**SOLIHULL LOCAL PLAN 2020**

**DRAFT SUMISSION PLAN**

**REPRESENTATIONS ON WASTE MATTERS**

**Summary:**

In Policy P12 Resource Management and the supporting Paragraphs 350 to 358, the reference to providing a waste management tonnage equivalent to that arising in the Borough is misconceived. There is uncertainty over the amount of waste that needs to be managed. There is no reference to timely provision. The sequential approach to determining appropriate locations for waste management facilities is flawed. The consideration of on-site management is misconceived. Policy support should be given to other important aspects of waste management. There is inadequate reference to Green Belt considerations. The policy and supporting text are not succinct and clear.

**Representations:**

**Equivalent Provision**

The third paragraph of Policy P12 indicates that the Council will seek to ensure an equivalent tonnage is provided of waste management facilities, *in the Borough,* to that arising in the Borough. This is a commonly expressed way of addressing self-sufficiency and proximity. However, this is not an appropriate policy aim in Solihull given the reliance on facilities outside the Borough.

Facilities outside the Borough include the EfW facility at Coventry, MRF capacity in Birmingham and composting provision at Packington. Further external provision may be sourced through the Municipal Waste Management Strategy. In addition, there is a reliance on the external treatment of hazardous waste and provision such as non-inert waste landfill (including hazardous waste cells) is not available within the Borough.

What will be more important will be putting in place the right waste management infrastructure (of an appropriate tonnage) at the right time and in the right location.[[1]](#footnote-1) An alternative form of wording is set out below.

**Uncertainty over Need**

The forecast waste management requirement for the principal waste streams is set out in Tables 49 to 51 of the Waste Needs Assessment for Solihull, November 2018. However, the requirements are expressed as ranges. This is principally because no decision has been made about landfill levels. This creates uncertainty about the level of new provision that needs to be made.

There is no discussion about provision for low-level radioactive waste or for waste water.[[2]](#footnote-2)

**Timely provision**

The draft Plan (contrary to national policy[[3]](#footnote-3)) fails to make any commitment to provision *at the right time.* If there is no reference to the timing of provision, there could be deficiencies throughout the plan period.

**Sequential Approach**

Policy P12 sets out a sequential approach to be applied when determining appropriate locations for new waste management facilities. However, this approach is misconceived for a number of reasons:

* The reference to on-site management (as the first element of the sequence) in the selection of waste management sites or locations is mis-conceived. On-site management is most appropriate in relation to major non-waste developments.
* Suitable industrial areas or sites allocated for industrial or employment uses should not be down on the third rung of the sequence. Government policy recognises the potential of industrial estates and sites / sites identified for employment uses.[[4]](#footnote-4)
* If anything, priority should be given to the re-use of previously-developed land, sites identified for employment uses and redundant agricultural and forestry buildings and their curtilages.[[5]](#footnote-5)

**On-Site Management**

As stated above, on-site management is most appropriate in relation to major non-waste developments. The policy and discussion should be linked to non-waste management developments and dealing with waste where it arises.

**Policy Support for Other Types of Waste**

Given the lack of hazardous waste facilities in Solihull, the provision of hazardous waste management facilities should be supported on suitable employment sites or elsewhere.

In light of the emphasis in Government policy[[6]](#footnote-6) on secondary and recycled materials and minerals waste, facilities for their management on suitable sites should be supported.

**Green Belt Considerations**

The criteria against which waste management proposals will be judged, as set out in Policy P12, refers to the impact on the Green Belt. However, there is a failure to mention, or plan for, the fact that many of the strategic waste management sites, as well as the Area of Search, are in the Green Belt For waste management developments to be approved, very special circumstances would have to be demonstrate.

In addition, national policy[[7]](#footnote-7) requires that waste planning authorities should first look for suitable sites and areas outside the Green Belt, *working collaboratively with other planning authorities*. There is no evidence that this has been done.

**Succinctness and Clarity**

The policy is much longer that it needs to be. It includes muddled thinking, repetitive provisions and descriptive content that should be relegated to supporting text. These shortcomings are addressed in the alternative policy and justification as set out below.

**Summary regarding Soundness**

In summary, there is a material lack of consistency with national policy[[8]](#footnote-8) as well as an absence of justification[[9]](#footnote-9) for certain provisions. The Plan is not succinct, clearly written and unambiguous. It is not clear how the decision maker should react to development proposals.[[10]](#footnote-10)

**Modifications:**

**POLICY P12 – REPLACEMENT TEXT**

**Management of Waste in Solihull**

The Council will promote and control new development to prevent the production of waste within the Borough, wherever possible, and will encourage prevention from existing buildings and uses. Where this is not feasible, waste shall be treated as a resource to be reused, recycled or from which value will be recovered, with management to be as high up the waste hierarchy as possible. Disposal of waste shall be a last resort, to be considered only when all other options have been exhausted.

Management of waste shall seek to maximise the contribution to economic development and employment in the Borough. Waste operators will be expected to demonstrate that the greenhouse gas emissions from the operations involved and associated transport of waste from source to processing facility have been minimised, in line with national and local targets for the transition to a net zero carbon economy.

**Provision to Meet Solihull’s Needs**

*Local Authority Collected Waste; Commercial and Industrial Waste; and Construction, Demolition and Excavation Waste*

Sustainable provision of waste management facilities will be made to meet the requirements identified in the Waste Needs Assessment for Solihull at the dates identified in the Assessment.

*Other types of waste*

On suitable sites, support in principle is given to the provision of:

* facilities for the management of secondary and recycled materials and minerals waste; and
* hazardous waste management facilities.

**Suitable Sites and Areas**

Locations that are in principle acceptable for waste management include the strategic waste management sites identified on the Policies Map where consolidation or expansion may be appropriate; suitable industrial areas or sites allocated for industrial or employment purposes; and, for the co-location of complementary waste management operations, the Berkswell and Meriden quarries. The re-use of previously-developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages will have priority.

Where it is not possible or appropriate for new operations to be developed in these locations, developers shall consider the potential of sites within the Area of Search for waste management facilities as identified on the Policies Map.

Many of the strategic waste management sites, and the Area of Search, are within the Green Belt. As such, development would not normally be permitted other that in very special circumstances. These are likely to include the particular locational needs of some types of waste management facilities and the absence of suitable sites elsewhere. Very special circumstances will need to be demonstrate in applications.

**Household Waste Recycling Site**

Land is identified for a relocated Household Waste and Recycling Centre within UK2 Land at Damson Parkway which is allocated for employment purposes in Policy P1 and Policy UK2.

**Criteria for Suitability of Waste Management Proposals**

The Council will have regard to the following criteria in considering the suitability of sites for waste management facilities:

i. The contribution towards national and local waste management strategies, objectives and targets, including the Solihull Municipal Waste Management strategy 2010-2020 (or its replacement)

ii. The contribution towards economic development and employment in the Borough, particularly in or accessible from the North Solihull Regeneration Area

iii. The contribution to national and local targets to reduce greenhouse gas emissions, taking account of those resulting directly from the operations (Policy P9), and those from the transport of wastes from the source of arisings to the point of end management

iv. The potential for on-site management associated with development and other uses

v. The potential for the development of shared facilities for more than one waste

planning authority where these would accord with this policy

vi. The potential for the co-location of complementary activities where there are no adverse cumulative impacts

vii. The contribution towards the restoration of former mineral workings in the Borough

viii. The suitability of the site for the type of wastes and operations involved, including whether the activity can take place within a building or other enclosure

ix. The impacts on transport infrastructure, including the potential for the use of

alternative modes to road transport, and highway safety

x. The compatibility of waste management activities with neighbouring uses, including the nature of the wastes, operations, hours of working and any cumulative effects where waste management activities already exist

xi. The availability of suitable previously developed land and/or redundant buildings

xii. The impact on the Green Belt, taking account of National Policy and Policy P17 of this plan

xiii. The impact on the environment, including the protection of water resources and quality (Policy 11), conservation of biodiversity (Policy P10), high quality design (Policy P15), the protection of the historic environment and built heritage (Policy P16), and on air quality (Policy P14) from emissions and dust

xiv. The impact on amenity and health, including visual intrusion, noise and vibration, litter, odour, vermin and bird attraction, including the impact on aerodrome safeguarding.

**Safeguarding Waste Management Facilities**

In considering non-waste management development proposals, the Council will take into account any adverse impact on the strategically important waste management sites and the potential of the Area of Search for waste management facilities identified in this plan.

**Provision of Waste Facilities in Non-Waste Development**

Non-waste development will be required to accommodate facilities for the storage, sorting and presentation of waste arising from the development, and developers will be expected to demonstrate satisfactory provision for waste management.

**Consequential modification to Challenge I, Page 38**

Replace “Providing sufficient waste management facilities to meet an equivalent tonnage to the waste arising in the Borough.” with “Providing waste management facilities of an appropriate tonnage to meet the needs of the Borough at the right time and in the right place.”.

**REPLACEMENT TEXT (JUSTIFICATION)**

Waste is a product of inefficient processes and the Government’s aim is to prevent waste, treat it as a resource and drive waste management up the waste hierarchy to improve efficiency and reduce impacts. The waste hierarchy consists of prevention, preparing for reuse, recycling, other recovery, with disposal only as a last resort. National guidance expects communities to take more responsibility for managing their own waste, treating it locally wherever practical.

Waste management should be considered alongside other spatial planning concerns including economic development, regeneration and the national imperative to reduce greenhouse gas emissions. The National Planning Policy for Waste requires that sites and/or areas for the location of waste management facilities should be identified in Local Plans and sets out locational criteria.

The circumstance with regard to capacity needs within the Borough are detailed in the Council’s Waste Needs Assessment for Solihull, November 2018. In particular, future requirements are set out in Tables 49 to 51 of the Assessment. These relate to local authority collected waste; commercial and industrial waste; and construction, demolition and excavation waste. The Council will support the sustainable provision of waste management facilities to meet these forecasts at the dates and intervals set out in the tables (2020, 2025, 2030 and 2035).

Much of the required capacity is already in place. Appropriate additional provision will be made in accordance with Policy P12. In this regard, there are a couple of specific additional needs. These are considered below.

First, the Household Waste Recycling Centre off Coventry Road, Bickenhill is at capacity and in its current format is not suitable for enhancing the recycling of materials. The Waste Needs Assessment highlights the fact that additional household waste recycling capacity will be required to meet the needs of the increased population and number of households in the Borough during the Plan period. This could be provided by an expansion of the existing

Centre, or by relocation to a larger site elsewhere in the Borough. An Assessment of land for potential relocation of the Household Waste Recycling Centre and Depot was prepared in June 2019, and further consideration of the recommendations has concluded that a site within the proposed employment land allocation at Site 20 Land at Damson Parkway offers the most suitable option.

The exceptional circumstances to justify the use of the site are as follows:

* No suitable site has been identified outside the Green Belt, given the nature of the use and the number of visitors that will be attracted to the site;
* No suitable previously developed or underutilised land has been identified and none is available on the Brownfield Land Register;
* The site is located within a proposed allocation for employment uses and accords with the policy on the location of waste management facilities;
* The site is well-located centrally in the Borough, close to and accessible from the main urban areas in the west and north, as well as major rural settlements;
* The site is accessible from the strategic highway network, with sufficient space for queuing vehicles at peak times;
* The site is relatively isolated from residential uses, other than the Gypsy and Traveller site, for which impacts can be minimised and mitigated.

Secondly, there is also a potential need for recycling/composting capacity to provide for Local Authority Collected Waste and Commercial and Industrial waste. The Waste Needs Assessment recommends capacity for around 62,000 tonnes per annum for recycling and for 30,000 tonnes per annum for composting, which could require a site or sites of up to 5 hectares in total area. The composting requirement is likely to be addressed by developments already in the pipeline, including a planning permission at Meriden Quarry and a facility in Berkswell.

In addition to the above, the policy is supportive of the provision facilities for the management of secondary and recycled materials and minerals waste. This is in recognition of the emphasis given, in national policy, to the contribution that can be made from the sources in the supply of minerals.

Policy P12 also offers support, in principal, to the provision of facilities for the management of hazardous waste. This is because of a general lack of such capacity within the Borough.

Sustainable provision will thus be made in a variety of ways. The provision identified above will address shortfalls in capacity within the Borough in a move to help satisfy local needs. Developments will complement on-going provision at the Coventry EfW facility, the Birmingham MRF and the Packington composting facility and such additional sustainable capacity as may be commissioned through the Borough’s Municipal Waste Management Strategy.

Developers will be expected to consider the potential of the strategic waste management sites, or suitable industrial sites in the Borough for appropriate or complementary activities. For operations that are complementary to mineral extraction, such as recycling of construction and demolition waste, or more appropriate in remote locations, such as open composting, an Area of Search for waste management facilities has been identified, utilising opportunities offered by former mineral workings. Waste that cannot be managed higher up the waste

hierarchy is managed at the jointly owned Coventry and Solihull Energy from Waste plant in Coventry.

The potential for on-site management, shared facilities and co-location of

complementary activities will be taken into account, along with the suitability of the location or site, the availability of previously developed land or redundant buildings, and whether the operations would take place in the open or are enclosed. The impacts of proposed waste management operations on the Green Belt, the environment, transport infrastructure including aerodrome safeguarding, highway safety, amenity and health will be considered, and any unacceptable harm will need to be minimised and/or appropriate mitigation

incorporated.

Other development may compromise or restrict the potential of waste management operations on the strategic waste management sites or in the area of search for waste management facilities. In considering proposals for non-waste management development in or adjacent to these locations, the Council will take account of any adverse effect on the potential for waste management activities.

Non-waste development in all areas will be expected to include appropriate facilities for the storage, sorting and presentation of waste. Developers will be expected to demonstrate satisfactory provision for waste management through a Design and Access Statement or similar supporting evidence, taking account of

the Council’s waste and recycling service guide for developers.

On-site management shall be preferred unless the activities would result in unacceptable harm through impacts on the environment, on transport or on neighbouring uses or it is demonstrated that management elsewhere would have wider sustainability benefits. Particular opportunities include the on-site recovery of construction and demolition waste as well as provision of recycling infrastructure in housing, retail and employment developments.

**SOLIHULL LOCAL PLAN 2020**

**DRAFT SUBMISSION PLAN**

**REPRESENTATIONS ON MINERALS**

**(POLICY P13 MINERALS)**

**Summary:**

In the policy actions, the Council has failed to distinguish between Mineral Safeguarding Areas and the safeguarding of minerals-related infrastructure sites. The criteria concerning prior extraction are not comprehensive. Policy concerning alternative materials is unclear and misdirected. The quantity of aggregate required to be provided over the Plan period is not justified by proportionate evidence and is not Solihull-specific. Landbank provisions have been applied incorrectly or not at all. Designations referred to in the policy and the justification are not shown on the Policies Map. There is confusion over the criteria for mineral working and regarding restoration and aftercare.

**Representations:**

**POLICY P13**

**Confusion over Safeguarding Provisions**[[11]](#footnote-11)

In Paragraphs 1 and 3 of Policy P13, SMBC are conflating two different aspects of safeguarding: the safeguarding of specific mineral resources (in Mineral Safeguarding Areas); and the safeguarding of sites (minerals-related infrastructure sites) such as sites for the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate minerals (which may or may not be in MSAs).

Minerals-related infrastructure sites need to be safeguarded wherever they are (not just within the MSAs as under Policy P13 as written). They need to be specifically identified and given protection under a modified policy.

In terms of prior extraction within the MSAs, environmental consideration should be added to the exceptions to the requirement.[[12]](#footnote-12)

**Alternative Materials**

Paragraph 4 of the policy appropriately gives support to the use of alternative materials such as secondary and recycled aggregates. By extension, encouragement is given to facilities for managing such materials. However, there are a number of flaws in the policy:

* It is unclear what provision is intended under the phrase “Provision for alternative materials will be encouraged”. Reference should be made to related treatment facilities.
* The term “significant development” is undefined and lacks clarity.[[13]](#footnote-13) The term “major development”, as defined in the NPPF Glossary, should be used.
* A distinction should be made between the appropriateness of temporary facilities (at major development sites and minerals sites) and possible permanent facilities at waste management sites and elsewhere.
* It is inappropriate to encourage permanent facilities *anywhere* within the Area of Search for Waste Management Facilities. Whilst permanent facilities may be acceptable at Strategic Waste Management Sites (within the Area of Search), permanent provision elsewhere within the Area of Search is likely to breach Green Belt policy (other than in very special circumstances).
* In line with the support given in Government policy,[[14]](#footnote-14) permanent facilities should be encouraged in acceptable locations throughout the Borough (not just within the Area of Search).

**Provision for Primary Sand and Gravel Extraction**

The requirement set in Paragraph 5 (8.24 million tonnes (mt)) has not been justified by proportionate evidence.[[15]](#footnote-15) In addition, the commitment “to help meet the identified requirement” is lacking in clarity.[[16]](#footnote-16)

According to the justification for Policy P13 (at Paragraph 361), the starting point for the calculation is the West Midlands Metropolitan Area Local Aggregate Assessment (LAA) 2015[[17]](#footnote-17) which provides sales data for the period 2004-2013. The rolling average of 10 years’ sales data is 0.494 mt. This figure has been used in the Draft Submission Plan (rounded to 0.5 mt) to give a gross requirement (including a seven-year landbank) of 11.5 mt for the period 2019 to 2035. Given 2018 reserves of 3.26 mt (Paragraph 362), the net requirement for the metropolitan area is 8.24 mt.

Use of the 2015 LAA however throws up a number of issues:

* The sales data is dated (2013 is the latest year of data).
* The 10-year average, as used, could be unreliably low – The LAA state (Section 3.3.2) that sales “fell during the period 2007-2009 and remained at the lower end to 2013”.
* The LAA (Section 3.8) points to a potential upturn in future demand – house building at rates 65% higher pa; and a number of major planned infrastructure projects, notably HS2.
* No account appears to have been taken secondary and recycled sources as supply options.[[18]](#footnote-18)
* The metropolitan area is heavily reliant upon imports from adjoining areas.

The justification to the policy also refers to the Annual Monitoring Report (AMR) 2017. This gives sales data for the period 2008-2017. The rolling average of 10 years’ sales data for the West Midlands is 0.48 mt. However, the figure for the last three years is 0.53 mt.[[19]](#footnote-19) More particularly, the AMR indicates at Section 4.2 that, for the HS2 project, a high level of aggregates (totalling 24 mt) will be required in a five-year frame 2019-2024.

These various factors suggest that the identified requirement figure should be revisited.

Other issues with the section of Policy P13 dealing with provision for primary sand and gravel extraction area as follows:

* The requirement figure is for the whole of the West Midlands (including Dudley). There is no separate figure or estimate for Solihull. As such, the consequences for the Borough cannot be established in any detail. An assumption / commitment should be made (and tested) regarding Solihull’s contribution.
* Allowance for a seven-year landbank should not be included within the requirement figure. It should be a separate policy commitment. This is because the landbank should be recalculated each year.[[20]](#footnote-20) Hence the residual requirement figure will vary and should not be set in stone in the policy.
* There is no separate landbank or other reference to silica sand.[[21]](#footnote-21)
* Paragraphs 5 to 7 of the Policy refer to specific sites, preferred areas and areas of search. However, only preferred areas (and MSAs) are identified on the Policies Map (there is unclear identification of sites numbered MIN 1 to MIN 5).

**Mitigation, Restoration, Aftercare and After Use**

The heading to this section of the policy (Paragraphs 8 and 9) is confusing and lacking in clarity.[[22]](#footnote-22) Two matters are dealt with: criteria for mineral working; and restoration and aftercare. Clarity would be achieved by using these headings.

The policy has not been edited to remove coal-related considerations (subsidence, migration of gases and contamination of ground water). These should be removed from criteria 8 v. and 8 ix.

Impact on Sites of Special Scientific Interest and on Local Wildlife Sites (Para 368) should be an additional criterion within Policy P13. The matter should not be relegated to the justification.

For succinctness,[[23]](#footnote-23) Para 9 of the policy should be omitted (with discussion in the justification). The essential policy provision would now be covered under Para 5 of the policy, as proposed to be modified.

**Modifications:**

**REPLACEMENT TEXT (POLICY)**

**Policy P13**

**Mineral Safeguarding Areas**

1. To meet potential needs, Mineral Safeguarding Areas (MSAs) for sand and gravel aggregate resources are defined on the Policies Map. They cover areas between Berkswell, Hampton and Meriden as well as to the east of the NEC and the M42.

2. Within these MSAs, proposals for non-mineral development will only be permitted where it can be demonstrated that the development will not result in the sterilisation or mineral resources. Prior to development, developers will be expected to ensure that all safeguarded minerals that would be affected are extracted unless it is demonstrated that the resources have no economic value, that extraction is not feasible or would result in excessive costs or delays, that there is no overriding need for the development that outweighs the need to safeguard the mineral resource or that prior extraction would not be environmentally feasible.

3. The Council will permit the search for new minerals whether within or outside the Mineral Safeguarding Areas, providing that the criteria for minerals development proposals are met. Permission for exploration will not necessarily imply that a subsequent consent for mineral extraction will be forthcoming.

**Minerals-related infrastructure sites**

4. Minerals-related infrastructure sites, as identified,[[24]](#footnote-24) are also safeguarded from incompatible development. Redevelopment for unrelated purposes or encroachment by incompatible development will not be permitted unless alternative provision in the vicinity can be made in accordance with the development plan or there is no longer a need for the facility at this location.

**Alternative materials**

5. In all new development within the Borough, the Council will actively promote the use of alternative materials such as secondary and recycled aggregates and minerals waste. Subject to other development plan considerations, temporary facilities for the treatment of such materials will be encouraged at major development sites, including mineral workings. Permanent facilities will be encouraged at Strategic Waste Management Sites and other appropriate locations.

**Provision for primary sand and gravel extraction**

6. Provision for primary sand and gravel resources will be made through a mixture of specific sites, preferred areas and/or areas of search to meet the identified requirement of XX[[25]](#footnote-25) million tonnes for the West Midlands Metropolitan Area over the plan period or such lesser amount as may be required following the Black Country Core Strategy Review. The provision will include sites already granted planning permission where not included in the current sub-regional landbank. In addition, the Council will seek to maintain a landbank of permitted reserved of at least 7 years.

7. Preferred areas for primary sand and gravel extraction were identified in the adopted Solihull Local Plan 2013 at Marsh House Farm, Hornbrook Farm and west of Berkswell Quarry, which will provide around 2.0 million tonnes and are defined on the Policies Map. Two further areas are identified as Specific Sites for sand and gravel extraction as extensions to the existing quarries at land south-east of Meriden Quarry, and land south-east of Berkswell Quarry, which will provide a further 2.1 million tonnes and are also defined on the Policies Map. Extraction of any site or part thereof that will impact on an adjacent Site of Special Scientific Interest or Local Wildlife Site will be permitted only if the necessary avoidance and/or mitigation is incorporated to protect the SSSI/LWS.

**Criteria for mineral working**

8. Proposals for mineral working or related infrastructure will be assessed against the following criteria:

i. Contribution towards national and local strategic objectives or wider needs including national and local targets for minimising carbon emissions and using alternative materials;

ii. Contribution towards the local and sub-regional economy;

iii. Contribution towards local communities and character and quality of the environment;

iv. Opportunities for the co-location of related uses and wider benefits such as the production of secondary or recycled aggregates;

v. Impact of the proposed activities, including any associated infrastructure, on surrounding land uses and amenity, taking account of the nature of the operations, duration, hours of operation, noise, dust vibration, air pollution and visual impacts;

vi. Impact on the local and sub-regional transport network, including the routing of lorries to and from the site and the potential for rail freight;

vii. Impact on the environment, landscape, built heritage and archaeology, nature conservation interests, ground and surface water quantity and quality, best and most versatile farmland, agricultural businesses and aerodrome safeguarding; and

viii. Measures for mitigating any environmental, transport or other impacts or for compensation for loss or damage where appropriate, including the provision of appropriate buffers between extraction and environmental or other assets.

**Restoration and aftercare**

The Council will require restoration to a safe and high-quality condition with appropriate aftercare in accordance with agreed restoration and aftercare schemes and within an agreed period following the cessation of extraction. Reclamation to an agreed use shall prioritise the contribution the site could make to green infrastructure, the conservation and enhancement of biodiversity, including Local Biodiversity Action Plans, the enhancement and restoration of the Arden landscape, flood risk management, appropriate recreation uses and agriculture, as well as the availability of suitable infill material if appropriate.

**AMENDED TEXT (JUSTIFICATION)**

359 The NPPF requires the Council to safeguard proven mineral resources from sterilisation by non-mineral development, together with existing, planned and potential infrastructure facilities. Mineral Safeguarding Areas have been defined for sand and gravel resources, based on work undertaken in Mineral Safeguarding in Solihull. The Mineral Safeguarding Areas include any known or anticipated sites for infrastructure including two concrete plants and one dry silo mortar plant at Berkswell and Meriden Quarries, and sites for the production of secondary and recycled materials at both quarries. The policy requires the prior extraction of minerals where non-mineral development that could sterilise resources is proposed unless justified, in accordance with national guidance.

360 The national and local guidelines for aggregates provision in England 2005 to 2020 assume a significant contribution from alternative materials, which reduces the requirement for the production of primary aggregates. The policy promotes the use of alternative materials in construction within the Borough and provides for new and expanded facilities ~~within a defined area of search~~. The co-location of primary extraction and permanent secondary facilities is likely to bring benefits in minimising transport and environmental costs. Temporary facilities for alternative materials will be encouraged on sites for ~~significant~~ major development in the Borough.

361 *Paragraph to be re-written once the production requirement has been re-visited.*

362 *Paragraph to be re-written once the production requirement has been re-visited.*

363 *Paragraph to be re-written once the production requirement has been re-visited. Following policy commitment to be added:*

At all times, the Council will aim to maintain a landbank of permitted reserves of sand and gravel of a least seven years.

364 In seeking to meet the requirement for primary sand and gravel production, the Council identified a number of preferred areas for extraction in the adopted Local Plan 2013. Whilst part of Hornbrook Farm has been granted planning permission, applications have yet to come forward on the remaining preferred areas. The potential reserves from the preferred areas may be affected by the line of the HS2 rail link and conditions attached to working adjacent to the line.

365 Following a Call for Sites, two sites with viable mineral resources have been identified, and are allocated as specific sites. These form extensions to the existing quarries at land south-east of Meriden Quarry and land south-east of Berkswell Quarry and are shown on the Policies Map. The sites proposed for sand and gravel extraction are located in the Green Belt. However, mineral extraction is not inappropriate development in the Green Belt, provided that it preserves openness and does not conflict with the purposes of including land in Green Belt. Both sites lie within the Area of Search for Primary Sand and Gravel Aggregates. Land south-east of Berkswell Quarry (CfS532) is adjacent to a SSSI/Local Wildlife Site, so any proposal for mineral extraction will need to incorporate measures to protect and enhance the SSSI/Local Wildlife Site, in line with Policy P10.

360 These preferred areas and specific sites provide for a proportion of the total requirement only, with the remainder to be provided from within defined areas of search in both Solihull and Walsall. Proposals for sand and gravel extraction outside these areas will be permitted where this can be justified. The policy provides for a minimum landbank of 7 years at the end of the plan period, in accordance with national guidance.

367 The policy sets out the criteria for new minerals development in the Borough, to ensure mitigation of environmental and transport impacts, in accordance with national guidance. It seeks to ensure that minerals development contributes to wider national and local objectives, such as the reduction of carbon emissions, and the use of alternative materials.

368 The criteria include the protection of the amenities of surrounding occupiers and land uses, and the local and sub-regional transport network from unacceptable impacts. Working practices will be required to avoid or minimise impacts on health and the environment from extraction, processing, management and transportation of materials. Environmental andother assets of acknowledged importance, including best and most versatile agricultural land, the natural and historic environment, and water resources and quality will need to be protected, with appropriate mitigation and compensation where necessary, in accordance with the environmental policies in this plan. The impact on aerodrome safeguarding shall include the need to minimise bird strike hazard. Any proposal adjacent to the River Blythe Site of Special Scientific Interest will be expected to maintain a minimum 30 metre buffer to the Site of Special Scientific Interest. The Council will require that investigations are undertaken to demonstrate that there will be no adverse impact on a Site of Special Scientific Interest or Local Wildlife Site before planning permission is granted.

369 Guidance is provided on the restoration and aftercare of mineral sites once extraction has ceased and on the after use to which the land should be put, in accordance with national guidance. The restoration of any site that has a biodiversity designation, or equivalent biodiversity value, shall prioritise the contribution to biodiversity objectives. Reclamation schemes will be expected to prioritise the potential for contributing to green infrastructure, biodiversity objectives, including national and local biodiversity action plan targets, to policies seeking to enhance and restore the Arden landscape, and to flood risk management. Where appropriate, after uses may include agriculture and recreation uses providing these are in accordance with other national and local planning policies. The availability of materials to restore mineral sites will need to be a consideration to avoid unreasonably lengthy restoration.

**AMENDMENTS TO THE POLICIES MAP**

In the key and on the plan:

* Identify what are “specific sites” / clarify what are “MIN 1 to MIN 5”.
* Show the minerals “Area of Search”.

1. Waste Management Plan for England, Page 29 [↑](#footnote-ref-1)
2. See PPG on Waste, Para 013 [↑](#footnote-ref-2)
3. Waste Management Plan for England, Page 29 [↑](#footnote-ref-3)
4. National Planning Policy for Waste, Para 4; PPG (Waste), Para 018 [↑](#footnote-ref-4)
5. National Planning Policy for Waste, Para 4 [↑](#footnote-ref-5)
6. NPPF, Para 204 [↑](#footnote-ref-6)
7. National Planning Policy for Waste, Para 6 [↑](#footnote-ref-7)
8. Waste Management Plan for England, National Planning Policy for Waste and the NPPF [↑](#footnote-ref-8)
9. NPPF, Para 35 [↑](#footnote-ref-9)
10. NPPF, Paras 15 and 16 [↑](#footnote-ref-10)
11. See NPPF Paras 204 c) and e) [↑](#footnote-ref-11)
12. NPPF Para 204 d) [↑](#footnote-ref-12)
13. NPPF Para 16 d) [↑](#footnote-ref-13)
14. NPPF Para 204 b) [↑](#footnote-ref-14)
15. NPPF Para 35 b) [↑](#footnote-ref-15)
16. NPPF Para 16 d) [↑](#footnote-ref-16)
17. Although there is a requirement to carry out an *annual* assessment (NPPF Para 207 a)), only one LAA has ever been prepared. [↑](#footnote-ref-17)
18. NPPF Para 207 a) [↑](#footnote-ref-18)
19. PPG Minerals Para 064 [↑](#footnote-ref-19)
20. PPG Minerals Para 083 [↑](#footnote-ref-20)
21. PPG Minerals Para 085 [↑](#footnote-ref-21)
22. NPPF Para 16 d) [↑](#footnote-ref-22)
23. NPPF Para 15 [↑](#footnote-ref-23)
24. State where they are identified (eg Policies Map, Appendix or Table) [↑](#footnote-ref-24)
25. To be inserted after the quantum has been revisited. Separate provision to be made for silica sand as necessary. [↑](#footnote-ref-25)