

Telford & Wrekin Local Plan

Examination in Public

Matter 7: Environmental Resources

EiP Ref K24-32c – update of Council note K24-32a

1. The Inspector has asked the Council¹ to clarify a number of points related to mineral safeguarding. These relate to:

- Clearer copies of Appendix 2 to K24-32a and an explanation of their context and meaning;
- A review of potential sites in the urban areas of Newport and Telford that could be considered for minerals safeguarding; and
- A clarification on how the Council will manage built development adjacent to a mineral safeguarding area (MSA) in the rural area of the borough.

Clearer copies of Appendix 2 to K24-32a

2. Appendix 2 to K24-32a contained a number of reports extracted from the BGS database that related to the potential minerals deposits on or near Site H1 gleaned from roadworks that took place in the 1980s. It is regrettable that the data could not have been presented in a clearer format. However, this is how the data is available from the BGS.
3. Nonetheless, as a result of the Inspector's Note², the steer from the inspector to the Council is to withdraw those site allocations which do not have section 7(1) consent or planning permission and revise the urban boundary of Telford accordingly³. As such, Site H1 would now be considered to be rural, and MSAs on this site been shown across the site. The Council has amended the Mineral Safeguarding Map (Appendix 1) to reflect this. On this basis, it is no longer necessary to provide extracts from the BGS about this site.

Review of urban sites to be considered for minerals safeguarding

4. The Inspector has also stated that there are several areas on the proposed mineral safeguarding map (Appendix 1) within the built-up area boundaries of both Telford and Newport that are neither built-up nor 'washed out' due to environmental constraints, Section 7(1) consents, planning permissions or have been 'minded to grant' approvals. The Inspector gave the example of

¹ Inspector's response to the Council – K24b, paragraph 7, 10.3.17

²F10

³ Barring major sites at the fringe of the town which have recently been granted planning permission (Site H2 at Priorslee and land at Haygate Road, Wellington (TWC/2013/1033) which was approved at appeal)

Kestrel Close site at Newport⁴ (see attached location map submitted as part of that planning application – Appendix 2).

5. In relation to Kestrel Close, the Council view is that it would be inappropriate to identify this site as a minerals area. It is only 6.5ha in area. There are two protected veteran oak trees in the middle of the site which would require a stand-off distance for any minerals operations. Given that the site adjoins housing and other sensitive uses, a buffer would need to be applied which would further reduce the 'workable' area of the site. Therefore the site is not considered to be economically viable as a minerals site.
6. The 'other areas' mentioned by the Inspector which in the amended safeguarding map (Appendix 1) are neither built-up nor 'washed out' are sterilised due to their close proximity with housing and other sensitive uses in the built up areas of the borough. It is also important to note that these areas, as well as being adjacent to built-up areas are below 5 ha in size. Once a stand off distance from the built-up area is applied to each site (as they are adjacent to one another), the potential 'workable' size of the site is further constrained and is not considered to be economically viable. Thus the Council maintains that it would be unsound to apply MSAs in the urban areas of Telford and Newport.
7. Although MSAs are excluded from the urban areas, Policy ER2 allows for prior extraction of minerals to be considered outside the MSAs. This would enable all development where there is the potential for prior extraction to be considered against the same criteria.

'All non-mineral development proposals outside the Mineral Safeguarding Areas where the potential for prior extraction to take place has been identified should seek to extract any viable mineral resources present in advance of construction. Proposals for prior extraction will be permitted provided the proposal is in accordance with policy ER6 Mineral development.'

'Proposals for non-mineral development outside the Mineral Safeguarding Areas that do not allow for prior extraction of minerals will only be permitted where they accord with points (i) to (v) above.'

Considering urban development adjacent to an MSA in the rural area

8. The Inspector has asked for clarification of a new paragraph that the Council inserted in Policy ER2 if a built development were to occur abutting an MSA in the rural area. The Council has re-drafted the insertion as below:

⁴ TWC/2015/1003 - site promoted by Redrow Homes at EiP

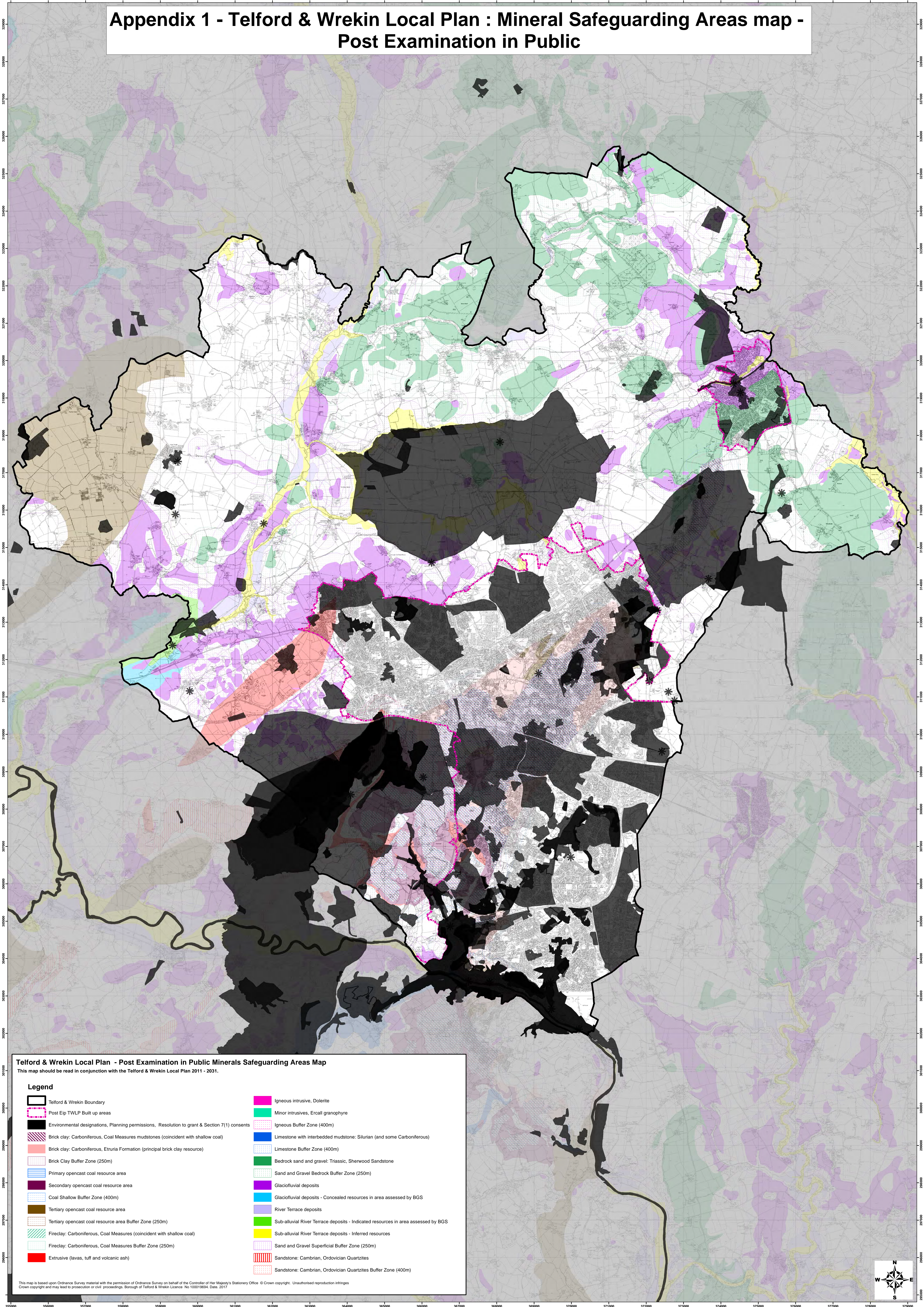
Major development proposals within the urban areas abutting a Mineral Safeguarding Area should demonstrate:

- i) **That the mineral resource is not economic to work or is not present; or**
- ii) **That the proposed development will not permanently sterilise the mineral; or**
- iii) **That the mineral resource will be prior extracted to prevent it being sterilised.**

9. This appears in the schedule of modifications which the Council has put forward.

Appendix 1

Appendix 1 - Telford & Wrekin Local Plan : Mineral Safeguarding Areas map - Post Examination in Public

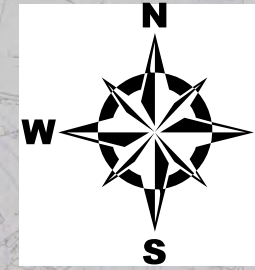


Telford & Wrekin Local Plan - Post Examination in Public Minerals Safeguarding Areas Map
This map should be read in conjunction with the Telford & Wrekin Local Plan 2011 - 2031.

Legend

- | | |
|---|---|
| Telford & Wrekin Boundary | Post Eip TWLP Built up areas |
| Environmental designations, Planning permissions, Resolution to grant & Section 7(1) consents | Igneous Buffer Zone (400m) |
| Brick clay: Carboniferous, Coal Measures mudstones (coincident with shallow coal) | Limestone with interbedded mudstone: Silurian (and some Carboniferous) |
| Brick clay: Carboniferous, Etruria Formation (principal brick clay resource) | Limestone Buffer Zone (400m) |
| Brick Clay Buffer Zone (250m) | Bedrock sand and gravel: Triassic, Sherwood Sandstone |
| Primary opencast coal resource area | Sand and Gravel Bedrock Buffer Zone (250m) |
| Secondary opencast coal resource area | Glaciofluvial deposits |
| Coal Shallow Buffer Zone (400m) | Glaciofluvial deposits - Concealed resources in area assessed by BGS |
| Tertiary opencast coal resource area | River Terrace deposits |
| Tertiary opencast coal resource area Buffer Zone (250m) | Sub-alluvial River Terrace deposits - Indicated resources in area assessed by BGS |
| Fireclay: Carboniferous, Coal Measures (coincident with shallow coal) | Sub-alluvial River Terrace deposits - Inferred resources |
| Fireclay: Carboniferous, Coal Measures Buffer Zone (250m) | Sand and Gravel Superficial Buffer Zone (250m) |
| Extrusive (lavas, tuff and volcanic ash) | Sandstone: Cambrian, Ordovician Quartzites |
| | Sandstone: Cambrian, Ordovician Quartzites Buffer Zone (400m) |

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Appendix 2



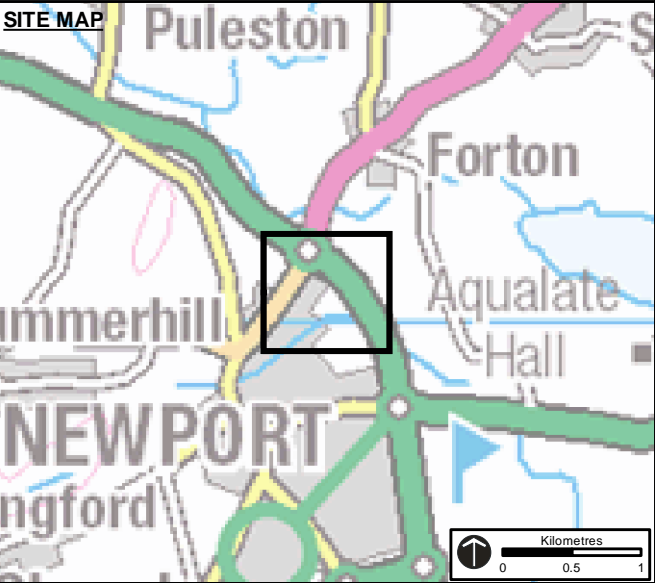
Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Key

 Site Boundary

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Project: **OAK VIEW, KESTREL CLOSE,
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Title: **AERIAL LANDSCAPE FEATURES**

Drawing No: **G5223.04.007**

Figure No: **FIGURE 4**

Scale: **1:3,000 @ A3**

Date: **27/10/2015**

Drawn:
MK

Checked:
GD/CB

Approved:
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