Minerals Core Strategy

Technical Paper MCS-H
Mineral Working in the Green Belt

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Section 1
Introduction

1. The purpose of this report is to briefly consider the Gloucester / Cheltenham Green Belt in terms of the appropriateness of mineral working. There is actually very limited mineral working currently in the Green Belt and opportunities for working in the future may also be limited. The potential resource consists of small pockets of sand and clay. (See Technical Evidence Paper (MCS-G) Mineral Safeguarding for more information).

2. Mineral operations in the Green Belt are generally a much less significant issue in Gloucestershire than waste development. (See Technical Evidence Paper (WCS-M) Waste Facilities in the Green Belt. There are two main reason for this:

(1) Minerals can only be worked where they occur and sand and gravel resources in the Green Belt are not extensive and there are correspondingly few workings. Also, it may be that in many cases the resource has been worked out. There are a number of inactive sites where working has taken place in the past. This is in part why there are few operations now, also alongside greater competition for other development on land.

(2) PPG2 confirms that mineral development is temporary and need not be "inappropriate development in the Green Belt".

Section 2
History and Extent of the Gloucester / Cheltenham Green Belt

3. The current Gloucester / Cheltenham Green Belt was incorporated into the County of Gloucestershire Development Plan First Quinquennial Review published in 1960. It was considered "essential to preserve the open character of the land between the towns of Cheltenham and Gloucester and to prevent these communities merging into one another."  

1 The Green Belt land between Gloucester and Cheltenham is referred to differently in different sources. For the purposes of this report it will be referred to as ‘The Gloucester / Cheltenham Green Belt’ in line with the Draft RSS – Policy SR11.

4. In the 1981 Structure Plan the Green Belt was extended to the north of Cheltenham to prevent coalescence with Bishops Cleeve. It covers an area of approx 8,100 hectares the vast majority of this being within Tewkesbury Borough. The landscape is open, predominantly flat and somewhat unvarying in character. The M5 Motorway runs through the centre.

Section 3
Mineral Working in the Green Belt

5. There are very few mineral sites currently operating in the Green Belt. However they can provide important construction products such as building sand for the local Gloucester / Cheltenham market.

The current list includes:

- Shurdington sand pit – sand extraction.
- Various clay and sand and gravel extraction permissions associated with the Wingmoor Farm landfill sites.

6. These major landfill sites (for example ‘Wingmoor Quarry’ operated by Grundon) developed out of historic sand and gravel extraction. Subsequent to this, permissions were granted to extract clay and to raise and re-profile restoration contours. Recent and historic working of sand and gravel in the Green Belt has been relatively low scale in operational terms compared with other sand and gravel operations such as in the Upper Thames Valley.

Section 4
The Minerals Core Strategy (MCS) Issues & Options Consultation

7. The issue of mineral working in the Green Belt in Gloucestershire was broadly considered in the MCS Issues & Options (I&O) consultation under Issue M5 ‘Meeting Objective 3 – protecting where possible, the natural, historic, and cultural assets of Gloucestershire.’

8. Para 5.142 of the MCS I&O Paper Part B states: “Although there is a presumption against inappropriate development in the Green Belt except in very special circumstances, consultation draft MPS1 states that mineral extraction may be considered acceptable wherein high environmental standards and restoration is to an after-use that is consistent with current Green Belt objectives. These objectives are included within Planning Policy Guidance Note 2 (PPG2).”

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4 Most recent is planning permission to extract 40,000 tonnes of building sand – 13th August 2007.

5 This consultation was for an eight week period between the weeks of the 22nd September and the 17th November 2006.
Section 5
Sustainability Appraisal (SA) Reports

9. The test of the Issue M5 options against the 15 SA Objectives in the I&O SA Report revealed that retaining the current environmental constraints hierarchy (including Green Belt) is likely to be as sustainable, in broad terms, as any review of the constraints hierarchy.

Section 6
Policy Requirements

10. This section considers the requirements of PPG2, MPS1 and the current Minerals Local Plan Policy on Green Belt. For detail on the potential implications on Green Belt land in Gloucestershire of:

- The Draft RSS
- Strategic Green Belt Reviews
- Green Belt matters raised at recent District / County partnership working meetings
- District Local Plan Policies


Planning Policy Guidance Note 2: Green Belts (PPG2)

11. Contrary to popular misconception, Green Belts are not necessarily based on an assessment of landscape quality, although areas of high value landscape can be contained within them. Green Belts are a policy designation. National guidance contained in PPG2 sets out their five purposes.

Purposes of including land in Green Belts

12. - to check the unrestricted sprawl of large built-up areas.
- to prevent neighbouring towns from merging into one another.
- to assist in safeguarding the countryside from encroachment.
- to preserve the setting and special character of historic towns.
- to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

The use of land in Green Belts

- to provide opportunities for access to the open countryside for the urban population;
- provide opportunities for outdoor sport and outdoor recreation near urban areas;
- to retain attractive landscapes, and enhance landscapes, near to where people live;
- to improve damaged and derelict land around towns;

6 In the MLP Environmental Constraints Hierarchy, Page 18, Green Belt is listed as No.7 in the list of secondary constraints.

7 PPG2, see web link: http://www.communities.gov.uk/pub/130/PlanningPolicyGuidance2Greenbelts_id1507130.pdf
• to secure nature conservation interest; and
• to retain land in agricultural, forestry and related uses.

**13.** As stated in Para 2, the Cheltenham / Gloucester Green Belt was defined primarily on the basis of PPG2 Purpose 2 – “preventing neighbouring towns from merging into one another.”

**ODPM Circular 11/ 05: The Town And Country Planning (Green Belt) Direction 2005**

**14.** The publication of *Sustainable Communities: Homes for All* on 24th January 2005 announced the Government’s intention to introduce a new, free-standing Green Belt Direction. This came into force on 3 January 2006. From that date applications for planning permission that fall within its scope should be referred to the Secretary of State under this Direction, rather than under the 1999 Departures Direction. The aim of this is to help to achieve a more consistent approach to the type and nature of applications that are referred.

**15.** Paragraph 3 of the Direction states: This Direction shall apply to any application for planning permission involving inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan document and which would involve:

(a) the construction of a building or buildings with a floor space of more than 1,000 square metres; or
(b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

**16.** In considering whether a planning application falls within the scope of paragraph 3(b) of the Direction, a local planning authority will first need to decide whether the development would appear to be ‘inappropriate’, as identified in PPG2. If it appears to be inappropriate then the authority will need to decide whether it would have a significant impact on the openness of the Green Belt. The scale and nature of the development are also relevant considerations.

**Minerals Policy Statement 1: Planning and Minerals (MPS1)**

**17.** At paragraph 14, Page 8, MPS1 states:

“*Note that while there is a general presumption against inappropriate development in the Green Belt, which should not be approved except in very special circumstances, mineral extraction need not be inappropriate development, nor conflict with the purposes of designating Green Belts. However, in permitting mineral developments in Green Belts, authorities should ensure that high environmental standards are maintained during operation, and that sites are well restored to after-uses consistent with Green Belt objectives. All mineral-related developments in the Green Belt should be assessed against the policies in PPG2.*”

**Gloucestershire Minerals Local Plan (Adopted 2003) Policy E9**
“Proposed mineral development will only be permitted within the Green Belt, where it is carried out to the highest environmental standards, is restored to a beneficial after-use and is in accordance with all other relevant policies of this Plan. In the case of minerals development which would be inappropriate in the Green Belt there will be a requirement to demonstrate that very special circumstances exist to justify it.”

18. The supporting text of the Minerals Local Plan reads as follows:

“In Gloucestershire mineral working has been permitted on a limited scale in Green Belt land, in some cases in association with waste disposal. The most important attribute of the Green Belt is its openness. Government guidance in PPG2 'Green Belts' states that there is a general presumption against inappropriate development within the Green Belt. Such development would conflict with the purposes of including land in Green Belts. The most relevant purposes for the Green Belt designation in Gloucestershire are the prevention of the coalescence of Cheltenham and Gloucester, and Cheltenham and Bishops Cleeve, and the prevention of urban sprawl. With regard to mineral development, Government guidance states that it need not be inappropriate development in the Green Belt. However, the MPA would need to be satisfied that the development could be carried out to the highest possible environmental standards and could be restored to an appropriate after-use, preferably by employing progressive restoration techniques. Any mineral development in the Green Belt should also, where possible, contribute to the positive objectives for land use in the Green Belt as set out in PPG2. The most pertinent to mineral development in Gloucestershire are: securing nature conservation interest; retaining land in agricultural, forestry and other related uses; enhancing landscapes; and providing access to open countryside and recreational opportunities.”

Section 7
Policy Options

19. In the light of the information / evidence presented in this report it can be concluded that the current Green Belt policy in the MLP is not obviously in need of amendment. The following options or suggests for the MCS are proposed:

Option 1
No Green Belt policy in the WCS but the inclusion of text indicating that all mineral extraction is to be in accordance with PPG2 & MPS1.

Option 2
Rolling forward the existing MLP policy – either as it is or with minor amendments.

20. Option 2 is preferred as, whilst the policy accords with PPG2 it potentially goes further than PPG2 requirements in terms of promoting development carried out to the ‘highest environmental standards.’

Section 8
Conclusion

21. This report has considered the issue of mineral working in the Gloucester / Cheltenham
Green Belt and how this should be addressed in the emerging WCS. It can be concluded that:

22. For a number of reasons minerals extraction in the Green Belt in Gloucestershire is not as significant an issue as that of waste development in the Green Belt but nevertheless it needs to be addressed in the MCS.

23. The existing MLP policy on Green Belt (E9) is in accordance with PPG2 and MPS1 and does reflect local circumstances and an aspiration that standards of mineral development should be very high. Section 7 of this report considers that rolling forward this policy into the MCS may be the most appropriate course of action.