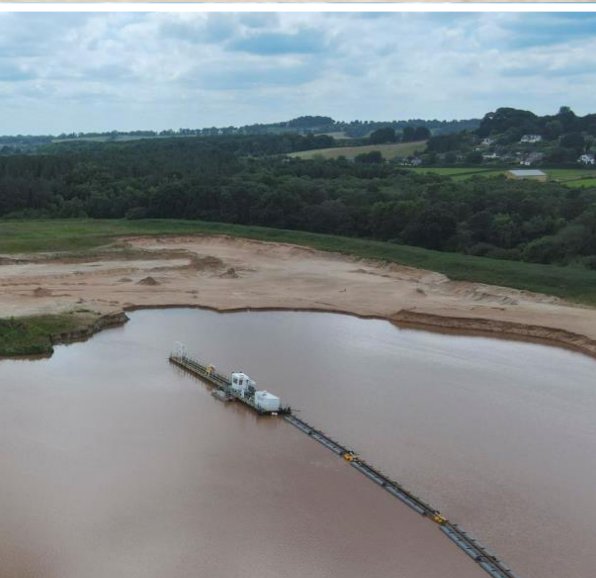


Minerals safeguarding guidance note



Minerals safeguarding guidance note

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1 Introduction

1.1 This document provides guidance on the safeguarding of minerals and identifies the minerals policies that may be applicable to non-mineral development.

1.2 Information relating to minerals developments is not provided within this note, but the requirements are set out within the relevant policies in the Local Plan (Part One) and (Part Two).

2 Why is mineral supply and safeguarding important?

2.1 Minerals provide the raw materials for our construction industry and are important inputs into the food, pharmaceutical and manufacturing industries. As such, they are essential to support sustainable economic growth.

2.2 Cheshire West and Chester (CWaC) is a major supplier of sand and gravel, salt and brine. Silica sand (which is used for industrial purposes) is also found to the east of the borough. As these minerals can only be extracted where they are found, it is important to protect these mineral supplies for future use. If developments are permitted on or close to mineral supplies or infrastructure used to transport or process minerals, this can prevent or constrain future mineral extraction and reduce supplies. To prevent this, policies have been included within the Local Plan in relation to the safeguarding of minerals and minerals infrastructure.

3 Safeguarding policies in the Local Plan

3.1 Policy ENV 9 ‘Minerals supply and safeguarding’ in the Local Plan (Part One) sets out how CWaC will make provision for the adequate, steady and sustainable supply of sand, gravel, salt and brine. This will be achieved by a set of measures including the “safeguarding CWaC’s extent of finite natural resources and associated infrastructure from incompatible development by delineating Mineral Safeguarding Areas (MSA’s) for sand and gravel, salt and shallow coal, as shown on the Policies Map, together with existing and potential sites for minerals infrastructure”.

3.2 Policy M 2 ‘Minerals safeguarding areas – prior extraction of minerals’ links to policy ENV 9 and provides additional criteria for the assessment of non-minerals proposals within MSAs. Policy M 2 is set out in full in Appendix 1. Any applications within the ENV 9 MSA area need to comply with policy M 2. Appendix 2 provides a map showing the mineral safeguarding areas protected via ENV 9 and M 2.

3.3 In addition to the MSAs, other specific sites and quarries are safeguarded by the Local Plan policies. Policy M 1 ‘Future sand and gravel working’ safeguards existing sand and gravel quarries (Cheshire Sands, Oakmere; Forest Hill, Sandiway; Cobden Farm, Oakmere; and Town Farm, Kingsley) and also safeguards the allocated site for sand and gravel north of the railway at Forest Hill, Sandiway. Cheshire Sands and Forest Hill are active sites. Town Farm quarry closed in 2019. Cobden Farm was operational in 2021 but has now ceased operating and is currently being restored. Rudheath Lodge silica sand quarry is also operational and provides a proportion of aggregate sand in addition to the industrial silica sand. In January 2021, an application (19/02452/MIN) was approved for a northern extension to Forest Hill quarry on the allocated site north of the railway line. Appendix 3 provides a map showing all the safeguarded quarries and the safeguarded allocated site.

3.4 Policy M 6 ‘Salt and brine working’ safeguards the existing operations at Winsford Rock Salt Mine and Holford Brinefields. Appendix 4 provides a map showing the safeguarded salt and brine operations.

3.5 Policy M 7 safeguards the allocated silica sand site at Rudheath Lodge, New Platt Lane, Cranage. This site has been operating since July 2020. Appendix 5 provides a map showing the safeguarded silica sand site.

3.6 Policy M 8 ‘Minerals infrastructure’ safeguards significant infrastructure that supports the supply of minerals in the borough. The full text of the policy is included at Appendix 6, the safeguarded minerals infrastructure sites are shown in Appendix 7 and the sites are listed in Appendix 8.

3.7 The interactive Local Plan map is available at <https://maps.cheshirewestandchester.gov.uk/cwac/localplan> and shows the MSAs, safeguarded sites and allocations and the location of safeguarded minerals infrastructure.

3.8 The table in Appendix 9 provides an overview of the minerals policies and the safeguarding requirements for each policy.

4 Pre-application discussions

4.1 It is recommended that pre-application discussions are undertaken in relation to any applications within safeguarded sites or areas, except for applications for types of development that are exempt from safeguarding requirements.

4.2 At pre-application stage, potential minerals safeguarding issues can be raised and the supporting information required to be submitted as part of the application will be identified. This will help with the validation process and will help to ensure that determination of the planning application is not delayed while awaiting mineral safeguarding information. Early discussions before proposals are developed in detail or an application submitted can also help to:

- identify potential mineral objections or constraints;
- consider means of revising the proposals to address any constraints;
- consider the scope for prior extraction, which may offer an additional source of revenue or materials for the developer; and
- avoid unnecessary expense and delay.

5 Development exempt from safeguarding requirements

5.1 The types of development that are exempt from mineral safeguarding requirements are:

- applications for householder development;
- applications for alterations and extensions to existing buildings and for change of use of existing development, unless intensifying activity on site;
- applications for advertisements, listed buildings or conservation area consent;
- applications for reserved matters including subsequent applications after outline consent has been granted;
- prior notifications (telecoms, forestry, agriculture, demolition);
- Certificates of Lawfulness of Existing Use or Development (CLEUD) and Certificates of Lawfulness of Proposed Use or Development (CLOPUD); or
- applications for works to trees.

5.2 The onus is on the applicant to show that the development is exempt and if this is not possible, to show that the proposal meets one of the other criteria set out in the relevant mineral safeguarding policy. For most developments it should be clear whether it is an excluded development type, but applications for alterations and extensions to existing buildings and for change of use of existing development may need to submit additional information to show whether the proposal will intensify activity on site.

6 Planning applications within MSAs

Sand and gravel

6.1 Within CWaC, sand and gravel are usually found relatively close to the surface and can be dry or wet worked via the creation of lagoons, with the sand pumped out and left to drain. As it is found relatively close to the surface, any permanent construction on the land (such as a new house or office) would prevent sand and gravel from being extracted from that land. The mineral resource in that area would therefore be sterilised and would be very difficult to extract in the future. New buildings and other developments can also sterilise an area around them and prevent quarrying from being undertaken in that area.

6.2 For applications within the sand and gravel MSA (which are not one of the excluded forms of development), the onus is on the applicants to show that they meet one of the criteria in policy M 2. The information required to be submitted as to submit as part of an application depends on which criterion / criteria the applicant consider that the development meets.

6.3 The table in Appendix 10 sets out the criteria from the policy and for each one it explains what information should be provided. It provides an example of a situation where this may occur and highlights any additional factors to be taken into consideration.

Mineral resource assessments

6.4 A Mineral Resource Assessment (MRA) must automatically be submitted in support of any major application (excluding change of use and agricultural buildings) in a sand and gravel MSA. For all other applications that are not exempt from safeguarding, a full MRA may not be necessary, but information and evidence should be provided to show which criterion within the safeguarding policy has been met.

6.5 The scope and level of detail required in each MRA will be influenced by the specific characteristics of the proposal, the location, the geology of the area and the relevant criteria met by the proposal. Further details of the information required in relation to each criterion are set out in the table in Appendix 10. A MRA may be useful to help provide evidence in relation to criteria 1 – 5.

6.6 MRAs should be prepared by a suitably qualified and competent professional (geologist or minerals surveyor).

6.7 Depending upon the criteria met by the proposal, the MRA may need to include:

- An appraisal of the geology of the site and its surroundings and current or previous mineral working and extant mineral permissions.
- An assessment of relevant BGS geological maps and resources.
- Evaluation of available mineral exploration data, site investigation reports and previous mineral assessments or relevant technical reports.
- Information from physical site investigations such as boreholes or trial pits undertaken on behalf of the applicant and showing the depth, type, quality and quantity of the material on the site. These

investigations may be undertaken specifically in relation to mineral safeguarding, or may be required for due diligence, flood risk assessments, heritage asset investigations or other investigations into existing ground conditions.

- The scope for prior extraction of the resource in advance of non-mineral development.
- Information about the mineral reserve on the site: type and extent of the mineral; depth of the deposit and variability across the site; depth of overburden and variability across the site; ratio of overburden to mineral resource; mineral quality with or without processing; estimated gross mineral resource affected.
- Estimate of the quality and quantity of the mineral and the likely current and future value of the resource.
- Distances from the site to residential properties and businesses, which could result in buffer zones / stand-off distances preventing extraction on the site.
- Identification of other constraints on the site such as pipelines, which could impact on future minerals extraction.
- Potential for on-site use of the mineral and whether it is reasonable to extract the mineral resource before the development commences, to prevent unnecessary sterilisation.
- Where prior extraction can be undertaken, an assessment of the amount of material that can be extracted and an explanation of how this will be carried out as part of the overall development scheme.
- Information about practicality of extraction – site setting and constraints; accessibility and transport; land stability; hydrology – groundwater and flood risk.
- Commercial market and practical considerations such as interest in the minerals from the operators / local market; distance from the site to market destination; method of transport / route to be taken; whether the market destination have permission to accept imported material / is permission required; mineral processing infrastructure requirements on or off-site; space for storage of materials and effect on phasing or design.
- An assessment of not only the minerals immediately beneath the site, but also the effect of the development on mineral resources beyond that, given the need for a buffer zone between any non-mineral development and any potential future mineral working.

Salt and brine

6.8 The assessment of compliance with policy M 2 for sites within the salt or brine safeguarding areas is different to the assessment of sand and gravel as salt and brine extraction is usually undertaken much deeper underground and isn't affected as easily by surface developments. It could, however, be impacted by developments in certain areas or involving very deep excavations, foundations or pilings, especially in areas outside existing built-up areas.

6.9 Compass Minerals will be consulted automatically on any planning applications for developments within the salt safeguarding area and Inovyn will be consulted automatically on any planning applications within the brine safeguarding area. Compass Minerals and Inovyn operate the only large salt extraction / brine business in the area and have the knowledge and experience to be able to assess whether a proposed development is likely to impact on safeguarded salt or brine. If Compass Minerals and / or Inovyn confirm that there are no issues with sterilisation of rock salt / brine resources, then the applicants

can use this as evidence that criterion 1 of policy M 2 has been met and mineral sterilisation will not occur.

6.10 If Compass Minerals / Inovyn identify an issue with the proposal in terms of sterilisation of rock salt / brine resources, this will need to be resolved before the application can be approved, or the applicant will need to provide evidence that the proposal meets one of the criteria in policy M 2.

6.11 Policy M 6 relates to salt and brine working and applies to future salt and brine proposals. It also identifies preferred areas for future salt extraction and controlled brine extraction, so this provides an indication of where these types of development are more likely to occur. If proposals for non-mineral development are located within these areas, it is even more important that the development will not sterilise salt or brine.

Shallow coal

6.12 Shallow coal resources are also safeguarded, but the deposits lie off the coast at Parkgate and Neston, are obscured by glacial till and estuarine alluvium and are inundated at high tides. The shallow coal resource area is also within the Dee Estuary SSSI, which is also a Ramsar site and Special Protection Area. As such, it is unlikely that any applications will be received in this area or that coal would be extracted from this area in future. However, if an application was submitted within this area the Coal Authority would be consulted to assess whether the application would cause any potential problems in terms of safeguarding of shallow coal.

7 Safeguarding of minerals infrastructure

7.1 It is important to safeguard existing and planned mineral infrastructure sites. Mineral infrastructure sites are required in order to transport, handle and process minerals, to manufacture concrete and concrete products and to handle, process and distribute substitute, recycled and secondary aggregate material.

7.2 The operation of minerals infrastructure can be constrained by inappropriate development, either through development of infrastructure sites themselves or through inappropriate development (sensitive to noise, dust or vibration for example) on or adjacent to a site.

7.3 Local Plan (Part One) policy ENV 9 states that existing and potential sites for minerals infrastructure will be safeguarded. Policy M 8 in the Local Plan (Part Two) provides a set of criteria and non-mineral development with the potential to impact on a safeguarded mineral infrastructure site must meet at least one of those criteria. Policy M 8 is set out in full at Appendix 6. The list of safeguarded sites is included in Appendix 8.

7.4 The policy aims to prevent the situation where a sensitive new development (e.g. housing) is located close to a minerals infrastructure site. This could result in the potential for future occupiers to complain about the operation of the minerals infrastructure on noise or disturbance grounds, which could then result in the future operations of the minerals infrastructure being restricted.

7.5 Potential conflicts can be avoided by ensuring that planning applications consider the need for safeguarding and the potential for conflict between uses at an early stage. Paragraph 187 of the NPPF recognises this issue and states that “existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including change of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

7.6 To assess whether a proposal is likely to impact on a safeguarded mineral infrastructure site, the starting point is to assess whether the proposal is on or close to a safeguarded site. The safeguarded sites are identified on the map at Appendix 7 and on the Local Plan interactive map (Local Plan Part Two 2019 Adoption Point layer).

7.7 If the proposal is on or directly adjacent to a safeguarded mineral infrastructure site, it will need to show how it complies with policy M 8. If the proposal is within 250 metres of a safeguarded mineral infrastructure site, an assessment will need to be made as to whether the development has the potential to restrict the use of the mineral infrastructure site. This will depend upon the nature of the proposed use, the type of minerals infrastructure, other surrounding uses and the physical environment and topography in that area.

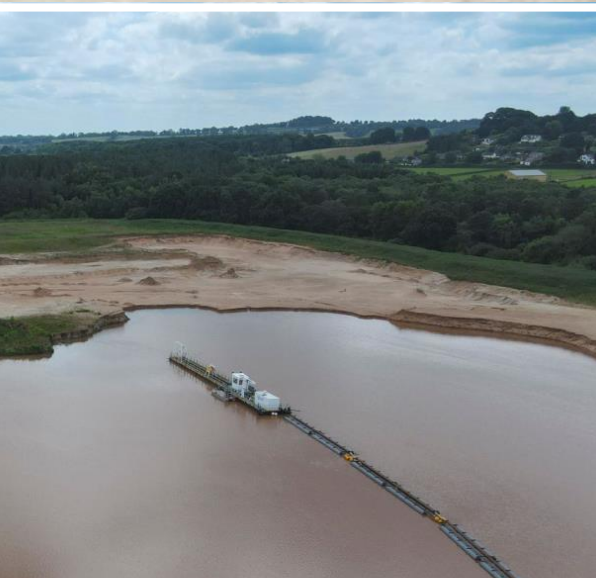
7.8 The onus is on the applicant to submit info showing that they meet one or more of the criteria.

7.9 Criterion 4 refers to the provision of alternative capacity elsewhere. If this criterion is used, the replacement capacity must be at least equivalent in terms of tonnage, accessibility, location in relation to the market, suitability, availability of land for processing and stockpiling of waste and minerals. In the case of wharves, the size of the berth for dredgers, barges or ships, ensuring the depth and tidal flows meet the requirements.

Appendices



13 Cheshire West and Chester Council Minerals safeguarding guidance note



Appendix 1: Policy M 2 - Minerals safeguarding areas

Policy M 2 - Minerals safeguarding areas - prior extraction of minerals

In line with Local Plan (Part One) policy ENV 9, minerals safeguarding areas (MSAs) will safeguard Cheshire West and Chester's extent of finite natural resources from incompatible development. Within a minerals safeguarding areas, as identified on the policies map, non-mineral development or hydrocarbon development will only be supported if the applicant can demonstrate that:

1. mineral sterilisation will not occur; or
2. due to the quantity or quality of the mineral is no longer of any existing or potential value; or
3. the mineral can be extracted satisfactorily prior to the incompatible development taking place; or
4. the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescales that the mineral is likely to be needed and does not permanently sterilise the mineral; or
5. there is an overriding need for the incompatible development and the material planning benefits of the non-mineral or hydrocarbon development would outweigh the material planning benefits of the underlying or adjacent material; or
6. the development comprises one of the exempt types of development listed in the explanation.

The map displays the Burton area, highlighting the CwA boundary and the ENV 9 and M 2 Minerals safeguarding area for coal. The map includes labels for Neston, Little Neston, Ness, Burton, and various farms and roads. A legend in the bottom right corner identifies the symbols used.

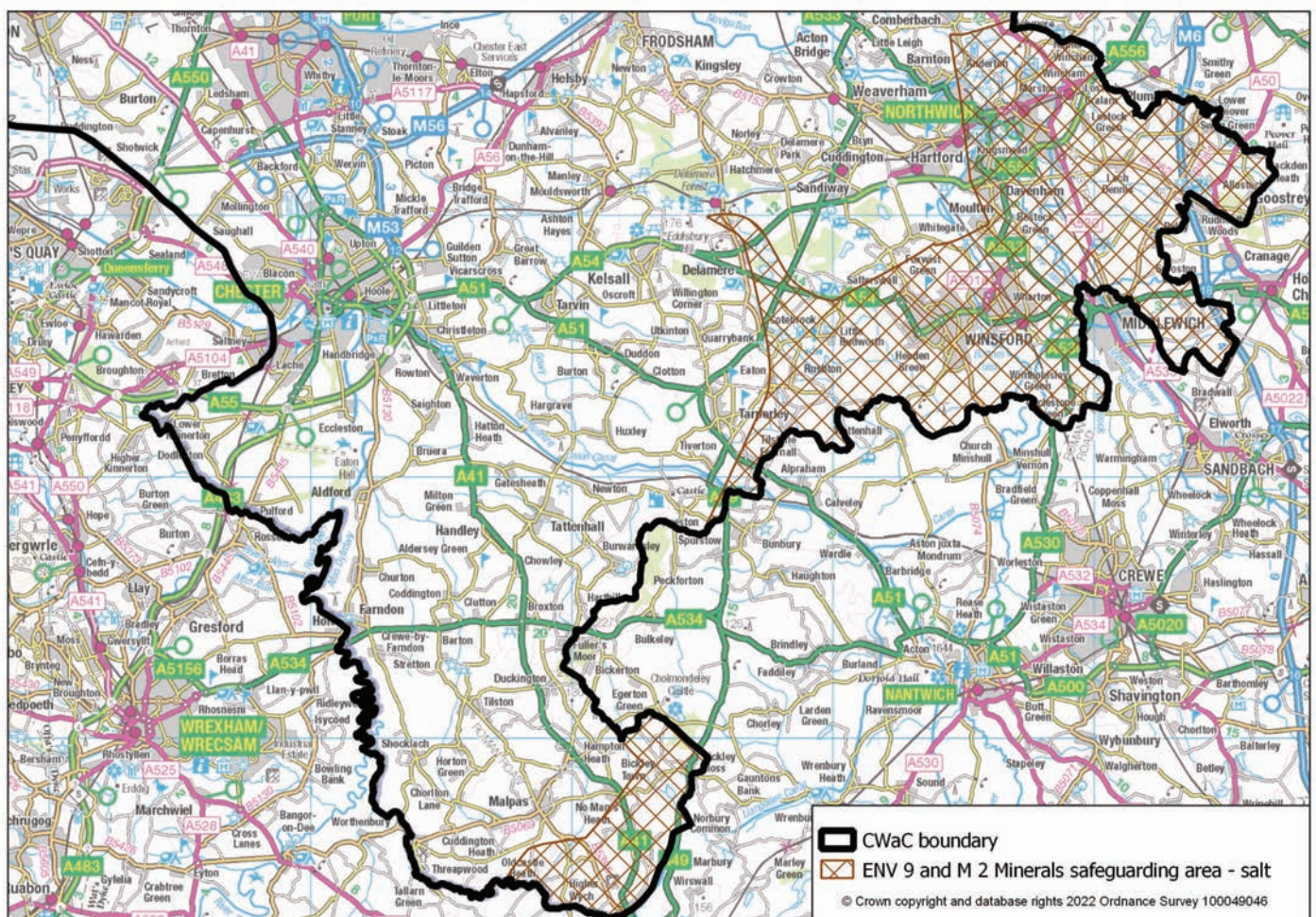
Legend:

- CwA boundary
- ENV 9 and M 2 Minerals safeguarding area - coal

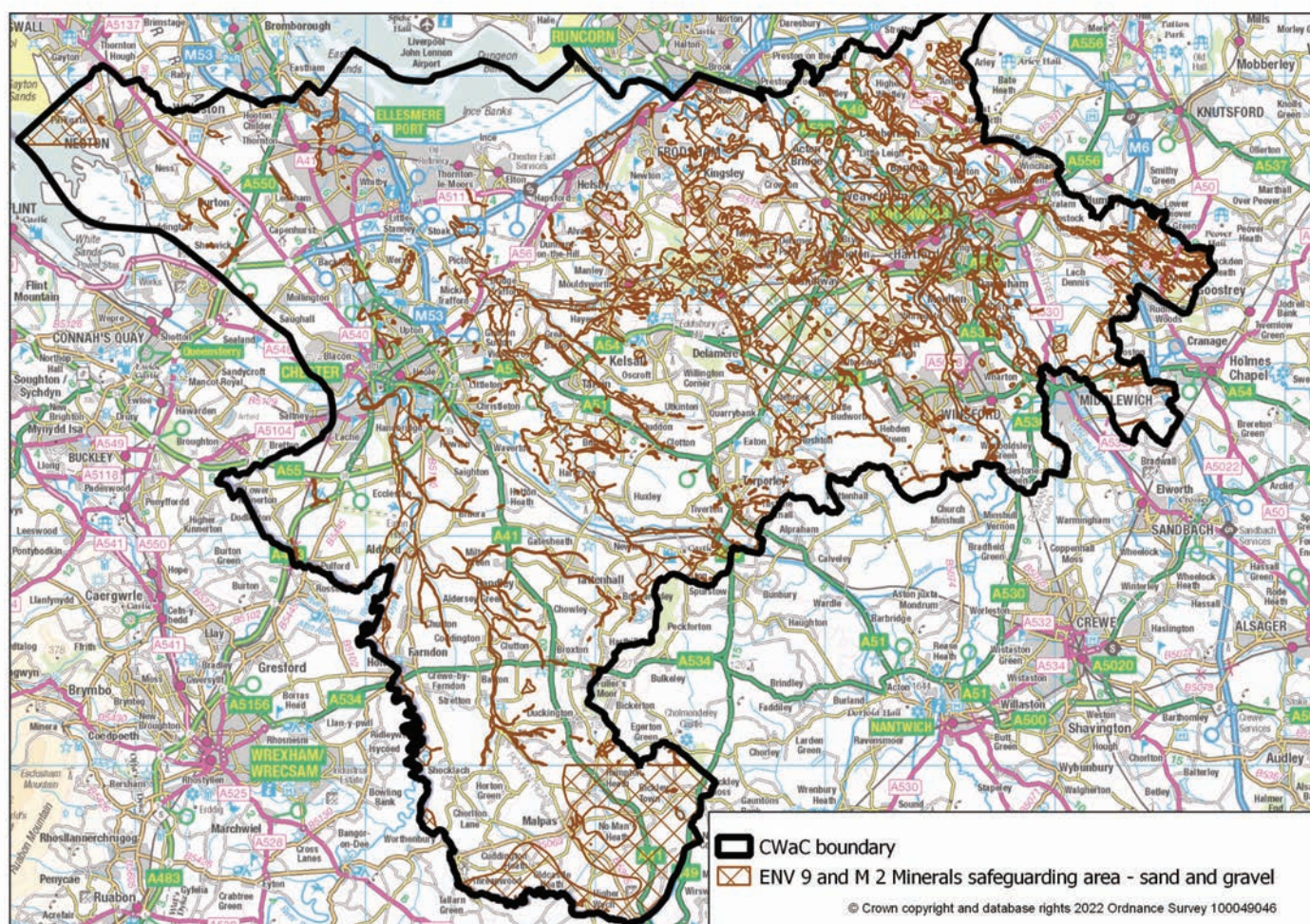
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Appendix 2: Mineral safeguarding areas

Map 2.2 ENV 9 and M 2 Minerals safeguarding area - salt

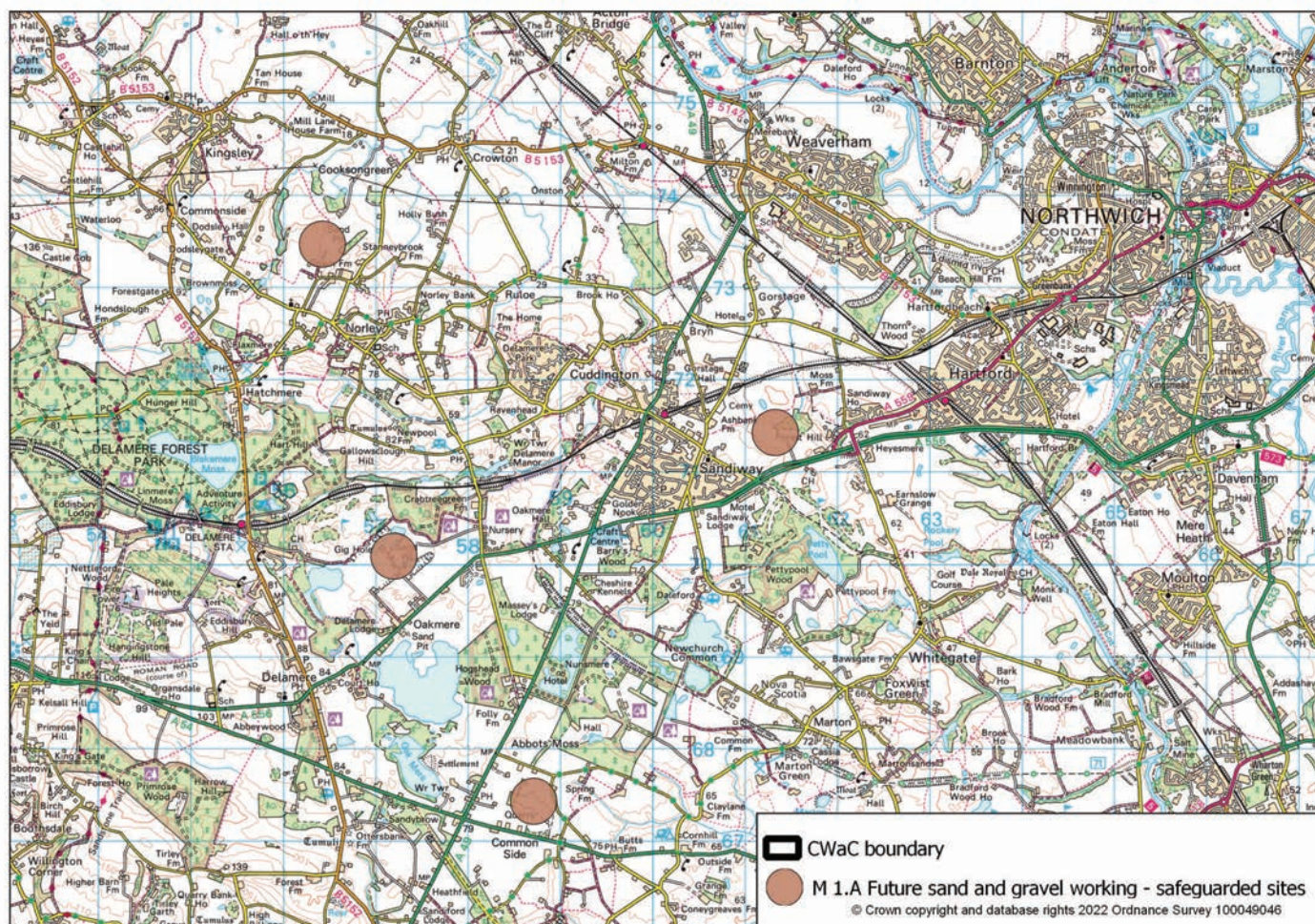


Map 2.3 ENV 9 and M 2 Mineral safeguarding area - sand and gravel

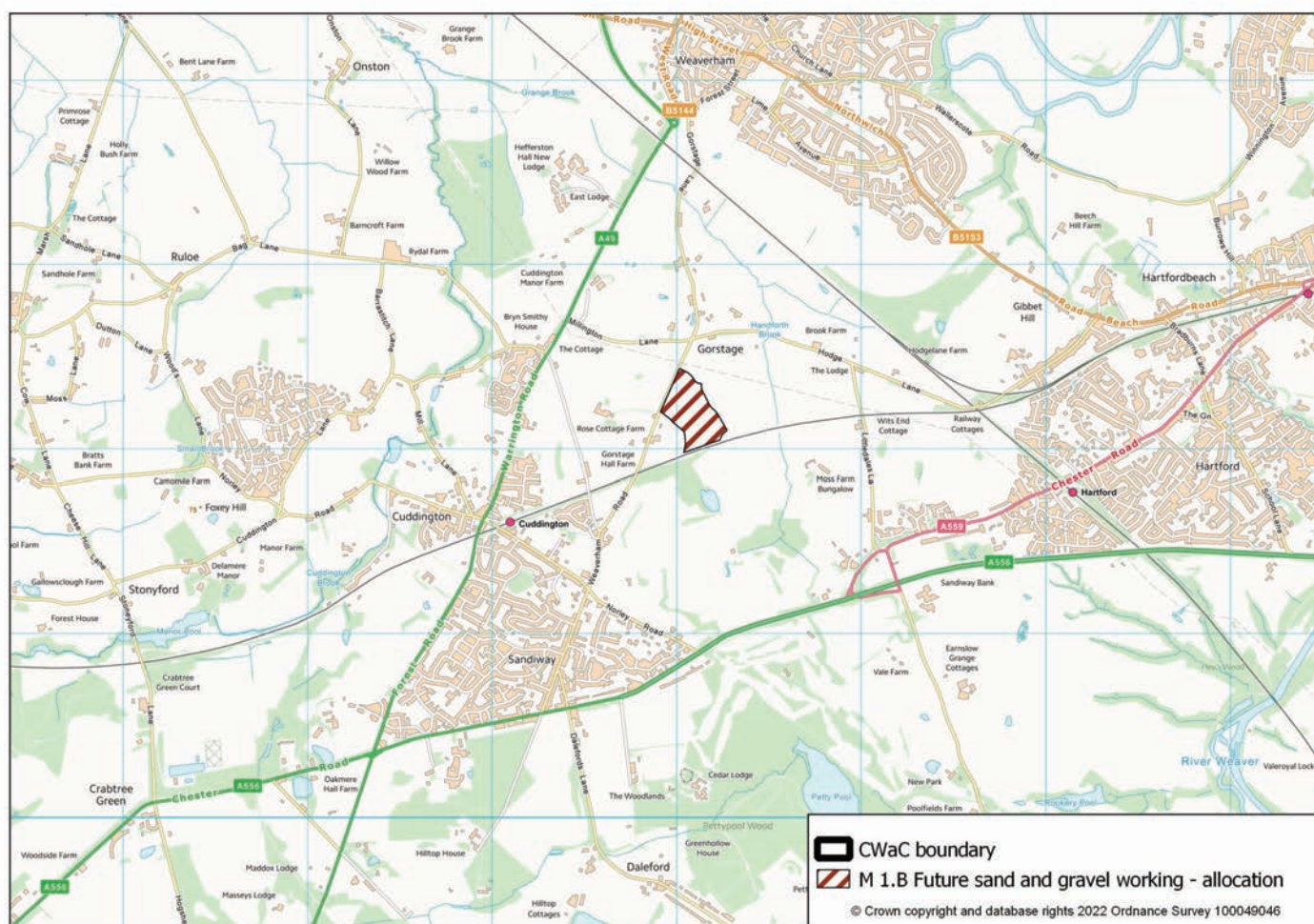


Appendix 3: Safeguarded quarries and safeguarded allocated sites

Map 3.1 M 1.A Future sand and gravel working - safeguarded sites

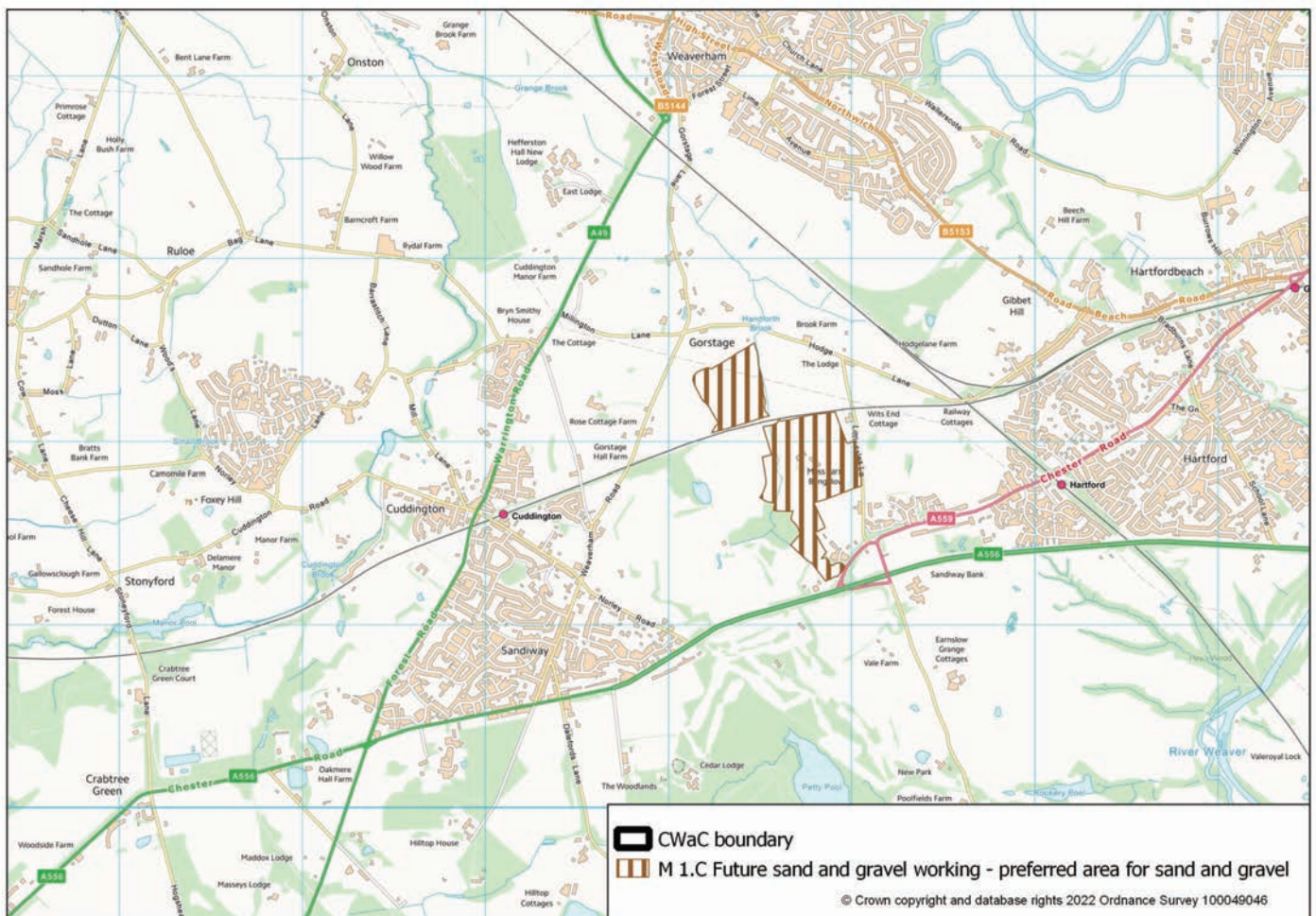


Map 3.2 M 1.B Future sand and gravel working - allocation

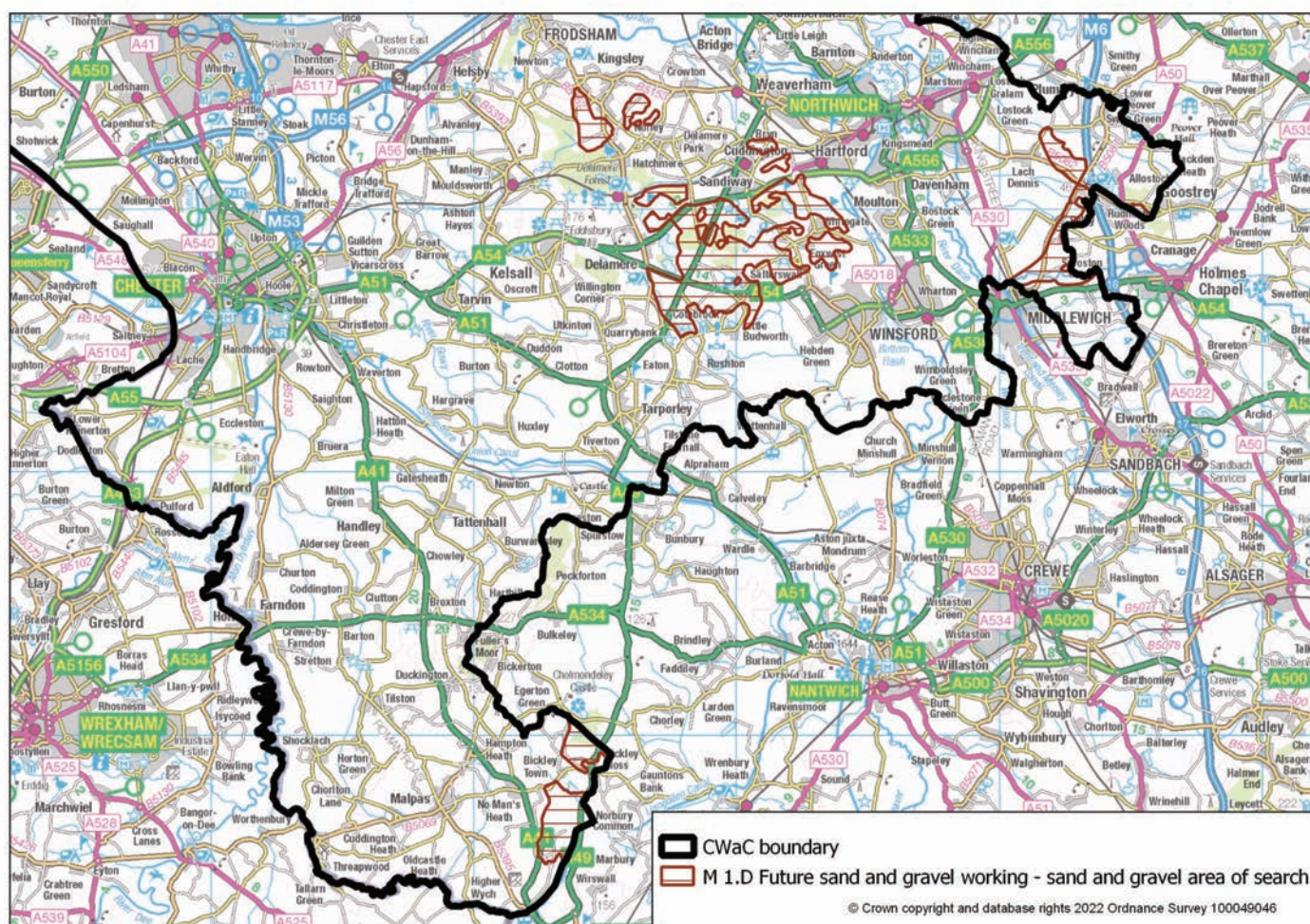


Appendix 3: Safeguarded quarries and safeguarded allocated sites

Map 3.3 M 1.C Future sand and gravel working - preferred area for sand and gravel

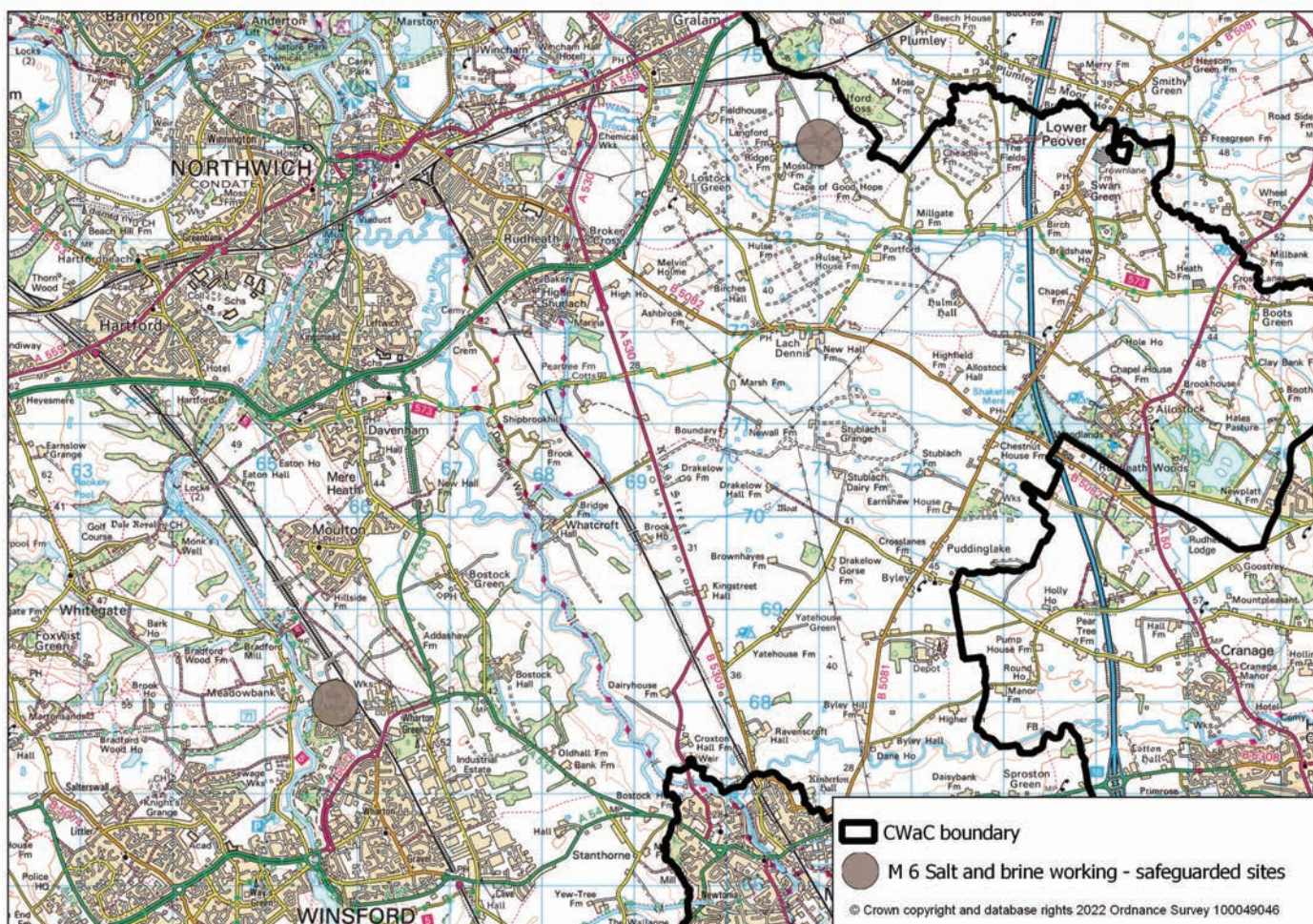


Map 3.4 M 1.D Future sand and gravel working- sand and gravel area of search

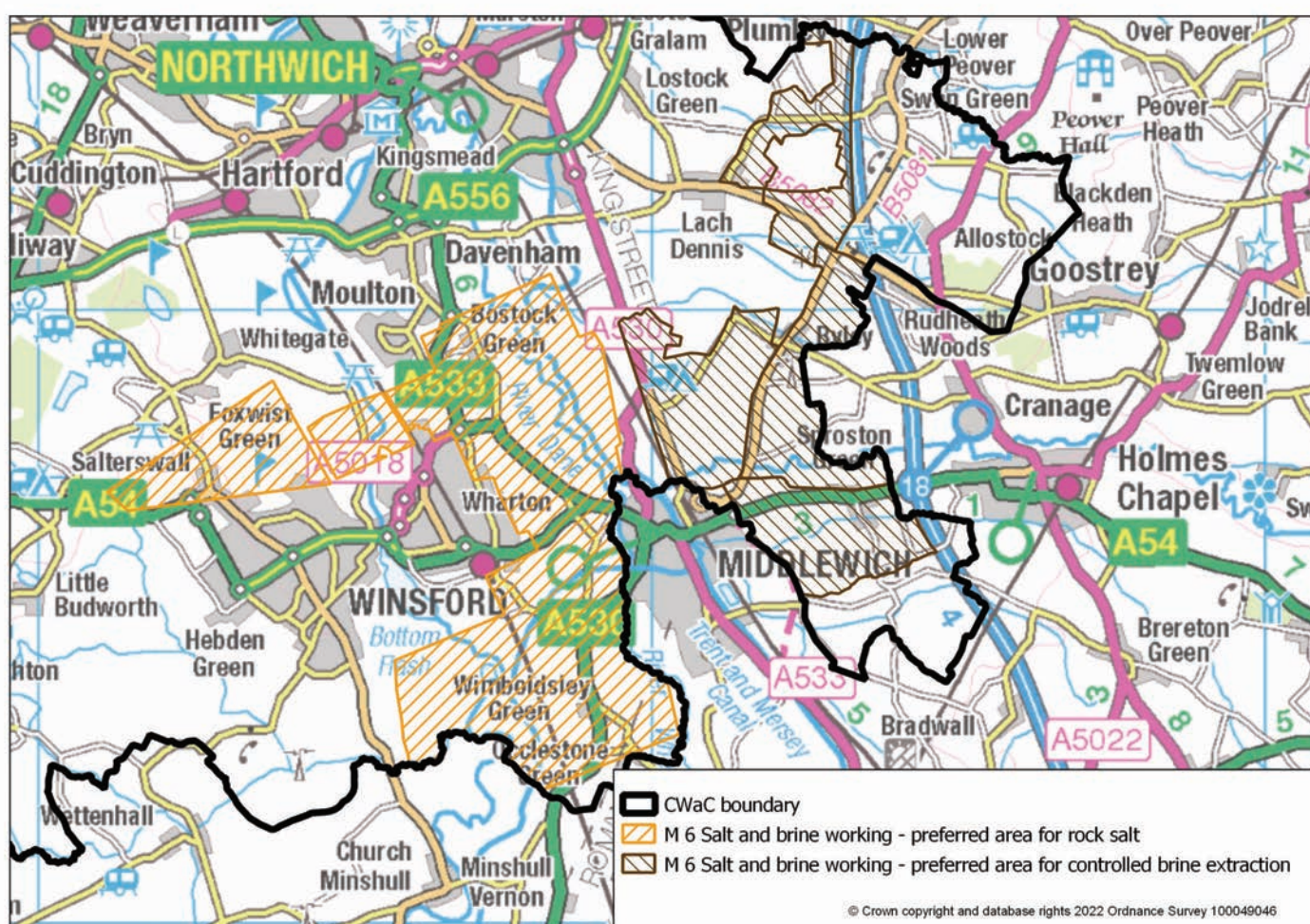


Appendix 4: Safeguarded salt and brine operations

Map 4.1 M 6 - Salt and brine working - safeguarded sites

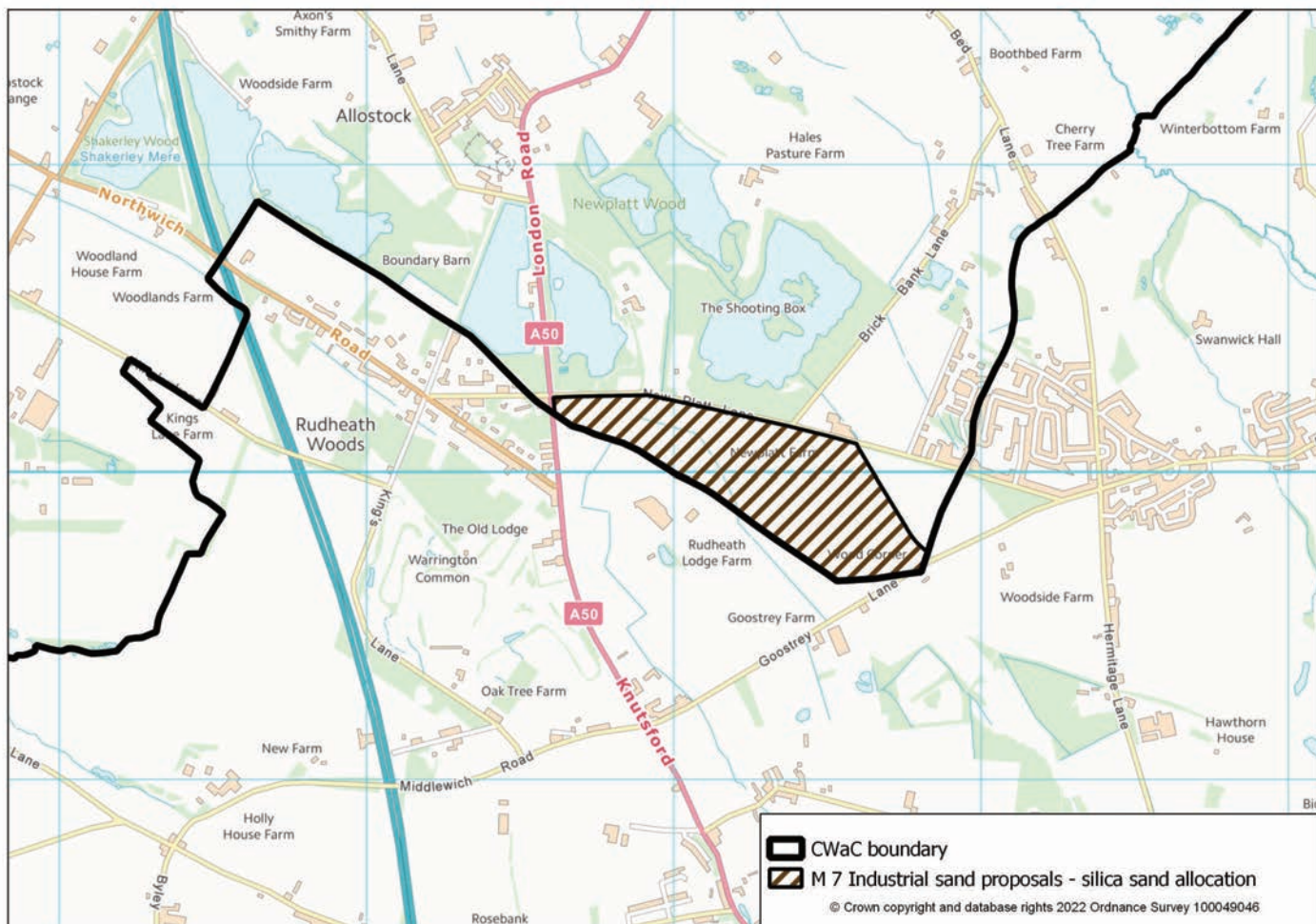


Map 4.2 M 6 Salt and brine working - preferred areas for rock salt and controlled brine extraction



Appendix 5: Safeguarded silica sand site

Map 5.1 M 7 Industrial sand proposals - silica sand allocation



Appendix 6: Policy M 8 - Minerals infrastructure

Policy M 8 - Minerals infrastructure

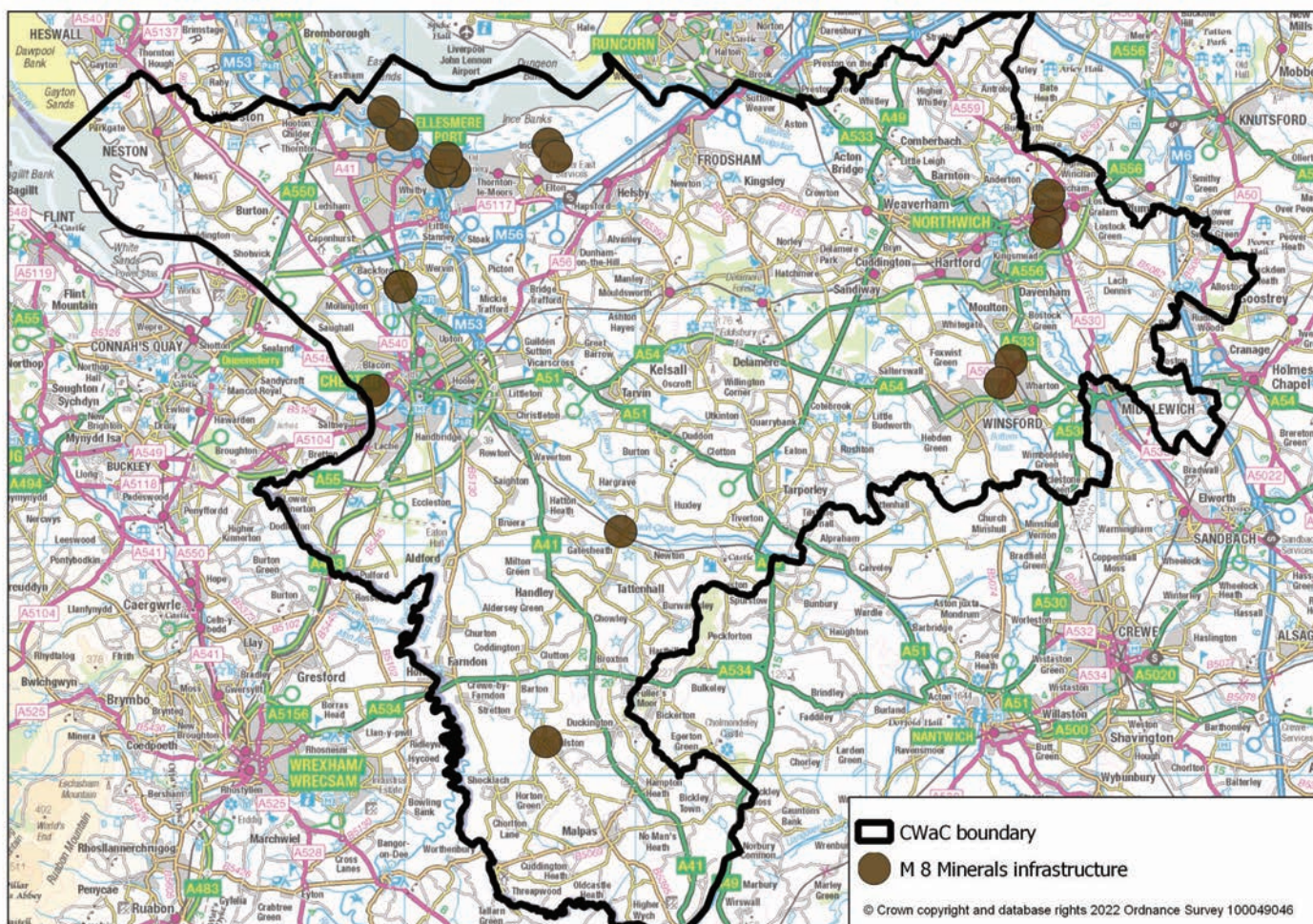
In line with Local Plan (Part One) policy ENV 9, significant infrastructure that supports the supply of minerals in Cheshire West and Chester will be safeguarded from incompatible development.

Non-mineral development (excluding the development types identified in the policy explanation) with the potential to impact on a mineral infrastructure safeguarded site used for mineral processing, handling, and transportation will not be supported unless it can be demonstrated that:

1. the non-mineral development would not unduly restrict the use of the mineral infrastructure site;
2. the material planning benefits of the non-mineral development would outweigh the material planning benefits of the mineral infrastructure site;
3. the mineral infrastructure can be relocated; or
4. alternative capacity can be provided elsewhere.

Appendix 7: Safeguarded minerals infrastructure sites

Map 7.1 M 8 Minerals infrastructure



Appendix 8: Mineral infrastructure sites

Mineral Infrastructure Sites – as set out in table 9.1 in the explanation to policy M 8 in the Local Plan (Part Two)

Facility type	Site	Planning status	Operator
Rail sidings	Freight terminal, Ellesmere Port	Operational	Quality Freight Ltd
	Resource Recovery Park, Ince	Planned/ non-operational	
	Lostock works rail sidings	Non-operational former mineral sidings	
Wharves	Resource Recovery Park, Ince	Planned/ non-operational	
	Manisty wharf (Port Bridgewater), Ellesmere Port	Operational	Quality Freight Ltd
Asphalt plant	Stanlow	Operational	Cemex UK
	Wincham Lane, Northwich	Operational	Aggregate Industries Asphalt (previously Express Asphalt)
	The Quarry, Hobb Hill, Malpas	Operational	Quarry Plant Surfacing
Concrete batching plant	Deakin's Road, Winsford	Operational	Hanson
	Sealand Trading Estate, Chester	Operational	Hanson
	Bridges Road, Ellesmere Port	Operational	Pioneer Concrete (U K) (previously Hanson)
	Liverpool Road, Chester	Operational	Bardon Concrete

Appendix 8: Mineral infrastructure sites

Facility type	Site	Planning status	Operator
	Wharton Industrial Estate, Nat Lane, Winsford	Operational	Cemex UK
	Tattenhall Road, Tattenhall	Operational	T G Group
Substitute, recycled and secondary aggregate operators	Middlewich Road, Rudheath, Northwich	Operational	Northwich Recycle & Demolition Ltd (previously AAA Skip Hire)
	Liverpool Road, Chester	Operational	Aggregate Industries (previously Cheshire Waste Skip Hire)
	Indigo Road, Ellesmere Port	Operational	Dig and Shift Ltd

Appendix 9: Overview of safeguarding policies and requirements

Overview of safeguarding policies and requirements

Policy reference number	Policy title	Identifies safeguarded sites / areas?	Type of mineral safeguarded	Constraints mapping	Safeguarding requirement for non-mineral applications
ENV 9	Minerals supply and safeguarding	Yes - states that MSAs will be identified	All (sand and gravel, salt, brine and shallow coal)	ENV 9 Minerals supply and safeguarding – with separate MSAs identified for sand and gravel, salt, brine and shallow coal.	<p>For sites within the MSA:</p> <p>If exempt development – no further requirement in relation to mineral safeguarding.</p> <p>If not exempt development – the applicant will need to show how the development meets one of the criteria in policy M 2. A mineral resource assessment will be required for major developments. See the table in Appendix 10 for further details of the requirements.</p>
M 1	Future sand and gravel working	Yes – safeguards the four existing quarries (Cheshire Sands, Forest Hill, Cobden Farm, Town Farm) and the allocated site extension at Forest Hill	Sand and gravel	<p>M 1.A Future sand and gravel working - safeguarded sites</p> <p>M 1.B Future sand and gravel working – allocation</p> <p>(M 1.C Future sand and gravel working – preferred area for sand and gravel; and M 1.D Future sand and gravel working – sand and gravel area of search are not</p>	<p>For sites within the existing quarries or allocated site:</p> <p>If exempt development – no further requirement in relation to mineral safeguarding.</p> <p>If not exempt development – the applicant will need to show how the development meets one of the criteria in policy M 2. A mineral resource assessment will be required for major developments.</p> <p>See the table in Appendix 10 for further details of the requirements.</p>

Appendix 9: Overview of safeguarding policies and requirements

Policy reference number	Policy title	Identifies safeguarded sites / areas?	Type of mineral safeguarded	Constraints mapping	Safeguarding requirement for non-mineral applications
				safeguarded under policy M 1, but as these areas are within the MSA the sites are safeguarded under policies ENV 9 / M 2)	As this policy specifically safeguards existing quarries and an allocated quarry extension, non-mineral developments are unlikely to be acceptable unless the mineral has already been extracted from the site.
M 2	Mineral safeguarding areas – prior extraction of minerals	No – but sets out criteria which non-mineral development in MSAs must meet to be considered acceptable	All	Links to ENV 9 – with separate MSAs identified for sand and gravel, salt, brine and shallow coal	<p>If exempt development – no further requirement in relation to mineral safeguarding.</p> <p>If not exempt development – the applicant will need to show how the development meets one of the criteria in policy M 2. A mineral resource assessment will be required for major developments. See the table in Appendix 10 and section 5 for further details of the requirements.</p>
M 3	Proposals for minerals working	No – relates to minerals proposals only	N/A	N/A	N/A
M 4	Proposals for exploration, appraisal or production of hydrocarbons	No – relates to hydrocarbon proposals only	N/A	N/A	N/A
M 5	Restoration of minerals and oil and gas sites	No – relates to restoration of sites only	N/A	N/A	N/A

Policy reference number	Policy title	Identifies safeguarded sites / areas?	Type of mineral safeguarded	Constraints mapping	Safeguarding requirement for non-mineral applications
M 6	Salt and brine working	Yes – safeguards the existing Winsford Rock Salt Mine and Holford Brinefields	Salt and brine	<p>M 6 Salt and brine working – safeguarded sites</p> <p>(M 6 Salt and brine working – preferred area for sand and gravel and M 6 Salt and brine working – preferred area for controlled brine extraction are not safeguarded under policy M 6, but as these areas are within the MSA the sites are safeguarded under policies ENV 9 / M 2).</p>	<p>For sites within the existing Winsford Rock Salt Mine or Holford Brinefields:</p> <p>If exempt development – no further requirement in relation to mineral safeguarding.</p> <p>If not exempt development – the applicant will need to show how the development meets one of the criteria in policy M 2. Due to the depth of working of salt and brine, proposals at the surface may not impact. As such, the operators of the salt mine or brinefields will be contacted to establish whether the proposed non-mineral use could impact on future extraction. See section 5 for further details.</p>
M 7	Industrial sand proposals	Yes – safeguards the allocated industrial sand site	Industrial sand	M 7 – Industrial sand proposals – silica sand extraction	<p>For sites within the allocated site:</p> <p>If exempt development – no further requirement in relation to mineral safeguarding.</p> <p>If not exempt development – the applicant will need to show how the development meets one of the criteria in policy M 2. As this policy specifically safeguards the industrial sand allocation, non-mineral developments are unlikely to be acceptable unless the mineral has</p>

Appendix 9: Overview of safeguarding policies and requirements

Policy reference number	Policy title	Identifies safeguarded sites / areas?	Type of mineral safeguarded	Constraints mapping	Safeguarding requirement for non-mineral applications
					already been extracted from the site.
M 8	Minerals infrastructure	Yes – minerals infrastructure sites	Infrastructure relating to any mineral type	M 8 Minerals infrastructure	<p>If exempt development – no further requirement in relation to mineral safeguarding.</p> <p>If not exempt development – the applicant will need to show how the development meets one of the criteria in policy M 8.</p>

Appendix 10: Policy M 2 - examples of information

Policy M 2 - examples of information that could be submitted in support of each criterion

Criterion	Information to be provided	Example of situation when this may occur	Additional factors to take into consideration
1. Mineral sterilisation will not occur	<p>British Geological Survey (BGS) mapping data or borehole data (from BGS, other desk study sources or from physical survey work undertaken on site) indicating that the mineral for which the area is safeguarded is not found on that specific site.</p> <p>Alternatively, evidence could be provided to show that the proposal does not result in permanent structures that would prevent future mineral extraction. However, the evidence would need to show that the construction methods and materials proposed would not sterilise or destroy the mineral reserve and would not impact negatively on the reserve (for example mixing the sand with soil from the overburden, making it more difficult / expensive to extract in the future).</p>	<p>Small site where sand and gravel does not occur in that location.</p> <p>Horse manege or gravel-covered parking area.</p>	
2. Due to the quantity or quality of the mineral it is no longer of any existing or potential value	Ground investigations or samples (obtained via trial pits or boreholes) to determine the depth, type, quality and quantity of the mineral on the site. This would then enable an assessment of the value of the mineral reserves on the site.	Site where the quantity of the mineral on the site is very small or the quality of the mineral is very poor.	Any assessment should take account of the potential for the site to form part of a larger quarry in the future and as such, just because a site is small it does not mean that the mineral is of no potential value because it would be unrealistic for a

Appendix 10: Policy M 2 - examples of information

Criterion	Information to be provided	Example of situation when this may occur	Additional factors to take into consideration
	Information about the uses surrounding the site and any pipelines, water courses, rail lines or other constraints will impact on buffer zones required and the value of the mineral reserves.		<p>quarry to be developed on that site, as it could form part of a larger quarry site.</p> <p>If the site is surrounded on several sides by existing development, this would limit opportunities for development of the wider area as a quarry and would therefore limit the potential value of the minerals on the site. If it is a small site surrounded on all four sides by development, the mineral has probably already been sterilised by the surrounding development and associated buffer zones.</p> <p>If the site is located close to an existing quarry, the quarry operator may have useful drilling or environmental information.</p>
3. The mineral can be extracted satisfactorily prior to the incompatible development taking place	Details of the mineral quantity and quality would need to be provided, along with evidence of the proposed methods of extraction and the programme of development, to show that this is possible on the site. If there is aggregate sand on the site, it may be possible to extract the sand and then use it within the development, to prevent the need to import sand from elsewhere. In this case, a Minerals Recovery Plan (MRP)	<p>Site where the mineral can be used as part of the development of the site.</p> <p>Site where the mineral can be extracted by a separate quarry operator prior to the development starting.</p>	The potential for prior extraction and on-site use of the material should be considered early on during the initial master-planning stages of any proposed development as the presence of mineral resource could present opportunities for cost savings on construction materials.

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	<p>could be produced. The MRP would assess areas of construction from which minerals could be recovered (e.g. groundworks and landscaping) and areas where the mineral could be used (e.g. road sub-bases, bunding etc). The MRP should consider the extent to which mineral available on the site would meet the specifications required for construction.</p> <p>Alternatively, the sand could be extracted by a separate quarry operator and then processed on another site – however, conditions associated with the planning permission on that quarry would need to be checked to ensure that sand can be imported into the site from elsewhere. If prior extraction is deemed appropriate, a separate planning application will be required for the extraction of the mineral.</p>		
4. The incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit	The Local Authority would be able to provide information about the timescale that the mineral is likely to be needed, based on reserves and demand, based on the latest Local Aggregate Assessment. However, to be able to do this, details would be required on the type, quality and volume of mineral on the site in	Use of the site for events such as shows or weddings or for a temporary development such as a camp site or for outdoor storage.	Temporary developments would only be acceptable where there were no permanent buildings proposed and the development would not impact on below-ground mineral reserves. The site would need to be restored prior to the mineral being required.

Appendix 10: Policy M 2 - examples of information

Criterion	Information to be provided	Example of situation when this may occur	Additional factors to take into consideration
extraction within the timescale that the mineral is likely to be needed and does not permanently sterilise the mineral	order to assess when it may be required.		
5. There is an overriding need for the incompatible development and the material planning benefits of the non-mineral or hydrocarbon development would outweigh the material planning benefits of the underlying or adjacent material	Evidence would need to be provided of the material benefits of the proposal and the type, quantity and quality of the mineral on the site to be able to judge the benefits of each option.	Large scale infrastructure development of regional or national importance.	<p>The availability of the mineral resource within CWaC and the national significance and availability of the mineral will be taken into consideration, along with the availability of alternative locations for its supply, together with the significance of the non-mineral development being proposed.</p> <p>Even where there is an overriding need for the incompatible development, the applicant is still encouraged to mitigate the sterilising effects of the development, such as undertaking extraction of as much material as possible during the development process.</p>
6. The development comprises one of the exempt types of development	See explanation in section 4 for more details on this.	<p>Householder development.</p> <p>Alterations and extensions to existing buildings and for change of</p>	For proposals for alternations and extensions to existing buildings and for change of use of existing development, an assessment may be required as to whether the

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listed in the explanation		<p>use of existing development, unless intensifying activity on site.</p> <p>Advertisements, listed buildings or conservation area consent.</p> <p>Reserved matters applications.</p> <p>Prior notifications (telecoms, forestry, agriculture, demolition).</p> <p>Certificates of Lawfulness of Existing Use or Development (CLEUD) and Certificates of Lawfulness of Proposed Use or Development (CLOPUD).</p> <p>Applications for works to trees.</p>	<p>proposal would intensify activity on site. Intensifying the activity could involve a significantly greater ground area being covered by built structures or hardstanding, or more frequent use of and access to the site that would prevent minerals extraction occurring.</p>

Accessing Cheshire West and Chester Council information and services

Council information is also available in Audio, Braille, Large Print or other formats. If you would like a copy in a different format, in another language or require a BSL interpreter, please email us at **equalities@cheshirewestandchester.gov.uk**

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যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

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Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

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如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

Türkçe bilgi almak istiyorsanız, bize başvurabilirsiniz.

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