

Somerset Minerals Plan Development Plan Document up to 2030 - Examination

Schedule of Proposed Main Modifications



Ref	Page	Policy / paragraph	Proposed modification	Legal compliance and/or soundness reason for change(s) (R numbers refer to representor / representation number)
1	26	6.35	Somerset's crushed rock landbank is predominantly made up of the carboniferous limestone used in construction aggregate, supplemented by higher PSV (polished stone value) igneous rock used for road surfacing. Somerset has a landbank <u>for crushed rock</u> of approximately 451 <u>425</u> million tonnes (201 2 <u>3</u> figure).	Factual update to the evidence base (integrating data from the latest Somerset Local Aggregate Assessment)
2	26	NEW PARA 6.36	<u>Somerset's crushed rock landbank is predominantly made up of the Carboniferous Limestone used in construction aggregate, supplemented by higher PSV (polished stone value) Silurian Andesite used for road surfacing. Based on current evidence, approximately 2% of the total crushed rock landbank is Silurian Andesite i.e. approximately 8 million tonnes.</u>	To reflect the updated evidence base and accord with Planning Practice Guidance. Recent updates from the operator of Moons Hill Quarry Complex (R41.1) have helped to identify an estimate for the Andesite permitted reserve and alongside feedback from the South West Aggregates Working Party (SW AWP) supported the maintenance of a separate landbank.
3	26	6.36 7	Based on the level of provision proposed in <u>the</u> Somerset's first LAA <u>2014</u> of 10. 81 <u>45</u> million tonnes per year, Somerset has sufficient <u>crushed rock</u> reserves for the next 40 <u>1</u> years. <u>Focusing on Andesite alone, based on current evidence, the Andesite landbank is anticipated to last approximately 22 years.</u> However, it should be noted that the LAA will be updated annually and these figures are likely to change in the future in accordance with market demand and permitted reserves.	PPG Paragraph: 085 Reference ID: 27-085-20140306 states that <i>"Where there is a distinct market for a specific type or quality of aggregate (such as high specification rock, or sand used for concrete or sand for asphalt), a separate landbank calculation based on provision to that market may be justified for that material or those materials..."</i> A further amendment proposed during the hearings (to change 4) provides additional clarity regarding the maintenance of each separate landbank.
4	26	6.39	Should Somerset's permitted reserves of crushed rock (<u>either Carboniferous Limestone or Silurian Andesite</u>) fall below a 15 year supply...	

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5	27	SMP2	The Mineral Planning Authority will seek to maintain <u>make provision for</u> a <u>rolling</u> 15 year landbank of permitted <u>reserves of both Carboniferous Limestone and Silurian Andesite reserves...</u>	<p>Changes to upper case policy have been proposed to align with government policy and guidance. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.</p> <p>In addition to the maintenance of two separate landbanks (as explained in changes 2, 3 & 4 above), with wording that has been further clarified in change 5 during the hearings, R43/7, R44/8 and R106/11 state that the policy should be clearer about making provision for (rather than seek to maintain provision).</p>
6	30	SMP3	<p>Planning permission for the extraction of crushed rock will be granted subject to the applicant<u>application</u> demonstrating that:</p> <p>a) the proposal will deliver clear economic and other benefits to the local and/or wider communities; and</p> <p>b) the proposal includes measures to mitigate to acceptable levels adverse impacts on the environment and local communities.</p> <p><u>Land has been identified as an Area of Search for andesite extraction as shown in policies map 1b.</u></p> <p><i>Also see Main Modification 55 and Map 1b below.</i></p>	<p>Changes to upper case policy have been proposed to align with government policy and guidance. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.</p> <p>PPG Paragraph: 008 Reference ID: 27-008-20140306 states that Mineral Planning Authorities should plan for the steady and adequate supply of minerals in one or more of the following ways (in order of priority):</p> <ol style="list-style-type: none"> 1. Designating Specific Sites. 2. Designating Preferred Areas. 3. Designating Areas of Search <p>The size of the crushed rock landbank in itself is considered exceptional and thus Areas of Search for Carboniferous Limestone are not proposed. However, an Area of Search is proposed for Silurian Andesite to align with this guidance.</p>

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7	32	Para 6.77 - 6.79	<p>6.77 As a result, Somerset does not have a 10 year average that can inform any potential future provision.³⁵ However, it is intended to maintain provision for future working of sand and gravel from within Somerset to supply the Whiteball operation following the anticipated cessation of the Town Farm site within Devon in the early 2020s. <u>However, through close cooperation with neighbouring Mineral Planning Authorities, the minerals industry and the South West Aggregates Working Party, Somerset County Council can ensure that a steady and adequate supply of sand and gravel is maintained.</u></p> <p><u>NEW PARA 6.78</u> <u>Somerset County Council encourages proposals to come forward for sand and gravel extraction that are in accordance with relevant policies in the Development Plan and contribute to sub-regional supply. Informed by updates to the Somerset Local Aggregate Assessment, the need for new sources of sand and gravel is anticipated to become more pressing in the early 2020s, notwithstanding there may be benefits of proposals coming forward more quickly.</u></p> <p><u>REVISED PARA 6.78 (now 6.79)</u> 6.79 <u>Somerset County Council plans to maintain provision for future working of sand and gravel from within Somerset to supply the Whiteball operation following the anticipated cessation of the Town Farm site in Devon in the early 2020s.</u> To deliver this maintain sub-regional supply (contributing to Devon's existing landbank for sand and gravel and maintaining production at Whiteball) Somerset County Council <u>has</u></p>	To reflect discussions at the hearings and emphasise the need for sand and gravel extraction in Somerset, impacting on how the sand and gravel policy SMP4 is applied.

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			extended will extend the approach established in the Minerals Plan (adopted 2004) which outlines a Preferred Area and Area of Search adjacent to Gipsy Lane, Greenham (see map2), and uses a criteria-based approach to consider proposals elsewhere in Somerset.	
8	36	7.9 – 7.13	<p>7.9 During the plan period operators may propose changes to existing permissions <u>(including site extensions)</u> and/or new sites for the stones currently worked. and the County Council's planning policy must consider this possibility.</p> <p>7.10 Furthermore, <u>proposals may come forward for the</u> Somerset Minerals Plan must consider how to support the extraction of needed <u>building</u> stones that are not currently extracted <u>worked</u> but which form an integral and important part of the county's historic environment <u>and may be important for new build</u>.</p> <p>Identifying the stone types that may be needed <i>NB: also delete this heading in the contents list</i></p> <p>7.11 Minerals Topic Paper 2 outlines the outcomes of research commissioned by Somerset County Council on needed building stone <u>types (and sub-varieties) including:</u></p> <ul style="list-style-type: none"> <u>those that</u> and needed stones which are currently worked <u>within the county;</u> <u>those that were historically</u> formerly worked within the county; and; <u>those that</u> but may potentially be at risk of short supply during the plan period. 	<p>To reflect discussions at the hearings.</p> <p>R57.1/2, R59/4, R109/2, R110/2 and R346/2 seek greater clarity in the text that would give support to the expansion of existing quarries and new quarries in the future. The revised wording aims to provide clarity on different types of proposal for stone extraction.</p> <p>Discussions during the hearings also highlighted the potential for confusion around use of the term "needed". The proposed changes make this section clearer.</p>

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			<p>7.12 The project identified 17 “needed” stone types (see Table 2), only two of which are currently worked in Somerset – namely Blue Lias and White Lias. Table 2 lists the main building stone types that are either currently worked or were historically worked in Somerset. This list is informed by more detailed analysis in Appendix 1 of Minerals Topic Paper 2. NB: A revised Table 2 is shown in the Appendix to this Schedule and forms part of this Main Modification.</p> <p><u>7.13 Categories of different building stone types were proposed in Table 1 of Minerals Topic Paper 2. When considered alongside Appendix 1 of the Topic Paper, this categorisation can provide useful insight for potential applicants and Somerset County Council on the geographical extent of the various stone types and their historic and current use(s).</u></p> <p>7.13 It is acknowledged that this list of 17 stone types does not include other building stone types which have historically been worked in Somerset, mostly in a very localised way. Minerals Topic Paper 2 includes more information on all stone types considered and the underlying methodology used in this research.</p>	
9	38-39	7.21 – 7.26	<p>7.21 Policy SMP5 supports the provision of local <u>Somerset’s</u> building stones. for local demand, which As noted in Table 2 the evidence broadens the range of stones identified by the County Council as “needed” beyond those currently worked in Somerset.</p>	<p>To improve the clarity of the Plan.</p> <p>As drafted Table 3 could be considered to be in conflict or inconsistent with certain Development Management policies in the Plan. Redrafting Table 3 as a tool (Fig 2 – see Appendix) helps to</p>

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			<p><i>Delete paragraphs 7.22 - 7.26 as worded, replacing them with the following paragraphs and Figure. Renumber subsequent paragraphs, tables and figures. New Figure 2 (shown in an Appendix to this Schedule) forms part of this Main Modification.</i></p> <p><u>7.22 Policy SMP5 is supported by Figure 2 – prepared as a tool for applicants to help them to prepare an application for extraction of building stone needed over during the Plan Period. Figure 2 and its supporting notes should be used in conjunction with the document “County Matter Applications – Mineral Development: Notes for Applicants” (available from the planning department of Somerset County Council), until such time as a Mineral Validation Checklist or separate guidance on building stone extraction is published by the County Council. Figure 2 does not, however, constitute a Mineral Validation Checklist.</u></p> <p><u>7.23 Areas of Search for building stone extraction (which coincide with the Plan’s spatial approach to building stone safeguarding) have been identified for a range of building stone types as shown in policies map X.</u></p> <p><u>7.27</u> 4 <i>This paragraph has been moved to before heading on stone working / processing</i> The use of appropriate locally sourced building stone is essential to crucial in maintaining the distinctive character of buildings, <u>structures and settlements</u> in Somerset. The use of reconstituted or imported stone can produce different aesthetic or physical characteristics to local stone, and may require extra</p>	<p>clarify the positive intention underlying this aspect of the Plan and support implementation.</p> <p>The proposed modification also addresses concerns raised by stakeholders about some of the detail in Table 3 e.g. representations from R57.1, R59, R109, R110 and R346.</p> <p>Areas of Search are introduced (via new paragraph 7.23) to align with PPG Paragraph: 008 Reference ID: 27-008-20140306, which states that Mineral Planning Authorities should plan for the steady and adequate supply of minerals in one or more of the following ways (in order of priority):</p> <ol style="list-style-type: none"> 1. Designating Specific Sites. 2. Designating Preferred Areas. 3. Designating Areas of Search

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			<p>maintenance unless there is a suitable supply source of local building stone types. It is therefore important to ensure that a sufficient supply of local building stone is available for both conservation and new building works.</p> <p><i>Point 4 in the new Figure 2 has been reworded as follows (see Appendix to this Schedule for a clean copy of the new Figure 2)...</i></p> <p>4. What is the <u>Need may be demonstrated by</u> evidence of the <u>current and future market for the stone, taking into account:</u></p> <ul style="list-style-type: none"> the <u>extent</u> of the historical use of the stone (for example in buildings, settlements, or Conservation Areas <u>or heritage conservation uses</u>); and/or data supporting the current and projected market need for the stone <u>projected use of the stone</u> for heritage conservation; <u>and/or</u> new build purposes, <u>including buildings, extensions, walling, paving and other uses.</u> <p>See Mineral Topic Paper <u>32</u> <u>for more information on building stone types in Somerset (in particular Appendix 1)</u> and <u>Mineral Topic Paper 6 and</u> Chapter 11 about the county's Mineral Safeguarding Areas for more information.</p> <p><i>Also, delete "duration" from second heading in the new Figure 2</i></p>	

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10	39	SMP5	<p>Planning permission for the extraction of building stone will be granted subject to the applicant <u>application</u> demonstrating that:</p> <p><u>a) the proposal will deliver clear economic and other benefits to the local and/or wider communities; and</u></p> <p>a) b) <u>b)</u> there is an identified need for <u>the specified</u> stone currently used in Somerset to maintain or enhance the local historic environment; and</p> <p>b) c) <u>c)</u> the nature, scale, and intensity and duration of the operation are appropriate to the character of the local area; and</p> <p>c) d) <u>d)</u> the proposal includes measures to mitigate to acceptable levels adverse impacts on the environment and local communities.</p> <p><u>Land has been identified as an Area of Search for the extraction of building stone as shown in policies map 1c.</u></p> <p><i>Also see Main Modification 55 and Map 1c below</i></p>	<p>Changes to upper case policy have been proposed to align with government policy and guidance. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.</p> <p>As originally drafted, there was a degree of internal inconsistency in the Plan if economic and other benefits were considered in the context of proposals for crushed rock extraction (policy SMP3) but not building stone; it is acknowledged that economic considerations should also be weighed in the balance for building stone.</p> <p>The Town and Country Planning (Local Planning) (England) Regulations 2012 state that policies in a local plan must be consistent with the adopted development plan.</p> <p>The change in criterion (b) is proposed acknowledging that the prior wording could potentially be too restrictive, noting the need for a flexible approach as stated in paragraph 144 of the NPPF. There may be applications for new build made where the use of local building stone (for reasons of maintaining local distinctiveness and/or heritage character) is likely to be a condition of any granted planning permission.</p> <p>Areas of Search are introduced to align with PPG Paragraph: 008 Reference ID: 27-008-20140306, which states that Mineral Planning Authorities should plan for the steady and adequate supply of minerals in one or more of the following ways (in order of priority):</p> <ol style="list-style-type: none"> 1. Designating Specific Sites. 2. Designating Preferred Areas. 3. Designating Areas of Search.

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11	42	7.27 – 7.34	<p>Stone working <u>processing</u></p> <p>7.27 "Old" para 7.27 moved to before stone processing heading The use of appropriate locally sourced building stone is crucial in maintaining the distinctive character of buildings in Somerset. The use of reconstituted or imported stone can produce different aesthetic or physical characteristics to local stone, and may require extra maintenance unless there is a suitable supply source of local building stone types. It is therefore important to ensure that a sufficient supply of local building stone is available for both conservation and new building works.</p> <p>NEW PARA <u>7.25 The winning, working and processing of building stone in Somerset has a long history and the skills and experience of those employed in this sector are widely recognised. High-end processing already occurs in Somerset. Traditional methods of hand working, carving and masonry are now complemented by the use of computer aided design and highly technical cutting equipment. The County Council acknowledges that local operators are at the forefront of this developing sector and encourages related investment to maintain this strong position, promote sustainable growth and capitalise on the county's natural assets, skills and knowledge base.</u></p> <p>NEW PARA <u>7.26 Proposals for the importation and processing of specific stone types that do not occur in Somerset will be considered by the Mineral Planning Authority on a case-by-case basis</u></p>	<p>Changes are proposed that reflect discussions in the hearings and provide additional clarity in the Plan.</p> <p>A number of representations question specific wording in paragraph 7.28 (in particular building stone industry representatives question the use of "relatively small quantities of" and "informed by market demand").</p> <p>In parallel SCC officers have identified that this subsection on stone working (including importation) could be simpler, clearer and more consolidated.</p> <p>The text in green responds to feedback on proposed changes via Habitat Regulations Assessment.</p>

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			<p><u>with due regard to policies in the Development Plan.</u></p> <p>7.278. A case may be made for the importation, and working and processing of relatively small quantities of natural stone into quarry permitted mineral sites <u>is likely to be based on factors such as the economic viability of operations, the range of products an operator can provide to the market, the impact of the proposed stone working on local jobs and the retention of skills in Somerset,</u> informed by market demand, where such stone- In such cases, key considerations for the County Council will include:</p> <ul style="list-style-type: none"> • <u>alignment with the vision and objectives of the Somerset Minerals Plan;</u> • <u>economic and other benefits to the local and/or wider communities;</u> • <u>cumulative impacts (alongside other activities at the site and/or adjacent sites) on the natural and historic environment, or local amenity (for example, arising from the transport of materials);</u> • <u>how the wastes arising from the working of such imported material will be managed; and</u> • <u>impacts on the use of appropriate, Somerset-sourced building stone.</u> <p>7.289 The term “natural stone” tends to be used mainly by <u>the</u> industry and in addition to covering building stones (as defined above) it also includes types of stone such as granites, marbles and quartzites which do not occur in Somerset and are typically used as facing <u>or decorative</u> stones or polished products such as floor tiles.</p>	

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			<p>7.30 The extraction, cutting, sawing, dressing, polishing and processing of building stones is a traditional industry in Somerset and facilitates development of local masonry skills in rural areas.</p> <p>7. 2931 High-end processing already occurs at a number of sites in the county such as Bowden's Lane and West Cranmore quarries (see Appendix C for more information on these sites) which utilise both local and imported stones. On-site dressing and cutting facilities are favoured above off-site facilities in order to minimise the transportation impacts. However, where off-site dressing and cutting is proposed, the benefits of the reduced impacts for the site and its surroundings must be assessed against the potential transport impacts. Stone may be processed on- or off-site and the relative merits (of using or developing on- or off-site facilities) would be assessed on a case by case basis, taking into account factors such as:</p> <ul style="list-style-type: none"> the benefits of reduced impacts for a specified site and its surroundings; the economic impacts (for example, taking into account economies of scale and employment opportunities); and transport impacts. <p>7.32 Proposals for the importation (into a quarry site) and working of specific stone types that would not normally be expected to occur in Somerset will be considered by the Mineral Planning Authority on a case by case basis against</p>	

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			<p>the policies in the Development Plan. The Mineral Planning Authority will seek to ensure that any such proposals do not conflict with the vision and objectives of the Minerals Plan. In cases where the County Council is not the determining Planning Authority, it will advise and/or comment on the proposal as appropriate</p> <p>7.33 Acknowledging the high value of such imported stone, it is likely that any such importation would need to be of low tonnages that would not in itself or cumulatively (alongside other activities at the site and/or adjacent sites) lead to unacceptable impacts on the landscape, the environment or local amenity (in particular arising from the transport of materials):</p> <p>7.34 Consequently any operator proposing importation must consider the cumulative impacts of the proposal—in particular, the transportation of all material to/from the site, the impacts of the working of imported stone and plans for appropriate management of any waste associated with the working of such imported material. Evidence should also be supplied highlighting the impact of the proposed stone working on local jobs and the retention of skills in Somerset. The retention of such skills can make a valuable contribution to the Somerset economy.</p>	
12	45	NEW PARA 8.6	<p><u>It is important to note that wintering and migratory bird species cited on the SPA / Ramsar designations also make use of areas outside the designated site boundaries. These areas ecologically support the integrity of the SPA / Ramsar. Surveys for outside the SPA / Ramsar indicate the use is</u></p>	A change in the supporting text that affects how upper case policy is applied. R12/31 highlights the importance of strengthening protection of sites that support the integrity of SPA/Ramsar sites. This change is linked also with modification 56.

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			<p><u>made by wintering birds, particularly lapwing and widgeon, of all peat areas.</u>⁴⁴ Similarly surveys have shown that aquatic invertebrates cited on the Ramsar designation make use of Godney Moor, Glastonbury Heath and Common Moor.⁴⁵ The location of these areas based on criteria set out in the Habitats Regulations Assessment is shown in Map 6 in Appendix B. <i>[NB: renumber subsequent paragraphs]</i></p> <p><i>Also insert footnotes:</i> ⁴⁴ <u>Survey of Waterfowl in Potential Peat Producing Areas on the Somerset Levels and Moors, July 2010</u> ⁴⁵ <u>Somerset Peat Moors Invertebrate Report, April 2011</u></p> <p><i>Also see Main Modification 56 and Map 6 below.</i></p>	
13	48	8.19	<p>Assuming a decline in sales in line with government targets to zero sales in 2030, around 700,000m³ of peat will be required for the plan period. Notwithstanding the direction set by the NPPF, information held by the Mineral Planning Authority indicates that current peat permissions already exceed the requirement for predicted demand for the plan period.⁵⁰ Current evidence suggests permitted reserves should be sufficient to meet anticipated residual demand and so planning permission for time extensions to existing sites will not be granted on the basis of need for peat.</p>	<p>To reflect discussions at the hearings - to ensure flexibility is embedded in the Plan over the Plan period, when read in conjunction with the policy.</p> <p>The phrase was viewed as too prescriptive, where the NPPF clearly does not state that planning permission for peat extraction from existing sites must not be granted. Additionally, removing this reference improves the ability of policy SMP6 to deliver significant net environmental benefit.</p>
14	49	8.21	<p>Peat sites play a significant role in supporting: biodiversity; the coherence and resilience of ecological networks; water management; and flood resilience. <u>Where restoration is incomplete or inadequate, reworking the site may be required to reduce flood risk, or maintain the integrity of the land drainage network, and/or enhance biodiversity and local</u></p>	<p>To provide clarity and improve deliverability of the policy's ability to facilitate significant net environmental benefit.</p> <p>Reference to flood risk, water level management, biodiversity and ecological networks has been included here to support the application of SMP6.</p>

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			<u>ecological networks</u> . In acknowledging this role, there may be exceptional circumstances in which the Council may be justified in granting planning permission for peat extraction on an existing site, to facilitate a significant net environmental benefit through enhanced scope for restoration and after-use. The criteria for considering these circumstances are listed in policy SMP6.	
15	49	8.22	Granting such a modification may warrant a small additional area of working being permitted, only within (i.e. a spatial extension to an existing peat planning permission site.) or a limited time extension to an existing permission. Most likely this would entail a limited increase in the duration of a permission outside a designated SPA/Ramsar site in exchange for a significant decrease in the duration of a permission within or adjoining the SPA/Ramsar site, to reduce the risk of harm to qualifying features of the designated site. If such an exchange is agreed, then in practice there should be no <u>significant</u> net gain in the quantity of peat extracted. <u>A small additional area of working may be permitted within an existing permitted peat site if it is demonstrated that it can deliver significant net environmental benefits.</u> Any such proposal must be evaluated on its merits. <u>In line with the NPPF no physical extensions to the site will be permitted.</u>	<p>To improve the clarity of the Plan.</p> <p>R12, R15.4, R13 queries regarding alignment with the NPPF with reference to spatial extensions. The additional line at the end of this paragraph makes clear that physical extensions will not be permitted.</p> <p>Reference to "small additional area..." within an existing site is retained to ensure that the aim of policy SMP6, to promote overall environmental gain, can be delivered.</p> <p>Similarly, addition of "significant" before net gain helps the Plan to deliver net environmental benefits.</p>
16	49	SMP6	<p>Planning permission for peat extraction will only be granted to facilitate reclamation of previously worked sites, in which a significant net environmental benefit can be demonstrated. Such proposals must:</p> <p>a) relate specifically to managing water levels and/or</p>	<p>As discussed during the hearings, changes to upper case policy have been proposed to align with government policy and guidance. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.</p> <p>The intention underlying the opening part of criterion (a) was not</p>

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			<p>enhancing <u>maintain and where practicable enhance</u> biodiversity and local ecological networks; and b) only remove peat that is physically required to implement that reclamation.</p> <p><u>In exceptional circumstances, proposals focused on flood risk and water level management may be considered. Such applications must not conflict with the Plan's approach to biodiversity and local ecological networks.</u></p>	<p>to create a black and white "either/or" situation. Such an approach could be too open to interpretation, potentially in conflict with the NPPF's restrictive approach to peat extraction (in paragraphs 143 & 144) and its emphasis on delivering net gains in biodiversity. R12/22, R15.4, R13 ask focus to be on biodiversity and local ecological networks.</p> <p>The text in green responds to feedback on proposed changes via Habitat Regulations Assessment, and "where practicable" is added to reflect discussions in the hearings and align with the NPPF.</p> <p>As discussed during the hearings, the new paragraph outlines exceptional circumstances where flood risk and water level management may be the focus of a proposal (noting input from the Somerset Drainage Boards Consortium in the Preferred Options consultation) when not in conflict with the Plan's approach to biodiversity.</p>
17	54	9.9	<p><u>Following changes announced in mid 2014, there is are</u> currently one three PEDL areas in Somerset, <u>which crosses into comprising one wholly in the county and two that cross into North Somerset and</u> Bath & North East Somerset (see map 7 for more information). <u>Further changes to the PEDL areas are expected as part of the licensing rounds administered by DECC.</u></p>	<p>Factual update to evidence base - reflecting altered PEDL areas announced in the summer of 2014. <i>Also see Main Modification 57</i></p>
18		NEW PARA 9.23	<p><u>The applicant will be required to provide information on how the site has been selected and the extent of the geographical area of search for the oil or gas. The area of search is defined as the area within which the exploration or appraisal will take place in relation to the wider reservoir (the source of</u></p>	<p>As discussed during the hearings, a new paragraph is proposed in supporting text which affects how policy SMP7 is applied – also see main modification 21.</p> <p>The text in green responds to feedback on proposed changes via</p>

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			<p><u>the oil or gas). It should be demonstrated that the site selection process has had regard to designations of local, regional and/or national importance. In addition sites of European importance and areas that ecologically support the integrity of these must be considered. It should also be demonstrated that facilities are located to minimise adverse impacts on landscape and visual amenity and offer the best opportunity for the appropriate and adequate mitigation and/or compensation of any adverse impacts.</u></p> <p><i>Amend subsequent paragraph numbering</i></p>	Habitat Regulations Assessment.
19	57	9.28 and 9.29	<p>9.28 Somerset County Council's policy on oil and gas is presented in SMP7, <u>which differentiates between the different stages of development. Exploration and appraisal operations should be for an agreed, temporary length of time.</u> In addition to listing key criteria on the avoidance of unacceptable impacts and the mitigation of adverse impacts to acceptable levels, SMP7 requires any proposal for oil and gas development to be accompanied by an up-to-date environmental risk assessment.</p> <p>9.29 The assessment submitted to Somerset County Council may be informed by an ERA completed as part of the DECC licensing process; <u>All proposals for oil and gas development must assess environmental risk to establish the nature and extent of any adverse impacts and identify appropriate mitigation measures. To facilitate this, however,</u> it is important to ensure that all the environmental assessments submitted at the planning stage are <u>is</u> as complete and up-to-date as possible. <u>For shale gas applications that involve fracking this will include reference to an Environmental Risk</u></p>	To reflect discussions at the hearings - update to supporting text which affects how policy SMP7 is applied.

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			Assessment (ERA) completed as best practice under guidance from DECC. This may necessitate more detailed coverage and analysis of site-specific issues and potential impacts on the local environment.	
20	58	9.30 and 9.31	<p><u>9.30 Noting the geological complexity of some areas of Somerset, the application must demonstrate that drilling at the proposed location will not generate unacceptable adverse impacts on the integrity of the underlying geological structure. As necessary, Somerset County Council will seek expert advice (for example, from the British Geological Survey (BGS)) to verify that all geological data bearing on the application has been considered and that sufficient data are available to make an informed decision. Advice will also be sought from Natural England with regard to ecological data relating to geological features. The consideration of technical matters such as these would be covered within any proposed Planning Performance Agreement (see text box below).</u></p> <p>9.310 It is noted that the complex geology of the Mendip Hills potentially makes it more technically challenging to assess some of the impacts. In particular, folds in the rock strata make it harder to interpret 2D seismic survey data.</p> <p>9.31 Seismic profiling is used to gain a better understanding of the rock strata, for example the location of caves and passages.</p>	<p>To improve clarity and completeness of the Plan.</p> <p>R306/12, R306/13, R307/2 and R324/8 highlight concerns regarding the underlying geological structure, including limitations of 2D seismic surveys. PPG Paragraph: 013 Reference ID: 27-013-20140306 lists geological structure as one of the issues that Mineral Planning Authorities should address.</p> <p>The text in green responds to feedback on proposed changes via Habitat Regulations Assessment.</p>

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21	59	SMP7	<p>SMP7: <u>Conventional and unconventional</u> oil and gas development</p> <p>Planning permission for the exploration and/or appraisal of oil and gas resources in Somerset will be granted subject to the applicant <u>application</u> demonstrating that:</p> <p><u>a) well sites and associated facilities are sited in the least sensitive location from which the target reservoir can be accessed;</u></p> <p>a)b) the proposed development will not generate unacceptable adverse impacts on the environment and local communities, informed by a robust environmental risk assessment;</p> <p><u>b)c) drilling at the proposed location will not generate unacceptable adverse impacts on the integrity of the underlying geological structure; and</u></p> <p>b)d) measures will be taken to mitigate to acceptable levels adverse impacts on the environment and local communities, and</p> <p>c)e) environmental risks have been considered by submission of a robust environmental risk assessment;</p> <p>Planning permission for production of oil and gas in Somerset will be granted if the proposal:</p> <p>d)e) adheres to criteria a-ed above;</p>	<p>As discussed during the hearings, changes to upper case policy have been proposed to align with government policy and guidance. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.</p> <p>PPG Paragraph: 106 Reference ID: 27-106-20140306 states that criteria-based policies should set clear guidance and criteria for the location and assessment of hydrocarbon extraction within Petroleum Licence Areas. New criterion (a) aligns with this guidance.</p> <p>Assessing environmental risks still forms part of a key part of the decision-making process, as stated in revised paragraph 9.29 (see change 18), but the wording proposed in former criterion (a) caused potential confusion in Plan implementation regarding the difference between Environmental Risk Assessment (ERA) and Environmental Impact Assessment (EIA) which ultimately could weaken SCC's position. EIA Regulations will operate separately as intended, and ERAs will provide one tool that helps applicants and the Mineral Planning Authority to assess environmental risks.</p> <p>R306/12, R306/13, R307/2, R324/8 and others highlight concerns regarding the underlying geological structure. Paragraph 117 of the NPPF requires planning policies to aim to prevent harm to geological conservation interests. PPG Paragraph: 013 Reference ID: 27-013-20140306 lists geological structure as one of the issues that Mineral Planning Authorities should address. The proposed change in criterion (b) aligns with this point.</p> <p>Other changes are proposed, acknowledging the cross-over between former criteria (a) and (c), and the need for a little more</p>

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			<p>ef) includes a full appraisal programme for the oil and/or gas resource, completed to the satisfaction of the Mineral Planning Authority; and</p> <p>fg) includes a development framework for the site, incorporating or supplemented by <u>justification for the number and extent of the proposed production facilities and an assessment of the proposal's economic impacts.</u>a comprehensive economic assessment.</p> <p>A new planning application must be submitted for each key stage of oil and gas development in Somerset.</p>	<p>clarity in criterion (f)</p> <p>According to planning practice guidance (Paragraph: 094 Reference ID: 27-094-20140306) applications are able to cover more than one phase of extraction, hence deletion of the last line in policy.</p>
22	63	10.17	<p>Due to the sensitive nature of peat sites and their surrounding environment, the main after-use for those sites will be <u>to enhance biodiversity and local ecological networks</u>nature conservation. <u>Other after-uses, for example those that facilitate water level management and flood risk management, must demonstrate that they do not conflict with this approach.</u> Approval for proposals for the restoration, aftercare and after-use of former peat workings will be given to those schemes which will deliver a significant net environmental benefit.., relating specifically to managing water levels and/or enhancing enhance biodiversity and local ecological networks. Such schemes may additionally include managing water levels. Other after-uses must demonstrate that they do not conflict with this approach.</p>	<p>R12/25 and R13/22 raise concerns about the proposed wording, linked with concerns raised regarding the peat chapter. This paragraph has been changed, informed by discussions during the hearings, to ensure consistency with the peat chapter and clarity about what is proposed.</p>

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23		10.18, 10.19 and 18.17	<p>Energy minerals</p> <p><u>10.18 The restoration of oil and gas development sites begins with decommissioning, meaning that facilities on the site need to be dismantled and removed first. The impacts of decommissioning the site will need to be considered at the time of applying for planning permission, and will vary depending on the size and complexity of the site. This process should take into account the development management principles set out in chapters 18 (Restoration and Aftercare), 19 (Amenity) and 20 (Transportation) in particular.</u></p> <p><u>10.19 Individual site wells should be removed and restored to high environmental standards as soon as practicable, where they are no longer required.</u></p> <p><u>18.17 Any proposed after-use for oil and gas development must take account of the landscape character of the wider area, giving particular attention to restoring and re-creating priority habitats, maintaining and enhancing populations of priority species and promoting ecological networks.</u></p>	<p>As discussed during the hearings, changes are proposed to bring clarity to this issue.</p> <p>During the hearings, the Coal Authority highlighted the importance of restoration as soon as practicable for oil and gas development, noting that such development can occur in a phased manner. The Plan's coverage of reclamation (in chapter 10) and restoration and aftercare (in chapter 18) did not include explicit coverage of this issue.</p>
24		NEW PARA 11.22	<p><u>11.22 The whole of the andesite resource is safeguarded, plus a surrounding buffer.</u></p> <p><i>Change subsequent paragraph numbering</i></p> <p><i>Also see Main Modification 58 and Map 9</i></p>	To reflect government advice. BGS guidance advises Mineral Planning Authorities to safeguard the whole mineral resource.
25		11.22 ³	<p>For building stone, Chapter 7 of the Minerals Plan lists stone types already worked in Somerset for which current supply may be sufficient to meet demand over the plan period and those identified as "needed". Of 17 stone types identified as</p>	Discussions during the hearings highlighted potential for confusion about the Plan's use of the term "needed" building stone. The proposed changes clarify the application of policy on safeguarding.

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			<p>"needed" only two are currently worked: namely Blue and White Lias. Set in this context; MSAs cover the whole of the building stone resource for each listed building stone type in Table 4, except for Blue and White Lias, Inferior Oolite limestones and Lower Carboniferous limestones – see Topic Paper 2 for the detailed rationale and approach.</p> <p><i>Amendments to Table 4 as shown in Appendix</i></p>	
26		11.26-11.28	<p>11.26 Those sites handling, processing and distributing recycled and secondary aggregates will also be safeguarded by Somerset County Council and a list of these facilities will be published in the Council's Local Aggregate Assessment in order for the list to be revised on an annual basis.</p> <p>NEW</p> <p>11.27 The County Council's Local Aggregate Assessment does not currently list associated plant, infrastructure and facilities located within existing mineral sites. Though not explicitly mentioned, it is important that such facilities are safeguarded. Taking the coating plant at Moons Hill Quarry Complex as an example, such facilities often represent the operational hub of the site (operating on a more continuous basis than extraction activities).</p> <p>11.278 Additionally, the NPPF also requires planning authorities to safeguard sites associated with concrete processing; the role of safeguarding these facilities where they are not located in permitted mineral sites lies with the relevant District or Borough council as the determining planning authority. Facilities for concrete batching and/or manufacturing other concrete products within permitted</p>	To align more clearly with the NPPF (paragraph 143, 4 th bullet point) and clarify the application of safeguarding policy.

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			<u>mineral sites are safeguarded via the Minerals Plan safeguarding policy.</u> <i>Amend subsequent paragraph numbering</i>	
27	70	Table 6	<ul style="list-style-type: none"> • Applications for householder development within the curtilage of a property. • Applications for extensions or alterations to existing buildings and for change of use of existing development which do not fundamentally change the scale and character of the building/use. • Development in accordance with allocations of an adopted or deposited local plan where the plan took account of prevention of unnecessary mineral sterilisation <u>in consultation with the Mineral Planning Authority and industry</u> and determined that prior extraction should not be considered when development applications in a Mineral Safeguarding Area came forward. • Minor developments such as fences, walls, bus shelters, works to trees. • Advertisement applications. • Applications for temporary planning permission <u>where the development can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed.</u> • Reserved Matter applications unless the Mineral Planning Authority specifically requested consultation at the outline stage. • Applications for Listed Building Consent unless specifically requested. • <u>Prior extraction is not practicable and/or viable and there is a demonstrable over-riding need for the proposed development.</u> 	<p>To reflected discussions during the hearings, changes are proposed which affect how Policy SMP9 is applied.</p> <p>Changes help to address concern expressed by District Planning Authorities about how District Plan allocations interact with Minerals Plan safeguarding.</p>

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28	73	NEW PARA 13.6 (inserted after existing para 13.5)	<u>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.</u>	Update to reflect latest guidance – in particular PPG Paragraph: 223 Reference ID: 27-223-20140728
29	75	DM1	<p>Planning permission for mineral development will be granted subject to the applicant <u>application</u> demonstrating that:</p> <p>a) the proposed development will not generate unacceptable adverse impacts on landscape and visual amenity; and</p> <p>b) measures will be taken to mitigate to acceptable levels adverse impacts on landscape and visual amenity.</p> <p>All mineral development proposals must be informed by and refer to the latest, relevant character assessments, nationally and locally.</p> <p><u>National Parks and Areas of Outstanding Natural Beauty have the highest status of protection in relation to landscape and scenic beauty.</u> Proposals for mineral development within or adjacent to an Area of Outstanding Natural Beauty will need to take full account of the relevant AONB Management Plan; and proposals within or adjacent to Exmoor National Park will need to take full account of the Exmoor National Park Local Plan.</p>	<p>Changes to upper case policy have been proposed to align with government policy and guidance. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.</p> <p>Concerns have been raised by stakeholders (e.g. R36.3 and R338) that policy DM1 does not fully align with NPPF (in particular paragraph 116) with regard to the protection of AONBs and Exmoor National Park. To avoid any doubt, the changes are proposed to highlight the protection afforded to AONBs and also due regard to the Exmoor National Park Local Plan.</p>

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30	78	14.8-14.10	<p><i>NEW PARA 14.8 – to be inserted between 'sustainable use areas' bullet and 'evaluating impacts on biodiversity'</i></p> <p><u>14.8 Areas of restoration in the ecological networks will be identified by local wildlife partnerships as part of an on-going process. Ecological networks will be updated regularly in response to habitat changes resulting from restoration and further data being gathered. [renumber existing paras in section]</u></p> <p>14.98 The County Council supports the use of biodiversity offsetting using the methodology developed by Somerset County Council. Biodiversity offsetting is a method for calculating its species led <u>Habitat Evaluation Procedure which is set out in its Biodiversity Offsetting Methodology (www.somerset.gov.uk / biodiversityoffsetting).</u> The method <u>calculates</u> the value of habitat lost...</p> <p><u>14.109 The value of habitat loss to species populations will be calculated using the Habitat Evaluation Procedure ensuring the Government's target of no net loss, and gain where possible. Account is also given spatially to the location of any off site replacement habitat to ensure that the affected populations are maintained, and then preferably in a location that enhances Somerset's ecological networks.</u> <i>NB: this paragraph replaces presubmission para 14.9</i></p> <p><u>14.110 Offsetting is not a means for legitimising all developments. The Somerset methodology includes criteria where development would be unacceptable such as for habitats within European and international sites, ancient</u></p>	<p>The changes proposed provide clarity in how the Plan's approach to ecological networks and biodiversity offsetting will be implemented.</p> <p>Comments from R12, R13 and 15.4 in particular highlight concerns about the need to give a clearer explanation on the Plan's intentions regarding use of biodiversity offsetting</p>

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			<u>woodland and other priority habitats (reference s41 NERC Act) and for habitats that support the maintenance of species populations that cannot be mitigated. Forward planning is considered essential in order that more sensitive areas are avoided in the first instance, and then minimises and mitigates impacts effectively before "offsetting" (or habitat replacement) is even considered. Developers are recommended to seek advice from the County Council at an early stage.</u> As knowledge of species ecology and ecological continues to evolve, it is appropriate that up to date information be used to inform decision making. Documents such as Somerset's Priority Species List provide one source of information that will be used to avoid the accidental loss of species that are not given formal or statutory protection. The Somerset Priority Species List can be found on the following website: www.somerc.com/downloads/	
31	80	DM2	<p>Planning permission for mineral development will be granted subject to the applicant <u>application</u> demonstrating that:</p> <p>a) the proposed development will not generate unacceptable adverse impacts on biodiversity and geodiversity; and</p> <p>b) measures will be taken to mitigate to acceptable levels (or, as a last resort, proportionately compensate for) adverse impacts on biodiversity and geodiversity. Such measures shall ensure a net gain in biodiversity where possible. Biodiversity offsetting will be used to calculate the value of a site to species and habitats. <u>The Habitat Evaluation Procedure will be used in calculating the value of a site to species affected by the proposal where the conservation value of the habitat is considered to be replaceable and mitigation techniques have been proven.</u></p>	<p>Changes to upper case policy have been proposed to align with government policy and guidance. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.</p> <p>Representations such as R12/32, R15.4/13 and 15.4/14 suggest that further clarification and/or strengthening of policy DM2 is required</p> <p>Feedback from RSPB (R12) and the Somerset Wildlife Trust (R13) highlighted concerns that this policy was not suitably clear and thus its effectiveness could be undermined. These concerns were echoed by comments from statutory partner Natural England (R15.4). The changes proposed address these concerns and ensure alignment with the NPPF and regulations on European</p>

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			<p>The weight of protection afforded to a site that contributes to the county's biodiversity and/or geodiversity will reflect the significance of that contribution including, but not limited to, the site's statutory designations(s) or its role in maintaining connectivity and resilience of the local ecological network. <u>given to a site will be that afforded by its statutory or non statutory designation, its sensitivity and function in maintaining the biodiversity of the county, and its role in maintaining the connectivity and resilience of the county's ecological networks.</u></p> <p>A 'test of likely significance' will be required for mineral development proposed which directly affect European and internationally designated sites and in areas that ecologically support the integrity of these sites.</p>	designated sites.
32	81	NEW PARA 15.8	<u>15.8. A vibration or air-overpressure impact assessment may be required if a proposal is close to a historic building.</u>	A change in supporting text that affects how upper case policy in the Plan is applied.
33	81	15.6	<p>15.6 Applications for minerals development in Somerset must demonstrate that the proposal will not substantially harm <u>the significance of the integrity, character or setting of a</u> designated heritage assets. Where this cannot...</p> <p>15.7 Proposals that substantially harm <u>the significance of</u> a non-designated heritage asset will be judged on the scale of harm and the significance of the asset.</p>	<p>Changes are proposed to reflect discussions in the hearings about the significance of the asset and ensure the Plan is fully aligned with national policy and guidance.</p> <p>R111.1/3 emphasises importance of the setting of the asset. This is reflected in policy DM3 but could be clarified further in paragraph 15.6.</p>

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34	82	DM3	<p>Planning permission for mineral development will be granted subject to the applicant-<u>application</u> demonstrating that:</p> <p>a) the proposed development will not generate unacceptable adverse impacts on the historic environment <u>or where an adverse impact or impacts have been identified, these can be adequately mitigated</u>; and</p> <p>b) for proposals that impact on the integrity, character or setting of a heritage asset, impacts have been adequately considered by <u>desk-based assessment and field evaluation and with</u> submission of an archaeological assessment <u>including</u> reference to the Somerset Historic Environment Record and the records of designated heritage assets held by English Heritage; and</p> <p>c) adequate provision will be made for the preservation in-situ or excavation of the asset as appropriate, in discussion with the county archaeologist if needed, and the recording of relevant information to advance understanding of the asset.</p> <p>The weight of protection afforded to a heritage asset will reflect the significance of the asset including, but not limited to, its statutory designation(s).</p>	<p>Changes to upper case policy have been proposed to align with government policy and guidance: in particular NPPF paragraphs 192 and 193. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.</p> <p>Stakeholders such as Aggregate Industries UK Ltd (R43) highlighted a potential "conflict" in the wording between criteria (a) and (c). The change to paragraph (a) addresses this issue.</p> <p>The changes are also informed by other representations (such as R111.1/4).</p>
35	83	16.5	<p>It is vital that the County Council as Mineral Planning Authority works closely with the Environment Agency on a range of issues. All applicants proposing development that has the potential to affect any water resource should consult with the Environment Agency and also refer to the policies <u>ensure that the proposal satisfies current environmental standards and support the achievement of</u> within the Water Framework Directive <u>targets</u>.</p>	<p>A change that affects how upper case policy is applied.</p> <p>R8.1/2 suggests inclusion of advisory text within the plan, detailing the requirement for any peat extraction approvals to be subject to, inter alia, agreed water quality monitoring and mitigation related conditions.</p>

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36	83	NEW PARA 16.6	<u>In the context of peat workings, the MPA may apply appropriate water quality monitoring and mitigation related conditions to quantify the extent to which de-watering operations from peat workings contribute to identified problems, and the means by which the issue may be addressed.</u> <i>Amend subsequent paragraph numbering</i>	A change that affects how upper case policy is applied. The Environment Agency (R8.1/2) suggests inclusion of advisory text within the plan, detailing the requirement for any peat extraction approvals to be subject to, inter alia, agreed water quality monitoring and mitigation related conditions.
37	84	16.13	Deep quarries <u>and peat workings</u> beneath the water table will have to be pumped....	A change that affects how upper case policy in the Plan is applied.
38	84	Policy DM4	Planning permission for mineral development will be granted subject the applicant <u>application</u> demonstrating that the proposed development will not have an <u>unacceptable</u> adverse impact on: a) the future use of the water resource, including: i) the integrity and function of the land drainage and water level management systems; ii) the quality of any ground or surface water resource, where the risk of pollution and/or <u>adverse impact on</u> derogation-of the resource would be unacceptable; 	Changes to upper case policy have been proposed to align with government policy and guidance. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification. Respondents R106 and R43 suggested addition of wording "unacceptable" in the opening sentence to bring in line with other DM policies. Change derogation to adverse impact (aligning with same change regarding policy DM5) R43 (in SD7) proposes that "unacceptable" should be inserted before "adverse impact" to be consistent with the wording in other development management policies. This change is also supported by R106. It has been noted that derogation is not a commonly used phrase

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				and is not present, for example, in the Planning Practice Guidance definitions / terms used in the guidance (Paragraph: 221 Reference ID: 27-221-20140306). Thus the change to adverse impact is proposed, also to align with terminology used elsewhere in the Plan and, indeed, the NPPF. Also see reasoning to policy DM5 below.
39	85	16.17	<p>Policy DM5 takes forward a precautionary approach to mineral extraction below the water table, which was established in the Minerals Local Plan (adopted 2004). Measures for the applicant to demonstrate compliance with policy DM5 and/or address adverse impacts include (amongst others):</p> <ul style="list-style-type: none"> • providing satisfactory information on the likely characteristics of the final water body; • providing acceptable alternative sources of water; • accepting that works under the permission may have to be suspended or cease permanently to protect the water environment or other water interests; • securing acceptable compensatory arrangements for all parties who are harmed by any adverse impact on the water environment or other water interests. In most cases, compensatory arrangements refer to measures taken to ensure the permanent supply of water rather than direct payments. 	<p>To improve effectiveness of the Plan, the redrafting of content between supporting text and policy is intended to enable the policy to be more effective.</p> <p>Also see reasoning to policy DM4 above.</p>

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40	86	Policy DM5	<p>Proposals for mineral extraction from below the water table will only be permitted if:</p> <p>a) they do not generate unacceptable adverse impacts on the water environment or other water interests;</p> <p>b) monitoring will ensure early warning is given of any potentially unacceptable <u>adverse impact</u> level-of-derogation and the applicant will be responsible for taking the necessary remedial action before the effects of the <u>adverse impact</u> derogation become irreversible;</p> <p><u>c) water abstraction and mitigation measures do not give rise to unacceptable environmental impacts.</u></p> <p><i>DELETE CURRENT CRITERIA c-f</i></p>	<p>Changes to upper case policy have been proposed to align with government policy and guidance. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.</p> <p>The redrafting of content between supporting text and policy is intended to enable the policy to be more effective.</p> <p>It has been noted that derogation is not a commonly used phrase and is not present, for example, in the Planning Practice Guidance definitions / terms used in the guidance (Paragraph: 221 Reference ID: 27-221-20140306). Thus the change to adverse impact is proposed, also to align with terminology used elsewhere in the Plan and, indeed, the NPPF.</p> <p>Also see reasoning to policy DM4 above.</p>
41	87	NEW PARA 17.5	<p><u>In some situations there may be a risk of mineral operations creating noise or vibration that may startle humans and horses using a bridleway. It may be necessary to assess the impact and provide informative signage to mitigate any risks associated with startle responses.</u></p>	<p>A change that affects how upper case policy in the Plan is applied.</p>
42	92	Table 7	<p>Table 7: Reclamation Checklist</p> <p><u>Where relevant, proposals for all minerals sites must:</u> The check-boxes indicate which requirement applies to each type of mineral.</p>	<p>R108/18, R15.4/15-24, R43/18, R44/19, R6.2/18, R99/13</p> <p>Respondents queried the consistency of the check-boxes, and whether they were in fact necessary; as most points could be applied to all minerals development.</p> <p><i>See Appendix below</i></p>

Key: ~~red strikethrough~~ – deletions
blue underlining – additions of text
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			<i>In Table 7, the check boxes have been removed. New Table 7 (shown in an Appendix to this Schedule) forms part of this Main Modification.</i>	The "tick box" approach has been challenged or queried by a number of stakeholders. For example, in its response to the pre-submission consultation statutory partner, Natural England (R15.4) highlight potential tensions in use of Table 7 as published and conclude by stating: " <i>We therefore advise that the checklist should be retained, however not apply only certain minerals and the policy could state the Checklist will be used as appropriate</i> ". The proposed solution addresses the concerns raised in a way that aligns with national planning policy and guidance.
43	92	Table 7	<p><i>Revised text in row 2 of the checklist:</i> Employ <u>the Habitat Evaluation Procedure</u> biodiversity offsetting as a mechanism to determine the ecological value of a site for species and to calculate the amount of restorative habitat required to replace that lost. <u>The Habitat Evaluation Procedure</u> Offsets should be calculated using developed by Somerset County Council <u>can be found on the Biodiversity Offsetting webpage (www.somerset.gov.uk/biodiversityoffsetting).</u> <u>Offset habitats should be</u> and planned and delivered where appropriate via the ecological networks, <u>using the</u> methodology, model and maps developed by Somerset <u>Wildlife Trust, Forest Research (Forestry Commission) and Somerset</u> County Council. <u>In considering the most appropriate mitigation measures to be implemented, Somerset County Council will take into account the potential time lag between new habitats being created and their coming into maturity. Minerals sites, including restored sites and unworked estate, may provide opportunities to be used as offsets for other developments providing they meet the criteria (as calculated through using the Methodology).</u> www.somerset.gov.uk/ecologicalnetworks www.somerset.gov.uk/biodiversityoffsetting</p>	<p>The changes help the reclamation checklist to be more effective and clear in the context of biodiversity offsetting and are proposed as "main" modifications alongside other changes to the checklist and main modifications to DM2 (also see proposed changes within chapter 14).</p> <p>R108/13 recommends that the supporting text highlights that minerals sites, including restored sites and unworked estate, may provide opportunities to be used as offsets for other developments providing they meet the criteria (additionally and value as calculated through using the Methodology).</p> <p>It is noted that the Habitat Evaluation Procedure is being used at a District level in Somerset; hence the proposed changes and clarifications support consistency across the Development Plan.</p> <p><i>New Table 7 (shown in an Appendix to this Schedule) forms part of this Main Modification.</i></p>

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44	93	Table 7	<p>Table 7: Reclamation Checklist (continued)</p> <p><u>Where relevant</u>, consideration should be given to opportunities to:</p> <p>The check boxes indicate which requirement applies to each type of mineral.</p> <p><i>In Table 7, the check boxes have been removed.</i></p> <p><i>New Table 7 (shown in an Appendix to this Schedule) forms part of this Main Modification.</i></p>	<p>To improve the clarity of the Plan, and address concerns raised in a way that aligns with national planning policy and guidance, the check boxes in Table 7 have been removed.</p> <p>R108/18, R15.4/15-24, R43/18, R44/19, R6.2/18, R99/13</p> <p>Respondents queried the consistency of the check-boxes, and whether they were in fact necessary; as most points could be applied to all minerals development.</p> <p>The "tick box" approach was also queried by a number of stakeholders. For example, in its response to the pre-submission consultation statutory partner, Natural England (R15.4) highlight potential tensions in use of Table 7 as published and conclude by stating: "<i>We therefore advise that the checklist should be retained, however not apply only certain minerals and the policy could state the Checklist will be used as appropriate.</i>"</p> <p><i>See Appendix below</i></p>
45	93	Table 7	<p><i>Revised text in row 9 of the checklist:</i></p> <p>Demonstrate that the approach to restoration has considered potential impacts on land stability and includes adequate measures to mitigate the risk of minor land stability failures.</p>	<p>Change proposed to reflect discussions during the hearings and how upper case policy is applied.</p> <p><i>New Table 7 (shown in an Appendix to this Schedule) forms part of this Main Modification.</i></p>
46	96	NEW 19.13	<p><u>SCC will not expect an operator's ownership of a property to exclude it from either planning consideration, or where necessary, conditions intended to safeguard the amenity of its occupants. The MPA may however have limited scope to consider different planning conditions apply when an operator can provide full justification of an unavoidable need and demonstrate that unacceptable adverse effect will not then arise.</u></p>	<p>To reflect discussions at the hearings - update to reflect how upper case policy is applied.</p>

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47	99	DM8	<p>Planning permission will be granted for mineral development subject to the applicant <u>application</u> demonstrating:</p> <p>a) That the proposed development will not generate unacceptable adverse impacts on local amenity; and</p> <p>b) Measures will be taken to mitigate to acceptable levels (and where necessary monitor) adverse impacts on local amenity <u>due to:</u> demonstrated by the submission of relevant assessments on the following topics, making reference to Table 8 as appropriate:</p> <ul style="list-style-type: none"> • Vibration; • Dust and odour; • Noise; and • Lighting <p>c) How the applicant intends to engage with local communities during the operational life of the site.</p>	Changes to upper case policy have been proposed to align with government policy and guidance (in particular NPPF paragraphs 192 and 193). SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.
48	102	Policy DM9	<p>Planning permission for mineral development will be granted subject to the <u>application</u> applicant demonstrating that the road network serving the proposed site is suitable or can be upgraded to a suitable standard to sustain the proposed volume and nature of traffic without having an unacceptable adverse impact on distinctive landscape features or the character of the countryside or settlements. Particular regard should be given to:</p> <p>a) <u>highway</u> road safety;</p> <p>...</p>	<p>Changes to upper case policy have been proposed to align with government policy and guidance. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.</p> <p>As discussed during the hearings, the word "Highway" is a more appropriate term than "road" in considering development proposals where the proposed development will either involve a new access to the highway network, or an increase or change in traffic movements (PPG Paragraph: 030 Reference ID: 15-030-2014061).</p>

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49	105	Policy DM11	<p>Planning permission for the disposal of solid mineral wastes will be granted subject to the applicant<u>application</u> demonstrating that:</p> <p>a) it is not practicable to re-use the material on-site; and</p> <p>b) the proposal will not have significant adverse impact on the distinctive character and features of the Somerset countryside.</p>	<p>Changes to upper case policy have been proposed to align with government policy and guidance. SCC has taken a consistent approach that the revised policy in its entirety would be considered a main modification.</p> <p>Changing "applicant" to "application" for consistency with other changes; and deletion of "on site" to avoid confusion with respect wording in paragraph 22.3. The word "on site" could be considered to be in conflict or inconsistent with certain Development Management policies in the Plan – in particular, the adopted Waste Core Strategy (RL2) which embeds the waste hierarchy in planning. The Minerals Plan should not favour on-site disposal above off-site reuse, which the current wording could imply.</p>
50	107	23.1	<p>It is important to recognise the potential cumulative <u>The Somerset Minerals Plan seeks to ensure that the impacts of a new proposal for mineral development are considered in conjunction with the impacts of all permitted development in the area specified; for example, with regard to impacts on the natural and historic environment and human safety.</u> in particular acknowledging the concentrated nature of quarrying activity in the Mendip Hills, and <u>The Mendip Hills, in particular, is home to a large number of quarrying sites, and it is important</u> for the planning process to ensure that adequate controls are in place.⁹¹</p>	<p>To reflect discussions during the hearings (also informed by consultation feedback such as R108/19), changes 50 and 51 are proposed to provide further clarity about how cumulative impacts are considered in the Minerals Plan.</p>
51	107	Policy DM12	<p>Policy DM12: Production limits <u>and cumulative impacts</u></p> <p>The Mineral Planning Authority will impose planning conditions to limit production where this is considered necessary and appropriate to prevent any unacceptable adverse impacts from the operation.</p>	

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52	114	Indicator c2	b) 10.05 million tonnes (2011) <u>9.98 million tonnes (2013)</u>	Update to include data from recently adopted Somerset Local Aggregate Assessment 2014, thus affecting how upper case policy is applied.
53	115	Indicator 1	62,014 tonnes (2011) <u>108,713 tonnes (2013)</u>	
54	115	Indicator 2	a) 451 <u>425</u> million tonnes (2012 <u>2013</u>) b) 41.72 <u>Over 40</u> years	
55	137	Map 1	<p><i>Changes to map include:</i></p> <ul style="list-style-type: none"> <i>changes to the safeguarding layer (integrating a revised map 9)</i> <i>update PEDL area</i> <i>add green belt</i> <i>add Silurian Andesite Area of Search</i> <i>add building stone Area of Search</i> <p><i>This will result in a change in map numbering in Appendix B with the addition of further inset maps 1b and 1c, and re-numbering the sand and gravel inset map (from map 2 to map 1a).</i></p> <p><i>A revised map 1, which forms part of this main modification, is shown below.</i></p>	<p>Corrections and factual updates to map.</p> <p>The peat area was included in the mineral safeguarding area layer of the policies map by mistake (an earlier version of the safeguarding data layer was used).</p> <p>The NPPF emphasises the importance of protecting green belt. Somerset has only a small amount of green belt land; however, this was not shown on the policy map.</p> <p>The PEDL area has changed since submission of the Plan, with revocation of two PEDL areas in Somerset and extension of PEDL 227.</p> <p>Also to reflect discussions during the hearings and the proposed addition of Areas of Search for Silurian Andesite and building stone.</p>
56	142	Map 6	<p><i>Add to map the ecological zone of influence regarding SPA/Ramsar</i></p> <p><i>A revised map 6, which forms part of this main modification, is shown below.</i></p>	<p>Corrections and factual updates to map.</p> <p>Statutory partner Natural England highlights in its response to the pre-submission consultation (p2 of R15.4 in SD7) that any proposals brought forward will need to consider likely significant effects in</p>

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				relation to the SPA and Ramsar site, including the Ecological Zone of Influence, as identified in Appendix 2 of the HRA. <i>See Appendix below</i>
57	143	Map 7	Map 7: Petroleum Exploration and Development Licence (PEDL) areas: September 2014 <i>Also update PEDL area shown – see Appendix</i> <i>A revised map 7, which forms part of this main modification, is shown below.</i>	Corrections and factual updates to map. Date added because that acknowledges that PEDL areas may change over time. The PEDL area has changed since submission of the Plan, with revocation of two PEDL areas in Somerset and extension of PEDL 227.
58	146	Map 9	<ul style="list-style-type: none"> <i>Changes to the safeguarding area around the Silurian Andesite resource.</i> <i>Minor change to surface coal safeguarding area, using the latest data from the Coal Authority</i> <i>Minor change to the building stone safeguarding area to include Downside Stone (Chilcote Stone)</i> <i>A revised map 9, which forms part of this main modification, is shown below.</i>	<p>Corrections and factual updates to map.</p> <p>Maintaining a separate landbank for andesite (see Change 20) brings into focus the andesite resource. BGS guidance (TD7) encourages the safeguarding of the whole resource and, whilst the County Council considers this is not appropriate for Carboniferous Limestone, the andesite resource is much smaller in geographical extent. Thus it is more practicable to safeguard the whole andesite resource as suggested. This change also integrates changes proposed by John Wainwright & Co Ltd.</p> <p>The Coal Authority have issued a new data layer for the surface coal resource, hence the County Council have adopted that in its revised safeguarding map.</p> <p>All building stone types identified in Table 4 are safeguarded. Four additional building stone types have been added following the</p>

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				<p>hearings. Though the added stone types have limited geological outcrop and geographical occurrence in Somerset, nonetheless it is acknowledged that they should be safeguarded. Three of the four resource areas are already covered by the Plan's current safeguarding areas. Downside Stone is not, and thus an MSA for Downside Stone (also locally called Chilcote Stone) has been added to the existing MSA layer i.e. the building stone safeguarding layer has been slightly expanded (nr Shepton Mallet).</p> <p><i>See Appendix below</i></p>

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Table 2: Somerset building stone types, including the stone types already worked and those identified as "needed" in Minerals Topic Paper 2

Building stone types that are currently worked in Somerset, for which current supply may be sufficient to meet future demand over the Plan Period
<ul style="list-style-type: none"> • Ham Stone • Inferior Oolite (including <u>Cary Stone</u>/Hadsphen Stone and Doultling Stone) • Forest Marble • Cornbrash • Capton Sandstone • <u>Blue Lias</u> (including 'Grey Lias') • <u>White Lias</u> (including 'Camel Hill Stone')
Building stone types that are worked in Somerset, identified as "needed" (in Minerals Topic Paper 2), as current supply may not meet future demand over the Plan Period
<ul style="list-style-type: none"> • <u>Blue Lias</u> • <u>White Lias</u>
Building stone types historically worked in Somerset that were formerly quarried in Somerset and which may be "needed" (as identified in Minerals Topic Paper 2) during the Plan Period
<ul style="list-style-type: none"> • Chert / Flint • Calcareous Grit • Inferior Oolite (Misterton Stone only) • Yeovil Stone • Marlstone (including Moolham Stone and Petherton Stone) • Wedmore Stone • North Curry Sandstone • Draycott Stone • Otter Sandstone (including Lydeard Stone, Nynhead Sandstone) • Milverton Stone (Milverton Conglomerate) • Wiveliscombe Sandstone • Lower Carboniferous Limestone (Vallis Limestone, Chinastones, Cheddar Limestone, Cannington Park Limestone and Cheddar Oolite only) • Morte Slates • Ilfracombe Slates • Hangman Sandstones (including Triscombe Stone, Trentishoe Grits) • <u>Devonian Limestones</u> • <u>Cockercombe Tuff</u> • <u>Hestercombe Diorite</u> • <u>Downside Stone</u> (<u>Chilcote Stone</u>)

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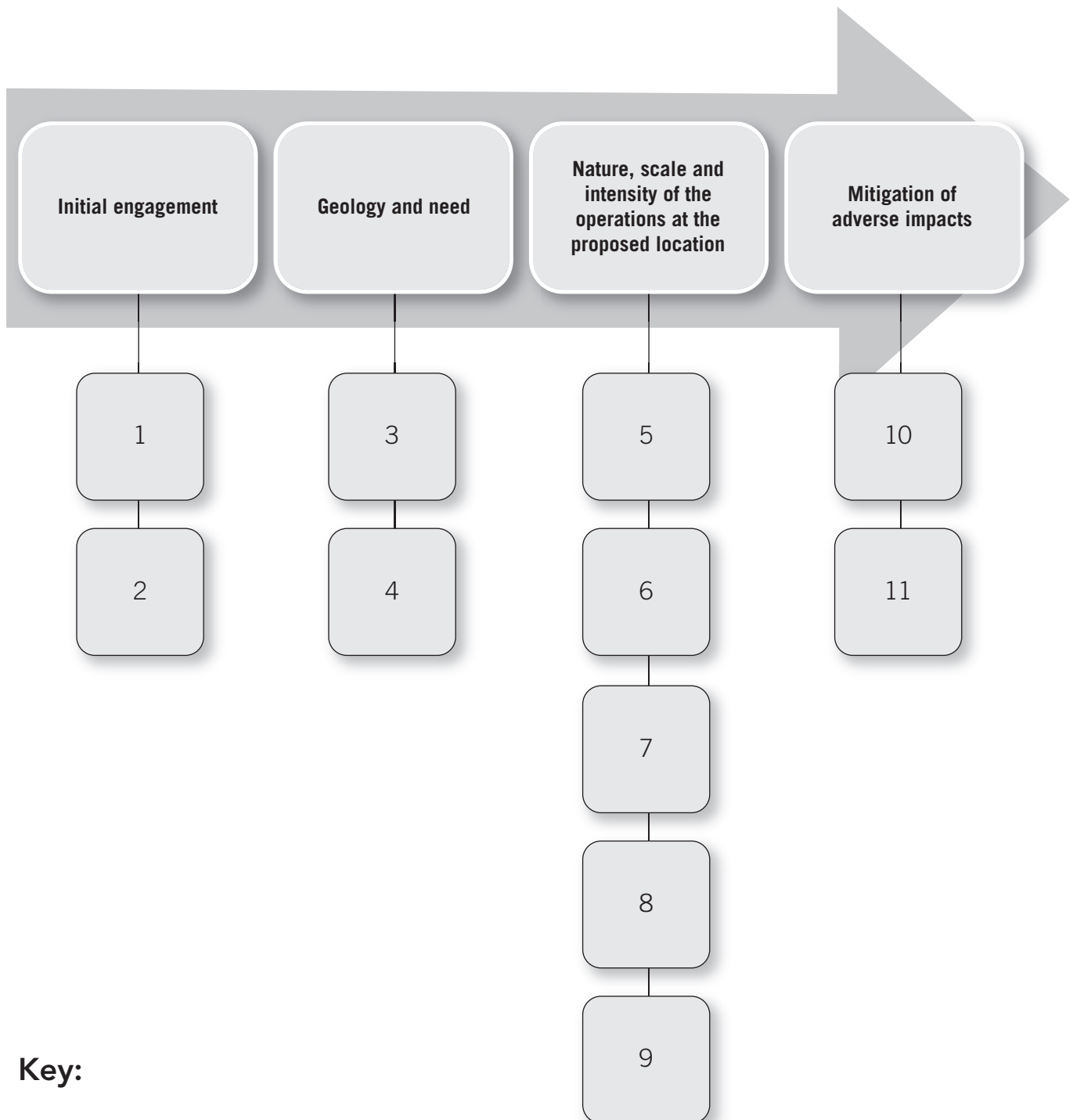
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Table 4: Mineral resources to be safeguarded in Somerset

Aggregates	
Carboniferous limestone	Silurian andesite
Superficial sand and gravel (recent and Permo-Triassic)	Budleigh Salterton Pebble Beds
Devonian Sandstones (high polished stone value - namely the Hangman Sandstone Formation)	
Building Stone	
Capton Sandstone	<u>Blue Lias (including 'Grey Lias')</u>
Forest Marble	Cornbrash
Ham Stone	Inferior Oolite (including <u>Cary Stone</u> /Hadsen Stone and Doulting Stone)
Hangman Sandstones (including Triscombe Stone, Trentishoe Grits)	Ilfracombe Slates
Inferior Oolite (Misterton Stone)	Calcareous Grit (Upper Greensand)
Marlstone (including Moolham Stone and Petherton Stone)	Yeovil Stone
Morte Slates	Lower Carboniferous Limestone (including Vallis Limestone, Cheddar Oolite, Cheddar Limestone, Chinastones, Cannington Park Limestone)
North Curry Sandstone	Wedmore Stone
Otter Sandstone (including Lydeard Stone and Nyngham Sandstone)	Dolomitic Conglomerate (Draycott Stone)
White Lias (<u>including 'Camel Hill Stone'</u>)	Chert/Flint
Wiveliscombe Sandstone(Milverton Stone)	<u>Budleigh Salterton Pebble Beds (including Milverton Stone and Capton Sandstone)</u>
<u>Devonian Limestones</u>	<u>Cockercombe Tuff</u>
<u>Hestercombe Diorite</u>	<u>Downside Stone (Chilcote Stone)</u>
Other resources	
Surface coal	

7. Building Stone

Figure 2: a tool to help applicants to prepare a planning application for extraction of building stone



Key:

Initial engagement

1. Applicants are strongly advised to discuss their proposals with the County Council's planning officers, taking advantage of the Pre-Application Enquiry service before making an application.
2. Applicants are referred to the document "*County Matter Applications – Mineral Development: Notes for Applicants*", which helps to ensure that sufficient information is submitted to enable a full and considered judgement of the application.

7. Building Stone

Geology and need

3. What is the evidence of the geology and presence of the specified building stone type at the proposal site (including demonstration of proven adequate reserves)? A suitable method for this would be a brief geological report, including recent trial pits / exposures along with relevant stratigraphic logs and supporting photographs. The availability of rock samples for inspection would also be beneficial.
4. Need may be demonstrated by evidence of the current and future market for the stone, taking into account:
 - the extent of the historical use of the stone (for example in buildings, settlements, Conservation Areas or heritage conservation uses); and/or
 - projected use of the stone for new build purposes, including buildings, walling, paving and other uses.

See Mineral Topic Paper 2 for more information on building stone types in Somerset (in particular Appendix 1) and Mineral Topic Paper 6 and Chapter 11 about the county's Mineral Safeguarding Areas.

Nature, scale and intensity of the operations at the proposed location

5. Is the proposal a new site, an extension to an existing site or the re-opening of an old site? National policy highlights the potential role of small-scale extraction of building stone at, or close to, relic quarries. Each case will be considered on its own merits.
6. Is the same building stone available at other locations, and what are the benefits delivered through its provision at the proposed location? For example, benefits may be linked with the transport of materials.
7. What will be the scale of the operations? According to the English Stone Forum, small-scale operations do not normally exceed approximately 2000m³ per annum. Each case will be considered on its own merits.
8. Is the proposal near to existing settlements and is access to the site adequate and fit for purpose? What are the impacts on local amenity? See Chapter 19 for more information on protecting local amenity and Chapter 20 for more information on mineral transportation.
9. What are the longer term plans for the site? See Chapters 10 and 18 for more information on site reclamation, including restoration and afteruse. Wherever practical, any afteruse scheme at the site should include features that benefit geological and wildlife conservation e.g. retaining quarry faces for geological / educational value.

Mitigation of adverse impacts

10. Will working of the proposal site generate impacts on the natural or historic environment? See Chapter 13 for more information on landscape and visual amenity, Chapter 14 for more information on biodiversity and geodiversity and Chapter 15 for more information on the historic environment.
11. What are the impacts of the proposal on hydrology? See Chapter 16 for more information on water resources and flood risk.

18. Restoration and Aftercare

Table 7: Reclamation Checklist

Where relevant, proposals for all minerals sites must:

BIODIVERSITY/ CONSERVATION	1.	Promote the preservation, restoration and re-creation of priority habitats, such as calcareous grassland which is included on S41 of the NERC Act ³⁹ , and the protection and recovery of priority species populations. Maintain, and contribute to the restoration of, coherent and resilient ecological networks. Be flexible to accommodate ecosystems change. Contribute, where appropriate, to the achievement of habitat and species targets in the Somerset Biodiversity Strategy 2008 to 2018.
	2.	Employ the Habitat Evaluation Procedure as a mechanism to determine the ecological value of a site. The Habitat Evaluation Procedure developed by Somerset County Council can be found on the Biodiversity Offsetting webpage (www.somerset.gov.uk/biodiversityoffsetting). Offset habitats should be planned and delivered where appropriate via the ecological networks, using the methodology, model and maps developed by Somerset Wildlife Trust, Forest Research (Forestry Commission) and Somerset County Council. In considering the most appropriate mitigation measures to be implemented, Somerset County Council will take into account the potential time lag between new habitats being created and their coming into maturity. Minerals sites, including restored sites and unworked estate, may provide opportunities to be used as offsets for other developments providing they meet the criteria (as calculated through using the Methodology). www.somerset.gov.uk/ecologicalnetworks www.somerset.gov.uk/biodiversityoffsetting
	3.	Soils must be carefully conserved for use in restoration. Where quarrying operations have been permitted on agricultural land the land should be restored to its former quality wherever technically practicable, using materials native to the site.
	4.	Contribute to landscape-scale restoration, demonstrating a high level of: collaboration between quarry/peat operators and conservation bodies; and consideration of other land uses, management practices and programmes.
	5.	Seek opportunities to enhance drainage systems through: improving habitat and drainage connectivity; and incorporating flood storage. This should include features that help maintain water quality in restored areas as well as the surrounding ditch system.

18. Restoration and Aftercare

Table 7: Reclamation Checklist (continued)

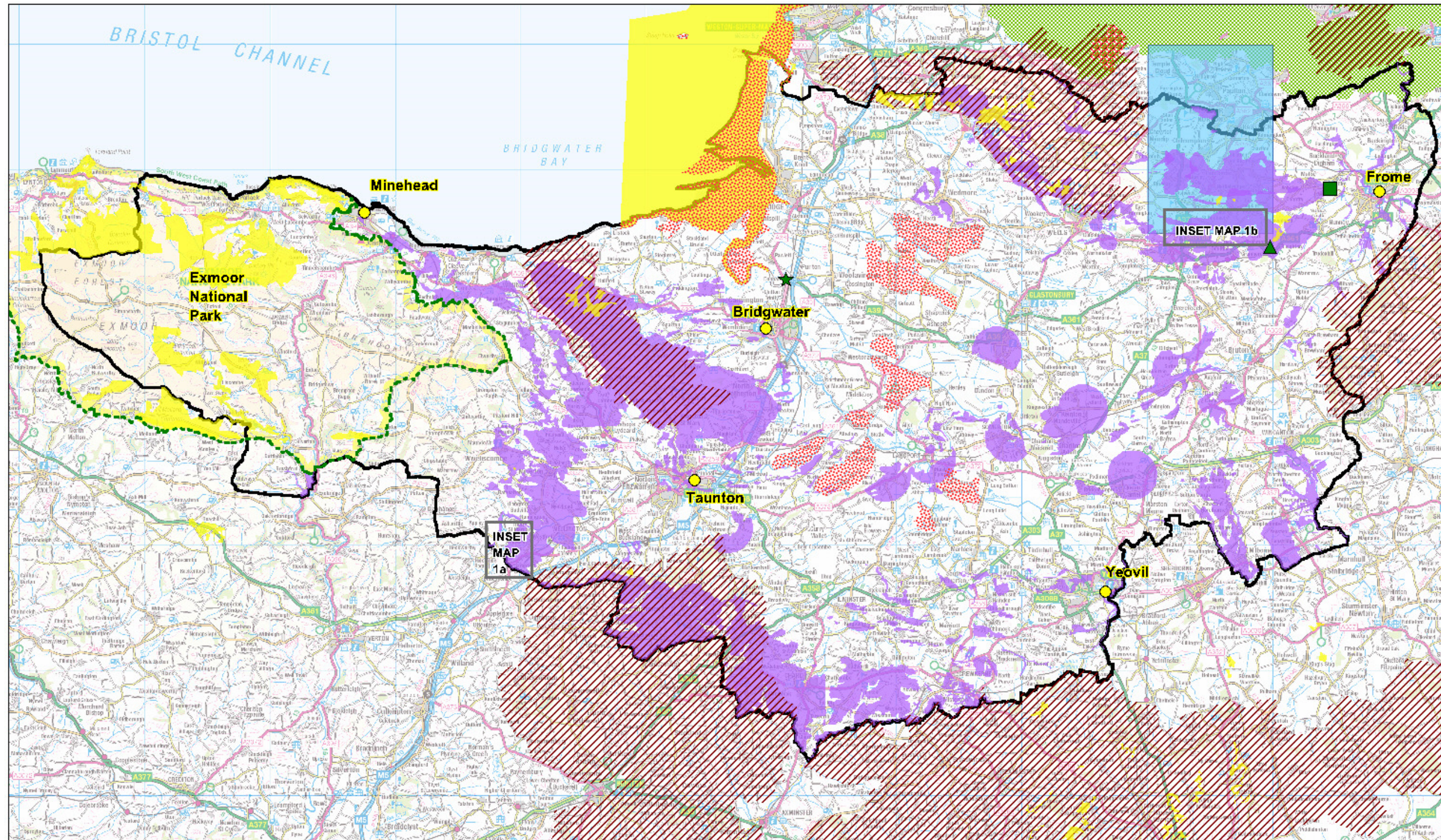
Where relevant, consideration should be given to opportunities to:










IMPACTS	6.	Minimise the overall amenity and visual impacts of mineral development on the surrounding environment and communities.
	7.	Ensure there are no adverse impacts on water quality.
	8.	Adapt to the impacts of climate change (for example, on habitats, species, ecological networks and flooding).
	9.	Demonstrate that the approach to restoration has considered potential impacts on land stability and includes adequate measures to mitigate the risk of land stability failures.
COMMUNITY	10.	Encourage new economic opportunities that are compatible with existing land uses and environmental designations and which allow economic benefit to local communities.
	11.	Provide for potential after uses for the community – e.g. leisure and amenity opportunities that do not conflict with biodiversity and ecological networks.
	12.	Improve public access to the natural environment, making use of existing cultural corridors where they already exist.
	13.	Contribute to the conservation of Somerset's geological heritage and geodiversity, including maintaining geological exposures for educational purposes.




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Map 1: Somerset Minerals Plan policies map



- | | | |
|--|--|---|
|  Somerset County Boundary |  Special Area of Conservation |  PEDL Area |
|  Exmoor National Park Boundary |  Area of Outstanding Natural Beauty |  Greenbelt |
|  Special Protection Area (Ramsar) |  Mineral Safeguarding Area |  Inset Maps (Maps 1a and 1b as shown above, Map 1c illustrated separately) |

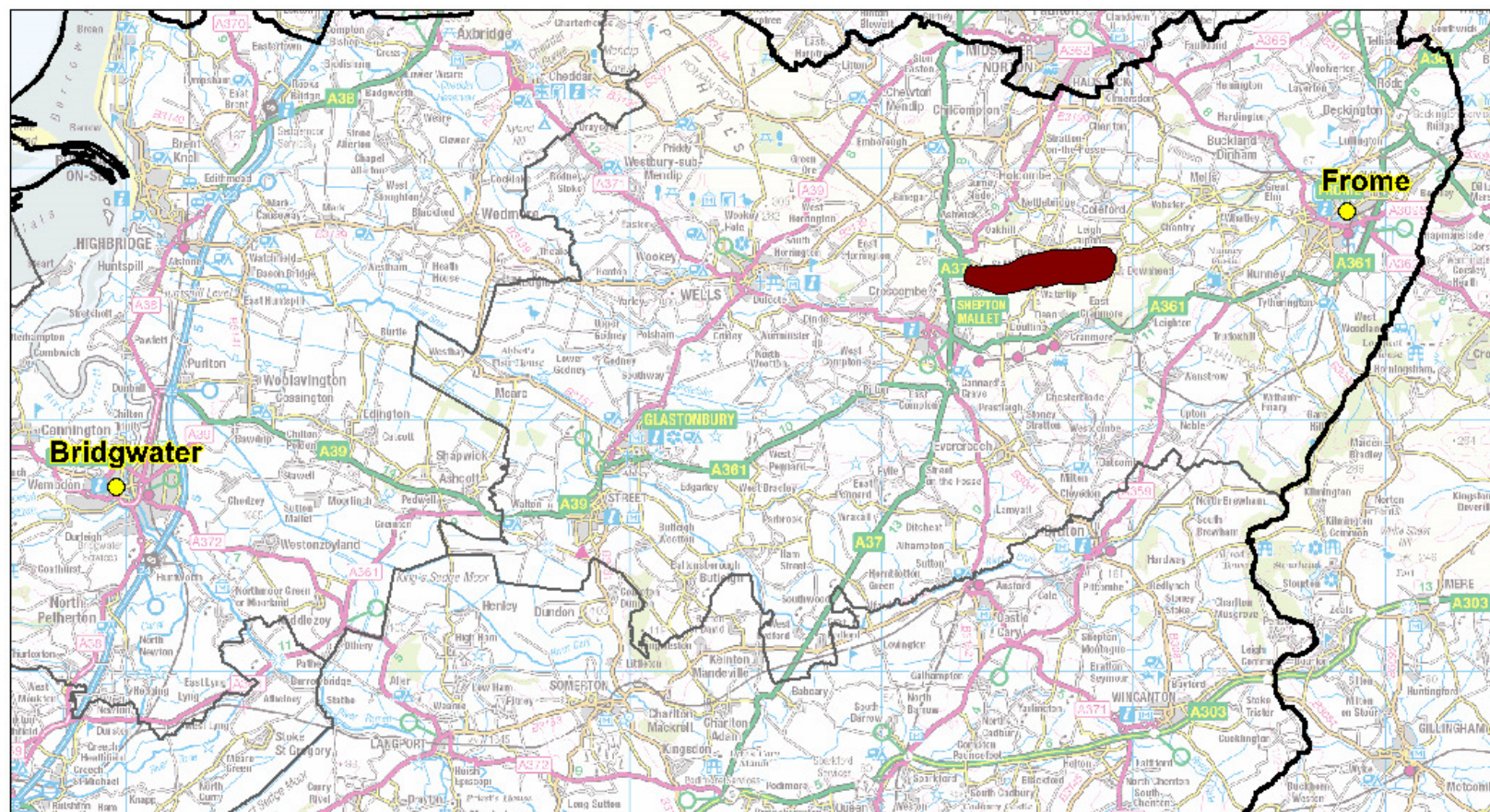
-  Torr Works Railhead
-  Whatley Quarry Railhead
-  Dunball Wharf



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Map 1b: Inset Map - Andesite Area of Search



-  Somerset County Boundary
-  Andesite Area of Search

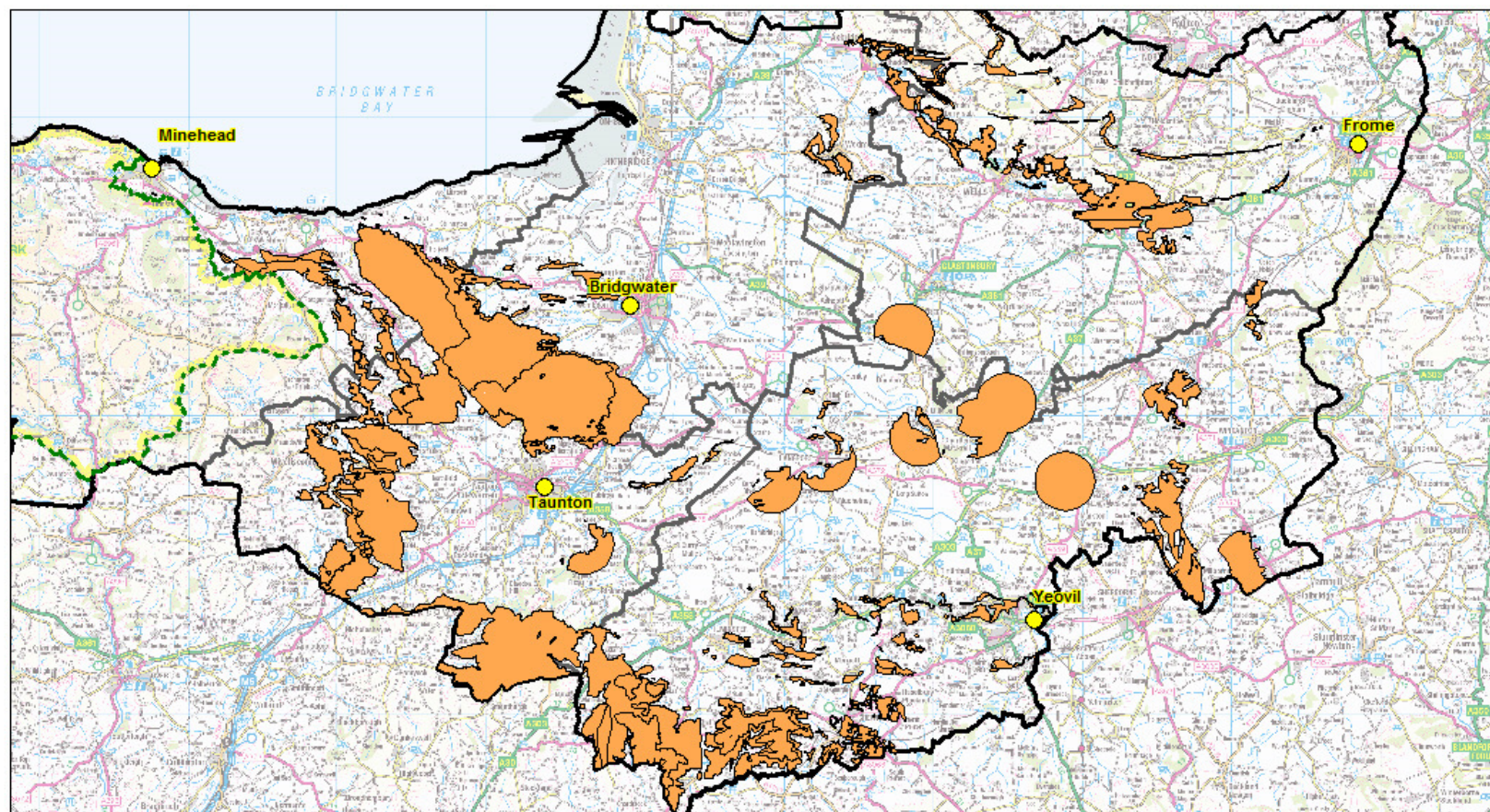
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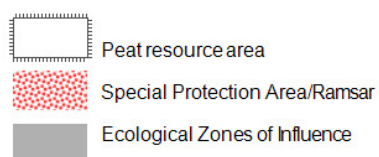
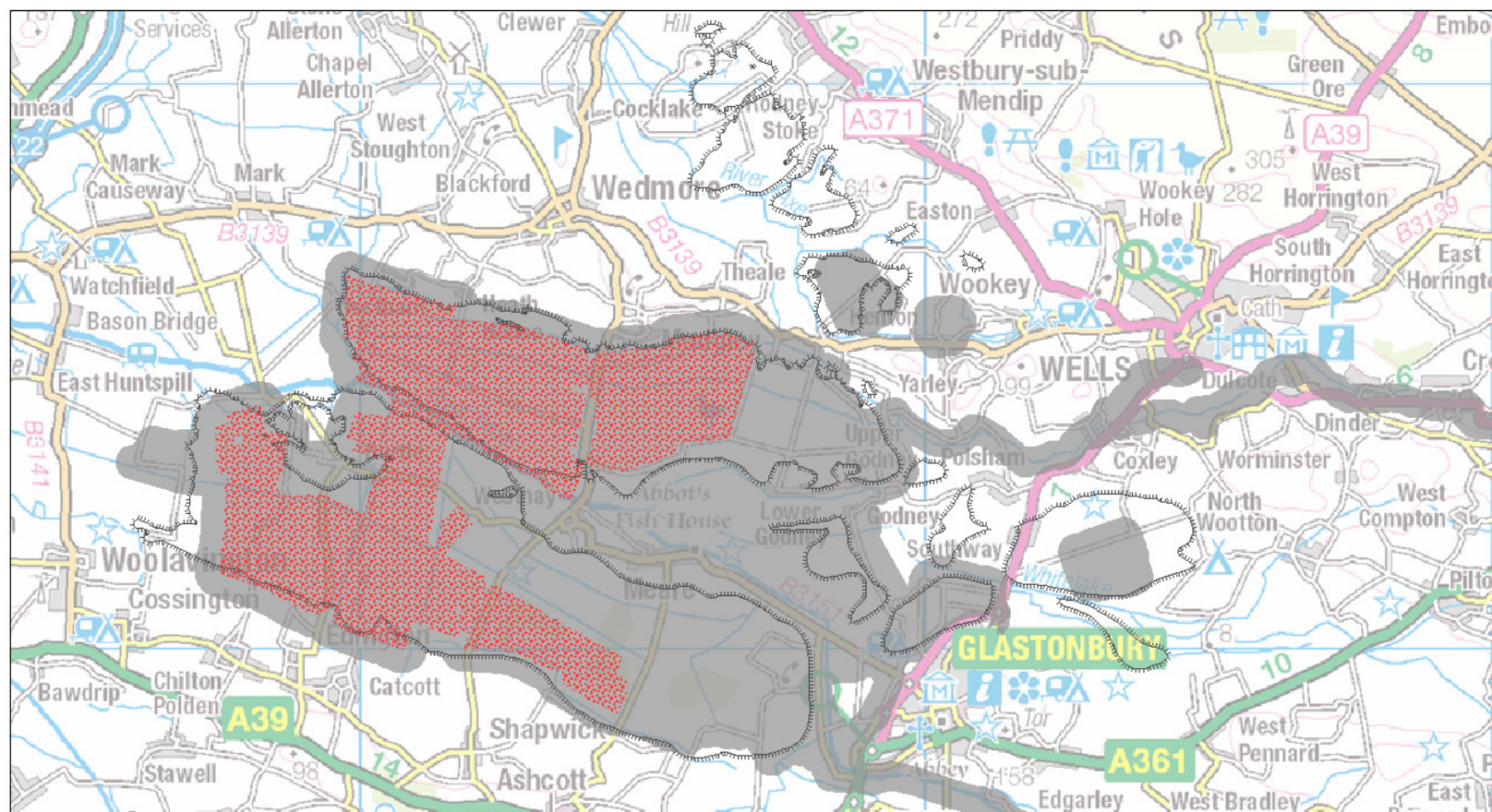
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Map 1c: Inset Map - Building Stone Area of Search



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Map 6: Peat resource areas west of Glastonbury



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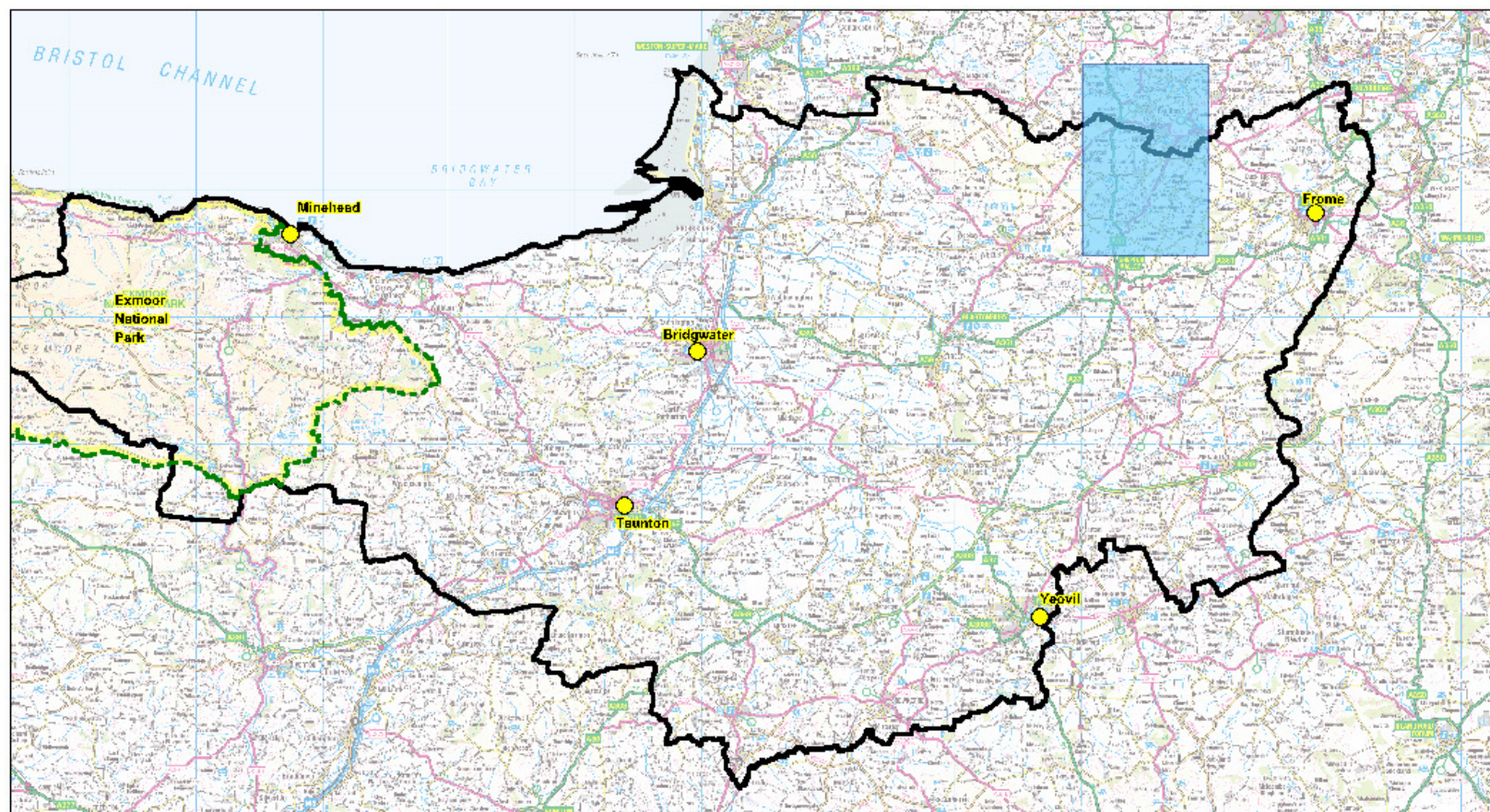
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

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APPENDIX: Schedule of Proposed Main Modifications

Map 7: Petroleum Exploration and Development Licence (PEDL) Area - September 2014



-  Somerset County Boundary
-  PEDL Area 227 - UK Methane

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APPENDIX: Schedule of Proposed Main Modifications

Map 9: Mineral Safeguarding Areas

