



# Appendix A

## Glossary of Terms



## Glossary of Terms

<b>Term</b>	<b>Meaning / Definition</b>
AAP	Area Action Plan
AOS	Area of Search
AMR	Annual Monitoring Report
AMRI	Annual Mineral Raised Inquiry Survey
AQMA	Air Quality Management Area
AWP	Aggregate Working Party
BCAs	Black Country Authorities (i.e. Dudley, Sandwell, Walsall and Wolverhampton)
BCCS	Black Country Core Strategy
BCP	Black Country Plan
CD&E	Construction, Demolition and Excavation Waste
CLEUD	Certificate of Lawful Existing Use or Development
DCLG	Department of Communities and Local Government
DEFRA	Department of Environment, Food and Rural Affairs
DPD	Development Plan Document
EA	Environment Agency
HS2	High Speed 2 rail link project
LAA	Local Aggregates Assessment
MASS	Managed Aggregates Supply System
MPA	Mineral Planning Authority
MPA	Mineral Products Association
MSA	Mineral Safeguarding Area
mt	Million tonnes
NPP	National Planning Policy
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NSIP	Nationally Significant Infrastructure Project
PINS	Planning Inspectorate
PDNP	Peak District National Park
RTAB	Regional Technical Advisory Board
SAD	Sites Allocations Document

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<b>Term</b>	<b>Meaning / Definition</b>
SINC	Site of Importance for Nature Conservation
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
tpa	tonnes per annum
UA	Unitary Authority
UDP	Unitary Development Plan
WDI	Waste Data Interrogator (Environment Agency published waste data)

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# Appendix B

## Adopted Black Country Core Strategy Minerals Policies



## Black Country Core Strategy (February 2011)

The four Black Country Authorities of Dudley, Sandwell, Walsall and Wolverhampton have prepared a joint Core Strategy for the Black Country in partnership with the community and other key organisations. The Black Country Core Strategy (BCCS) sets out the vision, objectives and strategy for future development in the Black Country to 2026 and beyond. Adopted on 3 February 2011, it forms part of the statutory land use development plan for each of the BCAs.

The Core Strategy sets out ten strategic objectives. In relation to minerals Objective 10 states that the Core Strategy will:

*“Safeguard and make the most sustainable use of the Black Country’s mineral resources including primary, secondary and recycled materials, without compromising environmental quality. Potentially valuable mineral resources and mineral-related infrastructure will be safeguarded against needless sterilisation or loss. The Black Country will also minimise waste of mineral resources, maximise use of alternatives, and continue to produce a steady and adequate supply of minerals and mineral products to support the local economy and provide the raw materials needed to support regeneration within the growth network”.*

In terms of minerals, the aim of the Core Strategy policies is to encourage the prudent use of available mineral resources and to maintain an appropriate on-going supply to support regeneration in the region, whilst also seeking to conserve the area’s geological heritage. It is recognised that although the Black Country is rich in mineral resources (sand and gravel, brick clays (Etruria Marl and fireclay), coal, limestone, dolerite, and building stone), active mineral working is now confined to the fringes of the area. The only minerals currently being extracted are sands and gravels and Etruria Marl, a type of clay used for brick and tile making.

Policy MIN1 seeks to manage and safeguard the mineral resources in the Black Country which are either currently of economic importance or have the potential to become important in the future. In recognition of the extensive types of cover of mineral resources in the area, Policy MIN1 designates a Minerals Safeguarding Area (MSA) to protect these resources with a view that any mineral commodity areas are further refined and developed in other Development Plan Documents, most notably the Walsall SAD and AAP. The mineral commodity areas identified are:

- Sands and Gravels, Dolerite and Building Stone;
- Brick Clay (Etruria Marl) and Limestone; and
- Shallow Coal Resources.

Policy MIN1 also seeks to safeguard important mineral related infrastructure and key mineral infrastructure sites are shown on the Minerals Key Diagram and listed in Appendix 7 (Table MIN1) to the Core Strategy.

The mineral specific policies are set out in Chapter 8 of the Core Strategy and outlined in Table B1 below.

Table B1 Black Country Core Strategy Mineral Policies

Policy	Summary
<b>MIN1: Managing and Safeguarding Mineral Resources</b>	<p>Policy deals with four aspects of managing and safeguarding mineral resources, namely:</p> <ul style="list-style-type: none"> <li>• A strategy for future management of mineral resources;</li> <li>• Minerals resources to be safeguarded;</li> <li>• Non-mineral development within the MSA*; and</li> <li>• Safeguarding of mineral related infrastructure.</li> </ul> <p>A Strategy for Future Management of Mineral Resources Sustainable management of the Black Country’s mineral resources will be achieved through the following measures:</p> <ol style="list-style-type: none"> <li>1. Requiring new mineral developments to minimise waste produced through the extraction process, and encouraging the re-use, reprocessing and recycling of secondary material;</li> <li>2. Encouraging the production and use of alternatives to primary land won minerals;</li> <li>3. Identifying and safeguarding potentially important mineral resources and mineral related infrastructure against needless loss or sterilisation by non-mineral development;</li> <li>4. Identifying locations containing viable resources where mineral extraction can take place during the plan period at levels that will support national and regional objectives, the local economy and regeneration, without compromising key environmental objectives;</li> <li>5. Providing guidance on other mineral resources which may be exploited in the future to provide energy, support the local economy and enable the repair and conservation of important cultural assets;</li> <li>6. Highlighting issues which should be addressed in mineral applications to maximise the benefits and minimise the potential negative effects of mineral working and related activities.</li> </ol> <p>Mineral Resources to be Safeguarded The Black Country has the following mineral resources which are either currently of economic importance or have the potential to become important in the future:</p> <ul style="list-style-type: none"> <li>• Aggregates (sand and gravel);</li> <li>• Brick clays (Etruria Marl and fireclay);</li> <li>• Coal;</li> <li>• Limestone;</li> <li>• Dolerite;</li> <li>• Building stone.</li> </ul> <p>The resources are very extensive and cover almost the whole of the Black Country. They will be protected by being included within the Mineral Safeguarding Area (MSA) shown on the Minerals Key Diagram. Mineral commodity areas may be further refined and developed in other DPDs.</p> <p>Non-Mineral Development within the MSA Proposals for non-mineral related development within the Areas of Search (see MIN2 and MIN3) will not be permitted unless it can be demonstrated that the development will not result in sterilisation of the resources within these areas. Proposals for non-mineral development close to an operational quarry should also demonstrate that the quarrying operation would not be compromised by the proposed development. The policy sets out that prior extraction of any mineral is encouraged where practicable and where this would not have unacceptable impacts on neighbouring uses. In addition, the policy sets out those types of developments within the MSA which should be accompanied by supporting information demonstrating that the mineral resources will not needlessly be sterilised and the details of what should be included in such as assessment.</p> <p>Safeguarding of Mineral Related Infrastructure Important mineral related infrastructure will also be safeguarded. Key mineral infrastructure sites are shown on the Minerals Key Diagram and listed in Appendix 7 (Table MIN1). These include storage, handling and processing facilities (including facilities processing waste into aggregates) and existing and potential rail heads (see also WM2 and TRAN3). Development proposals which would result in the loss of one of these sites to a non-mineral related use will be expected to demonstrate that the site has no realistic potential for the development of mineral related infrastructure or no longer meets the needs of the minerals industry.</p>
<b>MIN2: Production of Aggregate Minerals</b>	<p><i>Policy</i> The main source of supply of aggregates in the Black Country will be from alternatives to primary aggregates such as secondary and recycled materials (see Policy WM5). However, the Black</p>



**Policy****Summary**

Country is committed towards making an appropriate contribution towards the West Midlands Country sand and gravel apportionment. The Black Country will continue to produce primary land-won sand and gravel, and will aim to produce a minimum of 50,000 tonnes per annum throughout the plan period.

**Suitable Locations for Sand and Gravel Working**

The full extent of sand and gravel resources in the Black Country is shown on Map MC1 in Appendix 7. However, not all of these resources are likely to be viable or suitable for use as aggregates, and some are affected by significant constraints.

During the plan period, primary sand and gravel extraction will be concentrated within the following areas of search identified on the Minerals Key Diagram:

MA1: Birch Lane (Walsall)

MA2: Branton Hill (Walsall)

The resources within these areas of will enable the Black Country to maintain a minimum 7-year landbank of sand and gravel up to 2026 and beyond.

New sand and gravel quarries outside the areas of search may also be permitted, if there is evidence that extraction proposals are unlikely to come forward in the areas of search within the plan period, or that the production targets cannot otherwise be met. All new proposals for sand and gravel extraction will be subject to the general requirements in Policy MIN5.

**Specific Requirements within the Areas of Search**

All proposals for sand and gravel extraction within the areas of search will be expected to satisfy the following requirements:

- There should be clear evidence that the restoration of the areas already worked is being progressed or will be progressed in a timely manner;
- There should be no adverse impacts on water resources within the Bourne Vale and Shire Oak groundwater source protection zones;
- Extension to Branton Hill Quarry will be subject to implementation of the proposed access road (approved in March 2009);
- Potential adverse impacts of haulage routes on the local highway network (in particular Shire Oak junction (junction of A461 and A452)) should be minimised as far as possible.
- The policy also addresses the issue of Borrow Pits, with a presumption in favour of temporary permission to provide sand, gravel and other aggregate materials required for specific construction and engineering projects.

**MIN3: Maintaining Supplies of Brick Clay**

*Policy*

The Minerals Sub-Key Diagram shows the location of the existing brick and tile manufacturing plants which use Etruria Marl and existing Etruria Marl quarries. The Black Country will aim to provide a supply of Etruria Marl to each operational local brick and tile works in the Black Country for as long as possible, and will aim to provide a 25-year supply to each works where feasible.

**Supply of Clays to Brickworks**

The extent of Etruria Marl resources in the Black Country is shown on Map MC2 in Appendix 7. Fireclay resources are also present in the Black Country, associated with surface coal deposits. However, not all of the clay resources in the Black Country are likely to be of sufficient quality for use in brick and tile making, and some are affected by significant environmental constraints.

**Suitable Locations for Working of Etruria Marl**

The extraction of Etruria Marl is expected to be focused in the following areas of search shown on the Minerals Key Diagram:

MA3: Himley/ Oak Farm (Dudley)

MA4: Ketley (Dudley)

MA5: Stubbers Green (Walsall)

Resources have been identified within these areas which will allow production to continue at each of the Black Country's brick / tile works until the end of the plan period. The extraction of clay will not be permitted outside the areas of search unless there is clear evidence of a deficiency in supply. All new proposals for extraction of Etruria Marl and other brick clays will be subject to the general requirements in Policy MIN5.

The pooling or sharing of resources between more than one works will be supported where this will help maintain supplies for longer, provided that the haulage of material will not have unacceptable effects on the local highway network or on other uses along the route.

**Policy****Summary**

Proposals for the extraction of Etruria Marl within the areas of search should satisfy the following requirements:

- They should form part of a phased programme which secures restoration of existing workings by the earliest possible date;
- Proposals within the Flood Zone 3a along the Holbeache Brook in Dudley and to the south of Stubbers Green Road in Walsall should assess the risk of flooding and include details of how this will be addressed in line with ENV4;
- Harmful impacts on designated biodiversity / geodiversity sites should be assessed and full details of proposed mitigation / compensation for potential losses should be provided in line with ENV1;
- Haulage routes passing through the Stubbers Green area of Walsall should avoid the Sheffield junction (junction of A461, Spring Road and Mill Road).

**Working of Fireclay**

Fireclays are known to occur within the area west of Brownhills in Walsall in association with surface coal resources. They are not currently being extracted but are worked from long-term stockpiles for use in brick, pottery and other ceramic manufacture. Local demand for fireclay for brick manufacture is currently being met mainly from imports. Opportunities to produce fireclay through surface coal working should be exploited where feasible (see Policy MIN4) and environmentally acceptable.

The extraction of fireclay is expected to be focused in the following area of search shown on the Minerals Key Diagram:

MA6: Yorks Bridge (Walsall).

**Stockpiling of Clays**

There is an existing stockpile of fireclay at Birch Coppice to the west of Brownhills in Walsall, which is shown on the Minerals Key Diagram. Further stockpiling of fireclay and other clays used for brick, pottery and other ceramic manufacture will be permitted within the curtilage of existing works where they comply with the requirements of MIN5.

Proposals for "strategic" stockpiles of fireclay (to be used by more than one manufacturer or supplier) should satisfy the following criteria:

- They should be supported by evidence demonstrating a need for fireclay, and that stockpiling is the most appropriate method of securing long-term supplies;
- They should be located as close as possible to the source of the material and to the proposed end-users;
- There should be good accessibility by road and / or rail between the site, the source of the material and the proposed end-users;
- In the interests of minimising visual impacts, the height of the stockpile should be kept to a minimum, its design and form should reflect the surrounding landscape, and appropriate screening/ landscaping should be included (see ENV2).

**Importation of Clays**

Importation of material may be permitted in the case of clays that do not occur locally, and/ or where this will allow supplies of Etruria Marl or fireclay to be maintained for longer than would otherwise be the case, provided that this will not result in unacceptable impacts on the local highway network or on local communities. Applications to allow or increase importation of clay will be expected to be supported by evidence to this effect.

Where an agreement is in place to pool or share the resources, the movement of clay from the Stubbers Green area of search to any of the three brickworks in Walsall will not be regarded as "importation."

**MIN4: Exploitation of Other Minerals****Policy**

Apart from aggregates and brick clay, there are other mineral resources present within the Black Country which may become of economic value in the future. They are included in the Mineral Safeguarding Area identified in MIN1 and on the Minerals Key Diagram.

The main resources present which could be exploited sometime within the plan period are coal and associated fireclay, and natural building stone. The following policy will apply to new proposals for the working of these minerals, other than as part of a "prior extraction" scheme (see MIN1). All proposals will also be subject to the general requirements in Policy MIN5.

**Coal and Fireclay Working**



**Policy****Summary**

Surface coal resources occur across much of the Black Country, and their location is shown on Map MC3 in Appendix 7. Fireclay, which is of importance for brick making and pottery making, may also occur in association with these deposits.

There is a general presumption against deep mining of coal, surface coal working and colliery spoil disposal in the Black Country, unless the proposal would meet the tests of environmental acceptability set out in national policy guidance. Any such proposals will be expected to be fully justified in terms of the economic and energy benefits they will generate. Proposals for the working of coal will also be expected to extract maximum value from other mineral resources associated with coal deposits.

Where surface working is proposed, brick manufacturers and other potential end-users should be involved at the earliest possible stage, to determine whether there is fireclay or other clay present, and whether it is of sufficient quality to be used for brick manufacture or for other beneficial uses. Where suitable quality fireclay is present and extraction is feasible, the working plan and restoration programme should enable this to be extracted and stockpiled in a usable and accessible way (see MIN3).

The location of a "dormant" permission for the winning and working of clay and coal by underground and surface mining is shown on the Minerals Key Diagram. The permitted site is within Brownhills Common and the Slough SINC. Working can only commence when a modern scheme of conditions has been submitted to and approved by the mineral planning authority (Walsall Council). Such conditions must minimise harm to the SINC and maximise the benefits and quality of final restoration. Restoration should be to the highest possible standard to ensure that no future legacy problems are created and that the restored site is at least equivalent to its current quality and value for nature conservation and recreation. Any approval of coal and fireclay working in the Brownhills Common area will be subject to conditions requiring restoration to an appropriate nature conservation/ recreational after-use, which will make a contribution towards the implementation of the proposed Local Nature Reserve.

**Coal Bed Methane**

The potential for exploitation of Coal Bed Methane (CBM) will be considered if a Petroleum Exploration Development Licence (PEDL) is issued in the Black Country, and at that stage appropriate guidance will be incorporated into LDFs either through a review of this plan or through another DPD. Proposals coming forward in advance of this will be assessed against the guidance in Policy MIN5 and the following conditions will apply.

Any permission granted for the extraction of CBM will be temporary, and subject to conditions limiting the duration of the operation. Proposals should include details of the area covered by the PEDL, the scale and type of operation, the drilling apparatus to be used (including the height of the rig or wellhead), and the site where the wellhead will be stationed. A separate application may be required to relocate a wellhead. Drilling apparatus should be appropriately screened and sited to minimise noise and potentially harmful visual impacts (see ENV2 and MIN5).

**Working of Natural Building Stone**

The location of natural building stone resources is shown on Maps MC1 and MC2 in Appendix 7. Proposals for the working of natural building stone on a small scale, and on a time-limited basis, may be supported where this would assist the conservation and repair of historic buildings or structures built of the same or similar materials. Proposals should be supported by evidence that the stone to be worked will be used in a specific conservation project, that this material makes a significant positive contribution to the character of the building, structure or area, and that the working process would not have unacceptable impacts on neighbouring uses.

**MIN5: New Proposals for Mineral Development***Policy***General Requirements for Mineral Developments**

All new development proposals involving mineral working or mineral related developments should demonstrate how they will contribute towards Spatial Objective 10 and the strategic objectives of Policy MIN1, such as the contribution they will make towards the long-term conservation and safeguarding of mineral resources. The benefits of the proposal should clearly outweigh any potential detrimental impacts. Conditions attached to new mineral permissions will reflect the latest standards of good practice in the control of such operations.

Proposals should minimise waste as far as possible and where feasible, provision should be made for the extraction, re-use or recycling of potentially useable materials produced as a by-product of the operation. All proposals should set out the contribution they will make towards the mineral production and supply targets in Policies MIN2 and MIN3 (such as the extent of reserves and anticipated annual production rates), and the contribution that final restoration will make towards

Policy	Summary
	<p>waste disposal requirements (see WM1 and WM3). Working plans and restoration proposals should include measures to maintain the stability of the working face, the site and surrounding area prior to and during restoration. When working ceases, all plant and equipment should be removed, and sites should be restored to a stable condition and to a standard fit for the agreed after-use within a short a timescale as possible.</p> <p><b>Environmental and Amenity Issues</b></p> <p>The working or processing of minerals or extraction of coal bed methane will not be permitted in residential areas unless it can be demonstrated that the operations will not cause unacceptable harm to the amenity of local communities. Proposals in or near to the Growth Network and Free-Standing Sites should be compatible with the existing/ proposed uses. Locations within or near to sites of importance for biodiversity, geodiversity or cultural heritage, should be avoided unless there are no viable alternatives (see ENV1). A hydrological report should be provided with proposals in areas at risk of flooding and proposals in or near to aquifers, demonstrating that any potential impacts have been addressed (see ENV5).</p> <p>To minimise potential impacts from dust and noise, where feasible, mineral processing operations should be enclosed and screened by well-designed boundary treatments (such as fencing, bunds, hedges, tree planting and landscaping). In areas already affected by mineral working or related activities, the cumulative impact of the proposal on the environment, transport network, and neighbouring uses will be considered, as will the timescale and duration of the operations. Over-intensification of mineral working activity in any one area should be avoided where this would have adverse impacts on neighbouring uses.</p> <p>New buildings, structures, plant and equipment, boundaries, noise bunds and landscaping should be designed and sited to minimise visual impacts (see ENV3). Restoration programmes and after-uses for former mineral workings should address the environmental quality objective of the Spatial Strategy and reflect local character and should include provision for after care. Where appropriate, they should make a positive contribution towards the Black Country's environmental infrastructure (policy CSP3). Suitable after-uses for sites in the Green Belt will could include agriculture, forestry, nature conservation, flood alleviation and outdoor sports or recreational uses.</p> <p><b>Transport Issues</b></p> <p>Minerals should be worked or processed as close as possible to the development or communities that will use them. Proposals should address the impact of transporting minerals and mineral products on the highway network and if they generate a significant number of additional heavy goods vehicle movements, they should be accompanied by a Transport Assessment (see TRAN2). Where there is no realistic alternative to the bulk transport of minerals and mineral products by road, impacts will be minimised by identifying agreed haulage routes from the production site to the Principal Road Network and Primary route Network. Where feasible, the potential for transporting material by rail or inland waterways should be explored, particularly in locations identified as having potential for rail freight transport (see TRAN3). Long-distance transport or haulage of material should be avoided wherever possible. Where a proposal involves cross-boundary movements of minerals or mineral products and/ or is part of a wider network or "hub" of facilities or workings, the views of the relevant highway and mineral planning authorities will be taken into account.</p> <p><b>Assessment Criteria for Mineral Development Proposals</b></p> <p>Proposals for mineral working or mineral-related infrastructure will be assessed against the following criteria:</p> <ul style="list-style-type: none"> <li>• Whether the proposal supports national and local strategies and objectives for minerals (for example, Spatial Objective 10);</li> <li>• Whether the proposal supports the local economy and regeneration objectives for the Black Country (for example, would it create or retain local jobs, provide raw material and mineral products for local businesses, or help to supply construction projects within the Growth Network?);</li> <li>• Whether the proposal contributes towards the positive environmental transformation of the Black Country (for example, is it designed to complement/ contribute towards environmental infrastructure, does it identify and adequately address potential harmful effects on the environment, and is it capable of being implemented without creating or exacerbating geotechnical or environmental problems?);</li> <li>• Whether the proposal would provide opportunities for co-location of related uses and/ or generate other benefits (for example, would it produce aggregates as secondary materials,</li> </ul>

Policy	Summary
	<p>involve re-use, recovery and recycling of aggregates from waste, or recovery of landfill gas for energy?);</p> <ul style="list-style-type: none"><li>• Whether the proposal is compatible with neighbouring uses (taking into account the nature of the operations, the hours of working, the timing and duration of the operations and cumulative effects), and if so, whether it identifies and adequately addresses potential harmful effects on amenity;</li><li>• Whether the proposal would address impacts on the highway/ transport network (for example, for example, has the potential to move minerals and mineral products by rail or inland waterway been fully considered, and does it identify and adequately address impacts on the local/ strategic highway and drainage network?).</li></ul> <p>The same criteria will be used to identify and select sites for inclusion in other DPDs (where appropriate), as well as for assessing planning applications.</p>



**wood.**

