

Phil Norrey  
Chief Executive

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To: The Chairman and Members of  
the Development Management  
Committee

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

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(See below)

Your ref :  
Our ref :

Date : 12 July 2016  
Please ask for : Gerry Rufolo

Tel.01392 382299

Email: Gerry.rufolo@devon.gov.uk

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**DEVELOPMENT MANAGEMENT COMMITTEE**

Wednesday, 20th July, 2016

A meeting of the Development Management Committee is to be held on the above date at 2.00 pm in the Committee Suite, County Hall, Topsham Road, Exeter to consider the following matters.

P NORREY  
Chief Executive

**A G E N D A**

**PART 1 - OPEN COMMITTEE**

1 Apologies for Absence

2 Minutes

Minutes of the Meeting held on 15 June 2016 (previously circulated)

3 Items Requiring Urgent Attention

Items which in the opinion of the Chairman should be considered at the meeting as matters of urgency.

**MATTERS FOR DECISION**

4 Devon Minerals Plan (Pages 1 - 56)

Report of the Head of Planning, Transportation and Environment (PTE/16/37) attached

*Electoral Divisions(s): All Divisions*

- 5 County Matter: Minerals: East Devon District: Variation of conditions 1 and 4 of planning permission DCC/3003/2010 to allow for the importation of as-dug sand and gravel from Houndaller (Hillhead) Quarry for processing at Blackhill Quarry, Woodbury, Near Exeter (Pages 57 - 78)

Report of the Head of Planning, Transportation and Environment (PTE/16/38) attached

*Electoral Divisions(s): Exmouth Halsdon and Woodbury*

- 6 Highway Consultation: Exeter City: Outline planning application for up to 123 houses and associated infrastructure, with all matters reserved except for access at Land adjoining the West of England School, Topsham Road, Exeter (Pages 79 - 88)

Report of the Strategic Director Place (SPL/16/1) attached

*Electoral Divisions(s): St Loyes & Topsham*

### **OTHER MATTERS**

- 7 Delegated Action- Schedules (to include ROMPS Actions) and Summary Schedule (Pages 89 - 90)

Report of the Head of Planning, Transportation and Environment (PTE/16/39) attached

*Electoral Divisions(s): All Divisions*

### **PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC**

#### **MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER**

<b>Membership</b>
Councillors J Brook (Chairman), P Bowden, A Dewhurst, G Dezart, P Diviani, A Eastman, G Gribble, R Hannaford, J Hawkins, R Hosking, E Morse, P Sanders, R Vint, E Wragg and J Yabsley
<b>Declaration of Interests</b>
Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.
<b>Access to Information</b>
Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Gerry Rufolo. Agenda and minutes of the Committee are published on the Council's Website.
<b>Webcasting, Recording or Reporting of Meetings and Proceedings</b>
The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: <a href="http://www.devoncc.public-i.tv/core/">http://www.devoncc.public-i.tv/core/</a>
In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.
Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.
<b>Public Participation</b>
Any member of the public resident in the administrative area of the County of Devon may make a presentation to the Committee on a planning application being considered by the Committee, or any consultation on a proposal by a Government Department (but not when the County Council is consulted on a proposal by a District Council) or a Review of Old Minerals Permissions applications.

Any request to make a presentation must be given to the Office of the Chief Executive's Directorate by 12 noon on the third working day before the date of the meeting. For further information please contact Exeter 01392 382299.

**Emergencies**

In the event of the fire alarm sounding leave the building immediately by the nearest available exit, following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so.

**Mobile Phones**

Please switch off all mobile phones before entering the Committee Room or Council Chamber

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Induction loop system available

- (a)
- (b)



PTE/16/37

Development Management Committee  
20 July 2016

## **Minerals and Waste Development Framework Devon Minerals Plan: Consultation on Main and Additional Modifications**

Report of the Head of Planning, Transportation and Environment

***Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.***

**Recommendation:** It is recommended that consultation be undertaken on the proposed main and additional modifications to the Devon Minerals Plan provided in Appendices II and III subject to endorsement by the Cabinet Member for Economy, Growth and Cabinet Liaison for Exeter.

### **1. Summary**

- 1.1 This report summarises the outcomes of the examination hearings for the Devon Minerals Plan and seeks approval for consultation on main and additional modifications.

### **2. Background**

- 2.1 The emerging Devon Minerals Plan underwent pre-submission consultation between August and November 2015, with the outcomes of that consultation reported to Development Management Committee on 27 January 2016. At that meeting, it was resolved [\*106] that the Plan be endorsed for approval by Cabinet for submission to the Secretary of State, and that the Head of Planning, Transportation and Environment be given delegated authority, in discussion with the Chairman, to prepare schedules of main and additional modifications for consideration by the inspector. It was also noted that approval of the Committee and Cabinet would be required for consultation on any main modifications arising from the examination process.
- 2.2 The Committee's resolution was endorsed by Cabinet on 12 February 2016 [\*474], and the Minerals Plan was submitted to the Secretary of State on 15 February 2016. Section 20(7C) of the Planning and Compulsory Purchase Act 2004 enables the Council to ask that the inspector recommends modifications to ensure the legal compliance and soundness of the Plan. In submitting the Minerals Plan, the Council made this request.
- 2.3 Prior to the examination hearings and following discussion with the Chairman, the Head of Planning, Transportation and Environment submitted schedules of main and additional modifications in April 2016 for consideration by the inspector and other examination participants. Main modifications are those considered necessary to ensure the soundness of the Plan, while additional modifications are minor changes to address errors, clarity and factual updates.

# Agenda Item 4

## 3. Outcomes of the Examination Hearings

- 3.1 The examination hearings were held from 24 to 27 May 2016 and covered procedural and conformity matters together with each part of the Minerals Plan, ending with consideration of modifications, as outlined in Appendix I. Each hearing session addressed the inspector's questions that had been published in advance.
- 3.2 The main and additional modifications that had been submitted by the Council in April provided the basis for consideration of modifications at the hearings, and discussion during the hearings resulted in some redrafting of these and preparation of further modifications. Before the inspector is able to recommend main modifications to the Council for inclusion in the Plan, consultation is required to enable all interested parties to comment on them. Consultation on additional modifications is not required by legislation, but is considered to be good practice.
- 3.3 The main and additional modifications arising from the examination hearings are provided in Appendices II and III. In many cases, these do not significantly alter the principles or detail of the Minerals Plan but improve clarity and accuracy, and the following are the main changes:
  - (a) the Vision and Policy M1: Spatial Strategy have been reduced in length to focus on key goals and omit the inclusion of material better included in other policies;
  - (b) the scope of Policy M2: Mineral Safeguarding Areas has been widened to include mineral resources underlying sites allocated in Local Plans, while the associated consultation areas for ball clay and china clay are widened to 250m and 500m respectively;
  - (c) Policy M10: Secondary and Recycled Aggregates has been amended to ensure that the contribution of these resources is maximised, while the associated target in Table 9.2 for secondary aggregates has been increased;
  - (d) the allocation of Straitgate Farm in Policy M12: Land-won Sand and Gravel Supply has been amended from a 'specific site' to a 'preferred area' and its area reduced to reflect ownership constraints on the area originally proposed;
  - (e) additional text has been included in Table C.2 to strengthen requirements in respect of noise, water and habitats at Drakelands Mine;
  - (f) reference in Table C.4 to the depth of unsaturated zone above the water table to be maintained at Straitgate Farm has been altered to enable consideration of the appropriate depth through further investigation and discussion with the Environment Agency, and access to the site is proposed to be secured in an appropriate location rather than at the specific place originally envisaged; and
  - (g) the requirements in Table C.6 in respect of transportation measures for West of Penslade Cross have been strengthened, including identification of the means of access specifically by the widening of Clay Lane.
- 3.4 The effect of these modifications as a whole is to improve the effectiveness and internal consistency of the Plan and ensure its consistency with national planning policy, thereby increasing the likelihood that it will be found to be sound by the inspector.

3.5 The proposed modifications will be accompanied by a revised Draft Policies Map that illustrates the spatial extent of relevant policies.

## **4. Sustainability Appraisal and Habitats Regulations Assessment**

4.1 The main modifications have been screened in respect of Sustainability Appraisal and Habitats Regulations Assessment. While this screening concluded that no further Habitats Regulations Assessment is required for the modifications, it identified that further Sustainability Appraisal is required for the Vision and Policies M1, M6, M16 to M22 and M26. This further Appraisal has been undertaken and indicates that, while there is some increased scope for likely significant effects in respect of biodiversity and historic environment, the Plan's policies taken as a whole provide adequate protection for the environment, economy and social interests.

## **5. Arrangements for Consultation on Modifications**

5.1 It is proposed to undertake consultation on the main and additional modifications for a period of eight weeks from Monday 1 August 2016. Notification of the consultation will be made to all organisations and individuals who were consulted on the pre-submission Minerals Plan, together with any additional persons who responded to the pre-submission consultation.

5.2 Following close of the consultation, all representations received will be forwarded to the inspector for his consideration prior to publication of his report. In exceptional circumstances, the inspector may reopen the hearings following the modifications consultation if he considers that further discussion is required.

## **6. Reasons for Recommendation/Alternative Options Considered**

6.1 While the Council is not legally obliged to undertake consultation on the proposed modifications, failure to do so is likely to lead to the inspector concluding that the Minerals Plan is unsound. Such a course of action would leave the Council without an up-to-date Minerals Plan, thereby constraining its decision-making ability and leaving it at risk of action under the Government's proposed measures to achieve comprehensive Plan coverage by 2017. It is therefore recommended that consultation be undertaken on the modifications that have resulted from the examination hearings.

Dave Black  
Head of Planning, Transportation and Environment

**Electoral Divisions: All (with site-specific proposals for Ottery St Mary Rural, Willand & Uffculme and Bickleigh & Wembury)**

# Agenda Item 4

## Local Government Act 1972: List of Background Papers

Contact for enquiries: Andy Hill

Room No: AB2, Lucombe House

Tel No: 01392 383510

<b>Background Paper</b>	<b>File Ref</b>	<b>Date</b>
Devon Minerals Plan Pre-submission		August 2015
Screening for Sustainability Appraisal and Habitats Regulations Assessment		June 2016
Sustainability Appraisal Report		July 2016
Revised Draft Policies Map		August 2016

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sc/cr/devon minerals plan consultation on modifications  
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# Agenda Item 4

**Appendix I  
To PTE/16/37**

## DEVON MINERALS PLAN

### HEARING SESSIONS – PROGRAMME

<b>Date</b>	<b>Topic</b>	<b>Invited Participants</b>
<b>Tuesday 24 May 2016 Morning</b>	<b>Introductory Session</b>	All
	<b>Procedural and Conformity Matters</b>	Devon County Council Uffculme Parish Council Mr T Ferguson Buckfastleigh Town Council Natural England Mrs J Ferguson
	<b>Issues and Vision</b>	Devon County Council Sibelco Imerys Minerals Ltd Buckfastleigh Town Council
<b>Tuesday 24 May 2016 Afternoon</b>	<b>Spatial Strategy</b>	Devon County Council E & JW Glendinning Ltd Mineral Products Association Buckfastleigh Town Council Mr T Ferguson Devon Stone Federation
<b>Wednesday 25 May 2016 Morning</b>	<b>Ball Clay, China Clay, Tungsten and Tin</b>	Devon County Council Natural England Sibelco Mineral Products Association Highways England Imerys Minerals Ltd Dartmoor National Park Authority Plymouth City Council South Hams District Council Wolf Minerals UK Ltd
	<b>Aggregates and Building Stone</b>	Devon County Council E & JW Glendinning Ltd Cllr B Evans North Devon Council Buckfastleigh Town Council Mineral Products Association Aggregate Industries UK Ltd Devon Stone Federation RE and CA Thatcher
<b>Wednesday 25 May 2016 Afternoon</b>	<b>Straitgate Farm and West Of Penslade Cross</b>	Devon County Council Straitgate Action Group Cllr C Wright Cllr R Giles Uffculme Parish Council Burlescombe Parish Council Cllr B Evans Mr T Ferguson Mrs J Ferguson Cllr R Radford Aggregate Industries UK Ltd

# Agenda Item 4

Date	Topic	Invited Participants
<b>Thursday 26 May 2016 Morning</b>	<b>Safeguarding</b>	Devon County Council Imerys Minerals Ltd North Devon Council Cllr R Giles West Hill Residents' Association RE and CA Thatcher E & JW Glendinning Ltd Sibelco Mineral Products Association South Hams District Council Cllr B Evans
	<b>Development Management</b>	Devon County Council Buckfastleigh Town Council Sibelco Imerys Minerals Ltd Burlescombe Parish Council Cllr B Evans Aggregate Industries UK Ltd Devon Stone Federation
<b>Thursday 26 May 2016 Afternoon</b>	<b>Implementation and Monitoring</b>	Devon County Council E & JW Glendinning Ltd Uffculme Parish Council Straitgate Action Group Aggregate Industries UK Ltd Devon Stone Federation
<b>Friday 27 May 2016 Morning</b>	<b>Modifications</b>	All
	<b>Inspector's Closing Remarks</b>	All

Schedule of Proposed Main Modifications to the Devon Minerals Plan

Ref.	Policy / Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
MM01	2.4.4	<p><i>Amend clause (l):</i>  “duty to co-operate responsibilities, securing coordination with Minerals Plans of neighbouring mineral planning authorities and the Local Plans of Devon’s district and unitary councils and national park authorities, <u>including providing for the maintenance of mineral landbanks from outside the National Parks as far as is practical.</u>”</p>
MM02	2.5.3 Vision	<p><b><u>“Mineral development in Devon will provide the essential materials to build and maintain distinctive local communities and contribute to a sustainable economy timely and adequate supply of minerals of national and local importance, while maintaining the County’s quality of life and reinforcing the quality, distinctive character, diversity and sustainability of its outstanding environment.</u>”</b></p> <p><u>For the period to 2033 and in the longer term, Devon will maintain supply of its industrial minerals of national importance to support the local and wider economies, and will continue to support its development needs by delivering the bulk of the necessary aggregate minerals from within the county, while maximising the use of its substantial secondary and recycled resources. The contribution of mineral development to the local and wider economies will also be maintained through the steady and adequate supply of those minerals of national importance found in Devon. The wider availability of characteristic building materials will allow local distinctiveness within the county to be sustained. Devon’s mineral resources (including tipping capacity and infrastructure for processing and sustainable transportation) will be safeguarded from other conflicting development to maintain their availability to meet the needs of future generations.</u></p> <p>Within geological constraints, <u>development of strategic mineral development resources</u> will be concentrated in locations that offer the greatest level of accessibility to the major markets and growth areas within Devon and to the rail and port network for the sustainable transportation of minerals beyond the county. <u>This spatial pattern will also minimise the contribution of mineral development to climate change.</u></p> <p><u>Throughout their life-cycle, quarries mineral development will contribute appropriately to maintaining and enhancing the living conditions of Devon’s residents and enhance the wellbeing quality of the county’s communities and its environment by contributing to the quality and connectivity of Devon’s green infrastructure. At the landscape scale, mineral development in the Lee Moor/Drakelands area and in the Bovey and Petrockstowe Basins will deliver substantial areas of re-created habitat and enhanced public access by 2033. In addition, all quarries will contribute locally to the targets of the Devon Biodiversity Action Plan through development of a county-wide biodiversity network; facilitate interpretation of Devon’s geodiversity and historic assets; conserve its natural resources; and respect the special qualities of its landscapes.</u></p>

Ref.	Policy / Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
		<p><del>The spatial pattern of new mineral development will minimise its contribution to greenhouse gas emissions, while the design and management of quarries, including their use of renewable energy sources, will enhance Devon’s ability to adapt to the impacts of climate change.</del></p> <p><del>Devon County Council will undertake its minerals policy, development management and monitoring activities in partnership with all relevant stakeholders, including local communities, the minerals industry, and public authorities and other bodies at national, regional and local levels.”</del></p>
MM03	Objective 1	<p>“Within geological constraints, secure a spatial pattern of mineral development that delivers the essential resources to markets within and outside Devon <del>with minimal</del> <u>while minimising</u> transportation by road <u>and generation of greenhouse gases</u>, supporting the development of its economy while conserving and enhancing the County’s key environmental assets.”</p>
MM04	Objective 2	<p>“Safeguard from other forms of development Devon’s <u>current or potential</u> economic mineral resources, together with the infrastructure needed for their processing and sustainable transportation and the capacity required for the tipping of mineral waste, <u>to ensure their continued availability to meet the needs of future generations.</u>”</p>
MM05	Objective 3	<p><b>“Objective 3: Industrial Minerals of National Importance</b>  Maintain Devon’s ability to <del>supply</del> <u>assist in meeting</u> national and international requirements <u>demand</u> for those <u>industrial</u> minerals of <u>national importance</u> found within the County, primarily through prudent use of existing reserves and tipping capacity, while harnessing the positive impacts of the large-scale nature of their working.”</p>
MM06	Objective 5	<p>“Reinforce the distinctiveness of Devon’s built environment <u>and landscape</u> by securing the appropriate supply of local sources of characteristic building materials <del>necessary to meet future conservation needs.</del>”</p>
MM07	Objective 6	<p>“Manage mineral development in a manner that protects Devon’s communities from adverse impacts, <del>and</del> <u>conserves and enhances its world-class environment,</u> <del>while delivering</del> <u>delivers</u> positive benefits for its quality of life and green infrastructure, <u>and assists in mitigation of and adaptation to climate change.</u>”</p>
MM08	3.1.3 / 3.1.4	<p><i>Amend 3.1.3:</i>  “Taking account of the guidance provided by the National Planning Policy Framework, together with the specific characteristics of Devon identified in Chapter 2, the <del>following principles identify</del> <u>Objectives provided in 2.5.4 collectively state</u> the approach of the Devon Minerals Plan to ‘sustainable mineral development’:    (a) <del>contributing to a strong economy and the county’s self-sufficiency by ensuring that objectively assessed needs for Devon’s mineral resources are met;</del>    (b) <del>maximising the contribution of secondary and recycled materials as alternatives to land-won minerals and seeking beneficial uses for mineral waste;</del></p>

Ref.	Policy / Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
		<p>(c) <del>within geological constraints, supporting mineral development in locations that minimise road transportation distances and avoid harm to Devon’s environmental assets of national and international importance;</del></p> <p>(d) <del>conserving Devon’s mineral resources for future generations through efficient use of extracted materials and safeguarding of unexcavated resources of economic value from sterilisation;</del></p> <p>(e) <del>minimising the contribution of mineral development to climate change and assisting Devon in adapting to its effects; and</del></p> <p>(f) <del>managing mineral development so as to protect and, where possible, enhance Devon’s environment and the amenity of its communities.”</del></p> <p><i>Amend 3.1.4:</i>  “<u>These principles Objectives</u> are reflected in the policies within the remainder of the Devon Minerals Plan through a positive approach to securing the <u>continued timely and adequate</u> supply of mineral resources to meet needs over the Plan’s period while conserving resources for the use of future generations, together with measures to reduce or avoid harm to, and achieve positive outcomes for, Devon’s local communities and environment.”</p>
MM09	3.2.3	<p><del>“Concentration Concentrating development of strategic minerals development (defined as providing mineral resources of more than local importance as identified in Table 8.1) resources within the M5/A38 corridor would therefore meet the three key aims identified requirements of Objective 1 as expressed in 3.2.1, subject to recognition of the proximity of Dartmoor National Park and Areas of Outstanding Natural Beauty that lie close to the route and other protection of key environmental assets located in the area through other policies within this Plan. However, recognition should also be given to the scope for minerals development to be undertaken in the areas outside of the M5/A38 eCorridor, including within the other key Strategic tTransportation eCorridors such as of the A30, which is also used for the transportation of high-specification aggregates from Pigsdon Quarry in North Cornwall to markets in Devon, and the A361 (including their associated rail routes).”</del></p>
MM10	3.2.4	<p><i>Amend the third sentence:</i>  “...major mineral development is inappropriate <u>other than in exceptional circumstances</u>, but provision can be made...”</p>
MM11	3.2.5	<p><del>“Policy M1 is concerned with the broad distribution of future mineral development and, to meet the requirement of Objective 1 for the conservation and enhancement of key rather than the detailed location of individual sites. Reference in the Policy to conserving Devon’s environment therefore focuses on the more extensive designations such as National Parks and Areas of Outstanding Natural Beauty that can strongly influence this broad distribution. Impacts on all landscapes and other environmental and heritage assets, are clearly of high importance in considering site-specific proposals, but are addressed through must be implemented in association with the relevant policies in Chapter 8 including Policies M17, M18 and M19.”</del></p>

Ref.	Policy / Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
MM12	Policy M1	<p><i>Delete the entire policy wording and replace with the following:</i></p> <p>“1. <u>The extraction of mineral resources of the following descriptions will be permissible in the areas described below and illustrated on the Key Diagram.</u></p> <p>(a) <u><b>Industrial Minerals</b> (Ball Clay, China Clay, Tungsten and Tin): from continued working at Lee Moor, Drakelands and the Bovey Basin within the M5/A38 Corridor together with the Petrockstowe Basin in northwest Devon.</u></p> <p>(b) <u><b>Crushed Rock Aggregates:</b> from existing quarries within the M5/A38 Corridor and through working for local markets in northwest Devon.</u></p> <p>(c) <u><b>High-specification Aggregates</b> unavailable within the M5/A38 Corridor: at sites well-located in relation to other Strategic Transportation Corridors.</u></p> <p>(d) <u><b>Sand and Gravel Aggregates:</b> from within the Budleigh Salterton Pebble Beds and from quarries and prior extraction close to the Main Settlements.</u></p> <p>(e) <u><b>Building Stone:</b> through small-scale working at quarries across Devon.</u></p> <p>2. <u>Facilities for the production of recycled aggregates will be supported at or close to the Main Settlements and Strategic Transportation Corridors, together with the continued supply of secondary aggregates notably from within the M5/A38 Corridor.</u>”</p>
MM13	3.3.6	<p><i>Amend the final sentence:</i></p> <p>“<del>Areas of mineral resource have been refined through the exclusion of land already sterilised by built development or which have been allocated for non-mineral development in Local Plans.</del>”</p>
MM14	Table 3.1	<p><i>Heading in first column</i></p> <p><b><u>Industrial Minerals of National Importance</u></b></p> <p><i>For Ball Clay, amend the figure in the final column:</i></p> <p>“<del>400m</del><u>250m</u>”</p> <p><i>For China Clay, amend the figure in the final column:</i></p> <p>“<del>250m</del><u>500m</u>”</p> <p><i>For all references to ‘mineral planning permissions’, insert ‘*’ following that wording. At foot of Table 3.2, insert:</i></p> <p>“* Sites with planning permission are listed in Appendix F”</p>

Ref.	Policy / Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
MM15	3.3.7	<p>“These resources are defined as Mineral Safeguarding Areas in <del>Figure 3.2 and on the Policies Map, as are</del> <u>together with the wharves and railheads available for the movement of minerals and mineral processing facilities identified in Table 3.2 Appendix F.</u> <del>Infrastructure for the processing of minerals, together with operational rail sidings or former sidings with potential for reconnection to the rail network, located within existing quarries is safeguarded through inclusion within a Mineral Safeguarding Area for the associated resource. However, responsibility for the safeguarding of other processing infrastructure remote from a quarry lies with the local planning authority.”</del></p>
MM16	Table 3.2	<del>Delete Table 3.2</del>
MM17	3.3.10	<p><i>Add the following text to the end of the paragraph:</i>  “Where a safeguarded resource underlies land allocated for non-mineral development in an adopted or made development plan, that allocation will normally amount to “an overriding strategic need” for the purposes of criterion (d) of Policy M2.”</p>
MM18	Policy M2	<p><i>Amend clause (a):</i>  “it can be demonstrated <del>to the satisfaction of the Mineral Planning Authority</del> <u>through a Mineral Resource Assessment and in consultation with the relevant mineral operators</u> that the mineral resource or infrastructure concerned is not of current or potential economic or heritage value;</p>
MM19	Policy M3	<p><i>Amend the first paragraph:</i>  The prior extraction of minerals in advance of non-mineral development will be permitted provided that such extraction:</p> <p>(a) does not prejudice <del>or delay</del> the subsequent non-mineral development <del>;</del> <del>and</del></p> <p>(b) <del>is no more than is reasonably necessary to enable the non-mineral development to proceed.</del></p> <p><i>[Second paragraph unaltered]</i></p>
MM20	4.1.2	<p><i>Amend clause (e):</i>  “the scope for ‘landscape scale’ <u>management and</u> restoration of the working areas...”</p> <p><i>Insert the following text as a new paragraph after 4.1.2:</i>  “<u>With regard to (e) above, the management and restoration of the working areas should be planned for on a coordinated basis. Within the Bovey Basin, section 4.2 includes provision for a masterplan to assist in delivery of Policy M6 across the separate ball clay sites. The complex of adjoining mineral sites at Lee Moor and Drakelands would, given their proximity to Dartmoor National Park, benefit from a collaborative and strategic approach to mitigating the impact of mineral development, achieving appropriate green infrastructure enhancement and restoring sites.</u>”</p>

Ref.	Policy / Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
MM21	4.2.16	<p><i>Amend the final sentence:</i>            “Where proposals are submitted for the consolidation or extension of currently-operational sites that give rise to potential adverse impacts, including on the South Hams Special Area of Conservation or floodplain capacity, consideration will be given to the scope for <del>preventing</del> <u>negotiating the modification of</u> future development of one or more long-term working areas to offset those impacts.”</p>
MM22	4.2.17	<p>“The close proximity of much of the ball clay operations to the expanding settlements of Newton Abbot, Kingsteignton and Bovey Tracey requires careful attention to the need to prevent sterilisation of the ball clay resource, as provided for in Policy M2. <u>In addition, mineral planning permissions should seek to limit adverse impacts on existing and future residents, while proposals for new non-mineral development should include mitigation measures necessary to prevent nuisance for future occupiers.</u> The Bovey Basin has a rich network of green infrastructure that contributes to the area's biodiversity, heritage, recreation and flood management, some of it being the result of mineral working or on land within mineral sites, including nature reserves and cycle routes.”</p>
MM23	4.2.19 [the second paragraph with this number]	<p>“In addition, Devon County Council will, as a matter of priority <u>following adoption of the Minerals Plan and prior to preparation of the masterplan referred to in 4.2.18,</u> undertake a review of existing consents within the Bovey Basin under the provisions of the Habitats Regulations <del>under</del> <u>through</u> the approach proposed in the Minerals Plan’s Habitats Regulations Assessment.”</p>
MM24	Policy M6	<p>“All proposals for ball clay development in the Bovey Basin should demonstrate that:</p> <ul style="list-style-type: none"> <li>(a) no adverse effect on the integrity of the South Hams Special Area of Conservation will be caused, either alone or in combination with other plans and projects, <del>unless in exceptional circumstances the development accords with provisions of Article 6(4) of the Habitats Directive are met;</del> and</li> <li>(b) noise, dust, visual and other adverse impacts along the sensitive frontages between mineral working and existing and future communities at Preston and Abbrook/Newcross will be minimised and mitigated.</li> </ul> <p>The development, management and restoration of ball clay sites in the Bovey Basin shall, as appropriate to its scale and context, contribute positively to the area’s biodiversity, distinctive landscape character, heritage, environmental assets and other green infrastructure and, on its adoption, deliver the objectives and proposals of the proposed Bovey Basin masterplan, with particular emphasis on:</p> <ul style="list-style-type: none"> <li>(a) <del>maintaining the integrity of the South Hams Special Area of Conservation by ensuring that any anticipating adverse impacts of future mineral development are anticipated and, where appropriate, adequately mitigated including mitigating through the advance provision of replacement habitat;</del></li> <li>(b) the management of landscape change through a consistent approach across the Bovey Basin and taking account of</li> </ul>



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		<p>guidelines of relevant landscape character assessments;</p> <p>(c) the management and appropriate enhancement of valued environmental assets and green infrastructure networks that provide benefits to people and ecosystems, including <u>where appropriate</u> priority habitats, public access, flood water capacity and education;</p> <p>(d) interpretation of the Basin's history, including that connected to its mineral working; and</p> <p>(e) measures to expand and improve the functions and connectivity of green infrastructure including the strategic corridors associated with the Rivers Teign and Bovey.</p> <p><del>Planning</del> <u>Where appropriate, planning</u> applications for ball clay development should demonstrate how the extent and connectivity of the green infrastructure network of the Bovey Basin will be maintained, and ensure that no net loss of green infrastructure occurs within the site during its lifetime, by providing for equivalent compensatory provision (within or close to the site) for any loss occurring at the site.</p> <p><del>Statutory reviews</del> <u>Reviews</u> of existing planning permissions in the Bovey Basin <u>under the provisions of the Environment Act 1995</u> <del>should</del> <u>will be encouraged</u> to identify opportunities for the delivery of green infrastructure through the revision of schemes of working and restoration.</p> <p><i>[Final paragraph unchanged]</i></p>
MM25	4.4.14	<p><i>Insert the following new paragraph after 4.4.14:</i></p> <p><u>"There are residual significant landscape effects of the currently consented development that were, at the time of the original permission, judged on balance not to outweigh the benefits of the proposals. In facilitating the Modification Order and associated unilateral undertaking, the mineral operator has demonstrated a responsible and proactive approach to mitigating environmental effects. Where opportunities arise through future proposals for mitigating the residual effects, including impacts on the setting and special qualities of Dartmoor National Park, these will be considered favourably."</u></p>
MM26	4.4.18	<p><i>Amend the second sentence:</i></p> <p><u>"Any such proposals that may emerge in the future would be the subject of a partial review of the Devon Minerals Plan and would that should balance the need to be considered in the context of the evolving wider planning context for the nationally-important mineral resource with the aspirations for housing, employment and economic growth of Plymouth and its wider sub-region."</u></p>
MM27	4.4.18	<p><i>Insert the following new paragraph after 4.4.18:</i></p>

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		<p><u>“As development of the mine proceeds, new information on the impacts of its operation, including noise mapping, will emerge through submission of planning applications and associated environmental statements. In the light of such information, Devon County Council will review the extent of the Mineral Consultation Area defined for Drakelands Mine under the provisions of Policy M2, in discussion with the mineral operator and the District Council, to ensure that it reflects the likely extent of noise and other impacts to ensure that the relationship between operation of the mine and non-mineral development is appropriately taken into account in the determination of planning applications.”</u></p>
MM28	4.4.19	<p><i>Move the paragraph to precede Policy M9 and add the following text to the end of the paragraph:</i>  <u>“; however, future applications should consider the scope for minimising landscape impacts of the mine waste facility through alternative means of managing the waste where feasible”</u></p>
MM29	Policy M10	<p><del>“To ensure adequate capacity is maintained for the processing of mineral or other inert waste at the level provided for in the annual Local Aggregate Assessment</del> <u>maximise the contribution of secondary and recycled resources to Devon’s aggregate supply,</u> proposals for the continuation of existing temporary facilities <del>for the processing of mineral by-products or inert waste or</del> development of new facilities will be permitted where they are:</p> <ul style="list-style-type: none"> <li>(a) located at or close to the source of the <del>waste</del> materials; and/or</li> <li>(b) located close to one of Devon’s <del>cities and larger towns</del> <u>Main Settlements</u> that are the main markets for the aggregates; and/or</li> <li>(c) located close to port or railhead facilities with adequate capacity for the transportation of aggregates by sea or rail to major markets elsewhere in the UK; <u>and/or</u></li> <li>(d) co-located with facilities for the use of aggregates in the manufacture of construction products; and/or</li> <li>(e) located at an operational mineral site or inert waste management facility.</li> </ul> <p>Proposed <del>recycling</del> <u>secondary and recycled aggregate</u> operations that will be located at sites with an existing temporary mineral or waste planning permission will be limited to the life of that existing permission, unless it can be demonstrated that a need exists for a longer-term permission and that delivery of benefits from restoration of the site under the current temporary permission will not be impeded.”</p>
MM30	5.3.6	<p><i>Insert a new paragraph after 5.3.6:</i>  <u>“Policy M11 expresses a preference for the extension of an existing aggregates quarry to secure new resources rather than development of a new quarry, in recognition of the generally lower level of impacts on the local environment and communities and the benefits of utilising existing infrastructure. However, there will be circumstances where existing quarries face constraints, or</u></p>

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		<p><del>where the cumulative impacts of their continuing production, are so significant that development of a new quarry is the more sustainable option.</del></p>
MM31	Policy M11	<p><b>“Policy M11: Landbanks for Steady and Adequate Supply of Land-won Aggregates</b></p> <p>The <del>adequate and</del> steady and adequate supply of land-won aggregates will be secured through the maintenance of landbanks equivalent to <del>a minimum of</del> at least ten years for crushed rock and <del>a minimum of</del> at least seven years for sand and gravel, calculated using the <del>respective rates of supply</del> <u>rolling average of 10 years’ sales data</u> provided in the annual Local Aggregate Assessment.</p> <p>Where a landbank is close to or below the minimum duration, proposals will be permitted for new or extended sites that would <del>provide the resources required for</del> <u>contribute to the</u> maintenance of the <del>minimum</del> landbank subject to compliance with the Minerals Plan’s Spatial Strategy.”</p> <p>Where an <u>adequate</u> landbank <del>exists</del> significantly <del>exceeds</del> the minimum duration, proposals for new or extended sites will be permitted where:</p> <ul style="list-style-type: none"> <li>(a) the distribution of the existing reserves is inappropriately located in relation to the main markets in <u>wider</u> Devon for those aggregates, and a new or extended site will achieve a significant reduction in road transportation in comparison with the current distribution; or</li> <li>(b) the proposal will allow the continuation of small-scale working to supply aggregates to local markets in areas of Devon that are not located close to existing major aggregate quarries; or</li> <li>(c) the aggregate, by reason of its specific qualities, has a distinct use for which supply is unavailable within <u>wider</u> Devon or existing reserves are inadequate to maintain supply for the Plan period; or</li> <li>(d) known constraints on the availability of existing reserves and/or productive capacity are likely to limit total output or the range of available products during the Plan period; or</li> <li>(e) significant future increases in demand for a land-won aggregate that cannot be met through its current landbank can be forecast with reasonable certainty.</li> </ul> <p>Where new resources are justified under <del>criteria (a) to (e)</del> <u>this Policy</u>, the extension of an existing quarry will be preferred to the establishment of a new quarry, subject to consistency with the Spatial Strategy and consideration of the cumulative impacts of the proposed site(s) taking account of other past and present mineral and non-mineral development in the area.”</p>

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MM32	5.4.9	<p><i>Amend the first three sentences:</i>            “Policy M12 therefore provides for the supply of sand and gravel <u>through a Preferred Area</u> at Straitgate Farm, near Ottery St Mary, subject to extraction being limited to dry working above the maximum water table to avoid potentially adverse impacts on private water supplies and water-sensitive habitats. <del>The allocation is made as a Specific Site in recognition of the degree of evidence available on its potential impacts.</del> This site has an estimated resource of <u>up to 1.66 million tonnes</u> <del>(comprising 1.2 million tonnes of proven resource and an estimated 0.46 million tonnes of saleable overburden)</del> which...”</p>
MM33	Policy M12	<p><i>Amend clause (b)(i):</i>            “Straitgate Farm, Ottery St Mary (<del>Specific Site Preferred Area</del>) through working only above the maximum water table;”</p>
MM34	Policy M15	<p>“In recognition of the demand for natural building stones for use in maintaining and enhancing the character of the built environment, proposals for small-scale <u>extraction of building stone quarries</u>, including the extension of an existing quarry <u>or re-opening of a closed quarry</u>, will be permitted where:</p> <p>(a) the stone is identified as a key building stone in Table 6.1; or</p> <p>(b) there is an identified need for the stone to maintain or enhance the fabric or character of individual buildings or settlements; <u>and</u></p> <p>(c) <del>the proposal</del> <u>All proposals would should</u> be appropriate in nature, scale and intensity to the characteristics of the local area.”</p>
MM35	8.1.2	<p><i>Amend the first sentence:</i>            “...throughout <del>their</del> <u>its</u> life-cycle, <del>quarries mineral development will enhance the well-being assist in maintaining and enhancing the living conditions of the County’s communities and the quality of its environment by contributing to the quality and connectivity of Devon’s green infrastructure.</del>”</p>
MM36	8.1.4	<p><i>Amend clauses (b) onwards:</i>            “(b) <del>minimise any risk of</del> <u>avoid significant</u> harm to human health or wellbeing;</p> <p>(c) avoid <u>significant</u> harm to the natural and historic environment, the local economy and, wherever possible, deliver positive benefits; <del>and</del></p> <p>(d) avoid unacceptable adverse impact to the transportation network and other infrastructure, such as airports; <u>and</u></p> <p>(e) <u>limit the life of ancillary plant and operations to that of the associated mineral extraction to ensure timely and comprehensive restoration and after-use.</u>”</p>
MM37	8.1.5	<p><i>Amend first part:</i></p>

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		<p>“The impacts of mineral development that may pose a risk of <u>significant</u> harm, both directly and indirectly...”</p>
MM38	8.1.8	<p>“In applying the Development Management policies and other relevant national and local policy, a balance is required between the importance of the mineral and the likely impacts of the proposal. <u>Some of the policies in this Chapter include tests and/or a hierarchical approach that require the significance of the mineral resource to be weighed against the potential impact of its working:</u></p> <p>(a) <u>Policy M17 identifies a hierarchy of international sites, national sites and habitats and local sites and habitats, and the significance of a mineral resource will need to be assessed against that hierarchy in terms of need and benefits, e.g. the benefits of development of a resource of county significance potentially outweighing adverse effects on a local nature conservation site under paragraph 5(b) of Policy M17;</u></p> <p>(b) <u>Policy M17 also refers to the test of imperative reasons of overriding public interest derived from habitats legislation, which requires a judgement on the importance of the mineral resource to the public interest;</u></p> <p>(c) <u>Policy M18 addresses development in Areas of Outstanding natural Beauty, or affecting a National Park, and requires a judgement on whether the benefits of development of a mineral resource outweigh impacts on the designated landscape, with greater scope for this to occur for nationally-significant resources.</u></p> <p>Appropriate weight should be given to the mineral resource as indicated in Table 8.1, with greater weight given to the <u>nationally and internationally important industrial minerals of national importance</u> that are necessary to meet society’s needs in supporting economic growth and our quality of life. However, this does not mean impacts are accepted without mitigation, and every effort should be made to, firstly, avoid impacts and then to mitigate unavoidable impacts to acceptable levels. Where necessary and appropriate, suitable compensation and/or off-setting should be undertaken.”</p>
MM39	8.2.1	<p><del>“The Vision for Objective 6 of the Minerals Plan includes the expectation that “throughout their life-cycle, quarries will enhance the wellbeing of the County’s communities and environment by contributing to the quality and connectivity of Devon’s deliver positive benefits for Devon’s green infrastructure”, reflecting the commitment in the Vision that, throughout its life-cycle, mineral development “will contribute appropriately to maintaining and enhancing...the quality of [Devon’s] environment”.</del></p>
MM40	8.2.4	<p><i>Amend the second and third sentences:</i></p> <p>“The policy requires <u>that, where feasible, there should be no net loss of green infrastructure function and connectivity throughout the lifecycle of a mineral site, rather than benefits being delivered only at the end of a quarry’s life through restoration, and proposals should seek to maintain the quality and connectivity of green infrastructure through use of non-operational land and careful consideration of phasing arrangements.</u> However, it <del>will need is important to be recognised</del> <u>recognise</u> that provision of temporary green infrastructure enhancement on non-operational land should not constrain its subsequent development under an extant mineral permission.”</p>

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MM41	Policy M16	<p><i>Amend the first paragraph:</i>            “<del>As appropriate to its nature and scale, M</del>mineral development <del>will</del> <u>should</u> contribute to maintaining and <del>enhance</del> <u>enhancing</u> the quality, extent and connectivity of Devon’s green infrastructure. Development proposals will, as appropriate to their scale and nature, <u>seek to ensure enhancement and</u> no net loss of green infrastructure function and connectivity throughout the lifetime of the mineral site through.”</p> <p><i>Amend clause (c):</i>            “<u>appropriate</u> compensation for the loss of...”</p>
MM42	Policy M17	<p>“Mineral development <del>will</del> <u>should</u> protect and enhance wildlife and geodiversity through its layout, design and operational practices. Protection of sites and species will be commensurate with their status and the contribution that they make to Devon’s ecological networks.</p> <p><b>International Sites</b>            International nature conservation and geological sites will be protected and all proposed development <del>will</del> <u>should seek to</u> avoid adverse impacts. Where development would affect a Natura 2000 site, sufficient information must be provided for the mineral planning authority to complete Habitats Regulations Assessment of the implications of the proposal. Planning permission for mineral development within or otherwise affecting a Natura 2000 site will only be granted where the conclusions of this assessment demonstrate that the proposal will <del>have no adverse impacts on</del> <u>not adversely affect</u> the integrity of the site, either alone or in combination with other plans or projects <del>other than where it must be carried out for imperative reasons of overriding public interest.</del></p> <p>Proposals for mineral development that affect the Dorset and East Devon Coast World Heritage Site or the Cornwall and West Devon Mining Landscape World Heritage Site must provide sufficient information to enable the assessment of any impacts and demonstrate that these impacts will not affect the Outstanding Universal Value, integrity or setting of the site.</p> <p><b>National Sites and Habitats</b>  <del>Mineral development within or otherwise affecting Sites of Special Scientific Interest, National and Marine Nature Reserves or Marine Conservation Zones should not normally be permitted. Mineral development which impacts on and irreplaceable priority habitats such as ancient woodland and aged or veteran trees will be protected. Mineral development which impacts on one or more of these assets will</del> <u>should</u> only be permitted where the <del>impact does not conflict with the wildlife or geological conservation interests of that asset and its supporting habitat and features, unless the need for, and benefits of, the development at that location</del> clearly outweigh the loss.</p> <p><b>Local Sites and Other Priority Habitats</b>            Mineral development that will impact on local sites (including County Wildlife Sites and County Geological Sites) and other priority</p>

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		<p>habitats will be permitted where it can be demonstrated that:</p> <p>(a) the proposal will not significantly harm the site; or</p> <p>(b) the benefits of the development outweigh any adverse effects and such effects can be satisfactorily mitigated or, as a last resort, compensated for through offsetting.</p> <p><b>Species</b> Mineral development that would impact on legally protected species, UK priority species and other key Devon species will be permitted where it can be demonstrated that:</p> <p>(a) favourable conservation status of the <u>a European protected</u> species is maintained; and</p> <p>(b) appropriate avoidance, mitigation, compensation and enhancement measures proportionate to the importance of the species <u>and the likely impact of the development</u> are put in place.</p> <p>Mineral development proposals will be permitted where they result in a net gain for wildlife proportionate to the nature and scale of the proposal.</p> <p><del>Proposals</del> <u>Where appropriate to the scale and nature of development, proposals should show a positive contribution to the restoration, creation, protection, enhancement and management of ecological networks at the landscape scale (including areas identified on the Devon Rebuilding Nature Map and Nature Improvement Areas).</u></p> <p>Proposals that achieve the retention of geological exposure for access for education and research will be encouraged.</p>
MM43	8.4.4	<p><i>Amend the final two sentences and add a further sentence:</i></p> <p><del>“...heritage assets and aged and veteran trees.—These, and these</del> principles are reflected in Policy M18. <u>Consideration of ‘exceptional circumstances’ in Policy M18 in relation to major development in the protected landscapes should, in addition to the criteria in part 3 of the Policy, take account of the importance of the mineral resource, as expressed in Table 8.1, together with the cost and practicality of achieving supply of the resource from outside those landscapes.”</u></p>
MM44	Policy M18	<p>“The scale, design layout and operational practices of all mineral development will <del>be sympathetic to</del> <u>take into consideration</u> the valued or special qualities, distinctive character and features of the landscape. Development proposals must be supported by Landscape and Visual Impact Assessment that reflects the nature, scale and location of development, in order to convey likely significant effects and demonstrate:</p> <p>(a) how the siting, scale, design and operation of proposals respond to the landscape context and can be integrated into the</p>

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		<p>landscape without harming its distinctive character, features or valued qualities; and</p> <p>(b) how any potential adverse landscape and visual impacts on sensitive receptors will be avoided, minimised to acceptable levels within a reasonable period, or compensated for; and</p> <p>(c) the opportunities that are being taken to improve the character and quality of the area and the way it functions.</p> <p>In taking landscape into account, regard must be had, and evidenced, to the relevant landscape character assessments, and weight must be given to relevant local landscape designations.</p> <p>Mineral development <del>that would harm</del> <u>must give great weight to conserving and enhancing the natural landscape and scenic beauty, historic assets, distinctive landscape character and special qualities, <del>or setting,</del> of an Area of Outstanding Natural Beauty or National Park, and its setting, and</u> will only be permitted where it can be demonstrated that: <del>(a) there are no deliverable practical alternative sites with a lower level of impact on the designated area or there is no scope for meeting the need in another way; and</del></p> <p><del>(ba)</del> any impacts on the special qualities of the National Park and/or the Area of Outstanding Natural Beauty can be avoided or adequately mitigated to acceptable levels; <del>and/or</del></p> <p><del>(eb)</del> the environmental, social and economic benefits of the proposal outweigh any adverse impacts on the National Park and/or the Area of Outstanding Natural Beauty; <del>and.</del></p> <p><del>(d)</del> <del>in</del> <u>In</u> the case of major development, exceptional circumstances <u>and public interest</u> <del>have been</del> <u>should be</u> demonstrated.</p> <p>Mineral development that would maintain the character of the undeveloped coast <u>in the locality of the site</u>, including areas defined as Heritage Coast, will be permitted.</p> <p>Proposals for mineral development that would make a positive contribution to local character, distinctiveness and the natural environment by complying with the Devon Landscape Character Assessment will be encouraged.”</p>
MM45	Policy M19	<p><i>Amend the third paragraph:</i></p> <p>“Mineral development that would lead to harm to the significance of a designated or non-designated heritage asset, including its setting, will be <u>not</u> permitted if <u>unless</u> it can be demonstrated that:</p> <p>(a) substantial public benefits of the proposal outweigh the harm to the heritage asset; <u>and/or</u></p> <p>(b) all significant adverse effects can be adequately mitigated.”</p>



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MM46	8.6.2	<p><i>Delete the penultimate sentence:</i>  <del>“Where non-mineral uses are proposed, the minerals planning authority will have regard to the relevant District Council’s Local Plan policies.”</del></p> <p><i>Following 8.6.2, insert a new paragraph:</i>  <u>“Determination of proposals for renewable and low carbon energy development not associated with mineral operations but within a mineral site prior to completion of restoration and aftercare is the responsibility of Devon County Council as the mineral planning authority<sup>1</sup>. Any such proposals should be considered positively against the policies within this Plan, together with relevant policies within district councils’ Local Plans.</u></p> <p><sup>1</sup>Under the provisions of the Town and Country Planning Act 1990 Schedule 1 paragraph 1(h).”</p>
MM47	Policy M20	<p>“Mineral development will contribute to the achievement of sustainable development, climate change resilience and mitigation, and the conservation and enhancement of Devon’s distinctive character and environmental quality. Proposals <del>must</del> <u>should</u> demonstrate how the site design, layout, operation and, where relevant, any new infrastructure will, where <del>consistent with</del> <u>appropriate</u> to the scale and type of development:</p> <ul style="list-style-type: none"> <li>(a) minimise energy demand and heat loss and, <del>where practicable,</del> <u>make provision for the use of renewable and low carbon energy to meet on-site needs, including the use of non-operational land to accommodate renewable energy;</u></li> <li>(b) be delivered using sustainable construction practices, including the use of durable and resilient secondary and recycled materials in preference to primary materials and preventing construction waste;</li> <li>(c) utilise landscape design to offset carbon emissions and regulate extremes of temperature;</li> <li>(d) minimise the atmospheric release of greenhouse gases resulting from mineral extraction; <del>and</del></li> <li><u>(e) be well designed and contribute to the character and quality of the site and its surrounding area; and</u></li> <li>(ef) avoid significant adverse effect on the operation or safety of infrastructure or services, including utilities, communications infrastructure and military and civil aerodromes.</li> </ul>
MM48	Policy M21	<p>“The sustainable development of minerals <del>will</del> <u>should seek to</u> conserve and enhance other natural resources, and proposals will be permitted where they would <del>not</del>:</p> <ul style="list-style-type: none"> <li>(a) <u>not</u> harm the quality, availability and/or flow of <u>surface water and groundwater</u> and the integrity and function of the water system, both surrounding and, where relevant, within the site;</li> </ul>

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		<p>(b) <u>not</u> harm the quality of soil resources during mineral operations and the soil's storage; and</p> <p>(c) <u>not</u> result in the loss of the best and most versatile agricultural land unless it can be shown that there is no alternative to that loss and the environmental, social and economic benefits of the proposal outweigh this loss.</p> <p>Any negative impacts of mineral development on natural resources <del>must</del> <u>should</u> be mitigated through appropriate measures including the maintenance of water flows and quality and the effective stripping, storage and placing of soils.</p> <p>Proposals that make efficient use of water resources, including reusing process water, will be encouraged."</p>
MM49	Policy M22	<p>"Within geological constraints, mineral development <del>will</del> <u>should</u> minimise the distance that minerals are transported while maximising opportunities for sustainable transportation and access by a variety of modes.</p> <p>Mineral development will be permitted where it <u>can be demonstrated, where appropriate through a Transport Assessment or Statement, that it</u> would not have a <del>severe</del> <u>significant</u> effect on:</p> <p>(a) road safety; or</p> <p>(b) the capacity and functionality of the transportation network for all users.</p> <p>Any negative impacts of mineral development must be mitigated appropriately, <u>including through a vehicle routeing strategy, travel plan and/or implementation or funding of</u> improvements to transportation infrastructure and services for vehicular and non-vehicular modes.</p> <p><i>[Remainder of Policy unaltered]</i></p>
MM50	Policy M24	<p>"Mineral development must be resilient to the impacts of flooding and not lead to an increased risk of fluvial, surface water or groundwater flooding. This will be achieved through application of a sequential approach that favours the location of development in Flood Zone 1.</p> <p>Consideration will be given to sites within Flood Zone 2 if it can be demonstrated that no <del>suitable</del> <u>reasonably available</u> locations within Flood Zone 1 are available.</p> <p>Within Flood Zone 3a, proposals for water-compatible and 'less vulnerable' mineral development will be permitted where it can be demonstrated that no <del>suitable</del> <u>reasonably available</u> locations are available within Flood Zones 1 and 2.</p>

Ref.	Policy / Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
		<p>Proposals for mineral development within Flood Zone 3b will be permitted if they are water-compatible or if demonstrated through the Exception Test they provide wider sustainability benefits to the community that outweigh flood risk.</p> <p>All proposals for mineral development on a site exceeding one hectare, or any site within Flood Zones 2, 3a, 3b or a site in a Critical Drainage Area within Flood Zone 1, will be accompanied by a Flood Risk Assessment that must demonstrate that the <u>proposal will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.</u> This Assessment should consider <del>all forms of</del> current and future <u>sources of flooding</u> within the site and its vicinity; demonstrate how flood risks will be managed for the site's lifetime; take account of climate change; and identify any measures necessary to prevent increased flood risk elsewhere including through the use of Sustainable Drainage Systems and compensatory works for any loss in flood storage capacity.</p> <p>Proposals that achieve a net increase in <u>fluvial</u> flood <u>water</u> storage capacity will be encouraged.”</p>
MM51	Policy M26	<p>“Proposals that accord with the other policies of the Devon Minerals Plan will be permitted where it can be demonstrated that they will not result in an unacceptable level of cumulative impact when considered in combination with other mineral sites and other existing and proposed development in the locality. Consideration of cumulative effects should include impacts on:</p> <ul style="list-style-type: none"> <li>(a) the natural and historic environment;</li> <li>(b) human health, amenity and safety;</li> <li>(c) transportation, public access and other infrastructure;</li> <li>(d) water resources and flooding; <del>and</del></li> <li>(e) <u>air quality; and</u></li> <li>(f) <u>the local and wider economies.</u></li> </ul> <p>Where <del>adverse</del> <u>significant</u> cumulative effects are identified, appropriate mitigation measures <del>will</del> <u>should</u> be implemented.”</p>
MM52	8.13.3	<p>“It is widely recognised that mineral sites provide major ecological and other green infrastructure opportunities through restoration. However, such opportunities are available over the whole life cycle of a mineral site (<u>subject to recognition that provision of temporary enhancement on non-operational land should not constrain its subsequent development under an extant permission</u>), and development of restoration...”</p>
MM53	Policy M27	<p><i>Amend the first paragraph:</i></p>

Ref.	Policy / Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
		<p>“Applications for mineral development will be permitted where they provide for the restoration and aftercare of the site <u>to a beneficial after-use</u> in a phased manner during its operation at the earliest opportunity.</p> <p><i>Amend clause (d) in the second paragraph:</i>  “phasing arrangements <u>including avoidance of sterilisation of remaining resources;</u>”</p>
MM54	Table 9.2	<p><i>Replace Table 9.2 with the revised Implementation and Monitoring Framework provided in Annex 1 to this Schedule</i></p>
MM55	Appendix A	<p><i>Amend the Key Diagram:</i></p> <ul style="list-style-type: none"> <li>• <i>Add the ‘Main Settlements’ [Plymouth, Torbay, Newton Abbot, Exeter and Barnstaple] to the map</i></li> <li>• <i>Omit the ‘Key Green Infrastructure Opportunities’</i></li> <li>• <i>Amend ‘Other Strategic Corridors’ to ‘Other Strategic Transportation Corridors’</i></li> <li>• <i>Add ‘Mineral Working Areas for Industrial Minerals’ to the map</i></li> </ul>
MM56	Table C.2	<p><i>Amend the second paragraph alongside ‘Human health and amenity’:</i></p> <p>“Development proposals should demonstrate that any additional impacts from lighting, noise, dust and vibration can be controlled to the levels imposed in <del>the existing</del> <u>national guidance and extant</u> planning permissions and, if necessary, adequately mitigated. <u>A planning application should be accompanied by detailed noise assessment and mapping together with appropriate mitigation measures.</u> Visual impacts should be minimised by sufficient screening.</p> <p><u>Development proposals should have regard to the relationship of the mine with existing communities and with new proposals that may emerge through the joint Local Plan being prepared for the Plymouth sub-region.”</u></p> <p><i>Amend the second paragraph alongside ‘Biodiversity’:</i>  “Sensitive vegetation clearance methods should be adopted and new planting <u>of enhanced habitat value</u> is required to compensate for any woodland...”</p> <p><i>Alongside ‘Water’:</i>  “Proposals should <del>include</del> seek to avoid deterioration in water quality and flows and must provide assessment of the potential impacts on surface water and groundwater quality and flows, <u>including cumulative impacts in conjunction with currently-permitted operations,</u> and identify necessary mitigation, <u>enhancement</u> and monitoring measures.”</p>
MM57	Table C.3	<p><i>Amend the heading:</i>  “<del>Specific Site Preferred Area: Straitgate Farm, Ottery St Mary</del>”</p> <p><i>Amend ‘Total site area’:</i></p>

Ref.	Policy / Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
		<p>“40 <del>34</del> ha [this area represents the potential extraction area, and additional land may be required for vehicular access and/or soil storage]”</p> <p><i>Amend text alongside ‘Estimated Sand and Gravel Resource’:</i>  “Up to 1.2 million tonnes from extraction above the <u>maximum protected</u> water table (<del>with a potential 0.46 million tonnes of saleable overburden</del>)”</p> <p><i>In the second column alongside ‘Relevant planning history’, amend the existing text and add an additional paragraph:</i>  “Planning permission for sand and gravel extraction was sought in 1967 for an area including the <u>Specific Site Preferred Area</u> together with adjoining land extending to Birdcage Lane to the east. The proposal was considered premature and refused following a public inquiry.”</p> <p>“<u>Applications were submitted in June 2015 for the extraction of sand and gravel at Straitgate Farm and for processing of those materials at Blackhill Quarry, but were withdrawn in March 2016.</u>”</p>
MM58	Table C.4	<p><i>In the second column alongside ‘Transport’, amend the first paragraph:</i>  “<u>Site access will be onto Birdcage Lane to the north of the site, close to its junction with the former A30 should be provided in an appropriate location that ensures safety for other road users while minimising adverse effects on residential amenity, landscape and visual impacts, biodiversity and heritage assets.</u>”</p> <p><i>In the second column alongside ‘Water’, amend the first paragraph:</i>  “The development of this site will only involve dry working, above the maximum winter (wet) level of groundwater <del>with an unsaturated zone of at least 1m maintained across the site.</del> The depth of working <u>above this level</u> will be determined through monitoring and analysis of historic data, in agreement with the Environment Agency.”</p>
MM59	Table C.6	<p><i>Amend the second sentence of the second paragraph alongside ‘Human health and amenity’:</i>  “Visual impacts should be <u>minimised</u> by sufficient screening, and the <u>phasing</u>, choice of processing plant location, access point and vehicle routing should seek to minimise nuisance.”</p> <p><i>Amend the text alongside ‘Transportation’:</i>  “The site has the potential to impact on local C Class roads, the A38, Junction 27 of the M5 and the motorway beyond. Works may be necessary to mitigate impacts on the function and/or capacity of the Strategic Road Network <u>and other routes including Waterloo Cross roundabout.</u></p> <p>Access to the site should <del>seek to avoid quarry traffic passing nearby residential properties to avoid prolonging the adverse impacts resulting from current and past mineral and waste development. Use of C Class roads should be minimised, and require the provision of passing bays</del> <u>through the widening of Clay Lane to achieve two-way lorry movements, use of haul roads within existing</u></p>

Ref.	Policy / Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
		<p><u>minerals and waste sites and avoidance of use of Broad Path.</u></p> <p><u>Impacts from traffic that would be generated by the site, together with cumulative impacts in association with other development planned for the area, should be addressed in a Transport Assessment to support any planning application.</u></p>
MM60	Appendix F	<p><i>Insert new Appendix F:</i></p> <p><b>“APPENDIX F: LIST OF SAFEGUARDED MINERAL SITES</b></p> <p>F.1 Policy M2 provides for the safeguarding of mineral resources (as identified in Table 3.1), together with mineral sites with existing planning permissions; facilities for the transportation of minerals; and facilities for the processing of minerals including concrete and asphalt plants. The extent of the Mineral Safeguarding Areas for these resources and sites is shown on the policies Map.</p> <p>F.2 Table F.1 provides details of the quarries and other mineral sites and facilities that are included within Mineral Safeguarding Areas. It should be noted that this list is only correct at the time of adoption of the Devon Minerals Plan; however, the list will be reviewed annually through Devon County Council’s Minerals Monitoring Report and updated in that Report as necessary. In the event of changes to the scope of this list being identified, including through new sites being permitted and the permanent closure of a site, Devon County Council will also update the Policies Map accordingly.</p> <p><i>Insert Table F.1 as provided in Annex 2 to this Schedule</i></p>

**Annex 1: Revised Table 9.2 as Proposed Through Main Modification MM35**

<b>Objective 1: Spatial Strategy</b>			
Secure <u>Within geological constraints</u> , secure a spatial pattern of mineral development that delivers the essential resources to markets within and outside Devon <u>with minimal while minimising transportation by road and generation of greenhouse gases</u> , supporting the development of its economy while conserving and enhancing the County's key environmental assets.			
<b>Delivery Policies</b>	M1		
<b>Delivery Agencies</b>	Devon County Council Mineral operators		
<b>Delivery Mechanisms</b>	Submission and determination of planning applications Implementation of planning permissions Individual and collective decisions on mineral development Collection of mineral data		
<b>MONITORING INDICATORS</b>			
<b>Indicator</b>	<b>Baseline</b>	<b>Target</b>	<b>Monitoring Trigger for Review of the Plan/Policy</b>
1.1 Number of locations in Devon for working of <u>industrial minerals of national importance</u>	Four (2015) (Lee Moor, Drakelands, Bovey Basin, Peters Marland)	<del>Four</del> <u>No reduction</u>	Closure of one location
1.2 Proportion of <del>wider</del> Devon's land-won and secondary aggregates originating within the M5/A38 corridor	<del>89.99</del> <u>90.8</u> % (2013 <del>5</del> )	<del>90</del> <u>85</u> %	Significant variance (+/- 10%) from target indicating over-concentration of production and/or lack of local supply
1.3 Proportion of <del>wider</del> Devon's land-won and secondary aggregates transported by rail or sea	<del>3.5</del> (2009)	5%	<del>No aggregates transported by rail or sea</del>
1.4 Proportion of <del>wider</del> Devon's land-won and secondary aggregates originating within <del>Areas of Outstanding Natural Beauty or National Parks</del>	<del>27.0</del> (2013)	20%	<del>Proportion exceeding 30%</del>
1.5 <del>3</del> Proportion of Devon's annual sales of land-won sand and gravel resources originating from the Budleigh Salterton Pebble Beds	<del>87.48</del> <u>90.7</u> % (2013 <del>5</del> )	85%	Significant variance (+/- 10%) from target indicating over-concentration of production and/or lack of local supply

1.64 Proportion of wider Devon's land-won and secondary aggregates sold to destinations within wider Devon	87.386.0% (2009-2014)	85%	Significant variance (+/- 10%) from target indicating increase reliance on imported aggregates or reduced contribution to sub-regional needs
1.5 Number of planning permissions for mineral extraction that are contrary to the Spatial Strategy	N/A	None	One permission
<b>Objective 2: Safeguarding Mineral Resources and Infrastructure</b>			
Safeguard from other forms of development Devon's current or potential economic mineral resources, together with the infrastructure needed for their processing and sustainable transportation and the capacity required for the tipping of mineral waste, to ensure their continued availability to meet the needs of future generations.			
<b>Delivery Policies</b>	M2, M3		
<b>Delivery Agencies</b>	Devon County Council Local Planning Authorities Mineral operators		
<b>Delivery Mechanisms</b>	Consultation on planning applications and Local Plan proposals within Mineral Consultation Areas, and responses to consultation by Devon County Council and mineral trade associations		
<b>MONITORING INDICATORS</b>			
<b>Indicator</b>	<b>Baseline</b>	<b>Target</b>	<b>Monitoring Trigger for Review of the Plan/Policy</b>
2.1 Number of applications approved by local planning authorities in Devon contrary to an objection on mineral safeguarding grounds by the County Council	0 (2014)	0	Approval of development sterilising a strategic mineral resource contrary to the criteria of Policy M2
2.2 Number of operational mineral wharves and railheads in Devon	Six (2015)	No reduction	Closure of wharf or railhead without alternative provision being available
<b>Objective 3: Industrial Minerals of National Importance</b>			
Maintain Devon's ability to supply assist in meeting national and international requirements demand for those industrial minerals of national importance found within the County, primarily through prudent use of existing reserves and tipping capacity, while harnessing the positive impacts of the large-scale nature of their working.			
<b>Delivery Policies</b>	M4, M5, M6, M7, M8, M9		
<b>Delivery Agencies</b>	Devon County Council		



	Environment Agency Mineral operators Local liaison groups		
<b>Delivery Mechanisms</b>	Submission and determination of planning applications Implementation of planning permissions		
<b>MONITORING INDICATORS</b>			
<b>Indicator</b>	<b>Baseline</b>	<b>Target</b>	<b>Monitoring Trigger for Review of the Plan/Policy</b>
3.1 Number of operational china clay sites	Three (2015)	No reduction	Closure of a site
3.2 Number of operational ball clay sites	Eight (2015)	No reduction	Closure of a site
3.3 Number of operational metalliferous mineral sites	One (2015)	No reduction	Closure of a site
3.4 Annual UK sales of china clay	4.141.09 million tonnes (2013 <sup>4</sup> )	No reduction	Significant variation (+/- 20%) from baseline
3.5 Annual UK sales of ball clay	0.755 million tonnes (2012 <sup>3</sup> )	No reduction	Significant variation (+/- 20%) from baseline
3.6 Annual UK sales of tungsten	Not commenced	N/A	Cessation of operations prior to completion
<b>Objective 4: Aggregate Minerals</b> Meet the development needs of Devon, and contribute to those of surrounding parts of the region, by maintaining a sustainable, steady and adequate supply of aggregates, making maximum use of the county's resources of secondary and recycled materials and providing for the development of new resources when required.			
<b>Delivery Policies</b>	M10, M11, M12, M13, M14		
<b>Delivery Agencies</b>	Devon County Council Mineral operators Local liaison groups		
<b>Delivery Mechanisms</b>	Submission and determination of planning applications Implementation and monitoring of planning permissions		
<b>MONITORING INDICATORS</b>			
<b>Indicator</b>	<b>Baseline</b>	<b>Target</b>	<b>Monitoring Trigger for Review of the Plan/Policy</b>
4.1 Landbank within wider Devon of:	2013 <sup>5</sup> (end)	Minimum of:	The crushed rock landbank dropping below 10

(a) crushed rock (b) sand and gravel	(a) <u>58.548.9</u> years (b) <u>13.812.5</u> years	(a) 15 years (b) 10 years	years and/or the sand and gravel landbank dropping below 7 years
4.2 Average annual sales within wider Devon of land-won aggregates: (a) crushed rock over the past 10 years; (b) crushed rock over the past 3 years; (c) sand and gravel over the past 10 years; (d) sand and gravel over the past 3 years	(2013 <u>5</u> )  (a) <u>2.382.35</u> million tonnes (b) <u>2.232.70</u> million tonnes (c) <u>0.620.56</u> million tonnes (d) <u>0.470.52</u> million tonnes	No target	The average calculated over the past 3 years exceeding that over the past 10 years
4.3 Proportion of total sales of land-won and secondary aggregates within wider Devon accounted for by secondary aggregates	<u>12.411.8%</u> (2013 <u>5</u> )	<u>15</u> 20%	Reduction to less than 10%
<b>Objective 5: Building Stone</b> Reinforce the distinctiveness of Devon's built environment and landscape by securing the appropriate supply of local sources of characteristic building materials necessary to meet future conservation needs.			
<b>Delivery Policies</b>	M15		
<b>Delivery Agencies</b>	Devon County Council (WPA and WDA) Mineral operators		
<b>Delivery Mechanisms</b>	Submission and determination of planning applications Implementation and monitoring of planning permissions		
<b>MONITORING INDICATORS</b>			
<b>Indicator</b>	<b>Baseline</b>	<b>Target</b>	<b>Monitoring Trigger for Review of the Plan/Policy</b>
5.1 Number of operational quarries key building stones (Table 6.1) quarried in Devon producing building stone	<del>Nine (2013)</del> <u>Seven (2015)</u>	No reduction in the number of quarries stone types	A reduction in the number of quarries stone types
5.2 Sales of building stone produced in Devon	4,413 <u>7,061</u> tonnes (2013 <u>5</u> )	No reduction in annual production	A reduction in annual production of <del>25</del> <u>15</u> % in comparison with the previous year

<b>Objective 6: Managing Mineral Development</b> Manage mineral development in a manner that protects Devon’s communities from adverse impacts, and conserves and enhances its world-class environment, <del>while delivering</del> <u>delivers</u> positive benefits for its quality of life and green infrastructure, and assists in mitigation of and adaptation to climate change.			
<b>Delivery Policies</b>	M16, M17, M18, M19, M20, M21, M22, M23, M24, M25, M26, M27		
<b>Delivery Agencies</b>	Devon County Council Transportation undertakers Mineral operators Local liaison groups		
<b>Delivery Mechanisms</b>	Submission and determination of planning applications Implementation and monitoring of planning permissions		
<b>MONITORING INDICATORS</b>			
<b>Indicator</b>	<b>Baseline</b>	<b>Target</b>	<b>Monitoring Trigger for Review of the Plan/Policy</b>
6.1 The number of local quarry liaison groups	Seven	No reduction in the number of liaison groups	A reduction in the number of liaison groups <u>(excluding cessation of a group due to closure of a quarry)</u>
6.2 The number of mineral planning applications incorporating sustainable drainage systems	N/A	50% of <u>applications relevant permissions</u>	Less than 25% of permissions <u>for extraction, tipping and/or built development</u>
6.3 The area of best and most versatile agricultural land that would be lost to mineral development in new permissions	N/A	No loss	One new planning permission <u>without adequate provision for restoration to agricultural land of similar quality</u>
6.4 New planning permissions for mineral development in an Area of Outstanding Natural Beauty or World Heritage Site	N/A	No new permissions that are <u>contrary to Policy M18</u>	One new planning permission <u>that is contrary to Policy M18</u>
6.5 New planning permissions for mineral development that results in the loss of, or harm to, assets of heritage value	N/A	No <u>significant adverse impact</u>	A planning permission resulting in substantial harm to a significant heritage asset <u>contrary to Policy M19</u>

		<u>permissions that are contrary to Policy M19</u>	
6.6 Change in the area, type and condition of Devon BAP habitats caused by mineral development	N/A	No net loss of area or deterioration in condition	Significant net loss or deterioration in condition <u>contrary to Policy M17</u>
6.7 The number of planning permissions for mineral development within, or affecting, a SSSI or County Wildlife Site	N/A	No new permissions <u>that are contrary to Policy M17</u>	One new planning permission that fails to deliver adequate mitigation of compensation for harm
6.8 Area of land within mineral restored for agricultural use and/or green infrastructure	N/A	All restoration to deliver green infrastructure	Absence of green infrastructure benefits in restoration <u>implemented in the monitoring year</u>
6.9 The number of mineral planning applications that include provision for the use or generation of renewable or low-carbon energy	N/A	50% of relevant applications	Less than 25% of permissions for <u>extraction, processing plant and/or built development</u>

**Annex 2: New Table F.1 as Proposed Through Main Modification MM42A**

Site Name	Location	Grid Ref.	Site Operator(s)	Function(s)
Appledore Wharf (Middle Dock)	Appledore	SS464301	Evans Transport Ltd	Mineral Wharf
Babcombe Copse / Sands Copse Quarry	Kingsteignton	SX868761	Harleyford Aggregates	Quarry – Sand & Gravel
Bableigh Wood Quarry	Parkham	SS392207	D E & R Chance	Quarry – Crushed Rock Quarry – Building Stone
Beam Quarry	Torrington	SS470204	Torrington Aggregates Ltd	Quarry – Crushed Rock Quarry – Building Stone
Beer Quarry	Beer	SY214894	Hanson Exeter Cathedral	Quarry – Chalk Quarry – Building Stone
Bideford Quay	Bideford	SS454267	Sibelco	Mineral Wharf
Bidna Wharf	Appledore	SS464296	Hanson	Mineral Wharf Concrete Plant
Blackhill Quarry	Woodbury	SY028856	Aggregate Industries UK Ltd	Processing - Sand & Gravel
Bluemarsh	Kingsteignton	SX850766	Sibelco	Quarry – Ball Clay
Bradley	Bovey Tracey	SX827777	Sibelco	Quarry – Ball Clay
Bray Valley Quarry	Brayford	SS686336	Hanson	Quarry – Crushed Rock Asphalt Plant
Buddle Quarry	Tavistock	SX478750	Mill Hill Quarries Ltd	Quarry – Building Stone
Butlands Plantation	Teigngrace	SX843734	Sibelco	Quarry – Ball Clay
Central Area Quarries	Kingsteignton	SX855756	Sibelco	Quarry – Ball Clay Processing – Ball Clay
Chudleigh Knighton / Clay Lane Quarries	Chudleigh Knighton	SX842769	Sibelco	Quarry – Ball Clay
Denistone / Broadway Quarries	Kingsteignton	SX860740	Sibelco	Quarry – Ball Clay
Drakelands Mine	Hemerdon	SX571588	Wolf Minerals Ltd	Mine – Tungsten & Tin

Site Name	Location	Grid Ref.	Site Operator(s)	Function(s)
Duncombe Manor Quarry	Sidmouth	ST160887	Exeter Cathedral	Quarry – Building Stone
East Golds	Kingsteignton	SX862722	Sibelco	Processing – Ball Clay
Exeter St Davids	Exeter	SX909941	Hanson	Mineral Railhead
Haldon Quarry	Kennford	SX891843	RF Aggregates (SW) Ltd	Quarry – Sand & Gravel
Headon Quarry	Cornwood	SX584602	Sibelco Tarmac	Quarry – China Clay Secondary Aggregates
Hearson Quarry	Swimbridge	SS606292	G Horrell	Quarry – Building Stone
Heathfield	Teigngrace	SX835758	Imerys Minerals Ltd	Processing – Ball Clay Mineral Railhead
Hennock Road	Exeter	SX927900	Hanson	Concrete Plant
Heron Road	Exeter	SX960920	Aggregate Industries UK Ltd	Concrete Plant
Hill Barton	Farringdon	SY003912	Tarmac	Asphalt Plant
Hillhead Quarry	Uffculme	ST064138	Aggregate Industries UK Ltd	Quarry – Sand & Gravel Aggregates Bagging Plant Concrete Products
Horse mills	Kingsteignton	SX853764	Sibelco	Quarry – Ball Clay
Howden Industrial Estate	Tiverton	SS949120	Hanson	Concrete Plant
Kenton Place	Exeter	SX923907	E & JW Glendinning Ltd	Concrete Plant
Knowle Quarry	Okehampton	SX594962	Faheys Concrete Ltd	Quarry – Crushed Rock Concrete Plant
Lee Moor Quarry	Lee Moor	SX567626	Sibelco Imerys Minerals Ltd Aggregate Industries UK Ltd Ocean Block & Aggregates	Quarry – China Clay Processing – China Clay Secondary Aggregates Mineral Pipelines
Mill Hill Quarry	Tavistock	SX452748	Mill Hill Quarries Ltd	Quarry – Building Stone Secondary Aggregates
Mortehoe Quarry	Mortehoe	SS459449	National Trust	Quarry – Building Stone

Site Name	Location	Grid Ref.	Site Operator(s)	Function(s)
Newbridge	Dolton	SS548111	Newbridge Stone Co.	Quarry – Crushed Rock Quarry – Building Stone
Newbridge / Twinyeo Quarry	Teigngrace	SX843763	Imerys Minerals Ltd	Quarry – Ball Clay
Old Railway Station	Bridgerule	SS270013	Aggregate Industries UK Ltd	Concrete Plant
Peters Marland	Peters Marland	SS503125	Sibelco	Quarry – Ball Clay
Plaistow Quarry	Muddiford	SS568372	Hanson	Quarry – Crushed Rock
Preston	Kingsteignton	SX856746	Sibelco	Quarry – Ball Clay
Ringslade Quarry	Newton Abbot	SX843727	Imerys Minerals Ltd	Quarry – Ball Clay
Rockbeare Hill Quarry	Rockbeare	SY060946	Aggregate Industries UK Ltd	Asphalt Plant
Royal Aller Vale Quarry	Newton Abbot	SX876694	Hanson	Concrete Plant
Sandygate / Abbroom	Kingsteignton	SX864744	Sibelco	Quarry – Ball Clay
Shaugh Quarry	Lee Moor	SX559638	Sibelco	Quarry – China Clay
Stoneycombe Quarry	Kingskerswell	SX861669	Aggregate Industries UK Ltd	Quarry – Crushed Rock Quarry – Building Stone Concrete Plant
Stover Quarry	Teigngrace	SX843738	Imerys Minerals Ltd	Quarry – Ball Clay
Teignbridge	Teigngrace	SX854732	Sibelco	Quarry – Ball Clay
Teigngrace	Teigngrace	SX855737	Sibelco	Quarry – Ball Clay
Teigngrace Goods Yard	Teigngrace	SX857732		Mineral Railhead
Teignmouth Quay	Teignmouth	SX937729	Sibelco Hanson	Mineral Wharf
Torr Quarry	Kingsbridge	SX743480	Aggregate Industries UK Ltd	Concrete Plant
Town Farm	Burlescombe	ST080167	Hanson	Quarry – Sand & Gravel
Trusham Quarry	Chudleigh	SX846809	Hanson	Quarry – Crushed Rock Asphalt Plant

Site Name	Location	Grid Ref.	Site Operator(s)	Function(s)
Uplyme Quarry	Uplyme	SY313919	D Lush & Son E & JW Glendinning Ltd	Quarry – Chalk Quarry – Sand & Gravel
Venn Quarry	Landkey	SS584306	Aggregate Industries UK Ltd	Quarry – Crushed Rock Concrete Plant
Venn Ottery Quarry	Venn Ottery	SY065913	Aggregate Industries UK Ltd	Quarry – Sand & Gravel
Ventiford	Teigngrace	SX846747	Sibelco	Quarry – Ball Clay
Vyse Quarry	Spreacombe	SS492412	Braunton Aggregates Ltd	Quarry – Crushed Rock Quarry – Building Stone
Westleigh Quarry	Burlescombe	ST063175	Aggregate Industries UK Ltd	Quarry – Crushed Rock Asphalt Plant
Whitford Road	Kilmington	SY275974	Aggregate Industries UK Ltd	Concrete Plant
Whitecleaves Quarry	Buckfastleigh	SX737655	Gilpin Demolition Ltd	Quarry – Crushed Rock
Yelland	Yelland	SS482323	Notts Contractors Ltd	Concrete Plant
Yelland Quay	Yelland	SS480326	Notts Contractors Ltd	Mineral Wharf
Zig Zag Quarry	Newton Abbot	SX879690	Harleyford Aggregates	Quarry – Sand & Gravel
Zitherixon	Kingsteignton	SX864728	Sibelco	Quarry – Ball Clay



Schedule of Proposed Additional Modifications to the Devon Minerals Plan

Ref.	Policy/ Paragraph	Proposed Change New text <u>underlined</u> and deleted text in <del>strike</del> through
AM001	All Policies	<i>Number separate paragraphs within each Policy that comprise more than one paragraph.</i>
AM002	Various	<i>Renumber paragraphs where duplication or omissions have occurred (4.2.19, 8.9.10 onwards) and as a result of the insertion of additional paragraphs</i>
AM003	Contents	<p><i>Amend the following headings:</i></p> <p><b>3.1 <del>A</del>The Presumption in Favour of Sustainable <u>Minerals</u> Development</b></p> <p><b>4. <u>INDUSTRIAL</u> MINERALS OF NATIONAL IMPORTANCE</b></p> <p><b>5.3 <u>Steady and Adequate</u> Supply of Land-won Aggregates</b></p> <p><b>B MINERAL CONSULTATION AREA ARRANGEMENTS<u>PROCEDURE</u></b></p> <p><i>Insert the following heading:</i> <b>APPENDIX F: LIST OF SAFEGUARDED MINERAL SITES</b></p>
AM004	E.6 and E.7	<p>“Chapter 2 provides a Vision for how mineral development will be undertaken in Devon to 2033, emphasising the need to balance the <u>timely and adequate</u> supply of minerals with maintaining the county’s environment and quality of life. The Vision envisages Devon continuing to meet its aggregates needs, including maximising the use of its secondary and recycled materials, while contributing to the local and wider economies through supply of the <u>nationally important industrial</u> minerals of national importance. Other themes within the Vision are the need for enhanced supply of local building stone, enhancement of <del>green infrastructure</del> <u>Devon’s living conditions and environment, and climate change and working in partnership.</u></p> <p>“The Vision is supported by six Objectives that identify how the Vision will be achieved, including the spatial pattern of mineral development, safeguarding resources and managing mineral development to protect Devon’s communities and environment, together <u>with</u> three Objectives specific to the main groups of minerals.”</p>
AM005	E.8	<p><i>Amend the entries for the following policies [other policies to remain unaltered]:</i></p> <p>“Policy M1: Spatial Strategy outlines how the future spatial pattern of minerals development will assist in <del>minimising transportation distances, support the county’s economy and conserve and enhance its character and environment</del> <u>delivering the Plan’s Objectives.</u></p>

Ref.	Policy/ Paragraph	<p style="text-align: center;"><b>Proposed Change</b> New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
		<p>“Policy M3: Prior Extraction of Minerals encourages the extraction of mineral resources in advance of other forms of development to <u>avoid sterilisation of resources and</u> help reduce reliance on quarried sources.”</p> <p>“Policy M5: Use and Disposal of Ball Clay <del>Waste</del> <u>By-products</u> encourages the beneficial use of ball clay <del>waste</del> <u>by-products</u> and, where its <u>their</u> disposal is required, provides for backfilling or surface tipping.”</p> <p>“Policy M8: Use and Disposal of China Clay <del>Waste</del> <u>By-products</u> encourages the beneficial use of china clay <del>waste</del> <u>by-products</u> and, where its <u>their</u> disposal is required, provides for backfilling or surface tipping.”</p> <p>Policy M10: Secondary and Recycled Aggregates <del>ensures the availability of adequate capacity for processing of these materials</del> <u>seeks to maximise the contribution of these materials to aggregates supply.</u></p> <p>“Policy M11: <del>Landbanks for</del> <u>Steady and Adequate Supply of</u> Land-won Aggregates commits to the maintenance of minimum landbanks for crushed rock and sand and gravel, and provides criteria for allowing new resources.”</p>
AM006	1.1.1	“ <u>Minerals are essential to support sustainable growth and our quality of life and, within</u> <del>Within</del> Devon, a wide range of minerals are available...”
AM007	1.1.2	“by planning positively for the <u>steady and adequate</u> supply of minerals while seeking not only to protect local communities”
AM008	1.3.2	“In addition, regard should be had to the Devon Waste Plan and the Local Plans of Devon’s district councils which, <u>with Neighbourhood Plans,</u> also form part of the development plan, together with the National Planning Policy Framework and its subsidiary guidance.”
AM009	Figure 1.1	<i>Amend the symbology for ‘Wider Devon’ to make its extent clearer</i>
AM010	1.3.4	“...although it is anticipated that the Plan will be reviewed <del>before then,</del> either partially or as a whole, <u>within five years of its adoption and</u> in response to changing circumstances...”
AM011	1.4.3	“...through shared resources of <del>national importance</del> <u>nationally important industrial minerals</u> (ball clay and china clay)...”
AM012	2.1.5	“...over 200 Sites of Special Scientific Interest, <del>including 33 within current or former mines and quarries. (some</del> <u>Some of which these sites</u> are included within the 19 Devon locations that form part of the European Natura 2000 network) <del>within the County, together with which also contains</del> part of the ‘Jurassic Coast’ World Heritage Site...”
AM013	Figure 2.1	<i>Amend the symbology for ‘Wider Devon’ to make its extent clearer</i>
AM014	Figure 2.2	<p><i>Amend the key to replace ‘Port’ by ‘Commercial Port’, and delete the Port symbols for Ilfracombe and Brixham</i></p>

Ref.	Policy/ Paragraph	Proposed Change New text <u>underlined</u> and deleted text in <del>strikethrough</del>
AM015	2.1.8	<i>Amend first sentence:</i> “Commercial port facilities are available at Plymouth, <del>Brixham</del> and Teignmouth on the south coast and at Bideford ( <u>including Appledore and Yelland</u> ) to the north.”
AM016	2.2.1/2.2.2	<i>Amend second sentence of 2.2.1:</i> “The current and emerging development plans for wider Devon provide for significant levels of growth <u>within and around the main urban areas</u> Main Settlements of Plymouth, Exeter, Torbay, Newton Abbot and Barnstaple, together with other towns including Bideford and Tiverton, <del>while Torbay and Plymouth also anticipate significant growth.</del> ”  <i>Amend clause (b) of 2.2.2:</i> “the continuing concentration of new development at and around the <del>main urban areas</del> <u>Main Settlements</u> , particularly Plymouth...”  <i>Amend clause (c) of 2.2.2:</i> “the expansion of the <del>main centres</del> <u>Main Settlements</u> and some market towns...”
AM017	Figure 2.3	<i>Add Drakelands Mine as an operational quarry (Metals) and delete the symbol for Hillhead Quarry</i>  <i>Amend the title of the plan:</i> “ <b>Figure 2.3: Wider Devon’s Geology and Quarries (Operational in 2014 <u>2015</u>)</b> ”
AM018	2.3.2	“(a) <u>nationally important industrial minerals of national importance</u> , comprising ball clay... (b) ...that utilise the <u>waste by-products</u> arising from mineral and other activities”
AM019	2.3.5	<i>Amend clause (b):</i> “the contribution of <u>waste by-products</u> from working of these minerals to the supply of secondary aggregates;”  <i>Amend clause (d):</i> “...the relationship with other strategic <u>non-mineral</u> development.”
AM020	2.4.4	<i>Amend the following clauses:</i> “(a) the need for a strong policy framework for the <u>steady and adequate</u> supply of <u>nationally important industrial</u> minerals of <del>national importance</del> such as ball clay...”  “(f) the enhanced provision of local sources of building stone to maintain Devon’s distinctive built heritage <u>and landscape</u> ;”
AM021	2.5.4 Objective 4	“...by maintaining a sustainable, <u>steady and adequate</u> supply of aggregates...”
AM022	Table 2.1	3. <u>Industrial Minerals of National Importance</u>

Ref.	Policy/ Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
AM023	3.2	<p><i>Amend Objective 1 following the Section heading:</i>            “<i>Within geological constraints, secure a spatial pattern of mineral development that delivers the essential resources to markets within and outside Devon <del>with minimal</del> <u>while minimising</u> transportation by road <u>and generation of greenhouse gases</u>, supporting the development of its economy while conserving and enhancing the County’s key environmental assets.”</i></p>
AM024	3.2.1	<p><i>Amend the first sentence:</i>            “...the scope for alternative approaches is heavily constrained (particularly for the <u>industrial minerals of national importance</u>).</p> <p><i>Amend the second sentence:</i>            “...mineral development in Devon achieving <del>three key aims:</del>”</p> <p><i>Amend clause (c):</i>            “<b><u>contributing support to the economy of Devon</u></b>, and other areas that are dependent on its mineral resources, through the <del>steady</del> <u>timely</u> and adequate supply of mineral resources...”</p>
AM025	3.2.1	<p><i>Add new paragraph following 3.2.1:</i>            “<u>With regard to the last of these points, strategic non-mineral development in Devon will be focused on the Main Settlements of Exeter, Barnstaple and Newton Abbot, together with other towns including Bideford and Tiverton and within and around the adjoining Main Settlements of Plymouth and Torbay. Development within the south and east of the county will be most closely related to the location of strategic mineral resources.</u>”</p>
AM026	3.2.2	<p><i>Amend the first sentence:</i>            “...(i.e. those of <u>national and county</u> <del>or higher</del> importance as indicated in Table 8.1)...”</p> <p><i>Amend clause (a):</i>            “...and links <u>four of its three main urban areas and one of its sub-regional centres</u> <u>Main Settlements</u>, together with a number of other <del>main</del> towns...”</p> <p><i>Amend clause (c):</i>            “it contains the four limestone quarries that contribute <del>over 75%</del> <u>around 85%</u> of <u>wider</u> Devon’s crushed rock aggregates...”</p> <p><i>Amend clause (d):</i>            “it contains the major part of Devon’s resources of the <u>nationally important industrial</u> <del>minerals of national importance</del> and associated secondary aggregates;”</p>
AM027	3.2.6	<p>“The principal features of Policy M1 are illustrated in the Key Diagram provided in Appendix <u>4A</u>.”</p>

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AM028	3.3	<p><i>Amend the Objective following the section heading:</i>  <i>“Safeguard from other forms of development Devon’s <u>current or potential</u> economic mineral resources, together with the infrastructure needed for their processing and sustainable transportation and the capacity required for the tipping of mineral waste, to ensure their continued availability to meet the needs of future generations.”</i></p>
AM029	3.3.9	<p>“...sufficient alternative locations will enable <u>a steady and adequate supply</u> to be maintained for a considerable period...”</p>
AM030	3.3.11	<p><i>Amend first sentence:</i>  “...on the safeguarding <del>the</del><u>of</u> mineral resources and infrastructure...”</p> <p><i>End paragraph at “...existing or future mineral operations.”, and place the remaining text from “Unless proposals...” as a separate subsequent paragraph to include the following amendment</i>  “...within a Mineral Consultation Area. <u>Consultation with the minerals industry will enable consideration of the current or potential economic value of the resource. Devon County Council recognises that consultation with mineral operators is essential, particularly where the mineral resource is one of national importance. Appendix B outlines the procedure...</u>”</p>
AM031	3.3.13	<p>“For Devon’s <del>industrial minerals of national importance</del> and some aggregate minerals...”</p>
AM032	3.4.3	<p><i>Add the following sentence to the end of the paragraph:</i>  “<u>The County Council published ‘A Warm Response – Our Climate Change Strategy’ in 2005, providing objectives for communications, mitigation and adaptation.</u>”</p>
AM033	3.4.5	<p><i>Amend final sentence:</i>  “...and use of <del>waste materials</del> <u>mineral by-products</u> as secondary aggregates.”</p>
AM034	3.4.7	<p><i>Amend clause (a):</i>  “the Spatial Strategy (Policy M1) <del>requires</del> <u>ensures</u> that the distances that minerals are transported by road are minimised, <del>and encourages large-scale green infrastructure and habitat re-creation;</del>”</p>
AM035	Chapter 4	<p><b>4. <u>INDUSTRIAL MINERALS OF NATIONAL IMPORTANCE</u></b></p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p><b><i>Objective 3: <u>Industrial Minerals of National Importance</u></i></b></p> <p><i>Maintain Devon’s ability to <del>supply</del> <u>assist in meeting</u> national and international requirements <del>demand</del> <u>for these industrial minerals of national importance</u> found within the county, primarily through prudent use of existing reserves and tipping capacity, while harnessing the positive impacts of the large-scale nature of their</i></p> </div>

Ref.	Policy/ Paragraph	<p style="text-align: center;"><b>Proposed Change</b> New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
		<div style="border: 1px solid black; padding: 10px; width: fit-content;"> <p><i>working.</i></p> </div>
AM036	4.1.1	<p>“Mining of metalliferous minerals <del>will recommenced</del> <u>in</u> Summer 2015 with extraction of tungsten and tin at Drakelands Mine (formerly known as Hemerdon Mine).”</p>
AM037	4.1.2	<p>“These <u>industrial</u> minerals are <del>grouped together within the Minerals Plan as ‘minerals of national importance’</del> and share a number of characteristics that set them apart from other minerals such as aggregates:</p> <p>(a) the limited occurrence of the minerals, both within the UK and abroad, <u>and their recognition as being of national and international importance;</u>”</p> <p><i>[Clauses (b) to (e) unchanged through this Additional Modification]</i></p> <p>“(f) the large volumes of <del>waste</del> <u>by-products</u> that result from extraction and processing of these minerals, with a corresponding need to manage <del>that waste</del> <u>those by-products</u> but also the potential for <del>the waste materials</del> <u>them</u> to be utilised as secondary aggregates.”</p>
AM038	4.1.3	<p>“The international significance of these <u>industrial</u> minerals has been recognised...”</p>
AM039	4.2.4	<p><i>Add the following sentence to the end of the paragraph:</i>  “<u>However, geopolitical constraints, for example in Ukraine, limit their availability to global markets.</u>”</p>
AM040	4.2.5	<p><i>Amend the second and third sentences:</i>  “<del>Waste materials</del> <u>By-products</u> resulting from clay extraction comprises initial overburden together with interseam deposits of sand and lignite, with some of these materials capable of subsequent use for secondary aggregate, fuel and horticultural use. The proportion of <del>waste</del> <u>by-products</u> varies from pit to pit up to around 50%, with disposal achieved either through the backfilling of quarries or, where this is not feasible without sterilising remaining resources, through surface tipping.”</p>
AM041	4.2.9	<p><i>Amend the fifth sentence:</i>  “Provision of the outcomes of the exploratory work will <del>enable</del> <u>assist in</u> a partial review of the Minerals Plan <del>to be</del> <u>being</u> undertaken to provide greater certainty...”</p>

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AM042	4.2.10	<p><i>Amend the first, second and third sentences:</i></p> <p>“To balance the need for the mineral resource with these constraints, Policy M4 proposes an approach that allows for the maintenance of supply from the existing operational quarries (collectively termed the ‘Mineral Working Areas’ and defined to reflect the current planning permission boundaries for these sites, and illustrated in the Policies Map). Proposals that secure the maximum feasible exploitation of clays at individual quarries within the Mineral Working Areas, while maintaining the current pattern of processing and onward transportation, are supported as a means of limiting ‘land take’ by ball clay extraction, subject to consideration with the other Policies within the Plan. Provision for new areas of working outside the Mineral Working Areas is not made within Policy M4, but will be addressed through a review of the Minerals Plan, when sufficient evidence on the location of the necessary ball clay resources and the potential impacts of their development <u>are available can be considered.</u>”</p>
AM043	4.2.12	<p><i>Amend the final sentence:</i></p> <p>“Policy M5 therefore supports the processing of ball clay <del>waste</del> <u>by-products</u> for these and other beneficial uses.”</p>
AM044	4.2.13	<p><i>Amend the first sentence:</i></p> <p>“For the residual ball clay <del>waste</del> <u>by-products</u>, <del>its</del> <u>their</u> disposal through backfilling of quarry voids is preferred...”</p> <p><i>Amend the third and fourth sentences:</i></p> <p>“In such circumstances, it is therefore necessary to dispose of residual ball clay <del>waste</del> <u>by-products</u> in a surface tip, and this has occurred within both Basins on a significant scale, with some existing consents within the Mineral Working Areas including provision for additional tipping capacity. Policy M5 expresses a preference for disposal through backfilling, but provides for further surface tipping <u>beyond existing consents</u> where this is not feasible and outlines the information required for such proposals.”</p>
AM045	4.2.14	<p><i>Amend the second sentence:</i></p> <p>“...proposals for new surface tips for <del>waste</del> <u>residual by-products</u> from ball clay operations...”</p>
AM046	Policy M5	<p><b>“Policy M5: Use and Disposal of Ball Clay <del>Waste</del> <u>By-products</u>”</b></p> <p>Proposals for the processing of ball clay <del>waste</del> <u>by-products</u> for use as secondary aggregates, fuels or other beneficial uses will be permitted at or adjacent to existing ball clay quarries and processing sites.</p> <p>The disposal of residual ball clay <del>waste</del> <u>by-products</u> should be undertaken through the backfilling of quarry voids or, where such backfilling capacity is limited by the need to avoid sterilisation of ball clay resources and/or constraint of ball clay operations, through <del>the surface tipping of waste</del>. Wherever practicable, such surface tipping shall be:</p> <ul style="list-style-type: none"> <li>(a) achieved through the extension of an existing surface tip; and</li> <li>(b) located within or adjacent to the working area from which the clay is extracted.</li> </ul>

Ref.	Policy/ Paragraph	<p style="text-align: center;"><b>Proposed Change</b> New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
		<p>All proposals for the surface disposal of <u>residual</u> ball clay waste <del>by-products</del> should demonstrate:</p> <ul style="list-style-type: none"> <li>(a) the steps undertaken to minimise the quantity of <del>ball-clay waste materials</del> requiring disposal;</li> <li>(b) the constraints that prevent disposal of the <del>waste</del> <u>residual by-products</u> through backfilling of a quarry void;</li> <li>(c) how the volume of traffic on the public highway will be minimised (including the use of internal haul routes and/or conveyors);</li> <li>(d) how the impact on the character of the local landscape will be limited during tipping operations and through subsequent restoration and aftercare; and</li> <li>(e) how the stability of the tip will be ensured.</li> </ul>
AM047	4.3.1	<p><i>Amend the final sentence:</i> “The other main components of granite, mica and quartz, remain largely unaltered by this process, and form the main <del>waste by-products.</del>”</p>
AM048	4.3.3	<p><i>Amend the first sentence:</i> “...removes the clay and associated <del>waste</del><u>by-products.</u>”</p>
AM049	4.3.4	<p>“The main uses for china clay are paper manufacture (50%), ceramics (30%) and speciality applications (<del>20%</del>) including pharmaceuticals and fillers (<u>20%</u>), with around 88% of the UK’s production being exported to Europe and elsewhere in the world. Sales of UK china clay have steadily declined from a peak of 2.8 million tonnes in 1988 to <del>1.04</del> <u>1.09</u> million tonnes in <del>2012</del> <u>2014</u>, with the UK being overtaken as a producer by China and Brazil.”</p>
AM050	4.3.5	<p><i>Amend the second sentence:</i> “Within Devon, extraction is now undertaken only by Sibelco <del>UK</del> although Imerys retain kilns at Lee Moor that are fed by clays supplied by <del>Sibelco</del> <u>from Cornwall.</u>”</p>
AM051	4.3.9	<p><i>Amend the third sentence:</i> “As is the case with the other <u>industrial</u> minerals of <del>national importance</del>, a Mineral Working Area is identified in the Policies Map, based on the existing planning permissions, within which there is a presumption in favour of continued working to maximise the winning of clay <del>before the need for extraction outside the Mineral Working Area is considered.</del>”</p>
AM052	4.3.10	<p><i>Amend the first sentence:</i> “The mining and processing of china clay results in large volumes of <del>waste materials</del> <u>by-products</u> that account for...”</p>



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		<p><i>Amend the fourth sentence:</i>  “Secondary aggregate sales from china clay <del>waste</del> <u>by-products</u> have been averaging around <del>300,000</del> <u>430,000</u> tonnes per year...”</p>
AM053	4.3.11	<p><i>Amend the first sentence:</i>  “For the residual china clay <del>waste</del><u>by-products</u>, <del>its</del><u>their</u> disposal...”</p> <p><i>Amend the third sentence:</i>  “...it is therefore necessary to dispose of the <del>waste</del> <u>materials</u> in a surface tip...”</p>
AM054	Policy M8	<p><b>“Policy M8: Use and Disposal of China Clay <del>Waste</del><u>By-products</u>”</b></p> <p>Proposals for the processing of china clay <del>waste</del><u>by-products</u> as secondary aggregates or for other beneficial uses will be permitted within the Mineral Working Area defined on the Policies Map.</p> <p>The disposal of residual china clay <del>waste</del><u>by-products</u> will be undertaken through the backfilling of quarry voids within the Mineral Working Area or, where such backfilling capacity is limited by the need to avoid sterilisation of china clay resources and/or constraint of china clay operations, through <del>the surface tipping of waste</del>. Wherever practicable, such surface tipping shall be:</p> <ul style="list-style-type: none"> <li>(a) achieved through the extension of an existing surface tip; and</li> <li>(b) located within or adjacent to the working area from which the clay is extracted.</li> </ul> <p>All proposals for the surface disposal of china clay <del>waste</del><u>by-products</u> should demonstrate:</p> <ul style="list-style-type: none"> <li>(a) the steps undertaken to minimise the quantity of <del>china clay waste</del> <u>materials</u> requiring disposal;</li> <li>(b) the constraints that prevent disposal of the <del>waste</del><u>residual by-products</u> through backfilling of a quarry void;</li> <li>(c) how the volume of traffic on the public highway will be minimised (including the use of internal haul routes and/or conveyors);</li> <li>(d) how the visual impact on the local landscape will be limited during tipping operations and through subsequent restoration and aftercare; and</li> <li>(e) how the stability of the tip will be ensured.”</li> </ul>

Ref.	Policy/ Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
AM055	4.4.10	<p>“However, the mine was not subsequently developed due to the world downturn in tungsten prices, and Amax ceased their interest in the site. In 2007, Wolf Minerals acquired an interest in the site and <del>have since completed feasibility studies and pursued funding to enable the project to proceed. As at July 2015 the Company has almost completed construction of the tungsten processing plant and the associated mine waste facility is built to its first stage, ready to take waste tailings. The mining of rock waste and stockpiling of tungsten ore has also commenced. Their intention is to commission the process plant in the latter half of commenced extraction and processing in Summer 2015,</del> with an anticipated timescale for completion of the currently-permitted operations of nine to ten years.”</p>
AM056	4.4.11	<p><i>Add the following sentence to the end of the paragraph:</i>  “<del>However, an application to extend the cessation date by 15 years was submitted in December 2015.</del>”</p>
AM057	4.4.12	<p>The development site at Drakelands extends to 240 hectares and comprises three distinct elements:</p> <ul style="list-style-type: none"> <li>(a) the <del>proposed</del> open-cast extraction area in the south east of the site, which is planned to result in a final pit with approximate dimensions of 850 metres in length and 450 metres in width, with a maximum depth of 260 metres;</li> <li>(b) the mine waste facility on Crownhill Down for the disposal of the mining and processing waste, <u>which</u> will accommodate 104 million tonnes of waste over the site’s life, <del>which will</del> <u>and</u> create a raised, rounded landform; and</li> <li>(c) the plant area, located between the extraction and tipping areas.</li> </ul>
AM058	4.4.14	<p><i>Insert the following between the second and third sentences:</i>  “Annual review of land management and restoration will inform a five yearly review of the restoration concept.”</p>
AM059	4.4.17	<p><i>Amend the second sentence:</i>  “As is the case with the other <u>nationally-important industrial minerals of national importance</u>, a ‘Mineral Working Area’ is identified...”</p>
AM060	4.4.18	<p><i>Amend the first sentence:</i>  “<del>As knowledge of the geology and potential for tungsten and tin extraction beyond the proposed lateral extension is currently limited, and the mine is not yet</del> <u>has only recently become</u> fully operational, it is not considered appropriate to make provision in Policy M9 for any further extension beyond the Mineral Working Area.”</p>
AM061	Chapter 5	<p><i>Amend Objective 4 following the Chapter heading:</i>  “<i>Meet the development needs of Devon, and contribute to those of surrounding parts of the region, by maintaining a sustainable, <u>steady and adequate</u> supply of aggregates, making maximum use of the county’s resources of secondary and recycled materials and providing for the development of new resources when required.</i>”</p>

Ref.	Policy/ Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
AM062	5.1.3	<p><i>Amend the first sentence:</i>            “The <u>Because of their importance in sustainable construction, the National Planning Policy Framework requires mineral planning authorities to plan for an adequate and steady supply of aggregates and</u> introduced a new tool for planning for a steady and <del>adequate supply of aggregates,</del> the Local Aggregate Assessment, with guidance on its content provided in the Planning Practice Guidance and jointly by the Planning Officers’ Society and Mineral Products Association.”</p>
AM063	5.1.4	<p><i>Amend the first sentence:</i>            “While Devon has a wide variety of resources, including <del>waste materials</del> <u>mineral by-products</u> that are capable...”</p>
AM064	5.1.5	<p><i>Amend the first sentence:</i>            “To fulfil the Vision and Objectives, adequate provision must be made for the <del>continued</del> <u>steady and adequate</u> supply of construction aggregates with maximisation of secondary and recycled materials.”</p>
AM065	5.1.7	<p><i>Amend the second sentence:</i>            “...while providing for <u>the steady and adequate</u> supply of land-won aggregates in the preference indicated in the hierarchy...”</p>
AM066	5.2.1	<p><i>Amend the first and second sentences:</i>            “Devon has substantial resources of secondary aggregates that make a large contribution to aggregates supply, currently averaging 0.49 <del>0.48</del> million tonnes a year. The most significant source is from china clay waste <u>by-products</u> in the Lee Moor area (accounting for 80-90% of the total) while the <del>waste materials from</del> <u>by-products</u> of ball clay and slate working also yield secondary aggregates.”</p>
AM067	5.2.2	<p><i>Amend the first sentence:</i>            “Recycled aggregates are supplied in Devon through the processing of arisings from construction, demolition and excavation waste, with recent average annual production in <u>wider Devon</u> estimated to be 1.2 million tonnes.”</p>
AM068	5.2.3	<p><i>Amend the second sentence:</i>            “...with clusters of sites around the <del>main urban areas</del> <u>Main Settlements</u> of Plymouth, Torbay, Newton Abbot, Exeter and Barnstaple.”</p>
AM069	5.2.4	<p><i>Amend the second sentence:</i>            “It should be recognised that, while secondary and recycled aggregates make an important contribution to Devon’s aggregates supply and reduce <u>reliance</u> on land-won resources, they are not capable of meeting all technical requirements for higher-specification uses.”</p>
AM070	5.3	<p><b>“<u>Steady and Adequate Supply of Land-won Aggregates</u>”</b></p>
AM071	5.3.1	<p>“<del>In compliance with One of the measures of the National Planning Policy Framework,</del> <u>for the steady and adequate supply of aggregates</u> Devon County Council, <del>working in partnership with its neighbouring mineral planning authorities,</del> <u>seeks is seeking</u> to maintain landbanks for land-won aggregates equivalent to at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised. Devon County Council</p>

Ref.	Policy/ Paragraph	<p style="text-align: center;"><b>Proposed Change</b> New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
		plans to achieve this by working in partnership with its neighbouring mineral planning authorities.”
AM072	5.3.2	<p>“At the end of <del>2013</del><u>2015</u>, wider Devon had <del>139.30</del><u>114.99</u> million tonnes of permitted reserves of crushed rock aggregates, with annual average sales from <del>2004</del><u>2006</u> to <del>2013</del><u>2015</u> being <del>2.382</del><u>.352</u> million tonnes. <del>These</del> <u>At this level of sales, these reserves</u> provide a landbank of <del>5849</del> years, which extends well beyond the timescale of Minerals/Local Plans of the wider Devon MPAs. This landbank is capable of providing for an upturn in crushed rock demand provided that sufficient <del>productive</del> capacity is available at the existing quarries and that existing reserves remain capable of being exploited. <u>An upturn in sales will reduce the length of the landbank, which is calculated thus:</u></p> <p style="text-align: center;"><u>Permitted reserves divided by the level of provision = remaining landbank</u></p> <p><u>The level of provision is determined annually in the Local Aggregate Assessment.”</u></p>
AM073	5.3.3	<p><i>Amend the first sentence:</i> “Of the <del>2.252</del><u>.998</u> million tonnes of crushed rock sold in wider Devon in <del>2013</del><u>2015</u>, <del>87%</del><u>88%</u> was limestone...”</p>
AM074	5.3.4	<p><i>Amend the first and second sentences:</i> “Permitted reserves of sand and gravel in Devon are more limited, amounting to <del>8.137</del><u>.01</u> million tonnes at the end of <del>2013</del><u>2015</u>. Using the annual average sales from <del>2004-2013</del><u>2006 to 2015</u> of <del>0.620</del><u>.56</u> million tonnes, these reserves would last for <del>just over</del> <u>13</u><del>12.5</del> years if production levels are maintained and existing reserves remain available for extraction, with the landbank falling below seven years around <del>2020</del><u>2021</u>.”</p>
AM075	5.3.6	<p><i>Amend the first sentence:</i> “Policy M11 therefore proposes the maintenance of <del>the minimum</del> landbanks <u>equivalent to at least the duration required by the National Planning Policy Framework through use...</u>”</p>
AM076	5.4.1	<p><i>Amend the final sentence:</i> “...the maintenance of <u>a steady and adequate</u> supply of sand and gravel, taking account of their limited scope to contribute.”</p>
AM077	5.4.4	<p><i>Amend the first sentence:</i> “The major source of sand and gravel in Devon, accounting for <del>87%</del><u>81%</u> of the County’s production in <del>2013</del><u>2015</u>, is the Budleigh Salterton Pebble Beds...”</p>
AM078	5.4.7	<p><i>Amend the second sentence:</i> “The Spatial Strategy (Policy M1) seeks the maintenance of strategic sand and gravel production from within the Pebble Beds (<del>outside of the East Devon</del> <u>subject to, in the case of an Area of Outstanding Natural Beauty, the exceptional circumstances test of Policy M18</u>), supported by other sources close to the <del>main urban areas</del> <u>Main Settlements</u>.”</p>
AM079	Policy M12	<p><i>Amend the first sentence:</i></p>

Ref.	Policy/ Paragraph	Proposed Change New text <u>underlined</u> and deleted text in <del>strikethrough</del>
		"The <del>adequate and steady</del> <u>and adequate</u> supply of land-won sand and gravel..."
AM080	5.5.2	<i>Amend the first sentence:</i> "High-specification aggregates are relatively scarce within the UK, with few formations able to meet all of the necessary characteristics, and their <u>steady and adequate</u> supply is therefore..."
AM081	Policy M13	"...the site is located in close proximity to the <del>s</del> <u>Strategic</u> <del>t</del> <u>Transportation</u> <del>e</del> <u>Corridors</u> and/or a facility for the onward movement of aggregates by rail or sea."
AM082	Figure 5.3	<i>Amend the key to refer to 'Other Strategic <u>Transportation</u> Corridors'</i>  <i>Amend the alignment of the Strategic Transportation Corridor to North Devon to align with the A361</i>
AM083	5.6.1	<i>Add to the start of the paragraph:</i> "While marine-dredged materials form an important element of aggregates supply elsewhere in the UK, they only make a <u>minor contribution in Devon.</u> "  <i>Amend the second sentence:</i> "...averaging around <del>50,000</del> <u>48,000</u> tonnes each year."
AM084	5.6.2	<i>Add to the end of the first sentence:</i> "...the UK Marine Policy Statement (March 2011), <u>Section 3.5 of which addresses marine aggregates.</u> "
AM085	Chapter 6	<i>Amend Objective 5 following the Chapter heading:</i> "Reinforce the distinctiveness of Devon's built environment <u>and landscape</u> by securing the appropriate supply of local sources of characteristic building materials <del>necessary to meet future conservation needs.</del> "
AM086	6.2.1	<i>Amend the first sentence:</i> "There are currently <del>eight</del> <u>nine</u> active building stone quarries in Devon, working seven different geological formations, which are listed in Table 6.1."
AM087	Table 6.1	<i>Amend the second column alongside 'Bude Formation':</i> Beam, Torrington <u>Bableigh Wood, Parkham</u> <u>Newbridge, Dolton</u>  <i>Amend the title:</i> <b>Table 6.1: Building Stones Currently Worked <u>in 2015</u> and Other Key Building Stones in Devon</b>

Ref.	Policy/ Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
AM088	6.3.2	<p><i>Amend the first sentence:</i>            "...and local amenity is <del>carefully considered</del> <u>acceptable</u>."</p>
AM089	6.3.4	<p><i>Amend the first sentence:</i>            "...the supply of a wider range of <del>the key</del> building stones."</p>
AM090	7.2.10	<p><i>End 7.2.10 after the end of the fourth sentence and create a new paragraph 7.2.11 for the remaining text. Amend the first sentence of the new 7.2.11:</i>            "In the interim period, any planning applications for conventional or unconventional oil and gas <del>development</del> <u>exploration, appraisal or production</u> resulting from..."</p>
AM091	Chapter 8	<p><i>Amend Objective 6 following the Chapter heading:</i>  <del>"Reinforce the distinctiveness of Devon's built environment by enhancing the appropriate supply of local sources of characteristic building materials necessary to meet future conservation needs. Manage mineral development in a manner that protects Devon's communities from adverse impacts and conserves and enhances its world-class environment while delivering positive benefits for its quality of life and green infrastructure."</del></p>
AM092	Table 8.1	<p><i>Amend the categories under the heading 'Significance' to 'National', 'County' and 'Local', with the first two grouped as 'Strategic Mineral Resources'</i></p> <p><i>Delete the term 'waste' where it occurs in Table 8.1 and replace with 'by-products'</i></p>
AM093	8.1.13	<p><i>Amend the first sentence:</i>            "Mineral development benefits from <del>extensive</del> 'permitted development rights' granted by the Town and Country Planning (General Permitted Development) Order 2015."</p>
AM094	8.2.5	<p><i>Amend the first sentence:</i>            "Devon County Council's <del>non-statutory</del> Green Infrastructure Strategy promotes guiding principles for the planning of green infrastructure, strategic priorities and actions <u>to be considered alongside the Minerals Plan</u>."</p>
AM095	8.3.1	<p>Devon's outstanding natural environment includes <del>a large number of wildlife habitats, species</del> an ecological network comprising a wide variety of statutory and non-statutory designated sites together with a matrix of habitats and linear features such as rivers, hosting a range of species. The county's diverse geology, illustrated in Figure 2.3, has resulted in extensive natural and man-made <u>geological and geomorphological features that assist our understanding of the Earth's development. These ecological and geological features that are protected through legislation and/or policy at international, national and local levels, while in addition,</u> the Natural Environment and Rural Communities Act 2006 includes a duty on all public authorities to consider biodiversity in undertaking their functions. <u>Consideration should also be given to the connectivity of Devon's ecological network with sites and habitats in adjoining areas and opportunities for these links to be enhanced.</u></p>

Ref.	Policy/ Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
AM096	8.3.2	<p><i>Amend the fourth sentence:</i>  <del>“While it is recognised that mineral extraction within or close to Natura 2000 sites will not necessarily result in significant effects, proposals</del> <u>Proposals</u> should demonstrate they...”</p>
AM097	8.3.5	<p><i>Amend the second sentence:</i>  <del>“Development</del> <u>Mineral development</u> within the Biosphere Reserve should <del>have regard</del> <u>contribute</u> to the <del>objectives</del> <u>environmental, social, economic and knowledge aims and policies</u> within its Strategy for Sustainable Development <u>including through Policies M16, M17 (as an international site), M20, M21 and M27 of this Plan.</u>”</p>
AM098	8.3.6	<p><i>Amend the second sentence:</i>  <del>“The Devon Rebuilding Nature Map (illustrated in Figure 8.1), an informal document managed by the Devon Local Nature Partnership, identifies priority opportunity areas for the maintenance and expansion of habitats, and with individual profiles have been developed</del> <u>provided</u> for each of these Strategic Nature Areas.”</p>
AM099	8.3.8	<p><i>Amend the first sentence:</i>  <del>“National statutory nature conservation designations in Devon include over 200 Sites of Special Scientific Interest (identified for biological and/or geological value, in some cases as a direct result of mineral working) and three National Nature Reserves.”</del></p>
AM100	8.3.10	<p><i>Amend the first and second sentences:</i>  <del>“Devon has experienced a huge decline in habitats and species since World War Two</del> <u>due to a wide range of influences</u> and, while this trend has slowed and, in some cases, been reversed, Devon’s biodiversity continues to face a variety of threats. <del>Mineral</del> <u>In common with other land uses, mineral</u> development can have adverse direct and indirect impacts on biodiversity and geodiversity.”</p>
AM101	8.3.12	<p><i>Amend the final sentence:</i>  <del>“Devon was one of the Defra pilot areas for biodiversity offsetting and it is anticipated that Devon-wide and/or national offsetting schemes will be developed.”</del></p>
AM102	8.4.2	<p><i>Amend the final sentence:</i>  <del>“There are also five Areas of Outstanding Natural Beauty wholly or partly within Devon which are of the same importance, and the setting of the World Heritage Sites in terms of inward and outward views is a key consideration.”</del></p>
AM103	8.6.2	<p><i>Amend the fourth sentence:</i>  <del>“These were set out in the Climate Change Act 2008 and set a reduction target of at least 34 percent</del> <u>35%</u> in greenhouse gas emissions by 2020 and at least <del>80% percent</del> <u>by 2050.</u>”</p>
AM104	8.7.3	<p><i>Amend the third sentence:</i>  <del>“Implementation of the Directive within the UK has included the preparation by the Environment Agency of River Basin Management</del></p>

Ref.	Policy/ Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
		<p>Plans, which identify the current status of water bodies and the actions for achieving improved status, <u>and Catchment Abstraction Management Strategies to ensure the sustainable use of water resources.</u></p>
AM105	8.7.4	<p><del>“Groundwater occurs within fractures and pores of the rock strata, provides baseflow to rivers, and can be an important <u>its volume vastly exceeding that of the volume of surface water.</u> Groundwater resources are an essential source of water for public supply drinking water, industry, agriculture and some environmental features including wetlands which may be in the same catchment as a mineral operation. In some areas this groundwater provides the only source of water. In addition, groundwater feeds surface water courses, such as rivers, through springs and sustains their base flows; it is important in supporting wetlands and their ecosystems. The volume and quality of groundwater and surface water needs to be protected from pollution and contamination, chemical alteration and depletion by mineral development. Additionally, the removal of rock <u>and overburden, even above the water table,</u> has the potential to alter the way in which groundwater is recharged; if there is less storage in the system, the recharge <u>as infiltrating water is likely to</u> reaches the water table more quickly. The <u>adverse and, potentially, positive</u> effects of these alterations on ecology, <u>flood risk</u> and water supply need to be considered and, if <u>where</u> necessary, mitigation must be provided.”</del></p>
AM106	8.7.5	<p><del>“The effects of mineral development on surface water and groundwater, both within and surrounding the <u>mineral</u> site, need to be fully evaluated, particularly in areas of karst geology and some sand and gravel formations which are <u>particularly</u> sensitive to quarrying <u>due to the likely high groundwater flow and potential for storage.</u> Proposals for mineral development, particularly if <u>the process of where</u> dewatering is part of the application, will be required to demonstrate to the <u>mineral planning authority and the Environment Agency</u> that potential adverse impacts on groundwater and surface water have been identified, <del>monitored</del> and that any necessary measures to avoid or mitigate such <u>identified</u> impacts have been incorporated in the proposals.</del></p> <p><i>[Separate remaining text as a new paragraph]</i></p> <p><del>The impacts <u>will need to be identified for</u> Impacts may be in relation to groundwater or surface water flow rate, direction and <u>quantity, and also</u> water quality, both ecological and chemical. <u>impacts, and quantity, noting any impacts on the volume, direction and flow of water.</u> The appropriate level of investigation, <u>mitigation</u> and monitoring <u>of these aspects</u> will be guided by the <u>Environment Agency</u> depend on the regional water resource status and sensitivity of the catchment water features susceptible to <u>flow impacts.</u> Mineral development should also use water efficiently, ensuring efforts are made to <u>ensure achieve reuse of water is reused</u> where possible.”</del></p>
AM107	Following amended 8.7.5	<p><i>Insert additional paragraph:</i></p> <p><del>“It should be recognised that changes to the water environment arising from mineral development can also affect other elements of the environment including biodiversity, land stability, heritage assets and landscape. As an example, there is a direct link between the Outstanding Universal Value of the Dorset and East Devon Coast World Heritage Site and inland groundwater processes that operate outside its boundaries.”</del></p>



Ref.	Policy/ Paragraph	<p style="text-align: center;"><b>Proposed Change</b></p> <p style="text-align: center;">New text <u>underlined</u> and deleted text in <del>strikethrough</del></p>
AM108	8.8.3	<p><i>Amend the second sentence:</i>            "...the strategic road network can have <u>a</u> number of impacts..."</p>
AM109	8.8.5	<p><i>Amend the second sentence:</i>            "Where unavoidable impacts are identified, these should be mitigated appropriately, potentially through a travel plan, <u>lorry routeing strategies</u>, infrastructure improvements or financial contributions."</p>
AM110	8.9.5	<p><i>Amend the second sentence:</i>            "Mineral sites often are located in rural areas and, therefore, <del>will</del> <u>may</u> have a particular impact on tranquillity..."</p>
AM111	8.9.10	<p><i>Amend the second sentence:</i>            "For each noise emission identified, <u>the assessment should</u> take into account..."</p>
AM112	8.9.16	<p><i>Amend the second sentence:</i>            "Since quarries are normally located in mainly rural areas where existing levels of emissions are low, it is unlikely levels will exceed standards in the national Air Quality Strategy, although localised effects could occur, <del>e.g. internal bridges over sensitive watercourses.</del>"</p>
AM113	Policy M23	<p><i>Amend the second sentence:</i>            "...being caused to <u>occupiers of</u> dwellings and other sensitive properties..."</p>
AM114	8.10.4	<p><i>Amend the second sentence:</i>            "<del>New</del> <u>It is recognised that mineral deposits can only be worked where they are found, though subject to geological constraints new</u> mineral development should be steered to areas of least flood risk, <del>but it should be recognised that mineral deposits have to be worked where they are found in line with Government policy.</del> Policy M24 therefore reflects Government policy in <u>as detailed in the form of the National Planning Policy Framework and Planning Practice Guidance...</u>"</p>
AM115	8.10.6	<p>"When preparing a planning application for mineral development at a site not allocated by the Minerals Plan and which is <u>not</u> within Flood Zone 1 (unless there is a clear indication of current or future flooding issues <u>of a site in Flood Zone 1</u>), the Sequential Test should be applied, taking account of any scope for alternative locations."</p>
AM116	8.10.7	<p><i>Amend the first sentence:</i>            "Depending on the nature of the mineral development in question, the flood risk characteristics of the site, and the potential for adverse impacts on sensitive land uses and populations, <u>significant</u> mitigation measures may be required <del>to minimise development impacts.</del>"</p>
AM117	8.11.3	<p><i>Add the following text to the end of the paragraph:</i>  <u>"As well as considering the land stability implications of the operational stages of mineral development, the appraisal should address the site's stability following restoration including the suitability of the site for the intended after-use and the differential settlement of</u></p>

Ref.	Policy/ Paragraph	Proposed Change New text <u>underlined</u> and deleted text in <del>strikethrough</del>
		<u>materials that may be used to backfill the quarry void.</u>
AM118	8.13.1	“Minerals <del>development</del> <u>extraction</u> is a <u>temporary activity</u> and, as a result...”
AM119	8.13.2	<i>Add the following text to the end of the paragraph:</i> “...Development Plan policies; <u>where such after-uses are being considered, operators are encouraged to discuss proposals with the mineral planning authority and local planning authority at an early stage.</u> ”
AM120	8.13.4	<i>Add the following clause after (f) and re-label subsequent clauses:</i> “(g) <u>the retention of suitable exposed faces to assist geological study and interpretation;</u> ”  <i>Amend the penultimate clause:</i> “an appropriate phasing plan to consider how different parts of the site should be restored during and after operations to ensure that parts of the site which are no longer in use are restored as soon as possible, <u>but avoiding sterilisation of any remaining resources particularly where an interim form of restoration is proposed;</u> and”
AM121	9.2.3	<i>Amend the third sentence:</i> “A range of indicators is provided for each objective, together with baseline data, targets and <u>monitoring triggers for review</u> , and these will be reported annually in the County Council’s Monitoring Report <u>in respect of the planning applications determined in the year being monitored.</u> ”
AM122	9.2.5	<i>Amend the second sentence:</i> “Where monitoring triggers a need to <del>review</del> <u>consider the implementation or effects of one or more policies...</u> ”
AM123	9.3.8	<i>Amend the first sentence:</i> “For Devon’s <u>industrial minerals of national importance</u> , sales are almost wholly to markets outside the county and largely outside the UK, and there is very little reliance on imports into Devon.”
AM124	Table B.1	<i>Replace ‘Kaolin and Ball Clay Association’ in the second column with ‘Imerys Minerals Ltd’ and ‘Sibelco’</i>  <i>Add ‘Cornish Chamber of Mines and Minerals’ in the second column alongside ‘Tungsten and tin’</i>
AM125	C.1	<i>Amend the second sentence:</i> “In addition, Policy M12 proposes two new <del>locations</del> — <del>as Specific Site and a Preferred Areas</del> — <u>for the extraction of sand and gravel...</u> ”
AM126	Table C.1	<i>In the second column alongside ‘Relevant planning history’, add the following text at the end of the paragraph:</i> “ <u>An application was submitted in December 2015 to extend the cessation date by 15 years.</u> ”
AM127	Table C.5	<i>Amend the title for Table C.5:</i>

Ref.	Policy/ Paragraph	Proposed Change New text <u>underlined</u> and deleted text in <del>strikethrough</del>
		<i>"Table C.5: Constraints and Mitigation Measures <u>Site Details for West of Penslade Cross</u>"</i>
AM128	Table D.1	<i>Amend the third column alongside Policy MP43: "Policies M223 and <del>M24</del>M23"</i>
AM129	Glossary	<i>Delete the following entry: <b>"Aquifer"</b> The underground rock layers that hold groundwater, which are often an important source of water for public water supply, agriculture and industry."</i>
AM130	Glossary	<i>Delete the following entry: <b>"Local Strategic Partnership (LSP)"</b> A non-statutory body that brings together the different parts of the public, private, voluntary and community sectors, working at a local level. The lead organisation in the LSP is the local council. Other organisations involved often include the emergency services, the Primary Care Trust (PCT) and community groups. The LSP ensures that different organisations work together to deliver services in an effective and coordinated way. The LSP produces an area's Sustainable Community Strategy."</i>
AM131	Glossary	<i>Insert the following entry: <b>"Main Settlements"</b> The cities and larger towns within wider Devon that are the focus for growth in the county, comprising Plymouth, Exeter, Torbay, Newton Abbot and Barnstaple."</i>
AM132	Glossary	<i>Insert the following entry: <b>"Mineral Resource Assessment"</b> <u>An assessment of the presence of mineral resources of current or potential economic value beneath a site being proposed for non-mineral development within a Mineral Safeguarding Area. The assessment should be undertaken by or on behalf of the applicant for the non-mineral development, and should include appraisal of the site's geology and available mineral exploration data, together with analysis of the potential economic value of the underlying resource and the scope for its extraction. Where warranted by this analysis, it may be necessary for physical site investigation to be undertaken. Applicants are advised to discuss their proposals and evidence requirements in advance with the mineral planning authority and relevant mineral operators.</u></i>
AM133	Glossary	<i>Amend the following entry: <b>"Mineral Waste <u>By-product</u>"</b></i>
AM134	Glossary	<i>Amend the following entry: <b>"Mineral Working Area"</b> A term used in the Devon Minerals Plan to indicate the area within which winning and working of a Mineral of National Importance <u>nationally important industrial mineral</u> is anticipated to occur for the Plan's duration, and defined to reflect the extent of current</i>

Ref.	Policy/ Paragraph	Proposed Change New text <u>underlined</u> and deleted text in <del>strikethrough</del>
		planning permissions.”
AM135	Glossary	<p><i>Delete the following entry:</i>  <b>“Minerals of National Importance</b>            A term used in the Devon Minerals Plan to group those industrial minerals currently or proposed to be extracted within Devon, including ball clay, china clay and tungsten, that are sold for use in markets across the UK, Europe and elsewhere in the world.”</p>
AM136	Glossary	<p><i>Amend the following entry:</i>  <b>“Natura 2000 Sites</b>            A collective term for the nature conservation sites designated under European legislation, including Special Areas of Conservation, Special Protection Areas and Ramsar sites. <u>For the purposes of Policy M17, the following sites should be given the same status as designated Natura 2000 sites: potential Special Protection Areas and possible Special Areas of Conservation; listed or proposed Ramsar sites; and sites identified or required as compensatory measures for adverse effects on designated or emerging European sites.</u>”</p>
AM137	Glossary	<p><i>Amend the following entry:</i>  <b>“Strategic Mineral Resources</b>            A term used in the Devon Minerals Plan to denote a resource of <u>national or county or higher</u> importance, as indicated in Table 8.1.”</p>
AM138	Glossary	<p><i>Amend the following entry:</i>  <b>“Strategic Nature Area (SNA)</b>            Landscape-scale areas of land containing a mosaic of habitats and offering opportunities for the expansion of priority habitats. SNAs are defined on the Rebuilding Devon’s Nature Map maintained by the Devon Biodiversity Records Centre <u>Local Nature Partnership.</u>”</p>
AM139	Glossary	<p><i>Delete the following entry:</i>  <b>“Sustainable Community Strategy (SCS)</b>            A document produced by a Local Strategic Partnership which sets out an agreed vision and priorities for the local area and community. These often include environmental priorities relating to waste management and recycling.”</p>

PTE/16/38

Development Management Committee  
20 July 2016

**County Matter: Minerals**

**East Devon District: Variation of Conditions 1 and 4 of Permission DCC/3003/2010 to permit the importation of as-dug sand and gravel from Houndaller (Hillhead) Quarry for processing at Blackhill Quarry, Woodbury**

**Applicant: Aggregate Industries UK Ltd**

**Application No: 16/0630/CM**

**Date application received by Devon County Council: 30 October 2015**

Report of the Head of Planning, Transportation and Environment

***Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.***

**Recommendation:** It is recommended that planning permission is granted in accordance with the conditions set out in Appendix II to this report and the variations to the Section 106 agreement as set out in Appendix III to this report (with any subsequent changes to the conditions or legal agreement being agreed in consultation with the Chairman and Local Member).

## **1. Summary**

- 1.1 This Report relates to a planning application that seeks to amend conditions specifying the source of material to be imported to the existing processing plant, at Blackhill Quarry for the remainder of the life of the current permission which expires in December 2016.
- 1.2 The application is to enable the applicant, Aggregate Industries, (AI) to import sand and gravel from Houndaller (Hillhead) Quarry near Uffculme for the remainder of the life of the existing permission (to 31 December 2016); using the M5/A3052/B3180 route (shown on Plan 3 attached to this Report).
- 1.3 It is considered that the main material issues in the consideration of this application are whether the nature of the imported material would have significant environmental effects on the adjacent protected sites, the impact of the development on the Area of Outstanding Natural Beauty (AONB) having regard to whether the proposal is a “major” development, and the traffic and sustainability implications of hauling material to Blackhill Quarry from Houndaller (Hillhead) at Uffculme.

## **2. The Proposal/Background**

- 2.1 Blackhill Quarry located as shown on Plan 1 lies wholly within the East Devon AONB and lies just outside the boundary of the East Devon Pebblebed Heaths which are designated as Special Area of Conservation (SAC) and Special Protection Area (SPA). They are also a Site of Special Scientific Interest (SSSI).
- 2.2 The main quarry permission was granted in 1972 although it had been worked since the 1950s. A further consent was granted in 2002 to work an area known as Thorn Tree Plantation to replace an area of the original quarry that was located within the European Protected site where the permission was modified to prevent further

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working. The quarry worked the Budleigh Salterton Pebble beds which in the Blackhill area consist of large quartzite pebbles interbedded with sand. The processing of the material produces a number of products including crushed pebbles which have a high polished stone value (PSV) and are used in road surfacing. The processing plant was originally installed as “permitted development” and the existing plant was erected in 2002. Due to the hardness of the pebbles the processing plant is more akin to a hard rock quarry operation than the normal screens used for wet working and grading of sand and gravel. The plant can grade many different types of material and therefore there has historically been a large stockpiling capacity to meet the demand for different types of product.

- 2.3 In 2008 an application was made to use the Blackhill plant for the processing of quarried material arising from Marshbroadmoor Quarry. This permission expired in 2009. In February 2010 a further application was made to allow for the retention of quarry processing plant and the importation and processing of sand and gravel from Marshbroadmoor (10.5km by road to the north at Rockbeare) and additional sand gravel from Venn Ottery Quarry (8.5 km by road to the north). This permission was accompanied by a legal agreement requiring a highway improvement at the Halfway House junction on the A3052; requirement to repair any damage to the county highway on the minor road leading to the quarry; and implementation and operation of a haulage statement. The planning permission for the use of the Blackhill plant for the processing of mineral arising from Marshbroadmoor Quarry and Venn Ottery Quarry expires on 31 December 2016.
- 2.4 The reserves at Marshbroadmoor were exhausted in 2014 and the site is in restoration. This application seeks to amend the condition which specifies the source of material to this site to enable them to supplement the remaining Venn Ottery reserves (estimated to be 100,000 tonnes) with 40,000 tonnes of “as dug” material from Hillhead.
- 2.5 The extraction of material at Blackhill Quarry was completed in the summer of 2015 leaving only the silt lagoons, stocking areas and processing plant operational. The operator has since relied on the importation of material from Venn Ottery quarry, with the materials being stockpiled on the site and mixed to create varying grades of product for sale principally within the East Devon market.

### **3. Consultation Responses**

- 3.1 East Devon District Council (Planning): No objection (although they attach a letter of objection from a local Councillor).
- 3.2 East Devon District Council (Environmental Health): No objection.
- 3.3 Historic England: No comment – should be determined in accordance with NPPF.
- 3.4 Environment Agency: No comment.
- 3.5 Natural England: No objection, following confirmation that the importation of material would have no significant effect on the SAC.
- 3.6 RSPB: Consulted on 11 March 2016 – no comments received.
- 3.7 Devon Wildlife Trust: Consulted on 11 March 2016 – no comments received.

- 3.8 Woodbury Parish Council: Object to the proposal due to the likelihood of increased HGV movements through Woodbury village.
- 3.9 Colaton Raleigh Parish Council: Consulted on 11 March 2016 – no comments received.
- 3.10 Aylesbeare Parish Council: Object as it would mean a serious continuing lorry nuisance for a further 5 years (*sic*) The Halfway House Inn junction is already a “hot spot” for queueing traffic and the B3180 is suffering from constant heavy traffic.
- 3.11 East Devon AONB: Any newly imported materials should pass all necessary compatibility checks with Natural England and should not compromise the long term site restoration requirements. Processing should not lead to an exceedance of existing traffic levels and should not extend beyond December 2016.
- 3.12 Uffculme Parish Council: Raise concerns about traffic impacts at the source quarry. The County Council has asked for a haulage statement and agreement similar to that applying to the source quarries at Venn Ottery and Marsh Broadmoor to control traffic impacts at Hillhead to within normal industrial operating hours.
- 3.13 Exeter Airport Safeguarding: No objection.
- 3.14 CPRE (East Devon Group): object to the proposal on the grounds of:
- The approved restoration scheme is based on the estimated silt arising from Marshbroadmoor and Venn Ottery and so as more material than expected has been removed from Venn Ottery it is difficult to accept that additional material is now needed to complete the restoration.
  - The applicant has not demonstrated “exceptional circumstances” and there are significant environmental concerns about transportation for over 50 miles from Hillhead and the likely pollution. Processing should take place on site at Hillhead as the proposal does not comply with Policies MP42 and MP52 of the Devon Minerals Local Plan or the emerging minerals plan which requires that the distances minerals are transported by road are minimised.
  - Concerns about the impact on the B3180 from Halfway House to Blackhill and on the road through Woodbury Village.
- 3.15 Exmouth Civic Society: Objection as the road systems surrounding the works at Blackhill are unsuited to the volume of traffic proposed and the continuation of these activities in the AONB is inappropriate. The existing works cause light pollution in a sensitive area.

#### **4. Advertisement/Representations**

- 4.1 The application has been advertised in accordance with the statutory publicity arrangements by means of a site notice, and notification of neighbours and objectors to the previous withdrawn application at Blackhill Quarry by letter. As a result of these procedures 21 letters of representation have been received
- 4.2 The representations are objections based on a number of concerns including: continuation of HGV movements through Woodbury village (and consequent highway safety concerns due to lack of footpaths etc.) especially given the amount of new development proposed; unsustainable to transport material from Houndaller (Hillhead); HGV traffic on unsuitable roads already causing damage to the roads and

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verges and leaving mud on the roads; HGV speeds dangerous to cyclists and pedestrians; HGV traffic continuing through sensitive areas; additional congestion at halfway House Junction caused by right turning lorries; processing should take place at Houndaller (Hillhead); Blackhill should be winding down to closure at end of 2016, not continuing with peak working – extensions have already been granted and no further extensions should be accepted; extension of life of the plant contrary to AONB policy; no exceptional circumstances demonstrated to justify departure from AONB policy; no alternatives proposed; potential damage to the SAC/SPA/SSSI from importation of material from elsewhere; loss of tourism revenue due to perception of industrial area; application should have had an Environmental Statement; chemical levels in imported materials unsuitable for restoration; proposal will not enable the remaining silt lagoons to be completed.

- 4.3 Copies of representations and consultation responses are available to view on the Council website under reference DCC/3840/2016 or by clicking on the following link: <https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/3816/2015>

## **5. Planning Policy Considerations**

- 5.1 In considering this application the County Council, as Mineral Planning Authority, is required to have regard to the provisions of the Development Plan insofar as they are material to the application, and to any other material considerations. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that where regard is to be had to the Development Plan, the determination shall be in accordance with the Development Plan unless material considerations indicate otherwise. In this case the Development Plan policies are summarised in Appendix I to this report and the most relevant are referred to in more detail in Section 6 below.
- 5.2 National guidance additionally states that planning authorities should have regard to management plans for Areas of Outstanding Natural Beauty in taking decisions on planning applications and that these documents may also be material considerations in making decisions on individual planning applications, where they raise relevant issues.
- 5.3 The AONB Management Plan observes that the tranquillity of the AONB is gradually being eroded through increased traffic, air transport, light pollution and built development and that there is a continuing need for the sensitive restoration and aftercare arrangements for mineral sites. The views of the AONB service on the proposal are reported above in Section 4.

## **6. Comments/Issues**

- 6.1 It is considered that the main material issues in the consideration of this application are whether the nature of the imported material would have significant environmental effects on the adjacent protected sites, the impact of the development on the Area of Outstanding Natural Beauty (AONB) having regard to whether the proposal is a “major” development, and the traffic and sustainability implications of hauling material to Blackhill Quarry from Houndaller (Hillhead) at Uffculme.

### Impact on Protected Sites

- 6.2 The initial advice from Natural England was that there was insufficient information on the likelihood of “significant effects” on the adjacent East Devon Pebblebed Heaths SPA/SAC. This was based on the uncertainty of the impact on the protected sites from the importation of materials from outside the immediate quarry area.



- 6.3 A technical note was provided on the likely nutrient content of the material to be imported and the likelihood of subsequent chemicals or elements that could be included in runoff from the site. It concludes that there is no nutrient in the leachate from the imported material and that therefore it would not be possible to have an adverse impact on the adjacent protected sites from any groundwater connection from the settlement lagoons.
- 6.4 Natural England has now confirmed that it is satisfied that the proposed activity does not present a significant risk over and above how the quarry has operated to date. The proposal has been screened for likely significant effects on European protected sites as required by the Conservation of Species and Habitats Regulations 2010 and it is concluded the proposal would have no likely significant effects on the adjacent East Devon Pebblebed Heaths Special Area of Conservation (SAC). The Habitats Regulation screening assessment is attached as Appendix V to this Report.

### Development within the AONB

- 6.5 The site is located wholly within the East Devon Area of Outstanding Natural Beauty and the statutory purpose of AONB designation is to conserve and enhance the natural beauty of the area.
- 6.6 A number of representations have made reference to Paragraph 116 of the National Planning Policy Framework which states that:

*“Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest.*

Although Government guidance categorises all mineral development as “major”, it is questionable whether the temporary continuation of the status quo is truly a major development in terms of its impact. However, the applicant has provided commentary on the three Exceptional Circumstances Tests set out in the guidance which are:

- ***need for the development:***

The applicant contends that the proposal would enable the continuation of a supply of 14 different finished products to the East Devon building trade. The additional silt generated would supplement the filling of the lagoons to meet the approved restoration contours, and the permitted heathland restoration.

- ***cost of and scope for developing outside the AONB or meeting the need in some other way:***

The applicant states that it is only seeking permission to bring material to Blackhill in the place of material that had previously been imported from Marsh Broadmoor at Rockbeare. The statement adds that if the processing plant cannot remain in use until the end of the permission then it will be under-utilised and the permitted restoration could not be completed.

- ***detrimental effect on the landscape and the extent to which it could be moderated.***

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The applicant states that the application only seeks to replace imported materials arising from one site (Marshbroadmoor) with those arising from another (Hillhead) and therefore does not present any significant risk to the environment over that already existing and permitted.

- 6.7 In terms of impact on the landscape it is clear that Blackhill Quarry itself has had a significant visual impact on this area during its operation but the majority of the site is now in restoration and aftercare. This application does not seek to extend or alter any development that is not currently in situ and seeks only to bring in a different feedstock for the short remaining life of the permission. There would therefore be no physical change to the nature of the AONB above that which is already permitted and therefore it would be difficult to state that this proposal in itself would have any further continued impact on the AONB that is already present.
- 6.8 This proposal in itself would not increase the existing traffic in the AONB and nor would it defer the restoration of the mineral site beyond the end date of the current permission in 2016. The only potential impact could be that the original applications to import material to the site indicated that there would be a peak of production followed by a “tailing off” before final closure of the plant. The current proposal with its “campaign” working would keep the production levels at higher volumes until this permission ends. But the overall impact on the AONB would not be greater than the original consents envisaged and the view of the AONB service would be a material consideration.

## Impact on current restoration proposals

- 6.9 The silt estimated from the proposal would produce at maximum some 4,300m<sup>3</sup> of silt which would near complete the filling of one of the two remaining lagoons to a point where it could realistically be capped and restored. It would not complete the second lagoon which has a remaining capacity of 218,000m<sup>3</sup>.
- 6.10 Paragraph 144 of the NPPF requires that when determining planning applications, local authorities should: “provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards”. Given that the permission expires in any case at the end of the year it is not considered that this would significantly affect the restoration timetable and it appears clear that a revised restoration scheme would be needed in any case to deal with the fact that both settlement lagoons will not be filled as anticipated during the permitted life of the processing plant.

## Highways Issues

- 6.11 The proposal will involve lorry traffic taking unprocessed material from Houndaller (Hillhead) Quarry at Uffculme therefore increasing the distances travelled but not increasing the overall numbers of vehicles on the road which would enter and leave Blackhill Quarry.
- 6.12 The applicant states that the HGVs importing material from Houndaller (Hillhead) would return by the same route via the B3180, Halfway House Junction, the A3052 and back up to Houndaller (Hillhead) Quarry via the M5 a distance of some 40km.
- 6.13 There is currently 40k tonnes of unprocessed stockpiled material available at Houndaller (Hillhead) The applicant seeks to move up to 1,900 tonnes per day which, with an average load of 28.5 tonnes per movement would equate to 67 trips (134 movements) per day (the same as previously permitted from Venn Ottery and

Marshbroadmoor). At the maximum number of permitted trips this equates to only 21.5 days of working before the material is exhausted.

- 6.14 A source of concern to many objectors and Woodbury Parish Council was the control of vehicles leaving the site with processed material passing through the village of Woodbury. The applicant has agreed that it is willing to include a restriction in the legal agreement on HGV traffic under their control from exporting materials via Woodbury Village. However, this could not be used to control local builders who might be picking up materials for projects to the west and south of the quarry but would help to address those concerns about large deliveries of processed exported material accessing the primary route network via Woodbury.

#### Associated Impacts at Houndaller (Hillhead)

- 6.15 The applicant was asked to give an indication of the likely traffic movements at Houndaller (Hillhead) which would be caused by the proposed “campaign” working to take material to Blackhill for processing. The operations at Houndaller (Hillhead) are all legally permitted and there is no planning restriction on the daily quantities of material that may be exported from the quarry. However, it is recognised that the as-dug material will be exported on a campaign basis the level of HGV traffic from Houndaller (Hillhead) will increase beyond the levels that might normally be expected and this is exacerbated by the fact that Houndaller (Hillhead) Quarry has been mothballed for a number of years and there is now additional HGV traffic on the local network following the grant of planning permission for an aggregates bagging plant in September 2013. In order to try and address local concerns the applicant has provided a haulage statement which commits the company to complying with the one-way routing system at Hillhead; no more than 44 HGV trips (88 movements a day); no running concurrently with Venn Ottery; exportation over a four day period (in any week); and no exportation on Saturdays, Sundays or Bank Holidays. The Haulage Statement would form part of the revised legal agreement and is attached as Appendix IV to this Report.

#### Sustainability Considerations

- 6.16 The proposal would increase the road miles travelled for this product and a number of concerns have been raised about sustainable development. It will, however, be for a very short period of time and, as minerals can only be sourced from where they occur, then the material will have to be moved in any case for processing and then on to market. The applicant states that the proposal would enable them to continue to meet the demands in East Devon and so if the material was to be taken from Houndaller (Hillhead) to another AI site with processing capability then the product may still have to come back to East Devon and could represent an even greater increase in road miles. The material at Houndaller (Hillhead) is also still closer to the markets at East Devon than many other sources of aggregate in the County.
- 6.17 The distances are speculative in any case without further information on the precise nature of the market and in the absence of an objection on Highway and Transportation grounds or an increase over the existing levels it is not considered that this would be a sustainable objection to the proposal.

#### Economic Considerations

- 6.18 Blackhill Quarry currently employs 7 full time members of staff and indirect employment including drivers would increase the numbers to 15-16. The application

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in 2010 stated that the activities at the site contributed £600,000 per annum in terms of non-domestic rates, wages and spending on local goods and services.

- 6.19 The economic tests in the Mineral Planning Statement (MPS para 010) also make it clear that investment in plant and other infrastructure should be taken into consideration and the specialist nature of the plant at Blackhill and the availability of silt storage would contribute to the overall planning balance.
- 6.20 Material in the local area has essentially run out and in order to supply their East Devon markets, especially in the east of Exeter, material would otherwise potentially have to be processed and trucked from outside Devon.
- 6.21 There has been an objection from a local tourist business who had expected use of the site to cease in 2016 and concern has been expressed about loss of repeat business. This application does not however seek to extend the life of the site beyond its expected end date in December 2016 and so the impact on tourism would not be significant overall.

## Other

- 6.22 There are no heritage concerns at this site as it relates only to the continuation of the processing plant and the use of the silt lagoons and stocking area for a further few months.

## **7. Reasons for Recommendation/Alternatives Options Considered**

- 7.1 The Committee has the option of approving, deferring or refusing this planning application.
- 7.2 The applicant contends that the retention of the processing plant at Blackhill is the only means to supply its existing markets in East Devon until the end of 2016 when the permission for the processing plant expires. The issues arising with the importation of material into Blackhill have taken some time to resolve with Natural England and it is clear that time is running out for the Blackhill site, there being only 5 months left of the parent permission. There might be concerns that this would lead to a very intensive programme of importation, but the haulage statement indicates that this would not be the case and will restrict the numbers and hours to a level the same as for the previous sites exporting material to Blackhill. This would be the subject of a planning condition and therefore the impacts in the immediate area would be no greater than the existing situation.
- 7.3 There is clear concern from local residents that this application would lead to an extended period of processing at Blackhill and in particular a continuation of HGV movements through Woodbury Village delivering processed material. The proposed legal agreement addresses the issue of HGVs traffic, both at Houndaller (Hillhead) Quarry and travelling through Woodbury.
- 7.4 A recent appeal decision in Devon has indicated that the Planning Inspectorate tend to take "major" to be a dictionary definition and whilst it is doubtful whether the "exceptional circumstances" statement provided by the applicant would have been sufficient to have supported a proposal with any greater impact, there would be no increase in the impact on the AONB from the current proposal and no extension to the life of the site. Both AONB/Landscape considerations and the continuation of the supply of minerals carry "great weight" in the NPPF but the presumption against

mineral extraction in AONB's is unclear about the weight to be given to ancillary operations which are already in existence.

- 7.5 The HRA screening demonstrates that there would not be likely to be any significant effects on the adjacent SAC and therefore the presumption in favour of "sustainable development" is reinstated given the planning balance.
- 7.6 The very short term nature of the proposal, the fact that it would not extend the life of the Blackhill processing plant beyond the end of 2016 and would not lead to traffic levels above those already permitted, would suggest that the proposal would not have any significant adverse impact on the locality. It is therefore recommended that permission should be granted to vary the source of materials until the expiration of the current permission in December 2016 to give the applicant the time to find an alternative solution for when this permission expires.

Dave Black  
Head of Planning, Transportation and Environment

## **Electoral Divisions: Exmouth Halsdon & Woodbury, Budleigh, Ottery St Mary Rural**

Local Government Act 1972: List of Background Papers

Contact for enquiries: Sue Penaluna

Room No: ABG, County Hall

Tel No: 01392 383000

<b>Background Paper</b>	<b>Date</b>	<b>File Ref.</b>
Casework File	02.06.2015	DCC/3816/2015

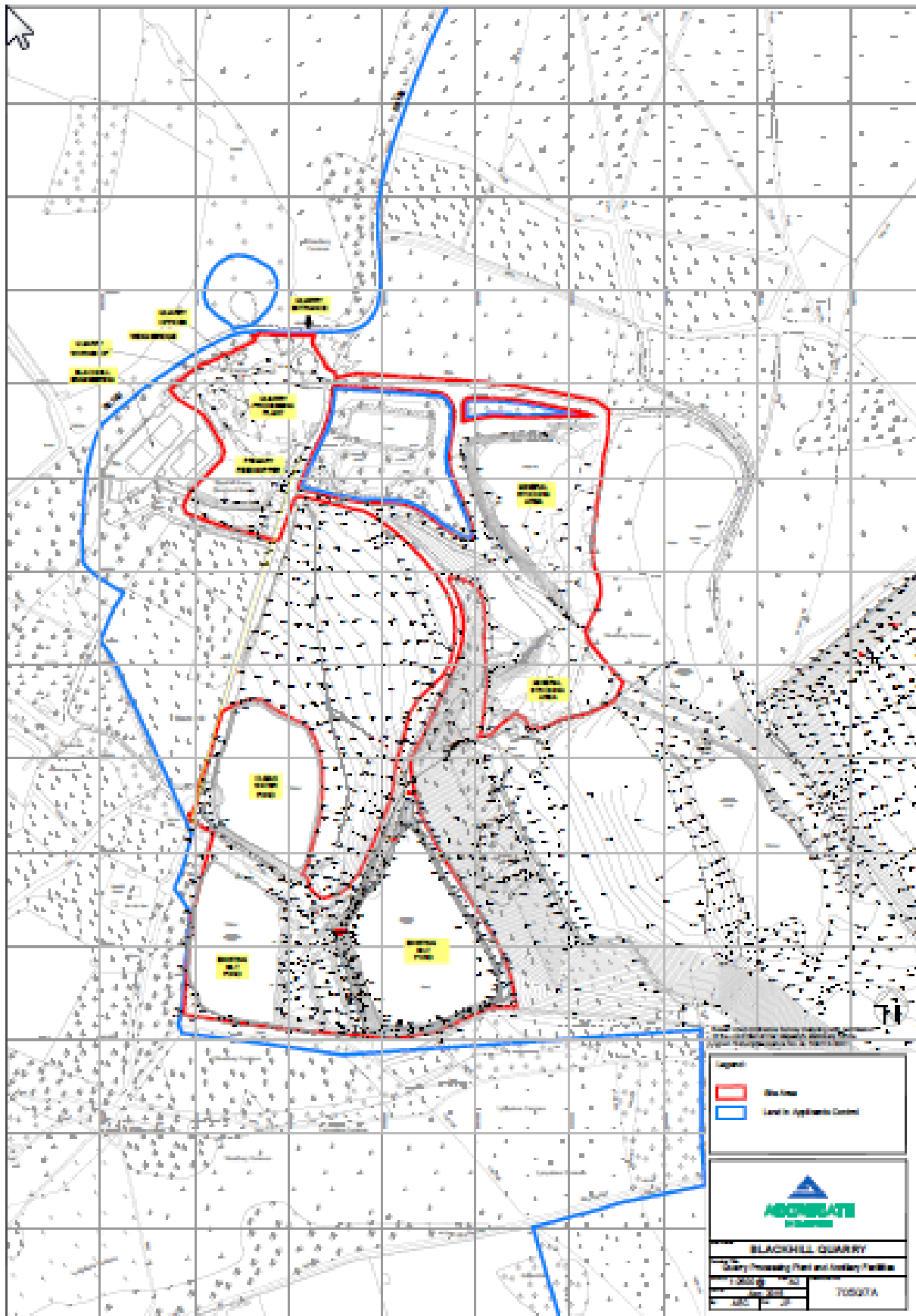
sp070716dma  
sc/cr/variation of conditions Blackhill quarry woodbury  
03 110716

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## Plan 1 – Location Plan

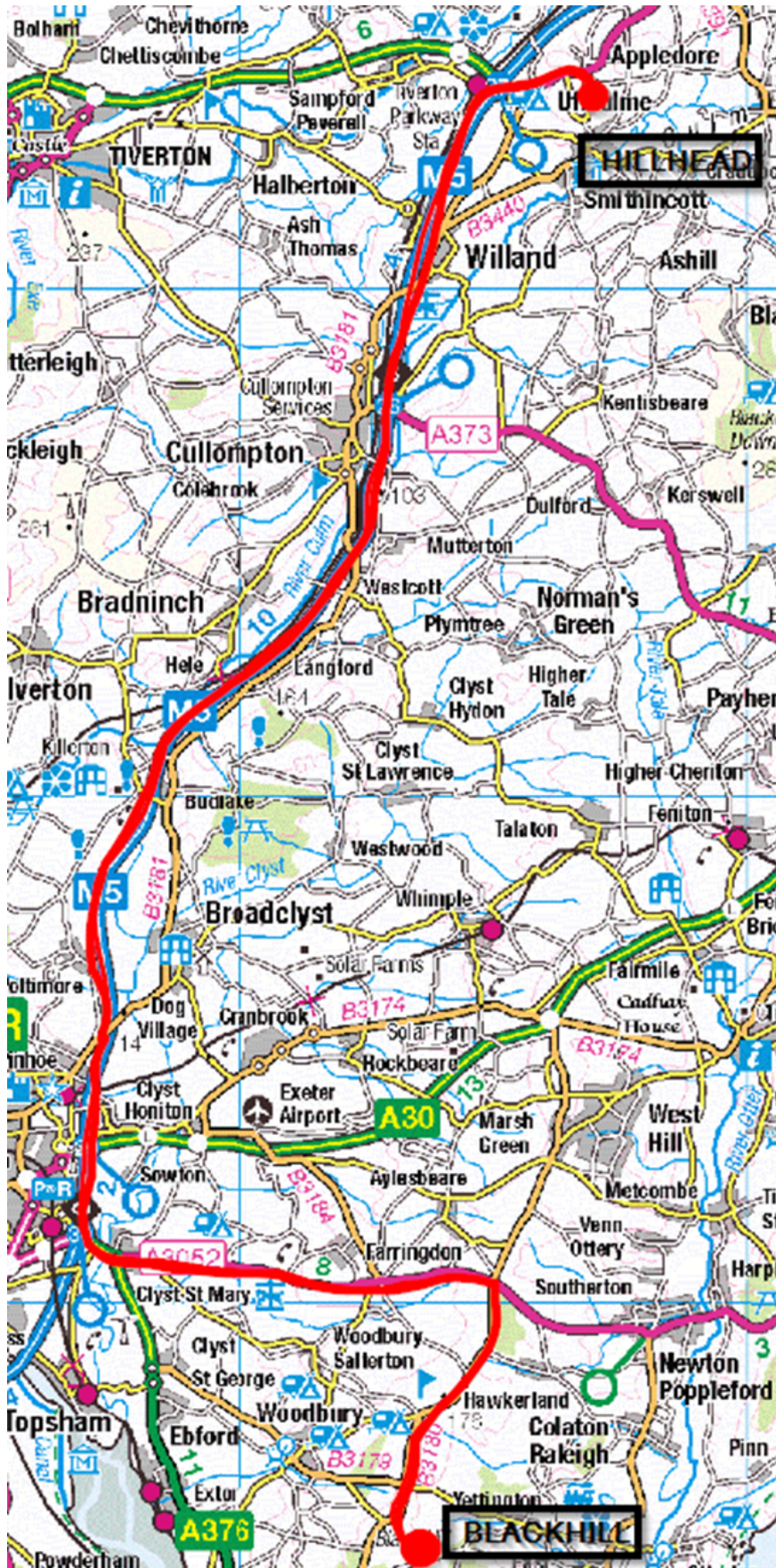


## Plan 2 - Application Site



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Plan 3 - Proposed Lorry Routing from Hillhead





## Planning Policy Considerations

### **East Devon Local Plan 1995 - 2011 (Adopted July 2006): Policies:**

D04 (Landscape Requirements); EN01 (Developments Affecting Areas of Outstanding Natural Beauty); EN04 (Nationally Important Sites - including Sites of Special Scientific Interest); EN06 (Wildlife Habitats and Features); EN15 (Control of Pollution); S05ED (Countryside Protection); TA03 (Transport Assessments/Travel Plans); and TA07 (Adequacy of Road Network and Site Access).

### **Devon County Minerals Local Plan (Adopted June 2004): Policies:**

MP02 (AONBs and Effect on National Parks); MP10 (Maintenance of the County's Nature Conservation Resource); MP19 (County Contribution); MP21 (Mineral Working Areas for Aggregate Mineral Development); MP28 (Recycling, Storage, and Processing Facilities); MP41 (Development Control Considerations); MP43 (Transport of Minerals); MP48 (Disposal of Mineral Waste); MP52 (Importing Materials to Mineral Sites); and MP56 (Restoration).

### **Devon Minerals Local Plan (Examination Submission) May 2016: Policies:**

M17: Biodiversity and Geodiversity; M18: Landscape and Visual Impact; M22: Transportation and Access; M23: Quality of Life; and M27: Restoration and Aftercare.

### **National Planning Policy Framework (March 2012)**

Para 7: Dimensions of "sustainable development"

Para 17: Core Planning Principles

Para 109: remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Para 115: Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

Para 116: Criteria for "major" development within the AONB

Para 118: When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

Para 119: The presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.

Para 144 When determining planning applications, local planning authorities should: give great weight to the benefits of the mineral extraction, including to the economy

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## Appendix II To PTE/16/38

### Proposed Planning Conditions

1. The use of the Blackhill plant for the processing mineral arising from the (Houndaller) Hillhead Quarry and Venn Ottery Quarry shall cease no later than 31 December 2016.

REASON: To enable the Mineral Planning Authority to control development of a temporary nature and to comply with Section 91 of the Town and Country Planning Act 1990.

2. Unless otherwise agreed in writing with the Mineral Planning Authority, dust and noise mitigation measures within the application site shall be carried out in accordance with the Environmental Scheme dated 8 February 2010 submitted with application DCC/3003/2010.

REASON: In order to protect the amenity of the local area.

3. The visibility splay at Blackhill Quarry shall be maintained clear of any obstruction to visibility for the duration of the operations subject of this planning permission.

REASON: In the interests of highway safety

4. The additional use of the Blackhill processing plant hereby permitted shall be only for minerals extracted from the Houndaller (Hillhead) Quarry subject of ROMP approval 4/06/53/98/1487 and Venn Ottery Quarry subject of ROMP approval 97/P1588.

REASON: To allow the Mineral Planning Authority to adequately control the development in the interests of the amenity of the area and in the interests of highway safety.

5. Unless otherwise agreed in writing by the Mineral Planning Authority, operations at the Blackhill processing plant and importation of materials to that plant shall take place only during the hours of 07.00 to 19.00 hours Mondays to Fridays. No processing shall take place at Weekends or Public and Bank Holidays.

REASON: In the interests of the amenity and tranquillity of the Area of Outstanding Natural Beauty.

6. Unless otherwise agreed in writing with the Mineral Planning Authority, the existing trees in around the plant area, in land controlled by the applicant company, shall be retained during the life of the operations hereby permitted.

REASON: In the interests of visual amenity of the Area of Outstanding Natural Beauty.

7. Within 3 months of the date of this permission, a scheme shall be submitted for the approval in writing of the Mineral Planning Authority detailing the restoration of application site to heathland. The required scheme shall include details of:

- The final levels of the stocking areas and the slope/profiles of adjacent quarry faces.
- Methods for the restoration of the silt ponds.
- The machinery to be used in soil re-spreading operations.
- Method of soil replacement.
- Methods for the re-establishment of heathland communities and other wildlife features.
- Subsequent management of the restored area.

The restoration shall be carried out in accordance with the approved scheme, or such alternative schemes as may be subsequently approved in writing by the Mineral Planning Authority.

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REASON: To ensure the securing of appropriate restoration in the interests of visual amenity and nature conservation.

8. An aftercare scheme detailing the necessary steps to be taken to restore the application area to the required standard for amenity and nature conservation shall be submitted for approval in writing of the Mineral Planning Authority within one year of the date of this decision notice. The steps to be taken shall cover a period of ten years from the completion of the replacement of topsoils.

REASON: To ensure that the restored land is correctly husbanded to bring the land to an appropriate standard required for amenity and nature conservation.

9. Groundwater and surface water monitoring shall be carried out by the applicant as set out in Paragraph 7 of the Technical Note by Amec Foster Wheeler dated June 2016 (Ref 33679n219i1).

REASON: To demonstrate the baseline conditions existing at Blackhill and to inform future restoration proposals for the silt lagoons.

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## Appendix III To PTE/16/38

### **Heads of Terms for Variation of s.106 Agreement:**

- Haulage Statement which details the route HGV's will travel between Hillhead and Blackhill avoiding Woodbury Village;
- HGV's under the control of AIUK, exiting Blackhill Quarry with processed material will not travel through Woodbury Village;
- times of HGV traffic movements at Houndaller (Hillhead) Quarry to be restricted from 0730 to 1630hrs (on a 4 working day week between Monday to Friday) with no working at weekends or on public holidays;
- to carry out annual hydrological and ecological monitoring for a further three years from the date of the decision notice;
- Strict adherence to the one-way routing system which operates for Houndaller (Hillhead) Quarry, Uffculme Concrete Products Factory and aggregate bagging facility.

## Haulage Statement for Hillhead (as submitted by Aggregate Industries)

### HAULAGE STATEMENT

#### For the Haulage of As-Dug Sand and Gravel from Houndaller (Hillhead) Quarry to Blackhill Quarry

Aggregate Industries UK Limited (“the Company”) is the mineral operator at Houndaller (Hillhead) Quarry at Uffculme Devon. The Company has submitted a planning application under Section 73 of the Town and Country Planning Act 1990 (as amended) for a “**Variation of Conditions 1 and 4 of Planning Permission DCC/3003/2010 to allow for the Importation of As-dug Sand and Gravel from Houndaller (Hillhead) Quarry for Processing at Blackhill Quarry**”, referenced DCC/3816/2015.

It is proposed to re-commence quarrying operations at Houndaller (Hillhead) Quarry later this year and excavate up to 40,000 tonnes of the as-dug sand and gravel from the Houndaller Extraction Area where it will be loaded onto Heavy Goods Vehicles (HGVs) and transferred to Blackhill Quarry near Woodbury for processing. The extant planning permission which relates to the quarry processing plant at Blackhill expires on 31<sup>st</sup> December 2016. It is anticipated that the duration of this temporary operation which will take place on a campaign basis will take some 8 to 9 weeks to complete. The haulage of Hillhead material to Blackhill Quarry for processing would cease by the end of 2016.

In the event that the planning application is approved by Devon County Council, the company proposes the following Haulage Statement to govern the haulage of As-dug sand and gravel from Houndaller (Hillhead) Quarry to Blackhill Quarry.

The Company proposes to strictly adhere to the existing voluntary one-way routing system which operates for Hillhead Quarry and Uffculme Concrete Products Works, whereby inbound Heavy Goods Vehicles (HGVs) to Houndaller (Hillhead) Quarry use Clay Lane from the A38 and outbound HGVs use Broad Path to access onto the A38. From the A38 the route would see loaded HGVs joining onto the M5 at junction 27. They will then travel along the M5 southbound towards Exeter before exiting at junction 30 onto the A3052 to the Halfway House junction. From the Halfway House, HGVs will proceed along the B3180 to Blackhill Quarry. HGVs will return empty to Hillhead Quarry via the same route.

The permitted operating hours at Hillhead Quarry are 0600 to 2200 hours Mondays to Fridays and 0600 to 1800 hours on Saturdays with no workings on Sundays or Bank or Public Holidays. The permitted operating hours at Houndaller Quarry are 0730 to 1800 hours Mondays to Fridays and 0730 to 1300 hours on Saturdays with no workings on Sundays or Bank or Public Holidays.

In 2011, the Company entered into a contract with a haulage contractor based in the East Devon area who continues to transport as-dug sand and gravel from Venn Ottery Quarry to Blackhill Quarry. The same haulage contractor will be used to transport as-dug sand and gravel from Hillhead to Blackhill. The contract will typically employ 5 articulated HGVs having an average payload of 28.5 tonnes and will be dedicated to the transport of as-dug mineral from Houndaller (Hillhead) Quarry to Blackhill Quarry. The actual vehicles and number used, may vary but will be to a specification.

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It is the Company's intention to implement a number of voluntary measures/rules with regard to the haulage of mineral and these measures will be rigorously enforced by the Company and the haulage contractor.

1. Each HGV will be numbered on the trailer by the haulier. This will allow individual HGVs to be easily identified to enable members of the public to report any incidents directly to the Company or to Devon County Council.
2. Drivers will strictly adhere to a speed limit of 30mph between Houndaller (Hillhead) Quarry and the A38.
3. Drivers will not sound vehicle horns between Houndaller (Hillhead) Quarry and the A38 unless absolutely necessary in an emergency situation.
4. Drivers will be strictly courteous to any other road users.
5. Drivers will not convoy when leaving Houndaller (Hillhead) Quarry.
6. No deliveries will take place on Saturdays, Sundays and Bank/Public Holidays.
7. All drivers will keep in contact using hand free phones or CB radios to ensure that drivers are given advance warning of any potential road issues.
8. Quarterly safety meetings will be held between Aggregate Industries and the haulage contractor.
9. All HGVs will be fitted with 'white noise' reversing devices.
10. All HGVs leaving Houndaller (Hillhead) Quarry will be sheeted.

Should the Company be made aware that drivers are not adhering to the above measures and rules through the County, District or Parish Councils or any members of the public, the Company shall immediately notify the haulage company for remedial action to be taken against the appropriate driver.

It is the Company's intention to operate Mondays to Thursdays (4 days a week) as opposed to Mondays to Fridays (5 days a week). Haulage operations over a 4 day working week will only take place between 0730hrs and 1630hrs. This would have the advantage of reducing any impact of haulage operations on local amenity, however, this would slightly intensify HGV movements over the shorter working week. Overall vehicle movements would remain the same. Where operations take place during a week when a Bank Holiday falls on a Monday then operations would take place on a Friday.

To allow sufficient time to process remaining reserves at Venn Ottery Quarry as well as 40,000 tonnes of As-dug material from Houndaller (Hillhead) Quarry by 31 December 2016, it will be necessary to transport some 1,250 tonnes per day to Blackhill for processing. Haulage of 40,000 tonnes of material at a rate of some 1,250 tonnes per day over a four day week will take between 8 and 9 weeks to complete. Lorries transporting approximately 1,250 tonnes per day, each carrying 28.5 tonnes per load, will generate 44 trips (88 movements) per day. On the days material is being hauled from Houndaller (Hillhead) Quarry to Blackhill, there would be no haulage operations from Venn Ottery Quarry.

**Habitats Regulations 2010  
Section 1: Screening of likely significant effect on a  
European site**

**Devon County Council  
July 2016**

<b>1.Type of permission/activity</b>	Variation of conditions 1 and 4 of planning permission DCC/3003/2010
<b>2. Applicant</b>	Aggregate Industries UK Ltd
<b>3. Application reference no.</b>	DCC/3003/2010
<b>4. Location</b>	Blackhill Quarry, East Devon
<b>5. Brief description</b>	<p>Variation of conditions 1 and 4 of planning permission DCC/3003/2010 to allow for the importation of as-dug sand and gravel from Houndaller (Hillhead) quarry for processing at Blackhill Quarry.</p> <p>Planning Permission DCC/3003/2010 allows for the retention of quarry processing plant and ancillary facilities and the importation of as-dug sand and gravel for processing at Blackhill Quarry. Conditions 1 and 4 of the planning permission restrict the importation of as-dug sand and gravel to two sites; Venn Ottery and Marshbroadmoor (Rockbeare) Quarries. This application seeks to replace Marshbroadmoor Quarry with Houndaller (Hillhead) Quarry as one of the mineral donor sites. It is proposed to continue importation from Venn Ottery Quarry as permitted.</p> <p>No soils will be imported from Houndaller (Hillhead) Quarry. Silt arising from the processing of the imported sand and gravel will be deposited in the existing silt lagoons at Blackhill Quarry. A layer of indigenous overburden up to 2 metres thick will be used to cap the lagoons. Only subsoils and topsoils sourced from Blackhill Quarry will be used for final restoration of the site. Due to the poor nutrient value of silt, it is unlikely to affect to affect the restoration at this sensitive site to heathland.</p>
<b>6. Is the proposal directly connected with or necessary to management of a European site for nature conservation?</b>	No

# Agenda Item 5

<b>7. European site name(s) and relevant interest features:</b>	<p><b>The application site is adjacent to:</b></p> <p><b>East Devon Pebblebed Heaths SAC</b> <u>Annex I Habitats</u> Northern Atlantic wet heaths with <i>Erica tetralix</i>; European dry heaths <u>Annex II Species</u> Southern damselfly <i>Coenagrion mercuriale</i></p> <p><u>Site vulnerability / issues:</u> Loss of habitat and species through changes in water quality and water levels. Habitat loss via nutrient/ acid deposition Mobile Species - potential effects out with the SAC boundary e.g. loss of suitable habitat used by the meta population of southern damselflies</p> <p>Please note that it has been agreed with NE that, due to distances and the nature of the proposal, there are no other SACs / SPAs that need to be considered within this HRA screening. There can be no impact on the bird interest of the adjacent East Devon Heaths SPA.</p> <p><b><u>Conservation Objectives</u></b> With regard to the natural habitats and/or species for which the site has been designated (the Qualifying Features" listed above);</p> <p><b>Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.</b></p> <p>Subject to natural change, to maintain or restore:</p> <ul style="list-style-type: none"><li>- The extent and distribution of qualifying natural habitats and habitats of qualifying species;</li><li>- The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species;</li><li>- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely;</li><li>- The populations of qualifying species;</li><li>- The distribution of qualifying species within the site.</li></ul>
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## Screening Assessment for likely significant effect

The unit of the SAC adjacent to the quarry contains sensitive wetland habitats which are dependent on low nutrient status. They are currently in favourable condition status. Potential impacts are long term leaching from the imported material resulting in an increase in pH and phosphorous levels in the SAC habitat.

The applicant has supplied a technical note with the application which assesses this potential 'source – pathway – receptor' impact (*Technical note: Blackhill Nutrient Investigation. Hillhead (Houndaller) – Results and Interpretation. Amec Foster Wheeler, June 2016*). This states that the imported materials will not have an impact on the SAC. Natural England has confirmed (letter dated 28 June 2016) that the technical note provides sufficient evidence that the proposal will not result in a likely significant effect on the SAC. Natural England acknowledges that the Houndaller (Hillhead) material seems to exhibit a higher pH but that, 'given the limited area of the settlement lagoon compared with the overall groundwater catchment and given the likely buffer capacity of the local pebble bed aquifer, it is unlikely to have any significant effect at any distance from the quarry.'



# Agenda Item 5

<p><b>8. Conclusion:</b></p> <p><b>Is the proposal likely to have a significant effect 'alone' or 'in combination' on a European site?</b></p>	<p>Further to the screening assessment above, it can be concluded that this proposal will not, in combination with other plans and projects, have a likely significant effect on the East Devon Pebblebed Heaths SAC or the East Devon Heaths SPA.</p>
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SPL/16/1

Development Management Committee  
20 July 2016

## Highway Consultation

**Application:** Outline application for up to 123 houses and associated infrastructure, with all matters reserved except for access at the land adjoining the West of England School, Topsham Road, Exeter

**Applicant:** ADP&E Farmers

**Application No:** 15/0436/01

**Date application registered by Exeter City Council:** 16 April 2015

Report of the Strategic Director Place

***Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.***

**Recommendation:** It is recommended that:

- (a) **Exeter City Council be advised that Devon County Council as Local Highway Authority, raises no objections to the application subject to the Applicant entering into an appropriate Legal Agreement and imposition of planning conditions as set out in Section 4 of this report;**
- (b) **The detailed wording of any legal agreement and planning conditions be delegated to the Strategic Director – Place.**

### 1. Summary/Background

- 1.1 The report relates to an outline planning application to build up to 123 houses on land to the north of the West of England School for the Blind.
- 1.2 The application includes two points of vehicular access. One will be by utilising the existing School ghost island right turn junction on Topsham Road and the other will connect to Wendover Way, an existing residential street in the Tollards/Southbrook estate that provides an additional access to Topsham Road via the Tollards Road signalised junction.
- 1.3 Permeability for pedestrians and cyclists will be provided in all directions, including direct linkages onto the primary cycle route adjacent the A379 and remodelling of the existing pedestrian/cycle connection from Wendover Way to Pynes Hill business Park to provide improved visibility for pedestrians and cyclists where this joins Wendover Way.
- 1.4 To minimise the impact of construction traffic on local residents a temporary construction access from the A379 is proposed. Details to confirm the suitability of this had been awaited for some time, and were provided in July 2016 confirming that a satisfactory A379 diverge arrangement could be retained alongside the proposed left in left out construction access.
- 1.5 An application for 140 dwellings on this site was previously made in 1996. This application also included access onto Wendover Way and Topsham Road (Blind School access). Although the appeal was refused, the vehicular access

# Agenda Item 6

arrangements and transport impact were considered acceptable to the planning inspector.

## 2. Planning Policy Considerations

2.1 The Highway Consultation Response is made in accordance with the policy provisions of the National Planning Policy Framework (NPPF), and in particular Section 4 on Transport.

2.2 With regards decision-making, within section 4 the framework states that the following matters need to be taken into account:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

2.3 Whilst there is no definition of severe Members will recall from previous meetings of this committee of the varying interpretations of severity. In that respect it is worth revisiting the 1996 appeal which was considered against TRN11 of the then County Structure Plan 1989-2001, the relevant criteria of which was as follows;

- Access being provided to the appropriate standard and only where it does not detract from or conflict with the function of the route;
- Consideration of the effects of development on the highway network as regards traffic and road safety.

2.4 The criteria above are a much less stringent test than severity. Although some time has passed since that decision, the inspector's response also identified that in 1996 Topsham Road operated at capacity during peak hours and is congested in the vicinity of its access road to the appeal site. These conditions are consistent with the current conditions on Topsham Road.

## 3. Highways Response

3.1 The key transportation issues for consideration in this application are with regards safe and suitable access for all users. Specifically, with regards the vehicular accesses onto Topsham Road, provision for pedestrians and cyclists and the arrangements for construction traffic.

### Development Traffic

3.2 The Transport Assessment submitted alongside the application sets out the expected trip generation and distribution from the development. This analysis is consistent with other sites in the vicinity (Newcourt and Land at Wear Barton Road) and suggests the site will generate approximately 60 peak hour vehicle trips, 60% of which will head towards Countess War roundabout and 40% inbound towards the city.

3.3 In terms of impact on Topsham Road the period of biggest concern is the AM peak when some 40-45 vehicles (70% of movements) are expected to leave the site.

Considering appropriate bands to allow for daily variations this will comprise 20-30 movements turning left out of the site and approximately 15-20 turning right.

## Vehicular Access

- 3.4 The application includes two points of vehicular access. One will be by utilising the existing School ghost island right turn junction on Topsham Road and the other will connect to Wendover Way and onwards to Topsham Road via the Tollards Road signalised junction.
- 3.5 To accommodate the additional traffic and maintain a safe route for pupils at the Blind school access a number of minor improvement to the junction are proposed. These have been progressed through liaison with the developer and Blind School and are accompanied by a Road Safety Audit. These proposals are therefore accepted as being suitable.
- 3.6 A key concern is the ability of development traffic wishing to turn right out of the site at the Blind School access in the AM peak. The left turn movements out of this access, giving way to a single stream of traffic with gaps created by the Tollards Road signalised junction, and right turn in, for which a ghost island provides a refuge so these do not block ahead traffic on Topsham Road, are not a significant concern.
- 3.7 The additional right turn demand from this development is expected to be 15-20 movements. Topsham Road is extremely busy in this location and the right run movement out of the Blind School access will be difficult to make with potential to impact on the operation of Topsham Road in proximity to Countess Wear roundabout.
- 3.8 The proposed connection to Wendover Way provides an alternative access to Topsham Road via the Tollards Road signalised junction. With a dedicated phase to allow traffic from Tollards Road out it is expected that some of those from the new development wishing to turn right onto Topsham Road will use Tollards Road junction where they are guaranteed a phase to allow them out within a reasonable amount of time .
- 3.9 Similarly, without a signal phase the Blind School junction would potentially be quicker for vehicles wishing to turn left onto Topsham Road. This is certainly a possibility for those living at the top in the Wendover Way/Swallowfields Road part of the Tollards/Southbrook estate and it is expected that some of the existing left turn traffic at The Tollards Road junction (45 movements in the AM peak) would transfer to use the Blind School access. This would offset the additional right turn traffic generated by the new development utilising the Tollards Road signals.
- 3.10 With the opportunity for traffic from the new development and the existing Tollards estate to utilise two access points it is expected that an equilibrium would occur such that additional traffic demand can balance itself across both access to ensure that safe and suitable operation of the two Topsham Road junctions is maintained.

## Pedestrian/Cycle Accessibility

- 3.11 Permeability for pedestrians and cyclists is provided in all directions. The Blind school access provides a route heading south, the connection to Wendover way provides a route to the west, the Pynes Hill path a route to the north and the two connections to the east onto A379 also offer access onto the Primary Cycle route heading north and south. These connections are of a safe and suitable standard.

# Agenda Item 6

- 3.12 In addition the existing pedestrian/cycle connection from Wendover Way to Pynes Hill business Park will be remodelled to provide improved visibility for pedestrians and cyclists where the path joins Wendover Way. The changes to the Blind School access will also provide some minor benefits for crossing Topsham Road and the raised table at the side road part of the junction will provide an improved facility for those crossing the side road. A high quality east west route through the site to form part of the Newcourt to City Centre cycle route will be sought through future reserved matters applications
- 3.13 Overall, the pedestrian and cycle facilities for the site are considered suitable.

## Construction

- 3.14 To minimise the impact of construction on local residents and the adjacent Blind School a temporary construction access is proposed from the A379. This access will be a left in/left out only located in the south east corner of the site where the diverge lane on the A379 starts.
- 3.15 Reflecting the nature of this route the applicants were asked to provide further details to confirm that a suitable standard of diverge lane to accord with appropriate guidance would be achieved alongside the construction access. Further information was requested in December 2015, which was provided in July 2016.
- 3.16 This further information confirmed that a temporary construction access can be provided such that the required minimum diverge taper of 75 metres, as set out in appropriate guidance (TD22/06), is retained. It is therefore accepted that a temporary construction access that does not adversely impact the operation of the A379 can be achieved.
- 3.17 These arrangements should be provided at part of the commencement works and the cost of reinstating the road to the previous layout will need to be covered by the developer.

## Road Network Impacts

- 3.18 Although additional traffic from the proposed development is undesirable, the magnitude of additional traffic is small. This is not expected to significantly impact on the operation of Topsham Road and therefore unlikely to result in any impacts that could be defined as severe. This conclusion is consistent with the 1996 appeal proposals which were found not to conflict with the much weaker test of objectives in TRN11.
- 3.19 Alongside any impacts it should be borne in mind that the site is in a sustainable location where residents of both the proposed development and adjacent Tollards Estate have access to public transport and walking and cycling routes that offer an alternative to the private car.

## **4. Recommendation/Conclusions**

- 4.1 The site is located within an existing urban area where foot and cycle are a realistic choice for a wide range of journeys. The site has access to frequent public transport services on Topsham Road and therefore, from a transport perspective, is a sustainable site. Efforts have been made to provide good pedestrian and cycle permeability onto the rest of the network.

- 4.2 The two points of vehicular access will help to enable traffic to balance across these to self-manage an efficient operation ensuring that the operation and function of Topsham Road is not compromised. Proposals to minimise the impact of construction on residents have been put forward and considered suitable.
- 4.3 Overall these proposals represent sustainable development with safe and suitable access for all users achieved. For these reasons, and consistent with the outcome of the 1996 appeal, the development is felt to be acceptable on highways and transport grounds.
- 4.4 Therefore, subject to appropriate contributions and conditions being attached in the granting of any consent, no objection. Should Exeter City Council recommend approval, the local highway authority would seek that the following are secured either by condition or via an appropriate legal agreement:
- A financial contribution towards residential Travel Planning.
  - Securing routes from the site to adjacent network for pedestrians and cyclists.
  - Appropriate timing of the Wendover Way access to ensure that the Blind School access continues to operate efficiently.
  - Provision of enhancements to the Blind School access.
  - Provision of temporary construction access from the A379 and a Construction Traffic Management Plan.

Heather Barnes  
Strategic Director Place

## **Electoral Division: St Loyes & Topsham**

### Local Government Act 1972: List of Background Papers

Contact for enquiries: Will Pratt

Room No: AB2 Lucombe House

Tel No: 01392 383000

<b>Background Paper</b>	<b>Date</b>	<b>File Ref.</b>
Casework File	Current	15/0436/01

wp080716dma  
sc/cr/application 123 houses west of England school topsham road  
03 120716

LEGEND

 Site boundary

## LDĀ DESIGN

PROJECT TITLE  
LAND AT COUNTESS WEAR

DRAWING TITLE  
Illustrative Masterplan

ISSUED BY	Exeter	T: 01392 260430
DATE	Novemebr 2014	DRAWN TS
SCALE@A3	1:2500	CHECKED MS
STATUS	Draft	APPROVED MS

**DWG. NO. 3887\_206**

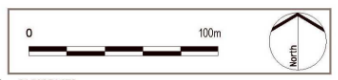
No dimensions are to be scaled from this drawing.  
All dimensions are to be checked on site.  
Area measurements for indicative purposes only.

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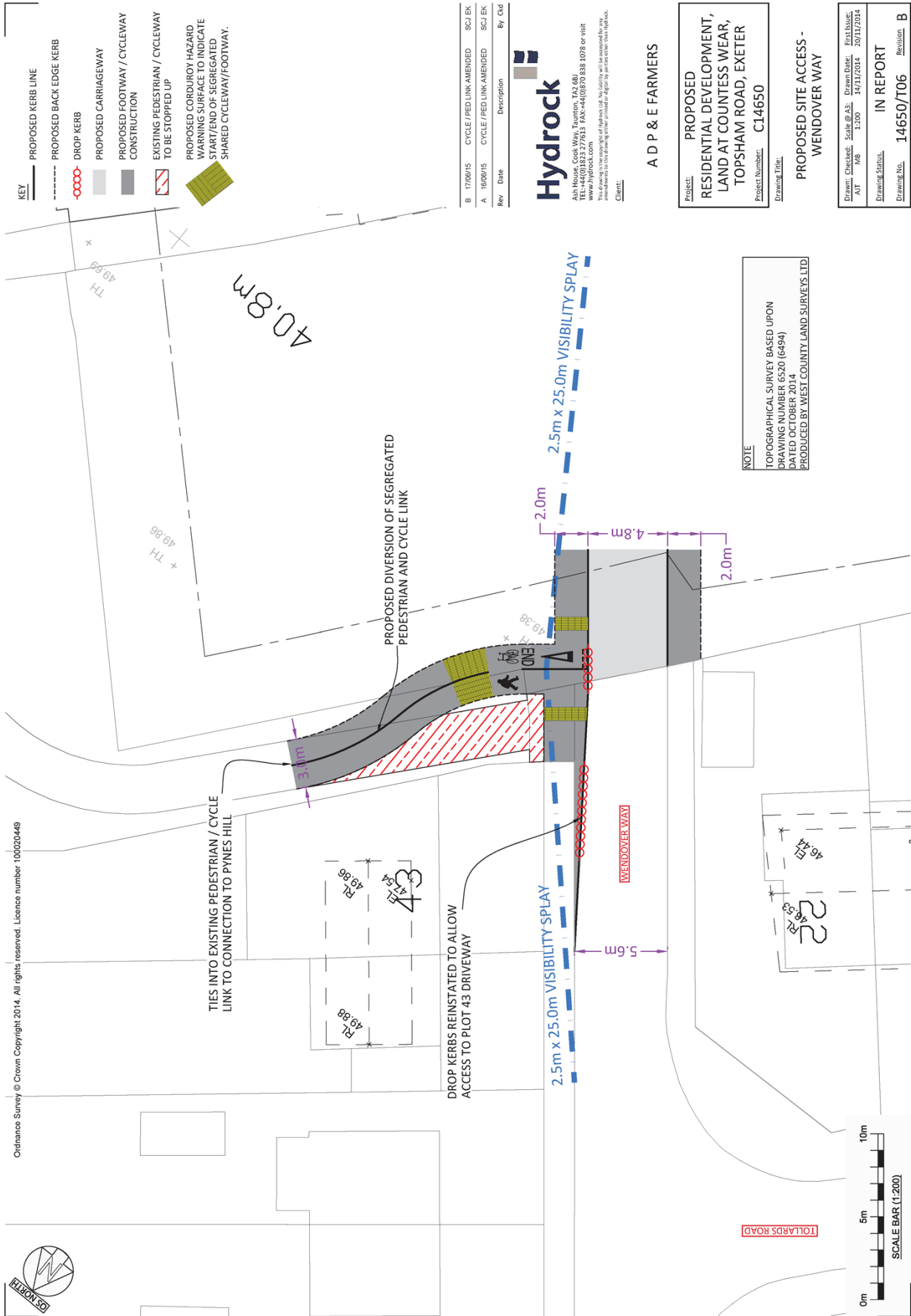
Sources: Ordnance Survey...



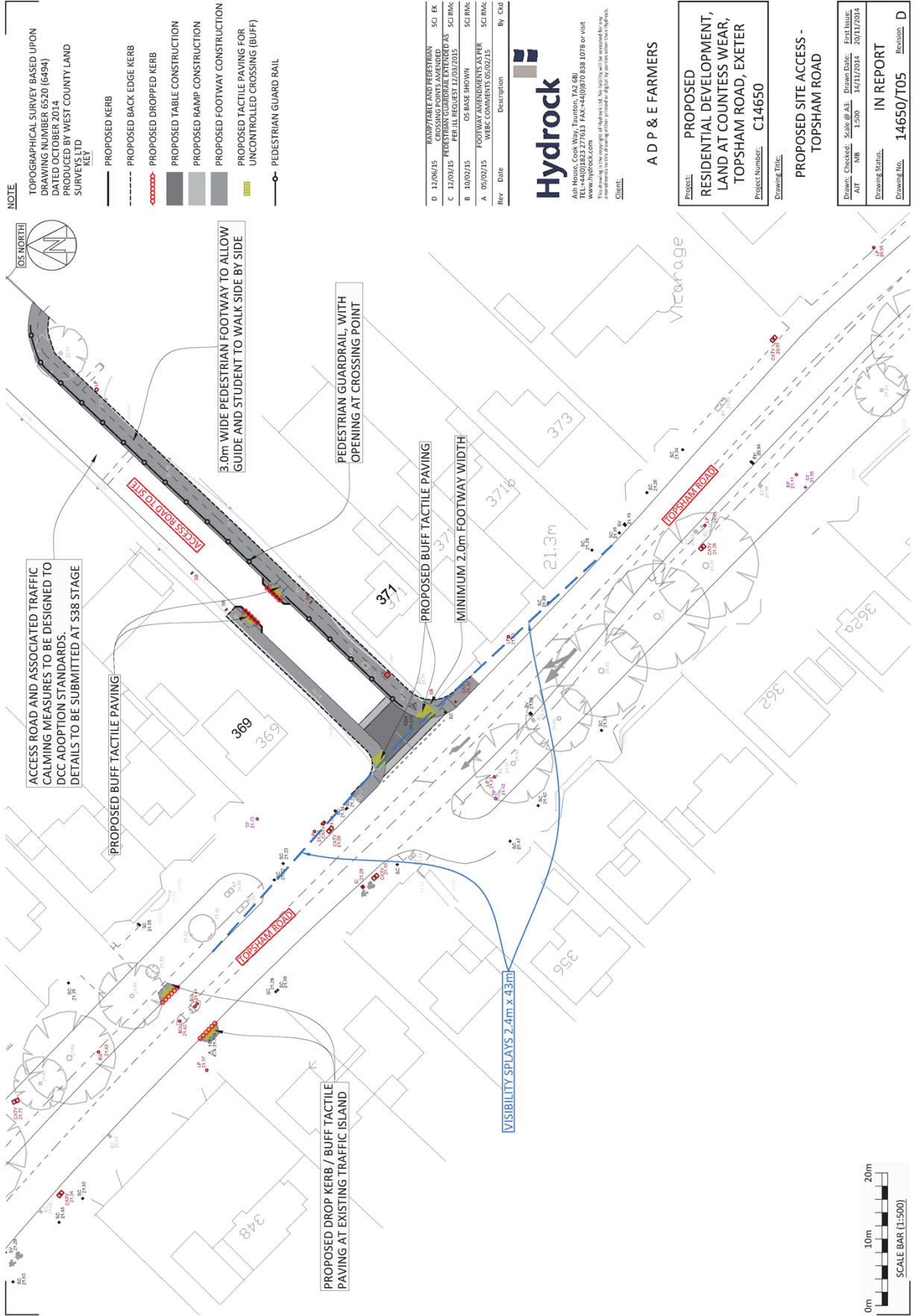
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# Agenda Item 6



Rev	Date	Description	By	Ckd
D	12/06/15	RAMP/TABLE AND PEDESTRIAN CROSSING POINTS AMENDED	SG	ER
C	12/09/15	PEDESTRIAN FOOTWAY CONSTRUCTION REQUEST D083200	SG	RMC
B	10/02/15	OS BASE SHOWN	SG	RMC
A	05/02/15	FOOTWAY AMENDMENTS AS PER WERC COMMENTS 05/02/15	SG	RMC



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CLIENT: A D P & E FARMERS

**Project:** PROPOSED RESIDENTIAL DEVELOPMENT, LAND AT COUNTS WEAR, TOPSHAM ROAD, EXETER  
**Project Number:** C14650

**Drawing Title:** PROPOSED SITE ACCESS - TOPSHAM ROAD

Drawn: <b>Check</b>	Scale: <b>A3</b>	Drawn Date: <b>14/11/2014</b>	First Issue: <b>20/11/2014</b>
AT	1:500	14/11/2014	20/11/2014
<b>Drawing Status:</b> IN REPORT			
<b>Drawing No.:</b> 14650/T05	<b>Revision:</b> D		

**Recommendation:**

**THE STRATEGIC DIRECTOR OF PLACE, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, RECOMMENDS THAT THE FOLLOWING CONDITIONS SHALL BE INCORPORATED IN ANY GRANT OF PERMISSION:**

1. A financial contribution of £500 per dwelling towards residential Travel Planning to be secured by an appropriate agreement.
2. No part of the development shall be occupied until the proposed raised table access, footways, informal crossing of Topsham Road and other works, as indicated on Proposed Site Access – Topsham Road Drawing 13650/T05 Rev D, has been provided in accordance with details to be submitted to and agreed in writing by the Local Planning Authority and retained for those purposes at all times.

REASON: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 32 of the National Planning Policy Framework.

3. No more than 50% of the development hereby approved shall be occupied until the vehicular access to Wendover Way and enhancements to the pedestrian cycle connection to Pynes Hills, as indicated on the Proposed Site Access Drawing 13650/T06 Rev B, has been provided in accordance with details to be submitted to and agreed in writing by the Local Planning Authority and retained for those purposes at all times.

REASON: To provide safe and suitable pedestrian and cycle access to and from the site to local amenities, in accordance with Section 4 of the NPPF.

4. No more than 50% of the development hereby approved shall be occupied until two dedicated pedestrian/cycle routes heading east on the A379 have been provided in accordance with details to be agreed in writing by the Local Planning Authority and maintained for this purpose at all times.

REASON: To provide safe and suitable access for sustainable modes, in accordance with Section 4 of the NPPF.

5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement should include details of access arrangements and timings and management of arrivals and departures of vehicles. The approved Statement shall be adhered to throughout the construction period.

REASON: In the interests of highway safety and public amenity



**Delegated Schedule – 7th July 2016 - Summary**

<u>District/Location/Application Number</u>	<u>Proposal</u>	<u>Electoral Division</u>	<u>Action Taken</u>
<p><b>East Devon District Council</b></p> <p>Venn Ottery Quarry, Venn Ottery, Devon</p> <p>DCC/3401/2012</p>	<p>Section 73 application to undertake development without complying with conditions 3 and 19 of planning permission reference 97/P1588 to allow for a revised phased working and restoration scheme.</p>	<p>Budleigh</p>	<p>Withdrawn Before Validation</p>
<p><b>North Devon District Council</b></p> <p>off Fishleigh Road, Roundswell</p> <p>DCC/3830/2016</p>	<p>Proposed cycle/walkway linking Fishleigh Road, Roundswell Business Park, with the B3232. This involves the construction of a 41m bridge over the A39, approximately 250m of steel approach ramps &amp; steps, the formation of embankments and associated landscaping.</p>	<p>Chulmleigh &amp; Swimbridge</p>	<p>Conditional Approval</p>
<p><b>North Devon District Council</b></p> <p>Brayford Quarry, Brayford, Barnstaple, EX32 7QD</p> <p>DCC/3842/2016</p>	<p>Relocation of soil storage bund to enable quarry extraction to progress to extraction boundary.</p>	<p>South Molton Rural</p>	<p>Withdrawn After Validation</p>
<p><b>Teignbridge District Council</b></p> <p>Land off Langford Roundabout, Aller Interchange, A380 South Devon Link Road,</p> <p>DCC/3845/2016</p>	<p>Land formation works utilising excavated material (arising from the South Devon Link Road construction) and associated engineering works to create a landscaping feature at land adjacent to the Langford Roundabout/Aller Interchange.</p>	<p>Teignbridge South</p>	<p>Conditional Approval</p>
<p><b>Teignbridge District Council</b></p> <p>Kenbury Wood Landfill Site, Old Dawlish Road, Kennford, EX6 7XD</p> <p>DCC/3849/2016</p>	<p>Provision of second weighbridge.</p>	<p>Exminster &amp; Kenton</p>	<p>Conditional Approval</p>
<p><b>Exeter City Council</b></p> <p>Rayel House, Heron Road, Exeter, Devon, EX2 7LL</p> <p>DCC/3852/2016</p>	<p>The storage and transfer of waste, including asbestos.</p>	<p>St Loyes &amp; Topsham</p>	<p>Conditional Approval</p>

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Delegated Schedule - 7th July 2016 - Summary

<u>District/Location/Application Number</u>	<u>Proposal</u>	<u>Electoral Division</u>	<u>Action Taken</u>
<p><b>Teignbridge District Council</b></p> <p>Heathfield Landfill, John Acres Lane, Fosterville, Sandygate, TQ12 3GP</p> <p>DCC/3853/2016</p>	<p>Planning Application to vary Condition 3 of Planning Permission 07/05252/DCC to retain vehicle workshop until 2031.</p>	Kingsteignton	Withdrawn After Validation
<p><b>Teignbridge District Council</b></p> <p>Milestone at NGR 283194 74880, Road from Drumbridges Roundabout to Trago Mills Roundabout,</p> <p>DCC/3854/2016</p>	<p>Removal, storage and reinstatement of the Grade II listed milestone.</p>	Kingsteignton	Conditional Approval
<p><b>East Devon District Council</b></p> <p>Lickey's Field, Farwood Barton, Lane to Farwood Barton, Colyton, EX24 6DZ</p> <p>DCC/3862/2016</p>	<p>Variation of condition 1 of planning permission 13/2178/CM to allow importation of subsoil and topsoil to restore former clay workings for a further 2 years.</p>	Honiton St Michael's	Conditional Approval
<p><b>Mid Devon District Council</b></p> <p>Copplestone Primary School, Bewsley Hill, Copplestone, EX17 5NX</p> <p>DCC/3865/2016</p>	<p>Erection of 1 new classroom building in existing school grounds.</p>	Crediton Rural	Conditional Approval
<p><b>East Devon District Council</b></p> <p>Bassetts Farm School, St Johns Road, Exmouth, EX8 4GB</p> <p>DCC/3866/2016</p>	<p>Construction of a new drama block.</p>	Exmouth Brixington & Withycombe	Conditional Approval
<p><b>Torrige District Council</b></p> <p>Willow Creek, Old Barnstaple Road, Bideford, EX39 4NE</p> <p>DCC/3869/2016</p>	<p>Retrospective application for the erection of an open-fronted shed to store end of life vehicles prior to their processing.</p>	Bideford East	Conditional Approval