

STATEMENT BY SOMERSET COUNTY COUNCIL

September 2014




MATTER 13: Development Management Policies

Background Documents referred to within Statement

- Somerset Minerals Plan (Doc Ref SD1)
- Legal Compliance Self-Assessment (Doc Ref SD9)
- Mailing List (Doc Ref CD1)
- Schedule of Proposed Changes (Doc Ref SD6b)
- Schedule of Proposed Changes (Doc Ref SD6c)
- Sustainability Appraisal documents (Doc Ref SD2a to SD2d)
- Representations Received (Doc Ref SD7)
- Habitat Regulations Assessments (Doc Refs SD10a and SD10b)
- National Planning Policy Framework (Doc Ref NE3)
- Minerals Topic Paper 5 and its associated Annex (Doc Refs SD8e and SD8f)

Document Control Sheet

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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 13: Development Management Policies: Whether the Development Management policies make sufficient provision to encourage the sustainable production of minerals?**

Question 1: Do the Development Management policies address the Plan's key issues and carry through its objectives to the development management stage?

SCC Response

- 1.1. Yes the Development Management policies do address the Plan's key issues and carry through its objectives to the development management stage.
- 1.2. The **Somerset Minerals Plan (Doc Ref 1)** is a planning policy document that delivers a range of policies within the spatial context of the County of Somerset for the time period up to 2030. The Plan has been prepared in accordance with current legislation and Government guidance.

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1.3. The fundamentals of the Minerals Plan are set out in section 2, and paragraph 2.24 of the Plan reminds the reader that:

“The Development Plan should be read as a whole, including all relevant plans and policies of the four Districts and one Borough Council of Somerset, and Exmoor National Park Authority, as seen in figure 1 below.”

1.4. In so doing the Somerset Minerals Plan takes into consideration development proposed by the Districts/Borough Councils of Somerset and the strategies of neighbouring/relevant mineral planning authorities and the need for mineral extraction.

1.5. While referencing wider work, the Minerals Plans seeks to achieve local distinctiveness, recognising the unique environment of Somerset. This is reflected within Section 4: the Plan’s Vision and Objectives.

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. Given the local context, strategic guidance has been tailored to the minerals worked which in turn has been translated into the individual strategies and policies for each mineral type. Within the Minerals Plan, Table 1 illustrates the “golden thread / link” between the Plans vision, and its various objectives and detailed policies.

1.8. There are a many complex links between the different elements of the Plan, which strengthen the Plan as a tool to support sustainable minerals development in Somerset. For example:

- Paragraphs 3.2 to 3.6 outline key issues regarding aggregates. There are clear links to the strategic approach set out in section 6 on aggregates, and these in turn are carried forward into the Development Management section – for example, working below the water table (policy DM5), taking a landscape-scale approach to reclamation (see Table 7 in section 18), and the protection of local amenity (e.g. from vibration) as outlined in Table 8 in section 19.
- Paragraph 3.7 describes the use of building stone as integral to the distinctive character and historic environment of the county. Section 7 on building stone (including policy SMP5) sets out the strategic approach to building stone, and section 15 (including policy DM3) sets out the Development Management approach to the protection of the historic environment (the cross-reference is highlighted in paragraph 15.2).
- Paragraph 3.12 summarises the position on peat extraction in Somerset, which is explained in more detail in section 8 (including policy SMP6). Considerations on peat are then picked up in a range of details in the Development Management section of the Plan, for example, noting the fact that there are existing peat sites located in and within close proximity to the Somerset Levels and Moors Special Protection Area (SPA) and Ramsar designations (paragraph 8.27), chapter 14 (including policy DM2) covers the approach to protecting such designations and the need for a ‘test of likely

significance' in areas that ecologically support the integrity of these sites. Further changes (Change Nos 79, 80 and 96) in the **Schedule of Proposed Changes (Doc Ref SD6b)** highlight further detail about these linkages.

- Paragraphs 3.14 and 3.15 summarises the need for robust policy on **Oil and Gas MOU (Doc Ref SD13b)**. Section 9 (including policy SMP7) sets out the strategic approach to energy minerals, and a range of Development Management policies help the County Council at the Development Management stage; for example, content on the geological conservation interests in section 14, content on the protection of water resources and flood risk in section 16, and section 20 on minerals transportation.
- Paragraph 3.16 highlights the issue of reclamation, which is considered from a strategic perspective in section 10 and supported from a Development Management perspective by section 18 on restoration and aftercare.

Question 2: For each Development Management policy briefly explain whether it strikes the right balance between providing realistic opportunities for viable mineral extraction and protecting communities and the environment (in its broadest sense)?

SCC Response

- 1.9. The Somerset Minerals Plan contains the following development management policies:
- Policy DM1: Landscape and visual amenity (page 75)
 - Policy DM2: Biodiversity and geodiversity (page 80)
 - Policy DM3: Historic environment (page 82)
 - Policy DM4: Water resources and flood risk (page 84)
 - Policy DM5: Mineral extraction below the water table (page 86)
 - Policy DM6: Public rights of way (page 87)
 - Policy DM7: Restoration and aftercare (page 91)
 - Policy DM8: Mineral operations and Protecting local amenity (page 99)
 - Policy DM9: Minerals transportation (page 102)
 - Policy DM10: Land stability (page 104)
 - Policy DM11: Management of solid mineral wastes (page 105)
 - Policy DM12: Production limits (page 107)
 - Policy DM13: Borrow pits (page 113)
- 1.10. As documented within the **Legal Compliance Self-Assessment (Doc Ref SD9)** and recorded in the **Mailing List (Doc Ref CD1)** consultation with minerals industry and environmental bodies has been undertaken throughout plan preparation. Consideration of the representations received and suggested amendments by the County Council have helped to ensure that the Plan and its Development Management (DM) policies are in line with

government policy. Also that the right balance has been struck between providing realistic opportunities for viable mineral extraction and protecting communities and the environment.

- 1.11. Paragraphs 1.12 to 1.22 below briefly illustrate how this has been achieved. It is important to note the significance of attempting to strike the right balance between the strategic section of the Plan and the DM section. With the benefit of hindsight, exemplifying how Somerset County Council have reflected on this balance:
- Policy DM5 on mineral extraction below the water table had its origins in the aggregates “strategic” section of the Plan (at the Preferred Options stage); however, the decision was taken to place the policy in the DM section of the Minerals Plan and expanded it to become more generic and thus allow the County Council to use the policy, as appropriate, when considering mineral extraction beneath the water table.
 - With regard to building stone, the **Schedule of Proposed Changes (Doc Ref SD6b)** notes the proposed inclusion of Figure 2 (see Change No 32) in response to concern that Table 3 on pages 40 and 41 of the pre-submission Plan could be interpreted as a DM policy, whereby if an applicant meets the requirements of the checklist then planning permission would be granted. That was not the intention underlying the Table, hence the content in Table 3 has been reformatted and revised as a Figure.
- 1.12. The process of recommending changes to the Plan has been done 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)**.
- 1.13. Furthermore, it is noted that 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.
- 1.14. Changes to Policy DM1 have been proposed so that the policy and the protection for AONBs is fully aligned with the NPPF (see Change No 70 in the Schedule of Proposed Changes) whereby National Parks and AONBs have the highest status of protection in relation to landscape and scenic beauty.
- 1.15. Policy DM2 highlights the need for a test of likely significance for proposals that directly affect sites and areas that ecologically support the integrity of protected areas. This is a particularly important consideration for peat policy, a point that exemplifies the balance needed between mineral extraction and protection of the environment.
- 1.16. Policy DM3 provides a mechanism to consider the impact of proposed mineral development on heritage assets and Change No 81 in the Schedule of Proposed Changes fine tunes the approach that is needed if a proposal is close to a historic building.

- 1.17. Focusing on policies DM4 and DM5, Somerset County Council has worked hard to co-operate with relevant organisations such as the Environment Agency, which is the lead authority for safeguarding the water environment. Their support in the **Representations Received (Doc Ref: SD7, response R8.1)** helps to demonstrate that the right balance has been reached.
- 1.18. Policy DM6, paragraph 17.3 emphasises that wherever possible, public rights of way should remain in their current position on the legal line of path. But it provides a mechanism to consider alternatives if it is not possible to retain the current right of way, which is considered a reasonable approach to take.
- 1.19. At the Pre Submission Minerals Plan stage a number of respondents queried the consistency of the check-boxes in the Reclamation checklist referenced in policy DM7, and whether they were in fact necessary. Having considered the matters raised, within the **Schedule of Proposed Changes (Doc Ref SD6b)**, Proposed Change Nos 86 and 88 remove the original tick box approach. Instead the table is simplified, enabling the checklist to be more flexible and for factors to be considered where relevant.
- 1.20. Table 8 which supports policy DM8 provides guidance which helps the applicant to consider the different ways in which a proposal may impact on local amenity. Encouragement is provided in revised paragraph 19.11 (**see Change No 91 in Doc Ref SD6b**) for the applicant to engage in pre-application discussions, which again provide a appropriate way forward for addressing potential concerns.
- 1.21. In support of policy DM9, the wording changes to paragraph 20.1 in Proposed the Change No 96 (**see Doc Ref SD6b**), provide a more nuanced approach which recognises the potential different ways in which mineral transport may impact e.g. in particular regarding the time of any noise disturbance.
- 1.22. Policies DM10, DM11 and DM13 each provide a reasonable approach to the different issues being addressed. They attracted little feedback during the pre-submission Minerals Plan consultation. Only a small number of supporting comments were received (as evidenced in **Doc Ref SD7**). **Change Nos 98 and 99 in the Schedule of Proposed Changes (SD6b)** have taken on board the need to clarify the supporting text for policy DM12.

Question 3: For each Development Management policy, please confirm that it is deliverable and accords with the Framework and PPG (citing relevant paragraph numbers for each).

SCC Response

- 1.23. Somerset County Council as Mineral Planning Authority is confident that each DM policy in the Somerset Minerals Plan is deliverable and accords with the NPPF and PPG.
- 1.24. Somerset County Council is confident that **Policy DM1: Landscape and visual amenity** (as amended by Proposed Change No 70) covers planning policy matters that would need to be addressed as part of a typical minerals

development proposal. Policy DM1 is also consistent with the national policy, specifically:

- **NPPF (paragraphs 115 and 116):** the Plan refers to these paragraphs in the footnote to paragraph 13.5 of the Plan, acknowledging the important role of the NPPF in setting the basic framework for considering development within such designations.
- **NPPF (paragraph 143: 6th bullet point)** which advises that: “*In preparing Local Plans, local planning authorities should...“set out environmental criteria, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion”* (underlining added by Somerset County Council).

1.25. It is noted that the Planning Practice Guidance was updated on 28 July 2014 (Reference ID: 27-223-20140728), with regard to planning for oil and gas development within areas designated for their scenic beauty and landscape. As a result, the County Council proposes an additional change to the supporting text of chapter 13 as shown in the appendix to this statement and in the **Schedule of Proposed Changes, v2 ([Change 118, Doc Ref SD6c](#))**.

1.26. Somerset County Council is confident that **Policy DM2: Biodiversity and geodiversity** (as amended by Proposed Change No 73) covers planning policy matters that would need to be addressed as part of a typical minerals development proposal. Policy DM2 is also consistent with the national policy, specifically:

- **NPPF (paragraph 117)** which advises that: “*To minimise impacts on biodiversity and geodiversity, planning policies should: plan for biodiversity at a landscape-scale across local authority boundaries”... [and]... “Identify and map components of the local ecological networks”* (as covered by paragraphs 14.5-14.7 in the pre-submission Minerals Plan, cross-referencing **Minerals Topic Paper 5 and its associated Annex (Doc Refs SD8e and SD8f)**).
- **NPPF (paragraph 143: 8th bullet point)** which advises that: “*In preparing Local Plans, local planning authorities should...put in place policies to ensure worked land is reclaimed at the earliest opportunity taking account of geodiversity, biodiversity, native woodland, the historic environment”* (underlining added by Somerset County Council).

1.27. Somerset County Council is confident that **Policy DM3: Historic environment** (as amended by Proposed Change No 77) covers planning policy matters that would need to be addressed as part of a typical minerals development proposal. Policy DM3 is also consistent with the national policy, specifically:

- **NPPF (paragraph 61)** which advises that “*planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.*”

- **NPPF (paragraph 126)** which advises that “*Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment*”.
 - **NPPF (paragraph 143: 8th bullet point)** which advises that: “*In preparing Local Plans, local planning authorities should...put in place policies to ensure worked land is reclaimed at the earliest opportunity taking account of geodiversity, biodiversity, native woodland, the historic environment*” (underlining added by Somerset County Council).
- 1.28. Somerset County Council is confident that **Policy DM4: Water resources and flood risk** (as amended by Proposed Change No 81) and **Policy DM5: Mineral extraction below the water table** (as amended by Proposed Change No 86) cover planning policy matters that would need to be addressed as part of a typical minerals development proposal. Policy DM5 is also consistent with the national policy, specifically:
- **NPPF (paragraph 143: 6th bullet point)** which advises that: “*In preparing Local Plans, local planning authorities should set out environmental criteria, in line with the policies in this Framework ,against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on... increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site..*” (underlining added by Somerset County Council).
 - In the context of water supply, wastewater and water quality, it is noted that Planning Practice Guidance (Paragraph: 002 Reference ID: 34-002-20140306) considerations “*will vary depending on the character of the local authority area, the type of issues the Local Plan will need to grapple with and the contribution that can be made to a ‘catchment-based approach’ to water*”. In the context of the Minerals Plan, for example, there is a clear need to consider impacts of mineral extraction beneath the water table, as the Plan has done via policy DM5. Furthermore, the recent Change no 79 in the Schedule of Proposed Changes (SD6b) reflects an additional detail that highlights how the Plan will be used when considering applications for peat working.
- 1.29. Somerset County Council is confident that **Policy DM6: Public rights of way** covers planning policy matters that would need to be addressed as part of a typical minerals development proposal. Policy DM6 is also consistent with the national policy, specifically:
- **NPPF (paragraph 75)** which advises that: “*Planning policies should protect and enhance public rights of way and access.*”
- 1.30. Somerset County Council is confident that **Policy DM7: Restoration and aftercare** covers planning policy matters that would need to be addressed as part of a typical minerals development proposal. Policy DM7 is also consistent with the national policy, specifically:

- **NPPF (paragraph 143: 8th bullet point)** which advises that: *“In preparing Local Plans, local planning authorities should...put in place policies to ensure worked land is reclaimed at the earliest opportunity.... and high quality restoration and aftercare of minerals sites takes place”* (underlining added by Somerset County Council).
- The Minerals Plan is mindful of the Planning Practice Guidance (Paragraph: 036 Reference ID: 27-036-20140306) and makes reference to the Guidance in this regard.

1.31. Somerset County Council is confident that **Policy DM8: Mineral operations and the protection of local amenity** (as amended by Proposed Change No 95) covers planning policy matters that would need to be addressed as part of a typical minerals development proposal. Policy DM8 is also consistent with the national policy, specifically:

- **NPPF (paragraph 120)** which advises that: *“To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity... should be taken into account”* (underlining added by Somerset County Council).
- **NPPF (paragraph 143: 6th bullet point)** which advises that: *“In preparing Local Plans, local planning authorities should.....Set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health”*.
- Planning Practice Guidance on noise (for example Paragraph: 019 Reference ID: 27-019-20140306 to Paragraph: 022 Reference ID: 27-022-20140306) and dust (for example Paragraph: 023 Reference ID: 27-023-20140306 to Paragraph: 032 Reference ID: 27-032-20140306). Chapter 19 makes reference to this guidance.

1.32. Somerset County Council is confident that **Policy DM9: Minerals transportation** (as amended by Proposed Change No 97) covers planning policy matters that would need to be addressed as part of a typical minerals development proposal. Policy DM9 is also consistent with the national policy, specifically:

- **NPPF (paragraph 32)** which advises that: *“All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.”*
- **NPPF (paragraph 35)** which advises that: *“Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people”*.
- **NPPF (paragraph 144 3rd bullet point)** which advises that: *“When determining planning applications, local planning authorities*

should:...ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health”.

- 1.33. Somerset County Council is confident that **Policy DM10: Land stability** covers planning policy matters that would need to be addressed as part of a typical minerals development proposal. Policy DM10 is also consistent with the national policy, specifically:
- **NPPF (paragraph 121 1st bullet point)** which advises that: *“Planning policies and decisions should also ensure that: the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining”.*
 - **NPPF (paragraph 143: 6th bullet point)** which advises that *“in preparing Local Plans, local planning authorities should set out the environmental criteria against which planning applications can be assessed”*, listing tip and quarry-slope stability as one of several issues to consider.
- 1.34. Somerset County Council is confident that **Policy DM11: Management of solid mineral wastes** (amended as shown in the Appendix to this statement and shown as Proposed Change No 128 in the **Schedule of Proposed Changes, v2 - Doc Ref SD6c**) covers planning policy matters that would need to be addressed as part of a typical minerals development proposal. Policy DM11 is also consistent with the national policy, specifically:
- **NPPF (paragraph 143: 2nd bullet point)** which advises that: *“In preparing Local Plans, local planning authorities should:... so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials”.*
 - Furthermore, DM11 also aligns with national waste planning policy (see Planning Policy Statement 10: Planning for Sustainable Waste Management) which emphasises the importance of treating waste as a resource, and diverting waste up the waste hierarchy. This approach is embedded in the **Somerset Waste Core Strategy (Doc Ref RL2)**.
- 1.35. Somerset County Council is confident that **Policy DM12: Production limits** covers planning policy matters that would need to be addressed as part of a typical minerals development proposal. Policy DM12 is also consistent with the national policy, specifically:
- **NPPF (paragraph 144: 3rd bullet point)** which advises that: *“when preparing Local Plans local planning authorities should... take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality”.*
- 1.36. Somerset County Council is confident that **Policy DM13: Borrow pits** covers planning policy matters that would need to be addressed should such a

proposal come forward. Policy DM13 is also consistent with the national policy, specifically:

- **NPPF (paragraph 10)** which advises that: “*Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas*”.
- **NPPF (paragraph 37)** which advises that: “*Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities*”.
- Paragraph 3.24 of the Minerals Plan states that such proposals are “very rare”. Whilst the NPPF does not refer to borrow pits explicitly in its section on facilitating the sustainable use of minerals, it is in the spirit of localism that underlies the NPPF to allow for this possibility to happen.

Question 4: Should Policies DM1, DM2, DM3, DM4, DM7, DM8, DM9, and DM11 state that they are subject to compliance with other relevant DM policies?

SCC Response

- 1.37. Advising that the above DM policies are subject to compliance with other relevant DM policies is deemed unnecessary.
- 1.38. The fundamentals of the Minerals Plan are set out in section 2. Paragraph 2.24 of the Plan reminds the reader that: “*The Development Plan should be read as a whole*”.
- 1.39. This point is also re-enforced elsewhere in the Plan, for example in paragraph 25.3, which states that “*The Somerset Minerals Plan should be read as a whole. Proposals will be judged against all relevant policies in the Development Plan*”.

Question 5: With respect to Policy DM13, do Borrow pit applications need to comply with any other DM policies? If so which, or is this dependant on the specific application? Should this be made clear?

SCC Response

- 1.40. Advising that Borrow pit applications need to comply with any other DM policies is unnecessary. The policy should not be read in isolation, but alongside other relevant policies in the Development Plan. The relevance of each policy will vary on a case by case basis.
- 1.41. The fundamentals of the Minerals Plan are set out in section 2. Paragraph 2.24 of the Plan reminds the reader that: “*The Development Plan should be read as a whole*”.
- 1.42. This point is also re-enforced elsewhere in the Plan, for example in paragraph 25.3, which states that “*The Somerset Minerals Plan should be read as a*

whole. Proposals will be judged against all relevant policies in the Development Plan”.

Question 6: With respect to Table 7: Reclamation Checklist, why do potential impacts on land stability (9) not apply to energy minerals? Why do leisure and amenity opportunities (11) not apply to building stone?

SCC Response

- 1.43. At the Pre Submissions Minerals Plan stage a number of respondents queried the consistency of the check-boxes, and whether they were in fact necessary. Having considered the matters raised, within the **Schedule of Proposed Changes (Doc Ref SD6b)**, Proposed Change Nos 86 and 88 remove the original tick box approach. Instead the table is simplified, enabling the checklist to be more flexible and for factors to be considered where relevant.

Question 7: Overall, do the Development Management policies make effective provision for encouraging sustainable development, having regard to the three dimensions of sustainability (economic, social and environmental)?

SCC Response

- 1.44. The County Council is confident that the Minerals Plan and its development management policies when read as a whole make effective provision for encouraging sustainable development, having regard to the three dimensions of sustainability (economic, social and environmental).
- 1.45. The National Planning Policy Framework sets out a presumption in favour of sustainable development which places an onus upon planning authorities to take a positive and proactive approach to development that improves economic, social and environmental conditions in the area.
- 1.46. Accordingly Policy SD1 of the Minerals Plan states that 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*”.
- 1.47. 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*”.
- 1.48. Overall, the Development Management policies seek to deliver minerals for the benefit of society but only if the delivery is properly managed and achieved in the most sustainable manner.
- 1.49. To this end, it should be noted that 9 of the 13 development management policies are worded in a positive way in that “*planning permission for mineral development will be granted subject to...*”

- 1.50. Thus planning applications that accord with the policies in this Minerals Plan (and, where relevant, with policies in other DPDs that make up the “Development Plan”) will be approved without delay, unless material considerations indicate otherwise.

End

**APPENDIX – PROPOSED FURTHER CHANGES TO THE DM SECTION
(integrated within Doc Ref SD6c – and not including minor updates to ensure the most up-to-date reference to national guidance.)**

New paragraph 13.6 (to be inserted after paragraph 13.5)

13.6. As stated in planning practice guidance, where applications represent major development, planning permission for hydrocarbon extraction should be refused in National Parks and Areas of Outstanding Natural Beauty except in exceptional circumstances and where it can be demonstrated they are in the public interest. The assessment that needs to be carried out, including consideration of any detrimental effect on the environment, such as the noise and traffic which may be associated with hydraulic fracturing, is set out in paragraph 116 of the NPPF.

Policy DM11

Planning permission for the disposal of solid mineral wastes will be granted subject to the ~~applicant~~application demonstrating that:

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