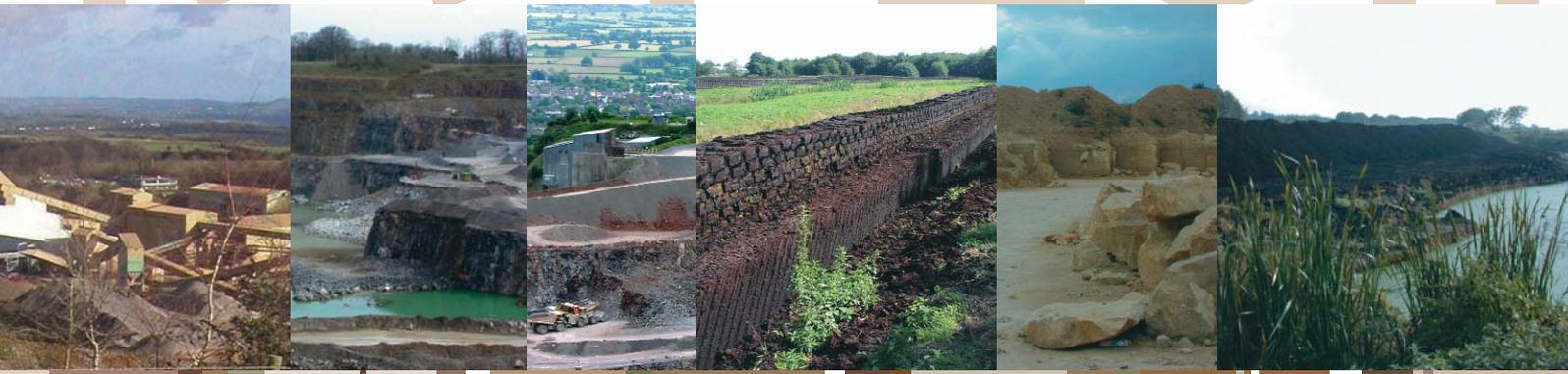


# 1997-2011

## Somerset Minerals Local Plan



adopted april 2004

**Somerset  
Mineral  
Local Plan  
1997 - 2011**

Adopted Version



## Introduction

Regulation 20(3) requires that the reasoned justification of the policies contained in the Plan shall contain a statement of the regard the Mineral Planning Authority (MPA) has had to the following matters;

- Any regional or strategic planning guidance issued by the Secretary of State.
- Current national policies
- Resources likely to be available.
- Other matters prescribed by the Secretary of State.
- Economic, environmental and social considerations.
- The National Waste Strategy and reasons for any inconsistencies with it.
- The objectives of preventing major accidents and limiting the consequences of such accidents; and the need in the long term to maintain appropriate distances between establishments and residential areas, areas of public use and areas of particular sensitivity or interest; and in the case of existing establishments, for additional technical measures so as not to increase the risks to people.
- The account the MPA has taken of any Enterprise Zone schemes in the Plan area and a statement of the regard the MPA has had to them is set out below.

## Regional Planning Guidance

In preparing this Plan the MPA has had full regard for RPG 10 Regional Planning Guidance for the South West (2001), which sets out the broad strategic guidance for mineral planning in the South West. In relation to mineral working the current RPG states that:

MPAs should work together with mineral operators and other agencies to:

- identify, in development plans, Mineral Consultation Areas and safeguard mineral resources to ensure that there are sufficient environmentally acceptable sources to maintain an appropriate level of supplies for current and future needs. They should recognise the need to provide for other land uses and have regard to guidance in PPG7 (The Countryside) and PPG9 (Nature Conservation). Schemes, except those of a minor nature, should not be located in, or where they might adversely affect, National Parks, AONBs, or other national or international designated sites such as SPAs, other than in exceptional circumstances and then only where after the most rigorous examination they are demonstrated to be in the public interest;

- protect against adverse environmental impacts arising from mineral extraction and associated activities;
- promote environmentally acceptable means of extraction and transportation of minerals;
- promote the use of non-road transport modes for the movement of minerals and mineral products, where economically and technically feasible and identify and safeguard appropriate infrastructure facilities. Where road transportation is the only feasible option available, maximum use should be made of motorway, trunk and principal roads, unless the use of other roads is more acceptable environmentally;
- promote environmentally beneficial reclamation, including agricultural uses and afteruse of exhausted mineral workings, with appropriate aftercare.

## National Policies

In preparing this Plan the MPA has had full regard to relevant national policy guidance contained in Planning Policy and Minerals Planning Guidance Notes. Where national guidance is appropriate to the local circumstances of Somerset it has been incorporated into the Plan. Where national guidance has not been followed, the reasons are set out in the relevant reasoned justification.

## Resources Available

The policies and proposal of this Plan seek to ensure that minerals development only takes place in accordance with the principles of sustainable development. A key element of this is to conserve minerals as far as possible whilst ensuring an adequate supply to meet needs. The details of what the MPA regard as an adequate supply are set in the Chapters on individual minerals.

## Other Matters Prescribed by the Secretary of State

No other matters have been prescribed by the Secretary of State.

## Economic, Environmental and Social Considerations

These considerations have been taken into account in preparing all the sections of the Plan, but Chapter 3 is the key part because it sets out the strategy of the Plan which guides all the subsequent policies.

"The key strategy for all forms of mineral extraction, which will guide all the policies within this Plan, is for Somerset to make an appropriate contribution to the local, regional and national need for minerals which does not compromise the achievement of a pattern of sustainable development across the County and recognises the need to encourage the recycling of material".

This is based on the elements of sustainable development being economic opportunity, social equity and environmental conservation.



### **The National Waste Strategy**

The MPA has had regard to "Waste Strategy 2000" (May, 2000) in preparing Chapter 5 of the Plan which sets out the policies on the use of recycled and secondary materials and the efficient use of minerals. In addition, the strategy of the Plan seeks to ensure that primary material extraction is only undertaken where there are no practical substitute materials. The policies and proposals of the Plan are not considered inconsistent with Government on this matter. Other aspects of the National Waste Strategy are taken into account in the Somerset Waste Local Plan.

### **The Objectives of Preventing Major Accidents**

The MPA has had regard to this objective in the preparation of the Plan but no policies or proposals were considered necessary.

### **Enterprise Zone**

There are no Enterprise Zones in the Plan Area.



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# Chapter 1 Introduction

## 1.1 Minerals and the Mineral Planning Authority

1.1.1 Somerset County Council is the Mineral Planning Authority (MPA) for the County with the exception of the area of Exmoor National Park where the National Park Authority has its own powers.

1.1.2 The MPA exercises powers assigned to it under planning legislation to control mineral development in the County.

## 1.2 What are Minerals?

1.2.1 Minerals, for purposes of the planning system are defined as including 'all minerals and substances in or under land of a kind ordinarily worked for removal by underground or surface working, except that it does not include peat cut for purposes other than sale' (Town and Country Planning Act 1990).

## 1.3 Who Should Read the Deposit Plan?

1.3.1 The Somerset Minerals Local Plan will be important to the interests of five main groups of people:

- **The Public;** especially local residents but including the special interest groups, nature conservation organisations etc. The Plan will state how the planning system will aim to protect these parties' interests and will be an important reference document for members of the public who are concerned about the possibility of mineral workings encroaching upon their property or otherwise affecting their lifestyle.
- **The minerals industry;** for whom the Plan will be the principal guidance on all forms of minerals development in the county until 2011 including: where quarrying is likely to be allowed, where it is unlikely to be acceptable and to what standards operations will have to adhere.
- **Central Government;** principally the Office of the Deputy Prime Minister, who will be seeking to ensure that the policies contained in the Plan reflect issues of national as well as of local interest and that the Planning Authority has taken relevant Government guidance into account.
- **Other Statutory Bodies;** including the Somerset District Councils, adjoining Local Planning Authorities, Bristol Water, Wessex Water, the Environment Agency, English Nature, DEFRA, etc, who will wish to ensure that where there are areas of common interest, the policies within the Plan reflect their own aims and statutory requirements.

- **Somerset County Council;** who will use the Local Plan process as a means of influencing National minerals policy and the future of the local industry. Following adoption of the Plan, it will serve as the principal means of testing the acceptability of all mineral planning proposals within the County.

1.3.2 The Local Plan process is an important opportunity for the County Council to bring the issues associated with mineral working in Somerset before these parties for discussion. Within the limits imposed by present legislation, Government advice and planning commitments which have already been made, this document aims to take the demand for minerals and the needs of the Somerset environment towards an acceptable state of balance.

## 1.4 The Need for a Minerals Local Plan

1.4.1 With mineral interests affecting, or having potential to affect, such large areas of the County, it is clearly important to discuss and plan for the issues associated with mineral working in Somerset.

1.4.2 Government recognises that need and places a statutory obligation on Somerset County Council to prepare a Minerals Local Plan under the Town and Country Planning Act 1990 as amended by the 1991 Planning and Compensation Act.

1.4.3 When finally adopted, the Minerals Local Plan will, in conjunction with the Structure Plan, the Waste Local Plan and the area Local Plans produced by each of the Somerset District Councils, constitute the Development Plan for the County.

1.4.4 The broader, more strategic issues associated with minerals have already been taken into account by the Government Office for the South West in publishing the planning guidance note for the region (RPG 10, July 1994) and by Somerset County Council when formulating Structure Plan policies. The wider transport issues have also been taken into account when preparing the Local Transport Plan.

1.4.5 The task for this Local Plan is to consider mineral issues in much finer detail and to put a comprehensive set of minerals policies in place which are at the same time in conformity with both Regional Planning Guidance and the Somerset Structure Plan.



1.4.6 The task of producing local plans of all types, including Minerals Local Plans was given added urgency with the introduction of Section 54A of the Town and Country Planning Act 1990. This requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. This is sometimes referred to as 'the plan-led system'. In such a system it is obviously important that the Development Plan is complete and up-to-date.

**1.5 The Plan**

1.5.1 The Somerset Minerals Local Plan was published in two draft versions prior to formal adoption, both of which were subject to public consultation.

1.5.2 The adopted Plan takes the results of these consultation processes into account together with the recommendations of the Local Plan Inspector following the Local Plan Inquiry in November/December 2001.

1.5.3 The Plan will now be monitored to ensure that the policies and other guidance, which it contains, continue to work effectively. It will be reviewed on a five-yearly basis.



## Chapter 2 The Geology of Somerset

- 2.1 Present at or near the surface within the County are rocks and soils which range in age from the Silurian andesite of East Mendip (oldest) to the Quaternary peat deposits of the Levels and Moors (youngest).
- 2.2 This section will give a brief description of each mineral resource in order of age (oldest to youngest).
- 2.3 The core of the Mendip Hills is formed of Silurian rock, most notable of which is the andesite which crops out in an area near Stoke St Michael. Unlike most of the other rocks in Somerset it is igneous and of volcanic origin. Below the zone of weathering it is strong, durable and resistant to polishing, making it suitable for use as a construction aggregate but, more significantly, suitable for use in the wearing course of roads. The quarry at Moons Hill is currently working this material.
- 2.4 The **Devonian** rocks of the County, mainly comprising slates and sandstones, are most significant in the Quantock and Brendon Hills of West Somerset where there has been some small-scale working for building stone. The only recently active quarry, Triscombe on the Quantock Hills, produced sandstone and quartzite for high quality road surfacing material. Here, major conflicts with a designated landscape and nature conservation interests have led to the cessation of working. Devonian rocks consisting primarily of sandstone also crop out in the Mendip Hills but they are currently of no commercial value.
- 2.5 As far as the extractive industry is concerned, the most important rocks are those of **Carboniferous** age found in the Mendip ridge. From there the limestones of the Carboniferous Limestone Series are extensively worked to produce construction aggregates and, from one site, lime. An isolated inlier of Carboniferous limestone is quarried at Cannington near Bridgwater. Coal Measures of the Carboniferous occur on the northern fringe of the eastern Mendips and these include the Pennant Sandstone, locally capable of producing good quality aggregates. No coal mining now takes place in Somerset.
- 2.6 Permo-Triassic deposits, essentially comprising sandstones, mudstones and conglomerates, are worked on a minor scale only. Sand is available from the Triassic Pebble Beds and Conglomerate at Whiteball near Wellington. The Budleigh Salterton Pebble Beds are a source of building stone which is being worked at Capton near Williton. Clay from the Mercia Mudstone Group has been used for brick making at Poole to the east of Wellington. In earlier times, gypsum was mined near Watchet and from Hurcott Hill, Somerton.
- 2.7 The youngest rocks of Triassic age are thin, flaggy limestones formerly termed the White Lias (these are now part of the Penarth Group). These strata are not widely used but have been worked at a limited number of sites in the County.
- 2.8 Various sub-divisions of the rocks of the Jurassic period, including the Blue Lias, the Upper Lias, the Inferior Oolite and the Forest Marble, provide building stones whilst the Upper Lias has yielded moulding sands.
- 2.9 Blue Lias limestone occurs in Central Somerset where it has been widely quarried over many centuries. It is evident in the fabric of most of the older buildings in the County, particularly to the East, and sets the character of townships such as Somerton and Shepton Mallet. There is a constant demand for Blue Lias and six quarries were in operation at the time this Plan was drafted.
- 2.10 In the Upper Lias sub-division, Ham Hill Stone is a shelly limestone distinctive for its variable buff colour and its ability to endure in relatively ornate carved forms. As a result it is often seen in churches and in the fabric of other historic buildings. Ham Hill Stone is known to have been worked as long ago as Roman Times. Its occurrence is much more localised and it is currently worked at two sites at Ham Hill near Montacute.
- 2.11 Next youngest are the Middle Jurassic limestones which are quarried in parts of the Mendips, mainly for dimension stone purposes. Fine-grained and oolite limestones (assigned mainly to the Inferior Oolite) were used in the construction of Wells Cathedral. They sit unconformably on the Carboniferous Limestones of the aggregate quarries where some is crushed and used on a limited scale to produce reconstituted stone products, whilst the remainder is considered a waste material or used occasionally as general fill.
- 2.12 Forest Marble of the Great Oolite Series is the youngest Jurassic rock of economic significance and it occurs in the East of the County. It is now worked only sporadically to supply building and walling needs, most of which are in Dorset.
- 2.13 **Cretaceous** deposits are to be found in the Blackdown Hills and in the area of high ground extending east to Crewkerne. They also crop out between Penselwood and Frome where Salisbury Plain extends into the county. Sand and gravel has been worked from the Blackdown Hills, as has the hard brown chert, locally significant as a building stone which is sometimes referred to as Blagdon Flint.



- 2.14 The youngest deposits are those of Quaternary age which have formed in the last two million years. The surface covering of much of the County is unsorted stony sand and clay which date from this period. The Quaternary in Somerset includes fairly extensive gravel deposits in the valleys but the only mineral of economic importance is the peat which has formed over large tracts of the Levels and Moors.



## Chapter 3 Minerals and Sustainability

### 3.1 Introduction

- 3.1.1 The minerals industry has long been a prominent feature of working life in Somerset and continues to provide a major source of employment and stimulus to the local economy.
- 3.1.2 A range of materials are worked and, in particular, the Carboniferous Limestone of the Mendip Hills is of national significance as a strategic resource of hard rock aggregates, making an important contribution to the needs of the construction industry in the south of England.
- 3.1.3 However, with the passage of time and against the background of an ever increasing requirement for many minerals, it is becoming much more difficult to accommodate the extractive industry within a society which has a growing sense of environmental responsibility and in competition with other forms of development which are less inherently destructive.
- 3.1.4 In recent years there has been much public debate and in-depth consideration of the issues associated with minerals extraction in Somerset. This document sets out the background to the statements made in the Somerset and Exmoor Joint Structure Plan Review.
- 3.1.5 Individual chapters on the different mineral types within the County will provide guidance on what the County Council regard as an appropriate level of mineral extraction for Somerset in accordance with the strategy and objectives set out below.

### 3.2 Sustainable Minerals Development

- 3.2.1 Government is committed to the principles of sustainable development and in order to measure progress in achieving it will use four broad objectives. 'Planning for Sustainable Development: Towards Better Practice' sets these out as: "the maintenance of high and stable levels of employment; social progress which recognises the needs of everyone; effective protection of the environment and prudent use of natural resources".
- 3.2.2 National guidance on sustainable development, (DoE, PPG1, 1997), recognises that as part of a sustainable framework provision should be made for the nation's need for minerals. This is because of the essential contribution to our life and prosperity which minerals make, although it is also recognised that there is often conflict between the exploitation of resources and environmental aims.

- 3.2.3 Mineral Planning Guidance Notes sets out Government objectives for sustainable minerals development. These include:

- minimising the impacts of extraction on the environment and local communities
- requiring high quality working and restoration schemes
- the efficient use of minerals and the increased use of recycled materials
- conserving minerals, whilst ensuring an adequate supply
- safeguarding mineral resources from sterilisation

- 3.2.4 In seeking to achieve a pattern of sustainable development across the County the Somerset and Exmoor Joint Structure Plan Review defines the key elements as: economic opportunity, social equity and environmental conservation. In providing raw materials as a stimulus for employment and investment, the minerals industry makes a major contribution to the creation of economic opportunity and the achievement of social equity. However, this must be balanced against the environmental conservation element of sustainable development, with the inherent conflict of extracting a non-renewable resource and the impact mineral extraction can have on interests of acknowledged importance.

- 3.2.5 The key strategy for all forms of minerals extraction, which will guide all the policies within this plan, is for Somerset to make an appropriate contribution to the local, regional and national need for minerals which does not compromise the achievement of a pattern of sustainable development across the County and recognises the need to encourage the recycling of material.

- 3.2.6 The MPA consider the requirement for there to be a need for a mineral to be worked an essential element of sustainable minerals planning. Therefore as part of the process of preparing this plan the MPA has carried out an assessment of the various minerals worked in the county. The circumstances for each mineral are set out in detail in the individual chapters.

- 3.2.7 The second element of the strategy statement concerns sustainable development. Whilst the earlier part of this chapter sets out current references in Planning Policy Guidance notes and Government reports, the precise nature of the subject continues to evolve. For the purposes of this Plan the MPA will define sustainable minerals development as follows:

- primary mineral extraction taking place only when there is no practical substitute material which can be provided at less environmental cost;



- taking steps to minimise the production of waste, encourage the efficient use of materials, and ensure that the best use is made of minerals by supplying them for a use appropriate to their quality;
- the extraction of minerals from nationally designated landscape, archaeological or nature conservation areas only taking place in exceptional circumstances;
- the employment of sensitive working practices which ensure that the impacts of the development are kept to acceptable levels; and
- leaving sites which have been the subject of mineral extraction in a condition which maintains or enhances their value to the immediate environment, local communities and the surrounding area.

### 3.3 Monitoring

3.3.1 The Strategic Environmental Assessment carried out on this plan listed criteria which need to be taken into account in deciding whether the sustainability aims for minerals production are being met. These are grouped under four headings: global sustainability, natural resources, local environmental quality and economic and social sustainability. The assessment suggested an initial list of indicators, many of which are already being recorded. Directly or indirectly, many of these data are collected by quarry liaison groups, environmental monitoring groups, the County and District Councils, the Environment Agency, the minerals industry and others. Indeed there is already the Mendip Quarries Environmental Monitoring Group (MQEMG) which is a joint initiative by Somerset County Council, Mendip District Council and the Environment Agency, to establish baseline parameters and to undertake long-term monitoring in an attempt to gauge whether the quarrying industry is causing a deterioration in the quality of life of the residents of the Mendip Hills. Regular monitoring is undertaken of dust, noise and the quality of watercourses. This information assists the authorities in controlling the environmental effects of quarrying.

3.3.2 The MPA will draw on this information, initially to produce a report defining the present conditions in Somerset with relevance to minerals and subsequently to follow this with annual updates of the appropriate indicators. This will provide a record of changes over time that can be used to appraise the effectiveness of the policies for the five yearly review of the Minerals Local Plan.



## Chapter 4 Protecting the Environment and Local Communities

### 4.1 Introduction

4.1.1 The Somerset environment is unique and characterised by a broad range of features. These environmental assets, which are essential to the character and value of the County, could be vulnerable to the effects of mineral working if they are not properly controlled. Mineral working can also give rise to disturbance to local communities by reason of noise, dust, blasting, light pollution and heavy traffic, all of which require controlling to ensure that local impacts are kept to acceptable levels.

4.1.2 The Strategic Environmental Assessment process indicated that the plan provides thorough coverage of the key policy issues in both statutory and non statutory guidance. It did recommend, however, that some of the policies designed to protect the most important of Somerset's environmental assets and resources could be strengthened to ensure that applicants fully justify their case for mineral extraction.

4.1.3 For consistency of wording this Plan will use the term 'significant harm' to describe the above test and it will be the planning authority determining the application who will decide whether or not significant harm is likely to occur, having taken account of any relevant material considerations.

### 4.2 Landscape

Due to their particular landscape value the Quantock Hills, a major part of the Mendip Hills and more recently the Blackdown Hills, have been designated as Areas of Outstanding Natural Beauty (AONBs). The Cranborne Chase and West Wiltshire Downs AONB, also clips the Somerset boundary in the east. National policy is that mineral proposals within AONBs should be subject to the most rigorous examination.

#### Policy M1

**Proposals for mineral development within Areas of Outstanding Natural Beauty will only be permitted where:**

- there is a need for the development in terms of national considerations of minerals supply or the supply of traditional building materials;
- alternative supplies cannot be made available at reasonable cost or the need cannot be met in some other way from outside of the AONB;
- they will not result in significant harm to the distinctive character and features of the AONB or to the natural beauty of its landscape; and
- in the case of extensions to existing sites the proposal will enhance the local landscape.

4.2.2 As well as proposals within AONBs there is also the need to protect AONBs from development outside these areas which might impact on the distinctive character and features of the designated area. In addition Exmoor National Park adjoins Somerset to the west. Joint Structure Plan Review Policy 2 contains the test that particular care should be taken to ensure that no development is permitted outside the National Park which would damage it's natural beauty, character and special qualities.

4.2.3 Outside of the AONBs rural Somerset has a wide variety of landscape areas and features which are essential to the character of the County and should be safeguarded for their own sake. Most mineral extraction has to take place in rural areas but with careful planning and control, it can be accommodated without unacceptable impact on the rural environment. Sensitive working and mitigation methods together with a high standard of restoration and aftercare can ensure that the land is returned to a beneficial condition.

4.2.4 In recent years much emphasis has been placed on screening as a means of making quarries acceptable in visual terms. Whilst benefits also accrue in the form of reduced noise levels when environmental banks are constructed, operators should not confine their thoughts entirely to screening, especially in the long term. In some locations screen banks are intrusive in the landscape and whilst they might be accepted during the working life of the quarry they are unlikely to be acceptable as permanent features. The MPA will encourage the industry to look at landscape creation when designing schemes and consider that it may be necessary in some cases to lose some extraction efficiency in the cause of the final landform to be achieved.

#### Policy M2

**Proposals for mineral development outside of AONBs will only be permitted where they do not cause significant harm to the distinctive character of the Somerset countryside or to features which make a valuable contribution to its distinctive character. Regard will be had to the sensitivity of the proposed working method, the effectiveness of mitigation measures and the restoration scheme in assessing the impact of the proposal on the distinctive character of the countryside and the valuable features contributing to that character. Proposals for mineral development adjacent to AONBs will only be permitted where they do not cause any significant harm to the distinctive character and features of the AONB or to the natural beauty of its landscape.**



### 4.3 Green Belt

4.3.1 A small area of Somerset to the north east of Norton St Philip lies within the Bristol/Bath Green Belt. This plan does not contain any proposals to identify land within the Green Belt and the MPA is not aware of any mineral interest in this area so a specific policy is not considered necessary. In the unlikely event that a mineral proposal does come forward during the plan period it will be determined in accordance with national policy.

### 4.4 Nature Conservation

4.4.1 The Government objectives for planning and nature conservation are to contribute towards the conservation of the abundance and diversity of wildlife and to minimise the adverse impacts on wildlife where conflict is unavoidable (DoE, PPG9, 1994). It is also recognised that mineral working can result in the creation of areas of nature conservation value, both biological and geological, some of which have been designated as SSSIs.

4.4.2 The Somerset environment is unique and characterised by a broad range of habitats, many of which are acknowledged to be worthy of conservation. These environmental assets are essential to the character of the County and it is this biodiversity that Policy 1 of the Somerset and Exmoor Joint Structure Plan Review is seeking to protect, with the greatest protection being afforded to sites of international and national importance.

4.4.3 Several areas of Somerset are of international importance to wildlife. The Somerset Moors and Levels have been designated as a Special Protection Area (SPA) and Ramsar site and Bridgwater Bay as a Ramsar site and as part of the Severn Estuary SPA and candidate Special Area of Conservation (SAC) in recognition of their importance for over wintering wetland birds. In addition several sites in the East Mendip area have been included in the Mells Valley candidate SAC. Other candidate SACs include the Mendip Woodlands and the North Somerset and Mendip Bats. Special considerations under the Conservation (Natural Habitats &c.) Regulations 1994 apply to development which is likely to have a significant effect on these internationally designated sites and they should be protected from inappropriate development. Applicants should also be aware that English Nature identify consultation areas around their designated sites and that they can extend as far as 2 kilometres.

### Policy M3

**Proposals for mineral development which are likely to harm the integrity of a European site, proposed European site or a Ramsar site will not be permitted unless there are imperative reasons of overriding public interest for which there are no suitable alternative solutions.**

4.4.4 Approximately 110 other sites in Somerset are considered to be of national importance for either fauna, flora or geological reasons and these are designated as Sites of Special Scientific Interest (SSSI). These sites should be protected and development that causes significant harm to their special interest should not be permitted. Some SSSIs are also designated as National Nature Reserves (NNR) and where these are affected by development particular regard will be paid to their national importance. Applicants should also be aware that English Nature identify consultation areas around their designated sites and that they can extend as far as 2 kilometres.

### Policy M4

**Proposals for mineral development affecting a Site of Special Scientific Interest or a National Nature Reserve will be subject to the most rigorous examination where the need for the mineral will be balanced against environmental and other considerations. Substantial weight will be given to the protection of such sites and proposals that are likely to cause significant harm to such sites will not be permitted unless it can be demonstrated that there is an overwhelming need for the mineral that clearly outweighs the harm and cannot reasonably be met elsewhere.**

4.4.5 In addition to the statutorily designated nature conservation sites there are a large number of non-statutory, locally important sites. Somerset has approximately 1670 sites notified as being of county importance (County Wildlife Sites), in addition to sites which have been identified as Regionally Important Geological or Geomorphological Sites (RIGGS). These sites make a vital contribution to the environmental assets and biological diversity of the county and they also provide a valuable educational resource which supplements the sites notified as SSSIs.



#### Policy M5

**Proposals for mineral development which are likely to result in significant harm to a County Wildlife Site or a Regionally Important Geological/ Geomorphological Site will only be permitted where the benefits of the development would outweigh the harmful effects.**

- 4.4.6 The biodiverse character of Somerset is not only reliant upon protection of designated areas (see policies M3, M4 and M5) but also other features of conservation value, such as hedgerows, watercourses, ditches, ponds and small woods. These provide a diversity of habitats as well as valuable corridors for the movement of species. Mineral proposals should identify such features and seek to minimise their impact upon them. This is particularly important with regard to hedgerows because of the Hedgerow Regulations 1997. Applications affecting hedgerows should include a survey which identifies hedgerows that are defined as 'important' in the regulations in order that any impact on them can be properly assessed. Where applications do involve the loss of habitat, proposals will be expected to provide for the replacement of that habitat to ensure that the overall biodiversity of the County is not reduced.

#### Policy M6

**Proposals for mineral development outside of designated nature conservation areas will only be permitted where the proposals have been designed to minimise their impact on the nature conservation value of the area and the biodiversity of the County.**

- 4.4.7 Also not restricted solely to designated areas are the presence of legally protected species and their habitats. National guidance (DoE, PPG 9, 1994) is clear that the presence of a protected species is a material planning consideration if a proposal is likely to result in harm to that species or their habitat. Where harm is likely, applicants should discuss their proposals with English Nature to see if acceptable mitigation measures can be secured. Schedules of protected species and their habitats can be found in Part 1 of the Wildlife and Country Act 1981, the Conservation (Natural Habitats) Regulations 1994 and the UK Biodiversity Action Plan. Badgers have additional protection under the Protection of Badgers Act 1992 and particular regard should be paid to the loss of foraging grounds given the potentially large landtake of some mineral proposals.

#### Policy M7

**Proposals for mineral development which would be likely to result in harm to species or their habitats protected by the Wildlife and Countryside Act 1981, European Directives or identified as priorities in the UK Biodiversity Action Plan will not be permitted unless appropriate mitigation measures can be secured.**

#### 4.5 Historic Environment

- 4.5.1 There are three main principles underlying national guidance on archaeology, (DoE, PPG 16, 1990). Firstly; that the value, variety and vulnerability of archaeological remains justifies a presumption in favour of the physical preservation in situ of the most important sites and remains. Secondly; our archaeological heritage as part of the wider historic environment is a major element of environmental conservation. Thirdly; accurate, expert information on the condition and significance of the sites affected is essential for making properly informed planning decisions.
- 4.5.2 Somerset is rich in sites which are important evidence of cultural heritage. There are currently approximately 660 Scheduled Ancient Monuments in Somerset with a further 12,000 sites or features recorded on the County Sites and Monuments Record as being of archaeological importance.
- 4.5.3 Policies 12 and 13 of the Somerset and Exmoor Joint Structure Plan Review provide the framework for the protection of nationally and locally important archaeological remains respectively. For nationally important remains there is a presumption in favour of their physical preservation in situ and the protection of their setting.

#### Policy M8

**Proposals for mineral development which will cause significant harm to nationally important archaeological remains or their setting will not be permitted.**

- 4.5.4 Whilst the MPA also supports the preservation of regionally and locally important archaeological remains in situ, where this is not justified, planning permission may be granted subject to satisfactory provision being made for the excavation, recording and publication of results. Proposals should be in accordance with Somerset County Council's "General Specification for Archaeological Work in Somerset" (March 1995), or any subsequent editions.



**Policy M9**

**Proposals for mineral development which will cause significant harm to regionally or locally important archaeological remains will only be permitted where their physical preservation in situ is not justified and where appropriate provision for the investigation and recording of the archaeological remains and the publication of the results can be ensured through planning conditions and/or legal agreements.**

- 4.5.5 Where a proposal falls within an Area of High Archaeological Potential (AHAP) or there is reason to believe that archaeological remains exist, an appropriate archaeological evaluation will be required prior to the determination of the application in order that an informed decision can be taken. AHAPs are identified in District wide Local Plans and are updated as further research is completed. Because of the frequency of archaeological finds that have been made in the existing peat extraction areas and because extraction would almost certainly destroy any remains present, all areas of peat exceeding one metre in depth will be treated as AHAPs in respect of applications for mineral development. Any such evaluation should be carried out in accordance with Somerset County Council's "General Specification for Archaeological Work in Somerset" (March 1995), or any subsequent editions.

**Policy M10**

**Where proposals for mineral development are within Areas of High Archaeological Potential or where there is reason to believe that archaeological remains exist, an appropriate evaluation will be required prior to the determination of the application to assess the significance, character and extent of any remains.**

- 4.5.6 Somerset is fortunate in retaining a rich legacy of historic sites, many of which are protected by designation as listed buildings or conservation areas. These vary in size and form from man-made landscape features to large towns and applicants will need to demonstrate that they have given careful consideration to the desirability and practicality of conserving all sites of historic interest, whether statutorily protected or not. Proposals which do not preserve or enhance the character or appearance of a conservation area should not be permitted other than in exceptional circumstances. Listed buildings are nationally important and are a finite resource and an irreplaceable asset. There is a presumption in favour of their preservation. Protecting the setting of a listed building can be as important as retaining the special character and features of the building itself.

**Policy M11**

**When considering mineral proposals that are likely to have an impact on any listed building or conservation area, the MPA will give special regard to the desirability of preserving the listed building or its setting, or any features it may have of special architectural or historic interest, and special attention to the desirability of preserving or enhancing the character or appearance of such conservation area. Proposals for mineral development which will cause significant harm to the setting, character or appearance of any building or structure of architectural or historic interest, or to the character and appearance of a conservation area will not be permitted.**

- 4.5.7 In addition special consideration should be given to the protection of registered parks, gardens and battlefields of special historic interest and their settings. Somerset has 36 sites on the English Heritage Register of Historic Parks and Gardens and two important historic battlefields, Langport (1645) and Sedgemoor (1685). The purpose of the Registers is to promote the appreciation, maintenance and enhancement of these areas and to highlight the important contribution they make to the character and heritage of Somerset and the nation.

**Policy M12**

**Proposals for mineral development will only be permitted where they would not cause significant harm to the historic character or setting of any registered park, garden or battlefield of special historic interest.**

**4.6 Water Environment**

- 4.6.1 Probably the most important Somerset groundwater resource is contained within the Carboniferous limestone of the Mendip Hills, a major aquifer, the western part of which is an important source of public water supply for some 500,000 people in the Bristol area. In addition, there are a number of minor aquifers in the vicinity of mineral workings such as the Devonian Sandstone of the Quantock Hills which contains Triscombe Quarry, and the Triassic Pebble Beds and Conglomerate at Whiteball which are extracted as sand and gravel. Groundwater Source Protection Areas (GSPAs) have been published by the Environment Agency, (Policy and Practice for the Protection of Groundwater, EA, 1998), in relation to major potable supply sources in the County. Seven percent of the County is covered by GSPA although groundwater protection constraints apply to many other undefined sources. There are other precious water features in the County, such as rivers and streams which are important for nature conservation,



amenity reasons, as a source of potable and non-potable water and for waste treatment. Policy 59 of the Somerset and Exmoor Joint Structure Plan Review seeks to protect water resources from development which could harm their quality or quantity and the MPA will continue to work closely with the Environment Agency to ensure that water resources are adequately protected.

#### Policy M13

**Proposals for mineral development will only be permitted where they will not have a harmful effect on the quality or quantity of any ground or surface water resource in terms of the risk of pollution and/or derogation of the resource; the future use of the resource; and the ecological value of the resource.**

- 4.6.2 Additional guidance for applications to extract crushed rock from below the water table is provided in Chapter 6 and for peat extraction in Chapter 7.
- 4.6.3 Government guidance, in PPG 25 Development and Flood and Risk, requires planning decisions to be made in the light of the precautionary principle in relation to the issue of flood risk. Moreover, consideration of flood risk should be applied on a whole- catchment basis and not restricted to flood plains. The guidance indicates that the planning system should seek where possible to reduce and certainly not increase flood risk. It should therefore restrict development that may increase the risk of flooding or interfere with the ability of the Environment Agency to carry out any flood control works. Policy 60 of the Somerset and Exmoor Joint Structure Plan Review seeks to prevent development that would cause a net loss of flood storage area or interrupt the free flow of water or harm areas of environmental and ecological value.

#### Policy M14

- **Proposals for mineral development will only be permitted where:**
- **the proposal will not increase the risk of flooding in the vicinity of the site, in the water catchment within which the site lies or elsewhere;**
- **the proposal will not prevent the proper maintenance of the channels of watercourses;**
- **the proposal will not have a significant harm on the integrity of tidal or fluvial defences;**
- **the proposal will not result in watercourse channel instability.**

#### 4.7 Best and Most Versatile Agricultural Land

- 4.7.1 National policy indicates that where development of agricultural land is unavoidable, the use of poorer quality agricultural land is preferred to that of higher quality, except where other sustainability considerations suggest otherwise. Unless consultations with relevant bodies indicate otherwise, the MPA will seek to protect the best and most versatile land (i.e. Agricultural Grades 1,2 and 3a). Within these grades, where there is a choice between sites of different classification, development should be directed towards land of the lowest possible classification. After uses other than agriculture may be appropriate on such land, but only if they preserve the potential of the site to be used as best and most versatile agricultural land.

#### Policy M15

**Proposals for mineral development on land classified as best and most versatile agricultural land will only be permitted where the applicant can demonstrate that site working, restoration and aftercare will be carried out in ways that preserve the potential of the site to be used as best and most versatile agricultural land, unless there is an overriding need for the mineral, or other sustainability considerations outweigh the benefits of preserving this potential.**

#### 4.8 Public Rights of Way

- 4.8.1 Mineral working can affect, either directly or indirectly, public rights of way and when this occurs it will be a material planning consideration in the determination of any application.
- 4.8.2 National guidance, (DoE Circular 2/93), recognises that our extensive rights of way network is a unique legacy which provides a valuable recreational resource for the general public. Policy 42 of the Somerset and Exmoor Joint Structure Plan Review also recognises the importance of rights of way for the enjoyment of the countryside and seeks their protection.
- 4.8.3 Therefore, wherever possible, rights of way should be protected from the significant harm of mineral working. If it is necessary to divert them, either temporarily or permanently, a satisfactory replacement route should be provided. In addition, proposals should seek to secure opportunities to extend and enhance the rights of way network by dedicating new routes or improving existing ones.



## Policy M16

**Proposals for mineral development which will have a significant harm on the rights of way network will not be permitted unless a satisfactory replacement route (either temporary or permanent) can be provided. Where appropriate proposals should include measures to extend and improve the rights of way network.**

### 4.9 Reclamation and Afteruse

4.9.1 National guidance, (DoE, MPG7, 1996), and Policy 30 of the Somerset and Exmoor Joint Structure Plan Review recognise that an important part of sustainable minerals development is to ensure that the land taken for minerals is reclaimed at the earliest opportunity. Schemes should maintain or, wherever possible enhance, the land, so that it will be a benefit to local communities and the environment in the longer term. Where there is doubt that a satisfactory restoration scheme can be achieved then there is also doubt whether planning permission should be granted.

4.9.2 Reclamation should be considered from the outset and applications should address:

- the stripping, storage and replacement of soils and overburden;
- how the landscape and landform objectives for the site will be achieved;
- the removal of buildings, plant and machinery upon cessation of operations;
- provision of surface features such as walls, hedges, fences and ditches;
- phasing of the development to secure progressive restoration; and
- aftercare and longer term management where necessary.

#### Definitions

i. *Statutory definitions (Schedule 5 of the 1990 Act)*

**Restoration condition:** a condition requiring that after operations for the winning and working of minerals have been completed, the site shall be restored by the use of any or all of the following, namely subsoil, topsoil and soil making materials.

**Aftercare condition:** a condition requiring that such steps shall be taken as may be necessary to bring land to the required standard for whichever of the following uses is specified in the condition, namely,  
a. use for agriculture;  
b. use for forestry; or  
c. use for amenity.

The steps which may be specified in an aftercare condition or aftercare scheme, and hence which are included in the meaning of aftercare, are planting cultivating, fertilising, watering, draining or otherwise treating the land.

ii. *Other definitions*

**Reclamation is used in this Plan to mean:** operations which are 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 the former land use or for a new use. Reclamation includes both restoration and aftercare as defined in the 1990 Act. However, it also includes events which take place before and during mineral extraction (e.g. correct stripping and protection of soils); and may also include operations after extraction such as filling and contouring or the creation of planned water areas.

**Afteruse is used to mean:** the ultimate use after mineral working for agriculture, forestry, amenity (including nature conservation), industrial or other development. DoE, MPG7, 1996 (Further guidance on best practice is contained in MPG 7, *The Reclamation of Mineral Workings*, DOE 1996.)

4.9.3 Mineral workings have a wide range of potential afteruses but because of their rural location most sites will normally be restored to agriculture, forestry or amenity afteruses such as nature conservation or recreation. However, other uses may be appropriate where they are in accordance with Government guidance and Development Plan policy to diversify the rural economy, although these will normally require a separate grant of planning permission from the District Planning Authorities.

4.9.4 Where the best and most versatile agricultural land is to be worked the preferred option for restoration must preserve its long term agricultural potential, unless other sustainability considerations outweigh the benefits of preserving this potential (see policy M15). In all cases where restoration to agriculture is appropriate, schemes should seek to incorporate small scale nature conservation features such as hedgerows, copses and ponds.

4.9.5 With only 5% woodland cover, Somerset is below the national average and it is Government policy to seek a doubling of woodland cover over the next 50 years. Productive woodland can provide a multi-functional land use, incorporating timber production, recreation, nature conservation and visual amenity. Therefore in appropriate locations a sensitive forestry afteruse could make an important contribution to the biodiversity of Somerset.



4.9.6 Amenity afteruses can include recreation, woodland or nature conservation. Reclamation can often create or enhance sites of ecological value which contribute to biodiversity and schemes should have regard to achieving the targets set in the UK Biodiversity Action Plan and local Biodiversity Action Plans where they are in place. Mineral workings can also reveal features of geological importance which should be preserved as part of the restoration wherever practicable. Amenity woodland can provide landscape and ecological interest as well as a recreational resource. Policies 37 and 38 of the Somerset and Exmoor Joint Structure Plan Review encourages the provision of sport and recreational facilities and these can provide lasting benefits to local communities once mineral working has ceased.

4.9.7 To enable the MPA to assess the acceptability of the final restored landform, applications will need to provide details of the final landform and the intended afteruse. It is recognised that local demands for particular afteruses will vary from time to time but the review procedures under the Environment Act 1995 will provide an opportunity to re-assess existing afteruse proposals. For afteruses other than agriculture, forestry, nature conservation and recreation not involving substantial public use, it should be noted that a separate grant of planning permission will be required.

#### Policy M17

**Proposals for mineral development will only be permitted if they are accompanied by satisfactory reclamation and afteruse proposals. Proposals should use every opportunity to enhance the environmental value of sites to contribute to the biodiversity of the County or, where appropriate, to create recreational opportunities. Schemes will need to demonstrate that an acceptable balance has been struck between maximising the amount of mineral extracted and leaving a landform suitable for a beneficial afteruse.**

4.9.8 Two areas of the county raise particular issues with regard to reclamation because of their concentration of mineral workings. These are the quarries of the East Mendip Area and the peat workings of the Somerset Levels and they are discussed in more detail in Chapters 6 and 7 respectively.

4.9.9 Upon completion of restoration, legislation allows for sites with an agricultural, forestry or amenity (including nature conservation) afteruse to be subject to a period of aftercare not exceeding five years. The requirement for a period of aftercare is to ensure the soils are cultivated and given treatment to improve their structure and stability to bring them to a suitable

standard. It also enables the establishment of drainage and the initial establishment and management of vegetation.

4.9.10 Planning obligations can also be sought where it is important that an afteruse is maintained in the longer term, such as with some nature conservation and woodland afteruses. Obligations could also be used for the maintenance of water levels through pumping and the provision of facilities for recreation or other amenity afteruses.

#### Policy M18

**Restoration proposals to agriculture, forestry or amenity (including nature conservation) 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.**

4.9.11 Government guidance (DoE, MPG 7, 1996) is clear that it will be unreasonable of the MPA to require financial bonds or other provisions to guarantee the reclamation of mineral workings other than in exceptional circumstances, where it may be reasonable to seek such a guarantee through a voluntary agreement or planning obligation at the time a planning permission is given. Examples of such circumstances are listed below.

- i. Very long term new projects where progressive reclamation is not practicable, such as super-quarry or some types of industrial/metalliferous mineral sites, where incremental payments into a secure fund may be made as the site develops;
- ii. Where a novel approach or technique is to be used, but the MPA considers it is justifiable to give permission for the development;
- iii. Where there is reliable evidence of the likelihood of either financial or technical failure, but these concerns are not such as to justify refusal of permission.

4.9.12 It is, however, reasonable for the MPA to require applicants to provide information on the likely financial implications of their reclamation and after use schemes and on how they propose to make provision for such work over the life of the site.



**Policy M19**

**Proposals for mineral development will only be permitted where the applicant provides satisfactory information on the financial budget for reclamation and after use and on how provision for this work will be made during the operational life of the site.**

**4.10 Dust**

4.10.1 Dust from mineral workings can arise from a variety of sources and the severity of the problem will vary according to the time of year and weather conditions. If not properly controlled it can have a number of impacts including: visual effects (such as the coating and soiling of surfaces leading to a loss of amenity); physical/chemical contamination (such as the coating of vegetation and soil which can affect agricultural land and areas of ecological importance) and the contamination of watercourses. However, whilst action can be taken to reduce disturbance from dust, by its nature, it is unlikely to be eradicated in its entirety. Conditions attached to planning permissions will require best practice to be used to control dust and may require the submission of formal schemes for dust suppression. The MPA will work with the minerals industry and other regulatory bodies to monitor dust in the environment of the Mendips with a view to minimising nuisance from mineral working.

4.10.2 Where the MPA is able to complement the powers of other regulatory bodies, it will continue to attach planning conditions to mineral permissions which require specified dust control measures. It should be noted here that the District Council Environmental Health Officers (EHOs) have a major part to play in the control of dust from mineral workings through the annual authorisations which operators require. The MPA will therefore continue to fulfil a coordinating role in the control of dust in cooperation with the District EHOs.

**Policy M20**

**Proposals for both new mineral development and the determination of new conditions on review shall be accompanied by an assessment of the impact that the dust generated by the development would have on dust sensitive locations/receptors. Proposals will be expected to incorporate measures to minimise and monitor potential dust impacts. Planning permission for new development will be refused where a proposal cannot control dust to within acceptable limits.**

**4.11 Lighting**

4.11.1 Even when face operations are not carried out during the hours of darkness, mineral operators are often required to provide some level of illumination at sites to comply with health and safety standards. In recent years there has been an increase in the number of complaints which have been made to the MPA regarding light pollution. Whilst it is appreciated that operators must provide a safe working environment, lighting systems should aim to minimise the amount of light 'scatter' into the surrounding environment through principles of good design and practice. It should be borne in mind when addressing problems of light pollution, potential or actual, that some forms of intrusion can be more serious than others. For example; the MPA considers sleep interrupting light pollution to have a greater priority than general light scatter. Light pollution can also interfere with the activities of astronomers.

4.11.2 Where problems of light pollution are brought to the attention of the MPA, negotiations will be started with the operator to explore what measures can be taken to ameliorate the situation.

**Policy M21**

**Proposals for mineral development involving the provision of outdoor lighting will only be permitted where the lighting has been designed so that it will not cause significant harm to local residents or the environment.**

**4.12 Traffic**

4.12.1 Disturbance from the heavy lorries which serve the mineral sites is probably the biggest single cause of public complaint. There are other methods of transporting minerals, such as by waterway or rail and two quarries in the East Mendips are rail-linked, with the majority of their output leaving the site this way. Although these methods are economically viable at only a few sites and have land-use implications of their own, the potential for use of these methods should be considered at the time of application. If the provision of new facilities is shown not to be practical, the feasibility of sharing access to the existing rail links should be investigated.

**Policy M22**

**Proposals for mineral development that have significant transport implications shall be accompanied by a Transport Assessment. The Assessment shall demonstrate that appropriate consideration has been given to alternatives to road transport, including rail, as a primary freight transport option.**



- 4.12.2 Policy 49 of the Somerset and Exmoor Joint Structure Plan Review requires that development proposals should either be compatible with the existing transport infrastructure, or if not, that provision should be made for improvements to the infrastructure to enable the development to proceed.
- 4.12.3 Quarry lorries, unless carefully controlled can have a number of impacts on the roads, other road users and the communities through which they pass. They can add to the size and number of vehicles on the road which may cause congestion, accidents and problems for pedestrians, particularly as mineral workings are often in rural locations where the roads may be unsuitable for lorry traffic. As well as safety concerns this can lead to damage to the road and verges.
- 4.12.4 Lorries can also cause visual intrusion, air pollution, dust from spillage and mud on wheels and chassis, noise and vibration in the communities through which they pass. Noise from early morning starts and the early arrival at sites can be particularly intrusive. Applications should include proposals for the management of these impacts.
- 4.12.5 Proposals should ensure that the highway network is adequate to deal with the level of traffic proposed or that it can be made so by incorporating mitigation measures such as:
  - planning condition limits on the times of heavy vehicle access to the site;
  - agreements on preferred access routes to the site and means of ensuring compliance;
  - the provision of new accesses;
  - financial contributions by developers to highway improvement schemes;
  - limits on the output tonnage from the site by road; the use of conveyors.
- 4.12.6 Policy 52 of the Somerset and Exmoor Joint Structure Plan aims to encourage lorry traffic to use National Primary Routes wherever possible. Therefore proposals with good access to these routes will be favoured.
- 4.12.7 Proposals for mineral development will be expected to provide a full and detailed assessment of how traffic from the development might affect the highway and to show how that full consideration has been given to use of transport modes which minimise use of the public highway. For major proposals, a full Transport Assessment will be expected to illustrate the accessibility of the site by all modes and the likely modal split of journeys to and from the site. Developers should always discuss their proposals with the planning authority prior to submission of a planning application and their consideration of transport issues will be expected to take proper regard for the advice

contained in Planning Policy Guidance Note 13

**Policy M23**

**Proposals for mineral development will only be permitted where the access roads to the proposed site, including any parts of the public highway which serve such a site, are adequate or can be upgraded for the type and volume of traffic proposed without material detriment to distinctive landscape features or the character of the countryside or the settlements through which the road passes.**

**4.13 Noise**

- 4.13.1 In recent years there has been a considerable reduction in the amount of operational noise which emanates from the quarries. In part this has undoubtedly been due to introduction of new plant and various noise attenuation measures such as screen banks. However a major improvement has accrued as a result of the reduced nighttime working which has accompanied the downturn in aggregate demand which has characterised the late 1990s.
- 4.13.2 As far as the efficacy of planning conditions in controlling noise is concerned, there appears to be a conflict between the parameters which can be monitored and the characteristics of noise which cause annoyance. Loud noises of relatively short duration and low volume sounds of a particular tonal quality, infrasound or reverse warning alarms can be disturbing without resulting in planning condition standards being exceeded. This type of problem is exacerbated at night, particularly during warm weather when windows are left open. For that reason, controls on both maximum noise levels and the working hours of particular types of plant are considered essential to preserve the amenity of areas adjacent to most mineral workings.
- 4.13.3 In setting noise limits the MPA will have regard to Government guidance (MPG 11) which provides advice on appropriate noise limits for mineral operations, but advice will also be sought from local Environmental Health Officers and the Community Protection Department of the County Council because of the exceptionally quiet nature of many of the rural areas of Somerset. An important part of determining acceptable noise limits is establishing the background noise level and the threshold at which harmful effects are likely to occur at noise sensitive areas and properties. The MPA will also require limitations on working hours to be secured through planning conditions. Where applications for new permissions are made and the MPA cannot be satisfied that noise can be properly controlled, permission will be refused.



**Policy M24**

Proposals for mineral development shall be accompanied, where necessary, by a background noise survey together with an assessment of the impact of the proposal on the existing noise climate. Planning permission will be refused where a proposal cannot attenuate noise to acceptable levels. Development proposals will be expected to incorporate measures to minimise and monitor potential noise impact.

**Policy M25**

When considering the conditions which should be attached to planning permissions the exceptionally quiet rural environment of many quarrying areas in Somerset will justify application of strict noise conditions in order to preserve amenity.

**4.14 Blasting**

4.14.1 Blasting disturbance comes in two main forms. Some of the energy from a blast is always dissipated through the atmosphere and causes air overpressure. It is air overpressure which is the effect felt most by people standing in the open and it also causes windows to rattle. Whilst it can be quite disturbing, it rarely causes damage. Most of the energy released during a blast is directed into the rock itself. As well as causing the fracturing which it is designed to do, it causes shock waves and ground vibration which can travel considerable distances. Ground vibration has potential to cause structural damage if it is not properly controlled.

4.14.2 Blasting technology is improving and blasts can now be designed with a reasonable certainty of keeping within prescribed vibration limits. Government guidance, (MPG9 and 14), on acceptable blast vibration limits indicate a range between 6 and 10 mms at 95% confidence. The current limit applied in Somerset is 9 mms.

**Policy M26**

Proposals for mineral development will not be permitted unless blasting vibration can be kept within acceptable limits.

Where permission is granted, conditions will be imposed to minimise vibration levels at sensitive properties and environments by:-

- ensuring all blasts are monitored;
- defining the hours during which blasting is allowed;
- setting maximum vibration limits (peak particle velocity) at sensitive locations;
- ensuring the blasts are designed to stay within the vibration limits.

**4.15 Stability of Surface Mineral Workings and Tips**

4.15.1 National guidance on the stability of surface mineral workings and tips has recently been published (DETR, MPG5, 2000). This indicates that MPAs need to consider this issue when determining applications because it may affect land beyond the quarry boundary and the safety of people in and around the quarry. Planning applications and/or restoration schemes should be accompanied by a design report prepared by a competent person which demonstrates that the perimeter and internal slopes, both during operations and after restoration, will remain safe and stable.

**Policy M27**

Proposals for mineral development will need to demonstrate that the operation of the site will not have a harmful effect on the stability of neighbouring land or properties and that arrangements will be made as part of the restoration scheme to ensure that on cessation of working the site will be left in a long term safe and stable condition.

**4.16 Disposal of Mineral Wastes**

4.16.1 National guidance (DoE, MPG1, 1996) encourages the re-use of mineral wastes wherever practicable as this helps to conserve mineral resources and minimises the need for new tipping space which can be visually intrusive in the landscape. The majority of mineral waste in Somerset is generated by the crushed rock operations where additional processing can sometimes be undertaken to remove more of the useable rock. Where additional processing 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 however, sites for disposing of mineral wastes are sought adjacent to the extraction site. Silt lagoons can raise particular issues in this regard, such as long term stability and safety.



Where above ground disposal is sought, the MPA will need to be satisfied that the re-use of the material for aggregate/non-aggregate purposes or landscaping and progressive restoration works is not practicable and that the proposed site would not cause significant harm to the distinctive character and features of the Somerset countryside.

#### **Policy M28**

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

- **the re-use of the material to be disposed of is not practicable;**
- **the proposed disposal of mineral waste at the site will not have significant**
- **harm on the distinctive character and features of the Somerset countryside.**

#### **4.17 Cumulative Impact**

4.17.1 This issue is important in Somerset because of the concentration of crushed rock production in the East Mendip Area and peat extraction in the Peat Production Zones. The impact of a number of sites in an area working sub water table on the water environment and the concentration of HGV traffic on the local highway network are areas of particular concern to the MPA and, where relevant, applications will need to address these issues.

4.17.2 The impact on residential amenity of noise, dust and general disturbance generated by mineral working in an area over an extended period will also be taken into account by the MPA when determining applications for mineral working.

#### **Policy M29**

**The cumulative impact of a proposal on the community and the environment, in relation to current and previous mineral development in the area, including extant permissions where development has not yet commenced, will be taken into account when determining proposals for mineral development.**

#### **4.18 General Permitted Development Order**

Much of the fixed plant and machinery and buildings at mineral extraction sites can be erected under Part 19 of the Town and Country Planning (General Permitted Development) Order 1995 (commonly referred to as the GPDO). This means that permission is granted by the order so no specific grant of permission from the MPA is required. There are limitations on the type and scale of development which is regarded as permitted development and these

are set out in full in part 19 of the GPDO. Where sites are located in sensitive areas, such as AONBs or close to residential properties, or the scale of the operations is very significant, the MPA will normally impose conditions that restrict or remove these rights.

4.18.2 Where an operator wishes to install plant, machinery or buildings which are not covered by Part 19 of the GPDO, an application for planning permission will need to be made to the MPA. In such circumstances, the MPA will need to ensure that any planning permission is granted subject to conditions which require the removal of the development permitted and the restoration of the land. The MPA will also need to assess whether it would be prepared to allow the plant, machinery and/or buildings to continue in use if raw materials ceased to be available from the extraction site at which they are located.

#### **4.19 Planning Obligations**

4.19.1 It is difficult but not impossible for mineral working to be 'good neighbours'. Adherence to planning conditions, particularly those which control sensory effects, will ensure that local impacts are kept to a reasonable level. However, other effects do occur which can seriously affect the viability of existing land uses in adjoining areas. This can occur for example, as a result of an effect upon the water regime, induced land instability or an increase in heavy goods traffic.

4.19.2 The MPA will always seek to protect existing activities, businesses and land uses and other interests from any adverse effects of mineral working by the imposition of planning conditions. Where such protection cannot be achieved through planning conditions, mineral operators should expect that the MPA will seek to enter into planning obligations where individual interests or general amenity could be affected. Where such interests cannot be protected by either condition or obligation, permission will be refused. Planning obligations will be sought by the MPA in compliance with national guidance (DoE Circular 1/97).

4.19.3 Matters which may be covered by planning obligations include: the relinquishment of existing planning permissions; the funding and management of off-site tree planting, screening or other landscaping measures; the provision of funds for archaeological investigations and the protection of the historic environment; the protection and monitoring of the water environment; arrangements to assist in the satisfactory regulation of lorry traffic; the protection, creation or improvement of rights of way; the long term funding for the management of sites for nature conservation or other amenity uses following restoration.



**Policy M30**

**Planning obligations will be sought where they are necessary to safeguard the environment or local communities in respect of matters that are directly related to and necessary for the development to proceed and cannot be achieved by the use of planning conditions.**

**4.20 Environmental Assessment**

4.20.1 The concept of formal Environmental Impact Assessment (EIA) of proposals (either planning applications or developments permitted under the GPDO) which are likely to have a major impact on the environment was introduced into British law by the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988. The Regulations require that projects which are likely to have significant effects on the Environment by virtue, inter alia, of their size, nature or location shall be subject to an assessment of those effects.

4.20.2 Environmental Impact Assessment (EIA) is a systematic way to assess a project. This helps to make sure that the potential impacts and the scope for reducing them are properly understood. Where there is any question of EIA being required, operators are advised to consult the MPA as early as possible. This also applies where the proposal would otherwise benefit from permitted development rights.

4.20.3 Developers may decide for themselves that EIA will be required, or may request a "screening opinion" from the MPA. The request should include a plan indicating the proposed location of the development, a brief description of the nature and purpose of the proposal and its possible environmental effects.

4.20.4 The MPA will then consider:

- whether or not the proposed development meets the conditions in either Schedule 1 or Schedule 2 of the regulations;
- the characteristics of the development, for example its size, use of natural resources, quantities of pollution and waste generated;
- the environmental sensitivity of the location; and
- the characteristics of the potential impact, for example its magnitude and duration.

Unless otherwise agreed, the MPA must reply to this request within three weeks of receiving the request.

4.20.5 It is stressed that EIA is not discretionary. If significant effects on the environment are likely, EIA is required. Where EIA is required, the developer must provide independent information in an Environmental Statement (ES).

4.20.6 If an environmental impact assessment is required, the developer may ask the MPA for their opinion on the scope of an Environmental Statement (ES). This allows the developer to be clear about the topics on which the ES should focus and those aspects of the proposal that are likely to be of particular concern to the authority.

4.20.7 Unless otherwise agreed, the MPA has five weeks from the time of the request to provide a scoping opinion.

4.20.8 The consultation bodies must, if requested, make information in their possession available to the developer for the purposes of preparing an ES.

4.20.9 The time to complete the ES will vary, but it is important to recognise that for most projects requiring information about subjects such as habitats, water regimes and landscapes, baseline information will need to be collected for a full year. As much relevant information as possible should be included in the ES in the first place, to avoid delaying the process by requests for further information.

4.20.10 Whilst every ES should provide a full factual description of the development, the emphasis is on the 'significant' environmental effects. Developers may like to study Preparation of Environmental Statements for Planning Projects that Require Environmental Assessment – A Good Practice Guide, 1995. A non-technical summary is a mandatory requirement; it is recommended that this should be published separately and at no charge to aid public consultation. The applicant should submit without charge 4 copies of the ES and, if it is agreed that the MPA is to carry out the consultations, sufficient copies for the statutory consultees. There may be other bodies whose views would be of value, in which case it would be helpful for additional copies of the ES to be provided. Copies of the ES must also be made available to the public, either free of charge or at a reasonable cost.

4.20.11 Since March 1999 EIA has become mandatory for mineral workings where the surface area of the site exceeds 25 hectares, or 150 hectares in the case of peat. Below this threshold new sites, and modifications to existing ones, will still require EIA if they are likely to have significant environmental effects. In any event it is Government policy that mineral applications which affect SSSIs or are within AONBs should be subject to the most rigorous examination which will normally require EIA to be carried out. Because of the environmental sensitivity of the peat areas applications for peat extraction and for the review of old peat permissions will normally be required to be accompanied by an Environmental Statement.



### 5.1 New Working Areas

- 5.1.1 Large areas of the County overlie mineral resources which could be of value to society. In order to achieve the objective of sustainable mineral working, it is essential to define the areas which are the most appropriate or preferable for working in the future.
- 5.1.2 This Plan will seek to do that by defining, where necessary, Specific Sites, Preferred Areas and Areas of Search as recommended in Government guidance (DoE, MPG1, 1996). Collectively, such areas will be referred to as Designated Mineral Areas (DMAs).
- 5.1.3 The ability of the MPA to define DMAs depends on the level of information that is available about the proposed sites. The MPA requires information on the quality and quantity of the deposit to satisfy themselves that a workable reserve exists. Information on land ownership is also important, as it is necessary to ensure that any land identified is likely to become available for working during the plan period. Finally, environmental information must be available on the proposed sites to enable the MPA to make an informed decision on the acceptability of sites for working in accordance with the policies of this Plan.
- 5.1.4 In order for land to be designated as a Specific Site, the MPA would have to be satisfied that a need exists and that the site could comply with the policies of this Plan. In addition evidence that a viable mineral resource has been proved to exist and that the land would be available for mineral development during the Plan period would be required. No Specific Sites have been identified in this Plan.
- 5.1.5 Where a need has been identified, the MPA has information on the viability of the mineral resources, there are no known obstacles to the land becoming available for mineral working during the plan period and the site could be worked in accordance with the policies of this Plan, the identification of a Preferred Area would be appropriate. Where there is uncertainty over one or more of these points, but none the less a need for new land for extraction over the plan period has been identified, the Area of Search designation offers a prudent approach towards balancing the needs of the industry and the uncertainty over whether all or part of the land will be acceptable for extraction. Not all proposals within Areas of Search will be acceptable for extraction, either for economic, land ownership or environmental reasons, but it is likely that these areas will contain some sites which are.



5.1.6 For some minerals, where a need has been identified, it has been possible to identify Preferred Areas to contribute to a need likely to arise over the plan period and Areas of Search in case of any shortfall. In other cases where the MPA does not have sufficient information about the areas for future working, but a need has been identified, only Areas of Search have been identified. If additional information becomes available to the MPA on any of the DMAs identified in this Plan this will be taken into account when the Plan is reviewed. The particular circumstances for each mineral are discussed in the chapters on individual minerals.

## 5.2 Mineral Consultation Areas

Where it is thought that a workable resource exists but there is little detailed information regarding the nature of the mineral or the local environment, a measure of safeguarding can be achieved by identifying a Mineral Consultation Area.

5.2.1 Mineral Consultation Areas (MCAs) are widespread and their principal function is to protect potentially important mineral resources from sterilisation by other incompatible forms of development. They will typically include possible extraction areas but may also include areas around the periphery of extraction sites, where other forms of development may be incompatible. MCAs can also be used to safeguard wharf sites suitable for the landing or marine materials and railhead facilities for the loading of materials at the extraction site.

5.2.2 The designation of these areas ensures that the Mineral Planning Authority is informed of significant development proposals within an MCA and has the opportunity to oppose them. A secondary but important function is that the existence of an MCA will show up as part of a property search if the information is requested, thereby informing members of the public of the fact that there is a mineral interest in the area.

5.2.3 The County Council has recently adopted (1996) revised MCAs to replace those originally adopted in 1981 which were substantially out of date. The criteria for the new MCAs are set out in Appendix 1.

## Policy M31

**Mineral resources of economic importance will be safeguarded from sterilisation by:**

- **designating as a Mineral Consultation Area any area of land significant to the exploitation of a mineral resource which is known to be of economic importance. Such areas would include existing permission areas, Designated Mineral Areas and potential wharf or railhead sites.**
- **opposing development proposals in Mineral Consultation Areas which would adversely affect the viability of exploiting a resource or would be incompatible with an existing or potential future mineral activity.**
- **permitting the prior extraction of minerals where they would otherwise be sterilised by development providing the prior extraction would not cause unacceptable harm to the environment or local communities and that the primary use has been deemed acceptable by the relevant planning authority.**

## 5.3 Substitute Materials

5.3.1 The County Council encourages the re-use of inert construction and demolition wastes on the sites of production. For example, excavated wastes from foundations can be used in landscaping works or in raising levels across entire sites. Such works save valuable and increasingly scarce landfill capacity as well as reducing HGV traffic. This concept is developed in Policy 68 of the Somerset and Exmoor Joint Structure Plan Review. It is expected that District Councils will further develop this policy in their own District Wide Local Plans and use such policies to justify the imposition of conditions to facilitate such works where circumstances require.

5.3.2 Where re-use on site is not practical, facilities are required and the MPA supports the concept of having a network of aggregate recycling centres at suitable strategic locations through the County. The best way by which recycled materials can replace primary aggregate in the market is by being competitive over a wide range of uses. Production costs for recycled materials are generally the same as for primary aggregates so the best way this can be achieved is by ensuring that the delivered cost of recycled material is lower. This is most viable where distances between waste arisings, recycling centre and point of use is minimised.



5.3.3 In a rural county such as Somerset with a well established quarrying industry, the ability of recycled materials to compete is going to be limited but it is expected that opportunities will arise and that these will be supported in appropriate locations. In addition the County Council are currently developing a policy to secure the use of recycled and secondary materials in its highway contracts.

5.3.4 Policy 67 of the Somerset and Exmoor Joint Structure Plan Review states that provision for recycling facilities should not be made within AONBs unless they are in the national interest and there are no alternative sites outside the designated area or the proposal is small scale and meets an identified local need. Proposals outside of AONBs will be permitted subject to the criteria in policy M32.

**Policy M32**

**Development proposals, outside of AONBs, for the sorting, transfer, treatment or recycling of materials for the production of secondary aggregates will only be permitted where:-**

- **the site is as close as practical to the source of waste and has satisfactory access to the County or National route network or is to be rail linked;**
- **measures can be taken to protect surface and ground water from pollution by any deleterious materials;**
- **the proposal includes measures which satisfactorily mitigate against any significant harm to local amenity or the environment which the proposal may pose; and**
- **the proposal will not unreasonably delay the restoration of a mineral extraction site and the need for the production of secondary aggregates outweighs the desirability of early restoration of the site, where the former would preclude the latter.**

**5.4 Efficient Use of Materials**

5.4.1 Having disturbed an area to extract minerals, it seems logical to extract as much mineral wealth as possible, consistent with protecting all other interests. However, the dividing line between what constitutes a valuable mineral and what constitutes waste material is often blurred by considerations which are purely commercial and often dictated by the degree of blending which is acceptable. Weighed against the desire to maximise extraction once the land has been disturbed, is the need to leave an acceptable landform which is capable of beneficial after use.

5.4.2 In order to conserve mineral resources as far as possible it is essential to maximise the proportion of the extracted material which can be used for the benefit of society. In the case of limestone aggregates for example, equipment such as washing plant can be installed to process low grade material, into higher grade products. It will, however, be necessary to assess the impacts of the plant in question to ensure that any benefits are not negated by adverse environmental impacts created by the plant. Balanced against this, it must be borne in mind that at some sites it is more important to retain low grade material on site for the purposes of reclamation rather than have it removed for use as bulk fill off-site. It is likely that such needs can be met from construction and demolition wastes in a more sustainable way.

5.4.3 It was also central to the concept of sustainability that high quality material is not wasted on low grade uses and, in a similar vein, it is important to the local economy that as much value is added to the mineral product as possible before it leaves the site. Other examples of means of adding value to mineral products include asphalt plants, block plants and facilities for the production of concrete products. The planning system however, gives the MPA little scope to influence the end use of materials and the MPA can only declare general support for the development of the value added end of the minerals market.

5.4.4 The MPA will encourage mineral operators to maximise the value of their products and to carry out such processing on site as is necessary to achieve that end, provided that the extraction of material from the site is continuing as the primary purpose.

**Policy M33**

**Proposals for the development of facilities at existing active quarries to maximise the value of the stone produced at that quarry will be supported provided that they:**

- **will not cause significant harm to the environment or local communities; and**
- **will be removed when quarrying ceases to be the primary purpose at the site.**



## 6.1 Introduction

6.1.1 The construction industry makes a significant demand upon the natural resources of the UK in meeting its need for aggregates, the basic raw material for most construction projects. That need is principally met from primary sources - newly won sand and gravel and crushed rock.

6.1.2 The issues associated with the supply of construction aggregates are set out in Mineral Planning Guidance Note 6 (MPG6), the current version of which was published in 1994. This section of the Plan must take MPG6 into account and it is important to note that the stated objective of the guidance is to show how: ....an adequate and steady supply of materials to the construction industry, at a national, regional and local level may be maintained at the best balance of social, environmental and economic cost, through full consideration of all resources and the principles of sustainable development.

6.1.3 MPG6 tells us that South East England is by far the largest aggregate consuming region but it is relatively deficient in workable hard rock resources. Whilst it has fairly extensive sand and gravel resources, their working is becoming seriously constrained. The future primary aggregate strategy put forward in MPG6 appears to assume that the only other source, sand and gravel from marine dredging, has reached a ceiling.

6.1.4 In the light of this, perhaps it is not surprising that the Carboniferous limestone of the Mendip Hills comes under pressure, as many of the Mendip quarries are the closest source of hard rock to the South East markets.

6.1.5 Despite the fact that this is a smaller limestone resource than that found in the Peak District or the North Pennines, Somerset is arguably the most important rock producing county in the UK; of England's crushed rock aggregate needs, the South West region produces around one third, of which Somerset produces over one half.

6.1.6 In 1996, the total output of aggregate materials from the Somerset aggregate quarries, which are almost exclusively located in the Mendip Hills, was 10.8 million tonnes; a fall in output of 46% against the 1989 peak of 20 million tonnes. The total revenue of the Mendip Hills quarrying industry in 1993 (the last year for which figures are available) was around £150 million when output was 15.3 million tonnes. This figure includes not only quarrying companies, but also associated activities such as concrete plants.

6.1.7 A study carried out in 1994 (Pieda, Mendip Minerals

Economic Study, published February 1995) showed that in 1993, when output was around 15.3 million tonnes, 2,580 jobs were directly and indirectly dependent on the quarrying industry in the Mendip Hills. Within the total figure, 1,846 were directly employed in the quarrying industry, whilst 734 jobs were created indirectly with suppliers and as a result of the expenditures of those employed directly and indirectly. The total direct employment of the quarrying industry represents around 6% of total Mendip District employment, according to the 1991 Census of Employment. Around £40m was injected into the Mendip economy in 1993 via employee incomes and company expenditure with suppliers. The quarrying industry provides around 20% of male semi-skilled and unskilled employment in the Mendip Hills.

6.1.8 Government acknowledges (MPG6) that the current primary aggregate supply pattern cannot be sustained indefinitely and looks to coastal superquarries and secondary and recycled materials to increase their contribution to national need, as well as encouraging more efficient use of aggregate resources, reducing waste and considering ways in which demand for primary materials can be minimised. Recycled materials are already beginning to replace a significant part (around 10% in 1997) of the market for Mendip materials in the South East. However, facilities for the processing of these products must be situated close to their markets and the sources of recyclable materials, for both economic and environmental reasons. The subject of recycled aggregates is considered in Chapter 5.

## 6.2 Crushed Rock Supply from Somerset

6.2.1 The strategy for crushed rock aggregate production recognises the importance of Somerset resources to the needs of the nation and the contribution which the industry makes to the local economy. At the same time it must limit future commitments to allow time for the practicality of the Government's vision (MPG6) of an industry which places less reliance on traditional land-won sources, to be tested.

6.2.2 Firmly embodied in this strategy is the concept of prudent stewardship of aggregate resources which, amongst other things always aims to satisfy proven needs for aggregates from the most appropriate source. Realistically the responsibility for that stewardship must rest jointly with Government, the Mineral Planning Authority and the quarrying industry.



- 6.2.3 MPG6 advises that the South West region should make available 610 million tonnes of crushed rock aggregate over the period of the guidelines, 1992 - 2006. The sub regional apportionments for the South West were agreed by the South West Regional Aggregates Working Party. The Somerset apportionment was 314 million tonnes, which equates to an annual supply of 20.93 million tonnes.
- 6.2.4 Somerset production has only come close to that figure on one occasion, in 1989 at the very peak of the last construction boom. The actual average annual production for the period of the MPG6 guidelines to date is approximately 13 million tonnes, which is only 62% of the current sub regional apportionment. Indeed, with the output restrictions currently in place on active sites in the County it is estimated that the maximum output that could be achieved is approximately 19 to 20 mtpa.
- 6.2.5 When there were 8 years remaining of the MPG 6 guideline period (1999 to 2006) Somerset has supplied approximately 91 of the forecast 314 million tonnes. A commitment to the MPG 6 guidelines would therefore mean making provision for the supply of 223 million tonnes over the remaining 8 years of the guideline period. This would equate to an annual average supply of 27.87 million tonnes. Furthermore, assuming a steady increase in demand until the end of 2006, demand would have to rise to 34 mtpa to be in line with MPG 6 forecasts by that time. This is clearly not realistic.
- 6.2.6 The DETR monitoring report on MPG6 for the period 1992 - 1995 indicates that, in relation to crushed rock, the production in the South West was less than 75% of the MPG6 guideline figure. The monitoring report also noted that there was a large consensus in favour of the production of a revised demand forecast. It is hoped that the forthcoming review of MPG6 will address this issue, particularly as the minerals industry are currently proposing that any revised guidelines should be based upon flat forecasts of future demand (currently 222 million tonnes which is approximately 32% lower than the estimate of demand in MPG6) with a greater emphasis on recycling.
- 6.2.7 Using current estimates of sustainable economic growth of 2.5% per annum and taking as a starting point the average production between 1995 and 1997 of 11.6 million tonnes this would mean that Somerset would need to provide approximately 210 million tonnes of crushed rock over the plan period (1997-2011) which would equate to an average annual production of 14 million tonnes per annum.
- 6.2.8 For the reasons set out above it is not considered that the current subregional apportionment of 20.93 million tonnes is a realistic figure on which to base calculations for the future provision for crushed rock aggregate within this plan period. Taking into account levels of actual production for the period 1992 - 1997 and current estimates for the sustainable growth of the economy it is considered that a figure of 15 million tonnes per annum (mtpa) is a more realistic level of production for the plan period. This figure is approximately 72% of the current MPG6 guideline sub regional apportionment and is in line with the DETR Monitoring Report. It also allows for the modest growth of crushed rock output in Somerset at a slightly higher rate than current estimates for the sustainable growth of the economy.
- 6.2.9 On that basis, Somerset could maintain an adequate and steady supply of crushed rock if it were able to supply 225 million tonnes of crushed rock.
- 6.2.10 The MPA is aware that the current (1994) version of MPG6 is shortly to be reviewed, but as this is likely to be a fairly lengthy process it was not considered appropriate to delay the preparation of the plan. However, when the next version of MPG6 is published the MPA will review the level of provision proposed in this plan.

**Policy M34**

**For the period 1997 - 2011 Somerset will make provision for the supply of 225 million tonnes of crushed rock. A 15 year landbank of permitted reserves will be maintained throughout the Plan period for crushed rock aggregates.**

**Table 1: Crushed Rock Supply (m tonnes)**

Crushed Rock Supply (m tonnes)			
Reserves Required 1997 - 2011	Reserves Required 2012 - 2026	Total Required 1997 - 2026	Current Permitted Reserves 1/1/00
225	225	450	626



6.2.11 The County has an estimated landbank of approximately 626 million tonnes (see Table 1). Even if an allowance is made for sites considered unlikely to resume working, see section 6.3, this figure is well in excess of the 225 million tonnes justified earlier as the best estimate of demand during the plan period. In addition to the current permitted reserves permission has recently been granted (subject to the completion of legal agreements) for an extension to Torr Works which will release an additional 95 million tonnes. Policy 27 of the Somerset and Exmoor Joint Structure Plan Review requires that a landbank is maintained in accordance with national minerals policy guidance. Policy M34 adds clarity to Policy 27 by stating that a 15-year landbank will be considered to be in accord with national policy during the period of this Plan.

6.2.12 In addition to the size of the landbank it is necessary to consider whether “an adequate and steady supply of material at the best balance of social, environmental and economic cost, whilst ensuring that extraction and development are consistent with the principles of sustainable development” (DoE, MPG 6, 1994) can be maintained over the plan period from the existing permitted reserves.

**Table 2: Estimated Productive Capacities and Life of the Currently Active Quarries**

Quarry	1999 (mtpa)	Years Life	2011 (mtpa)
Torr	6	20	6
Whatley	8	23	8
Moons Hill	1	50+	1
Holwell	1	12	-
Halecombe	1	9	-
Gurney Slade	.35	13	.35
Dulcote	.15	10	-
Callow Rock	1	30+	1
Battscombe	1	40+	1
Westbury	.05	10	-
Castle Hill	.20	10	-
Totals	19.75		17.35

6.2.13 The only geological resource of any significance for maintaining an adequate and steady supply of crushed rock aggregate production within the County is in the Mendip Hills. Mineral working within the Mendips can be divided into three distinct areas: West, Central and East. The only active quarry outside of the Mendips is Castle Hill/Cannington Quarry near Bridgwater which is a small unit serving the local market.

6.2.14 The entire western part of the Mendip Hills is an Area of Outstanding Natural Beauty. The particularly high quality landscape of West Mendip is the basis for a long established and valuable tourist industry. West Mendip is also covered by Groundwater Source Production Areas defined by the Environment Agency and is a public water source for around 500,000 people living in the Bristol area. In addition there are no rail links to the main markets in the SE of England. The two main quarries in this area, Battscombe and Callow Rock, are long established units with substantial permitted reserves sufficient to enable them to maintain production throughout the plan period and beyond. The only other active quarry is Westbury which has limited reserves, poor access and has a SSSI on three sides.

6.2.15 Because of the above and taking into account national and Structure Plan policy on mineral extraction within AONBs, it is considered unlikely that applications for the extraction of crushed rock within the Mendip Hills AONB will be permitted.

6.2.16 The central Mendip area is the smallest of the three quarrying areas with only two, relatively low output quarries at Dulcote and Gurney Slade which serve the local market. A recent appeal decision at Dulcote has approved the final working and restoration for this quarry. A High Court action has recently confirmed the working and restoration scheme for Gurney Slade.

6.2.17 The East Mendip Area is the main area for crushed rock production in the County being responsible for over 90% of the County’s production. This is principally because the two large rail linked quarries at Whatley and Torr are located here but it has also been a long-standing policy of the County Council to centre crushed rock production on this area. This is currently Policy 25 of the Somerset and Exmoor Joint Structure Plan Review.

6.2.18 At present there are five active quarries in the area and it is anticipated that with Torr Works being extended and Whatley already having substantial permitted reserves the two main production units in this area have sufficient reserves to maintain production for this plan period and beyond. Of the remaining three sites, Moons Hill has sufficient reserves for the plan period and beyond; Holwell has sufficient reserves for the plan period but not long after and Halecombe does not have sufficient reserves for the plan period. In addition Westdown, whilst currently inactive, contains substantial permitted reserves and is regarded as being in an acceptable location for future quarrying, although its acceptability will need to be tested and the proposal subjected to an Environmental Impact Assessment.



- 6.2.19 In order to continue to meet the anticipated annual production rate of 15mtpa it is considered that by extending Torr, that site together with Whatley, Moons Hill, Westdown, Battscombe and Callow Rock ensures that the Plan is allowing the industry to maintain an adequate and steady supply of minerals over the plan period and beyond, without the need to release further reserves other than in the circumstances set out in policy M35.
- 6.2.20 Limited extraction of crushed rock has also taken place in the Quantock Hills AONB but with Triscombe Quarry finishing production in 1998 there are now no active sites in this area. Taking into account the distinctive landscape of the Quantocks and the nature conservation constraints in the area, together with the provision of adequate reserves for the plan period in other parts of the County, it is considered that further quarrying in this area would not be appropriate.
- 6.2.21 As there is no justification on need grounds (see Table 2) for releasing additional reserves of crushed rock aggregates during this Plan period and beyond, new proposals will generally be resisted. However, there may be exceptional circumstances, not foreseen during the preparation of this Plan, where a need arises that cannot be met from existing sources of supply. Alternatively a proposal may be able to demonstrate significant benefits sufficient to outweigh any disturbance, although this would only be acceptable if it did not result in a significant increase in the size of the landbank. Such benefits could include: the provision of a new site access, relocation of processing plant, improved landscaping and restoration scheme or the relinquishment of earlier permissions. This will enable the MPA to continue to secure operational improvements at existing sites without significantly increasing the landbank. In determining what represents a significant increase in the landbank, the MPA will be guided by annual production rates, which was 11.4 million tonnes in 1999. Anything greater than the most recent annual production figure at the time of any application will be regarded as significant.
- 6.2.22 The following section, 6.3, sets out the position of the MPA with regard to the currently dormant sites in the County and the preceding paragraphs set out how the MPA is intending to maintain an adequate and steady supply from existing sites and the one dormant site considered to be in an acceptable location. Therefore, other than in exceptional circumstances, the release of significant quantities of new reserves will not be permitted unless progress can be secured on the relinquishment or modification of those dormant sites which are considered unable to comply with the policies of this Plan or are unlikely to resume working.

## Policy M35

### **Proposals for the extraction of crushed rock aggregates will not be permitted unless:**

- **there are exceptional circumstances where there is a demonstrable need that cannot be met from existing permitted sources of supply;**  
or
- **the proposal will result in significant benefits to the environment or local communities without significantly increasing the size of the landbank.**

## 6.3 Dormant and Inactive Sites

- 6.3.1 Where valid permissions exist at dormant sites, including sites which are classified as active but which have not been operational for many years, and it cannot be demonstrated that the imposition of planning condition control would ensure compliance with the aims of this plan then opportunities will be sought to secure their relinquishment and reclamation. Such opportunities could be the offer to relinquish earlier consents in return for extensions to existing active sites so that there would not be a significant increase in the landbank. Alternatively, with the support of the industry the MPA could take a more pro-active role in using existing powers, such as prohibition orders, to secure action on sites considered unlikely to resume working.

The following sites are considered to be in locations where there is potential for quarrying operations to have an adverse impact on the environment, or it is considered unlikely that quarrying will resume, or both:

### **Quarry considered to be in an unacceptable location**

**Cookswood** - traffic, groundwater, nature conservation and landscape/visual impacts concerns. This is a dormant IDO but an active ROMP permission, a new scheme of conditions would need to be agreed prior to quarrying recommencing. In addition, when the Whatley extension is implemented this site will be prevented from re-opening until quarrying at Whatley is substantially complete. It is therefore unlikely that this site will re-open during the plan period.

### **Quarries in a location where there is potential for an unacceptable impact on the environment**

**Cloford** - landscape and visual impact concerns. This is a dormant IDO permission and a scheme of conditions would need to be agreed prior to quarrying recommencing.



**Shipham Hill** - impact on the Mendip Hills AONB and traffic concerns. This site is classified as an active IDO and ROMP permission and has an agreed scheme of conditions.

**Stoke Lane** - Classified as an active IDO and a scheme of conditions has been agreed at appeal. The site worked from 1948 to 1976 and then intermittently from March 1991 to early 1993. The 1997 appeal letter stated that the appellant had no plans to resume quarrying and had no technical expertise in quarrying. The remaining unworked areas in different ownership (attitude to quarrying unknown) but would be needed for deepening of the existing void to be viable. The existing quarry lies within the St Dunstons Well Catchment SSSI, although the unworked portion lies outside the SSSI.

**West Quantoxhead** - Dormant ROMP site. Located within the Quantock Hills AONB and a SSSI. The quarry has been advertised in trade journals but no proposals for recommencing operations have resulted.

**Quarries considered to be in an unacceptable location and unlikely to resume working**

**Tadhill** - Dormant IDO, no evidence of working since 1966.

**Lime Kiln Hill** - 1948 IDO registered and conditions agreed. Western half of site is now used for landfill and recycling and a condition on the IDO scheme prevents further extraction of stone. The eastern half of the quarry has not been worked since the 1950s and the submitted scheme allows for the extraction of 700,000 tonnes of limestone.

**Highcroft** - Dormant IDO and ROMP, not worked since the early 1970s.

**Emborough** - Dormant IDO, not worked since the early 1960s. Part of the site is now in industrial use. Site is divided by a disused railway line, the route of which is safeguarded. Emborough Quarries SSSI covers part of the southern half of the site. Owner has indicated that the site is not commercially viable.

**Tor Hill** - Dormant IDO, not worked since 1952. Industrial units have now been developed within the quarry. Discussions were held in 1998 about working to supply the concrete plant on the site but blasting was not considered to be economic.

**Chelmscombe** - IDO permission located within the Mendip Hills AONB. Conditions have been agreed as part of the Battscombe IDO. Part of the site is used as a pylon testing centre.

6.3.3 The above sites contain an estimated 116 million tonnes of permitted reserves out of the total landbank of 626 million tonnes (as at 1 January 2000). Unless it can be demonstrated that these sites can be worked in accordance with the policies of this plan or are likely to resume working, the MPA is committed to securing their relinquishment and reclamation. The Strategic Environmental Assessment concluded that the environmental, social and economic consequences of a number of dormant sites being re-opened would introduce a period of great uncertainty and instability in the planning of mineral development in Somerset.

**Policy M36**

**Where there are extant permissions at dormant sites which nonetheless cannot comply with the policies of this Plan or are considered unlikely to resume working, the Mineral Planning Authority will seek to secure their relinquishment and reclamation.**

**6.4 Production Limits**

6.4.1 Production limits will, where appropriate and with the co-operation of the quarry operators, 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.

**Policy M37**

**Schemes of planning conditions will include production limits where this is considered necessary and appropriate to prevent any significant harm from the operation.**

**6.5 Aggregate Working and Water Resources**

6.5.1 In the context of crushed rock aggregate production in Somerset, the most difficult issue for the planning system to deal with in recent years has been that of hydrogeology and the potential impact of quarrying in the Mendip Hills upon water resources.

6.5.2 Throughout the nation, Carboniferous limestone is extensively quarried and in most cases that limestone is an aquifer. However, in the Mendips the potential for quarrying to cause damage to the water environment is probably greater than at any other location in the UK. This uniquely sensitive situation arises for a number of reasons:



- The East Mendips are not protected by AONB/National Park status unlike many of the other limestone uplands in Britain.
- The Mendip limestone aquifer constitutes an important public water supply source to a major conurbation (Bristol) and a large surrounding area extending as far south as Burnham-on-Sea, Street, Shepton Mallet and Frome.
- The geological resource is smaller in extent than other quarried limestone deposits and yet it is the most intensively worked resource of this type.
- Much of the quarrying is carried out below the water table which necessitates dewatering of the limestone, a consequential lowering of the natural water table and a need to discharge high volumes of water into local river systems.

- 6.5.3 In balancing the need to protect water interests against the need for the materials which the Mendip quarries provide, the approach of the MPA is a precautionary one.
- 6.5.4 Wherever necessary, a staged or “one bench at a time” system for granting planning permissions will be adopted. Quarry operators will be expected to carry out water monitoring and, through that means, prove that any adverse effects can be acceptably mitigated. In order to implement this, it will be necessary to set minimum times between benches. This is required so that adequate time is allowed to monitor and detect potential derogation before the effects are irreversible. Times will vary according to the specific characteristics of the location.
- 6.5.5 Such mitigation can include stream and river support systems, as well as carefully engineered reservoirs within quarries to compensate for the loss of limestone in the unsaturated zone. The measures may be implemented through planning conditions or by legal agreements.

#### Policy M38

**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;**
- **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.**

- 6.5.6 When mitigation measures are being considered by operators, it should be acknowledged that the effects of quarrying can be very long term and, in the most serious cases, potentially irreversible. Mitigation schemes should aim to be effective without the use of pumping or other sophisticated devices as permanent features.
- 6.5.7 The MPA is of the view that the use of well point dewatering systems offers a means of reconciling the conflicting interests of the quarrying industry and water users. Such methods, although more capital intensive, are more in tune with the main principles of a precautionary approach to water protection than the current practice of dewatering via a sump.
- 6.5.8 It should be stressed that, in making these comments, the MPA does not consider itself to be expert in the field of protection of the water environment. That duty continues to rest with the Environment Agency, whose advice will be taken in all cases.
- 6.5.9 Somerset County Council will continue to work with the mineral operators, the Environment Agency and adjoining authorities to identify means for protecting hydrogeological interests in the Mendips.

#### 6.6 Reclamation

- 6.6.1 The reclamation of deep, hard rock quarries present particular issues which have been a matter of concern to the MPA and other parties for some time. It is not considered that it is appropriate for all quarries to become steep sided water filled holes. Whilst restoration may be a long way off for many of the sites, it is important that consideration is given to final landforms and afteruses at an early stage so that future options are not foreclosed. The aim is to achieve a range of features after mineral working has ceased so that a range of afteruses can be considered. This will involve the retention of some areas above the water table and water features of varying depths. Proposed bench treatment and utilisation of waste materials will also be important. By leaving a variety of final landforms, a range of afteruses become feasible including recreation, nature conservation and built development. This will increase the scope for restoration schemes to provide benefits to local communities and the environment.



- 6.6.2 This is particularly relevant in the East Mendip Area because of the concentration of active and dormant sites and the long term nature of crushed rock extraction operations. As a broad guide, any afteruses for the quarries on the northern limb of the East Mendip anticline, would have to respect the hydrological sensitivity of the area. On the southern limb a broader range of uses might be possible as the area has better highway access.
- 6.6.3 It is therefore considered that a strategy to deal with the reclamation and afteruse of this area in a comprehensive manner should be produced. This will enable schemes to be considered in relation to the area as a whole, rather than in isolation. It would give applicants a clear framework within which to produce schemes, together with a vision as to how the area would be left when quarrying is complete. The MPA will take a lead role in establishing a working party to produce a Framework for Reclamation and will invite participation from District and Parish Councils, the minerals industry and other interested parties such as the Environment Agency and English Nature. This Framework could be expanded to Central and West Mendip as a longer term objective.

#### **Policy M39**

**When determining reclamation proposals within the East Mendip Area (see Inset Plan 1 for details) the MPA will seek to achieve a range of final landforms with a balance of areas left above and below the water table and appropriate to the location of the site.**



## Chapter 7 Strategy for Peat Extraction

### 7.1 Introduction

7.1.1 In terms of the Somerset minerals industry, commercial peat extraction is second only in economic importance to the quarrying in the Mendips. Like the quarrying industry it is well established, but it was in the 1960's and early 1970's that significant expansion took place in the areas being worked. As a result, many planning permissions date from that time. Somerset has the second largest area in England with permission for peat extraction, although much of that area is no longer active. In the 1980's there was a major increase in demand for peat and a corresponding increase in public concern over the nature conservation issues that it raised.

7.1.2 In response to that concern, the MPA embarked upon the process of producing a Peat Local Plan that was eventually adopted in 1992. Government now requires that all minerals be considered in one countywide Local Plan. Therefore, the Minerals Local Plan must contain policies covering peat extraction and, when adopted, it will supersede the Peat Local Plan.

7.1.3 The main challenge for the Minerals Local Plan is to establish a policy framework, which allows peat extraction to coexist with and contribute to surrounding land-uses and interests. The County objectives for sustainable minerals development are advanced throughout. Archaeology, agriculture, landscape, recreation, tourism, settlements and particularly nature conservation all contribute to the biodiversity and unique character of the Levels and Moors. The Avalon Marshes, which form part of wetland modified by peat extraction and previously designated as a Peat Production Zone. The potential for wetland reclamation to enhance the habitats of the area must be balanced against the impacts of future peat working on this resource. The peat strategy will seek to maintain the ambience of these special places, where above all the quiet nature of the Avalon Marshes prevails.

### 7.2 Peat Production Zones

7.2.1 Whilst the Peat Plan was on the long road to adoption, the Somerset Structure Plan exercised broad control over the industry. It was notable for limiting extraction to two Peat Production Zones (PPZs) based upon Westhay Moor to the north and Walton, Meare, Shapwick and Westhay Heath to the south.

7.2.2 There is a degree of consensus that the idea of the PPZs has been effective in encouraging efficient use of the resource while enabling a comprehensive approach to restoration and reducing conflict with surrounding land-uses. It is effective in minimising the

impacts of extraction on the environment and local communities. The arguments and support for this policy justify the continuation of containing working in this way (see policy 29 of the Somerset and Exmoor Joint Structure Plan Review). Nevertheless, recent changes that affect the PPZs are important in defining their extent.

7.2.3 The Somerset Levels and Moors Special Protection Area (SPA) was designated in June 1997 under the Wild Birds Directive. The Conservation (Natural Habitats, &c) Regulations 1994 provide the criteria for considering new applications. If an operation is not necessary to the management of the SPA, consent can only be given if a proposed development would not affect the integrity of the SPA. Existing permissions within or with the potential to influence the SPA will be similarly assessed for Significant Effect. Cumulative impact forms an important element of such assessment, and it is this that constrains further development and makes designation of future mineral working within the Somerset Levels and Moors Special Protection Area inappropriate. The SPA has therefore been excluded from the PPZs.

7.3.3 As a consequence of excluding the SPA, there will be extant permissions outside the Peat Production Zones. Subject to the findings of the reviews under The Conservation (Natural Habitats &c) Regulations 1994, these permissions will be encouraged to progress steadily towards restoration to nature conservation. If Appropriate Assessment under the 1994 Regulations demonstrates the potential for harm from the existing permissions, a more rapid solution will be sought.

### 7.3 Future Provision

7.3.1 It is an objective of sustainability to conserve minerals, whilst ensuring an adequate supply. The strategy for provision must be based in the first instance on the level of reserves that are currently available. The Somerset Peat Producers Association (SPPA) has helped the MPA in assessing the current level of permitted reserves in the county. In October 1999, it was estimated that the extant permissions allowed for the extraction of 2.15 million m3 of saleable peat. At current rates of extraction this would amount to 12 years production. It is considered that, given no further provision, current production levels could be maintained until 2005 and then start slowly to decline.



7.3.2 Mineral Planning Guidance for Peat Provision in England, Including the Place of Alternative Materials (MPG 13) foresaw a slow but steady increase in demand for peat and states that demand should continue to be met in part from sites in Great Britain. To keep pace, it predicted that approximately 1000 hectares of new extraction areas may be needed over the 20 years from 1995 to 2015. An issue to be considered is the proportion of that new area which should be allocated within Somerset.

7.3.3 The annual UK market for peat (1998) is approximately three million m3 of which two million m3 is UK sourced. Somerset supplies approximately 300,000 m3 of product per annum, of which 176,000 m3 is locally extracted peat. This is 9% of UK peat. One approach is to consider provision according to the county's current share of the UK sourced market. Based on 9% of 1000 hectares, the MPA might be expected to allocate 90 hectares to the year 2015. In comparison, 50 hectares have had new planning permissions granted for peat extraction since 1992.

7.3.4 MPG13 sets out criteria for identifying sites for future peat working, which should be:

- Of little or no conservation or archaeological value;
- Of economically workable deposits;
- Likely to become available to the minerals industry within the plan period; and
- Not constrained by other land use policies, for example high agricultural quality.

This guidance is carried forward from Policy 29 of the Somerset and Exmoor Joint Structure Plan Review.

7.3.5 The Strategic Environmental Assessment (SEA) indicated that, before confirming whether extraction could take place over all or part of the areas proposed for future working, detailed studies would be required to confirm that any potential adverse environmental effects could be avoided. For example, ditches outside the SPA may need to be considered for their role as wildlife corridors under Natura 2000, the European network of protected sites. There is the need to ensure that the biodiversity and unique character of the Levels and Moors is protected in accordance with Policy 4 of the Somerset and Exmoor Joint Structure Plan Review and the Biodiversity Action Plans. Archaeological features must be protected and are particularly difficult to assess as the evidence is concealed at depth within the peat. There are highly valued archaeological sites within the peat areas, some of which have Scheduled Ancient Monument status. All these factors need to be considered in defining the status of any areas designated for potential mineral working.

7.3.6 Because of these constraints and the lack of detailed information available to the MPA (see 5.1.6), it is considered that the status of Area of Search is the most appropriate for the PPZs as defined on Inset Plan 2. If further information becomes available on either the likelihood of land coming forward for extraction or the ecological and archaeological constraints which affect these areas, subsequent reviews of the Plan will take this into account in determining the status of land identified for future extraction.

7.3.7 As the Area of Search designation implies, not all the land within the PPZs will be suitable for extraction. To cover this uncertainty, the Plan identifies an additional 150ha of new land as Areas of Search. These areas, together with the estimated 60ha of land already within the PPZs but without planning permission for peat extraction, contain an estimated 2.2 million cubic metres of peat. The extent available for peat working will be reduced by the potential ecological and archaeological constraints. Land ownership has also been put forward as having constrained development in the past and may continue to be a determining factor in the timescale for bringing sites forward. However with existing permitted reserves of just over 2 million cubic metres, which are sufficient to maintain production for the first half of the plan period, it is considered that the land identified will enable sufficient land to come forward for the industry to maintain production over the remainder of the plan period.

**Policy M40**

**Proposals for peat extraction should be within the Peat Production Zones or Areas of Search. Planning permission for peat extraction outside these areas will not be granted (see Inset Plan 3 for details).**

**7.4 Monitoring Provision**

It is acknowledged that there are uncertainties in defining these Areas of Search. To ensure realistic and responsible provision throughout the Plan period, it will be necessary to monitor a number of indicators. The availability of land identified for peat extraction will be kept under review and signs of under or over-provision in this plan will be reassessed at appropriate intervals. The areas of land coming forward for extraction will determine whether more or less land is required. The extent to which sustainability objectives of high-quality working and restoration schemes are being met will form an element of this assessment.



7.4.2 The effectiveness of the policies needs to be assessed on up-to-date figures and understanding of the practicalities that underlie these figures. The SPPA has been cooperative in providing the production and reserve figures that have formed the basis of this Plan. The mineral operators necessarily keep this information and it is proposed that production figures will be supplied annually. For each permission, it will be necessary to know the production each year together with the area and volume remaining to be worked. The quantities and sources of imported peat and of the different peat alternatives will also be requested. The data for the county will be combined to preserve commercial confidentiality. It is expected that applicants will provide comprehensive information on reserves, production, and employment, for the application site and for other sites in their control. In addition, information that is collected by bodies such as ADAS and the Mineral Valuer, together with the results of the Annual Minerals Raised Inquiry, will be incorporated wherever appropriate.

7.4.3 Information will be gathered on the consequences of environmental and archaeological protection on the areas available for working. This will be based on planning applications and their accompanying Environmental Impact Statements.

7.4.4 These indicators will provide a guide to the rate of use and future availability of peat reserves. They will provide a picture of how peat extraction, processing and restoration are meeting the expectations of this Plan. The effectiveness of this monitoring will depend upon successful collaboration between the MPA and the other organisations concerned.

#### Policy M41

**The Areas of Search, as shown on Inset Plan 3, will be monitored annually and amended if necessary.**

#### 7.5 Peat Alternatives, Imported Peat and Processing Facilities

7.5.1 MPG13 contains much discussion on the subject of peat alternatives, the use of which has more than doubled since the early 1980s. The peat industry, including some of the producers in Somerset, has a major role to play in making alternatives available. Government wishes to continue to encourage the development of alternatives.

7.5.2 MPG 13 set a government target that 40% of the total market requirements should be supplied by non-peat materials within the next ten years (by 2005). Somerset peat, when blended with imported peat, is largely used in growing media and MPG 13 predicted that by 2005, approximately 10% of growing media would be non-peat based. "Monitoring and Assessment of Peat and Alternative Products for

Growing Media and Soil Improvers in the UK, Second Annual Report, (1998 Results)" suggested that demand for these materials had reached a plateau. Focusing specifically on growing media, the figures for 1998 showed the make-up nationally to be: 1.0 million m3 of UK peat, 0.9 million m3 of imported peat and 0.1million m3 of alternatives. Although, overall, the volume of alternatives increased by about 10%, the report says that there is no evidence that the factors of price, availability and quality have been overcome in the growing media market. Somerset imported 17,000 m3 of bark, 2,000m3 of coir and just over 15,000m3 of mushroom compost, manure, recycled waste etc. This totals 34,000m3 of alternative materials compared with 252,000m3 of peat; 12% of the total. This suggests that the MPG 13 target is unlikely to be met without more action to promote the use of alternatives.

7.5.3 Although the development of alternatives is clearly in line with the concept of sustainability, the processing of increasing quantities of imported (non-Somerset) peat and alternatives within the PPZs is likely to become unsustainable in transport terms. The typical Somerset horticultural product includes alternative materials either as a small proportion in a mix of local and imported peat or as a separate product, although the percentage of alternative materials is increasing in accordance with Government objectives. Manufacture requires extensive areas for stocking and processing, and the more sophisticated plant offers the prospect of diversification but it is important that the units remain closely associated with the processing of locally won peat. To this end, new development or changes of use will only be permitted when it can be demonstrated that Somerset peat will comprise at least 40% of the total output of the facility.

7.5.4 In order to develop facilities where the primary purpose is the processing or storage of imported peat or peat alternatives, the industry should be looking to find sites which are close to main ports or highway links. This type of development ought to be and could reasonably be located away from the sensitive habitats of the peat areas. The MPA will support the development of peat and alternative processing factories, in appropriate areas that have been designated in the District Local Plans for industrial development but these would be proposals for the appropriate District Planning Authority to determine. Proposals for such facilities at, or adjoining, peat extraction or associated processing sites (active or restored), which would be County matters, will only be permitted where it can be demonstrated that at least 40% of the total product will comprise locally excavated peat and where strict criteria to protect the Levels will be met. The current (1998) proportion of Somerset peat in the overall product from the Levels is 62%.



## Policy M42

**Proposals for the development of facilities for the processing or storage of peat or peat alternatives at, or adjoining, peat extraction or associated processing sites will only be permitted when it can be demonstrated that at least 40% of the existing and proposed output of the unit comprises Somerset peat and there will be no significant harmful effects on:**

- **The local highway network;**
- **Water quality and flood capacity;**
- **Wildlife and habitats;**
- **Archaeology;**
- **Local communities; and**
- **The quiet nature and distinctive character of the area.**

### 7.6 Import of Material for Backfill

7.6.1 In many cases, new buildings or stockpiling areas will require imported fill, as peat or peat waste does not constitute a competent foundation material. The MPA believes that because of the sensitive nature of the area, environmental and geological considerations, the peat areas are not suitable for the disposal of non-inert wastes. Equally, general construction and demolition wastes can be unsuitable as fill material, due to alkaline compounds that would be present. These compounds, although not toxic, can have a profound impact on the acid nature of the area's soils and watercourses, to the detriment of wildlife. The 1992 Peat Plan included a general presumption against further backfilling in the PPZs. This was because imported backfill materials were considered injurious to the sensitive peatland habitats, mainly through the water environment. The Levels provide important control of water quality, storage and flows. It is essential not to jeopardise the wetlands efficacy as a natural water treatment facility. Properly specified clay barriers or geomembranes could be installed to safeguard this environment. The backfill would still reduce flood capacity, obstruct ground and surface flows and necessitate further import of materials. It is also a major concern that the highway infrastructure is not adequate to support the high-intensity of HGV movements, which is nearly always associated with backfill activities.

7.6.2 It is accepted, however, that there may be circumstances when the disposal of small amounts of uncontaminating inert material may take place with some advantage in parts of the worked out areas; for example in terms of highway support, landscaping and afteruse of sites. It is important that such tipping is strictly controlled to ensure that it does not have a harmful effect on the area. For the purposes of this policy inert material will

be defined as naturally occurring rocks, topsoil and subsoil or processed/prepared mineral material

## Policy M43

**Proposals for the placement or deposition of inert material at, or adjoining, peat extraction or associated processing sites will only be permitted for minor proposals which will either benefit the amenity of the area or can be shown to be essential to allow a greater percentage of peat alternatives to be used in processing facilities and where there will be no significant harm to:**

- **The local highway network;**
- **Water quality and flood capacity;**
- **Wildlife and habitats;**
- **Archaeology;**
- **Local communities; and**
- **The quiet nature and distinctive character of the area.**

### 7.7 General Permitted Development Order

7.7.1 When planning permission is granted for mineral extraction and certain requirements are met, the development benefits from Permitted Development rights. These rights are set out in the Town and Country (General Permitted Development) Order 1995 (GPDO). They can be removed by a condition and do not apply where an Environmental Impact Assessment is required. It is essential that the principal purpose, whether for storage, treatment or preparation for sale, should relate to peat excavated at that site. Any buildings or plant and machinery erected under permitted development rights must be removed and the land restored within two years, or any longer period which the mineral planning authority agree in writing, from the date when peat extraction ceases or the processing of peat from the site ceases to be the primary purpose. Backfilled hardstanding areas will be restored by the placement of soils and appropriate re-vegetation.

### 7.8 Reclamation

The Peat Local Plan sought to secure proper reclamation and afteruse of areas that had already been subject to peat extraction. Cooperation between the peat industry, Somerset County Council and the nature conservation bodies has led to major advances in securing afteruses in the Peat Production Zones. Fisons, who were the principal peat operators in Somerset, decided to transfer their landholding to English Nature who lease back some land to Fisons successor organisation, Levingtons, subsequently Scotts Co. (UK) Ltd., for continued working. Working with other nature conservation organisations, large land units have been made available for reclamation



- and outside funding has been attracted for various supporting studies. The MPA is confident that much will be achieved over the next few years and will seek to support the conservation and novel wetland afteruse initiatives in the PPZs, provided the Development Plan criteria are met. The MPA will evaluate how proposals impact on the landscape. This will include assessment of the effects on its distinctive quality and substantial local diversity, its individual features and their relationships in overall landscape patterns.
- 7.8.2 In exercising their powers to review the planning conditions attached to permissions for peat extraction and in granting new permissions, the MPA will continue to place particular emphasis upon securing proper reclamation schemes. At the time the Peat Local Plan was drawn up, the majority of sites did not have even tentative afteruse proposals. One of the significant changes since then has been the introduction of the Environment Act 1995: Review of Mineral Planning Permissions. Since then conditions for 53 sites have been determined under Phase 1 and the process continues. Reclamation conditions will eventually apply to all the permissions. Chapter 4 sets out the requirement for reclamation schemes to be an integral part of the application. The district authority will be consulted on the proposed afteruse at the time of the mineral application. New planning permission may be conditional on the completion of extraction and active steps towards reclamation of earlier permissions. Duration of extraction and dates for restoration and the removal of buildings will be prescribed.
- 7.8.3 The design of each scheme is unlikely to be acceptable if it has been considered in isolation. Operators and landowners are therefore urged to cooperate with their neighbours in bringing forward joint schemes as the scope for satisfactory afteruses is greatly increased if larger areas are considered. Reclamation proposals that are put forward through any statutory review process or in new planning applications, must show that they are compatible with schemes that are put forward in adjoining areas. Applicants will be advised to consult English Nature and other relevant conservation bodies when formulating their proposals.
- 7.8.4 Reclamation proposals should address the measures required to achieve the targets set out in the UK Biodiversity Action Plan (BAP) targets and any local BAPs. Examples include creating new semi-natural habitats and providing appropriate locations for the re-establishment of threatened species. It is important to recognise that non-operational land has the potential to contribute to BAP targets. It may be possible to retain or to extend an existing habitat before working starts or while working is in abeyance.
- Temporary discontinuance may create a new isolated habitat and management plans that support interim reclamation will be welcomed. Where practical, the MPA will seek progressive reclamation. Sensitive working may contribute to new stepping-stone or linear habitats. Information about targeted habitats and species needs to feed into the detailed design of the restoration proposals.
- 7.8.5 The MPA recognises the valuable work which has been done by the Levels and Moors Partnership (LAMP) in considering all these issues and pulling them together in the Avalon Marshes Strategy.
- 7.8.6 The Avalon Marshes Recommended Options for after use Guidance Notes and Map, produced by the Levels and Moors Partnership, were adopted by the County Council as Supplementary Planning Guidance in 1997 to assist operators in drawing up acceptable reclamation schemes. The guidance notes were updated and placed on deposit for public consultation with the Revised Deposit Version of the Minerals Local Plan.
- 7.8.7 Supplementary Planning Guidance (SPG) does not form a part of the plan, but will be taken into account as a material consideration. This guidance has been prepared through the Levels and Moors Partnership; the consultation process will allow the views of interested parties to be taken into account before it is finalised. It will then be the subject of a Somerset County Council resolution to adopt it as Supplementary Planning Guidance. On adoption, a statement of the consultation undertaken, the representations received and the local authority's response to those representations will be made available with each copy of the SPG. The SPG will be reviewed on a regular basis alongside reviews of the development plan policies to which it relates.
- 7.8.8 The Framework for Reclamation Map (Inset Plan 4) sets out the broad categories for reclamation over the areas of existing peat permissions and for the Peat Production Zones. The principles of nature conservation will guide all the reclamation proposals, but the plan also identifies areas where appropriate forms of agriculture, including novel wetland uses such as reed and withy growing, or water based recreational facilities may be introduced. This is on a hierarchical basis. Restoration to nature conservation will be appropriate over the whole area of the PPZs, and reclamation to appropriate forms of agriculture will also be acceptable in the areas identified for recreation. The SPG provides additional information on the criteria that will be used to determine whether specific restoration and aftercare proposals are acceptable for a particular location. It notes, for example, that where establishment and management



accords with an agreed conservation management plan, the harvesting of reed and sedge beds may also be suitable in areas that promote nature conservation and enhance wildlife conservation. The SPG advises on the scope of information that should be provided for peat developments by the applicant, enable relevant planning conditions to be drawn up and site reclamation to be achieved.

7.8.9 Discussed in detail in the SPG and in the paragraph "Peat Extraction and Water Management" below, are a number of general principles that will guide water management. In the interests of sustainability it is preferable if excavated sites are left in a form whereby the proposed after use does not require pump drainage other than on a short term and infrequent basis. Similarly, it is preferable that the water levels at reclaimed sites correspond with those set by the local Internal Drainage Board. These principles should be borne in mind when determining the depth of excavation of proposed peat workings and may encourage the retention of residual peat. However, it is recognised that there may be circumstances where a proposed after use justifies a departure from these principles.

7.8.10 An appropriately managed reed bed grown for commercial purposes will contribute to nature conservation. Nevertheless, wetland industries such as the growing of reed beds for harvesting, or of withies for basket making or fuel, are categorised as "agriculture", and local planning authorities must be notified in advance of the intended exercise of permitted development rights. This enables them to consider the landscape impact of the development, as well as the desirability of preserving sites of recognised historic or nature-conservation value. Any material change in use, for other than amenity purposes or developments that are not covered by agricultural permitted development rights, will require planning permission in the usual way. Such a change will be required to be for a purpose that will not conflict with or adversely affect the conservation interests of the area and will encourage rural employment. Any application for development on a current or disused mineral working site which would conflict with or prejudice compliance with a restoration and aftercare condition is defined in the 1990 Act as a County Matter and will therefore be dealt with by the MPA.

7.8.11 Commercial reed beds, harvested on annual or two year cycles and saw sedge cut on a three or four-year rotation can be used for thatching. As previously indicated, such use of land has nature conservation benefits; reed bed is identified in the UK Biodiversity Action Plan as a target habitat and uniform stands can still attract valued species. Both reed and sedge require

a suitable range of water levels. Coppiced withies are harvested annually, although willow for fuel is usually cut on a three-year cycle. The requirement for pumping, together with any requirement for the spreading of slurry, use of fertilisers and the spraying of pesticides will need to be fully appraised to protect the water environment. Generally, the MPA will encourage schemes where water would be held at the prevailing IDB pen level, and adjusted only for short periods for establishment, harvesting and management. Water balance estimates will be required for such proposals where water is not held at pen level. In areas of deeper peat, the applicant may wish to consider leaving peat at the base of the cut, to reduce the need for pumping to acceptable periods.

7.8.12 Reclamation schemes for peat workings in the Levels and Moors may be unusual in that the proposed afteruse will need to be maintained into the longer-term. Use may be made of planning obligations to guarantee long-term maintenance beyond the statutory maximum five-year aftercare period, for the maintenance of water levels and provision of facilities for nature conservation and other amenity uses. The MPA may also seek planning obligations for agricultural afteruse to ensure this is compatible with conservation interests in the long term. For some after uses such as nature conservation, which may not generate sufficient funds to be self-sufficient, the MPA may seek information from the applicant as to how they will secure such funding.

**Policy M44**

**When considering proposals for the restoration, aftercare and afteruse of former peat workings, approval will only be given to those schemes which are in accordance with the Framework for Reclamation (see Inset Plan 4).**

**7.9 Peat Extraction and Water Management**

7.9.1 Water management in the lower Brue valley has three principal elements; water level management, water quality and flood protection. Water Level Management Plans are being used to balance the needs of land drainage with wildlife and conservation. The Environment Agency (in respect of main rivers) and the Internal Drainage Boards (in respect of in-view rhynes) have a duty to exercise general supervision over all matters relating to the drainage of land within their districts. Where main rivers or "in view" rhynes are involved, policies and byelaws of the relevant drainage authorities place restrictions on peat extraction. In determining the extent of reservation the Environment Agency has a general policy that peat excavations shall not be allowed within 45 metres of the brink of the bank of a watercourse. An applicant



wishing to work nearer to the watercourse must demonstrate that extracting peat to a closer point is safe under all conditions. The MPA supports this approach and in deciding the degree of protection that should be given to watercourses the MPA will consult the Environment Agency and the appropriate Internal Drainage Board when considering applications that affect maintained rivers and rhynes.

- 7.9.2 To work peat below the natural water table requires the pumped drainage of sites. However, unless positive steps are taken water tables on adjoining land may also be lowered. Operators are expected to control water levels to avoid adverse effects on others. Minerals Planning Guidance: Applications, Permissions and Conditions (MPG2) states that "Where de-watering is proposed and is likely to have a seriously detrimental effect on neighbouring land, the possibility of "wet" working, or other means of overcoming the problem, should be discussed with the operator but, if no solution can be found, planning permission may have to be refused."
- 7.9.3 The cumulative effect of lowering water tables over many years can prejudice nature conservation and archaeological interests, as well as the long-term stability of roads and drives. It can be important to maintain the hydrological integrity of each site, although merging small sites into larger units for the purpose of hydrological integrity may be useful. Arrangements will be required to protect buildings and structures from subsidence as a result of lowering of the water table.
- 7.9.4 Embankments constructed to retain water should be professionally designed, for example, where protection of main rivers as defined by the Environment Agency is at issue, or where the property may be affected, the design should be overseen by a Chartered Engineer. They should be no higher than the surrounding road infrastructure so as to avoid impeding the movement of floodwater. A number of methods can be used, as described in the SPG. Clay bunds are the most frequent approach; whether they are watertight depends on the quality of the clay and the method of construction. Geomembranes, when properly installed, will have more consistent properties. While there is some seepage through the clay embankments, most water movement occurs through the foundation. The blue-grey silty clay below the peat is often interspersed with pockets of silt and sand. Excavation into the underlying clay will not exceed 0.6m depth below the peat unless it can be shown that this does not provide a hydrological connection outside the site and will not promote instability. Site-specific information will be required. Additional ditches can provide recharge and protect the water quality of

the original drainage. Applicants will be expected to demonstrate that their proposals will provide an effective barrier, with monitoring and, if necessary, remediation.

- 7.9.5 There should be no import of clay from outside the PPZs, except for emergency works relating to water management and for the limited purposes set out in Policy M42. In all such cases, the MPA will need to agree the suitability of the clay.
- 7.9.6 Applicants will be required to provide qualitative and quantitative information about existing watercourses within and adjacent to the site. They will need to address the effects on watercourses of the proposed development and of the restoration/ after use of the site, including: the height of the existing water tables in the site and the surroundings; what determines them; the drainage proposals and the effect of these on water tables.

#### Policy M45

**Proposals for the extraction of peat will only be permitted where there are acceptable arrangements in place to protect watercourses, both on site and on adjoining land, and water tables on adjoining land, particularly where this might adversely affect nature conservation or archaeological interests or the stability of roads, drives or other property.**



## 8.1 The Strategy

- 8.1.1 Somerset is fortunate in having a range of good quality building stones available near the surface at various locations throughout the county.
- 8.1.2 Use has always been made of this resource and therefore much of the built historic fabric of Somerset is constructed entirely from local stone.
- 8.1.3 At 1.9.2000 in Somerset, there were ten permissions for Blue Lias, eight permissions for oolitic and similar limestone and one for Triassic sandstone. In theory, the production limits would allow for the annual production of 17,500 tonnes of Blue Lias, 34,500 tonnes of oolite and 1000 tonnes of sandstone. In practise, the output of Blue Lias in 1999 is not thought to have exceeded 6000 tonnes. Reserves of Blue Lias are in the region of 400,000 tonnes, but it appears likely that within the next few years a number of quarries will come to the end of their lives and annual production capacity will be reduced to 7000 tonnes. It is considered that the two dormant quarries, which contain limited reserves, are unlikely to re-open. It is more difficult to be sure of the production of oolitic and similar limestone; a blanket term that covers Forest Marble, Ham Hill, Doulling and Hadspen stone. Four of the nine permissions will lapse during the plan period and three permissions are not active. The current permission for the red sandstone at Capton runs out in 2007. Although the above production limits refer to categories of stone, it must be remembered that the various building stones within each category have a range of properties and are often used for different purposes.
- 8.1.4 There is not at present an adequate history of the output of the individual building stones produced in Somerset for an accurate picture of demand to be drawn. Given the relatively low base rate of extraction that prevails, individual developments can have a significant impact on the annual demand for a specific stone. The MPA will undertake regular assessments of the production and reserves for which planning permission has been granted to monitor the extent to which local needs are being met from existing permitted sources of supply. In addition, the MPA will produce supplementary planning guidance which will provide guidance to applicants on the type of information they should provide in support of their proposals. This will include such matters as: information from District Council Conservation Officers and organisations such as English Heritage on the use of different building stones; geological information on the quality, quantity and characteristics of the stone including the ratio of useable stone to waste material; and market research undertaken by the applicant to establish the likely demand and markets for the stone.
- 8.1.5 The use of local stone will be encouraged; mainly to maintain the older buildings but also to construct extensions and new buildings in keeping with the very distinctive settings which are always produced when local stone is used. This is reflected in the Local Plans produced by the Somerset District Councils which contain policy statements regarding the use of natural building stone to preserve character. Where it does not lead to a loss of locally distinctive or historic buildings or structures, reuse of stone from dismantled buildings and structures will be encouraged.
- 8.1.6 Generally, these building stone quarries have little difficulty in meeting the criteria for sustainable minerals development, mainly because of the very small scale of the operations in comparison with other mineral sites in the county. Methods of working do not generally give rise to high levels of noise and dust and do not require blasting, but sensory effects will still require careful consideration.
- 8.1.7 Most quarries are fairly shallow and the high proportion of inferior quality stone which must be discarded and retained on site is available to facilitate restoration. Progressive restoration will be required wherever practicable and schemes should recognise the value of retaining un-restored quarry faces which would contribute to the interpretation of the geology of Somerset. It is unlikely that the backfilling of worked out quarries with imported waste materials will be acceptable, mainly because they tend to be located away from suitable highway links, in the quieter and more sensitive parts of the County.
- 8.1.8 The strategy for building stone working in Somerset acknowledges the important role which these quarries fulfil in helping to preserve the character of the built environment. It also recognises that small scale working is likely to be required in order to meet the sustainability criteria.
- 8.1.9 Historically, settlements and the quarries from which they were built would be close together. Villages tended to develop on the higher, well drained ground formed by the more resistant rocks, using that same stone for building. The re-opening of such quarries introduces a possible conflict of interests, with the extraction of local stone having the potential to cause disturbance to the community. Proposals for extraction in close proximity to settlements will need to be for short term, low output working, and the potential impacts will require effective mitigation. Where the stone from such proposals will require a processing technique that has the potential to be intrusive, for example the use of a fixed saw, such processing will be required to take place elsewhere. The import of stone to such sites will not be permitted. Where proposals for building stone quarries are in



locations removed from settlements and with satisfactory access to National Primary Routes or suitable County Routes, larger-scale and longer-term quarries with fixed facilities for processing will be considered.

**Policy M46**

**Proposals for new building stone quarries or to extend existing quarries will be permitted where:**

- **there will be no significant harm to the environment or local communities;**
- **the MPA is satisfied that the stone is required to maintain or enhance the character of the local area or for restoration and conservation projects;**
- **and the nature, scale and duration of the operations are appropriate to the character of the local area.**

**Policy M47**

**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 sites will be restricted to the type of stone for which permission was granted.**

**Policy M48**

**The MPA will agree production limits at building stone quarries with operators. Such limits will be secured through planning conditions and legal agreements.**



## 9.1 Introduction

- 9.1.1 By comparison with other aggregate resources of the County, Somerset has relatively little in the way of sand and gravel. Small amounts of beach sand have been won in the past from the dunes at Brean/Berrow and there were several sand and gravel operations in the Blackdown Hills. There are no longer any planning permissions in these areas. Extraction of sand and gravel has taken place in the past from the Triassic deposits at Whiteball, near Wellington.
- 9.1.2 Because sand and gravel production within the County has been negligible, there is no sub-regional apportionment for the County in respect of this type of aggregate. This plan will therefore not contain a commitment to maintain a landbank of at least 7 years throughout and at the end of the Plan period. The MPA considers that the absence of a sub-regional apportionment constitutes an exceptional circumstance as set out in paragraph 63 of MPG6 negating the need to maintain such a landbank.

## 9.2 Coastal Deposits

- 9.2.1 No further planning permissions will be granted in the Brean/Berrow Dunes due to the fact the vast majority of the dunes system and foreshore is designated as SSSI. The removal of dune vegetation prior to sand extraction can cause blow-outs and lead to serious erosion and dune instability.
- 9.2.2 Policy 15 of the Somerset and Exmoor Joint Structure Plan Review requires strict control over new development in undeveloped coastal areas. In the light of the Designated Mineral Areas which have been identified at Whiteball and the continued landing of marine dredged sand and gravel at Dunball, the MPA does not consider that any special need to extract sand from this area will arise during the life of the plan, and consequently such development proposals could not conform with the Structure Plan or policies of this Plan and will not therefore be permitted.

### Policy M49

**Permission for the extraction of sand from the dunes system between Brean Down and Burnham-on-Sea will not be granted (see Inset Plan 6 for details).**

## 9.3 Marine Deposits

- 9.3.1 Marine sand is dredged from the Bristol Channel and significant quantities are supplied to the local market from the Wharf at Dunball, near Bridgwater. The control of these operations is currently through a licensing system operated by the ODPM and therefore future provision of sources is not a matter for consideration by the MPA or this plan. However, it is appropriate for the Plan to consider further provision of landing sites for marine materials, including safeguarding of the existing wharf at Dunball.
- 9.3.2 The MPA recognises the important contribution which marine material makes to the local need for sand and gravel. The existing wharf site at Dunball will be safeguarded within a Mineral Consultation Area and the MPA would support proposals for additional landing sites where operations could be shown to be consistent with the policies of this Plan.

## 9.4 Land Deposits

- 9.4.1 As far as the MPA is aware, workable landward deposits of sand and gravel are restricted to the Triassic deposits at Whiteball, near Wellington. There are two main sites here which are separated by the County boundary. The site which is entirely in Somerset, Whiteball East has been dormant for some years but was recently reactivated, albeit temporarily and yielded significant quantities of sand in 1996/97. Sand is also extracted from a site which straddles the Devon/Somerset border, Whiteball West, with extractive operations taking place in Devon and processing in Somerset.
- 9.4.2 The deposit is therefore of strategic importance as without it, supplies would have to be drawn from a considerable distance. As a need will arise during the life of the Plan, the geological reserve in Somerset is known to be quite extensive and working in the area could be carried out in accordance with the sustainability criteria, there is justification for identifying areas for future working and safeguarding resources within a Mineral Consultation Area.

### Policy M50

**Land at Whiteball has been identified as a Preferred Area and an Area of Search for sand and gravel extraction, see Inset Plan 5 for details. Proposals outside of these areas will only be permitted if the proposed site offers net environmental benefits over those within a Designated Mineral Area.**



## Chapter 10 Strategy for Borrow Pits

- 10.1 A borrow pit is a temporary mineral working which is used solely in connection with a specific construction project, such as a road. For example, a temporary permission was granted for a sand pit near Westonzoiland to supply material for the construction of the M5. One of the principal benefits of a borrow pit is to reduce or eliminate heavy and concentrated vehicle movements on public roads. Borrow pits should therefore be located adjacent to the construction site and be backfilled during the construction phase with material left-over from the project, hence the term borrow.
- 10.2 With the exception of small borrow pits developed within the boundary of highway construction sites, planning permission is required. Such proposals will be considered in the same way as any other application for mineral development and it will need to be proved that the site is the most appropriate source of material. The normal environmental controls governing operation and reclamation will apply.
- 10.3 Bearing in mind the length of time which it can take to obtain planning permission, particularly where formal Environmental Assessment is required, it is essential that the applicant makes early contact with the MPA and, where waste disposal forms part of the proposal, the Environment Agency. Applications for planning permission should be submitted well before the contract is let if planning permission is to be granted in time.
- 10.4 A Code of Practice exists on the making and determining of borrow pits' applications which the MPA endorses. (The 'Code of Practice on the Use of Borrow Pits and the Disposal of Waste from Highway Construction and Structural Maintenance Schemes' devised in agreement and published by the Planning Officers Society and the County Surveyors Society with endorsement from the Association of Metropolitan District Engineers in 1995.)
- 10.5 In Somerset it is likely that construction aggregate requirements could be met from local established quarries or through the use of waste materials. In such circumstances, a borrow pit could only be justified where clear environmental gains exist over alternative sources of supply and the scale of operations are appropriate to the area in order to prevent any unacceptable impacts on the environment and local communities.
- 10.6 Borrow pits may be permitted in situations where a conventional mineral working would not be. For example; the environmental benefit of minimising transport by permitting a borrow pit, where there is no alternative source in the vicinity of the construction site, may outweigh the temporary intrusion in the landscape. Where permission has been granted on this basis, the MPA will take appropriate measures to ensure that the borrow pit is only supplying the intended construction project. The permission will be of limited duration and operations should normally be completed within one calendar year other than in exceptional circumstances.
- 10.7 Reclamation is an extremely important aspect to consider in determining an application for a borrow pit. Any short-term environmental advantage could be wiped-out if the pit is not reclaimed properly. Infilling with inert waste materials from the construction project will be the preferred method of reclamation.
- 10.8 It is difficult to set out a strategy for the provision of borrow pits due to the ad hoc nature of the proposals. However, the MPA will need to be satisfied that proposals for borrow pits have clear environmental gains over alternative sources of supply before granting permission.

### Policy M51

**Proposals for borrow pits will only be permitted where:**

- the site is adjacent to the construction project on which the mineral will be used;
- the extraction and restoration activity will be of limited duration;
- the site can be restored to its original levels or an alternative acceptable landform only utilising materials from the construction project;
- the use of the minerals raised will be restricted to the specific construction project;
- the use of borrow pit material will avoid the depletion of mineral reserves
- which are capable of meeting higher specification end uses; and
- any impacts on the environment or local communities can be controlled to acceptable levels.



- 11.1 In the past, many minerals have been extracted in Somerset, including clay, gypsum, barytes, iron, lead, salt, coal and oil. Extraction of these has ceased in all cases and the MPA is not aware of any plans to recommence working. In the case of the above minerals or any other type not given a specific mention in the Plan, the MPA will determine applications for permission against the general development control policies set out in this plan so far as they are relevant, but ultimately such proposals will be determined on their individual merits.
- 11.2 If, during the life of the Plan, it becomes apparent that extraction of any minerals which are not covered in detail in this plan becomes a viable option and the applications are forthcoming, the MPA may introduce supplementary planning guidance or address the deficiency through the review of the Plan depending on the urgency of providing policy.
- 11.3 Of the above list of minerals which have been extracted in Somerset, clay has been extracted most recently. With the recent closure of Poole Brickworks, the MPA no longer intends to identify Areas of Search at the site. However, it is still intended that a Mineral Consultation Area be maintained at the site due to the presence of a viable mineral resource.