



**Warrington Borough Council
Minerals Resource Study and Policy Review**

March 2017

Table of Contents

1. Introduction and Context	4
PART 1: RESOURCE STUDY AND SITE METHODOLOGY	5
2. National Requirements	5
3. Mineral Resources in Warrington	6
4. Current Mineral Extraction Activity in Warrington	7
<i>Aggregates Sales and Reserves</i>	8
Sand and Gravel	8
Crushed Rock	8
<i>Aggregates Landbank</i>	9
<i>Aggregate Imports</i>	9
<i>Local Supply and Demand</i>	10
<i>Secondary and Recycled Aggregates</i>	10
<i>Non-Aggregates</i>	11
5. Methodology for identifying future minerals extraction in Warrington	11
<i>Development of a site search methodology</i>	13
6. Summary	14
PART 2: MINERAL SAFEGUARDING	15
7. What is Mineral Safeguarding	15
8. Which Minerals are found in Warrington?	16
9. Approach to Safeguarding Minerals	16
Sand and Gravel	17
Peat	18
Sandstone	19
Clay	19
Salt	20
Coal	20
Hydrocarbons - gas	21
Extent of the Resources to be Safeguarded	22
PART 3: POLICY RECOMMENDATIONS	26
10. Existing Policies	26

11. Recommended Policies	26
Aim and Objectives	26
Mineral Spatial Strategy	27
Recommended Policies – Primary Extraction of Minerals	28
<i>Non-Aggregates</i>	28
<i>Windfall Sites</i>	29
<i>Other Development Management Policies</i>	29
Recommended Policy – Key Planning and Environmental Criteria	29
Recommended Policy – Sustainable Transport of Minerals	30
Recommended Policy – Restoration and Aftercare	30
Recommended Policy – Energy Minerals	31
<i>Minerals Safeguarding</i>	33
Recommended Policy – Mineral Safeguarding Areas	34
Recommended Policy – Safeguarding Minerals Infrastructure	34
Monitoring	35

Figures

All figures listed below are presented within this report. A3 versions are also available separately.

Figure 1: Site Nomination

Figure 2: Sand and Gravel Resource

Figure 3: Peat Resource

Figure 4: Southworth Quarry and Rixton Clay Pits

Figure 5: Coal Resource

Figure 6: PEDLs

Figure 7: MSAs

Figure 8: Safeguarded Existing Minerals Infrastructure

1. Introduction and Context

- 1.1 As a mineral planning authority, Warrington Borough Council (WBC) is required to plan for a steady and adequate supply of minerals to meet future demand for minerals in the Plan area. To meet the requirements of the NPPF, the Local Plan review will need to make provision for identified future mineral requirements.
- 1.2 The Council is undertaking a Local Plan Review. The Plan Review will be based on the need for Warrington to accommodate a significant increase in new homes and jobs over the next 20 years as part of the Council's 'New City' aspirations.
- 1.3 Initial work on the Local Plan Review has included a 6-week period of consultation on the scope and contents of the Plan. Comments received as part of that consultation will be considered by the Council in working up the Preferred Development option.
- 1.4 As part of the evidence base underpinning the Local Plan Review, the Council has commissioned Urban Vision to provide baseline evidence to support the policy approach in the Local Plan Review which will guide future minerals development in the district. This report:
 - builds upon a previous investigation undertaken by Urban Vision on behalf of WBC entitled 'Study into Minerals Resources in Warrington' (2009);
 - explains how potential mineral sites will be identified and assessed as part of the Local Plan review, leading to the identification of suitable mineral allocations in the Local Plan. The methodology provides the steps to be carried out to gather robust evidence to inform the selection of allocations (**Part 1**);
 - provides information to assist in the definition of Mineral Safeguarding Areas (MSA) in Warrington (**Part 2**); and
 - provides recommendations to inform policy and development management decisions for inclusion in the Local Plan review (**Part 3**).
- 1.5 Warrington Borough is the most northerly of the local authorities in the former Cheshire area. It shares boundaries with Halton, Cheshire West and Chester, Cheshire East, and the four metropolitan boroughs of St Helens, Wigan, Salford and Trafford. The borough covers some 176 square kilometres and at midyear 2015 was estimated to have a population of approximately 207,700.
- 1.6 Warrington lies at the hub of the region's communications network. The M6, M56 and M62 motorways intersect within the borough, providing good access to all parts of the region and beyond. Warrington also lies on the region's main North-South (West Coast Main Line) and East-West (Trans-Pennine) rail routes.

PART 1: RESOURCE STUDY AND SITE METHODOLOGY

2. National Requirements

- 2.1 Minerals are essential to the nation's prosperity and quality of life. It is important that there is an adequate and steady supply of material to provide the infrastructure, buildings and goods that society, industry and the economy needs. It is also important that this provision is made in accordance with the principles of sustainable development.
- 2.2 Paragraph 143 of the NPPF requires that Local Plans should allocate sites to promote development and flexible use of land. Specifically in relation to planning for aggregate minerals, the NPPF states that Mineral Planning Authorities should plan for a steady and adequate supply of minerals and make provision for aggregates in the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate.
- 2.3 Government guidance on the supply of aggregates set out within the National Planning Practice Guidance (PPG) notes that planning for the supply of minerals has a number of special characteristics that are not present in other development:
- minerals can only be worked (i.e. extracted) where they naturally occur, so location options for the economically viable and environmentally acceptable extraction of minerals may be limited. This means that it is necessary to consider protecting minerals from non-minerals development and has implications for the preparation of minerals plans and approving non-mineral development in defined mineral safeguarding areas;
 - working is a temporary use of land, although it often takes place over a long period of time;
 - working may have adverse and positive environmental effects, but some adverse effects can be effectively mitigated;
 - since extraction of minerals is a continuous process of development, there is a requirement for routine monitoring, and if necessary, enforcement to secure compliance with conditions that are necessary to mitigate impacts of mineral working operations; and
 - following working, land should be restored to make it suitable for beneficial after-use.
- 2.4 The PPG also states that provision for land won aggregates extraction should take the form of specific site allocations, wherever possible, but the identification of preferred areas and/or areas of search may be appropriate (Table 1).

Table 1: Provision for land won aggregates extraction

Type of Provision	Definition
Specific Sites	Sites with existing and viable mineral resources and with a clearly defined boundary where development is acceptable in principle.
Preferred Areas	<p>Clearly defined areas of known resources, but are subject to a lesser degree of precision with regard to the definition of the actual site, which may be suitable in principle for development.</p> <p>Preferred Areas may need to be subject to a more detailed evaluation to identify the extent of the development area with more precision.</p>
Areas of Search	<p>Likely to be more geographically extensive areas, generally defined with a lesser degree of precision than Preferred Areas and are likely to be characterised by less robust information about the extent and viability of the potential resource.</p> <p>They are intended to direct potential developers to areas where suitable sites may be located and where support in principle, subject to identification of a suitable site, is likely to be provided by the planning authority.</p>

- 2.5 The NPPF requires minerals planning authorities to participate in an Aggregates Working Party (AWP); to prepare an annual Local Aggregates Assessment (LAA); to make provision for the land won or other elements of their LAA in their mineral plans, taking account of the advice of the AWP and the National Aggregate Coordinating Group (NCG) as appropriate.
- 2.6 AWP's are to produce an annual report on minerals activity in their area, provide technical advice to MPAs on the adequacy of a LAA, and provide an assessment on the position of overall demand and supply in its area, including whether, in its view, the area is making a full contribution towards meeting both national and local needs.
- 2.7 The most recent National and Sub National Guidelines are the National and Regional Guidelines for Aggregates Provision in England 2005-2020, published on 29 June 2009.
- 2.8 The findings of the most recently published LAA, AWP report and the National and Regional Guidelines document are referred to later in this report.

3. Mineral Resources in Warrington

- 3.1 Mineral resources are natural concentrations of minerals or bodies of rock that are, or may become, of potential economic interest as a basis for the extraction of a commodity. The geological resources of Warrington have historically been exploited for primary minerals production. The scale of this has been relatively limited but nevertheless has included sand and gravel extraction, salt and peat works and pits and quarries extracting clay from the Devensian glacial tills for brick making.

- 3.2 For the purposes of this section, the mineral resources of Warrington have been broadly grouped into the following categories in accordance with British Geological Survey (BGS) Report CR/05/090N. Resource maps are presented within Part 2 of this report.
- Superficial Deposits including glaciofluvial sand and gravel, river terrace sand and gravel, and sub-alluvial sand and gravel
 - Peat
 - Salt
 - Coal
- 3.3 Sand and gravel deposits within Warrington tend to be confined to superficial drift deposits of glacial origin in the Devensian period. These sands and gravels are derived from the erosion of local bedrock in a variety of environments, including glaciofluvial rivers formed from melting ice and also river terraces formed after the main ice had retreated from the area. Sand and gravel has been extracted in the past in Warrington although there are no working quarries at present.
- 3.4 There are two main types of peat bog. These are (i) raised bogs, characteristic of flat underlying topography and found on plains and broad valley floors and (ii) blanket bogs, which occur mainly in upland areas where conditions are suitably cool and wet. In Warrington, planning permission was granted in 1995 for an extension to a permission to extract peat from waste deposited during the construction of the M62 at Frank's Farm, Culcheth, however, there have been no recent planning permissions for primary peat extraction.
- 3.5 Rock salt occurs in beds, commonly associated with mudstone. Salt resources are found in the east of Warrington and occur within the Triassic Mercia Mudstone Group (Northwich Halite Formation). Although salt is extracted from this formation in nearby Cheshire, it is not currently exploited in Warrington.
- 3.6 The South Lancashire Coalfield lies concealed under much of Warrington. Coal seams are associated with Westphalian (Pennine Coal Measures) deposits, but resources are generally buried beneath deposits of sandstones, up to 50m in depth in the north of the borough and up to 1200m in depth in the south. Coal was previously extracted from beneath Warrington in workings that extended outwards from colliery complexes whose pitheads and surface development were located outside of the borough in Lancashire/St Helens.
- 3.7 There is an active coalbed methane site within Warrington associated with coal deposits. This is discussed in more detail later in the report.

4. Current Mineral Extraction Activity in Warrington

- 4.1 Current minerals activity in Warrington is fairly limited. Gaskell Brothers (WM & C) Ltd operate a sandstone quarry at Southworth Quarry, Croft, which produces crushed rock aggregate, whilst Colliers Industrial Waste Ltd extract clay in the Rixton area on land to the West of Moat Lane. Permission exists under an Interim Development Order (IDO) at Chapel Lane Quarry, Rixton for the extraction of

clay although this is not currently being worked. There is an operational coalbed methane site where gas extraction is taking place at Doe Green. In addition, Peel Holdings have permitted development rights for sand dredging on the Manchester Ship Canal. There are currently no planning applications lodged with WBC for mineral extraction.

Aggregates Sales and Reserves

- 4.2 The only quarry producing aggregate in Warrington is a sandstone quarry at Southworth, which produces crushed rock aggregate.
- 4.3 Data on the annual production of aggregates is collected by the North West Aggregate Working Party (AWP). Due to a requirement to ensure the confidentiality of commercially sensitive data submitted by site operators for the annual AWP survey, the figures for Warrington are amalgamated with Greater Manchester, Merseyside and Halton (referred to in this report as the 'sub-region'). The latest available monitoring data for aggregates are the statistics from 2015 and are discussed below.

Sand and Gravel

- 4.4 The sub-regional annual apportionment (2005 – 2020) for sand and gravel production is 0.43 million tonnes. Sand and gravel sales within the sub-region in 2015 were 0.96 million tonnes, up 166% on the previous year and represents more than double the apportionment figure. This increase is due to over a six fold increase in landings of marine dredged sand and gravel from 0.1mt in 2014 to 0.65mt as at 31 December 2015. Sales of land-won aggregate sand and gravel increased by 0.05mt from 2014 sales and represent a second year of increased sales following three years of steady output between 2011 and 2013.
- 4.5 Total sales of land won sand and gravel in the North West in 2015 stood at 4.71 million tonnes, up by 37% from the previous year. This is well above the annualised apportionment figure of 3.26 million tonnes per annum for the North West. Annual sales have increased every year since 2011 when they were at the lowest of the past 10 years at 1.87 million tonnes.
- 4.6 Reserves of land-won sand and gravel in the sub-region fell by 4.2% from 3.86mt in 2014 to 3.7mt.

Crushed Rock

- 4.7 The sub-regional annual apportionment (2005 – 2020) for crushed rock production is 1.32 million tonnes. Sub-regional sales of aggregate crushed rock increased during the 2015 monitoring period by 14.4% from 0.69mt in 2013 to 0.79mt. This is the second year that sales have increased following varied sales experienced between 2008 and 2013 and may represent an increase in stability within the market, following the economic recession.
- 4.8 Sales of crushed rock aggregate in the North West increased by 20.5% from 6.18mt in 2014 to 7.45mt in 2015, the highest recorded sales figure since 2008. Limestone, sandstone and igneous rock and High Specification Aggregate (HSA) sales increased by 32.6%, 1.5% and 10.5% respectively. This is however still below the annualised apportionment figure of 9.62 million tonnes per annum for the North West.

- 4.9 Total reserves of crushed rock aggregate increased by 7% from 323.52mt in 2014 to 344.5mt at 31 December 2015. Reserves of limestone increased by 7.17mt and sandstone and igneous rocks by 6mt. This is due to increases in Lancashire's reserve based on reappraisals by operators and a new permission being granted. HSA reserves have increased by 6.86mt and this is due to an increase in Cumbria's reserve due to a new permission being granted.

Aggregates Landbank

- 4.10 A landbank is the total permitted reserves for a particular mineral commodity within a geographic area. The reserve life of a landbank is calculated using the expected provision (supply in response to demand) included in the development plan expressed on an annual basis. NPPF also defines the minimum requirement for a landbank of crushed rock aggregate (10 years) and sand and gravel (7 years). This takes into account the length of time needed to obtain planning permission and bring replacement operations into production.
- 4.11 The sub-regional landbank as at 31/12/2015 is calculated as 8.6 years for sand and gravel and 15.47 years for crushed rock. It can therefore be demonstrated that permitted reserves for the sub-region are greater than the minimum requirement of 7 years for sand and gravel and 10 years for crushed rock aggregates. However, whilst the sub-regional landbank is more than the minimum set out in NPPF, it is not possible to demonstrate how Warrington is actually contributing to the estimates because data for individual quarries is not released.
- 4.12 The landbank is subject to a number of variables. The small number of quarries in the sub-region means that if just one quarry is removed from landbank calculations, it is likely to have a large reduction on the total permitted reserves for the sub-region. In addition, the landbank assumes a continuation of present day market demands and quality requirements. If these change, it can render a mineral deposit uneconomic resulting in removal from the landbank. Furthermore, landbank calculations do not consider imposed restrictions to production capacity such as conditions limiting production rates, or time limited planning permissions. As well as this, the landbank calculation does not take account of the quality of aggregates. Low and high quality crushed rock aggregate are not differentiated and therefore the landbank may not adequately reflect the ability of a sub-region to supply all of its allocation.

Aggregate Imports

- 4.13 Information on imports and exports of aggregates into and out of the sub-region is taken from the 2014 Aggregates Minerals Survey (AMS) undertaken jointly between the Department for Communities and Local Government (DCLG) and the British Geological Survey (BGS). This is the most up-to-date data available on flows of aggregate materials. The data tables express the movement of minerals in percentage ranges, so there are limitations in the precision of the data.
- 4.14 The North West as a whole consumed 15,363 thousand tonnes of primary aggregate in 2014, 45% of which originated within the North West and 55% of which was imported into the region. No separate data for the sub-region has been published.

- 4.15 Sand and Gravel is mainly imported from other parts of the North West, with Cheshire West and Chester being the largest source (20-30% of consumption), with Cheshire East, Lancashire and Cumbria also significant sources (1-10%). Only Staffordshire reported significant shipments to the sub-region from outside of the North West (1-10%), while very small contributions were also recorded from Lincolnshire and Nottinghamshire (<1%). The sub-region therefore imports significant quantities of sand and gravel from land won sources.
- 4.16 The reported position with Crushed Rock is more complex. Very significant imports to the sub-region are reported from Derbyshire and the Peak District National Park (20-30%), while Flintshire is also a significant supplier (10-20%), while quantities also come from Cumbria, the Yorkshire Dales and Shropshire (1-10%), with small shipments also recorded from a further 9 mineral planning authority areas. This reflects the need for crushed rock in the sub-region and the lack of local resources to supply it. The sub-region also borders both North Wales and the East Midlands regions, both of which produce crushed rock in relatively convenient locations to facilitate supply into the sub-region.
- 4.17 The sub-region imported 92% of the crushed rock consumed within the sub-region, either from elsewhere in the North West or beyond. This can be explained by the fact that the quality of crushed rock extracted in the sub-region is of a lower quality than that required for many construction activities and is understood to be mainly used as bulk fill. Therefore, the sub-region must import the higher quality crushed rock aggregate for use in construction projects as it is not available locally and it is likely that this will continue.

Local Supply and Demand

- 4.18 It is clear from the above that the current landbank for the sub-region does not reflect the true demand for aggregates and the sub-region is heavily dependent upon imports, mostly from outside of the North West region. It is important that this issue is identified within future sub-regional Local Aggregate Assessments and that the Duty to Co-operate is fulfilled by working closely with other mineral planning authorities, particularly those who export minerals to Warrington and the rest of the sub-region.

Secondary and Recycled Aggregates

- 4.19 Recycled Aggregate, which include inert materials such as concrete, stone, brick and other similar materials, are reprocessed materials previously used for construction purposes and which are often taken from the Construction, Demolition and Excavation (CD&E) waste stream. Secondary aggregates are usually by-products of industrial processes and can include materials such as clay, ash and slag.
- 4.20 The use of secondary and recycled materials not only reduces the requirement for new production of primary aggregate, but also reduces the need for disposal to landfill of CD&E waste materials. The NPPF recognises this and strongly promotes the use of secondary and recycled materials as an alternative to primary aggregate.
- 4.21 Data on secondary and recycled aggregate production and use is variable and incomplete. This is because, while some sites operate under license and can be monitored, much recycling and re-use occurs on individual construction sites, is temporary in nature and does not produce data. A regional

study of arisings¹ was undertaken in 2007 and provided an estimated figure of 10,792,823 tonnes CD&E waste arising in the North West in 2006, but there is currently no reliable means of producing a more up-to-date figure specific to the sub-region. However, the Mineral Products Association has published data on the likely contribution that secondary and recycled materials make to the aggregates market, reporting that these materials made up 28% of the market in 2015.

- 4.22 The use of secondary and recycled aggregate materials is acknowledged to be of some importance to the sub-region, as it is heavily urban in nature and therefore is likely to have production levels significant enough to offset considerably against the apportionment figures. Seeking a means to provide a reliable estimate for secondary and recycled aggregate production will therefore be taken forward as a priority action for the authorities within the sub-region as part of the production of future Local Aggregate Assessments.
- 4.23 The EA WDI is considered to be the best source of information available on secondary and recycled aggregate. Information can be gained from looking at arisings of waste for Warrington classed as construction and demolition waste and mine and quarry waste. Levels of construction and demolition waste in 2015 were around 70,000 tonnes as well as 171,000 tonnes of excavation waste, 75,000 tonnes of which was used in land reclamation and recovery operations through deposit to land.

Non-Aggregates

- 4.24 Clay extraction currently takes place at clay pits in the Rixton area, in the east of the borough. Permission exists at three sites in this area 'West of Moat Lane', 'Omrod Farm' and 'Moss Hall Farm', all operated by Collier Industrial Waste Ltd. Clay extracted from these sites is restricted to use as feedstock to the Cheshire Brickmakers factory. Significant reserves remain at 'West of Moat Lane' and 'Omrod Farm', however, the permitted reserves at 'Moss Hall Farm' have been worked out. Adjacent to these workings is Chapel Lane Quarry, which is permitted to extract clay under an IDO although it is not currently being worked.
- 4.25 An application was granted in October 2008 for the installation of generator units, control equipment and a sub-station for electricity generation using coalbed methane. The site is at Four Oaks (Petroleum Exploration and Development Licence (PEDL) 145). This site, and two other exploratory boreholes, are located in the west of the borough, immediately north of Farnworth Road by Four Top'd Oak.

5. Methodology for identifying future minerals extraction in Warrington

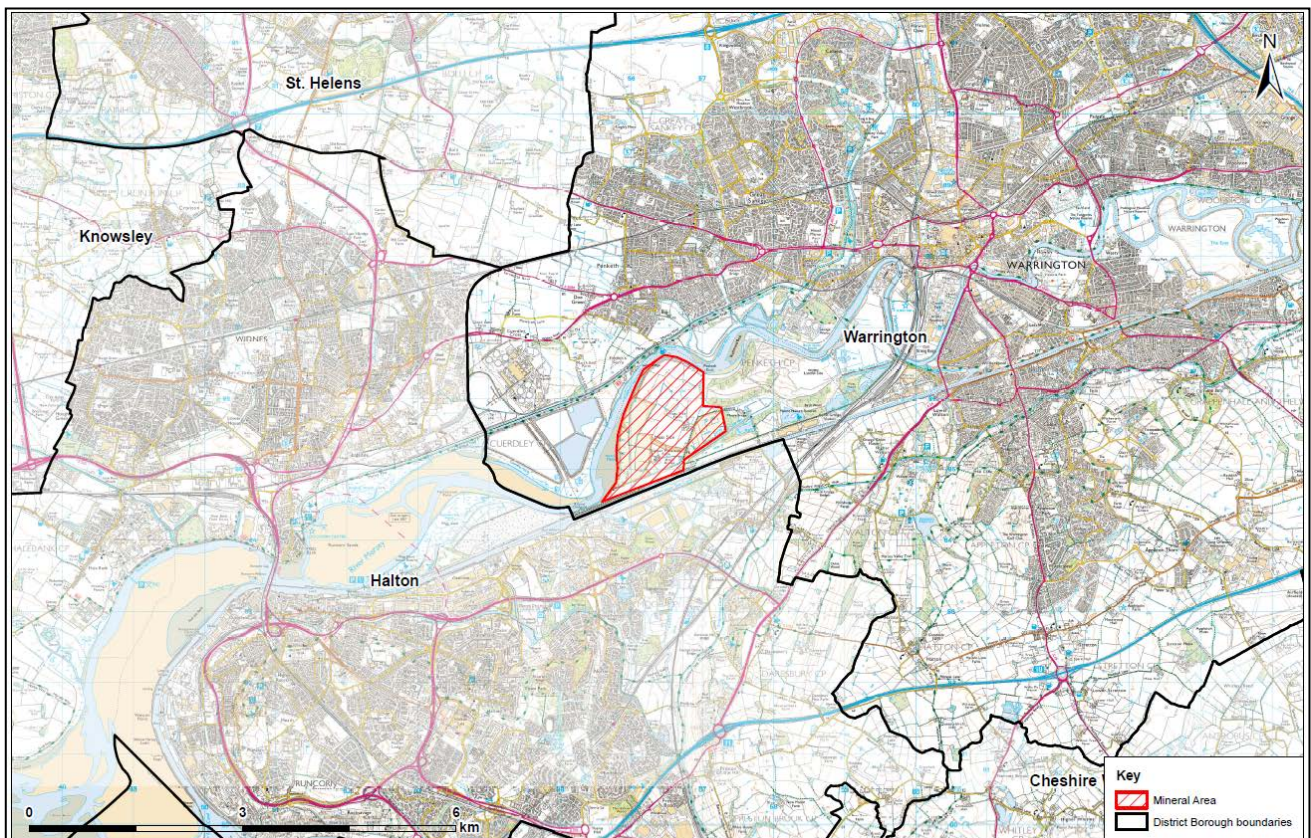
- 5.1 Paragraph 143 of the NPPF states that "in preparing Local Plans, the local planning authorities should identify and include policies for extraction of minerals resource of local and national importance in their area." In addition, Paragraph 145 states that Minerals Planning Authorities should plan for a steady and adequate supply of aggregates by making provision for the land-won and other elements of their Local Aggregate Assessment in their minerals plans taking account of the advice of the Aggregate

¹ Study to fill the evidence gaps for construction, demolition and excavation waste streams in the North West region of England - Smiths Gore, July 2007

Working Parties and the National Aggregate Co-ordinating Group as appropriate. Such provision should take the form of (in priority order) specific sites, preferred areas and/or areas of search and location criteria as appropriate. National guidance highlights the importance of identifying sites in documents such as the Minerals Plan and mineral operators should aim to offer such sites for consideration at an early stage of plan preparation.

- 5.2 A call for sites exercise was undertaken by WBC between October and December 2016, however, no minerals sites were nominated by consultees for consideration as part of the Local Plan review.
- 5.3 Urban Vision have reviewed the potential sites / areas identified within the previous MRA of 2009, including contacting those operators and landowners who originally nominated sites to establish whether they wish the sites to be considered within the Local Plan review. One landowner responded requesting their site be considered as part of this latest review, the site location is shown on Figure 1 below. No other responses were received and so it must be concluded that the other landowners/operators do not wish their site's to be considered at this stage.

Figure 1: Site Nomination



- 5.4 This and any other sites which may be put forward during the later stages of the Local Plan review process will need to be appraised against an agreed methodology for identifying minerals resources in Warrington.

Development of a site search methodology

- 5.5 It is recommended that the following methodology be used as the basis to identify future locations for minerals development within Warrington.
- 5.6 The below constraints are proposed for use in assessing nominated sites, and they have been divided into two categories. Category 1 constraints are considered to be absolute in normal circumstances. Category 2 constraints include those where the Mineral Planning Authority would normally prefer mineral working did not take place, particularly where it can be demonstrated that adequate reserves exist elsewhere. The category 2 constraints proposed are not necessarily absolute constraints but will inform the assessment of the suitability of an area or not for future minerals development.

Category 1 Constraints:

- Special Protection Area and Candidate Special Protection Area
- Special Area of Conservation and Potential Area of Conservation
- Areas of Outstanding Natural Beauty
- Scheduled Ancient Monuments
- Listed Buildings
- National Trust sites
- Sites of Special Scientific Interest
- Grade 1 and 2 agricultural land
- Country Parks
- Conservation Area
- Public Open Space
- Registered Parks and Gardens
- Local nature reserve
- Ground water sources
- Registered Battlefields

Category 2 Constraints:

- Grade 3a agricultural land
- Woodlands
- River valleys
- Settings of registered Parks and Gardens

- Local non statutory designations as set out in the Local Plan
- 5.7 Where appropriate the Council may seek to achieve a buffer zone of 250m from the urban area to protect residents from the noise and dust that can be created through quarrying activities.
- 5.8 In line with Paragraph 90 of the NPPF, greenbelt land has not been included as a constraint for minerals development. This is recognising that minerals can only be worked where they are found.
- 5.9 Areas affected by flood risk have not been excluded as this is something which will be dealt with on a site by site basis through mitigation measures proposed by developers. Para 143, bullet point 6 of NPPF sets out detailed environmental criteria that must be considered when determining planning applications and this includes a number of flood related issues. This type of information may be used to refine a boundary of a site/area allocation prior to including in a Local Plan, but is more likely to be required at the planning application stage or form part of a criteria based development policy.
- 5.10 Once the constraints have been applied, the planning reason for elimination of any site, or part of a site, would need to be recorded.

6. Summary

- 6.1 Sufficient reserves of crushed rock exist to meet the apportionment and landbank requirement for the sub-region based on 10 years past sales data. However, additional reserves may come forward as ancillary development to building stone quarries.
- 6.2 Sand and gravel reserves are limited, and although the current landbank based on 10 years past sales would suggest sufficient reserves exist, this figure is not working towards delivering the apportionment requirement, and should the apportionment figure be met, reserves would be depleted at a more rapid pace leaving the ability to maintain a landbank beyond the plan period difficult to achieve.
- 6.3 The above methodology should be consulted on to form an agreed approach to identifying future areas of minerals working in Warrington.

PART 2: MINERAL SAFEGUARDING

7. What is Mineral Safeguarding

- 7.1 As part of the Local Plan, the Council is required to consider mineral safeguarding. This part of the report has been prepared to help guide work on the development of Mineral Safeguarding Areas (MSA) in Warrington.
- 7.2 Minerals (e.g. clay, sand and gravel, coal, limestone) are a non-renewable resource which make a vital contribution to the economy and can only be extracted from where they are found in the ground. Warrington Borough Council's role as a Mineral Planning Authority (MPA) means that it is required to safeguard mineral resources from non-minerals development to ensure they are not needlessly sterilised. Sterilisation means that the mineral can no longer be worked, or extracted; examples of sterilisation would be if a building was built on top of the resource, or close to it. It is unlikely and impractical to extract minerals after development has taken place. This means that mineral resources should be taken into consideration when determining planning applications for non-minerals development.
- 7.3 Paragraph 143 of National Planning Policy Framework (NPPF) states that MPAs should identify Mineral Safeguarding Areas (MSA) and adopt appropriate policies in their Plans. MPAs are also required to safeguard existing, planned and potential minerals-related infrastructure.
- 7.4 It is important to note that there is no presumption that resources defined within an MSA will be worked.
- 7.5 NPPF recommends a systematic approach to the identification of MSAs which:
- uses the best available information on the location of all mineral resources in the authority area. This may include use of British Geological Survey (BGS) maps as well as industry sources;
 - consults with the minerals industry, other local authorities (especially district authorities in two-tier areas), local communities and other relevant interests to define Minerals Safeguarding Areas;
 - sets out Minerals Safeguarding Areas on the policies map that accompanies the Local Plan and define Mineral Consultation Areas; and
 - adopts clear development management policies which set out how proposals for non-minerals development in Minerals Safeguarding Areas will be handled, and what action applicants for development should take to address the risk of losing the ability to extract the resource. This may include policies that encourage the prior extraction of minerals, where practicable, if it is necessary for non-mineral development to take place in Minerals Safeguarding Areas and to prevent the unnecessary sterilisation of minerals.
- 7.6 The issue of defining an MSA in the urban area is clarified to explain that this should be done where necessary, for example, beneath large regeneration projects in brownfield land areas.

- 7.7 Further guidance on defining MSA is provided in National Planning Policy Guidance² and a detailed methodology is set out in *Mineral Safeguarding in England: good practice advice*³.

8. Which Minerals are found in Warrington?

- 8.1 The key commodities found in Warrington are aggregates (sandstone and sand and gravel), clay and coal bed methane. Other minerals found within the borough include peat, coal and salt, as described within Part 1 of this report.

9. Approach to Safeguarding Minerals

- 9.1 The BGS guide to mineral safeguarding provides detailed information on how to identify and implement MSA. The guide provides a methodology with the following steps:

Step 1. identify the best geological and mineral resource information,

Step 2. decide which mineral resources to safeguard and the physical extent of the Mineral Safeguarding Areas,

Step 3. undertake consultation of the draft Mineral Safeguarding Areas, (this document)

Step 4. decide on the approach to safeguarding in the Local Plan,

Step 5. include development management policies in a Development Plan Document,

Step 6. include safeguarding in district level Development Plan Documents, (not applicable to Warrington)

Step 7. include mineral assessments in the local list of information requirements.

Step 1: Identify the best geological and mineral resource information

- 9.2 The Council has used the mineral resource map for Cheshire (comprising Cheshire, Boroughs of Halton and Warrington) which was prepared by the BGS⁴. The map delineates the mineral resources of current, or potential, economic interest in the area in order to assist in the preparation of planning documents. Information on the shallow coal resource layer has also been informed by information published by The Coal Authority (Warrington (B) – Surface Coal Resource). This information has been used to inform the maps in this Report. In addition to this, the Council has used information on existing mineral operations in the Borough. It should be noted that mineral resources delineated in the BGS maps show areas where potentially workable minerals may occur. These areas are not of uniform

² Reference ID: 27-002-20140306 - Reference ID: 27-006-20140306

³ BGS (2011) Mineral Safeguarding in England: good practice advice

⁴ <http://www.bgs.ac.uk/mineralsUK/planning/resource.html>

potential and also take no account of planning constraints that may limit their working. However, they provide the best starting point for the identification of mineral safeguarding areas.

Step 2. decide which mineral resources to safeguard and the physical extent of the Mineral Safeguarding Areas

9.3 BGS identify 2 mineral resources in Warrington on the mineral resource map:

- Sand and Gravel (Superficial deposits)
- Peat

9.4 However, as described previously, there are a number of other minerals present in Warrington and consideration has also been given to whether or not these minerals should be safeguarded:

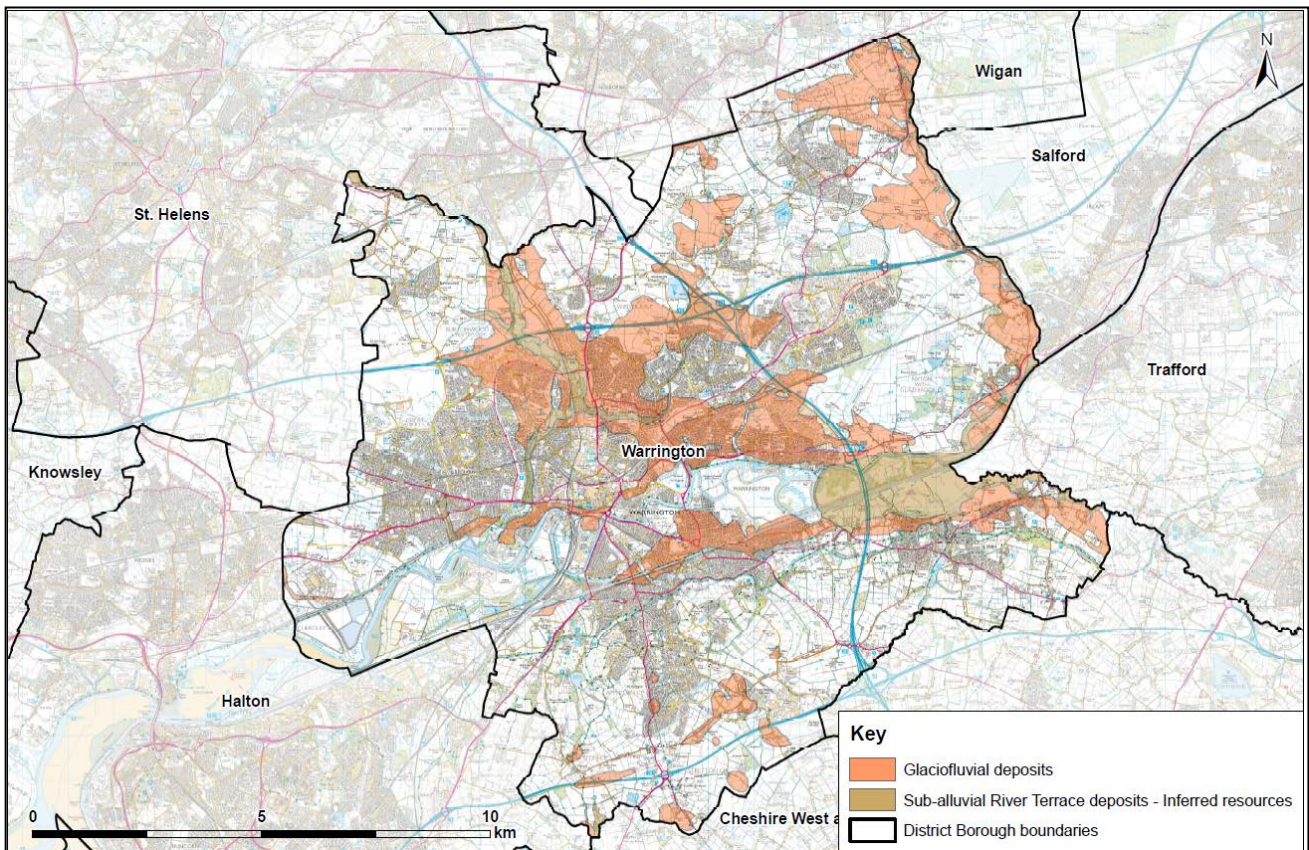
- Sandstone
- Clay
- Salt
- Coal
- Hydrocarbons - gas

9.5 It is important to note that MSA do not confer any presumption in favour of extraction. The purpose is to ensure that minerals are taken into consideration when assessing planning applications for non-minerals development.

Sand and Gravel

9.6 Sand and gravel deposits within Warrington tend to be confined to superficial drift deposits of glacial origin in the Devensian period. These sands and gravels are derived from the erosion of local bedrock in a variety of environments, including glaciofluvial rivers formed from melting ice and also river terraces formed after the main ice had retreated from the area. Sand and gravel has been extracted in the past in Warrington although there are no working quarries at present.

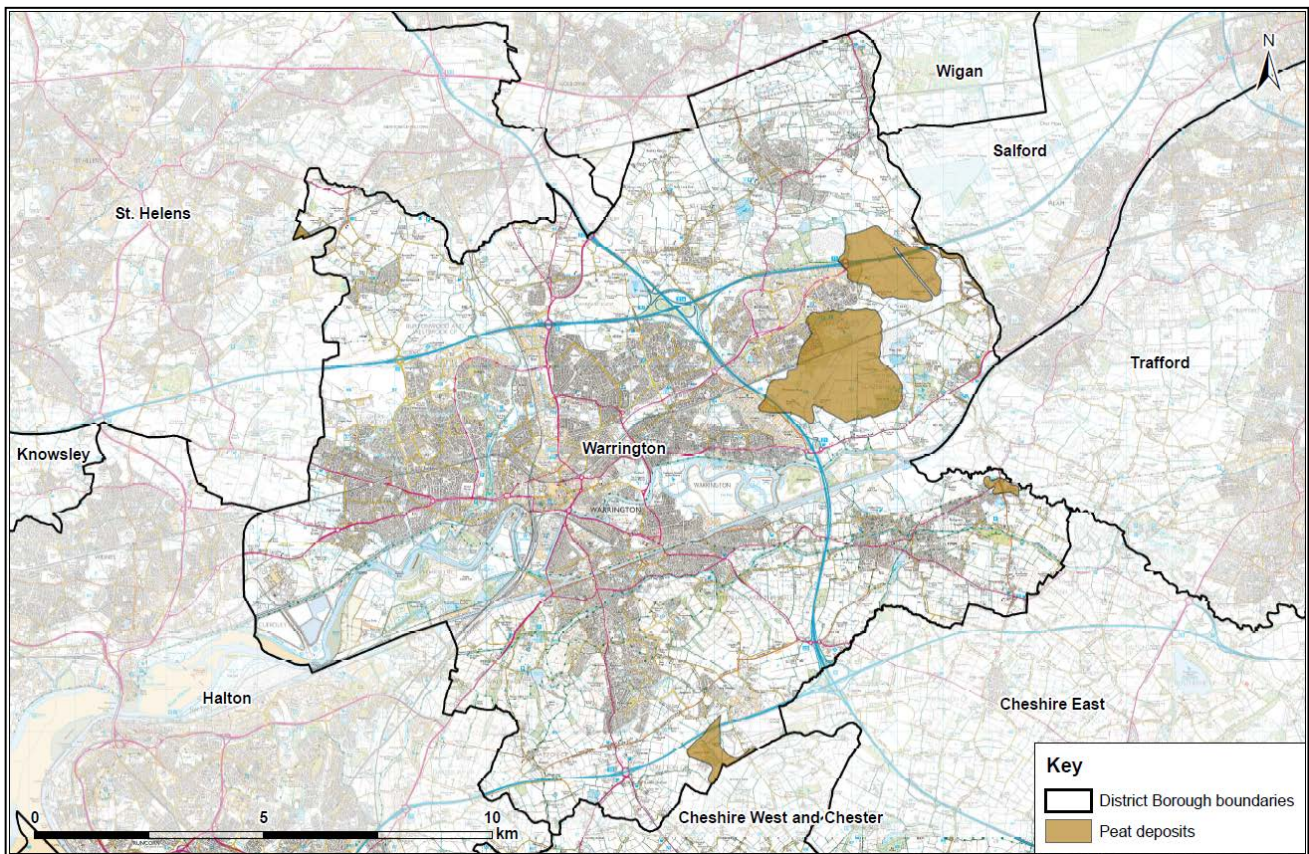
Figure 2: Sand and Gravel Resource



Peat

- 9.7 Whilst peat is identified as a mineral resource in Warrington by the BGS, the National Planning Policy Framework takes the stance that local planning authorities should not identify new sites or extensions to existing sites for peat extraction, nor grant planning permission for extraction from new or extended sites. However, peat is important in terms of carbon storage, archaeology and for biodiversity and therefore it is proposed to protect it for this purpose. This could be achieved through an amendment to an environmental Policy rather than through an MSA.

Figure 3: Peat Resource



Sandstone

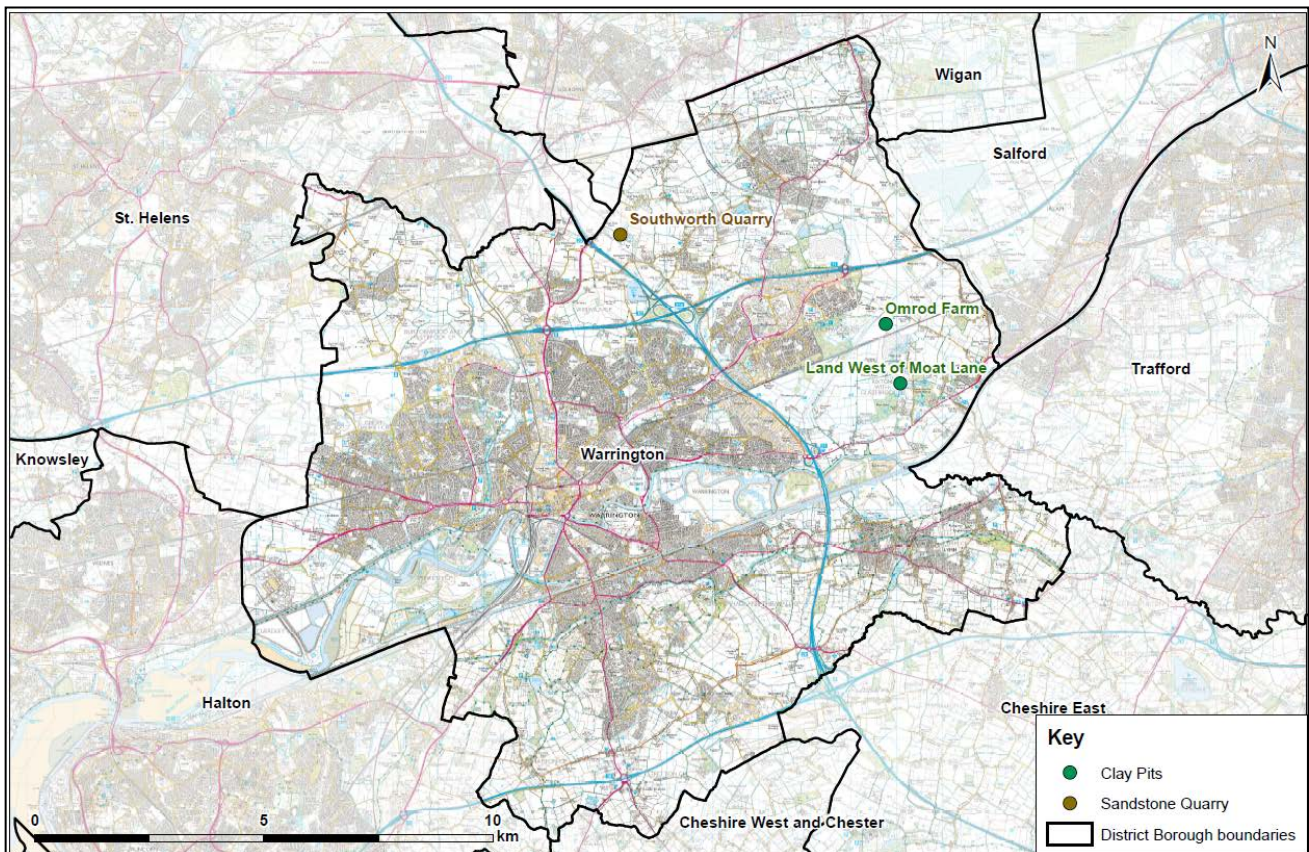
9.8 Sandstone is extracted at Southworth Quarry, in the north of the borough. However, sandstone is not identified as a mineral resource by the BGS. The reason for this is because sandstone is only exploited at this one quarry⁵. However, whilst it is not proposed to safeguard the wider sandstone resource, Southworth Quarry itself would be safeguarded.

Clay

9.9 Clay is currently extracted at a site 'West of Moat Lane' and planning permission exists for the future working of a site at Omrod Farm, both in the Rixton area, although the wider clay resource is not identified as a mineral resource by the BGS due to the fact that other outcrops are of variable quality and thickness. However, whilst it is not proposed to safeguard clay as a general resource, it is proposed that the existing clay workings near Rixton would be safeguarded.

⁵ Source: BGS, *Mineral Resource Information in the Support of National, Regional and Local Planning: Cheshire (comprising Cheshire, Boroughs of Halton and Warrington)*, 2006, Chapter 4.

Figure 4: Southworth Quarry and Clay Pits



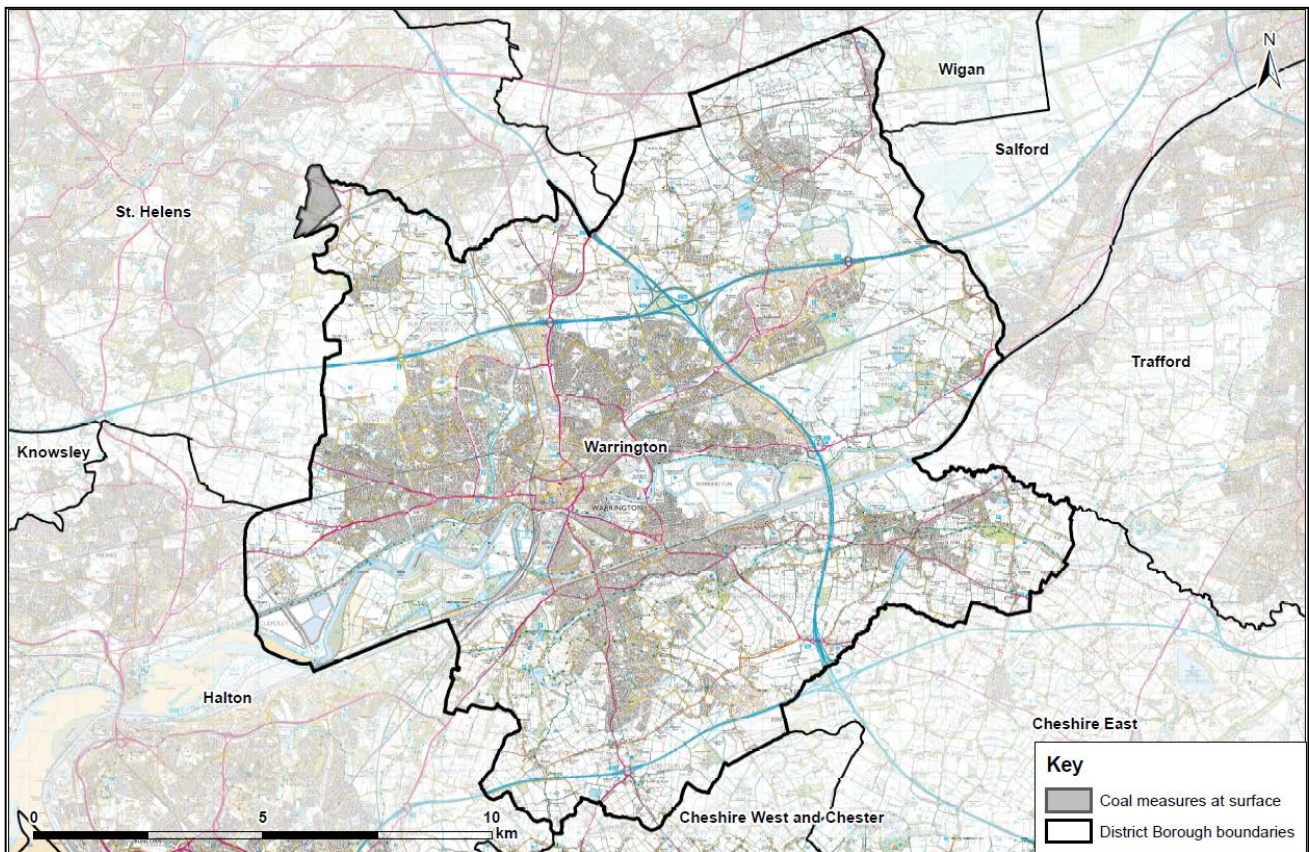
Salt

9.10 There is an outcrop of halite in the south east of the Borough, however, salt is no longer worked here. The BGS do not identify salt as a mineral resource in Warrington and, given that these are underground workings, it is not considered necessary to define a MSA for salt.

Coal

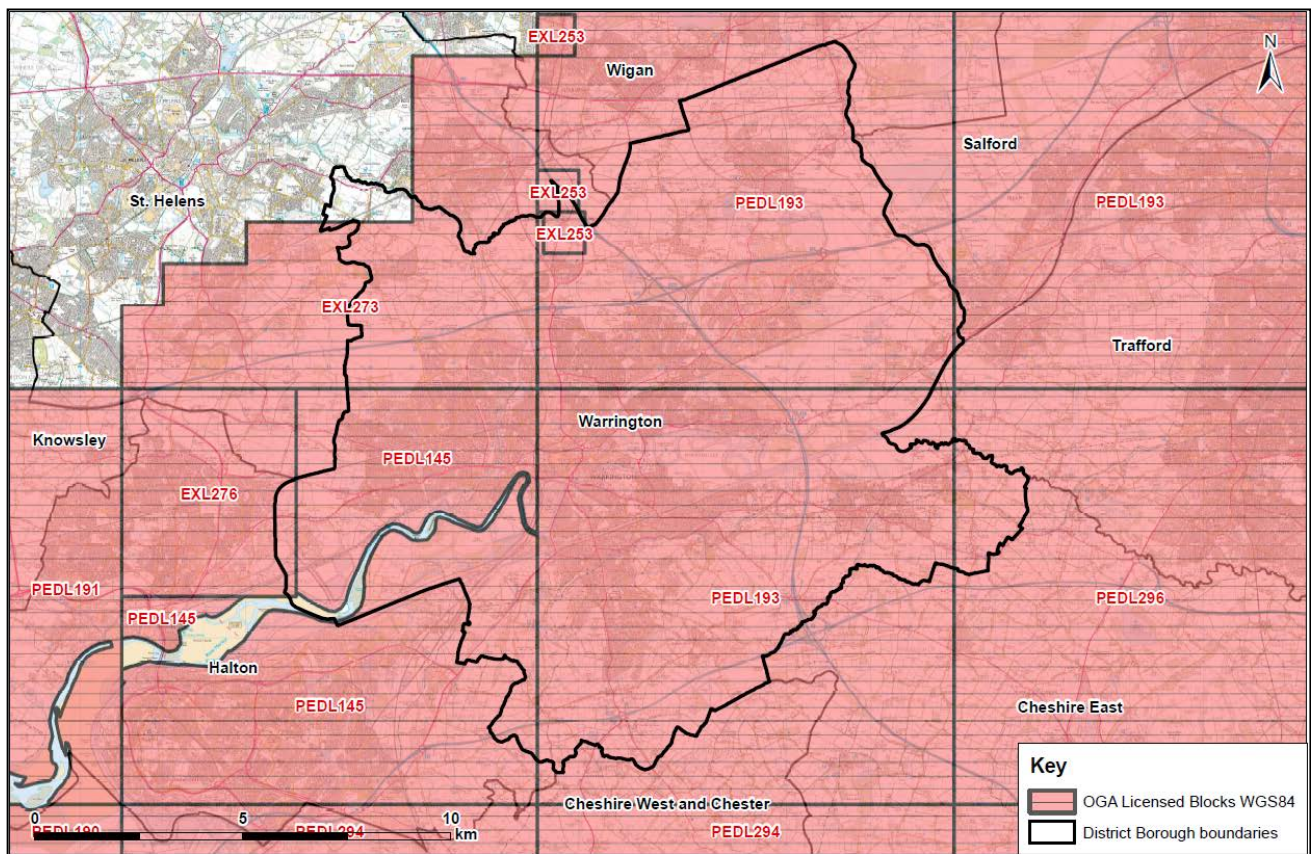
9.11 A small area of shallow coal resource is identified in the north west of the Borough. Coal is a nationally important resource and it is therefore proposed to safeguard the shallow coal resource.

Figure 5: Coal



Hydrocarbons - gas

9.12 Petroleum Exploration and Development Licences (PEDL) allow for the pursuit of a range of oil and gas activities, subject to planning permission and other consents. The majority of Warrington is covered by a total of five PEDL (Numbers: 145, 193, 253, 273, 276). It is not proposed to safeguard hydrocarbons because the surface development associated with extraction is flexible regarding its location. However, it is proposed to show the location of PEDL.

Figure 6: PEDLs


Extent of the Resources to be Safeguarded

- 9.13 National Planning Policy Guidance (NPPG) explains that safeguarding mineral resources should be defined in designated areas and urban areas where necessary to do so. For example, safeguarding of minerals beneath large regeneration projects in brownfield land areas can enable suitable use of the mineral and stabilisation of any unstable land before non-minerals development takes place. It is proposed this should include regeneration sites of over 5ha in size to ensure only sites of sufficient size to enable the safe storage and handling of overburden are considered for safeguarding. However, it is recognised that there are instances where prior extraction of minerals on smaller sites could be viable, and the council will consider such proposals on a case-by-case basis.
- 9.14 Therefore, it is proposed that only proposed developments of greater than 5ha within the urban area would be required to undertake a mineral resource assessment. Other, smaller, developments within the urban area would not be required to consider prior extraction, although this does not preclude prior extraction should a developer consider this appropriate.
- 9.15 Non-minerals development near a resource can result in sterilisation of that resource even where the development does not overlie the mineral. It is therefore proposed to extend the MSA around the mineral resource by using a buffer. This would ensure that proposals for non-minerals development within a specified distance of a mineral resource must consider the potential for the sterilisation of the

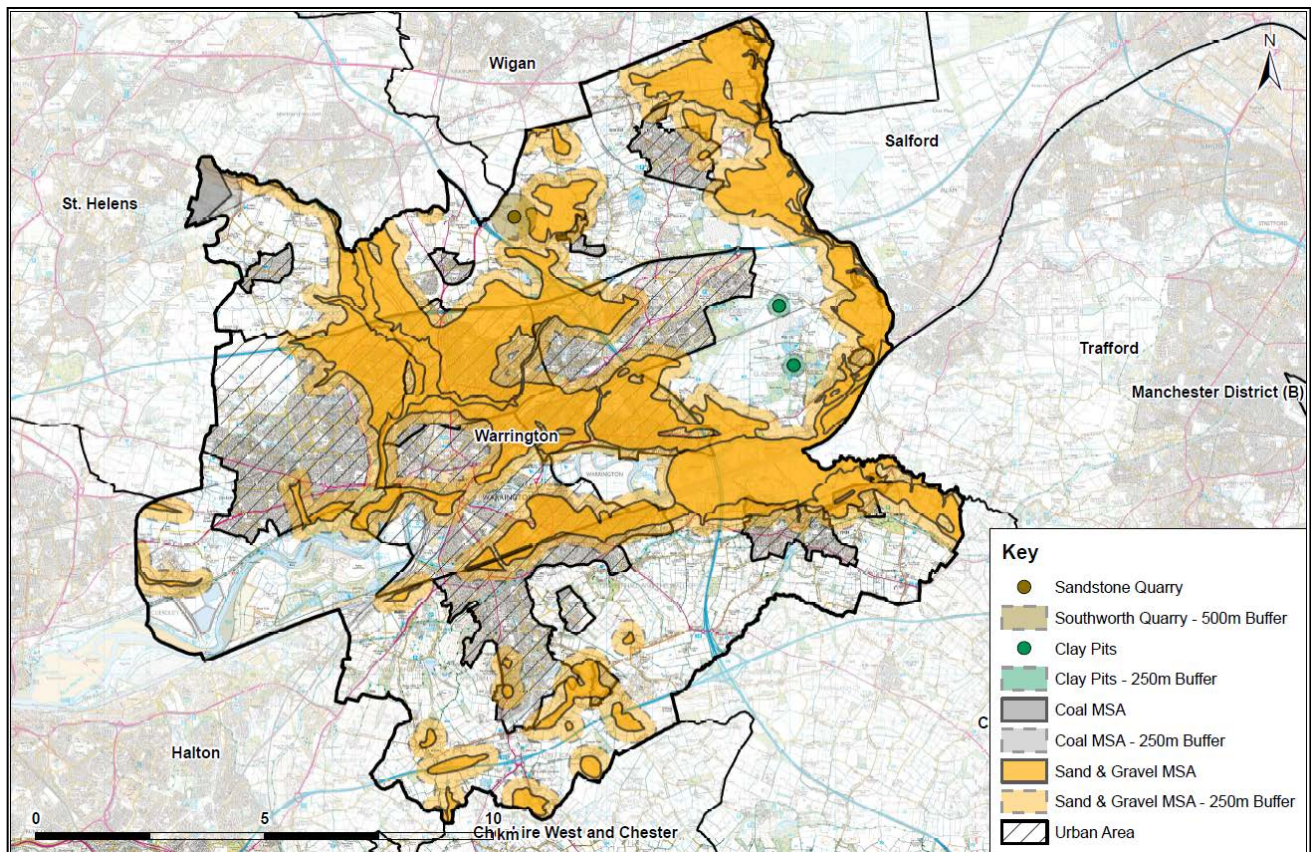
mineral occurring and the associated impacts. It is proposed to include a buffer of 250m around the resource, which is considered appropriate for minerals that are not worked using blasting methods.

9.16 There are parts of two internationally important environmental designations within the Plan area: Manchester Mosses Special Area of Conservation (SAC) and Rixton Clay Pits SAC, which protects habitats. In addition to this, there are a number of Scheduled Ancient Monuments, Sites of Special Scientific Interest (SSSI) and other environmental and heritage designations. BGS guidance suggests that the presence of such designations does not preclude safeguarding.

Table 2: Mineral Resources to be Safeguarded⁶

	Resource	Area to Safeguard	Buffer
Aggregates	Sand and Gravel	Superficial deposits: Sub-alluvial river terrace deposits Glaciofluvial deposits	250m
	Sandstone	Southworth Quarry	500m
Other	Clay	Clay workings near Rixton	250m
	Shallow Coal	Shallow Coal resource	250m

Figure 7: MSAs

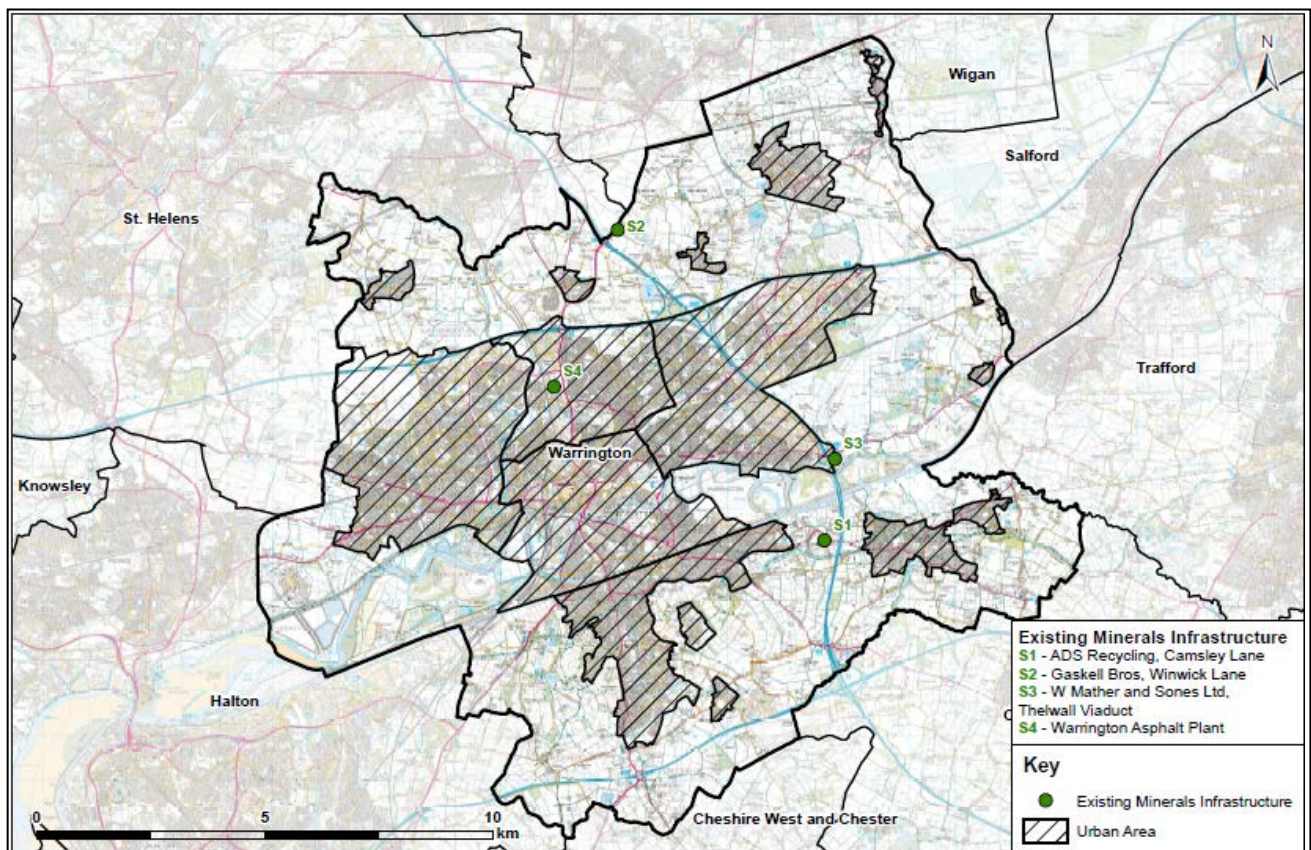


⁶ As mentioned above, it is proposed that peat could be protected through environmental policies in the Local Plan Review.

Safeguarding Existing and Planned Minerals Infrastructure

- 9.17 In addition to safeguarding mineral resources which may become of economic importance, NPPF (para. 143) requires the council to safeguard existing, planned and potential minerals infrastructure such as rail heads and wharfs, as well as concrete batching sites. The purpose of safeguarding these facilities is to ensure that sites for these purposes are available should they be needed and to prevent sensitive or inappropriate development that would conflict with the use of sites identified for these purposes.
- 9.18 In addition, permanent facilities for the processing and distribution of substitute, recycled and secondary aggregate material should also be safeguarded
- 9.19 There are : Bellhouse Lane, Moore (ADS Recycling Ltd); 63 Camsley Lane, Lymm (ADS Recycling Ltd); Southworth Quarry, Winwick (Gaskell Bros (WM&C) Ltd); Warrington Asphalt Plant, Antrim Road (Tarmac); and Manchester Road, Woolston (W Maher & Sons Ltd).
- 9.20 Such facilities can be sterilised by proximal development and therefore it is proposed to extend the safeguarding area 250m beyond the infrastructure itself to ensure that the future viability of the minerals infrastructure is considered as part of any planning decisions on non-minerals development within this area. The Council will consider proposals for any development within the 250m buffer that is not covered by the list of exemptions in terms of any potential impact on the viability of the minerals infrastructure.
- 9.21 A temporary 'pop-up' rail depot, opened by DB Cargo Ltd and CEMEX in 2016, will handle around 125,000 tonnes of aggregates each year. Aggregates are transported twice a week from Dove Holes Quarry in Derbyshire, with each rail service transporting approximately 150 HGVs worth of aggregate (1,540 tonnes per train load). The pop-up rail depot is located immediately north of the large ASDA distribution warehouse off Dallam Lane and next to the West Coast Main Line. Given that this is a temporary rail depot, this site would not be safeguarded however, it will be identified in the Local Aggregate Assessment as providing rail capacity.

Figure 8: Safeguarding Existing Minerals Infrastructure



PART 3: POLICY RECOMMENDATIONS

10. Existing Policies

10.1 This part of the report provides policy recommendations to ensure the Local Plan complies with the NPPF. The only extant policy of the Warrington Development Plan is Policy MP9 'Minerals' of the Local Plan Core Strategy which reads as follows:

"In order to encourage the efficient and sustainable use of mineral resources and to enable the Council to plan for a steady and adequate supply of aggregates, the Council will:

- bring forward a Minerals Local Plan which will identify (if appropriate) preferred sites, preferred areas and/or areas of search for minerals extraction, including energy minerals, to make an appropriate contribution towards sub regional aggregate provision and include locational criteria. The Plan will identify Minerals Safeguarding Areas to prevent the sterilisation of such resources from inappropriate development; and*
- have full regard to the potential environmental, social and economic impacts from exploiting minerals when determining applications for the extraction of minerals; and*
- encourage the use of recycled and secondary aggregate, as an alternative to primary extraction, where appropriate; and*
- Promote the use of sustainable modes for the transport of minerals and, where appropriate, identify and safeguard necessary infrastructure and other facilities for the sustainable transport of minerals."*

10.2 As the Council's intended approach is now to include minerals and waste issues within the Local Plan, rather than within separate Minerals and Waste Plans, the above policy is no longer relevant.

10.3 Paragraph 143 of the NPPF sets out what a Minerals Local Plan (or a Local Plan containing minerals policies) should cover and the following section of this report identifies our recommendations for minerals policies which should be included within the revised Local Plan, to ensure compliance with the NPPF.

11. Recommended Policies

Aim and Objectives

11.1 The aim and objectives of the Local Plan should include the following to ensure accordance with the NPPF in relation to minerals planning:

- Seek to deliver a steady and sustainable supply of minerals to meet Warrington's needs, contribute to the maintenance of the sub-regional aggregate apportionment, and safeguard valuable mineral resources and infrastructure;

- facilitate greater use of recycled aggregates and secondary mineral products;
- ensure effective site restoration is undertaken once operations have ceased; and
- support the development of local energy minerals where required to supplement the energy mix nationally and regionally.

Mineral Spatial Strategy

- 11.2 The Local Plan will need to include a minerals specific Spatial Strategy. Minerals can only be worked where they are found and so the starting point is to identify the geology of the area. Following this, environmental and physical constraints will need to be added to identify potentially suitable areas for minerals related development.
- 11.3 The Spatial Strategy should aim to direct minerals development to places where there are opportunities to restore land beneficially, avoiding places with a sensitive natural or built environment or that are close to existing communities. These will be places that are accessible by sustainable modes of transport and close to both the existing highway network and the end user.
- 11.4 A number of interrelated aspects of the evidence base, government advice, the Plan's Objectives and the views of Stakeholders will also need to be reflected in the Spatial Strategy. It need not be necessary for a planning application for mineral working to satisfy all elements of the Spatial Strategy, instead the elements of the Spatial Strategy should be balanced against each other, therefore a proposal for the winning and working of mineral resources would be required to meet one or more of the elements.
- 11.5 The Spatial Strategy should also reflect the minerals related Aim and Objectives identified above.

Meeting Future Aggregate Requirements and Provision of Non-Aggregates

- 11.6 The NPPF says that MPAs should use the length of the landbank in its area as an indicator of when new permissions for aggregates extraction are likely to be needed. The minimum landbank for sand and gravel is 7 years and for crushed rock is 10 years. A landbank below these levels suggests that additional resources will need to be permitted, if acceptable applications are submitted.
- 11.7 As noted within Part 1 of this report, there are three routes by which the Local Plan is able to identify future minerals development: Specific Sites, Preferred Areas and Areas of Search. Only one site was nominated during the most recent 'call for sites' exercise (see Figure 1). This and any other sites which may be put forward during the later stages of the Local Plan review process will need to be appraised against an agreed methodology for identifying minerals resources in Warrington.
- 11.8 No detailed information was submitted in relation to the likely quality and quantity of material present beneath the nominated site, without such information, and without other sites being nominated, the Local Plan should only identify Areas of Search (AoS) for sand, gravel and sandstone/gritstone. AoS are broad areas within which there may be particular sites, such as that nominated, which could meet any shortfall in supply.

Recommended Policies – Primary Extraction of Minerals

Aggregates

- 11.9 It is recommended that a policy be included within the Local Plan to ensure that Warrington makes a contribution to the supply of minerals within the sub-region through AoS. Paragraph 143 of the NPPF requires that LPAs should identify and include policies for extraction of minerals resource of local and national importance in their area, not just aggregates, and so a policy should also be included to allow such schemes to come forward. These are detailed below.

Recommended Policy Text

Aggregate Extraction within Areas of Search

Applications for the extraction and/or processing of sand, gravel or sandstone/gritstone within the Areas of Search identified on Map X within this Plan will be permitted where:

1. *The mineral is required to meet the required landbank of:
 - i. at least 7 years for sand and gravel; or
 - ii. at least 10 years for crushed rock; and*
2. *The site contains adequate resources of the mineral, in terms of quality and quantity for extraction to take place;*
3. *The proposal is in accordance with the Key Planning and Environmental Criteria in Policy X of the Plan.*

Aggregate Extraction Outside Areas of Search

Planning permission will be permitted for the extraction of aggregates outside Areas of Search provided that:

4. *The developer can provide evidence to support the need for departure from the Areas of Search identified: and*
5. *The location accords with the Mineral Spatial Strategy; and*
6. *The proposal meets the requirements of 1 to 3 above.*

Non-Aggregates

Proposals for the development of non-aggregate minerals will be permitted where the location accords with the Mineral Spatial Strategy and:

1. *The proposal is in accordance with the Key Planning and Environmental Criteria in Policy X of the Plan; and*
2. *There are adequate resources on site of the mineral in terms of quality and quantity for extraction to take place.*

Windfall Sites

Favourable consideration may also be given to proposals that can be demonstrated to be more sustainable than any available alternative, including:

- *borrow pits to meet a specific demand not easily met from elsewhere;*
- *building stone quarries, including their need for stone to match the conservation and repair of heritage assets and also for local vernacular building;*
- *areas already subject to minerals extraction where the additional working will enable comprehensive exploitation of the reserves, or where the proposal achieves a more sustainable afteruse or a better restoration of the area.*

Other Development Management Policies

11.10 Other policies are required to be included within the Local Plan in order to meet the requirements of the NPPF in relation to minerals development. Some of these will need to be minerals specific, however, many are applicable to all types of development and so can be covered within general development management policies. Such considerations are identified below.

Recommended Policy – Key Planning and Environmental Criteria

11.11 Most minerals developments are temporary but may be there for many years. Whilst these developments are essential for the community as whole, local communities close to them, or to their lorry routes, need to be protected from unacceptable impacts. This is also the case for environmental and heritage assets. Paragraph 143 of the NPPF states that Local Planning Authorities should set out environmental criteria, in line with policies of the NPPF, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health. The policy below seeks to address this and could be integrated into a general Development Management policy.

Recommended Policy Text

Proposals for new development will only be permitted where any adverse impacts on the following criteria is avoided or can be appropriately mitigated:

1. *Controlled waters and flood risk management;*
2. *Landscape and visual intrusion;*
3. *Biological and geological conservation including European sites;*
4. *Historic environment and built heritage;*
5. *Best and most versatile agricultural land;*
6. *Infrastructure;*
7. *Traffic and access;*

8. *Amenity e.g noise, dust, vibration, and odours;*
9. *Air Quality;*
10. *Land instability;*
11. *Potential land use conflict;*
12. *Design, phasing and operational details;*
13. *Aviation safety.*

Recommended Policy – Sustainable Transport of Minerals

11.12 Section 4 of the NPPF stresses the importance of sustainable transport and how this should be promoted through plan making and decision taking. Paragraph 35 of the NPPF identifies that Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. The policy below is intended to address this issue with regards to minerals development. Sustainable transport is applicable to other types of development and so could be covered within general development management policies.

Recommended Policy Text

Developers will be encouraged to transport minerals via the most sustainable transport mode (i.e rail and water) wherever practicable.

Where this is not feasible (i.e. the development is located too far from rail, river or canal links to make using them economical) or would be so costly as to render the minerals development unviable, planning permission will be granted for minerals development involving the transport of minerals by road where the applicant can clearly demonstrate that:

1. *The use of more sustainable transport modes is not practicable; and*
2. *The proposed access arrangements would be safe and appropriate to the proposed development and the highway network is able to accommodate the traffic generated without having an unacceptable detrimental impact on road safety or an unacceptable impact on the environment or local residents.*

Recommended Policy – Restoration and Aftercare

11.13 Paragraph 143 of the NPPF states that LPAs should put in place policies to ensure worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place. The policy below seeks to ensure compliance with the NPPF in this regard.

Recommended Policy Text

Applications for minerals extraction will be permitted where they are accompanied by appropriate proposals for site restoration and aftercare. This should include all of the following:

1. *Details of the final restoration scheme and proposed future land use;*

2. *Details of timescales for completion of restoration including details of completion of individual phases of restoration where a progressive restoration scheme is proposed;*
3. *Details of aftercare arrangements that are to be put in place to ensure the maintenance and management of the site once restoration is complete;*
4. *Details of community liaison measures to be put in place during the operation of the site including mineral extraction, restoration and final land use.*

In defining the future land use for the site, restoration should be geared towards improvement of final land use and should:

- i. *Demonstrate to the satisfaction of the Local Planning Authority that the proposal is in accordance with the Key Planning and Environmental Criteria in Policy X;*
- ii. *Reflect the requirements of the Local Plan;*
- iii. *Take account of the pre-working character of the site and its landscape setting where appropriate;*
- iv. *Where land is to be restored for agricultural or forestry, use appropriate restoration techniques to ensure that the land is capable of supporting such uses in the long term;*
- v. *Provide for the enhancement of the quality of the landscape, biodiversity assets, local environment, European sites, ecological value of the site or the setting of historic assets to the benefit to the local or wider community.*

Recommended Policy – Energy Minerals

11.14 Many issues related to oil and gas development are not material planning considerations because they are regulated by other agencies, such as the Environment Agency and Health and Safety Executive; however, if a site did not have the requisite permit from these regulators, that would be a material consideration. Some of the key material planning issues for the assessment of oil and gas planning applications are also common to other minerals or waste developments and are covered by the other environmental policies in this Plan. However, there are distinct planning issues that affect the assessment of oil and gas proposals, and one of these is the need for exploration, appraisal and exploitation phases of hydrocarbon development. NPPF Paragraph 147 requires that Local Plan policy distinguishes between the different phases of oil and gas developments; thus the 'Energy Minerals' policy below provides separate criteria for the exploration and appraisal phases, compared to the exploitation phase.

Recommended Policy Text

Proposals for energy minerals developments that conform to the Strategic and other Policies of this Local Plan will be supported subject to the following criteria:

Exploration and appraisal of hydrocarbons

Planning permission will be granted for proposals for exploration and appraisal of oil and gas resources, within areas benefiting from a Petroleum Development Licence (PEDL), provided that:

- a. the site and equipment is sited at a location where it can be demonstrated that it will not have any unacceptable environmental impact; and*
- b. the proposal provides for appropriate baseline monitoring prior to commencement of development; and*
- c. the timely restoration and subsequent aftercare of the site, whether or not oil or gas is found.*

Commercial exploitation of hydrocarbons

Planning permission will be granted for proposals for commercial exploitation of oil and gas, provided that:

- a. a full appraisal programme for the oil or gas field has been completed;*
- b. the proposed location is the most suitable, taking into account environmental, geological and technical factors;*
- c. the cumulative impacts of the development of the gas field and essential associated infrastructure have been assessed; and*
- d. provision is made for mitigation or compensation for significantly adverse impacts on the environment and communities.*

Combined planning applications for more than one phase will only be considered if all relevant information, including environmental information, to support the full extent of the application is provided.

Coal

Planning applications for coal extraction will only be granted where;

- the proposal is environmentally acceptable; or*
- can be made so by planning conditions or obligations; or, if not*
- provides national, local or community benefits which clearly outweigh the likely impacts to justify the grant of planning permission.*

For underground coal mining, potential impacts to be considered and mitigated for will include subsidence and the disposal of colliery spoil. Provision of sustainable transport will be encouraged, as will Coal Mine Methane capture and utilisation.

Minerals Safeguarding

- 11.15 Paragraph 143 of National Planning Policy Framework (NPPF) states that MPAs should identify Mineral Safeguarding Areas (MSA) and adopt appropriate policies in their Plans. MPAs are also required to safeguard existing, planned and potential minerals-related infrastructure.
- 11.16 The purpose of the MSA is to safeguard mineral resources from sterilisation by non-minerals development. The identification of an MSA does not confer any presumption that the resource will be worked.
- 11.17 It is recommended that the Council identifies the extent of the MSA, on the Proposals Map and provides a policy to set out how the MSA would be used during the planning process should a non-minerals development be proposed within an MSA. It is anticipated that the MSA shown in Part 2 of this Report would be refined as part of ongoing consultation on the Local Plan Review prior to inclusion on the Proposals Map.
- 11.18 Developers proposing a non-exempt, non-minerals development within an MSA would be required to submit a mineral resource assessment to accompany a planning application.
- 11.19 Non-minerals development within the specified distance of an existing site or minerals related infrastructure should be required to demonstrate that it would not adversely affect the future use of the mineral or site/infrastructure.
- 11.20 Not all forms of development will result in the sterilisation of minerals, and the sterilisation effect of some development is considered minor. It is recommended that the following types of development should be exempt from consultation as part of the MSA and that these should be listed adjacent to any policy on MSA:
- i. Applications for Householder development
 - ii. Applications for extensions or alterations to existing buildings and for change of use of existing development which do not fundamentally change the scale and character of the building/use.
 - iii. Applications that are in accordance with the local plan where the plan took account of prevention of unnecessary mineral sterilisation and determined that prior extraction should not be considered when development applications in a Mineral Safeguarding Area came forward.
 - iv. Applications for Advertisement Consent.
 - v. Applications for reserved matters including subsequent applications after outline consent has been granted.
 - vi. Prior notifications (telecommunications; forestry' agriculture; demolition).
 - vii. Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs).
 - viii. Applications for works to trees.
 - ix. Applications for temporary planning permission.
 - x. Applications for Conservation Area Consent.

- xi. Applications for Listed Buildings Consent.
- xii. Development within the urban area is excluded from a requirement to consider the MSA, except where the development is larger than 5ha.

Recommended Policy – Mineral Safeguarding Areas

Recommended Policy Text

Planning permission will be granted for incompatible non-mineral development within a Minerals Safeguarding Area, as defined on the Proposals Map, where it is demonstrated that either:

1. *the mineral is not of economic value or potential value, or does not exist; or*
2. *that extraction of the mineral would not be physically viable or practicable; or*
3. *the mineral can be extracted satisfactorily prior to the non-minerals development taking place without adversely affecting the viability or deliverability of the non-minerals development; or*
4. *the incompatible development is of a temporary nature that can be completed and the site returned to a condition that would not prevent future mineral extraction; or*
5. *material considerations indicate that the need for the development overrides the presumption for mineral safeguarding such that sterilisation of the mineral can be permitted following the exploration of opportunities for prior extraction; or*
6. *it constitutes development that is exempt from mineral safeguarding policy (See the list of exempt criteria in Box X)*

Recommended Policy – Safeguarding Minerals Infrastructure

Recommended Policy Text

Planning permission will only be granted for development that is incompatible with safeguarded minerals management, transportation or waste management facilities, where it is demonstrated that either:

1. *it constitutes exempt development as set out in Box X; or*
2. *replacement capacity, of the similar type, is available at a suitable alternative site, which is at least equivalent or better than to that offered by the facility that it is replacing; or*
3. *it is for a temporary period and will not compromise its potential in the future for minerals transportation; or*
4. *material considerations indicate that the need for development overrides the presumption for safeguarding; or*
5. *It has been demonstrated that the capacity of the facility to be lost is not required.*

Planning applications for development within 250m of safeguarded facilities need to demonstrate that impacts, e.g. noise, dust, light and air emissions, that may legitimately arise from the activities taking

place at the safeguarded sites would not be experienced to an unacceptable level by occupants of the proposed development and that vehicle access to and from the facility would not be constrained by the development proposed.

Monitoring

11.21 The purpose of monitoring the Local Plan is to ensure that the performance of the Plan can be assessed against its Policies and therefore the achievement of the Aim and Objectives. Indicators will be required which provide a consistent basis for monitoring performance annually and should include Core Output Indicators and specific targets should be developed to monitor the policies of the Plan. Some indicators and targets could be as follows:

- Production levels of primary land won aggregates
- Production of secondary and recycled aggregates
- % of minerals applications permitted in line with presumption in favour of sustainable development – target 100% - have this same indicator for other such compliance policies such as the restoration policy above;
- % of non mineral related development permitted within a distance that could affect existing mineral sites/ infrastructure, in the absence of justification provided by the developer as set out within the policy – target 0%
- % of non mineral related development permitted within a distance 0% that could affect quarries important for maintaining historic buildings, in the absence of justification provided by the developer as set out within the policy – target 0%