

18. MINERALS

PART ONE POLICY

POLICY MIN1 - MAINTAINING MINERALS SUPPLY
--

<p>THE LOCAL PLANNING AUTHORITY, IN CONJUNCTION WITH THE OTHER MERSEYSIDE METROPOLITAN DISTRICTS, WILL ENDEAVOUR TO MAINTAIN A LANDBANK OF RESERVES OF SAND, GRAVEL AND CRUSHED ROCK, WITH PLANNING PERMISSION, EQUIVALENT TO AT LEAST SEVEN YEARS EXTRACTION, AND ALSO MAINTAIN ITS CONTRIBUTION TO MEETING ITS SHARE OF THE AGGREGATES DEMAND IN THE REGION, ON THE ADVICE OF THE NORTH WEST AGGREGATES WORKING PARTY, UNLESS EXCEPTIONAL CIRCUMSTANCES PREVAIL, IN ACCORDANCE WITH NATIONAL GUIDANCE.</p>

POLICY MIN1 - REASONED JUSTIFICATION

- 18.1 National guidance requires that Counties should endeavour to maintain a landbank of sand, gravel and crushed rock in order to maintain their share of aggregates supply within the Region. The Local Planning Authority subscribes to this position and recognises the necessity of maintaining supplies of these minerals. It would not wish to prejudice any possible future contribution that the Borough could make to these supplies.
- 18.2 However, in reality the Borough is faced with exceptional circumstances as outlined in Policy MIN1. Reserves of sand and gravel within the Borough are severely limited and are affected by environmental and nature conservation considerations. There are no known reserves of crushed rock. For these reasons, there are no planning permissions in existence for extraction of these minerals, and, therefore, the Borough's contribution to the Region's supply is minimal and likely to remain so.

PART ONE POLICY

POLICY MIN2 - SAFEGUARDING MINERAL RESERVES
--

<p>THE LOCAL PLANNING AUTHORITY, WHERE PRACTICAL, WILL SAFEGUARD MINERAL RESERVES. IT WILL REFUSE PLANNING PERMISSION FOR SURFACE DEVELOPMENT WHICH WOULD PREVENT MINERAL EXTRACTION, OR WILL PERMIT EXTRACTION OF THE MINERAL PRIOR TO SURFACE DEVELOPMENT COMMENCING.</p>
--

POLICY MIN2 - REASONED JUSTIFICATION

- 18.3 Minerals represent a resource of national importance. Even though a combination of geological and environmental factors means that mineral extraction is only of marginal importance within Wirral, known reserves and

any possible reserves identified in the future represent an important economic asset. It is, therefore, essential that they are safeguarded from inappropriate development which would endanger their future working.

PART ONE POLICY

POLICY MIN3 - RESTORATION AND AFTERCARE OF MINERAL EXTRACTION SITES

THE LOCAL PLANNING AUTHORITY WILL ENFORCE AN AGREED SET OF RESTORATION AND AFTERCARE CONDITIONS FOR MINERAL EXTRACTION SITES IN ACCORDANCE WITH AN AGREED AFTERUSE WHICH IS COMPATIBLE WITH THE ENVIRONMENT SURROUNDING THE SITE.

POLICY MIN3 - REASONED JUSTIFICATION

- 18.4 Extraction of minerals is essentially a temporary use of land. National policy is that restoration and aftercare is a requirement to make mineral workings suitable for beneficial afteruse and environmentally acceptable. Planning applications for extraction need to include information which demonstrates that the site will be restored satisfactorily. If this cannot be demonstrated, the Local Planning Authority will consider refusing planning permission.
- 18.5 The Council will ensure that any sites are restored in an environmentally satisfactory manner and, where possible, enhance the environment, in line with the Urban Regeneration Strategy. Schemes of restoration and afteruse should preferably provide for progressive restoration as extraction proceeds, unless this would adversely affect the standard of restoration achievable or be incompatible with the extraction procedure.
- 18.6 Where best and most versatile agricultural land, falling within MAFF Grades 1, 2 and sub-Grade 3a, is affected by mineral extraction, restoration to agricultural use should ensure that the land is restored to a similar quality.
- 18.7 The Local Planning Authority will pay particular attention to restoration and aftercare proposals on sites with national or local designations of nature conservation or heritage interest, sites in close proximity to residential or other sensitive development, sites in Areas of Special Landscape Value and sites in the Green Belt.

Policy MI1 - The Control of Clay Extraction

The Local Planning Authority will control and monitor the extraction of clay within the Borough to ensure that any adverse environmental impact is minimised.

POLICY MI1 - REASONED JUSTIFICATION

- 18.8 There are small reserves of winnable clay located at Carr Lane, Moreton, in the north of the Borough. At present, some twenty-three hectares are in active working or under restoration, and a further nineteen hectares in reserve for future working.
- 18.9 These identified reserves lie within the Green Belt and the North Wirral Coastal Park, and are also in proximity to residential properties and the Birkenhead to West Kirby rail line. Meols Meadow SSSI is also in near proximity.
- 18.10 It is, therefore, essential that extraction processes are carried out in a manner which minimises adverse effects on the environment. The Local Planning Authority will pay particular attention to mitigating noise, vibration, dust, dirt, odours and the effects of heavy goods vehicles.
- 18.11 Similar considerations will apply to any other, as yet unidentified, clay extraction sites which may come forward for development within the UDP period. In this respect, the Local Planning Authority, being the Minerals Planning Authority for the Borough, is mindful of its duty to review existing sites and workings within its area under Section 3 of the Minerals Act 1981.

Policy MI2 - The Control of Oil and Gas Facilities

Planning applications for oil and natural gas exploration and extraction facilities within the Borough may be permitted, but the Local Planning Authority will have particular regard to the following:

- (i) national energy policies;
- (ii) the design of installations;
- (iii) the siting of proposed facilities, particularly in relation to the Green Belt, Areas of Special Landscape Value, areas of nature conservation value, and the Coastal Zone;
- (iv) visual appearance, noise, dirt, dust and odours associated with installations;
- (v) the traffic generated by the development in relation to the local road network; and
- (vi) proximity to residential or other sensitive development.

POLICY MI2 - REASONED JUSTIFICATION

- 18.12 The western part of Wirral, basically all the area west of the M53 Motorway, has been licensed by the then Department of Energy for oil and natural gas exploration, and in the 1970's and early 1980's some preliminary seismic

tests have taken place within this area. Whilst the Local Planning Authority will have due regard to national energy policies, oil and natural gas exploration can have substantial environmental effects. Due consideration will be given to these effects in assessing planning applications, in order to mitigate adverse environmental conditions.

- 18.13 Oil and natural gas have been discovered in commercial quantities in Liverpool Bay. One company is to develop onshore facilities at Point of Ayr in Clwyd, allowed on appeal in 1992. The company is now considering options for further onshore facilities for the distribution and storage of oil which may involve a site within the Borough. If such proposals come forward, the Local Planning Authority will evaluate them within the provisions of Policy M12, with the added condition that such development should normally be located within areas allocated for employment uses in the UDP.

Policy M13 - Facilities for Marine Won Sand and Gravel

The Local Planning Authority acknowledges that the retention and expansion of port-side facilities for the storage and distribution of marine-won sand and gravel will continue to be a viable and appropriate use within all the Dockland areas of the Borough, and will continue fully to support such use.

POLICY M13 - REASONED JUSTIFICATION

- 18.14 There are substantial deposits of sand and gravel in Liverpool Bay. At present only sand is dredged under licence from designated areas, but there is capacity for expansion of the industry subject to compatibility with marine wildlife and nature conservation interests. Such expansion is outside the control of the UDP, as planning powers only apply to low water mark.
- 18.15 Sand is landed and stored for distribution within the Wirral Docks at present. This use is entirely compatible with the objectives of port operations in all Wirral's ports and is encouraged by the Borough Council as part of economic and urban regeneration.

Policy M14 - Sand, Gravel and Sandstone Extraction

The extraction of sand, gravel and sandstone within the Borough will not be permitted where it would have significant adverse effects that could not be satisfactorily alleviated. Proposals within, or likely to affect designated areas of national or international nature conservation importance will be subject to the most rigorous examination in terms of their environmental effects. The Local Planning Authority will give the most special scrutiny to proposals within or likely to affect sites of local biological, nature conservation or geological importance and Areas of Special Landscape Value.

POLICY MI4 -REASONED JUSTIFICATION

- 18.16 There are small deposits of sand and gravel within Wirral, but all lie beneath best and most versatile agricultural land, and/ or Areas of Special Landscape Value. Commercial use of sands extracted from the Mersey Estuary is limited by contamination from industrial pollution, and sand within the Dee Estuary and North Wirral foreshore are located in SSSI's, and in the case of North Wirral has been proved to be not commercially usable, even as building sand. There are no known deposits of industrial or special sands within the Borough.
- 18.17 In view of this, the winning of sand and gravel from land-based deposits will not normally be allowed. However, there are some embankments and stockpiles of such materials present within the Borough as a result of previous excavations. These may present opportunities within the UDP period for exploitation to provide building materials particularly for urban regeneration projects, and to achieve local environmental improvements.
- 18.18 With regard to sandstone, there are substantial outcrops within Wirral, but all are located in Areas of Special Landscape, ecological or nature conservation value, most notably in the two sandstone ridges comprising Storeton Hill to Bidston Hill in the east of the Borough, and the Heswall/ Caldy/ Thurstaston Hill complex in the west - the two topographical features which give Wirral its unique landscape character. In view of this, and the fact that there are substantial reserves with planning permission in both the North West Region and North Wales justifies the policy stance that exploitation will not normally be permitted.

Policy MI5 - Development Control Criteria for Mineral Extraction

In assessing planning applications for non-energy mineral extraction, the Local Planning Authority will be guided by the following criteria:

- (i) that there is a demonstrable need and market demand for the mineral in line with Government guidance;**
- (ii) operations will not have an unacceptable impact on existing or proposed residential or other sensitive uses in terms of visual amenity, noise, vibration, smells, dust, litter, vermin, pollution of air, land or water, or other nuisance;**
- (iii) adequate provision is made for screening and landscaping whilst work is in progress; for restoration, which should be phased on larger sites; and for appropriate aftercare;**
- (iv) operations will not have unacceptable effects on the water environment;**

- (v) traffic access arrangements are satisfactory and not environmentally unacceptable;
- (vi) operations will not have an unacceptable effect on the viability or structure of an agricultural holding, nor lead to the permanent loss or reduction in quality of best and most versatile agricultural land;
- (vii) operations will not unacceptably affect Listed Buildings or their settings, Scheduled Ancient Monuments, Areas of Special Landscape Value, Conservation Areas, sites of archaeological importance, and nationally and locally designated sites of importance for nature conservation or earth science;
- (viii) operations will not lead to the sterilisation of other workable mineral deposits on or adjacent to the site;
- (ix) operations will not have an unacceptable impact on the general landscape setting; and
- (x) operations will not increase the extent of active workings in a particular location to an unacceptable degree.

POLICY MI5 - REASONED JUSTIFICATION

- 18.19 A criteria based approach has been adopted, and sites, with the exception of the known clay reserves in north Wirral, are not identified, as insufficient information on the occurrence of mineral deposits and their workability is available, given the extremely limited number of planning applications which may be likely to come forward.
- 18.20 All mineral workings must show that operations can be effectively screened and will not involve unacceptable environmental nuisance. Applicants must also demonstrate that there is a need and an identified market for the mineral, and demonstrate satisfactory restoration and aftercare proposals, to be agreed with the Local Planning Authority.
- 18.21 In some cases, where the mineral operations are adjoining derelict or poor quality land, the Local Planning Authority may negotiate with developers to secure legal agreements which involve the restoration of such adjoining land as part of the overall restoration scheme for the proposed development.
- 18.22 The Local Planning Authority will also take into account the possibility that a proposed development which would be acceptable in isolation may result in an over-concentration of extraction activity in a particular locality, causing prolonged and unacceptable environmental consequences to local residents. In such circumstances, the Local Planning Authority may consider refusing planning permission to protect local communities from such unacceptable consequences.

Policy MI6 - Use of Secondary and Recycled Aggregates.

The Local Planning Authority will encourage the use of secondary aggregates and inert waste materials, such as re-usable demolition wastes, colliery shale and pulverised fuel ash, as alternative materials to newly-won minerals, provided this is economically and environmentally acceptable.

POLICY MI6 - REASONED JUSTIFICATION

- 18.23 In line with current Government guidance, the Local Planning Authority will encourage the use of secondary and recycled aggregates in building projects. The Authority has no power to be prescriptive but could, for example, in negotiation with its contracted developers for its own development projects, specify proportions of the use of such materials in particular cases.
- 18.24 The use of such materials, often perceived as waste, as an alternative to natural aggregates is, in many cases, technically feasible and economically sound. It is also fully in line with the achievement of sustainable development, as it conserves valuable aggregate resources and reduces the quantity of material requiring disposal.
- 18.25 However, in implementing Policy MI6, the Local Planning Authority will need to be satisfied that, in particular cases, such use of materials is economically justified, and that the implications of using recycled materials, including the recycling process itself, will not involve unacceptable environmental effects.

