Staffordshire County Council’s Statement

Day 4:

PROVISION FOR SAND AND GRAVEL

Issue: Whether the provision in the Plan for allocated sites for sand and gravel extraction is justified

OMISSION SITES

1. Why have the following sites not been allocated in the Plan?
The new Minerals Local Plan for Staffordshire 2015 to 2030
Response to Inspector’s Questions – Provision for Sand and Gravel

(i) Shire Oak quarry extension: sand and gravel
The new Minerals Local Plan for Staffordshire 2015 to 2030
Response to Inspector’s Questions – Provision for Sand and Gravel

Site History

- The existing site is subject to permission L.13/13/809 MW granted 12-9-14 which provides for extension of time for mineral extraction to 31-12-19. Quarrying has taken place on this site since the 1940’s. In 2002, planning permission was granted to rationalise the existing consents, quarry access relocation and restoration by infilling (ref. L.920568). Planning permission was granted in March 2005, to vary the approved restoration contours (ref. L.04/22/809 MW). Planning permission (ref. L.11/02/809 MW) was later granted in March 2012 for the aggregates recycling facility located within the quarry.

- Eastern extension considered at Issues and Options stage in 2008 following submission by Tarmac, the former operator of the site. Extent of site option was reduced from 2.5Mt to 0.86Mt by Tarmac due to reassessment of resources.

- Representations made by current operator in relation to first draft of the new Plan (2014) sought inclusion of extension areas to the quarry as shown on plan above. The site option was subject to “Additional Site Options Consultation” in October 2014 and 20 representations were made in relation to the option.

SA Profile

<table>
<thead>
<tr>
<th>Site</th>
<th>Alternative aggregate</th>
<th>Air Quality</th>
<th>Historic environment</th>
<th>Local building materials</th>
<th>Landscape</th>
<th>Recreation and greenspace</th>
<th>Health and amenity</th>
<th>SA P</th>
<th>RIGS</th>
<th>Maintaining supply</th>
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<th>Biodiversity</th>
<th>Ground &amp; surface water</th>
<th>Water</th>
<th>Soil</th>
<th>Shire Oak</th>
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<tr>
<td>Shire Oak</td>
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<td>?-</td>
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For justification of scores, please refer to detailed assessment sheets

SA Summary Points

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<tr>
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<tr>
<td>Shire Oak</td>
<td>Smaller site with important location relative to local markets. Negative impact predicted for SA Objective 11 (Soils) can be mitigated through appropriate restoration. The other predicted negative impact (SA Objective 6 (Transport)(^1)) would require further investigation to fully assess its significance, and whether mitigation would be required.</td>
<td>Not a preferred site at this stage</td>
</tr>
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</table>

\(^1\) Note that this summary contains an error where anticipated negative impacts on the adjoining AQMA were wrongly attributed to SA Objective 6 (Transport), when they were actually recorded under SA Objective 12 (Air Quality)
The new Minerals Local Plan for Staffordshire 2015 to 2030
Response to Inspector’s Questions – Provision for Sand and Gravel

Development Considerations
Not prepared as this is not a preferred site

Key representations, points raised, and outline responses

<table>
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<th>Name</th>
<th>Summary</th>
<th>Proposed response</th>
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<tr>
<td>Crestwood Environmental Ltd on behalf of JPE Holdings</td>
<td>The Plan is considered unsound for not allocating land that could be worked as extensions to Shire Oak Quarry. The primary reasons for allocating the Shire Oak areas would be: a) Ensure continuity of supply from a strategically important minerals Site on the northern edge of the West Midlands Conurbation; b) Avoid needlessly sterilising established mineral reserves; and c) Enhance restoration opportunities. Reliance on policy 1.6 is not considered appropriate and scope should be given under 1.6 for non-allocated extensions to existing quarries prior to working within the area of search. Amendments are proposed to policy 1.6 and to supporting text under 7.11.</td>
<td>Add to policy 1.6 (extensions/ new sites) (refer to PC34) otherwise no change. At this stage given the provision available from existing and planned sites, there is no need to allocate the option at Shire Oak. There is uncertainty as to the extent to which additional mineral could be extracted but potentially additional reserves could be released on the basis of achieving benefits to existing restoration proposals and minimising the amount of backfilling required. Such proposals could be considered under policy 1.6.</td>
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<td>Walsall Council (on behalf of the Black Country Authorities)</td>
<td>The policy as it stands is unsound and does not comply fully with the “duty to co-operate,” because it is not sufficiently flexible to cope with potential future changes to demand over the plan period, which is up to 2030. To be sound and fully compliant with the duty, the policy should be sufficiently flexible to allow for further sand and gravel extraction, if there is evidence that future plans for growth will generate an increase in demand for sand and gravel over and above the provision made in the plan. It is anticipated that such requirements would be identified through future LAAs. An additional bullet point to 1.6 is recommended: “c) There is evidence of a need for further sand and gravel provision in Staffordshire, over and above the provision made in the plan, to support planned growth within the County or neighbouring mineral planning authority areas.” Provision is also required for policy review if future LAAs indicate a significant increased demand for sand and gravel from Staffordshire to support planned growth within the County or within neighbouring mineral planning authority areas including the West Midlands Metropolitan Area. We support the omission of Shire Oak Quarry from the list of extension sites from part 1.1 of the policy, and we also support the omission of the site at Mile Flat from the policy.</td>
<td>No change. In the event that annual monitoring indicates an increase in the level of demand and triggers for review as set out in table 1 are achieved, it would be then appropriate to review the level of sand and gravel provision to test whether increased levels of production can be achieved without unacceptable environmental cost. Full opportunity should be given for that assessment including an opportunity for cooperation with other authorities where there may be other suitable potential sources of supply. Circumstances relating to the assessment of demand have been discussed with mineral planning authorities within the West Midlands and with the AWP and there remains an issue on how best to take into account “other relevant factors” in forecasting demand. Factors for continuing review are set out under paragraph 24 of the LAA 2015. [Supports the Plan with regard to omission of proposed extension to Shire Oak Quarry]</td>
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<td>Mrs Hill</td>
<td>The representation supports the non-inclusion of a site option to extend Shire Oak Quarry. Concerns have been previously made in relation to impact on local residents.</td>
<td>Supports the Plan.</td>
</tr>
<tr>
<td>Crestwood Environmental Ltd on behalf of JPE Holdings</td>
<td>It is believed that it is not a sound approach to not allocate promoted areas at Shire Oak Quarry, given that only 2 negative aspects and 2 potentially negative aspects were considered, which we do not appear to be based on sound information, given our extensive knowledge of the Site and environmental situation.</td>
<td>No change. SA scores are based on consistent application of scoring criteria across all sites. Site selection is based on SA scores together with other clearly defined factors.</td>
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Fuller responses
Crestwood Environmental assert that Plan is unsound for not allocating the proposed extension to Shire Oak Quarry. They maintain that allocating the site would help to a) ensure continuity of supply from a strategically important site; b) Avoid needlessly sterilising established mineral reserves; and c) Enhance restoration opportunities.

It is the County Council’s position that the allocation is not required to maintain supply. The site is not favoured by the site selection process (of which more discussion later), but extensions to meet specific local needs, or to facilitate proposals to enhance restoration opportunities, could permit the extension to be considered under Policy 1.6

Crestwood Environmental further assert that the SA process is not based on sound information and should be revised, leading to a profile which would favour allocation of the site.

The County Council maintains that the SA process has been refined in the light of repeated consultations, and is based on closely defined criteria and scoring systems which have been used consistently across all sites. The SA forms one part of the site selection process which has also been applied consistently across all sites. Changes to the SA score may not lead directly to changes in the suitability of a site for selection.

A series of specific challenges are made to the SA scores, based on detailed information supplied by the representors:

**SA Objective 9 (Biodiversity)**

It is suggested that the score should be revised from “?” to “?+”.

Our assessment found that there were features of ecological value that might well be lost, but that there was potential for mitigation through well planned and executed restoration. However, restoration to agricultural land and woodland would not contribute to relevant BAP objectives.

This suggests the possibility of either negative or positive outcomes which is reflected in the score.

**SA Objective 10 (Ground and surface water)**

It is suggested that the score should be revised from “?-” to “0”. Our assessment shows that the site falls within Source Protection Zone 3, giving an initial score of “0”, but that the groundwater is not available for licensing, lowering the score to “?-”.

**SA Objective 11 (Soils)**

It is suggested that the score should be revised from “-” to “0”. The site falls largely within Grade 2 of the Agricultural Land Classification, for which our scoring system awards “-”. We had originally intended to introduce an element to the scoring system to reflect proposals for restoration, but this proved impractical as information varies, and the longer-term future of some sites is uncertain. The original score is retained, with the acknowledgement that restoration plans are likely to accommodate restoration of BMV soils.
SA Objective 12 (Air Quality)

It is suggested that the score should be revised from “-” to “0”.

Our assessment accepts that any well managed quarry, working to modern conditions, will have minimal impact through dust and fumes, and that this would make such impacts poor at discriminating between potential allocations. Instead, we concentrated on the potential contribution to air pollution in AQMAs.

The existing site is bounded on 2 sides by an AQMA, though the proposed extension would be nearly 500m away at its closest point. Extracted mineral traveling into the West Midlands would immediately be within an AQMA, while material transported north-eastwards would soon reach the AQMA at the junction with the A5.

The scoring system notes that adverse impacts are likely to arise if the quarry site is adjacent to an AQMA, or if operations are likely to result in a large number of vehicles passing through an AQMA. As a result, the initial score for the site is “-”.

Whilst we note that the quarry is already in operating, and that the extensions would not necessarily lead to an increase in the daily vehicle movements, they would inevitably increase the total number of vehicles movements in and out of the site to remove extracted material, to import backfill, and to export recycled materials. There is therefore no reason to adjust the initial score to reflect site specific measures to reduce the impact.

SA Objective 15 (Landscape)

It is suggested that the score for should be revised from “0” to “?+”.

Our assessment found that the proposed extension would be in an area that is visually contained by landform and landcover. Quarrying this site would remove part of a ridge, the back of which is visible from the east and south. Visual impact would generally be low. Views from local roads are limited by landform and landcover.

This site has medium/low visibility, sensitivity is low. Quarrying operations would have low impact on the landscape character, and can be mitigated at restoration. There would be no significant impact on the perception of landscape quality. This leads to a score of “0”. We did not consider that the restoration proposals offered the potential to improve on existing landscape character and quality.

SA Objective 16 (Recreation and Greenspace)

It is suggested that the score should be revised from “0” to “?+”.

The site currently has no rights of way or public access land within the vicinity, so the proposed quarry extensions would not have any adverse impacts, leading to a score of “0”. Though there has been talk of creating a country park as part of the restoration, there are no firm proposals as yet. It would be premature to adjust the initial score to reflect what might be achieved through restoration.

SA Objective 17 (Health and amenity)

It is suggested that the score should be revised from “?-” to “0”.

6
This is a particularly difficult SA Objective to assess in a consistent and meaningful way. Clearly we would not expect any quarry, operating to modern conditions, to have any discernible impact on human health, and impacts on amenity are highly subjective. We eventually chose to use the number of properties within 250m of the proposed site as a proxy for the scale of the impact that might be expected.

Measurement from our GIS system showed 48 properties within 250m of the site, giving an initial score of “?“. The scoring system allows for properties to be discounted if they are separated from the proposed quarry by a feature that is likely to have a significant impact on amenity. Properties on the opposite side of the A462 were disregarded, but this did not lower the number of affected properties sufficiently to alter the score. There are no direct adverse impacts on existing amenity facilities, and while there has been talk of creating a country park as part of the restoration, there are no firm proposals as yet. As a result, there are no factors to justify an adjustment to the original score.

**Site Selection**

Overall, a balanced review of the site’s performance against the 17 SA Objectives could be summarised by the single score of “?“. Other scores in the site selection process were “?+” for the significance of the resource, “+” for deliverability within the plan period, and “+” for consistency with the plan. This is a worse overall assessment result than any of the selected sites, or any of the previously identified sites that fall within the Area of Search west of the A38. As a result, the site has not been allocated within the Plan.
The new Minerals Local Plan for Staffordshire 2015 to 2030
Response to Inspector’s Questions – Provision for Sand and Gravel

(ii) Inset Map 2: Croxden South: sand and gravel
The new Minerals Local Plan for Staffordshire 2015 to 2030
Response to Inspector’s Questions – Provision for Sand and Gravel

Site History
- The existing site is subject to permission SM.11/07/110 MW granted 19-8-14 which provides for extension of time for mineral extraction to 30-11-23. The quarry itself is an amalgamation of several former quarries. The earliest quarrying permissions were granted in 1946 and 1948.
- The area of the omission site was allocated under the Sand and Gravel Review (1975) but was deleted as an allocation upon adoption of the Aggregates Local Plan 1989 – 2001 (adopted 1996).
- The Croxden south site option was proposed in conjunction with Croxden North in the first draft of the new Plan but excluded from the final draft.

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<th>Health and amenity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Croxden (South)</td>
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<td>Croxden South</td>
<td>A second proposed extension to a key site with an important location relative to the market. Generally impacts are similar to the proposed northern extension, but a negative impact is expected SA Objective 15 (Landscape). Extraction would have a high adverse impact on landscape character of the valley, and potentially beyond.</td>
<td>Not a preferred site at present.</td>
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Development Considerations
Not prepared as this is not a preferred site

Key representations, points raised, and outline responses

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<td>Wardell Armstrong on behalf of Dinwoodie Charitable</td>
<td>The deletion of Croxden South from the allocated sites renders the Plan unsound it is no-longer able to provide for sufficient mineral capacity to meet identified need.</td>
<td>No change. Our assessment based on information provided in the LAA demonstrates that even without the Croxden South extension, there are sufficient reserves for Croxden Quarry to</td>
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</table>
Fuller responses

Our assessment indicates that the Croxden North extension will provide sufficient reserves for the Plan period.

The SA process identified the likelihood of unacceptable adverse impacts on the sensitive landscape to the south of Croxden Quarry. Restoration proposals were not sufficient to provide confidence that such impacts could be mitigated. Our landscape assessment found that:

“The site forms an integral part of the western valley slope of Croxden Brook, falling from a high point at around 205m AOD to around 150m AOD. The site is open to views from Sandy Lane, and local properties and views are expected from rights of way to the northeast.

The site falls within the character type Dissected Sandstone Cloughs and Valley (farmland) in the Potteries and Churnet Valley. The area is identified as having high landscape quality; the landscape policy objective is landscape maintenance, and of highest sensitivity. The site exhibits strongly undulating pastureland and arable fields divided by low clipped hedges with hedgerow trees. There is potential for some field and hedgerow trees to be outlier veteran trees from Lords Coppice ancient woodland.

Extraction would have a high adverse impact on landscape character of the valley and potentially beyond, and would result in visual effects during operations that could not be fully mitigated. Restoration would result in a change in character and effects on perceived landscape quality of the valley as a whole.

Due to the change in elevation across the site it will not be possible to mitigate longer distance views and views of extraction from the upper parts of the valley side. Impact on landscape character would be adverse and of moderate / high significance.

Proposed mitigation at restoration: the proposals are not sufficiently sympathetic to landscape character to be acceptable; a more sympathetic approach would be required to landform, and additional hedgerows and some stone walls would better reflect local landscape pattern.”

Site Selection

Overall, a balanced review of the site’s performance against the 17 SA Objectives could be summarised by the single score of “-” (because of the scale of the landscape impacts). Other scores in the site selection process were “+” for the significance of the resource, “?” for deliverability within the plan period (because we are not convinced of the need), and “+” for consistency with the plan. This is a worse overall assessment result than any of the selected sites, or any of the previously identified sites that fall within the Area of Search west of the A38. As a result, the site has not been allocated within the Plan.
The new Minerals Local Plan for Staffordshire 2015 to 2030
Response to Inspector’s Questions – Provision for Sand and Gravel

(iii) Moddershall Grange: sand and gravel
Site History

- The Moddershall Grange site option has been considered in the preparation of the Aggregates Local Plan 1989 – 2001 (adopted 1996) and as part of the Inspector’s review into that Plan, it was recommended that the site should not be included in the Plan's list of allocations.

- The Moddershall Grange site option was submitted by Cemex for consideration as part of the Issues and Options in 2008 together with land to the east of the B5066 Hilderstone Road. Following consultation on site options in 2008, the site option was revised by Cemex so that only land to the west of Hilderstone Road should be considered.

- Significant representation (objection) was received in relation to the site option in 2008 with 259 letters and emails including the Borough and Parish Councils as well as two local MPs (refer to report to Planning Committee 5 March 2009).

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<td>Moddershall Grange</td>
<td>Significant reserve but questionable whether the site is required during Plan period. There are 3 negative scores, for SA Objective 6 (Transport), SA Objective 10 (Ground and surface water), and SA Objective 15 (Landscape). It may be possible to mitigate the first through routing improvements, but the second may constrain working and the third would be very difficult to fully mitigate. There are a further 3 potential adverse impacts which would require varying degrees of mitigation</td>
<td>Not a preferred site at present</td>
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Development Considerations
Not prepared as this is not a preferred site
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<td>CEMEX UK Operations Ltd.</td>
<td>The representation sets out that the Plan is unsound as it will not deliver an adequate and steady supply of sand and gravel over the Plan period. Concerns are raised in relation to the assessment of demand and a shortfall of 16 Mt is identified. The representation seeks provision for 6.71Mtpa, the maintenance of a 7 years land bank up to the end of the Plan period and the inclusion of the site option at Moddershall Grange to meet the assessed shortfall.</td>
<td>The level of provision proposed in the Plan is based on national guidance and takes into account best practice guidance produced by the POS/MPA. With regard to the LAA produced in June 2015, there has been no opportunity for the current LAA to be formally considered by the WMAWP but the approach used is consistent with comments of the WMAWP on the LAA. Other relevant local information has been considered in the LAA but given the uncertainty as to the extent to which new housing affects demand for sand and gravel, it is proposed that the 10 year sales average is used to assess the level of provision. The Plan assesses provision for the period up to the end of 2030 and the Plan will be subject to annual monitoring which could trigger a review if the land bank is found insufficient or the level of provision needs to be increased. On the basis of the monitoring and commitment to review, it is contended that there is no need to make provision for a 7 years land bank at the end of the Plan period. At this stage, it is considered that the proposed level of provision is sufficient and that there is no requirement for additional allocations. The Moddershall site option has been assessed and table 5 of the SA report concludes that the site is not required during the Plan period as well as highlighting that the site does not meet sustainability objectives for landscape. To clarify resources available from allocations refer to update to table 2 in Fuller responses.</td>
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Fuller responses

The SA process identifies four clear negative impacts that may arise from development of the site.

The site entrance would be approximately 2 Km from the primary road network, and arranging appropriate transport routes would not be straightforward.

Parts of the proposed site fall within groundwater Source Protection Zones 1, 2, and 3, so adverse impacts, or constraints on working are possible.

The site may also include best and most versatile soils, and, while these may, with care, be restored, this is not always possible.

Finally our landscape assessment found that there would potentially be permanent adverse effects on the character of Moddershall Oaks valley due to major changes in permanent landform resulting from extraction. During operation, views from a number of receptors could not be mitigated. In the long term extraction would result
in permanent alteration to the horizon and an adverse impact of high significance on landscape character and the perception of landscape character.

Site Selection

Overall, a balanced review of the site’s performance against the 17 SA Objectives could be summarised by the single score of “-” (because of the scale of the predicted landscape impacts, the difficulty of arranging adequate transport routes, and potential groundwater effects). Other scores in the site selection process were “+” for the significance of the resource, “?” for deliverability within the plan period (because it is a new area for working, with many problems to overcome), and “-” for consistency with the plan (because it is a completely new site in a completely new area). This is a worse overall assessment result than any of the selected sites, or any of the previously identified sites that fall within the Area of Search west of the A38. As a result, the site has not been allocated within the Plan.