



## Supplementary Planning Guidance On The After-Use Of Sand And Gravel Sites

### RECOMMENDATION

- 1.1 To approve the "Draft Supplementary Planning Guidance on the After-use of Sand and Gravel Sites in the Trent Valley" as a basis for carrying out public consultation, and to authorise that consultation, as outlined in this report.
- 1.2 To seek the views of the Planning and Environment Overview and Scrutiny Commission on this Report.
- 1.3 If the Overview and Scrutiny Commission express views, to reconsider these recommendations in the light of their views at the next suitable meeting of the Cabinet.

### REASON FOR RECOMMENDATIONS

2. To enable the consultation on the SPG as required by legislation.

### SUPPORTING INFORMATION

#### *The Minerals Local Plan and its relationship with the SPG*

- 3.1 The purpose of Supplementary Planning Guidance (SPG) is to add to and expand on specific policies in an adopted Local Plan in order to assist in their implementation.
- 3.2 The Derby and Derbyshire Minerals Local Plan was jointly adopted by the Derby City and Derbyshire County Councils in April 2000. The Plan identifies sufficient land to enable the area to make its appropriate contribution to the likely demand for sand and gravel over the plan period. It makes this provision by allocating specific sites where there is a strong presumption in favour of mineral working (Policy MP21: Sand and Gravel Sites). The Plan (paragraph 5.18) sets out the Councils' undertaking to prepare Supplementary Planning Guidance.

"... Supplementary planning guidance will be prepared on the after-use of worked out sand and gravel sites within the Trent Valley and adjoining area. This will provide guidance on those areas most suitable to be filled, bearing in mind the limited amount of fill material available and the most appropriate

after-uses for these sites, for example, agriculture, woodland, nature conservation, recreation."

- 3.3 This proposal was made in the light of concerns expressed during preparation of the plan about the way sand and gravel sites might be reclaimed once working has finished. The Plan requires that satisfactory provision will be made for the reclamation of sites to an acceptable after-use as soon as practicable (Policy MP10: Reclamation and After-Use). The SPG, once adopted, will assist in the implementation of this policy, as well as Policy MP21.
- 3.4 Following the adoption of the Minerals Local Plan a Brief to guide the preparation of the SPG was approved by the City Council's Policy Committee and the County Council's Environmental Services Committee in October 2000. After some initial research, work on the SPG was put in abeyance whilst priority was given to the preparation of the Alteration to the Coal Chapter of the Plan. The Alteration was adopted in November 2002 and published in February 2003, following which work on the SPG was resumed.

### *The Study Area*

- 3.5 The SPG study area is defined by the limits of the main sand and gravel resource in the Trent, Dove and Derwent valleys. This forms a broad corridor running from Hatton in the west, following the Trent valley to east of Long Eaton. It generally lies between Etwall, Derby and Breaston in the north and Burton-upon-Trent, Melbourne and Castle Donnington in the south.

### *Key Issues in the SPG*

- 3.6 Historically, worked-out gravel sites have been filled and restored to agricultural use but the need to retain sites in water has become much more common for a variety of reasons. There are diminishing quantities of suitable fill material available for the restoration of sites as the Environment Agency's requirements relating to the filling of sites in the floodplain have become increasingly stringent.
- 3.7 However, because an increasing proportion of sites now have to be restored to water after-uses, the attractiveness of the area to migrant birds is increased. The airport authorities have become seriously concerned about this due to the risk of bird strikes along aircraft flight paths. The SPG addresses this issue, together with other issues relating to competing interests such as agriculture, ecology, landscape character and recreation, all of which influence how sites should be reclaimed. The process enables a strategic rather than an ad hoc approach to be taken to resolving conflicting interests. The SPG does this at two levels – by establishing general principles which will guide current and future mineral site development, and by setting out more detailed guidance for existing permitted and allocated gravel sites. The guidance will provide an important input to the development control process.

### *Pre Draft Consultation*

- 3.8 At the formative stage of this work, a number of key agencies were invited to provide an input to the preparation of the document, including the Countryside Agency, the Environment Agency, Sport England, the Derbyshire Wildlife Trust, British Waterways, the Civil Aviation Authority and East Midlands Airport. In December 2003, an informal draft of the document was circulated at officer level to key organisations; this time the consultation group was widened to include the District Councils and mineral operators in the area. A number of useful detailed comments were received in response, and these have been incorporated into a revised document.
- 3.9 A copy of the draft SPG is attached to this report, but as the plans which will be part of the SPG are A3 and coloured in format, they have not been attached to the report, but have been placed in the Members Rooms and will be displayed at the meeting.

### *Next Steps*

- 3.10 The next stage is to carry out a more formal public consultation exercise, as required by government guidance; I anticipate this will take place between the end of April and mid June. Comments will be invited from all interested individuals and organisations, including those involved in its preparation. In particular, interest from parish councils and other interested groups in the area will be encouraged. All comments received will be carefully considered and assessed by the County and City Councils and, where appropriate, changes will be made to the document. The guidance, with any necessary changes, should then be brought back to the Councils' Cabinets, together with a report on the consultation carried out during its preparation.
- 3.11 A similar report is being put to the County Council's Cabinet, seeking authority to consult on draft SPG.

## **OTHER OPTIONS CONSIDERED**

4. None

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<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Implications Appendix 2 -Draft Supplementary Planning Guidance on the After-use of Sand and Gravel Sites in the Trent Valley

## IMPLICATIONS

### Financial

1. None

### Legal

2. The Plan and this SPG is being prepared under the provisions of the 1990 Town and Country Planning Act, as amended by the Planning and Compensation Act.

### Personnel

3. None

### Corporate Objectives and Priorities for Change

4. The SPG and its proposals will take forward the Council's objectives of making Derby a City of "a healthy environment; job opportunities; shops, commercial and leisure opportunities."