

STATEMENT BY SOMERSET COUNTY COUNCIL

September 2014

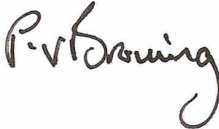


MATTER 3: Key Issues, Vision, Objectives and Spatial Strategy

Background Documents referred to within Statement

- Legal Compliance Self-Assessment (Doc Ref SD9)
- Mailing List (Doc Ref CD1)
- Officer report for submission of Plan (Doc Ref TD76)
- Sustainability Appraisal documents (Doc Ref SD2a to SD2d)
- Habitat Regulations Assessments (Doc Ref SD10a and SD10b).
- National Planning Policy Framework (Doc Ref NE3)
- Flood Risk Assessments (Doc Refs SD22a-d)
- Schedule of Proposed Changes (Doc Ref SD6b)
- Sand and Gravels MoU (Doc Ref SD 13c)
- Minerals Topic Paper 2: Building Stone (Doc Ref SD8b)
- Minerals Topic Paper 3: Peat (Doc Ref SD8c)
- Oil and Gas MoU (Doc Ref SD13b)
- Issues Paper: Peat (Doc Ref SD14a)
- Issues Paper: Aggregates (Doc Ref SD15a)
- Issues Paper: Building Stone (Doc Ref SD16a)
- Minerals Options (Doc Ref SD17a and SD17b)
- Preferred Options (Doc Ref SD18b)
- Somerset Local Aggregate Assessment (Doc Refs SD23a and SD23b)

Document Control Sheet

	<u>Position</u>	<u>Name</u>	<u>Date</u>
Prepared by:	Service Manager: Planning Policy	Paul Browning	21/07/2014
Reviewed by:	Senior Planning Policy Manager	Guy Robinson	12/08/2014
Revised version prepared by:	Service Manager: Planning Policy	Paul Browning	21/08/2014
Reviewed by:	Senior Planning Policy Manager	Guy Robinson	27/08/2014
Approved by:	Service Manager: Planning Policy		04/09/2014

For the forthcoming Hearing, the Inspector has requested that Somerset County Council briefly summarise their position on each discussion topic. The following is a brief summary of Somerset County Council's response to **Matter 3: Key Issues, Vision, Objectives and Spatial Strategy. Whether the Identified Key Issues, Vision and Objectives, are the most appropriate for the Plan area; whether the Plan should contain an overall Spatial Strategy?**

Question 1: Should the Plan contain an overall Spatial Strategy by inserting a focussed section on overall minerals provision, reflecting the distinctive spatial characteristics of the Plan area and its geology?

SCC Response

- 1.1. Somerset County Council believes that a focused "overarching" spatial strategy section in the Plan is not required; indeed, to some extent, it would be superfluous given the local context.
- 1.2. To include an explicit section such as that suggested would inevitably introduce repetition into the Plan and, if kept to a minimum, the section would potentially over-simplify the respective approaches to the different mineral types.
- 1.3. Instead strategic guidance has been tailored to a range of identified mineral types, shaped into individual strategies and policies and supported by relevant maps in Appendix B. This stance is expanded upon in our response to Question 2 below.

- 1.4. As alluded to in paragraph 4.3 of the Somerset Minerals Plan the Plan contains various references to an implicit spatial strategy based around the vision, the objectives and the fact that “minerals can only be worked where they are found”.

Question 2: Is sufficient strategic guidance and spatial direction provided for making subsequent planning applications?

SCC Response

- 1.5. Yes the Somerset Minerals Plan contains sufficient strategic guidance and spatial direction provided for making subsequent planning applications.
- 1.6. According to paragraph 2.14 of the Minerals Plan, the key minerals worked in Somerset are crushed rock, sand and gravel, building stone, and peat. There is also the potential for energy minerals (such as coal-bed methane or shale gas) to be extracted in Somerset.
- 1.7. The strategic guidance given within the Minerals Plan has been tailored to the specific mineral resources in Somerset, with constraints identified via use of the Development Management policies and other relevant policies in the Development Plan.
- 1.8. Focusing on crushed rock, the Carboniferous Limestone resource is shown in the Minerals Plan (in map 3) and the Minerals Safeguarding Areas (MSAs) identify the crushed rock resource that is safeguarded. There is no requirement for allocating sites for crushed rock extraction, given permitted reserves are projected to last over 40 years.
- 1.9. Turning to sand and gravel, the whole of the resource is safeguarded and the County Council has identified a Preferred Area and Area of Search (in map 2), which provides clarity on the County Council’s spatial strategy regarding sand and gravel (also noting that the sand and gravel ‘Pebble bed’ resource is made clear in map 4).
- 1.10. With regard to building stone, the identification of “needed” stone types, coupled with safeguarding areas for those stone types in effect provide a spatial representation of the areas in which Somerset County Council anticipate proposals will come forward (as shown in map 9). More detail on the safeguarding areas for building stone is included in **Minerals Topic Paper 2: Building Stone (Doc Ref SD8b)** and the County Council’s responses to matter 11 on safeguarding.
- 1.11. Focusing on peat, the Minerals Plan includes map 6 showing the peat resource west of Glastonbury and, given government policy towards peat (in the NPPF) of resisting spatial extensions of planning permissions and the fact that the Plan’s peat policy (in SMP6) focuses on existing peat sites, an explicit spatial strategy for peat extraction is not required.

- 1.12. For oil and gas extraction, the initial spatial steer is provided by central government in the form of Petroleum Exploration and Development Licence (PEDL) areas.

Question 3: Have the most relevant key issues been identified and have they been derived from a comprehensive evidence base?

SCC Response

- 1.13. Yes the most relevant key issues been identified and have they been derived from a comprehensive evidence base, a central spine of which is provided by **Mineral Topic Papers 1-6 (Doc Refs SD8a – SD8h)** alongside a range of other evidence base papers such as the **Somerset Local Aggregate Assessment (Doc Refs SD23a and SD23b)**.
- 1.14. The Somerset Minerals plan has evolved following all procedural stages of scoping, consultation, evidence gathering and sustainability appraisal. This is confirmed within the **Legal Compliance Self-Assessment (Doc Ref SD9)**.

Question 4: Do the vision and objectives respond sufficiently to the identified key issues?

SCC Response

- 1.15. Yes the vision and objectives do respond sufficiently to the identified key issues.
- 1.16. As set out in paragraph 2.4 of the Somerset Minerals Plan, it is considered that the vision reflects the key issues that the Plan will deal with up to the period 2030.
- 1.17. As stated in paragraph 4.3, the Plan Objectives provide a bridge between the high level vision and more focused planning policy. The Objectives A to H listed on page 14 of the Plan help to implement and deliver the vision and are translated into the individual strategies and policies for each mineral type.
- 1.18. The Plan which is positively prepared is designed to reflect the commitment to ensuring that minerals contribute to sustainable development in Somerset. The presumption in favour of sustainable development introduced via the NPPF is also embedded with the Minerals Plan via policy SD1.
- 1.19. Within the Plan, Table 1 illustrates the “golden thread / link” between the Plans vision, and its various objectives and detailed policies.
- 1.20. These in turn provides a context for implementation and monitoring of the Plan as set out in Section 25: Monitoring and Implementation.

Question 5: Do the vision and objectives complement those of other relevant Mineral Planning Authorities and Local Planning Authorities?

SCC Response

- 1.21. Yes the Plans vision and objectives do complement those of other relevant Mineral Planning Authorities and Local Planning Authorities.
- 1.22. The Plan has taken account of the local plans, emerging local plans, management plans and strategies of neighbouring councils. In so doing the Somerset Minerals Plan has had due regard to the visions and objectives of neighbouring/relevant mineral planning authorities.
- 1.23. This is confirmed within the **Legal Compliance Self-Assessment (Doc Ref SD9)**. As recorded on pages 8, 24 and 25 of the Self-Assessment document, the Minerals Plan has taken account of a range of local plans, emerging local plans, management plans and strategies of neighbouring councils.
- 1.24. As recorded in the **Mailing List (Doc Ref CD1)** consultation with other relevant Mineral Planning Authorities and other local authorities has also been undertaken throughout plan preparation.
- 1.25. Somerset County Council is not aware of any inconsistency between the visions and objectives of the Somerset Plan and those of relevant neighbouring planning authorities. This is consistent with the **Officer Report for submission of the Plan** in June 2014 (see **Doc Ref TD76**) where responses received from local authorities on the pre submission Minerals Plan (Doc Ref SD6a) demonstrate broad support for the Plan.
- 1.26. As reported under Matter 1: Duty to Cooperate there are two Memorandums of Understanding in place. Somerset County Council must also work with its neighbours – in particular Devon County Council – to ensure adequate and steady supply of sand and gravel (**Doc Ref SD13c**) and those local authorities to the north of the County with regard to Oil and Gas exploration. (**Doc Ref SD13b**).

Question 6: Does the Plan's strategic approach strike the right balance between the economic viability of the minerals industry, protection of sensitive receptors, and the sustainability of long-term mineral production?

SCC Response

- 1.27. Yes the Plan's strategic approach does strike the right balance between the economic viability of the minerals industry, protection of sensitive receptors, and the sustainability of long-term mineral production.
- 1.28. This has been done so in a responsible way having regard to the findings of the **Sustainability Appraisals (Doc Ref SD2a to SD2d)** and the **Habitat Regulations Assessments (Doc Ref SD10a and SD10b)**.

- 1.29. Chapter 5 of the **SA Report (Doc Ref SD2a)** sets out the key economic, social and environmental objectives that are of relevance to the Somerset Minerals Plan and Appendix 2 presents the appraisal of the vision, plan objectives and each of the strategic and development management policies within the Minerals Plan. The chosen options are considered to best represent the balance for the needs for the minerals and the sensitivities of the environment within which they exist.
- 1.30. Section 1 of the Minerals Plan sets out the social, economic and environment characteristics of the Plan area. Section 5 of the Minerals Plan covers the general principles of sustainability. Within this section the presumption in favour of sustainable development introduced via the NPPF is embedded with the Minerals Plan via policy SD1 (see page 19 of Somerset Minerals Plan).
- 1.31. As Policy SD1 states Somerset County Council “*will always work proactively with applicants and local communities to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area*”.
- 1.32. As stated in paragraph 5.10 of the Plan, this “*sets an ethos which underlies all policies in the Somerset Minerals Plan and the minerals planning decisions taken by Somerset County Council.*”
- 1.33. Consultation throughout the plan-making process with the minerals industry and environmental bodies have also helped to ensure that a justified and reasonable balance has been struck between economic viability, protection of sensitive receptors, and the sustainability of long-term mineral production.
- 1.34. Continued dialogue will support implementation of the Plan, for example with the South West Aggregates Working Party (SW AWP) technical work on the Somerset Local Aggregate Assessment. Not only will this be important with regard to Somerset’s biggest mineral output – namely crushed rock but it will also be important to sand and gravel extraction. The Plan provides a positive policy framework for sand and gravel extraction, including the identification of a Preferred Area and Area of Search, to help maintain steady and adequate sub-regional supply.
- 1.35. For building stone, the Plan has identified “needed” building stone types and again provides a positive policy framework for consideration of applications.
- 1.36. A more restrictive framework is appropriate on peat, noting national policy on peat, and thus a focus on the reclamation of existing sites is considered to be the most appropriate strategy for peat.
- 1.37. Somerset County Council as the Mineral Planning Authority is confident that the strategies proposed can be delivered in the context of the environmental constraints within Somerset.

Question 7: Does the Plan's strategic approach take sufficient account of the potential impact of climate change?

SCC Response

- 1.38. Yes the Plan's strategic approach take sufficient account of the potential impact of climate change.
- 1.39. The **Legal Compliance Self-Assessment (Doc Ref SD9a)** confirms that Somerset County Council complied with the requirement to take account of Climate Change and the need to plan for and mitigate its effects.
- 1.40. During the plan making process, page 25, of the Self- Assessment document records how the Council took account of climate change against the key risk identified in the **Sustainability Appraisal (Doc Ref SD2a)** within paragraph 6.69 that: "Much of Somerset is low lying and at risk from flooding".
- 1.41. The **Sustainability Appraisal (SA) Reports (Doc Ref SD2a to SD2d)** and interim versions of the Minerals Plan also demonstrate that this key issue and other potential impacts of climate change were considered.
- 1.42. Being mindful that the Minerals Plan is intended to be read as a whole, various parts of the Plan thus provide specific policy advice that takes account of climate change. For example:
- Part of the aim of "Objective H" is to "reduce the impacts of mineral development on climate change.
 - Paragraph 5.3 asks "What operational measures can help to mitigate and adapt to climate change?"
 - Paragraph 5.5 refers to the expectation that minerals planning applications will normally include consideration of the energy and/or carbon impacts of the proposal. This will include (but not be limited to) an assessment of how the development will mitigate climate change and/or adapts to its effects.
 - Section 8: Peat and the consequences of peat extraction on climate change and biodiversity, noting that peat is an important store of carbon.
- 1.43. The importance of flood risk is noted in various sections of the Plan, not least section 16 on water resources and flood risk, also informed by relevant **Flood Risk Assessments (Doc Refs SD22a-d)**.

Question 8: Is the Plan's strategic approach robust and pragmatic and sufficiently flexible to accommodate all reasonable and foreseeable eventualities and changing circumstances?

SCC Response

- 1.44. Yes, the strategies for the provision of minerals in Somerset are robust and pragmatic and have been developed to ensure that flexibility is built in to react to changing circumstances.
- 1.45. **Paragraph 157 of the National Planning Policy Framework** requires that the Minerals Plan is drawn up over an appropriate time scale and takes account of longer-term requirements. The Minerals Plan complies with this requirement through having a Plan period to the end of 2030, together with the identification a potentially workable mineral resource protected by a safeguarding policy (Policy SMP9). Should longer term need arise that is not directly provided for, applications can be considered through the framework of Development Management and other Plan policies.
- 1.46. In more detail, according to paragraph 2.14 of the Minerals Plan, the key minerals worked in Somerset are crushed rock, sand and gravel, building stone, and peat. There is also the potential for energy minerals (such as coal-bed methane or shale gas) to be extracted in Somerset.
- 1.47. In various locations (for example at paragraph 6.37) reference is made to the "landbank" being used as a principal indicator to ensure the continued supply of aggregates. The use of the 10-year rolling average, linked with annual updates of the Somerset Local Aggregate Assessment, provides assurance that the Minerals Plan can respond in a flexible way to changing circumstances.
- 1.48. The existing permitted reserves for Crushed rock of **40 years** (as updated thorough Change No 18 in the **Schedule of Proposed Changes (Doc Ref SD6b)**) should last well in excess of the plan period based on current output levels such that an increase in output could also be sustained. As paragraph 6.40 of the Minerals Plans records this is longer than the 10 year minimum stated in the NPPF and also takes account of Somerset's status as a nationally important supplier of crushed rock.
- 1.49. With regard to sand and gravels, as stated in paragraph 6.70 of the Minerals Plan, Somerset currently has no land-won sand and gravel workings and superficial deposits of sand and gravel in Somerset are generally limited. Virtually all extraction of sand and gravel from Whiteball has taken place in Devon (most recently from the Town Farm site) for processing by facilities on the Somerset side of the border. The Plan in paragraphs 6.73 to 6.82 goes on to indicate how we work with our neighbours – in particular Devon County Council – to ensure adequate and steady supply of sand and gravel. This partnership arrangement is also covered within a **Sand and Gravels MoU (Doc Ref SD 13c)**

- 1.50. As outlined in Section 7 of the Minerals Plan, building stone extraction occurs on a scale that is relatively small compared with quarrying for aggregates. The Planning policy is one of supporting local building stone extraction to support local demand, in order to maintain and enhance the county's historic environment whilst recognising markets also exist further afield. Within the Minerals Plan, Table 2 identifies the stone types already worked and those identified as "needed" in **Minerals Topic Paper 2 (Doc Ref SD8b)**. Through Minerals Plan Policy SMP5 and Figure 2 (as suggested by **Change No 32 in the Schedule of Proposed Changes (Doc Ref SD6b)**), the strategy is thus one of encouraging provision and broadening the range of building stones worked in Somerset.
- 1.51. Policies relating to Peat are set out in Section 8 of the Minerals Plan. Paragraph 8.18 refers to **Minerals Topic Paper 3 (Doc Ref SD8c)** which sets out the calculated reserves and supply of peat in Somerset. Assuming decline in sales in line with government targets to zero sales in 2030, information held by the Mineral Planning Authority indicates that current peat permissions already exceed the requirement for predicted demand for the plan period.
- 1.52. With regard to Energy Minerals a criteria-based policy approach (Policy SMP7) is taken with regards to the exploration, appraisal and/or production of hydrocarbons. This approach which has been informed by joint working summarised in the **Oil and Gas MOU (Doc Ref SD13b)**. The strategy will allow the industry sufficient flexibility to bring forward sites within the Petroleum Exploration and Development Licence (PEDL) blocks for review against policies in the Development Plan.
- 1.53. Paragraph 143 of the National Planning Policy Framework requires mineral planning authorities to safeguard 'specific minerals resources of local and national importance'. Section 11 of the Minerals Plan and Table 4 sets out in detail the minerals selected for safeguarding and the reasoning behind this selection. Being mindful that the Minerals Plan is intended to be read as a whole, other parts of the plan provide additional controls. The Mineral Planning Authority considers that the minerals most in need of safeguarding have been satisfactorily protected.

Question 9: Have all reasonable alternative options been considered in developing the vision and objectives?

SCC Response

- 1.54. Yes all reasonable alternative options have been considered in developing the vision and objectives.
- 1.55. The preparation of the Somerset Minerals Plan involved a number of stages whereby various alternative approaches to achieving the vision and objectives of the strategy were considered and appraised.

- 1.56. Somerset County Council consulted on **Issues Papers** during 2009 and 2010 **Peat (Doc Ref SD14a); Aggregates (Doc Ref SD15a); and Building Stone (Doc Ref SD16a)**. The County Council also undertook a **Minerals Options** consultation from late 2011 to early 2012 (**Doc Ref SD17a and SD17b**) and consulted on the **Preferred Options** from late 2012 to early 2013 (**Doc Ref SD18b**).
- 1.57. The “Preferred Options” were reported to Elected Members and key officers within Somerset County Council in December 2012 (See **Doc Ref CD8**).
- 1.58. The **Legal Compliance Self-Assessment (Doc Ref SD9a)** page 19 confirms that Somerset County Council prepared reasonable alternatives for evaluation during the preparation of the Plan.
- 1.59. The **Sustainability Appraisal (SA) Reports (Doc Ref SD2a to SD2d)** and interim versions of the Minerals Plan demonstrate reasonable alternatives have been prepared and assessed. Furthermore the Appraisals have been carried out in an iterative way by an independent consultancy, informing the consultation and helping to consider the outcomes of consultation.
- 1.60. Options considered are set out chapter 1 paragraphs 1.7 to 1.11 in the **SA Report (Doc Ref SD2a)**. The SA Report highlights which options were taken forward and why including the results of the SA, stakeholder consultation and influences given the baseline situation.
- 1.61. All the Sustainability Appraisal documents have been available on the Somerset County Council website throughout the development of the Somerset Mineral Plan.

Question 10: Does the overall strategic approach reflect the three dimensions of sustainable development (economic, social and environmental)?

SCC Response

- 1.62. Yes the overall strategic approach of the Plan does reflect the three dimensions of sustainable development (economic, social and environmental).
- 1.63. The Somerset Minerals Plan has been positively prepared, in accordance with the NPPF and makes every reasonable effort to accommodate future mineral needs but has done so in a responsible way having regard to the findings of the **Sustainability Appraisals (Doc Ref SD2a to SD2d)** and the **Habitat Regulations Assessments (Doc Ref SD10a and SD10b)**.
- 1.64. Chapter 5 of the **SA Report (Doc Ref SD2a)** sets out the key economic, social and environmental objectives that are of relevance to the Somerset Minerals Plan and Appendix 2 presents the appraisal of the vision, plan objectives and each of the strategic and development management policies within the Minerals Plan. The chosen options are considered to best represent the balance for the needs for the minerals and the sensitivities of the environment within which they exist.

**Somerset Minerals Plan Examination
Hearing Sessions: September 2014
Statement by Somerset County Council**

- 1.65. Section 1 of the Minerals Plan sets out the social, economic and environment characteristics of the Plan area. Section 5 of the Minerals Plan covers the general principles of sustainability. Within this section the presumption in favour of sustainable development introduced via the NPPF is embedded with the Minerals Plan via policy SD1 (see page 19 of Somerset Minerals Plan).
- 1.66. As Policy SD1 states we “will always work proactively with applicants and local communities to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area”.
- 1.67. As stated in paragraph 5.10 of the Plan, this “sets an ethos which underlies all policies in the Somerset Minerals Plan and the minerals planning decisions taken by Somerset County Council.”
- 1.68. Furthermore, within the Minerals Plan, the 3 pillars of sustainable development (ie the economic, social and environmental) are specifically referred to collectively within Objective D (see page 14 of Somerset Minerals Plan).

End