safeguarding and as such the Ministry of Defence (or delegated body such as the Defence Infrastructure Organisation) needs to be consulted for this purpose.

13.4 Minerals policy should ensure that the habitats of protected species are safeguarded. Somerset is home to species that have been identified as threatened on a global scale. More locally, work has been undertaken via Biodiversity Action Plans (BAP) to support certain species and habitats. In the context of minerals development, for example, it is noted that worked minerals sites can be restored to calcareous grassland, and so work can be undertaken to identify what such an outcome might mean for local biodiversity on a case by case basis.

13.5 The Somerset Biodiversity Partnership, has identified species of conservation concern at county level in a Somerset Priority Species List. For example, in the Mendips the peregrine falcon and greater horseshoe bat are two species that can be affected by minerals development. Elsewhere on the Somerset Levels and Moors, peat development may affect marsh harriers and rare aquatic invertebrates.

13.6 The position is not static: in its work on priority species the County Council is improving what is known about the changes that are taking place. Noting that the impacts on species of European, National or Somerset importance will often occur in the wider countryside and not just in designated sites, the Priority Species List provides one source of information that helps to avoid the accidental loss of species not given more formal protection.

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54 Via ‘Planning Circular 01/03 (England & Wales) Safeguarding, Aerodromes, Technical Sites and Military Explosives Storage
13.7 Gains in biodiversity are sought via the planning process, and achievable through a combination of measures that recognise how local ecological networks work. The County Council’s initial work on ecological networks is approaching completion. It is informed by evolving national policy and guidance, and it is informing the development of minerals policy on restoration and aftercare, as well as biodiversity.

13.8 Following a similar approach to the protection of landscape character, the Council requires the applicant to demonstrate how adverse effects are avoided or mitigated.

13.9 The County Council encourages consideration of biodiversity offsetting as one mechanism to compensate for residual and unavoidable impacts on wildlife caused by development. Offsets will be calculated using the biodiversity methodology developed by Somerset County Council56.

13.10 Outside of internationally designated site boundaries, sites proposed for minerals development in areas that ecologically support the integrity of sites of international importance sites are likely to be required to undergo a ‘test of likely significance’ (as required by the Habitats Regulations). The ‘test of likely significance’ would be carried out by Somerset County Council as the ‘competent authority’ under the Habitats Regulations. All data and information necessary to carry out these assessments should be provided by the developer with the planning application. This process supports the implementation of the Habitats Regulation Assessments, a statutory part of the planning process.

Preferred Policy DM2: Biodiversity and Geodiversity

Planning permission will be granted for mineral development subject to the applicant demonstrating that:

a) the proposed development will not have an adverse impact on the biodiversity or geodiversity of the area;

b) where proposed development unavoidably affects biodiversity or geodiversity, how any adverse impacts will be avoided or, if that is not possible, mitigated. Compensation in the form of biodiversity offsetting will normally be required to ensure at minimum no net biodiversity loss.

The level of protection afforded to a site that makes a significant contribution to the county’s biodiversity and/or geodiversity will be proportional to the significance of that contribution including, but not limited to, the site statutory designations.

A ‘test of likely significance’ will usually be required for minerals development proposed in areas that ecologically support the integrity of sites of international importance.

QUESTION 21. Do you support Preferred Policy DM2: Biodiversity and Geodiversity?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
14. Historic Environment

14.1 Somerset is rich in sites which are important evidence of cultural heritage. There are currently 467 Scheduled Ancient Monuments in Somerset with a further 17,229 sites or features recorded on the County sites and Monuments Record as being of archaeological importance.

14.2 Heritage assets are irreplaceable. National policy indicates local plans should conserve and enhance such assets in a manner appropriate to their significance. Furthermore, local plans should require applicants to assess the heritage asset, using appropriate expertise where necessary, and as a minimum consult the relevant Historic Environment Record.57

14.3 Building on relevant national policy, the Somerset Minerals Plan policy also acknowledges Areas of High Archaeological Potential (AHAP) as relevant in Somerset, noting that there are 362 AHAPs in Somerset. Due to the density and significance of previous discoveries, all the lowland peat moors are considered to have the potential to include archaeological heritage assets.

14.4 A desk-based assessment will be required as a minimum for proposals that impact on the integrity, character and/or setting of sites of local importance, such as designated areas of high archaeological potential or areas with potential archaeological interest. This work must include consultation with the Somerset Historic Environment Record and assessment using relevant expertise and may need to be supplemented by relevant field evaluation.

14.5 Applicants for minerals development in Somerset must demonstrate that the proposal will not substantially harm designated heritage assets. Where this cannot be demonstrated, the harm must be outweighed by the substantial public benefits of the proposal.

14.6 Proposals that substantially harm a non-designated heritage asset will be judged on the scale of harm and the significance of the asset.

57 National Planning Policy Framework (Chapter 12). Refer also to the Somerset County Council Historic Environment Record www.somerset.gov.uk/her.
Preferred Policy DM3: Historic Environment
Planning permission will be granted for mineral development subject to the applicant demonstrating that:

a) the proposed development will not have an adverse impact on the historic environment; and

b) full regard has been had to the Somerset Historic Environment Record.

The level of protection afforded to a heritage asset – including its integrity, character and/or setting – will be proportional to its significance including, but not limited to, its statutory designation.

If the loss of a heritage asset in whole or in part cannot be avoided, developers will be required to record and advance understanding of the asset and make the evidence publicly accessible.

QUESTION 22. Do you support Preferred Policy DM3: Historic Environment?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
15.1 Probably the most important groundwater resource in Somerset is contained within the Carboniferous limestone of the Mendip Hills: a major aquifer and an important source of public water supply for approximately 500,000 people in the surrounding area (extending as far as Bristol). In addition, there are several smaller groundwater supplies and aquifers across the county. Many of the significant groundwater supplies are protected by source protection zones (SPZ). In addition to groundwater supplies there are 143 surface water bodies (such as rivers, lakes and coastal waters) in Somerset.

15.2 The Environment Agency is the lead authority for safeguarding the water environment, it is responsible for improving and protecting inland and coastal waters, ensuring sustainable use of natural water resources, creating better water habitats and other factors that help to improve the quality of life. All applicants proposing development that has the potential to affect any water resource should consult with the Environment Agency and also refer to the policies within the Water Framework Directive\(^{58}\).

15.3 The County Council, in its role as Lead Local Flood Authority, is responsible for managing flood risk from ordinary watercourses (a watercourse that does not form part of a main river), surface water and groundwater. All development that affects an ordinary watercourse may require Land Drainage Consent from the County Council. When Schedule 3 of the Flood and Water Management Bill is Enacted (expected to be sometime in 2013), the County Council will become the Drainage Approval Body for all new development that has drainage implications (referring to natural drainage, for example implications may occur when there is a loss to permeable surfaces).

15.4 In the context of minerals development, it is vital that the County Council as Minerals Planning Authority works closely with the Environment Agency on areas such as the extraction of aggregates and energy minerals (see respective strategic chapters on aggregates and energy minerals in this document).

15.5 National planning policy states inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Further guidance on flooding is available in the NPPF Technical Guidance\(^{59}\).

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Preferred Policy DM4: Water Resources and Flood Risk

Planning permission for mineral development will be granted where the applicant demonstrates that the proposed development will not have an adverse impact on:

a) the quality, flow and/or quantity of any ground or surface water resource in terms of the risk of pollution and/or derogation of the resource;
b) the future use of the water resource; c) the environmental value of the water resource; and d) flood risk to people or property.

QUESTION 23. Do you support Preferred Policy DM4: Water Resources and Flood Risk?
- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
16. Public Rights of Way

16.1 Somerset has over 6,100 km (3790 miles) of public rights of way, which comprises Footpaths, Bridleways, Restricted Byways and Byways Open to All Traffic (BOAT). Somerset County Council (as Highway Authority) has a duty to keep public rights of way open and easy to use although landowners and farmers also have certain responsibilities.

16.2 The Somerset County Council Rights of Way Improvements Plan details how the public rights of way in Somerset will be managed and improved. Mineral-related planning applications should have regard to this Improvement Plan.

16.3 Wherever possible, public rights of way should remain in their current position on the legal line of path. If this is not possible, then advice should be sought from the County Council’s Rights of Way officers regarding temporary or permanent diversions. The process for closure or diversion of a public right of way, either temporarily or permanently, follows a separate application process. Relevant criteria are provided with the County Council’s Division Order Policy, to which applications must adhere.

16.4 Applicants for proposed minerals development that has the potential to impact on a public right of way will be required to submit details of potential alternative routes and how and when the original right of way will be reinstated. In line with national policy, opportunities will be sought by the County Council to enhance public rights of way and access, and provide better facilities for users of public right of ways.

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60 Available at: http://www.somerset.gov.uk/irj/public/council/initiatives/initiative?rid=/guid/d0ad609e-8b70-2c10-0aa4-ca0a0ea5ab32
61 Available at: http://www.somerset.gov.uk/irj/public/services/directory/service?rid=/wpcontent/Sites/SCC/Web%2020Pages/Services/Services/Environment/Apply%20to%20divert%20a%20public%20right%20of%20way
62 National Planning Policy Framework (paragraph 75)
Preferred Policy DM5: Public Rights of Way

Proposals for minerals development that has the potential to impact the rights of way network in Somerset will need to demonstrate how the affected part of the network or any alternative route will be managed and maintained.

Where proposals are likely to have significant harm on the rights of way network, the applicant must provide a satisfactory, authorised replacement route (either temporary or permanent).

Authorised diversion routes must meet the relevant criteria, be fit for purpose and easily accessible that also does not cause significant disturbance to wildlife. If temporary, the original right of way should be reinstated as soon as is practicable. If permanent diversion is required, this should seek to improve on and enhance the original public right of way.

QUESTION 24. Do you support Preferred Policy DM5: Public Rights of Way?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
17. Somerset has a diverse and widespread minerals resource. Rocks suitable for aggregate production are concentrated in the Mendips, peat in the Somerset Levels and different types of building stone are distributed across much of the county. Many of these resources overlap with areas of the county that are protected by designations that reflect their environmental or historic importance.

17.2 Whilst minerals development is vital to support the contribution which minerals extraction makes to the Somerset economy and the UK demand for minerals, it is also vital that adequate measures are secured to ensure long-term environmental benefits and compensate for adverse impacts that cannot be fully mitigated. Restoration should seek to provide net gains for the environment and secure a legacy that is acceptable to the local community.

17.3 National policy requires local planning authorities to ensure worked land is reclaimed at the earliest possible opportunity, and that high quality restoration and aftercare takes place, liberating former mineral sites for agriculture, geodiversity, biodiversity, native woodland, historic environment and recreation.63

17.4 Restoration is defined as "operations associated with the winning and working of minerals and which are designed to return the area to an acceptable environmental condition, whether for the resumption of former land use or a new use".64

17.5 There are several important factors to consider when restoring a mineral site. These include the land use existing at a site before minerals development (and whether the land has an agricultural classification), the features of a site that would be lost to quarrying, and surrounding land uses. Going forward, factors to consider include the preferred outcome(s) from the local community’s perspective, future access considerations (for transport and public rights of way), the position of the water table, and any aspirations linked with biodiversity and geodiversity.

17.6 The Shapwick nature reserve in the Somerset Levels is one of several notable examples in Somerset where benefits to biodiversity have been secured through effective restoration. The site is important within its wider geographical context, playing a role in enhancing the local ecological network.

17.7 Aftercare means "the use that land, used for minerals working, is put to after restoration".65 After-use of mineral development sites may provide excellent opportunities to enhance public understanding of and accessibility to geology and geodiversity within Somerset; thus it is desirable that after-use to includes, where practicable, provision of and access to features of geodiversity interest. This may include for example the provision of one or more significant geological reference sections, and agreed access arrangements for future study and conservation work.

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63 National Planning Policy Framework (paragraph 143)
64 Technical Guidance to the National Planning Policy Framework Technical Guidance (paragraph 33)
17.8 A five year aftercare period is proposed in Preferred Policy DM6, which takes forward the approach established in the Minerals Local Plan and which is considered to be consistent with national policy (including appropriate reference to the Technical Guidance to the National Planning Policy Framework).

17.9 The Somerset Earth Science Centre, a field study centre located at Moons Hill Quarry, is an example of a type of development that is sympathetic to its local environment.

17.10 Policy DM6 covers general Development Management principles for the restoration and/or aftercare of all mineral sites in Somerset. Policies SMP5, SMP9 and SMP11 address specific issues linked with the restoration of specific types of mineral sites.

Preferred Policy DM6: Restoration and aftercare

Mineral sites should be restored to high environmental standards as soon as practicable after extraction has ceased, where possible through phased restoration whilst other parts of the site are still being worked.

Proposals for mineral development will be permitted if they are accompanied by satisfactory reclamation and afteruse proposals, which must:

a) support BAP species and habitats in Somerset and enhance the local ecological network;
b) restore agricultural land, where mineral workings are proposed on agricultural land;
c) support other afteruses that provide benefits to the local community;
d) provide gains to compensate for unmitigated impacts on the environment and be sympathetic to the character of the surrounding landscape.

Restoration proposals will be subject to a five year period of aftercare. Where proposals require a longer period of management the proposal will only be permitted if it includes details of how this will be achieved.

QUESTION 25. Do you support Preferred Policy DM6: Restoration and aftercare?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.

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Technical Guidance to the National Planning Policy Framework Technical Guidance (paragraph 33)
18. Protecting Local Amenity

18.1 Minerals can only be worked where they occur, and this can lead to mineral extraction close to other businesses and/or residential development. The Somerset Minerals Plan will aim to ensure that a balance is struck between meeting the need for minerals and protecting the local amenity. This reflects an overarching core land-use planning principle in the National Planning Policy Framework to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

18.2 Local amenity can be defined in various ways. In principle it encompasses human health, quality design, provision and protection of local services, local economy and the protection of the countryside, historic environment and environmental amenity. Local amenity also encompasses leisure and sporting areas, such as playing fields and other open spaces used for sport, and it is important that mineral related development does not adversely affect these sites, regardless of ownership. This range of issues is covered by more than one section of this Preferred Options document (in particular policies DM1, DM2 and DM3 also refer).

18.3 The impacts on local amenity arising from mineral extraction include: dust, blast vibration, noise, visual impact, lighting pollution and transport (covered by policy DM8 and its supporting text). It is important that these impacts are managed and kept to a minimum to protect the wellbeing of communities, and the local character of nearby settlements. Table 7 summarises key considerations linked to these impacts.

18.4 Planning conditions should secure measures to minimise adverse impacts on local amenity. Examples of such conditions and restrictions include:

- noise and vibration limits and control schemes;
- dust suppression and control schemes;
- operational time restriction; and
- overall production and transportation restrictions.

18.5 Technical guidance in the National Planning Policy Framework (NPPF) helps planning authorities and developers to set appropriate noise limits and controls on dust emissions. The Council will proactively engage with applicants to achieve the principles for sustainable development in line with advice contained within the NPPF and its Technical Guidance, also informed by other policies in the Development Plan.

18.6 For applications that will have a lasting and significant impact on the local community, Somerset County Council will expect the operator to establish a community consultation group, similar to the current Quarry Liaison Committee/Groups, which comprise of representatives from the local community, the operating company and various government agencies. The purpose of the consultation group is to build good relationships between the operator, the County Council and the local community, to discuss concerns regarding the development.
Table 7: Key considerations when preparing impact assessments

<table>
<thead>
<tr>
<th>Nature of impact</th>
<th>Key considerations when preparing a relevant impact assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dust</td>
<td>Dust from mineral workings can arise from various sources and the severity of the problem will vary according to the time of year and weather conditions. Best practice will be needed to control dust, referring in particular to the NPPF Technical Guidance. Formal schemes of dust suppression may be required. A dust assessment study should be undertaken by a competent person/organisation with acknowledged experience of undertaking this type of work.</td>
</tr>
<tr>
<td>Blast vibration</td>
<td>Blasting disturbance arises from the impulsive affects of ground vibration and air-overpressure. Vibration effects are generally greatest at closest locations to a blast and the perception and level of vibration will be influenced by many factors. Air-overpressure events will follow vibration events with greatest effect but not necessarily at closest locations to a blast. Air-over pressures can cause windows and other fittings within a property to rattle but rarely causes material damage. The control of blasting impacts is generally by applying requirements for good practice blast design and by restricting peak particle velocity at the foundation of a dwelling. Somerset County Council will usually impose a peak particle vibration limit of 9mms ppv at the foundation of any residential dwelling. In the case of larger quarries this limit may be defined as a requirement to design blasts with a 95% confidence that vibration will not exceed a 9mm/s ppv limit at any dwelling. Under some circumstances a lower or higher vibration limit may be appropriate and individual consideration of the affects on dwellings and residents will be guided by advice within British Standards BS6472 &amp; BS7385.</td>
</tr>
<tr>
<td>Noise</td>
<td>Many dwellings near to mineral reserves in Somerset will be located in exceptionally quiet rural areas and the protection from noise impact is an important aspect in quarry development. A detailed noise survey from the applicant will usually be required, together with a full description of the process and characteristics of noise sources. An assessment of the impact of the proposal on the existing noise sensitive locations shall be provided with details of proposed noise control measures to reduce noise impact. Somerset County Council may impose noise conditions to protect residential amenity or to preserve the wildlife or recreational areas. Somerset County Council will engage in pre-application discussions with the developer on noise issues in accordance with the NPPF and its Technical Guidance.</td>
</tr>
</tbody>
</table>
### 18. Protecting Local Amenity

<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>Visual impacts</strong></td>
<td>The location and form of mineral development and the design and extent of screening features will be considered from all public and residential viewpoints. Designs should attempt to minimise the visual contrast between new development and the existing landscapes throughout seasonal changes. In accordance with the NPPF, mineral development will require formulation of a landscape strategy that considered issues during operation, restoration and aftercare.</td>
</tr>
<tr>
<td><strong>Lighting</strong></td>
<td>The affect of light pollution on the night-time environment in rural locations can have significant affect on residents and wildlife. Applications for mineral development may need to provide a lighting scheme that demonstrates that measures have been taken to minimise required lighting and the effects of glare, sky glow and light spillage on the surroundings. The District Council authority sets out lighting pollution policy within its development plan, in addition to the County Council will give advice based upon the development plan and central government guidance.</td>
</tr>
</tbody>
</table>
Preferred Policy DM7: Mineral operations and the protection of local amenity

Planning permission will be granted for mineral development subject to the applicant demonstrating:

a) that the proposed development will not have an adverse impact on local amenity;

b) how adverse impacts on local amenity will be avoided or, if that is not possible, mitigated (and where necessary monitored) by the submission of relevant assessments on the following topics, making reference to Table 7 as appropriate:

i) Dust;
ii) Blast vibration;
iii) Noise;
iv) Visual impacts; and
v) Lighting

c) that any adverse impacts from the amenity issues listed in criterion b above will be controlled to acceptable levels; and

d) how the applicant intends to engage with the local community during the operational life of the site.

QUESTION 26. Do you support Preferred Policy DM7: Mineral operations and the protection of local amenity?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
19. Minerals Transport

19.1 Minerals must be transported from their source to where they are needed. Measures can be taken to minimise the impacts from such transport; however, disturbance from the heavy lorries which serve the mineral sites can be a cause of public complaint. The majority of minerals extracted in Somerset are from the Mendip Hills, in the eastern area of the county where the road network is particularly constrained.

19.2 Whilst the M5 motorway creates a major transport corridor running north to south through Somerset and the A303 provides eastward connectivity towards London, the A361 is the main route running through the Mendip Hills and is the main haulage route connecting large quarries to the A39 and M5 and the A36 to Wiltshire and the south.

19.3 Somerset also has mainline rail connections from Taunton to London, Bristol, the Midlands and the North and to the south west peninsular. Services from Yeovil also connect to London, South Wales, the south coast and Exeter. The two of largest quarries in Somerset, Torr Works and Whatley Quarry, are rail linked directly from within the active area. Other extracted mineral resource is transported by road.

19.4 Somerset is also served by port facilities around Bridgwater at two key wharfs: Dunball and Combwich, both of which are in commercial operation. Dunball has better road access being located off junction 23 of the M5 whereas Combwich wharf, located in the village of Combwich, is accessible along B and C classified roads.

19.5 Somerset’s Future Transport Plan\textsuperscript{67} seeks to reduce growth in congestion and pollution and improve health by improving the efficiency and effectiveness of the transport network. It seeks to encourage Somerset’s economy by reducing congestion and increasing access to jobs and education. Furthermore it helps to secure reductions to carbon emissions from transport, improve air quality and direct heavy goods vehicles onto the recognised freight network.

19.6 Somerset County Council’s Freight Strategy\textsuperscript{68} acknowledges the impact of the quarrying industry in relation to traffic movements, especially in the Mendip district. Routing of these Lorries should be directed where possible along the county’s recognised Somerset Freight Map (Appendix One, Freight Strategy\textsuperscript{69}).

19.7 Transport Assessments and Travel Plans will be needed for developments that generate significant transport movements. The significance of transport movement will be relative to the context and developers should refer to the guidance identified\textsuperscript{70} and consult with the County Council.

\textsuperscript{67} Somerset’s Future Transport Plan 2011-2026
\textsuperscript{68} Somerset Freight Strategy, Transport Policies 2011
\textsuperscript{70} Transport Assessment guidance is available at: https://www.gov.uk/government/publications/guidance-on-transport-assessment
Preferred Policy DM8: Minerals transport

Planning permission will be granted for mineral development subject to the applicant demonstrating that the strategic freight route for the proposed site is suitable or can be upgraded to a suitable standard to sustain the proposed volume of traffic without having a detrimental affect on distinctive landscape features or the character of the countryside or settlements. Particular regard should be given to:

a) road safety;
b) alignment;
c) proximity to buildings;
d) road surface quality;
e) the quality and efficiency of the County Highway network or national primary routes, including any impacts on congestion;
f) disruption to residents and local amenity.

Proposals for mineral development that will generate significant transport movements must be supported by a Transport Assessment and Travel Plan. The Assessment will need to demonstrate that appropriate consideration has been given to alternatives to road transport, including rail, as a primary freight transport option.

QUESTION 27. Do you support Preferred Policy DM8: Minerals transport?
- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
20. Land Stability

20.1 National planning policy states that in preparing Local Plans, local planning authorities should set out the environmental criteria against which planning applications can be assessed, listing tip- and quarry-slope stability as one of several issues to consider.71

20.2 The Technical Guidance supporting the NPPF72 states that appraisal of slope stability issues for new workings should be based on existing information, which aims to:

- identify any potential hazard to people and property and assess its significance;
- establish the basis for reserve calculation; and
- identify any features which could adversely affect the stability of the working to enable basic quarry design to be undertaken.

20.3 The Mines and Quarries Act 1954 deals with various issues linked with quarry workings (not including peat workings). In particular it promotes and requires appropriate consideration of health and safety issues, for example the appropriate use of fencing in a quarry (whether it is being worked out or not).

20.4 More recently the Quarries Regulations 1999 place a range of duties on quarry operators including, but not limited to, the design, construction, operation and maintenance of quarries so as to avoid health and safety risks to people as a result of instability or movement. With that provision in place, the scope for coverage of this issue from a planning perspective is limited. It is important that the County Council does not duplicate or infringe on the activities undertaken by other authorities – in particular the Health and Safety Executive (HSE), which is an independent regulator, focused on reducing work-related death and serious injury across the nation’s workplaces.

20.5 Noting the context outlined above, Somerset County Council proposes to include policy in the Somerset Minerals Plan, informed by the NPPF, which makes clear what the applicant needs to consider in the context of land stability.

20.6 In considering tip and quarry slope stability linked with new applications, relevant technical information should be provided by a suitably competent person as part of the planning application. As stated in the NPPF glossary (page 56), the minimum information that should be provided by an applicant is the report of a desk study and site reconnaissance, which should demonstrate that there will be no risk to persons, property or land features (such as watercourse channels or highways adjacent to peat sites) from quarry or tip instability. The level of detail provided should be proportionate to the scale of the development and the risks associated with land instability.

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71 The National Planning Policy Framework (paragraph 143).
72 Communities and Local Government Technical Guidance to the National Planning Policy Framework March 2012.
20.7 Where an applicant considers that compliance with other existing regulatory controls would ensure that any such risks would not arise, reasoning to support this position should be provided.

20.8 Issues of land stability linked with oil and gas exploration, appraisal and/or production are also considered via policy SMP12 on energy minerals.

20.9 Minor land stability issues relating to the surface drainage and soil placement on restored minerals sites and tips are closely linked with restoration, and are covered in the restoration section of the Technical Guidance to the National Planning Policy Framework.

Preferred Policy DM9: Land stability

Proposals for minerals development will need to demonstrate, via the submission of a stability assessment prepared by a competent person, that:

a) the proposal will not have a harmful effect on the stability of neighbouring land or properties;

AND

b) the proposal will not result in watercourse channel instability either during the working phase of a minerals development or at any time after the cessation of mineral extraction operations.

QUESTION 28. Do you support Preferred Policy DM9: Land stability?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
21. Management of Mineral Wastes

21.1 Mineral wastes are largely unavoidable by-products from the extraction and/or processing of minerals for which no market exists. In particular, they are generated by crushed rock operations in Somerset.

21.2 In some cases, additional processing of the stone can yield more of the useable rock. Where this is not practicable, the material may be used for landscaping and progressive restoration works or, more usually, it is disposed of within the existing void which, subject to certain conditions, is permitted development. Occasionally sites for disposing of mineral wastes are sought beyond land used as a mine or an ancillary mining land.

21.3 Where above ground disposal is sought, the County Council as Minerals Planning Authority will need to be satisfied that the re-use of the material is not practicable, not least to recognise the importance of diverting waste up the waste management hierarchy.

21.4 The waste management hierarchy described and embedded within the Somerset Waste Core Strategy favours waste prevention above re-use and recycling; in turn re-use and recycling is favoured above other recovery. Disposal of wastes is listed at the base of the hierarchy i.e. the least preferable option for most types of waste.

21.5 Recycling and re-use of inert waste conserves primary mineral resources and also reduces the need for new tipping space, which can be visually intrusive in the landscape.

21.6 A policy on the management of mineral wastes is needed in the Somerset Minerals Plan to bring clarity to the particular issue of mineral wastes management.
21. Management of Mineral Wastes

Preferred Policy DM10: Management of Mineral Wastes

The County Council, as Minerals Planning Authority, promotes and requires the diversion of inert waste up the waste management hierarchy.

Sites for the disposal of mineral wastes will be permitted where:

a) the re-use of the material on site to be disposed of is not practicable; AND
b) the proposal will not have significant adverse impact on the distinctive character and features of the Somerset countryside.

QUESTION 29. Do you support Preferred Policy DM10: Management of Mineral Wastes?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.
22. Production Limits

22.1 National policy states that in preparing Local Plans local planning authorities should take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality.\(^{73}\)

22.2 Noting the relatively concentrated nature of quarrying activity in the Mendip Hills, linked with the location of the crushed rock resource, and the fact that a large proportion of the Mendips is designated as an Area of Outstanding Natural Beauty, it is important to recognise the potential cumulative impacts of permitted development and ensure that adequate controls are in place.

22.3 Production limits can be usefully applied to minerals development in Somerset to ensure that adequate controls are in place and protect the natural and historic environment of Somerset and human health.

22.4 Production limits will, where appropriate and with the co-operation of the operators of the minerals site, continue to be a feature of any new planning permissions which are granted and older permissions when they are periodically reviewed. These limits allow the level of an adverse effect to be considered, together with any cumulative effects from other operating sites, when processing the application. Limits of this type also prevent uncontrolled intensification of site operations and any consequent escalation of those effects which cannot otherwise be adequately controlled by planning conditions.

Preferred Policy DM11: Production Limits

The County Council as Mineral Planning Authority requires schemes of planning conditions to include production limits where this is considered necessary and appropriate to prevent any significant harm from the operation.

QUESTION 30. Do you support Preferred Policy DM11: Production Limits?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.

\(^{73}\) The National Planning Policy Framework (paragraph 143).
23. Borrow Pits

23.1 A ‘Borrow Pit’ is a temporary mineral working which is used solely for supplying a specific construction project, such as major road construction or similar civil engineering project. Borrow pits are most commonly used for sand and gravel extraction.

23.2 Sometimes the use of borrow pits can facilitate construction project, reduce the impacts of heavy goods vehicles on the surrounding road network and the community, compared with transporting minerals from more distant existing sources. It is important to ensure that any such short term advantages are not outweighed by damage to other important features such as biodiversity or archaeology.

23.3 Applications to the Mineral Planning Authority linked with Borrow Pits are very rare; however, it is considered appropriate for the Somerset Minerals Plan to include a policy on Borrow Pits for use as and when circumstances require.

**Preferred Policy DM12: Borrow Pits**

Planning permission will be granted for mineral development subject to the applicant demonstrating the proposed Borrow Pit will:

a) lie on or in close proximity to the construction project so that material can be conveyed to its point of use with minimal use of public highways;
b) be limited to the life of the project;
c) serve only the project;
d) be restored to its original levels or an alternative acceptable landform only utilising materials from the construction project; and
e) have less environmental impact than if the mineral were supplied from an existing source.

**QUESTION 31.** Do you support Preferred Policy DM12: Borrow Pits?

- Yes
- No

Please explain reasons for your answer, highlighting what you agree or disagree with.