Lancashire
Minerals & Waste
Local Plan

Review of the Joint Lancashire Minerals and Waste Local Plan

Publication Consultation Version (Regulation 19)

Autumn 2018

This document has been prepared jointly by Blackpool Council, Blackburn with Darwen Borough Council and Lancashire County Council

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For further details of the Local Plan, and to download this and other documents, please visit our web site www.lancashire.gov.uk

Preface

Whatever your view, for one reason or another you will recognise the importance to our everyday lives of extracting minerals and managing waste.

Minerals are essential raw materials to our manufacturing industry, and to building or improving our roads, homes, hospitals, schools, shops and offices.

In the same way, our quality of life relies on the safe, clean and effective collection, treatment and disposal of waste. And by reusing, recycling and finding other uses for more of our waste we can help to reduce our impact on the environment and benefit future generations.

There is no doubt that good planning of our minerals and waste is fundamental to the way we live our lives and the way our cities, towns and villages appear and function. Equally though, we need to appreciate the potential for minerals exploitation and the management of waste to cause disruption to our environment and to our communities.

Planning can help to minimise any conflicts, and ensure that the wider community can enjoy the benefits of good minerals and waste planning now and in many years to come. This Local Plan is central to this process.

However, we are entering a new and challenging time in managing our waste and natural resources, and it is necessary to review the Local Plan to ensure it remains up to date. This consultation is a key part of the review process.

LIST OF POLICIES

Introduction to the Publication Consultation

The minerals and waste planning authorities of Lancashire County Council, Blackpool Council and Blackburn with Darwen Borough Council (the Joint Authorities) are carrying out a review of the Joint Lancashire Minerals and Waste Local Plan.

The Local Plan consists of:

- an adopted Core Strategy (2009), containing strategic policies and identifying need; and
- an adopted Site Allocation and Development Management Policies Local Plan (2013) which seeks to implement Core Strategy policy through land allocations and development management policies.

The adopted Local Plan has a plan period of 15 years, to 2021. The intention of the review is to roll this 15 year plan period forwards, ensuring the plan remains relevant to 2034, and to ensure the Local Plan is up to date.

The first stage in the review was a scoping consultation, carried out in the winter of 2014, under regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012.

This document represents the second stage in the review, the publication of a draft revised Local Plan for consultation prior to submission to the Secretary of State for examination, under Regulation 19 of the Town and Country Planning (Local Planning) Regulations 2012.

This revised Local Plan has been informed by a consideration of representations received during the scoping consultation, and the wider evidence base. A description of the main changes can be found below. Alternatives and options considered as part of the review, together with their appraisal, are described in the accompanying Interim Sustainability Appraisal report.

Description of Main Changes Proposed Through the Review

The most apparent change is the combination of the Core Strategy and the Site Allocation and Development Management Policies Local Plan into one Local Plan document. As part of this a number of policies have been combined to reduce duplication, and a considerable amount of supporting text has been removed. The NPPF states that "only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan"; as a result the number of policies is reduced overall, and they are presented in a different way.

In addition to this, as part of the review and rolling forward of the plan to 2034, some changes to these policies, and some new policies, are proposed.

The vision and objectives have been refreshed. A new emphasis is placed on key strategic priorities, rather than a spatial vision, by the NPPF. Three key spatial priorities have been drawn out from the vision, objectives and policies of the adopted Local Plan: Protecting and enhancing our natural and built environment and quality of life; Ensuring the prudent use of resources; Supporting growth and innovation. These key priorities are used to order the policies of the draft revised Local Plan.

The table below describes the main issues arising from a consideration of the evidence and representations received during the scoping consultation, alongside a description of the response proposed in the draft Local Plan; a more detailed summary of the views expressed during the

scoping consultation can be found in the Scoping Consultation Outcomes Report. A description of the main changes introduced through the revised Local Plan is set out in Appendix D 'Replaced Local Plan Policies'

Main Issue	How the Plan has responded
Combining the Core Strategy and the Site Allocation and Development Management Policies Local Plan into one concise document.	The draft plan represents a single, concise document setting out land use planning policies for the consideration of minerals and waste developments. Due to the two tier nature of the Core Strategy/Site Allocation development plan documents there was a significant degree of overlap, and opportunities have been taken to combine a number of policies in the draft plan, without significantly changing the policy requirements set out in the adopted Local Plan.
There appear to be adequate permitted reserves to meet the anticipated need for limestone, but there is uncertainty around the productivity of these permitted reserves and its ability to continue to meet demand through to the latter stages of the Plan period. Also, the landbank of permitted reserves may fall short during the plan period.	Adopted Policy M1 addresses this uncertainty by providing flexibility and support for the release of new reserves under certain situations. Policy M1 is carried forwards in the review and redrafted slightly.
There appear to be adequate permitted reserves to meet anticipated need for gritstone, but a large proportion of the permitted reserve is held in one quarry and there is uncertainty around how this will affect competition and the spatial distribution of aggregate supplies in the Plan area over the plan period.	The draft plan includes draft policy supportive of extensions in certain circumstances.
Site allocations have been proposed by the industry but there is no under supply in permitted reserves for limestone and gritstone.	To protect these mineral resources the draft plan includes draft policy on mineral consultation areas to ensure quarry operators are made aware of planning applications in close proximity to active mineral workings (250m of quarries, 400m of hard rock aggregate quarries). The proposed site allocations have been included in these mineral consultation areas, with buffers extended accordingly.

Main Issue	How the Plan has responded
The permitted reserves of sand and gravel are likely to fall short during the plan period under several of the anticipated need scenarios, and all of the planning permissions that make up the permitted reserve are currently set to expire before the end of the Plan period. The landbank is predicted to fall short during the plan period. There is also uncertainty around the productivity of these sites, and how this will affect the rate that the permitted reserves are worked out, and a large proportion of the permitted reserves is held in one quarry. A site allocation has been proposed by the industry.	The draft plan includes draft policy supportive of extensions to existing sites and new mineral workings under certain circumstances.
Projected demand for aggregates over the Plan period is based on a number of assumptions, which leads to a degree of uncertainty over their accuracy in the medium to long term.	The draft plan includes draft policy describing a range of figures, using the 10 year average of sales and the 3 year average of sales in the 2017 Local Aggregate Assessment, but including reference to the need to consider the policy in the context of the most recent Local Aggregate Assessment, to ensure a degree of flexibility should predicted demand increase or decrease over the Plan period. This approach is preferable rather than trying to quantify any increase in projected demand by any future increase in economic activity in the absence of specific evidence; particularly given the regular monitoring and review required through the NPPF.
The threat to minerals infrastructure and reserves posed by demand for new housing.	Adopted policy M2 addresses this in part. The draft plan includes draft policy to ensure development in close proximity to mineral workings and mineral processing infrastructure consider the economic benefits associated with these operations, and the impacts such development proposals could have on the continued operation of the existing minerals developments.

Main Issue	How the Plan has responded
The growing commercial interest in onshore oil and gas within the Plan area.	The draft plan includes a draft policy on onshore oil and gas appraisal, and production. Specific reference is made to hydraulic fracturing, and unconventional reserves both in these policies and in technical appendices. A draft policy is also included on mineral exploration.
Mineral resources extend under previously developed urban areas. The adopted Local Plan does not safeguard mineral resources that may be under urban areas.	The draft plan includes a draft policy requiring the submission of a mineral resource assessment for large scale redevelopments of over 5ha within the urban area. To extend safeguarding of all minerals to urban areas would be disproportional and place an unreasonable burden on applicants for planning permission in these areas. By focusing on developments of over 5ha ensures the opportunities for prior extraction are maximised. The draft plan includes a draft policy separating out the former Salt workings at Preesall from the general MSA policy, due to the specific reasons for protecting this land from inappropriate development.
The larger than local (neighbouring, regional or national) markets served by many of the industries in the Plan area, resulting in significant movements of waste and minerals into and out from the Plan area. These, and the uncertainties around the economics of these movements, affects the projected demand that the Plan seeks to plan for.	The draft plan includes revised draft policy setting out predicted demand, based on the assumption that we will plan for net-self-sufficiency, recognising these movements take place and are a necessary part of the successful waste and minerals industry. This is a continuation of adopted policy, with updated figures to reflect the changes since the Core Strategy was adopted. The draft plan includes a number of references to larger than local markets, in both minerals and waste policies to ensure plan policies are not interpreted in too parochial a manner.
How can the Local Plan drive the management of waste up the waste hierarchy	The draft plan includes redrafted adopted policy to require a waste audit for large redevelopment or regeneration proposals. In identifying projected waste management need the draft plan uses emerging EU recycling targets, and is mindful of the Government's commitment of zero avoidable waste to landfill by 2050 contained in the Clean Growth Strategy.

Main Issue	How the Plan has responded
	An increased degree of flexibility is introduced in the draft policy, which is less prescriptive over identifying specific sites, and setting limits on capacities, than the adopted policy. This will reduce unnecessary burdens on applicants for planning permission, particularly given that different types and scales of facility are required but not necessarily reflected in the general projected need figures. Draft policy also includes consideration of 'wider than local' facilities, which will have a larger catchment area and capacity than reflected in the projected need figures. However, within this flexibility, draft policy criteria requires that applicants demonstrate that their proposal accords with the waste hierarchy. The plan also includes a draft policy on waste management in the countryside, providing a degree of support where the location is close to the source of waste, or the end market for the 'recyclate', in particular anaerobic digestion for land spreading. The draft plan recognises the need for waste disposal capacity, by continuing the adopted policy of supporting time extensions for existing landfill capacity, whilst also including draft policy recognising the potential need for additional capacity under certain circumstances. However, many actions required to move waste management up the waste hierarchy are demand led measures implemented by Government on a national scale.
Uncertainty in the availability of landfill capacity, within the Plan area and regionally, over the plan period, due to changes in the waste management industry and its emerging sensitivity to economic factors, and a large void space that is reliant on future quarrying operations for its creation.	The Plan includes a slight redrafting of adopted policy, in response to a continued recognition of the long term uncertainty in the industries investment in landfill capacity. The draft plan recognises the need for waste disposal capacity, by continuing the adopted policy of supporting time extensions for existing landfill capacity, whilst also including draft policy recognising the potential need for additional capacity under certain circumstances, and a requirement for review periods to ensure the landfill is restored in a timely manner. This is in line with the waste hierarchy and the Government's commitment to zero avoidable waste to landfill by 2050 contained in the Clean Growth Strategy.

Main Issue	How the Plan has responded
The uncertainty in the projection of demand for waste management capacity, and the availability of existing capacity, over the Plan period.	The Plan includes a draft policy describing a range of figures, using the higher and lower scenarios in the 2017 Local Waste Assessment, but including reference to the need to consider the policy in the context of the most recent Local Waste Assessment, to ensure a degree of flexibility should predicted demand increase or decrease over the Plan period.
How can the Local Plan contribute to the mitigation of, and adaptation to, climate change	The Plan seeks to reduce the need to travel by: • Continuing to identify the main waste producing areas, and providing policy support to developments in those areas. It includes a revised draft policy broadening the number of industrial estates with policy support, increasing the likelihood of a site close to the waste producer being available and therefore providing for a network of facilities and thus reducing the need to transport the waste over unsustainable distances. • Including a revised draft policy requiring 'larger than local' facilities to have considered rail rather than road for the movement of waste. • Including a revised draft policy ensuring access to local markets is a material consideration when considering development proposals for minerals extensions, therefore providing for a network of facilities where appropriate, thus reducing the need to transport the aggregates over unsustainable distances. The Plan seeks to provide opportunities for low carbon technologies by: • Providing draft policy recognition of the benefits there may be in locating anaerobic digestion facilities in the countryside, and in locating heat generating facilities adjacent to developments with a high heat demand where that may be outside of the areas identified as having policy support. • Providing draft policy requiring heat generating development proposals to be designed in such a way so as to allow the subsequent connection to a heat distribution network.

Main Issue	How the Plan has responded
	The plan includes revised draft policy seeking to include a consideration of emission reduction, and future climate risk in the design and location of the proposed development, when considering development proposals.

The Timetable for Review

The timetable for carrying out the Local Plan review is set out in the Joint Lancashire Minerals and Waste Development Scheme 2014-2020, and described below for reference.

- Scoping Consultation 2014
- Publication Consultation Autumn 2018
- Submission to Secretary of State Summer 2019
- Examination by Planning Inspectorate Autumn 2019
- Adoption Spring 2020

Making comments on the review of the Local Plan

If you have any suggestions to make on the draft Local Plan please send them, with your name and address, to the address below before the end of the 28 November 2018:

- Planning Team, Lancashire County Council, PO Box 100, County Hall, PRESTON, PR1 0LD
- Or by email at: lmwf@lancashire.gov.uk
- or use our *'Have your say'* website at: http://www.lancashire.gov.uk/haveyoursay

All comments received will be made public, together with your surname and the name of the organisation you represent (addresses and signatures will be removed or censored).

1 Introduction

1.0.1 Lancashire County Council, Blackburn with Darwen Borough Council, and Blackpool Council are the planning authorities for minerals and waste developments[1] in Lancashire. They are responsible for producing planning policies and determining planning applications in this respect within their respective administrative areas. The three authorities work cooperatively in their local plan making functions, to produce this Joint Minerals and Waste Local Plan[2]. The Joint Lancashire Minerals and Waste Local Plan is a local plan prepared in accordance with the Planning and Compulsory Purchase Act 2004; it is one of a number of planning documents which make up the development plan for Lancashire[3]. Planning applications are required to be in accordance with the development plan unless material considerations indicate otherwise[4]; the development plan will therefore provide the basis for the consideration of proposals for minerals and waste developments.

1 such as quarries, waste recycling sites, landfill sites, concrete batching plants
2 though it is adopted by each authority individually rather than through a joint committee as defined in the Planning and Compulsory Purchase Act 2004
3 the rest comprising the relevant district/borough/city local plan and the relevant neighbourhood plan
4 Town and Country Planning Act 1990 s70(2) and Planning and Compulsory Purchase Act 2004 s38(6)


Kendal
Grange-over-Sands
Kirkby Lonsdale
Bainbridge
YORKSHIRE DALES
Ingleton
Settle
Carnforth
Morecambe Bay
Morecambe
Heysham
Hornby
Lancaster
Galgate
Forest of Bowland
Lancashire
Garstang
Clitheroe
Earby
Poulton-le-Fylde
Blackpool
Kirkham
Preston
Padiham
Nelson
Colne
Burnley
Accrington
Blackburn
Blackburn with Darwen
Lytham St Anne's
Leyland
Bacup
Rochdale
Bury
Bolton
Ormskirk
Skelmersdale
Wigan
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Joint Minerals and Waste Plan Area
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1.1 A Spatial Vision

1.1.1 Lancashire contrasts some of the most densely populated urban areas in the country with large expanses of sparsely populated and highly valued rural countryside. It is bordered by rural areas of Cumbria and North Yorkshire to the north, the three major metropolitan areas of Merseyside, Manchester, and West Yorkshire to the south and east, and the Irish Sea to the west. More than four-fifths of Lancashire's total area is rural, although most of Lancashire's 1.4 million residents live and work in its dispersed cities and towns.

1.1.2 The characteristics of the Plan area including:

- Continuing population and household growth, accompanied by economic and regeneration growth, focussed on the Central Lancashire City Region area, the Enterprise Zones at Hillhouse, Warton, Salmesbury, and Blackpool Airport, Lancaster, the Fylde Coast and the main urban areas of east Lancashire and West Lancashire; there is also significant economic activity influencing the plan area from Greater Manchester and Merseyside.
- A great diversity of landscapes, including some of the most valued landscapes in northern England, nationally important archaeological sites, and an increasing number of protected wildlife sites, some of international significance, supporting a variety of species.
- An internationally important coastline for its nature conservation value.
- A valuable built heritage including historic buildings of various periods and types, historic parks and gardens, and numerous Conservation Areas.
- A diverse economy built on a long history of urban and industrial growth, dominated in western areas by tourism and a number of significant manufacturing firms, and in eastern parts by a diverse local manufacturing base.
- Relatively large amounts of derelict and degraded land recognised as having a significant effect on the image of and investment in our sub-region.
- A well-developed transport system, with an interregional motorway and rail network linking north-south and east-west, well connected urban areas, two major canal waterways and port facilities at Heysham, Fleetwood and Glasson.

1.1.3 Relating these to minerals and waste, we see that many of our mineral resources are tightly constrained by the valuable landscape and important nature conservation interests in our Plan area, meaning opportunities for extraction are limited. Some are threatened by other development pressures. Others suffer from poor access to our primary transport network and impact upon their local environment and communities. For some minerals, a diminishing supply brings difficulties of its own, with possible encroachment towards populated areas if we are to continue to meet our local, regional and national needs with primary land won minerals. Similarly, diminishing landfill capacity, whilst supporting our efforts to reduce and recycle our waste, throws up its own challenges to minimise waste growth from an expanding population and economy, handle our waste in more resourceful ways, and find locations for new waste technologies with the capacity to manage our waste but also potentially to find more landfill for a decreasing but continuing demand for final disposal.

1.1.4 Identifying a vision of Lancashire in the future allows us to translate the principles of sustainable development handed down to us by national Government into something that is hopefully relevant and meaningful to Lancashire's residents, businesses and visitors.

1.1.5 The Spatial Vision presents a vision of Lancashire in 2034 and the actions needed to deliver that vision, taking account of social, economic and environmental constraints and opportunities. It is informed by the sustainability appraisal of the reasonable options and alternatives.

1.1.6 It describes the broad philosophy of the Plan. The spatial distribution of this vision is expressed on the key diagram.

Spatial Vision

Over the Plan period, Lancashire's minerals and waste industries will continue to support and contribute to the local and wider economy and quality of life, both through employment and by providing raw materials and services to support other industries.

This support is delivered in the right quantities and in the right locations to support the growth aspirations of local areas, in particular those identified in the Lancashire Strategic Economic Plan, the Central Lancashire City Deal, and District Local Plans, and so as to ensure these growth aspirations do not impact on neighbouring areas.

Recycling and recovery form a key part of a circular economy, and they are fully integrated within the wider business environment.

Disposal, whilst a necessary part of the circular economy, is no longer the foundation stone of waste management; it is reduced to the provision of a limited number of facilities to provide for the last resort disposal of waste treatment and pollution control residues.

The benefits of the minerals and waste industry are recognised, but the industry are responsive to local concerns about the disturbance their operations can cause by implementing mitigation and sensitive operational practices, and by avoiding sensitive or unsuitable locations. Residents and industry work closely together and with local authorities to shape the way sites are planned.

1.2 Strategic Priorities

To deliver this vision, the aim of the Local Plan is to plan positively for the development and infrastructure required in the plan area, to meet the objectives, principles and policies of the National Planning Policy Framework and in so doing to contribute to the achievement of sustainable development.

Key strategic priorities of the plan are:

- Protecting and enhancing our natural and built environment and quality of life.
- Ensuring the prudent use of resources.
- Supporting growth and innovation.

1.3 Spatial Objectives

1.3.1 Our proposed vision outlines our ambition for sustainable resource management in the Plan area. All the objectives that follow are underpinned by this ambition to manage waste and minerals extraction according to the principles of sustainable development.

Protecting and enhancing our natural and built environment and quality of life

The potential impacts from minerals and waste developments can be significant and can result in considerable nuisance to local communities and harm to the environment if not managed appropriately.

Objective: To direct proposals to the areas most appropriate to their character and away from those most sensitive to their impacts.

Objective: To support high standards of working practice and environmental protection.

Objective: To optimise the value of operational and restored sites.

Objective: To encourage greater community involvement and partnership working.

Objective: To minimise the unnecessary movements of waste and aggregates by road

Objective: To support the mitigation and adaptation to climate change

Ensure the prudent use of resources

Objective: To identify and safeguard mineral resources.

Objective: To avoid wastage of resources and to maximise the reuse of waste materials.

Supporting growth and innovation

Minerals are a key raw material for several industries and ensuring a steady and adequate supply is essential to the economy.

Objective: To identify our contribution to local, regional and national need for minerals.

Objective: To maintain a suitable landbank in line with national policy.

Objective: To plan for minerals extraction sufficient to provide for this need and distributed, as far as possible, so as to reduce the need to transport minerals over unsustainable distances.

Adequate waste management provision is essential to the economy, and to driving waste management up the waste hierarchy.

Objective: To identify our contribution to local, regional and national need for waste management capacity.

Objective: To plan for waste management capacity sufficient to provide for this need, and distributed so as to reduce the need to transport waste unsustainable distances.

Objective: To plan for a limited and declining number of existing landfill sites.

Objective: To plan for net self-sufficiency in waste management capacity

2 Protecting and Enhancing our Natural and Built Environment

2.1 Development Management

Policy MW 1

Management of Waste and Extraction of Minerals

Proposals for minerals or waste management operations will be supported where it can be demonstrated to the satisfaction of the mineral and waste planning authority, by the provision of robust and comprehensive information, that all material social, economic and environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels[(5)]. In assessing proposals account will be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts can be controlled in accordance with current best practice and recognised standards.

Justification

2.1.1 Minerals and waste developments are vital to the economy of Lancashire, either by supplying raw materials to manufacturing processes or by treating the wastes produced as a byproduct of manufacturing or other business or commercial activity; they also provide jobs for a wide range of skill sets, from manual handling to process engineering. They are essential for the nation's prosperity, infrastructure and quality of life. However, they have the potential to cause disruption to local communities and the environment due to the nature of their operations, in common with other heavy industries. These impacts can often be addressed through the sensitive design and operation of the facility; planning conditions will be imposed, where appropriate, to ensure this.

2.1.2 Such conditions may indeed enable development to take place where it would otherwise be necessary to refuse planning permission. Conditions will be attached to planning permission to control how development takes place, to minimise disturbance to the environment, and to ensure the satisfactory working and reclamation of the site. To ensure certainty, transparency and to speed up negotiations the Minerals and Waste Planning Authority has produced model planning conditions. In certain situations the Minerals and Waste Planning Authority may choose to impose conditions on planning permissions restricting permitted development rights or imposing stand off distances for certain high impact operations or sensitive locations.

2.1.3 A balance needs to be struck between the social, economic and environmental impacts of, and the need for, the development. Thus, if the adverse impacts of operations cannot be reduced to acceptable levels through careful working practices, planning conditions or legal agreements, then the operation will not be permitted. What is acceptable will depend on the level of need for the development; in particular proposals the need may be such that it overrides certain impacts and would support a proposal despite significant impacts.

2.1.4 The impact of a development can be positive or negative; short, medium or long term; reversible or irreversible; permanent or temporary. In assessing the acceptability of an impact the following criteria will be relevant:

5 Where necessary, this is to be demonstrated through the submission of appropriate surveys, impact assessments, and proposed mitigation measures

- Sensitivity of receptor: different receptors (residents; designated areas of historic, landscape or biodiversity value; plants and animals; businesses) respond to environmental changes or disturbances in different ways. Certain locations or land users have an enhanced sensitivity to certain impacts, for example locations that can be viewed from a designated heritage asset will need to be dealt with more sensitively when considering visual or landscape impacts, as they may affect elements of the asset's setting.
- Magnitude of impact: this is the severity of an impact and could be measured subjectively or in relation to statutory threshold values. It is influenced by the following:
    - Proximity to receptor: the effects of many impacts tend to reduce with distance, though this distance is dependent on the nature and scale of the impacts, for example large dust particles will largely deposit within 100m of their source.
    - Frequency of impact: impacts can arise persistently, or erratically and unpredictably. The frequency of an impact, relative to the ability of the receptor to tolerate or recover from the impact, is important when considering the impact's magnitude.
    - Duration of impact: impacts associated with the construction phase of a proposal have a much shorter duration relative to the impacts associated with the operation of a proposal.

2.1.5 The significance of an impact is predicted through an evaluation of the above, allowing the Minerals and Waste Planning Authority to determine whether any demonstrable harm will be caused. For example noises associated with the frequent movement of skips could be severe in a suburban neighbourhood, but on an industrial estate it would not necessarily be out of character for the area. Further guidance on the sensitivity of receptors can be found in national policy. Cumulative impacts are also relevant to the assessment of an impacts significance; there may be circumstances where, whilst individually or looked at in isolation the impacts may be within acceptable limits, collectively or when considered in the context of other developments in the immediate vicinity, the impacts may be more significant.

2.1.6 In order to minimise the social, economic and environmental impact of minerals and waste sites it is essential that high standards of management are maintained throughout the operational life. The Minerals and Waste Planning Authority will seek to ensure that sites are developed in the least intrusive way to minimise disturbance. To achieve this current best practice in all aspects of site operation should be used. The following paragraphs outline those points which the Minerals and Waste Planning Authority would expect operations to address in order to satisfy this policy, and gives some idea as to what evidence should be submitted in support of a planning application. Further information on supporting information can be found on the Minerals and Waste Planning Authority's Validation Checklist.

2.1.7 Operators should provide sufficient information to enable a full assessment to be made of the baseline conditions, and likely effects of the proposed development. Information should be provided on how these impacts are addressed, either through the design of the scheme, or through mitigation measures. The information below provides guidance on the type of information and scheme features that a developer could include as part of an application to assist in demonstrating it is in accordance with the policies of the development plan. Information other than that listed below may be necessary, depending on the particular circumstances of each application.

2.1.8 The Minerals and Waste Planning Authority will expect the developer to address the following, and will only support development where these issues are satisfactorily addressed:

Visual

- Provide for the submission of a landscape and visual impact assessment where the proposal is of a scale or nature that is not in keeping with its surroundings
- Provide for the screening of plant and machinery and security infrastructure appropriate to the landscape character area and the nature and duration of impact, including the opportunity for off-site landscaping
- Ensure that the quality of design, layout, form, scale and appearance of buildings is sympathetic and responsive to the surrounding circumstances

2.1.9 The visual impact of a site can result from prominent rock faces, soil, overburden and stockpile mounds, plant and machinery, litter or fences, hardstandings and buildings. In addition, the height of such developments can have safety implications for airports. The degree of visual impact depends on a number of factors such as the topography of the area, the scale of the development and its proximity to residents and other sensitive land uses. The cumulative impact of a development, when seen in the context of other built development in the wider landscape (particularly similar to the proposed development), can be sufficient to alter peoples perception of the character of an area, and should be considered as part of the proposed developments application.

2.1.10 Careful consideration of the siting of the development, the method of working and the layout and design of the site will be required to mitigate any visual impact. The visual impact of operations can be minimised in a number of ways: a site location which respects existing topography and features of importance; a method, phasing and direction of working which takes account of views into the site and is chosen as the least intrusive; phased working and progressive restoration to minimise the amount of land being worked at any one time; careful siting and design of buildings and plant, location and height of stockpiles, and siting of internal haul roads and conveyors. All plant and buildings should: where practicable be grouped to prevent the creation of an unsightly sprawl of development and to facilitate screening; be kept as low as practicable to minimise visual intrusion; be of an appropriate colour, cladding or suitable treatment to reduce visual impact; be satisfactorily maintained to preserve their external appearance, exercise a restrained use of lighting to minimise light spill onto neighbouring properties, and glare. It is important that those engaged with the development of waste facilities embrace all aspects of good design practice. Applicants are directed to the Defra publication "Designing Waste Facilities - a guide to modern design in waste" for guidance on improved standards of design in the delivery of waste management facilities.

2.1.11 Effective screening can improve the appearance of mineral and waste sites by hiding visually intrusive elements of the operation and softening the hard, unnatural lines of plant and buildings, especially on the skyline. Screening can be achieved by high quality landscape treatment such as planting trees and shrubs, constructing earth bunds or utilising the natural ground contours of the site. As much use as possible should be made of suitable existing trees and hedgerows since growth is slow and new trees are unlikely to be adequate for screening purposes for many years. Advance planting can help overcome this problem and should be undertaken wherever possible. This is particularly relevant for long term, phased sites. Consideration needs to be given to the time required for natural screening to grow to a sufficient height and density to be effective, and opportunities for off-site screening where possible.

2.1.12 Further information on landscape capacity and sensitivity to development can be found in Lancashire's Landscape Strategy[6].

6 http://www.lancashire.gov.uk/council/strategies-policies-plans/environmental/landscape-strategy.aspx

2.1.13 The Minerals and Waste Planning Authority will give great weight to conserving the landscape and scenic beauty of the Arnside/Silverdale, and Forest of Bowland, areas of outstanding natural beauty (AONB) when considering proposals. Proposals for major development in these areas will be refused except in exceptional circumstances, in line with the NPPF. In addition the Minerals and Waste Planning Authority has a general duty, under the Countryside and Rights of Way Act 2000, to have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty when exercising its functions where there may be an effect on the area of outstanding natural beauty. Developments outside these areas will need to consider their visual impact when viewed from within the AONB, particularly from important viewpoints.

High Operating Standards

- Provide for an agreed schedule of work to avoid disruption
- Provide for suitable hours of operation as a means of minimising disturbance to neighbours
- Provide for on-going monitoring of established baseline conditions[7].

2.1.14 Developments should implement high operating standards, sensitive working practices and environmental management systems to minimise harm and nuisance to the environment and to local communities throughout the operational life of the site. Sites should be developed in the least intrusive way to minimise disturbance. Where relevant they should be developed in such a way so as to ensure slope stability, and that any rock faces or excavations created do not result in uncontrolled hazards within the site or land instability beyond the boundary of the site. Operators should work co-operatively with regulatory agencies and other stakeholders to promote best practice(s), and improve communication with local communities[8].

Noise and vibration

- Developers should carry out detailed investigations and submit appropriate levels of mitigation, including details of the noise output, and the provision of purpose designed attenuation for all noise generative plant and equipment including baffle mounds and acoustic fencing to the site or areas of the site.

2.1.15 Noise pollution has a number of sources such as lorry traffic, plant and machinery, blasting and soil stripping operations. The degree of noise impact depends on distance from noise sensitive land uses, the nature and lay of the land and the times at which operations are carried out, together with the background noise associated with the area, and the nature of the noise (including a consideration of its sound power, tonality and frequency). Appropriate noise standards for minerals operators are set out in the national planning practice guidance.

2.1.16 The effects of noise can be reduced if its reduction is planned at the outset and is taken into account in the layout and nature and sequence of working. Examples include: the maintenance of acceptable distances between the operation and noise sensitive land uses; the avoidance of severe gradients on haul roads; use of alternatives to reversing beepers; the use of conveyors rather than trucks; the use of acoustic fencing or baffle mounds. Other methods include the fitting of silencers, the housing and cladding of fixed plant and machinery, the use of rubber liners on certain sections of plant and the maintenance of such measures. Hours of operation can also be imposed on planning permissions as a means of minimising disturbance to neighbours.

7 Some elements will be controlled through the land use planning system by the mineral planning authority, some will be controlled through the environmental permitting system by the Environment Agency.

8 Operators should consider the benefits of establishing local liaison groups, and of notifying neighbours in advance of new operations being carried out on site, or in advance of new applications being submitted.

2.1.17 It is recognised that there may be a long term benefit in allowing an otherwise unacceptably noisy activity for a short period of time; for example the use of heavy machinery on the boundary of a site to enable the construction of a visual or acoustic bund. These aspects of the proposed development will be considered on their merits. However, if the activity is solely related to an economic benefit, or is not clearly short term, it is unlikely to receive policy support.

Blasting

2.1.18 Blasting is often a major cause of concern to residents close to mineral workings. Disturbance is dependent on the quantity of explosive used, the distance to the receptor, the geology of the site and atmospheric conditions.

2.1.19 Measures to reduce the impact of blasting at mineral extraction sites could include planning operations so that blasting does not take place during unsociable hours, notifying residents in advance, the use of correct stemming, avoiding the use of surface detonation cord where possible, reducing the maximum instantaneous charge, avoiding secondary blasting and the use of screen nets.

Air Quality

- Developers should carry out detailed investigations and submit appropriate levels of mitigation addressing releases to air.
- Where a proposed development is in or is likely to affect an AQMA, provide specific evidence and mitigation for any impacts on the actions and targets set out in the Local Air Quality Action Plan.

Odour

2.1.20 Unpleasant odours can arise from the tipping, storage, sorting, treatment or transportation of wastes, either from the decomposition of biodegradable wastes or off-gassing from chemical wastes, or from the treatment process.

2.1.21 Odour emissions can be reduced and properly controlled by careful planning and management. For example the production of odours can be minimised by ensuring correct storage of wastes, odour emissions can be reduced by containing malodorous operations in buildings or appropriate vessels, operating buildings at negative pressure, and including odour scrubbers on air extraction systems. Correct operation of the waste management processes should reduce or prevent most odour production, and at the design stage the benefits of locating features with odour creation potential away from and downwind of residential properties and other sensitive land uses should be explored. Odour is also addressed by other legislation, implemented by the District Councils and Unitary Authorities or Environment Agency. Hours of operation can also be imposed on planning permissions as a means of minimising disturbance to neighbours.

Dust

2.1.22 Problems of dust and consequent air pollution can arise from soil stripping, blasting, crushing and screening operations, stockpiling and the movement of materials. The severity of the problem will vary according to the time of year, moisture in the soil, temperature, humidity and wind direction.

2.1.23 Dust emissions can be reduced and properly controlled by careful planning and management. Examples include: locating features with dust creation potential (such as stockpiles) away from and downwind of residential properties and other sensitive land uses; the use of conveyors rather than haul roads; constructing stockpiles with gentle slopes; tar sealing internal haul roads; and enclosing dust generating plant and activities. Additional measures can be used to control the escape of dust and minimise pick up in the wind once the site is operating, including appropriate wheel cleaning facilities, vehicle speed restrictions, dampening haul roads and stockpiles, the use of fine water sprays, and sheeting of lorries. Hours of operation can also be imposed on planning permissions as a means of minimising disturbance to neighbours.

Other Emissions

2.1.24 Industrial processes and transportation can give rise to other emissions to air, such as oxides of nitrogen (NO_x), oxides of sulphur (SO_x), volatile organic compounds (VOC's) and particulates (such as PM_{10} and $PM_{2.5}$), amongst others. The regulation of these through the application of pollution control techniques is the responsibility of the Environment Agency through the pollution control regime, as described in Appendix K 'Regulatory Bodies', and as such it is not the responsibility of the minerals and waste planning authority to consider the merits or otherwise of any pollution control processes. It is the role of the minerals and waste planning authority to consider whether the development itself is an acceptable use of land, and the impacts of those uses.

2.1.25 It is the responsibility of District and Unitary authorities to identify air quality management areas (AQMA's) where national air quality objectives are exceeded, or are at risk of not being met, and to set out in a local air quality action plan measures that will be introduced to achieve the national air quality objectives. These are likely to have implications for proposed developments within AQMAs, or proposed developments that would generate significant traffic movements through AQMAs, and should be given specific and detailed attention within the planning application.

Transport

- Provide for the submission of a transport assessment, and a traffic management plan where vehicle movements are significant[(9)]
- Provide for appropriate traffic routing through Section 106 agreements
- Provide for suitable access
- Ensure the number, frequency and timing of vehicle movements are suitable to the local road network
- Provide for the maintenance of the local highway infrastructure should damage occur

2.1.26 Heavy lorries can have adverse impacts on residents and other sensitive land uses; they can also cause damage to roads and verges, especially at the point of access; they can contribute to congestion; they can contribute to noise and they can impact on road safety, if unsuitable roads are used. An unsustainable distribution of facilities can also result in wasteful consumption of fuel and excessive greenhouse gas emissions.

2.1.27 Where rail movements are impractical or unsustainable, recognised methods of controlling transport impacts can include travel routing agreements and sheeting of loads. However, proposals should be located so as to minimise "minerals and waste road miles" - the distances travelled by

9 It should be assumed that proposals will require a transport assessment although the need for one should be confirmed with the Highways Authority at the earliest opportunity

wastes or minerals either to or from the proposal. As such, facilities co-located so as to utilise materials or wastes arising onsite or on adjacent sites will be supported. This is relative though, and what is considered an acceptable distance will vary depending on the specialised nature of the process, and the availability of similar or alternative processes within or beyond the Plan area.

2.1.28 Hours of operation can also be imposed on planning permissions as a means of minimising disturbance to neighbours. Even if site operations do not commence until the permitted hour, HGVs may arrive at the site entrance before this time, thus negating the benefits of controlling hours of operation. The control of these early morning HGV movements should be undertaken. There is also scope to restrict hours of working in order to control vehicle movements at peak times, and thus reduce the development's impact on the road network. In relevant circumstances applicants will be required to submit a transport assessment in support of their planning application.

2.1.29 Where road borne transportation of minerals is the most appropriate solution, we will ensure that efficiency improvements are made to reduce the number of vehicle movements required. As far as possible, all traffic will be encouraged to use the primary route network[10], and this applies especially to heavy goods vehicles.

2.1.30 Developers should seek to mitigate these potential effects, through all phases of development, using planning or highway agreements where necessary, including through committing to pre and post commencement surveys to determine if any damage caused to the highway can be attributed to the development and compensated for. The aim is to ensure that the state of the local highway network is not adversely affected and local communities are not disadvantaged. There may also be scope to restrict hours of working in order to control vehicle movements at peak times, and thereby reduce the development's impact on the local road network.

2.1.31 Transport directly or indirectly associated with the development will not exceed the capacity of the local road network or result in any significant adverse impact on the amenities of the area.

Water Protection

- Developers should carry out detailed investigations into the effect of the proposed development on groundwater and surface water courses.
- Where appropriate provide for a flood risk assessment, including consideration of flood prevention and flood protection

2.1.32 With some operations there is the potential for impacts on the available water resource, either through pollution, abstraction for process water or impacts on water flows through dewatering operations. There are also opportunities through quarry restoration for enhancing the water environment through flood water storage schemes. Reference should be made to the North West River Basin District Flood Risk Management Plan.

2.1.33 Developers should discuss proposals for ground and surface water protection with the Environment Agency and Lead Local Flood Authority prior to submitting a planning application. Measures should include storing fuels and oil in appropriately designed tanks with impervious

10 The primary route network is illustrated in the key diagram and is made up of the main routes linking major destinations (mainly urban centres), these are the routes most suitable to HGVs. The suitability of sites that are not directly accessible from the primary route network, but instead require vehicles to travel on other roads once they leave the primary route network, will require an assessment of the suitability of the roads in question; this will include an assessment of the roads surface condition, width, bends, footpaths, visibility, and existing traffic movements (including recreational users such as walkers, cyclists and horse riders and a consideration of their unique needs and vulnerabilities), to provide an indication of its suitability for HGV movements.

bunds and requiring operation(s) to take place on impervious hard-standings. Wastewater generated on site should be re-used where possible and the operator should install on-site wastewater treatment if appropriate, or should demonstrate sustainable means of disposing of the waste water off site. Much of this is prescribed by other legislation.

2.1.34 Any developments that fall within a prescribed flood risk area will need to include the submission of a flood risk assessment, demonstrating that the development would not adversely contribute to fluvial flood risks or surface water flooding, and would not be susceptible to it, and provision should be made where there is a risk to ensure that the risk is minimised. Site selection should be in accordance with the sequential test as described in national policy and guidance.

Nature Conservation

- Provide for habitat surveys
- Provide for a scheme to demonstrate avoidance, mitigation, and as a last resort compensation, including a seasonal schedule of work to avoid disturbance
- Where appropriate provide for an appropriate assessment

2.1.35 Biodiversity can be affected either by habitat destruction or displacement (including habitat linkages) through construction on previously undeveloped or vacant land; or impacts on neighbouring habitats[11]; or through the disturbance of species on surrounding land in much the same way as people (through dust, noise, pollution, light).

2.1.36 Consideration should be given early in the site design stage of how any nature conservation interests likely to be affected by the operations will be protected and enhanced, with evidence submitted in support of a planning application. This may include; undertaking surveys, leaving appropriate separation between workings and sensitive habitats or species, monitoring of the ecology of the site, and allowing for progressive restoration to minimise the risk of permanent change to the nature conservation interest. In addition to this there may be significant opportunities to benefit the local biodiversity, through proposals for habitat creation and long term management on the site, that could lead to a net gain for biodiversity.

2.1.37 Developers should consult the relevant Biodiversity Action Plan, River Basin Management Plan, and the landscape character types identified on the Lancashire County Council website, together with the findings of any site evaluation and biodiversity survey work carried out in support of the planning application. Proposals should consider both the potential impacts of the proposal on biodiversity, and potential opportunities for the proposal to enhance biodiversity. Developers should consider the proposed site in the broader environmental context, and identify any opportunities to improve the coherence and resilience of ecological networks.

2.1.38 The Nature on the Map[12] website is a useful source of information on the location and qualifying features of the international and national designations. The local environmental records centre (LERN) can provide information on the extent of ecological networks, and holds information on species, habitats and protected sites; they can be contacted on lern@lancashire.gov.uk, and further information can be found on the Lancashire County Council webpage[13]. Further guidance for applicants on nature conservation and planning can be found on the Lancashire County Council webpage[14].

11 Natural England has prepared an Impact Risk Zone GIS layer to assist when considering this issue
12 http://www.natureonthemap.naturalengland.org.uk/
13 http://www.lancspartnerships.org/lern/
14 http://www.lancashire.gov.uk/council/planning/planning-application-process/ecology.aspx

2.1.39 Applicants should demonstrate that any adverse impacts that might arise from the proposed development would not adversely affect the integrity of any SAC, SPA or RAMSAR site either alone or in combination with other plans or projects, where appropriate through the submission of an appropriate assessment.

2.1.40 In assessing proposals distinctions are required to be made between the hierarchy of internationally, nationally and locally designated sites, so that protection is commensurate with their status and appropriate weight is given to their importance and the contribution that they make to wider ecological networks.

2.1.41 In addition to the policies of the development plan, the minerals and waste planning authority has a statutory duty, under the Natural Environment and Rural Communities Act (2006), to have regard to the purpose of conserving biodiversity in exercising its functions, and under the Wildlife and Countryside Act (1981), to further the conservation and enhancement of the features of a SSSI when exercising its functions.

History and Geodiversity

- Provide for archaeological or heritage survey

2.1.42 Historic, archaeological and geological features contain irreplaceable information about our past. These features can include buried or above ground historic remains, exposed rock faces, standalone geological features or other features associated with historic mineral workings such as mine shafts or tram lines. Given the nature of proposals for minerals extraction in particular, their large size, extended duration of the development, and their utilisation of previously undeveloped land, they are more likely to have archaeological or geological impacts. Sufficient information should be made available to establish the site's archaeological or geological importance, which can include an archaeological assessment and a field evaluation where necessary.

2.1.43 The local historic environment records centre may be of assistance[15]. This type of information and early discussion of an application site can assist in identifying opportunities for accommodating the development in ways which would not cause unacceptable losses, for example, by amending site boundaries to avoid the most sensitive areas. There may also be need for a watching brief as phased operations progress.

2.1.44 Great weight will be given to the conservation of designated heritage assets (and non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments), in line with the NPPF.

2.1.45 In addition, the minerals planning authority has a statutory duty, under the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special regard to the desirability of preserving the setting of a listed building (s66) and for special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area (s72). These will be given considerable importance and weight, relative to other material considerations, when considering any planning application. In considering the proposed developments potential impact on the asset the developer should consider:

2.1.46 Does the proposal fall within and affect the setting of the asset?

15 http://new.lancashire.gov.uk/libraries-and-archives/archives-and-record-office/historic-environment-record.aspx

- Visible presence
- Clear influence on surroundings

2.1.47 To what extent does the visible presence affect the significance of the heritage asset and the ability to appreciate that significance?

- Nature and character, including the architectural quality or interest, of the asset
- The contribution of the surroundings to the assets significance
- Nature and appearance of the existing surroundings of the asset, including a consideration of how the landscape has changed over time

2.1.48 Consideration of the future need for the mineral resource when considering restoration schemes or redevelopment proposals, particularly when considering inactive, dormant or historic quarries, must be taken into account to avoid sterilisation of a mineral resource that may be required to meet a particular demand for heritage stone required in building restorations or to implement design policies of the wider development plan.

Soil Resources and Agriculture

2.1.49 Developers will need to consider the proposed developments effect on the ability to work agricultural land adjacent to it, and the effect of the loss of any best and most versatile agricultural land necessary to facilitate the proposed development.

2.1.50 Further information is available on the MAGIC[16] website.

Public Health

2.1.51 Where appropriate developers will need to consider the positive and negative impacts of the proposed development on the health and wellbeing of local communities close to the proposed development. These should include direct impacts on health caused through emissions to land, water, and air, and from transportation, and indirect impacts on health that might occur through social, economic and community factors.

2.1.52 Where appropriate developers will need to consider and explain how they will provide baseline, and on-going health surveillance monitoring in a way that provides confidence to the community in terms of its independence, integrity and accuracy.

Economics

2.1.53 Developers will need to consider the positive and negative economic impacts of the proposed development. The National Planning Policy Framework states that "*when determining planning applications, local planning authorities should…give great weight to the benefits of the mineral extraction, including to the economy*". This includes direct benefits of the extraction, and indirect benefits e.g. through the development of a local supply chain or other supporting infrastructure and services. These should be considered alongside the potential negative impact on local businesses operating in other sectors. When considering the economic impact reference should be made to any relevant local economic growth strategy.

2.1.54 There will be an expectation that proposed developments are supplied by local businesses as far as practicable.

16 http://magic.defra.gov.uk/

Climate Change

2.1.55 The release of greenhouse gases through industrial processes, transport, waste management and disposal activities is acknowledged, but is a matter that is essentially outside of the control of the Minerals and Waste Planning Authority. The application of technologies to minimise or control emissions is a matter for the Environment Agency through the pollution prevention and control regime. However, it is appropriate that consideration is given to greenhouse gas emissions, within this context, and their land use implications; in particular the location of the proposed development relative to its market, and the mode of transport proposed to access this market.

2.1.56 Conversely, proposals must also be designed and located such that they are resilient to the effects of any reasonably foreseeable changes to the climate arising from climate change; for example proposals may need to be designed to be more resilient to flooding, or restoration schemes may need to focus on enhancing habitat connectivity. The planned length of operation of the proposed development will influence the degree to which these matters are taken into account.

Implementation

2.1.57 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report.

2.1.58 It should be noted that the findings of the Habitat Regulations Screening Report does not preclude the need for additional assessment under the Habitats Regulations should this be required by other regulatory processes identified at the application stage.

2.2 Minerals Exploration

Policy MW 2

Minerals Exploration

Proposals for minerals exploration activities will be assessed against the effects of the exploration activity rather than on the merits of any possible future proposals for commercial extraction, and without prejudice to the consideration of any subsequent planning application for appraisal or extraction. Proposals for exploration will normally be approved provided that they do not give rise to significant adverse impacts.

Justification

2.2.1 Mineral exploration is the process of ascertaining the presence, extent or quality of a mineral deposit with a view to commercial exploitation of that mineral. It encompasses a range of activities, including geological mapping, geophysical (seismic) investigations through shot holes or vibration platforms, and the drilling and investigation of boreholes to assess prospects in more detail (in some instances including lateral drilling).

2.2.2 Many proposals for mineral exploration are small scale, have limited environmental impacts and are permitted under the Town and Country Planning (General Permitted Development) Order 2015. Exploration not permitted by the general permitted development order requires a specific planning permission from the minerals planning authority, or are subject to prior notification procedures.

2.2.3 Whilst exploration is an integral part of the winning and working of minerals, the grant of permission to explore for minerals does not infer any principle that the winning and working of the minerals will be acceptable; every application must be considered on its own merits. The impacts of minerals exploration are, by the nature and scale of the operations, likely to be very different to the impacts associated with the winning and working of minerals.

Implementation

2.2.27 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report.

2.2.27 Some proposals for onshore oil and gas exploration may include some elements of appraisal alongside the exploration. These aspects of the application should be considered under Policy MW 17 'Onshore Oil and Gas'.

2.3 Planning Obligations

Policy MW 3

Planning Obligations

Where planning obligations are required to make a development acceptable in terms of its social, economic, and environmental impacts, the minerals and waste planning authority will seek to ensure the provision of, but not exclusively, the following where appropriate:

- Access or road improvements.
- Traffic routing.
- Long term aftercare or management.
- Provision of new or diverted footpaths.
- Public access to restored sites.
- Compensatory provision elsewhere for ecological mitigation.
- Wider transport improvements highlighted in the development's travel plan.
- District heating infrastructure.

Justification

2.3.1 Planning obligations offer a mechanism by which development proposals may sometimes be made acceptable by legally committing interested parties to matters which cannot properly be dealt with by conditions attached to a planning permission. They constitute a way of allowing development to proceed with safeguards, environmental improvements or other commitments. They do not constitute a device to enable unacceptable development to be permitted because of unrelated benefits offered by the applicant. The approach concentrates on ensuring the acceptability in planning terms of proposals and should not be misinterpreted as an attempt to negotiate financial or other compensation for individuals or communities. The tests as to whether a planning obligation may be legally applied, and full guidance on the implementation of planning obligations, are outlined in the Community Infrastructure Levy Regulations 2010 and the NPPF and NPPG.

2.3.2 As far as possible planning permission will be controlled by the imposition of conditions; obligations will be used to add to, not substitute for, this preferred approach.

2.3.3 In considering the scale and form of contributions, the Mineral and Waste Planning Authorities will seek to ensure that local communities and the environment are protected, as far as possible, from any planning loss brought about by new development, and that opportunities may be identified to enhance the proposal. Applicants are encouraged to discuss and agree contributions as early as possible.

2.3.4 Financial guarantees (restoration bonds) to cover restoration and aftercare costs may be necessary in exceptional circumstances. Further information is available under Policy MW 5 'Decommissioning, Restoration and Aftercare'.

Implementation

2.3.5 This will be implemented through negotiations with applicants, within the context of the other policies of the areas development plan, and the production of agreed heads of terms. Where obligations are required, the grant of planning permission will be conditional on the signing of the obligation's legal agreement; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report.

2.4 Development in the Countryside

Policy MW 4

Development in the Countryside

Proposals for waste management developments in the countryside will only be supported where it can be demonstrated that:

- Its specific rural location is necessary for the sustainable management of the waste, and
- It is in scale and keeping with its surroundings; and
- It would not result in an unacceptable loss of best and most versatile agricultural land; and
- The highway network and site access can satisfactorily accommodate the traffic generated

Proposals for minerals developments in the countryside will be supported where it can be demonstrated that:

- It would not give rise to unacceptable large scale landscape or visual impacts; and
- The highway network and site access can satisfactorily accommodate the traffic generated.

Justification

2.4.1 Minerals and waste developments can contribute to the maintenance of a strong rural economy, through employment, farm diversification, and their support to existing businesses. This is recognised in the NPPF, and the Plan's spatial priorities and objectives.

2.4.2 However, this must be balanced against the need to maintain the intrinsic character and beauty of the countryside. By their nature minerals and waste developments have the potential to be intrusive. In particular increased levels of light, noise or traffic can have a detrimental impact on the tranquil nature of the countryside. Likewise, the introduction of built forms can have significant visual or landscape impacts where they are not a current feature of the area, and the existing road network is often of a nature or character that is unsuitable for even a moderate number of heavy goods vehicles.

2.4.3 The type and amount of development in the countryside must therefore be strictly controlled; sensitive siting, design and operation are essential.

Waste

2.4.4 Whilst waste management operations are generally of an industrial nature, and the Plan seeks to ensure they take place in industrial locations, in certain circumstances it is advantageous for operations to take place in the countryside - through for example its proximity to the source of

waste arising in the countryside (e.g. a sewage works or dairy farm), or by virtue of its proximity to a customer base or market for the treated waste (e.g. land spreading), or due to the rural nature and associations of the operations (e.g. open windrow composting).

2.4.5 By their nature, these criteria indicate a small scale operation directly related to the operations of an existing rural development, i.e. an in house anaerobic digester associated with the treatment of wastes arising on site or within close proximity to the site, or open windrow composting and associated land spreading. Large numbers of vehicle movements would not be associated with this type of development, and would not be acceptable.

2.4.6 The size of the proposed facility, and the amount of traffic anticipated, are key factors in determining whether the proposal should more appropriately take place within industrial areas.

Minerals

2.4.7 Unlike waste developments, minerals developments generally have less flexibility around the choice of location; minerals can only be worked where they are found, and where they are accessible. Consequently proposals are most likely to occur in the countryside.

2.4.8 None the less heavy goods vehicles associated with minerals developments present a particular risk of damage to the integrity and safety of the road network in the countryside. Significant adverse impacts of this nature would not be acceptable, unless they can be alleviated to an acceptable level by appropriate means, including highway works. It would be preferable for development to be located with good accessibility to the strategic road network, either directly accessible by a new or existing access point that is acceptable, or a feeder road where the traffic, road safety and amenity impacts are minimised.

2.4.9 Landscape is a significant issue for minerals proposals in the open countryside; by the very nature of the deposits they are often associated with the better quality landscapes. Minerals developments can have a considerable, often adverse effect on the local landscape, in terms of disruption to and loss of distinctive local landforms. Proposals which have an unacceptable adverse impact on the local landscape character, or would result in the loss of key features, will not be permitted[(17)]. Although many minerals developments are temporary uses of land, their impact on landscape can last for many years following completion of working. Even with comprehensive restoration, recreating complex landscapes that have evolved over many years is difficult to achieve.

Implementation

2.4.10 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report.

2.4.11 The policy will be applied to proposed developments outside of the settlement boundary. The definition of the settlement boundary, and the open countryside, will generally be found in the unitary?District Local Plan. This policy should be read so as to provide additional context to any Unitary/District Local Plan policy on the Open Countryside, where those policies do not sufficiently reflect the specific issues associated with minerals or waste developments.

17 Further guidance can be found in the Minerals and Waste Planning Authorities' landscape strategy - http://www.lancashire.gov.uk/council/strategies-policies-plans/environmental/landscape-strategy.aspx

2.5 Decommissioning, Restoration and Aftercare

Policy MW 5

Decommissioning, Restoration and Aftercare

Proposals for minerals or landfill developments will only be supported where:

- Soils and soil making materials are appropriately handled and stored so as to ensure that damage to their structure is minimised; and
- It can be demonstrated that the site will be restored to a condition fit for an acceptable afteruse; and
- The proposal provides for progressive restoration where practicable; and
- Restoration is at the earliest practicable opportunity; and
- The restoration proposal reflects the nature and characteristics of the site and its surroundings; and
- The restoration proposal enhances the area and helps bring about an overall environmental improvement wherever possible
    - Where appropriate, this will include improvements to public access to the former workings to realise their amenity value; and
- The restoration proposal includes an acceptable aftercare scheme of an agreed timescale following restoration.

Justification

2.5.1 Minerals extraction and waste deposition can have a substantial impact on people and the environment of an area. Notwithstanding that they can have long lifespans they are temporary development and on their ultimate completion the land must be reclaimed and returned to its previous use or a new one.

2.5.2 Once the development ceases it is important that this land does not become derelict or remain out of beneficial use for long periods. If there is serious doubt that satisfactory restoration can be achieved, then planning permission for the development will not be granted.

2.5.3 Agreeing and fixing a date for development to end and for restoration to be completed reflects the transitory nature of some mineral and waste developments. It offers the prospect for greater transparency, which in turn should instil greater public confidence in the decision-making process. Time limits ensure that sites are utilised and reclaimed or restored to other beneficial uses at the earliest opportunity, and within acceptable timescales, in the interests of the local characteristics of the site and its surroundings, visual amenities and the amenities of local communities. The effect of the duration of development can be important to the well-being and amenity of local communities living in close proximity to mineral and waste developments. Whilst most impacts can be mitigated, some impacts which are genuinely felt but not necessarily of a physical nature, can only be mitigated by time limiting the duration of development.

2.5.4 In agreeing a fixed time limit for completing the development and restoration, the effect on local amenity and environment and other land uses must be considered and weighed in the balance with the need for the development, including the importance of its continuing contribution to local or national supply as set out in the Local Plan and national policy, as well as the ability to achieve a suitable final landform and after-use. The onus will be on the applicant to provide, as far as practicable, a realistic and achievable indication of the anticipated duration to complete the development. This will be supported by credible and reliable predictions of future demand and an assessment of market, commercial and any other factors which could curtail operations during that time.

2.5.5 Detailed restoration proposals providing for the progressive restoration of the site are required for all applications for minerals extraction or waste deposition.

2.5.6 Proposals should aim to assimilate the site into its surrounding landscape. They should be informed by and sympathetic to the character of the landscape and its features.

2.5.7 Restoration proposals should be seen as an opportunity for creating land-uses of benefit to the environment and the public to partly compensate for the disturbance that the development will cause[18]. These could include public access, education, flood amelioration or water purification, carbon capture and storage, or locally significant habitat creation (with reference to the relevant BAP targets); the creation or enhancement of habitat linkages to allow restored sites to link up the ecological network on a landscape scale is encouraged. Decision making will recognise the value of the services provided by the natural environment and as such the weight attached to these ecosystem services should be considered to have the same weight as the easier to quantify economic benefits associated with other restoration options such as farming and leisure.

2.5.8 Proposals involving the use of best and most versatile agricultural land need to include satisfactory evidence that measures to be taken will reclaim land back to the best and most versatile category.

2.5.9 Developers should consider the appropriate restoration of the site at the planning application stage. The level of detail required will depend on the expected duration of operations on the site. On long-term sites, where it is difficult to determine precise afteruse, it may be impractical to submit full restoration proposals. It may be more appropriate to include a restoration strategy or an overall concept plan so that the viability of restoration can be established at the outset. Full restoration details should be submitted thereafter on an agreed phased basis.

2.5.10 It may be necessary, in exceptional circumstances, for the operator to enter into a planning obligation or financial guarantee (bond) sufficient to provide for the restoration of the proposed development in the event of operator failure, particularly if the proposal utilises a novel approach or technique, or the proposal is very long term.

2.5.11 The overburden produced during quarrying is often replaced in the resultant quarry void and so, together with the subsoil and topsoil, is essential to restoration and should not be regarded as a waste. In managing mineral waste, wastes will be used positively wherever appropriate and will not constitute a nuisance before a suitable use can be found.

18 Within the context of the commitment to net environmental gain contained in the Governments 'A Green Future A 25 Year Plan to Improve our Environment', restoration of mineral workings and landfill is in a unique position to provide this on a significant scale

2.5.12 In line with national policy this Plan pursues a general approach of applying a downward pressure on landfilling, as part of moving waste management up the waste hierarchy. The fundamental objective of this policy is to ensure the reclamation of waste and minerals sites, rather than to provide for more capacity for landfill, i.e to ensure that sites are only restored by landfilling with waste if that proves a satisfactory restoration solution. The reclamation benefits likely to be achieved must outweigh any disbenefits of landfilling; it is unlikely that the large scale importation of waste as part of the restoration of a site will be acceptable in most circumstances.

Implementation

2.5.13 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report.

2.6 Protection of the Surface of the Former Saltfield from Development

Policy MW 6

Protection of the Surface of the Former Salt Field from Development

The surface of the Preesall Salt Field will be protected from development which may be adversely affected by land instability due to the existence of underground cavities.

Justification

2.6.1 An important function of the planning system is to guide development to the most suitable sites. This means taking account of a wide range of factors that can influence the suitability and physical capability of land for different types of development. Potential hazards associated with the environmental geology are a factor to be taken into account as part of this process.

2.6.2 The solution mining method of extracting salt/brine results in large underground voids which are filed with saturated brine. Although unlikely to cause subsidence it is appropriate to adopt a precautionary approach when it comes to permitting surface development in the area of these cavities.

2.6.3 Proposals for built development which is not closely located to existing development will need to take into account the potential effects of land instability; this may include the submission of detailed investigations.

Implementation

2.6.4 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report. It is likely that the majority of applications that are likely to come forward will be submitted to the Local Planning Authority to determine.

3 Ensure the Prudent Use of Resources

3.1 Mineral Safeguarding

Policy MW 7

Safeguarding Minerals

Mineral resources with the potential for extraction now or in the future must be safeguarded against needless sterilisation by other forms of development. Within the Plan area, Mineral Safeguarding Areas have been delineated on the Policies Map around all known deposits of:

- Limestone
- Sand and Gravel
- Gritstone [Sandstone]
- Shallow Coal
- Brickshales

Within these mineral safeguarding areas identified, planning permission will be supported only where the applicant can demonstrate to the satisfaction of the local planning authority that either:

- The mineral resource is not likely to be subject to commercial extraction, now or in the future, by virtue of significant levels of prior development in the locality, or the quality or quantity of the mineral resource; or
- The development will not prejudice the working of the mineral resource; or
- There is an overarching need for the development, in that location, which outweighs the need to avoid the sterilisation of the mineral resource.

Justification

3.1.1 An important function of the planning system is to guide development to the most suitable sites. This means taking account of a wide range of factors that can influence the suitability and physical capability of land for different types of development. Potential issues associated with the environmental geology are a factor to be taken into account as part of this process.

3.1.2 Minerals are a finite resource and need to be carefully managed and used within a sustainable planning framework[19]. This is to ensure that mineral resources are not needlessly sterilised by our actions, to the detriment of future generations[20].

19 All local planning authorities are required by national policy to ensure that unworked mineral deposits are safeguarded from development that would unnecessarily sterilise their potential exploitation at some future date, and to delineate them on the policies map

20 As such the quantity of any permitted reserves of the mineral in question is not relevant when considering the sterilisation of that mineral

3.1.3 The presence of a MSA does not necessarily preclude other forms of development being permitted nor confer any presumption that the mineral will be worked[21]. It is a policy tool to alert the applicant that minerals may be sterilised by the proposed development and that this should be taken into account by the planning process.

3.1.4 This policy provides criteria against which to judge the appropriateness of a development, or a site allocation in a draft local plan, within a mineral safeguarding area (MSA)[22]. The mineral deposits within the Plan area are extensive and whilst they continue beneath urban areas they are already sterilised by non mineral development and are not sufficiently valuable with very little prospect of future working. Therefore in a wish to make our safeguarding realistic and practical as possible we have excluded such areas from the mineral safeguarding areas. None the less, large scale regeneration projects have the potential to yield minerals from areas that were previously considered to have been sterilised. Applicants should be mindful of the contribution that these minerals can have to sustainable development, and prior extraction would be encouraged in these circumstances.

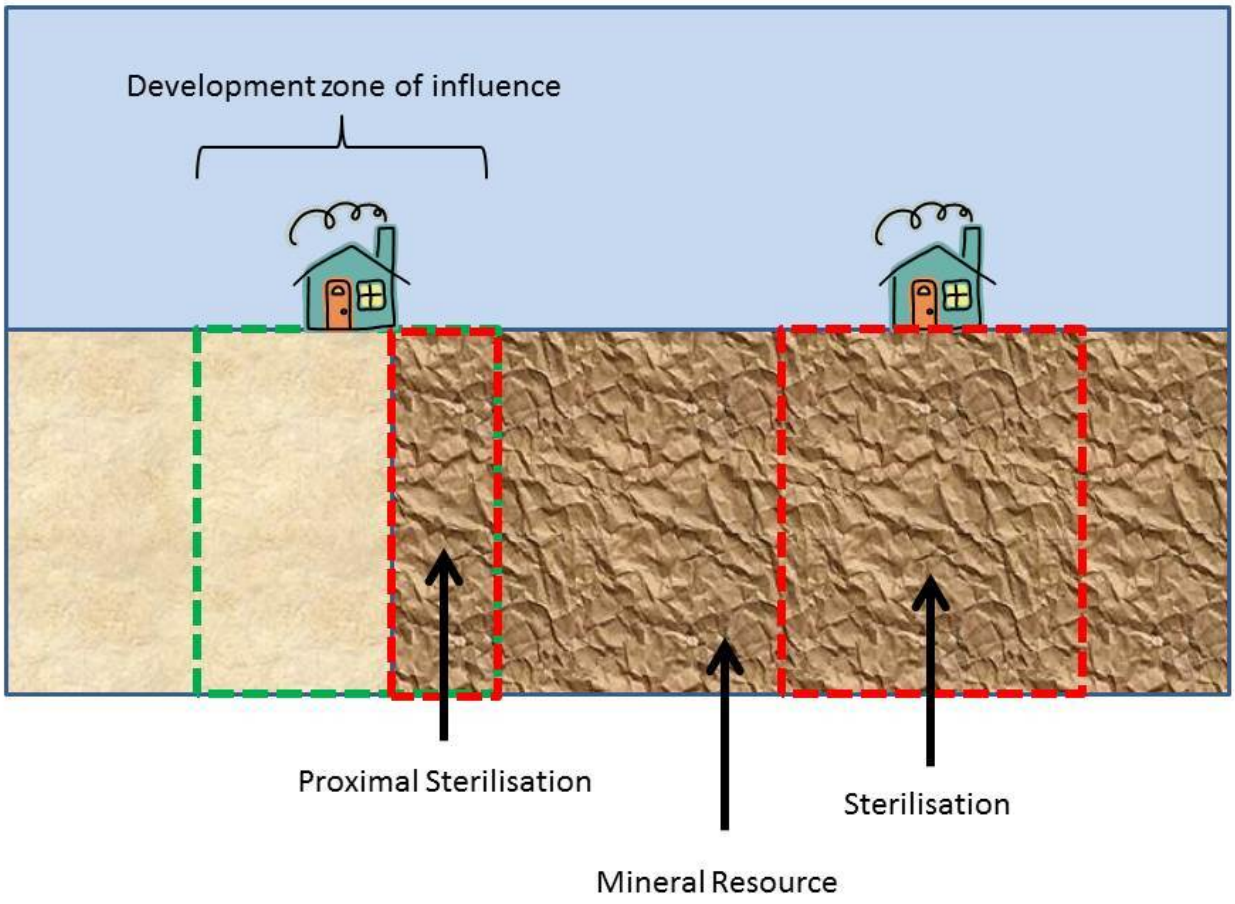
3.1.5 This policy seeks to prevent the needless sterilisation of mineral resources by non-minerals development.

3.1.6 Even very small developments require the greatest scrutiny as they have the potential to sterilise large amounts of mineral, both through their immediate land take and their presence influencing the potential workability of the surrounding land (as illustrated below); this can also include indirectly sterilising the mineral through closing off the access to a mineral resource, in circumstances where access to the resource is limited.

3.1.7 Further to this, the MSAs in and around existing quarries will need to be enforced stringently, so as to prevent the sterilisation of reserves or resources by proximal development; the relevant quarry operator should be consulted in these circumstances.

21 Nor does the MSA designation provide any support for a planning application for minerals extraction submitted within it.
22 In compiling these mineral safeguarding areas the British Geological Survey (BGS) map 'The Mineral Resource Map for Lancashire 2006' (comprising Lancashire, Blackburn with Darwen and Blackpool) has been used as the best source of information available.

Figure 1 Proximal Sterilisation



3.1.8 Clearly there are many forms of development that, by their nature, will not lead to the sterilisation of mineral resources. Proposals which are excluded from these considerations are:

- Development already permitted by the General Development Order
- Development where outline planning permission has already been granted
- Development within the curtilage of existing developments
- Listed building consent applications Advertisement applications
- Applications for new or improved access
- Lawful development certificates
- Temporary development which can be completed and the site returned to its original condition prior to the minerals being worked

Temporary development

3.1.9 For other types of development, if the development is temporary sterilisation or prior extraction is unlikely to be a consideration; consideration will still need to be given to their impact on the operation of any permitted quarries or site allocations in the vicinity, or how they may be impacted on by the quarry.

3.1.10 The degree of engineering work associated with the proposed development is likely to be a key consideration when determining if the proposed development is temporary; the nature of land ownership associated with the proposed development is also likely to be significant in informing this consideration of 'permanence'.

3.1.11 Consideration must also be given to the likely demand for the mineral resource during the anticipated lifespan of the proposed development – the upper limits of temporary may be as short as a couple of years in certain circumstances adjacent to an active quarry or on an identified mineral reserve.

Urban areas

3.1.12 Within urban areas, whilst any mineral resource present could be considered to have already been sterilised, there are circumstances when the mineral resource may be accessible; in particular large scale redevelopment or urban renewal projects. To ensure these are addressed, without increasing the burden on other applications:

- the policy extends mineral safeguarding areas over urban areas for sand and gravel, and coal.

- within these urban MSAs, proposals for development of over 5ha would fall under Policy XX.

The value of the mineral resource in planning terms

3.1.13 The applicant will need to consider the quality of the resource when determining if there is likely to be a commercial interest in it. This should concentrate on whether the mineral resource has the specification required to meet its intended use; does it fulfil a BSI standard or equivalent (with or without processing). The need to process the mineral to produce a saleable product will affect the economics of extraction, both through the costs of waste disposal and the provision of extra plant.

3.1.14 The depth of overburden is a key consideration when assessing the commercial interest of the mineral. As a rule of thumb it is uneconomic to extract material with a greater than 1:1 overburden to mineral ratio (though this is influenced by the value of the mineral, coal can be viable with ratios of 40:1 on a large enough site): likewise the presence of interburden.

3.1.15 The proximity to market, and the associated transport costs, will influence these economics.

3.1.16 In addition, the applicant will need to consider if the mineral resource is present in a realistic quantity when determining if there is likely to be a commercial interest in it.

3.1.17 Small ribbons or isolated occurrences of mineral resource are unlikely to be economic to work and so sterilisation may not be an issue. Likewise, if the surrounding area is developed to such an extent that it makes the potential extraction of minerals unfeasible it can be considered that the mineral resource is already sterilised; for example if it is in very close proximity to houses,

or if the area contains scattered houses, or fields broken up by roads, that reduce the amount of free land potentially developable for a quarry. The quality of mineral and its intended end use will influence the quantities needed to make the mineral of a commercial interest; 10,000 to 100,000 tonnes of mineral resource may be viable (though possibly as low as 1,000 tonnes may be viable for some minerals), over 100,000 tonnes is likely to be viable and so represent a mineral resource with a likely commercial interest.

3.1.18 If it is unlikely there will be a commercial interest in the mineral resource the applicant is none the less encouraged to make use of any mineral that may be available through prior extraction in the design and construction of the proposed development. However, consideration of proximal sterilisation may still be necessary if the proposed development is close to potentially workable mineral resources.

Overarching need

3.1.19 Ultimately it is for the LPA to determine the level of need for the proposed non-minerals development based on the information specific to that particular development proposal. Primary consideration will need to be given to the policies of the development plan, read as a whole, then to other material considerations.

3.1.20 Minerals can only be worked where they are found. The needs of the present generation for economic growth or housing should not be found to outweigh the needs of future generations for access to local construction raw materials without due consideration of alternative sites. It is not enough simply to say that the short term market demand for housing outweighs the long term demand for minerals.

3.1.21 Considerations will include the development's contribution to the delivery of the Local Plan's vision or strategic land allocations, and the level of economic benefit associated with the non-minerals development, particularly relative to the level of need for that benefit in that location. This will need to be balanced against the importance of the mineral resource in terms of its quantity and quality and, if prior extraction is being considered, its effect on the timescale for implementing the non-minerals development.

Prior extraction

Prior extraction[23] may enable an otherwise unacceptable development to be found to be acceptable. Consideration will need to be given to whether prior extraction of the mineral resource is feasible or desirable in that location. Prior extraction of the mineral resource need not necessarily result in delay to development if it were considered early enough in the developer's decision making process.

3.1.22 Prior extraction is unlikely to be practicable for small developments, and significant levels are unlikely on any development proposal less than 5ha. Sterilisation, both on the development site and proximal to the development, is likely to be the main consideration for small sites, which have just as much potential to sterilise a mineral resource as a large development.

3.1.23 When considering prior extraction the depth of overburden must be considered in the context of the size of the site. The depth of overburden is a key consideration when assessing the commercial interest of the mineral. As a rule of thumb it is uneconomic to extract material with a greater than 1:1 overburden to mineral ratio.

23 Prior extraction is the extraction of some or all of the mineral resource prior to the development taking place.

3.1.24 Prior extraction of hard rock is only likely to be practicable if it is a large development proposal where the resultant void could be combined with opportunities for SuDS measures, or the site as a whole could be accommodated within the void in a way sympathetic to the surrounding landscape and land uses. Most sites will likely only yield rock as a by-product of the necessary ground works associated with the development, which could nevertheless provide some building stone for boundary walls etc, but is unlikely to yield a meaningful quantity, and would be ancillary to the operations permitted through the construction works rather than extra works distinct from them. The use of waste stone in boundary walls could be conditioned, but prior extraction is unlikely to be a consideration.

3.1.25 Prior extraction of coal or sand and gravel is in comparison much more practicable.

3.1.26 Excavator booms will typically be able to create a void 5-6m deep; going deeper will require steps in the void, which will not be practicable on smaller sites given the batter necessary to ensure land stability (the batter slope will also be influenced by the material excavated). Further to this small sites may not be able to practicably store the overburden without constraining site operations.

3.1.27 Prior extraction is likely to significantly affect the nature of the site, by potentially changing the ground conditions (either through reducing the site levels, exposing a bedrock or producing made land through the importation of inert fill to fill the void created by the removal of the mineral), altering the site levels, and introducing slopes. All of these will affect the potential for the land to accept built development, particularly in areas at risk of flooding. The potential to exploit these effects to improve the scheme should also be considered through, for example, the reduction in the visibility of the proposed development by locating it in the void, or the creation of SuDS attenuation measures in the void.

3.1.28 Any minerals extracted from the site that are not used on site will need to be removed off site, either direct to market, or to another site for storage prior to sale or for processing to a saleable product. Overburden may also need to be moved off site temporarily. This may generate significantly more vehicle movements than if the site were to be developed with the minerals in situ. Furthermore the storage of material onsite will need to be considered, and its potential effects on the design and phasing of the proposed development, particularly on a small site. Potential markets for the minerals extracted should be identified in the minerals resource assessment.

Implementation

6.2.5 This policy will be implemented through the approval of applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; to be monitored and reported in the Joint Authorities Monitoring Report. Outside of the administrative areas of Blackpool and Blackburn with Darwen the district and borough councils will be required to consult Lancashire County Council on relevant non Minerals and Waste developments that are within the mineral safeguarding areas. It is likely that the majority of applications that are likely to come forward will be submitted to the Local Planning Authority to determine.

3.1.29 Applicants can assist the LPA in determining whether their application is in accordance with the policy through the submission of appropriate information. This should be in the form of a mineral resource assessment, more details of which can be found in Appendix F 'Mineral Resource Assessments'. The level of detail should be appropriate to the scale and nature of the proposed development.

3.1.30 Pre-application discussions and engagement is useful as it will enable an applicant to be better informed of what is required at submission, allowing more time for evidence to be collected and considered before the scheme is finalised and submitted to the LPA. This serves to reduce the risk of a delayed, prolonged determination of an application.

3.2 Conservation of High Quality Material

Policy MW 8

Ensuring the Best and Most Efficient Use of Resources

Minerals should only be extracted where they meet a proven need for materials with those particular specifications. High grade minerals should not be used for more general purposes when lower grade alternatives are readily available.

Where proposals are justified on the basis of a resource's specific qualities consideration will be given to:

- Evidence supporting the specific quality of the material
- The need for it in relation to its proposed purpose
- An examination of alternative sources of supply, including secondary and recycled material

Justification

3.2.1 In order to conserve high grade resources minerals should be used for purposes for which they are best suited.

3.2.2 Rigorous evidence will need to be provided to demonstrate the special quality of the material (in relation to its physical or chemical properties), together with the need for it in relation to its proposed purpose and an examination of alternative sources of supply.

3.2.3 Although the policy does not seek to control the end use of high quality materials, in some cases it may be appropriate to control the quantity and nature of the materials to be extracted by planning condition or planning obligation.

Implementation

3.2.4 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report.

3.3 Sustainable Construction and Waste Management in New Developments

Policy MW 9

Sustainable Construction

All new developments will be expected to maximise the use of recycled and secondary materials by including measures to:

- reduce, reuse, recycle and recover the waste they produce during construction and demolition, where possible on-site;
- maximise the use of recycled and secondary aggregates, and the reuse of other building materials, within the development; and
- maximise the potential for recovering and recycling construction materials at the end of the development's life, through the design of, and specification of materials used in the development.

Proposals that are likely to generate significant volumes of waste should be accompanied by a waste audit setting out the anticipated volumes of demolition or excavation wastes and the measures proposed to manage those wastes, both on-site or off-site.

Justification

3.3.1 We know that we cannot go on consuming our natural resources at the rates we have in the past. As well as using up valuable finite resources at an unsustainable rate, this brings problems in dealing with the wastes generated, both on a global scale through the emissions of greenhouse gases that our waste generates, and on a local scale through the potential nuisance created by the collection, transport and disposal of our waste.

3.3.2 Waste minimisation sits at the heart of the national waste agenda and at the 'top' of the waste hierarchy. It embraces a wide range of initiatives, most outside the scope of land-use or spatial planning. Many of these initiatives will be very familiar to us.

3.3.3 In accordance with National Planning Practise Guidance waste audits should only be necessary for developments likely to generate significant volumes of waste, for example very large scale development proposals or large scale regeneration proposals. In these circumstances it is recommended that The Institution of Civil Engineers 'Demolition Protocol' be applied; this contains a framework methodology to help developers ensure that the potential for incorporating recovered and recycled demolition materials into the new build phase has been effectively considered, and aims to add value by saving costs.

Implementation

3.3.4 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be

monitored and reported in the Joint Authorities Monitoring Report. It is likely that the majority of applications that are likely to come forward will be submitted to the Local Planning Authority to determine.

Policy MW 10

Designing in Waste Management

All new developments should provide adequate space for the storage of recyclate and waste during the operation of the development. The location of any bin storage areas should be secure and not visually intrusive.

Significant weight should be afforded to proposals which seek to manage waste arisings on site.

Justification

3.3.5 Household waste collection has been transformed over recent years, with the separate collection of paper, glass, metals, plastics and green waste designed in part to raise awareness of waste generation and minimise wastes going to landfill. The provision of composting bins to households and the switch to fortnightly collections using specific bins are designed to reduce the amounts of household waste to be managed.

3.3.6 They do however have the potential to affect the street scene, both in city centres and residential neighbourhoods, and the provision of adequate space for waste and recyclate storage is an essential part of ensuring good design. Secure storage space is also necessary, particularly at commercial and industrial locations, to prevent vandalism and arson. These should also be accessible to refuse collection vehicles and staff.

3.3.7 The LPA, in their capacity as waste collection authority, is the best source of information on the space and access requirements associated with kerbside collection.

3.3.8 Industrial developments potentially generate significant volumes of waste, in the case of larger developments this waste can be of a sufficient volume and make up to result in on site waste management processes becoming viable; specific examples include anaerobic digestion associated with the food industry and sewage treatment. Where this treatment would otherwise take place off site, or replaces a waste management process further down the waste hierarchy, it has the potential to reduce the amount of vehicle movements, and the waste miles travelled. This is a significant benefit that should be weighted in the proposals favour.

Implementation

3.3.9 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report. It is likely that the majority of applications that are likely to come forward will be submitted to the Local Planning Authority to determine.

4 Supporting Growth and Innovation

4.1 Meeting the Demand for Aggregates

Policy MW 11

Aggregate Provision

Provision will be made for the extraction of the following amounts of mineral for aggregate use between 2017-2034:

- 6.8 - 8.8 million tonnes of Sand and gravel
- 15 - 18 million tonnes of Gritstone
- 34 - 37 million tonnes of Limestone

This provision will be made through a combination of existing permitted reserves, and limited new permissions or extensions where necessary (including where necessary to maintain a landbank of at least 7 years for sand and gravel and 10 years for limestone and gritstone.).

Justification

4.1.1 Aggregates are materials used in the construction industry. The development and maintenance of roads, houses, schools and commercial and industrial buildings all depend on a supply of aggregates for concreting, filling and surfacing purposes. Lancashire's aggregate minerals comprise of sand and gravel, limestone and gritstone (including sandstones and shales).

4.1.2 The minerals and waste planning authority sit on the North West Aggregate Working Party; a key part of this is the production of a local aggregate assessment. The Joint Lancashire Local Aggregate Assessment reports annually on the production and sales of aggregates, and the permitted reserves of aggregate minerals. The figures described above are informed by the Local Aggregate Assessment 2017[(24)]. A summary of the Local Aggregate Assessment 2017 (using 2016 data) is set out in Appendix B 'Aggregate Objectively Assessed Need (Local Aggregate Assessment 2017, using 2016 data)'.

4.1.3 They represent the forecast demand during the plan period, as a range using the projection of the average of 10 years production and sales figures to inform the lower figure and the average of 3 years production and sales figures to inform the higher figure. The use of either figure in isolation would be inappropriate as, for example the use of a lower figure is only likely to support recent levels of growth not reflective of growth aspirations expressed in national policy and emerging district local plans, whilst the higher figure may result in over provision should economic uncertainties continue.

24 It has been necessary to extend the Local Aggregate Assessments projections so that they correspond to the plan period - the figures above are for a 17 year period of forecast demand

4.1.4 The use of a range of figures is considered appropriate due to the uncertainties around predicting future demand. When considering this range reference should be made to the most recently published local aggregate assessment, which provides information on annual production and sales, and their trends (the figures below are informed by the most up to date information available at the time, 2016 production and sales). Should these trends indicate an increase in demand for aggregates, through an upturn in the 10 year average or a sustained upturn in the 3 year average, then provision towards the higher range of figures would be considered appropriate. The use of the range of figures, and the monitoring indicators, is in the interest of sustainable development and conserving mineral resources, and avoiding the unnecessary over provision of permitted reserves.

Summary of the Local Aggregate Assessment 2017 projected demand and supply (projected an additional 2 years to 2034 to provide for plan period)

2017-2034 (17 years)	**Sand and Gravel (million tonnes)**		**Gritstone (million tonnes)**		**Limestone (million tonnes)**	
Projection of average of x years production and sales figures	3	10	3	10	3	10
Annual demand	0.52	0.4	1.06	0.92	2.18	2
Forecast Demand	8.84	6.8	18	15.64	37.06	34
Permitted Reserves	7	7	77.86	77.86	58.02	58.02
Shortfall in Supply	-1.84	-	-	-	-	-
Surplus in Supply	-	0.2	59.86	62.22	20.96	24.02
Surplus in supply represents a landbank of x years	**-**	**less than 1**	**63**	**67**	**9**	**12**

4.1.5 The permitted reserves appear sufficient to meet estimated need during the plan period, and provide for a landbank beyond, with the exception of sand and gravel. However, resources are no guarantee of supply. There are potential issues around continuity of supply for all of the mineral types.

4.1.6 The potential issues around the continuity of supply associated with the delivery of the forecast demand are described in the following mineral specific policies.

4.1.7 Minerals can only be worked where they occur; their distribution is not even, either in terms of quality or quantity, within the Plan area, and within the North West region, or England as a whole. Inevitably given the nature of such, these operations are usually undertaken in open countryside areas, and they can be moved long distances to their relevant market.

4.1.8 Where mineral extraction does take place, it is important that we make the most efficient use of those minerals. We will encourage operators to undertake extraction efficiently, in order to maximise the economic value of the mineral and minimise waste, and to avoid the potential for sterilisation of any further minerals in proximity to current workings. In instances where different minerals are found in the same location, it is beneficial in environmental and economic terms for the minerals to be worked together. Concurrent working will be encouraged where it is demonstrated that this will maximise the recovery of the materials worked, including secondary materials.

4.1.9 It is not unusual for mineral operations to have some adverse impacts and the acceptability of such must be weighed against the benefits of exploring, appraising and winning minerals.

Implementation

4.1.10 In line with the Planning and Compulsory Purchase Act 2004, and as described in Appendix A 'Implementation, Monitoring and Policy Evaluation', the evidence base will be monitored and reviewed regularly. This policy will be monitored using the Joint Lancashire Local Aggregate Assessment; annual updates of which will also take into account neighbouring Local Aggregate Assessments, in particular the Greater Manchester, Merseyside and Warrington Local Aggregate Assessment, the administrative area of which has limited mineral resources and increasing economic growth aspirations and resource demands.

4.1.11 The policy should be read together with the most up to date local aggregate assessment, which is capable of being a material consideration, particularly as the plan period progresses. If, during the plan period, provision, production or need is not as expected, then the adequacy of the landbank could be reassessed when considering particular planning applications.

4.1.12 The average of three years sales data will be key when considering the general trend of demand, relative to the provision identified above, as part of the consideration of whether it might be appropriate to increase supply through the release of additional permitted reserves.

4.1.13 In line with the Planning and Compulsory Purchase Act 2004, and as described in Appendix A 'Implementation, Monitoring and Policy Evaluation', the Local Plan will be reviewed and kept up to date where necessary.

4.1.1 Managing Limestone Aggregate Supply

Policy MW 12

Limestone for Aggregate Purposes

Proposals for the winning and working of limestone for aggregate purposes will only be supported:

- At Dunald Mill quarry within the land shown on the Policies Map; or
- Where the proposal is to increase the working depth at an existing limestone aggregate quarry

Only if:

- it is necessary to contribute to the continuity of supply, or towards the end of the plan period for the maintenance of a suitable landbank in line with national policy; and
- does not give rise to significant amenity or environmental impacts,

Proposals will be permitted at Dunald Mill only if:

- they make satisfactory arrangements for the diversion of any highway affected; and
- satisfactory arrangements are made for the management of traffic generated by the proposal, and that these arrangements form part of a long-term solution to accessing existing and prospective extractive operations in the Kellet mineral resource area, such as the implementation of route MRT14 safeguarded through Policy MW 26 'Safeguarding of Land for Access Improvements' or a suitable alternative.

The precise extent of additional extraction and processing will be determined by detailed evaluation of environmental impacts and the introduction of appropriate measures to minimise those impacts to acceptable levels.

Justification

4.1.1.1 The policy aims to address a potential issue in the provision of crushed rock aggregate over the period of the plan identified in the Local Aggregate Assessment 2017. The concentration of limestone reserves in only a limited number of quarries may constrain the ability of the mineral industry to maintain production of limestone at a level commensurate with predicted annual demand during the plan period. The policy above would provide for greater flexibility over the plan period, particularly when existing reserves at individual quarries are nearing exhaustion. In addition the landbank is approaching the minimum level required by the NPPF at the end of the plan period, and will fall below it if sales continue or exceed recent levels.

4.1.1.2 To maintain Lancashire's required level of limestone production, any necessary additional provision could only be provided by the extension or deepening of existing sites[(25)]. Dunald Mill is identified as a reserve site because it offers the best prospect over other lateral extensions of

25 The scope for limestone quarrying is limited by the extent of the rock outcrop within the Plan area, much of which is in areas of great environmental sensitivity such as the Arnside/Silverdale AONB

ensuring a level and continuity in production levels (due to its planning permission currently being set to expire during the plan period) with the potential for only limited additional environmental impacts.

Implementation

4.1.1.3 Additional extraction at Dunald Mill quarry is anticipated to include land carrying a public highway which will be closed and a replacement highway would need to be provided. A route is safeguarded under Policy MW 26 'Safeguarding of Land for Access Improvements' and shown on the Policies Map which is considered would not significantly impact on neighbouring land uses.

4.1.1.4 Proposals must come forward with satisfactory arrangements for managing the additional traffic generated and will be expected to consider arrangements for accessing the Kellet mineral resource area in the longer-term, to ensure there is no increase in quarry traffic in the villages and to reduce the impact of traffic from ongoing operations. This could include the provision of a haulage road through Back Lane and Leapers Wood quarries, as safeguarded under Policy MW 26 'Safeguarding of Land for Access Improvements' and indicated on the Policies Map, and proposals will be expected to show proper consideration has been given to this alternative route.

4.1.1.5 Information on aggregate supply is reported in the Joint Authorities Local Aggregate Assessment.

4.1.1.6 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory when tested against the policies of the development plan. These outcomes will be monitored and reported in the Joint Authorities Monitoring Report.

4.1.1.7 Increasing the working depth of a quarry can have implications for the hydrogeology of the area. Proposals would need to demonstrate that unacceptable adverse hydrogeological impacts will not arise.

4.1.1.8 Due to the current confidentiality agreement placed on the AWP data, the Joint Authorities Monitoring Report cannot report on the proportion of the landbank held by the each of the minerals operators. Consequently, this policy will rely in part on the industry to provide information in support of an application.

4.1.2 Managing Gritstone Aggregate Supply

Policy MW 13

Gritstone for Aggregate Purposes

Proposals for the winning and working of gritstone for aggregates will only be supported where:

- The proposal is an extension to an existing site which will contribute to the continuity of local supply and does not give rise to significant amenity or environmental impacts; or
- The proposal involves the amending of boundaries at existing operations where the net area would not be extended and would result in significant net environmental benefits.

The precise extent of additional extraction and processing will be determined by detailed evaluation of environmental impacts and the introduction of appropriate measures to minimise those impacts to acceptable levels.

Justification

4.1.2.1 Gritstone permitted reserves do suggest a considerable over-provision during the plan period. However, these reserves are distributed unevenly between the quarries; a significant proportion of the gritstone reserve is at one site in Rossendale,where production at the present time and for the foreseeable future may be low.

4.1.2.2 Due to its physical properties gritstone is mainly used for graded fill, limestone can in addition be used in road building for sub base and coated stone[(26)]. Thus the main market for gritstone and shales for aggregate purposes is as a low cost material, and so the transport costs are much more influential in determining the viability of extraction operations or civil engineering projects.

4.1.2.3 As a result the market area for a gritstone quarry is typically much more limited than that of a limestone quarry. The existing distribution of gritstone quarries currently appears to ensure that local needs for bulk aggregate are met and discourages the use of limestones for low-grade uses.

4.1.2.4 The policy aims to address a potential issue in the provision of crushed rock aggregate over the period of the plan. Whilst total reserves are adequate to satisfy the objectively assessed need over the plan period, these reserves are unevenly distributed. Over time more of the production of gritstone aggregate would default to the larger quarries as those with smaller permitted reserves become worked out. This may constrain the ability of the mineral industry to maintain production of gritstone sufficient to meet the needs of the construction industry locally. The policy above would avoid a disproportionate weight being given to the landbank, over the potential economic benefits of the continued operation of the existing network of quarries. It will provide for greater flexibility over the plan period, particularly when existing reserves at identified sites are nearing exhaustion, in order to ensure the continuity of a local supply.

26 Some gritstone quarries, however, also produce premium products such as washed sand and roadstone

4.1.2.5 However, the benefits of maintaining a local supply must be measured against the impacts of a quarry's continued operation on the surrounding area, particularly given that the landbank is far in excess of that required to meet anticipated need. The majority of gritstone sites in the Plan area utilise long established sites and the scale of operations has increased many times over the original 'horse and cart' levels due to mechanisation and increased efficiencies in extraction and road transport. Environmental problems related to the effects of heavy lorry traffic using the original access can be significant. Applicants must demonstrate that access arrangements are acceptable, provide for alternative access where necessary[(27)], and should not result in an increase in the scale of operations such that the number of vehicle movements would increase significantly.

4.1.2.6 The cumulative impacts of the proposal, in combination with previous proposals, should not serve to significantly alter the character of the site, and proposals that significantly increase the scale of operations or the level of reserves beyond what is necessary to secure the quarry businesses needs during the plan period will not be supported.

Borrow pits

4.1.2.7 A local supply for specific large construction or engineering or construction projects can also be served through the use of short term borrow pits. The benefits associated with these are only apparent where the extraction would cease on completion of the construction scheme and where there are clear environmental advantages over using existing sources of supply (such as reducing long distance vehicle movements).

Net Environmental Benefit

4.1.2.8 In the case of historic permissions the areas with planning permission for mineral working are often extensive, and can include areas of ecological or landscape value. Proposals that include a surrender of permitted reserves affected by landscape or ecological value traded for a release of new permitted reserves can result in a net environmental gain. Net environmental benefits can also occur where proposals would enable a more sustainable afteruse or a better restoration of the area than that which the current planning permission requires.

Implementation

4.1.2.9 Information on aggregate supply is reported in the Joint Authorities Local Aggregate Assessment.

4.1.2.10 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory when tested against the policies of the development plan. These outcomes will be monitored and reported in the Joint Authorities Monitoring Report.

4.1.2.11 Due to the current confidentiality agreement placed on the AWP data, the Joint Authorities Monitoring Report cannot report on the proportion of the landbank held by the each of the minerals operators. Consequently, this policy will rely in part on the industry to provide information in support of an application.

27 In one instance an alternative access has been safeguarded for this possibility through Policy MW 26 'Safeguarding of Land for Access Improvements'

4.1.2.12 Fletcher Bank Quarry straddles the border between Lancashire and Bury. Whilst much of its permitted reserves are in the Plan area, its access is in Bury's administrative area, and most of its aggregates are sold to customers in Bury and Greater Manchester. For this reason it has been agreed by the North West Aggregate Working Party that its permitted reserves should be considered as part of the Greater Manchester aggregate provision. The need for any future release of permitted reserves at this site is therefore not reflected in Policy MW 11 'Aggregate Provision'

4.1.3 Managing Sand and Gravel Aggregate Supply

Policy MW 14

Sand and Gravel

Proposals for the winning and working of sand and gravel will be supported where:

- It is necessary to contribute to the continuity of supply during the plan period or the maintenance of a suitable landbank in line with national policy; and
- It does not give rise to significant amenity or environmental impacts.

Justification

4.1.3.1 The Local Aggregate Assessment 2017 indicates that permitted reserves will not be sufficient to meet forecast demand during the plan period, and that the landbank of permitted reserves for sand and gravel will reduce below the minimum of 7 years set out in the NPPF by 2026, indicating a release of new reserves of sand and gravel will be necessary. This need is in the region of a minimum of 0 to 1.84 million tonnes shortfall in supply, and an additional 2.8 - 3.64 million tonnes (depending on the use of the 3 or 10 year average) to provide for a 7 year landbank beyond the plan period.

4.1.3.2 An additional consideration is that the existing permitted reserves are distributed unevenly between the sand and gravel pits; a significant proportion of the permitted reserve is contained in one pit, where output had not commenced in 2017. This unequal distribution will increase during the plan period as all of the currently permitted quarries are expected to progressively become worked out.

4.1.3.3 However, the benefits of maintaining a local supply must be measured against the impacts of a quarry's continued operation on the surrounding area. Whilst sand and gravel pits are often worked over a shorter timescale than hardrock quarries, they are often more extensive and, because of the geology's influence on landscape and landscape quality, are often in areas of high landscape value and are not necessarily accessible from the primary road network.

4.1.3.4 The policy aims to address this potential issue in the provision of aggregate over the period of the plan by providing for greater flexibility, particularly when existing reserves at identified sites are nearing exhaustion, in order to ensure the continuity of a local supply.

4.1.3.5 There are two main factors when considering if a proposal is necessary:

- The number of active or permitted sand and gravel pits contributing to supply, the quality or quantity of that contribution, and their location relative to demand
- The need to maintain a sufficient landbank above that advocated in national policy

4.1.3.6 These must be weighed against the environmental impacts associated with that particular proposal in that particular location, the need to minimise the impact of traffic, and protection of the best quality landscapes and the best quality agricultural land. In particular the aim is to ensure that low quality materials (which can be substituted by other aggregates) are not obtained within environmentally sensitive areas.

Lower Hall Farm

4.1.3.7 Land owners have identified a mineral resource of 3 million tonnes of high quality sand and gravel at Lower Hall Farm, on the outskirts of Preston. The need for the reserves at Lower Hall Farm should be considered to be demonstrated by this policy, unless significant new reserves of sand and gravel are permitted during the plan period prior to Lower Hall Farm gaining planning permission. Notwithstanding this there will still be traffic, landscape and environmental impacts that will need to be mitigated satisfactorily to ensure that support for the winning and working of the minerals.

High Quality Sand

4.1.3.8 National policy provides for the calculation and maintenance of separate landbanks for any aggregate material of a specific type or quality. National planning guidance states that this could include sand used for concrete or asphalt. However, in the Plan area sufficient information is not available to separately and unambiguously define the reserves of the different aggregate types. Whilst river terrace sands generally produce high quality sands[28] and glacial sands (which are complex and highly variable through the plan area) usually produce only building sands, glacial sands are often capable of meeting the relevant specifications for concreting sand following washing or screening. Further to this only limited information is available on the output of these quarries, and due to the small number of sites operating and commercial confidentiality restrictions it would not be possible to quantify either the production levels or reserves of high grade relative to low grade sand. Further to this there are no restrictions imposed through the planning permissions on the end use of their outputs.

4.1.3.9 The size of a resource will often dictate the viability of the provision of processing facilities necessary to wash or screen sand to the relevant specifications, with resources of less than 1 million tonnes often not justifying the capital investment associated with the processing facilities.

4.1.3.10 Any weight that needs to be attached to the need or value of a resource should be informed by:

- The quality of the resource (a resource is of a higher quality if the proposal is to work it for concreting or asphalt sand)
- The availability of permitted reserves to serve the relevant market (in particular a specific mixing or batching plant) and
- the availability of alternative sources of supply.

Implementation

28 Sand that meets the relevant requirements of the appropriate BS EN specification

4.1.3.11 Information on aggregate supply is reported in the Joint Lancashire Local Aggregate Assessment.

4.1.3.12 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, including restoration conditions, or refusal of applications if proposals are unsatisfactory. These outcomes will be monitored and reported in the Joint Authorities Monitoring Report.

4.1.3.13 Due to the current confidentiality agreement placed on the AWP data, the Joint Authorities Monitoring Report cannot report on the proportion of the landbank held by the each of the minerals operators. Consequently, this policy will rely in part on the industry to provide information in support of an application.

4.2 Building Stone

Policy MW 15

Building Stone

Proposals for the winning and working of building stone for building and architectural purposes will be supported where:

- The primary purpose of the proposed quarrying operation would be to produce and sell building stone; and
- Proposals including the processing of building stone will only be permitted where any processing equipment is located within a building to minimise adverse impacts on amenity; and
- Proposals for the crushing of stone are restricted to a level which is small in scale, and ancillary to the winning and working of stone quarried from the site, and does not compromise the restoration of the site or cause significant transport impacts.

Justification

4.2.1 Building stone is used for new buildings, architectural cladding and restoration of historic buildings. Each type of stone has to fulfil specific physical characteristics and may be obtained from geological formations which are restricted in occurrence.

4.2.2 Good quality architecture, urban design and landscaping depend on the availability of newly quarried stone. The colour and texture of the stone is often important to ensure good matching with existing stonework in restoration projects or to maintain local distinctiveness in line with development plan design policies.

4.2.3 Proposals for the extension of building stone will be considered on their merits having regard to the geological issues and the volumes of material involved.

4.2.4 Quarries associated with the winning and working of building stone are often characterised by their small scale and low rate of working, and intermittent working schedule, and are often served by small rural roads where HGV movements can have a significant effect. They are often located in areas of significant landscape sensitivity. In these circumstances the need for the mineral should be balanced with the impact associated with its working, in particular with the nature and character of the area and the frequency with which the impacts occur. Before considering proposals in landscape sensitive areas, alternative locations should be investigated, with reference to the Lancashire Strategic Stone Study.

4.2.5 As described earlier the minerals and waste planning authority has a statutory duty, under the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special regard to the desirability of preserving the setting of a listed building (s66) and for special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area (s72). These will be given considerable importance and weight, relative to other material considerations, when considering any planning application.

<u>Aggregate as a by product</u>

4.2.6 It is recognised that building stone quarries could also produce aggregate from the removal of overburden and the winning and working of the building stone. Local Plan policy does not seek to prevent the necessary extension of building stone quarries where aggregates are produced as a necessary part of their working, but it is important to consider the impact of aggregate by-products on the supply identified when considering such proposals, and the impacts of the movements of aggregate on the local transport network.

4.2.7 Whilst many building stone quarries are small scale, others have developed over time, particularly in the 1930s as the construction industry changed, to be primarily crushed rock (aggregate) producers. However, in many aggregate quarries the mineral resource being worked is suitable for building stone applications, and some still maintain a degree of building stone output.

4.2.8 This could present some uncertainty as to which policy is relevant to a proposed development of this sort.

4.2.9 Proposals should be determined using a hybrid approach, under the relevant aggregate policy but with a degree of weight attached to the building stone resource appropriate to the circumstances of the application. The degree of weight will be informed by:

- The specific qualities of the mineral in relation to its use as a building stone
- The market served by the proposal
- The availability of alternative sources of supply both locally and serving a wider market
- Any unique historical or heritage market needs met by the mineral
- The quantities of building stone and aggregates proposed, informed by a detailed geological assessment of the quality and workability of the mineral resource
- An open book financial assessment of the contribution the building stone products will make to the viability of the proposal.

4.2.10 The principal reason for the different policy approach is due to the difference in the scale of operations associated with a traditional building stone quarry and a modern quarry, and will be particularly relevant when considering proposed developments in landscape sensitive areas.

Implementation

4.2.11 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report.

4.3 Meeting the Demand for Industrial Minerals

Policy MW 16

Industrial Minerals

Applications for the extraction of industrial minerals will be supported where:

- The landbank of permitted reserves supplying the manufacturing plant can be shown to fall below an acceptable level during the Plan period; or
- The mineral is needed to supply a particular special quality of material which cannot be met from elsewhere; or
- The release of permitted reserves is necessary to ensure the security of supply to justify a new investment in the manufacturing plant, and there is a reasonable degree of certainty that the investment will be implemented.

Justification

4.3.1 As well as our aggregate minerals, the Plan area produces significant amounts of minerals for use in cement production (limestone and shale) and in brick manufacture (clay and shales). These minerals are valued for their physical and chemical properties. However, their extent and quality fundamentally reflect geology and many are highly restricted in their occurrence.

4.3.2 These minerals typically require a longer landbank to provide security for the higher levels of investment in quarrying and processing facilities, particularly kilns. The expected landbank described in the NPPF are 25 years for brick manufacturing and 15 years for cement manufacturing.

4.3.3 It is possible that during the Plan period established sources of supply to one or more of these plants may fall short of this requirement. In addition, there remains the possibility that brickworks outside Lancashire may require materials from Lancashire, given the nature of the raw material.

4.3.4 Subtle differences in the properties of industrial minerals can make the performance of different minerals from one deposit quite different from another, limiting the potential sources of supply. This is likely to have a significant effect on any landbank figure published, as it may not reflect the diversity of supply necessary for the industrial process, or may contain hidden areas of low quality materials that are not suitable for processing.

4.3.5 Consideration will be given to the reasonable availability of supplies of an appropriate quality from elsewhere.

Implementation

4.3.6 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Annual Monitoring Report.

4.4 Onshore Oil and Gas Developments

Policy MW 17

Onshore Oil and Gas

Proposals for onshore oil and gas developments will only be supported where:

- The proposal is sited in the least sensitive location from which the target formation can be accessed;
- The proposal is either directly accessible from, or located in close proximity to, the primary route network, as illustrated on the key diagram;
- The proposal is sited, designed and operated to minimise environmental and amenity impacts;
- The cumulative impacts of the proposal, considered in combination with any other plan, project or programme, are acceptable;
- It can be demonstrated that there will be no adverse impact on the integrity of the geological structure;
- It can be demonstrated that greenhouse gases associated with fugitive emissions from the proposal will not lead to unacceptable adverse environmental impacts;
- Operations are for an agreed, temporary length of time;
- The well site and associated infrastructure are restored at the earliest practicable opportunity following the temporary operations.

In addition -

At the appraisal stage, where:

- An indicative framework of the resource is submitted to the Minerals and Waste Planning Authority setting out the extent of the reservoir and the extent of the area of search within the reservoir, informed by the earlier exploration work.
- Wherever possible any gas collected is utilised rather than flared.

At the production stage, where:

- A framework for the full development of the resource is submitted to the Minerals and Waste Planning Authority in which;
    - The number and location of well sites and associated infrastructure are justified in terms of their number and extent, and are progressively installed wherever possible;
        - The minimum number of well sites are proposed

- The well sites and associated infrastructure are sited in the least sensitive location from which the target formation can be accessed.

- A community benefits package is agreed and secured;
- No existing facilities could be used for the exploitation of the target formation.

Justification

4.4.1 The Government's energy policy is to ensure a secure, diverse and sustainable supply[29]. Government policy states[30] that shale gas development is of national importance. As set out earlier in the Plan, the Government expects Mineral Planning Authorities to give great weight to the benefits of mineral extraction; this includes shale gas exploration and extraction. However, it is recognised that the nations interest in developing indigenous onshore oil and gas resources can give rise to conflict with protecting the environment and the amenity of local people. This Plan, and the wider national policy, seek to ensure that these issues are considered in tandem such that a balanced decision is reached.

Directional drilling

4.4.2 Whilst minerals can only be worked where they are found, there is a greater degree of flexibility in the location of surface developments, relative to the location of the mineral resource, in onshore oil and gas developments as compared to quarrying, due to the nature of the winning and working of the mineral, and specifically the directional drilling techniques available to the industry. This offers some opportunities to locate development away from sensitive receptors[31].

4.4.3 To ensure the benefits of this flexibility are realised, applicants will be expected to carry out a site selection exercise, and applications should be supported by information that describes this process, and justifies the proposal over other sites.

4.4.4 Site selection should consider accessibility to the primary route network[32], the proximity to sensitive receptors including residential areas and designated wildlife sites, the proximity to protected landscapes, the availability of industrial land, the proximity to the water and gas distribution network, and the nature of the geology through which vertical or directional drilling is proposed.

Hydraulic fracturing

4.4.5 Hydraulic fracturing ("fracking") is a generic term for operations which aim to improve hydrocarbon flow rates in low permeability oil/gas reservoirs by increasing the natural fracturing in the rocks, or by creating artificial fractures. This is known as well stimulation. These operations

29 The areas currently licensed for oil and gas exploration as part of this policy are described in Appendix J 'Petroleum Exploration and Development Licences'.
30 the National Planning Policy Framework and energy policy written statement HCWS690
31 Subject to any limitations imposed by faults within the areas geology
32 The primary route network is illustrated in the key diagram and is made up of the main routes linking major destinations (mainly urban centres), these are the routes most suitable to HGVs. The suitability of sites that are not directly accessible from the primary route network, but instead require vehicles to travel on other roads once they leave the primary route network, will require an assessment of the suitability of the roads in question; this will include an assessment of the roads surface condition, width, bends, footpaths, visibility, and existing traffic movements (including recreational users such as walkers, cyclists and horse riders and a consideration of their unique needs and vulnerabilities), to provide an indication of its suitability for HGV movements.

vary, in choice and volume of fluid injected, pressures and rates, depending on specific reservoir attributes. They are likely to be associated with significant numbers of HGVs, over and above those required for oil and gas developments that do not require well stimulation, to bring in the fluid for injection and to remove the returned water (waste water arising from the well stimulation).

4.4.6 Applicants will be required to demonstrate that adequate arrangements can be made for the on-site management of this returned water and other wastes arising from the drilling and well stimulation process, including through reuse, recycling or treatment, so as to reduce vehicle movements; and that adequate arrangements can be made for the off site management or disposal of any remaining return water or sludges.

4.4.7 Proposals for hydraulic fracturing are likely to require an Environmental Impact Assessment (EIA); in developing proposals for hydraulic fracturing applicants should work on the presumption that environmental impact assessment will be necessary to support a planning application. The applicant is encouraged to request a scoping opinion from the minerals planning authority to determine the level of detail and breadth of information required.

4.4.8 For other onshore oil and gas development unrelated to hydraulic fracturing the minerals planning authority will consider whether any proposal for onshore oil or gas extraction requires an environmental impact assessment on a case by case basis.

4.4.9 The proposed development is EIA development where it is within schedule 1 of the Regulations (including amongst other things applications for extracting over 500 tonnes per day of oil or 500,000m^3 per day of gas), or is within schedule 2 (including amongst other things applications for deep drilling) and a screening process has shown it likely to have significant environmental effects. This screening process considers the nature, size and location of the proposed development, the environmental sensitivity of the location, and the characteristics of the potential impacts; in making this determination all applications are assessed on a case by case basis.

Phases of development

4.4.10 The main activities in onshore oil and gas development are exploration, appraisal, and production. It is a requirement of the NPPF to clearly distinguish between the three phases of development (exploration, appraisal, and production) when considering planning issues arising from onshore oil and gas developments, to ensure that undue burdens are not placed on an applicant at an early stage in the sites consideration. It also means that the grant of planning permission for exploration and appraisal does not carry with it any presumption that long-term production from those wells will be permitted, or that the development of other exploration or appraisal wells will be permitted. In addition to these planning matters, there are other technical matters that mean that not all exploration will lead to appraisal, and not all appraisal will lead to production.

4.4.11 Each phase is likely to include several distinct stages, with associated increases in activity and vehicle movements, including site establishment, delivery and removal of plant and equipment specific to that stage, drilling, and site disestablishment and restoration.

4.4.12 However, developments requiring well stimulation may not have the same discrete phases; exploration and appraisal may take place as a single process using the same wells. Information on the phases of development is presented below. Individual applications will be considered on their own merits and will not take account of future hypothetical activities for which permission has not yet been sought.

4.4.13 It is likely that activities associated with some phases will require 24 hour operation, particularly well drilling and well stimulation. Night time operations have an enhanced likelihood of impacting on residential or other sensitive land uses (hospitals, hotels, bird roosts, etc), due to the use of lighting and noisy activities at a time when they would be significantly more noticeable and disruptive. This will be particularly apparent in rural areas with relatively low background noise levels and limited artificial lighting. Whilst all development proposals will be required to demonstrate that they are sited and designed so as to minimise impacts, development proposals that require 24 hour operation are, for the reasons set out above, likely to have to provide significant levels of mitigation to demonstrate impacts are acceptable; this in turn may have an effect on the proposals visual impact which will also need to be taken into account.

- Exploration

4.4.14 Before commercial exploitation of oil and gas is begun exploration work is usually carried out to assess the location and extent of the deposit. Drilling of wells for oil and gas exploration is not permitted development and a planning application must be made.

4.4.15 If the resource is 'unconventional' (shale gas or coal bed methane for example) this may include stimulating the gas flow through hydraulic fracturing or dewatering. Consequently the exploration phase may include some hydraulic fracturing and dewatering.

4.4.16 Applications for planning permission will be assessed against the effects of the exploration activity rather than on the merits of any possible future proposals for commercial exploitation. Consideration will not include any hypothetical future proposal for development of the oil or gas resource. Applicants should indicate what knowledge has been gained from seismic investigations in selecting the well site.

4.4.17 The NPPG states that "*there is a pressing need to establish – through exploratory drilling – whether or not there are sufficient recoverable quantities of unconventional hydrocarbons such as shale gas and coalbed methane present to facilitate economically viable full scale production*". Subject to the effects on the environment being appropriately addressed and mitigated, and a satisfactory restoration and aftercare plan prepared, applications for exploration may be favourably considered.

- Appraisal

4.4.18 Should hydrocarbons or potentially hydrocarbon bearing strata be found as a result of the exploration phase the deposit will need to be defined through further testing and appraisal. Before the appraisal information is available it is difficult to evaluate the various options available or to assess the viability and potential environmental effects of commercial exploitation.

4.4.19 The appraisal phase may involve the carrying out of further exploratory work around an existing exploratory well (including additional drilling, in some instances including lateral drilling) to further define the deposit, and will also involve flow testing, sometimes over a period of 2 years

or longer. If the resource is 'unconventional' (shale gas or coal bed methane for example) the gas flow will need to be stimulated through hydraulic fracturing or dewatering. Developers will need to consider the proposed developments impact on land stability. Notwithstanding that DECC are responsible for controls to mitigate seismic risk, developers should provide details of any seismic monitoring and risk assessments carried out so as to be able to assess any land use planning implications.

4.4.20 At this stage sufficient volumes of gas may be captured to enable on site generation or distribution to the grid to take place, rather than flaring.

4.4.21 As with all other forms of development an application for appraisal must be considered on its merits.

4.4.22 At this stage the cumulative visual effect of an increased number of wells or an intensification of development in the local area will be a key consideration. As will the concentration of vehicle movements. Directional drilling may be used to minimise the number of sites required, and provides a degree of flexibility over site selection. Directional drilling is considered preferable to the creation of additional drill sites.

- Production

4.4.23 Proposals for the commercial development of a deposit should be presented to the mineral planning authority in an overall scheme providing for the comprehensive development of the deposit, to ensure it is exploited efficiently and in an environmentally satisfactory way. This comprehensive scheme will have to demonstrate that extraction, transportation and reclamation can be undertaken in a satisfactory way and that the potential risk from hazards can be kept to acceptable levels.

4.4.24 In submitting an application for the drilling of production wells the developer should justify the number of wells proposed using the knowledge gained from the exploration and appraisal stages, and demonstrate that the site(s) proposed are the most suitable given the above and below ground constraints, and that the number proposed is optimal – to minimise the cumulative visual impact the number of wellheads should be kept to a minimum. Directional drilling may be used to minimise the number of sites required to exploit a field, and provides a degree of flexibility over site selection. Directional drilling is considered preferable to the creation of additional drill sites.

4.4.25 Issues to be considered at this stage will include the need for gathering stations, compressors and scrubbers or the need for onsite generators, and the distribution infrastructure associated with either of these (gas pipelines or electricity cables). Landscape and visual impacts are likely to be significant considerations given that, whilst temporary in planning terms, the structures and land uses associated with the production and distribution phase are likely to be in place for 10-20 years.

4.4.26 However, there will be a degree of flexibility in locating the distribution infrastructure which should be utilised to reduce the visual impact; given this flexibility gathering stations should be located where they would not have unacceptable environmental impacts. Screening, landscaping and design, and sinking facilities below ground level should be utilised where necessary and appropriate. Where possible they should be located on industrial or brownfield land, and where they can feed into a long distance pipeline in preference to relying on road transport.

4.4.27 Proposals for distribution should also address the possible implications on the movement of animals, and agricultural activities, from the distribution network.

4.4.28 If the resource is 'unconventional' (shale gas or coal bed methane for example) the gas flow may need to be stimulated through hydraulic fracturing or dewatering throughout the productive life of the well. This will result in periods of increased levels of activity and infrastructure throughout the production phase. Developers should ensure prior notification of routine flow stimulation operations, where these are required through the lifetime of the development.

4.4.29 Developers will need to consider the proposed developments impact on land stability. Notwithstanding that DECC are responsible for controls to mitigate seismic risk, developers should provide details of any seismic monitoring and risk assessments carried out so as to be able to assess any land use planning implications.

Implementation

4.4.30 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Annual Monitoring Report.

4.4.31 Onshore oil and gas operations are the subject of a licensing system by the Department of Energy and Climate Change (DECC). Petroleum Exploration and Development Licences (PEDL) are issued by DECC through licencing rounds; these licences grant exclusive rights to the licencee over any oil or gas in the licence area. This is separate from the planning and pollution control regimes, and the licencee must still apply to the Minerals and Waste Planning Authority and the Environment Agency for the necessary planning permissions and pollution control permits.

4.4.32 There are restrictions on hydraulic fracturing contained in national legislation, and in the specific licences issued by DECC to operators. These restrict hydraulic fracturing to a set distance below the surface, and below protected areas (groundwater source protection zone 1, national parks, and AONBs)[33], and prevent surface development in certain protected areas (SSSIs, Natura 2000 and Ramsar sites, groundwater source protection zone 1, national parks, and AONB's)[34]. The Act also require that, in respect of the hydraulic fracturing activity restrictions, the Minerals and Waste Planning Authority are required to issue a notice upon the grant of planning permission confirming that the hydraulic fracturing will not take place within these protected areas, and also confirming that the Minerals and Waste Planning Authority have (where material) taken into account the cumulative impacts of the development, and other oil and gas developments.

33 The Petroleum Act 1998, amended by The Infrastructure Act 2015, and The Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015

34 specific PEDL licence restrictions

4.5 Meeting the Demand for Waste Management Facilities

Policy MW 18

Waste Management Provision

Development will be supported for waste management facilities to provide for the requirements of the Plan area identified below[35], subject to the other policies of the Development Plan.

- Provision over and above these amounts will be supported where this would contribute towards net self-sufficiency, and moving the management of waste up the waste hierarchy.
- The provision of capacity to manage these amounts at a faster rate than indicated will be encouraged.
- Provision should be made in accordance with the waste hierarchy and this should be addressed and justified as a prerequisite of any grant of planning permission.

Municipal Waste

Period	Arisings (tonnes)	Recycling and composting	Recovery	Landfill
2017-21	625,000 - 852,000	381,000 - 528,000	169,000 - 230,000	75,000 - 94,000
2022-26	573,000 - 929,000	350,000 - 623,000	155,000 - 251,000	56,000 - 69,000
2027-32	526,000 - 1,014,000	321,000 - 710,000	142,000 - 273,000	30,000 - 63,000

Commercial and Industrial Waste

Period	Arisings (tonnes)	Recycling and composting	Recovery	Landfill
2017-21	929,000 - 2,987,000	467,000 - 1,312,000	317,000 - 837,000	243,000 - 642,000
2022-26	749,000 - 3,347,000	443,000 - 1,626,000	256,000 - 938,000	153,000 - 563,000
2027-32	605,000 - 3,750,000	412,000 - 2,102,000	206,000 - 1,051,000	68,000 - 350,000

Construction, Demolition and Excavation Waste

Period	Arising (tonnes)	Recyclable	Recovery	Landfill
2017-21	3,678,000 - 6,336,000	1,361,000 - 3,801,000	993,000 - 2,218,000	317,000 - 1,324,000

35 figures may not add due to rounding

Period	Arising (tonnes)	Recyclable	Recovery	Landfill
2022-26	3,866,000 - 8,086,000	1,508,000 - 4,852,000	1,121,000 - 2,830,000	404,000 - 1,237,000
2027-32	4,063,000 - 10,320,000	1,625,000 - 6,192,000	1,219,000 - 3,612,000	516,000 - 1,219,000

Hazardous Waste

Period	Arisings (tonnes)
2017-21	102,000 - 163,000
2022-26	86,000 - 183,000
2027-32	69,000 - 210,000

Justification

4.5.1 The European Waste Framework Directive, the Waste Management Plan for England and the National Planning Policy for Waste Policy all seek to ensure that waste is produced and managed in an environmentally friendly and sustainable way. A key part of this is to drive waste management up the waste hierarchy.

4.5.2 We know that we do not manage all of our own waste, with some travelling out of the Plan area but also other waste coming into the Plan area from neighbouring areas and from further afield. This reflects the commercial and geographical realities of the waste management industry, and the wider economy. However, the economic, social and environmental impacts of transporting waste can be significant and should be reflected in the Plan. Net-self-sufficiency, where the movements of waste are balanced seeks to ensure that there is not a disproportionate reliance on either the export or import of waste, to the detriment of sustainability. It ensures that local communities can take more responsibility for their own wastes, and that there are opportunities to manage waste close to where it arises. For some larger or specialist facilities this will not be practicable.

4.5.3 This policy shows the amounts of waste to be dealt with during the plan period, based on national targets, as set out in the Local Waste Assessment. This requirement is based on a range of projections of demand for waste management capacity. It represents an estimate of need, and the bottom of the range should be viewed as a minimum not a ceiling[(36)]. The range of these figures reflects the uncertainties around future recycling targets, future economic conditions, and future waste arisings; they should be viewed within the context of the most up to date local waste assessment.

36 It should be noted that these figures should be approached differently when considering landfill capacity; the high range for landfill demand corresponds to the low range for recycling, composting and recovery. For example, the high range for landfill capacity will only be relevant if recycling and composting facilities are not delivered, or existing capacities are not maintained. Therefore the above tables should not simply be viewed as representing a mutually exclusive high and a low scenarios.

4.5.4 The Local Waste Assessment identifies several uncertainties around the projections and capacity data, and it must also be recognised that individual waste management facilities may provide for a general or specific service with the potential for significant overlap throughout the industry. Also that the waste management and recycled products markets can be unstable over time as prices and demand fluctuate relative to the markets and other external factors.

4.5.5 Consequently the following policies seek to provide for any waste management proposals which may come forward during the plan period through specific sets of criteria.

Implementation

4.5.6 In line with the Planning and Compulsory Purchase Act 2004, and as described in Appendix A 'Implementation, Monitoring and Policy Evaluation', the Local Plan and evidence base will be reviewed and kept up to date where necessary will be monitored and reviewed regularly. This policy will be monitored using the Joint Lancashire Local Waste Assessment.

4.5.7 The policy should be read together with the most up to date local waste assessment, which is capable of being a material consideration, particularly as the plan period progresses. If, during the plan period, provision, production or need is not as expected, then the information above could be reassessed when considering particular planning applications. In particular the closure of time limited facilities , or other facilities through other business/investment decisions, will be reflected in the local waste assessment.

4.5.1 Recycling, Sorting, Treatment and Recovery of Waste

Policy MW 19

Recycling, Sorting, Treatment and Recovery of Waste

Proposals for waste management development will be supported where it can be demonstrated that:

- They are suitably located on an appropriate industrial area or landfill site; and
    - Where the development is proposed at a landfill site;
        - the waste management method should be reasonably related to the operation of the landfill site; and
        - the proposal is time limited for the same duration as the landfill permission;
- They are appropriate to their location in scale, form, character and siting; and
- The highway network and site access can satisfactorily accommodate the traffic generated; and
- All operations and stockpiles are located within buildings unless it can be demonstrated that no harm to amenity will take place.

Justification

4.5.1.1 There are substantial benefits to be gained from recycling and treating wastes; in particular reducing the risk of pollution, reducing the demand for landfill sites, conserving natural resources, and economic benefits both directly through a range of investment and employment opportunities, and through the support it provides to other businesses and industries.

4.5.1.2 However, these activities can also have disadvantages; they can involve large numbers of vehicle movements, they may be unsightly in appearance especially if undertaken in the open, and they may result in noise and dust.

4.5.1.3 It should be recognised that recycling and recovery are not waste management options to be pursued at any cost. Proposals should not give rise to unacceptable adverse impacts on the environment or people.

4.5.1.4 Waste management operations are generally similar to industrial activities, particularly when they are enclosed in purpose designed buildings. The policy refers to appropriate industrial areas as acceptable locations for these developments. Industrial areas are those allocated as suitable for the general industrial classes in the district local plan, or currently in industrial use. However, what is appropriate industrial land needs to be considered in terms of the scale and nature of the proposal, considered against the size, transport connections, existing industrial users and other neighbours, and the proximity to sensitive receptors.

Landfill Sites

4.5.1.5 Facilities located on landfill sites can serve to remove recyclables from waste that would otherwise be disposed of in the landfill. However, given that landfill sites are generally in rural areas it would be inappropriate for these recycling operations to continue beyond the life of the landfill, as they would likely represent an inappropriate industrial development in the countryside. It would also not necessarily be appropriate for wastes that were not otherwise destined for disposal in the landfill to be imported to the recycling facility, as this could represent an unsustainable movement of waste outside of the key waste producing areas identified on the key diagram.

Other areas

4.5.1.6 There may be situations where development outside of these areas would be appropriate, either due to the nature of the proposal, or due to the lack of available industrial land and the pressing need for the proposal in that area. In the case of the former there are several policies in the Local Plan which provide criteria for consideration. When there is a lack of available industrial land and a proposed development is brought forwards outside of a suitable industrial area, applicants will be required to demonstrate this in the application through a site selection process. The need for the proposed development in that area will also need to be demonstrated by the applicant, with an expectation that developments would mainly be expected to come forwards in the key waste producing areas identified on the key diagram.

4.5.1.7 National policy presents a brownfield first approach in such circumstances, and unallocated brownfield land that is still industrial in character may be appropriate if allocated industrial land is not available. These sites should be identified in the site selection process, and if they are ruled out this should be justified.

4.5.1.8 When assessing the suitability of the proposed development's location, the suitability of the local highway network will be a key material consideration, as would the visual and amenity impacts of the proposal. Balanced against this would be a consideration of the proposed developments contribution to moving waste up the waste hierarchy.

Larger than Local

4.5.1.9 It is generally preferable for recycling and treatment facilities to be located close to the producers of waste in order to reduce transportation. However, due to economies of scale and the specialist nature of some waste treatment and material specific recycling processes, some proposals may have catchment areas extending far beyond the Plan area.

4.5.1.10 The area of search for such sites should reflect the location of major waste producing areas as set out on the key diagram, and should be directed towards the central Lancashire corridor and the east Lancashire M65 corridor, though other accessible locations may also be appropriate.

4.5.1.11 None the less, given the potential for significant amounts of waste to be moved over significant distances, the frequency and type of vehicles serving them, and due to the nature of their centralised position in the supply chain, these facilities should be located on sites directly accessible from the strategic road network. So as to reduce the burden on the highway network, and ensure the proposal does not encourage unsustainable waste movements, the site should also be rail accessible and should make use of rail transport for the receipt of all deposits arising from beyond the Plan area wherever the volumes transported would make this practicable.

4.5.1.12 Given the larger catchment areas and the wider needs served by this type of facility, it may be necessary to consider proposals in the regional or national context, and not just on local subregional considerations.

Implementation

4.5.1.13 The policy applies to amendments to existing planning permissions and applications for new planning permissions. It will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report - the capacity of new waste management facilities by type is a monitoring indicator.

4.5.2 Construction, Demolition and Excavation Waste Recycling

Policy MW 20

Construction, Demolition and Excavation Waste Recycling

Developments for construction, demolition and excavation waste recycling facilities will be supported at:

- Operational quarries and landfill sites where they do not compromise the long term restoration of mineral workings and landfill sites back to a beneficial afteruse within the original timescale of the parent permission, and would not give rise to a significant increase in existing vehicle movements.
- Industrial areas where it is compatible with neighbouring land uses, where the facilities will be expected to be housed within a building, unless it can be demonstrated that no harm to amenity will take place.
- Construction and demolition sites where no material will be imported to the facilities at the site from elsewhere and where the facilities will be removed on completion of the construction and demolition project.

Justification

4.5.2.1 Construction and demolition waste includes soil, brick, concrete, steel, timber, plastics etc. Once sorted the inert portion can be screened or crushed to produce a material suitable for use in the construction industry (recycled aggregates). Excavation wastes will generally consist of subsoils and clays, which can be screened to produce soil mixes, often combined with composts. They have an increasing use in new construction and road building and play a valuable role in reducing the demand for new virgin material to be quarried for use as primary aggregate.

4.5.2.2 To support the conservation of primary aggregates and the prudent use of our resources we must have in place sufficient construction, demolition and excavation waste recycling facilities to provide the necessary capacity for recycled and secondary materials. Lancashire's recycling industry has grown over recent years, with a dozen or so recycling facilities now located across Lancashire and the increasing use of mobile recycling facilities at major development sites for reuse on site or for general sale.

4.5.2.3 There are advantages in co-locating construction, demolition and excavation waste recycling and processing facilities on mineral and waste disposal sites. In terms of mineral sites the materials are broadly similar in nature,as are the processes that they need to undergo (crushing, screening and grading) and potentially there are transport related savings to be made. At waste sites the introduction of screening facilities could reduce the amount going into the landfill and also provide a source of material for intermediate cover and road making thus reducing the need for virgin material.

4.5.2.4 However, we can also achieve higher rates of recycled and secondary aggregate use, in place of primary minerals, by providing a greater capacity of processing facilities near to the sources of construction, demolition and excavation wastes, our larger towns, and particularly Lancashire's regeneration areas.

4.5.2.5 Complementing this approach, temporary recycling facilities will be encouraged at larger sites of construction, demolition and highway projects where there are environmental benefits to be gained from the treatment of construction, demolition and excavation wastes, and re-use on-site where possible.

Implementation

4.5.2.6 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report.

4.5.3 Energy from Waste

Policy MW 21

Energy from Waste

All developments that include processes capable of recovering energy from waste will be required to include measures to capture any heat or electricity produced directly or as a byproduct of the waste treatment process and either use it on site or export it to the national grid or a local energy or heat consumer.

Proposals for combined heat and power may be supported on sites not compatible with Policy MW 19 'Recycling, Sorting, Treatment and Recovery of Waste' where:

- The benefit of the location in terms of connectivity to heat users or distribution systems outweigh the negative impacts associated with the proposal in that location.

Justification

4.5.3.1 There are a number of waste management technologies that extract energy from waste, either through biological or thermal processes, with heat as a byproduct. These include pyrolysis, anaerobic digestion (including landfilling), gasification, and incineration. The heat can be used in the facility or exported to be used in nearby industrial processes or to heat nearby buildings. Electricity generated can be used to power associated machinery on site or exported either to the grid or by private wire to neighbouring developments. The production of heat and electricity in this way serves to displace carbon dioxide that would otherwise have resulted from the combustion of fossil fuels. Climate change is something we must all address; the development of waste facilities should be seen as a potential opportunity to reduce carbon emissions and our carbon footprint.

4.5.3.2 Particular attention should be given to the location of the plant to ensure opportunities for heat use.

4.5.3.3 Proposals will be required to demonstrate that the scheme offers the best practicable use of the energy resource,through the submission of a Combined Heat and Power Feasibility Review in support of an application, assessing potential commercial opportunities for the use of heat from the Development . Every effort should be made to find an end user for the heat in order to ensure the process occurs with the highest possible efficiency. Where relevant the Minerals and Waste Planning Authority may either ensure through condition future use of heat is implemented, or that any proposal for Combined Heat and Power ensures heat is used straight away, or at least that infrastructure is laid down in readiness for future heat users. The design should ensure that there are no barriers to the future supply of heat to the boundary of the site.

4.5.3.4 If there is no immediate opportunity or demand for the surplus heat, the Minerals and Waste Planning Authority may condition the planning permission with the ongoing monitoring and full exploration of potential commercial opportunities to use heat from the development as part of a Good Quality Combined Heat and Power scheme (as defined in the CHPQA Standard), and for the provision of subsequent reviews of such commercial opportunities as necessary. In the event that viable opportunities for the use of heat in such a scheme are identified, a scheme for the provision of the necessary plant and pipework to the boundary of the site may be required.

4.5.3.5 Heat maps or lists of industrial processes that are significant users of electricity or heat held by the district councils may be useful when identifying sites for these sorts of facilities.

Implementation

4.5.3.6 This policy will be implemented through pre-application discussions and the development management process, ultimately through the approval of planning applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; these outcomes will be monitored and reported in the Joint Authorities Monitoring Report. The implementation of this policy will involve other policies of the development plan, but DM2 and DM3 in particular.

4.5.3.7 District planning authorities will be considering similar proposals through their planning function, but any process that uses waste as a feedstock is considered a County Matter planning application and will be dealt with by the Waste Planning Authority.

4.6 Landfill

4.6.1 Landfilling of Waste

Policy MW 22

Landfilling of Waste

Where an application is made to extend the time limit on an existing permission it will be supported subject to conformity with other policies of the development plan. Such time extensions will, where appropriate, set out the requirement for a review of the void consumption and proposed restoration scheme before the commencement of key phases in the proposals delivery.

Where conditions already outline a review process, time extension will not be supported without significant sustainability benefits.

New development will only be supported where it can be demonstrated that the permitted capacity will not be available over the long term, or where it can be demonstrated that the proposal will meet a specific need that is not provided for elsewhere, and where it will not prejudice the movement of waste up the waste hierarchy.

Justification

4.6.1.1 Landfill represents the bottom of waste hierarchy. Early in the plan period it will represent a necessary part of the waste management industry; however, as the plan period progresses, various factors may come to influence the demand for landfill disposal. Consequently there is a greater degree of uncertainty over the predicted demand for landfill void over the plan period.

4.6.1.2 A reduction in demand for landfill is reflected now through unused landfill void, and applications for time extensions to existing landfills. Whilst these will be supported, to ensure the sustainable use of an existing void and to avoid the need for new releases of land later on, a delay in the implementation of the restoration scheme will affect the balance to be made between the benefits of the development and its impact.

4.6.1.3 Consequently it is appropriate that any scheme for landfilling should include a review mechanism, either through condition or planning agreement, to assist in identifying future issues with the timing of the delivery of the restored landform. This should provide for a contingency position for restoring the site by the due date to a suitable landform, in the event that the development is not capable of completion as a result of market, commercial or other factors. Regular reviews should be agreed to monitor progress of operations where it is appropriate to do so, for example, for developments of a long duration or where demand is more unpredictable. This will provide an early indication where completion to consented limits is unlikely to be achieved and when the contingency position is to be adopted to ensure an acceptable conclusion to activities.

4.6.1.4 If a review indicates that such a delay is likely, alternative options for the completion of the restoration could include raising the basal layer of any remaining cells, importing inert waste to fill the remaining void, or not implementing a phase or partial phase.

Non hazardous

4.6.1.5 The Local Waste Assessment identifies the predicted total landfill capacity requirements for non-hazardous waste during the Plan period. This indicates that there is no immediate need for new landfill capacity. Never the less it is a situation that needs close monitoring given the uncertainties inherent in the projections; whilst the local waste assessment indicates that there is sufficient capacity to provide for predicted demand under most scenarios, it indicates that in certain circumstances new capacity may be necessary.

4.6.1.6 As the plan period progresses, landfill capacity will reduce through the deposition of waste. The only long term landfill capacity available in the Plan area is held at Whinney Hill landfill site. The availability of this capacity is dependent upon material being quarried in a timely manner as part of the operation of the Huncoat brickworks.

4.6.1.7 The progression of these works, and the consumption of the available voidspace, will require careful monitoring; should this indicate that the landfill capacity at Whinney Hill is likely to become unavailable or significantly restricted in relation to the demand for landfill capacity, this will be addressed through a review of the Plan. However, given that landfill is at the bottom of the waste hierarchy, and to ensure that wastes are not needlessly transported over long distances, any new capacity must meet a need for waste management that is not adequately provided for elsewhere.

Hazardous

4.6.1.8 Given the presence of a generalist hazardous waste landfill in the Plan area at Whitemoss, and the large extension recently granted permission, there is unlikely to be a need for additional capacity during the plan period, unless it can be demonstrated that it would serve a particular specialist local need.

Implementation

4.6.1.9 The requirement for landfill capacity and the availability of landfill capacity will be closely monitored - the remaining landfill void space is reported in the Joint Authorities monitoring report. Should regular monitoring indicate that landfill capacity is likely to become unavailable or significantly restricted, in relation to the required landfill capacity, this will be addressed by a review of the Local Plan.

4.6.2 Landfilling of Low Level Radioactive Waste

Policy MW 23

Landfilling of Low Level Radioactive Waste

The disposal of low level radioactive waste will only be supported for:

- A proposal for the disposal of very low level radioactive waste arising from the Springfield nuclear fuel manufacturing complex, on operational land within this complex;
- Proposals within existing landfill sites that would not result in significant movements of waste from beyond the Plan area.

Justification

4.6.2.1 Within Lancashire there are specific requirements for the disposal of large volumes of very low level radioactive waste derived from Springfield nuclear fuels manufacturing complex[37].

4.6.2.2 The plan area contains a number of active landfill sites; currently only one of these, Clifton Marsh landfill site, situated approximately 2km south of the Springfield nuclear fuels manufacturing complex, has planning permission and environmental permits for the disposal of low level nuclear waste. In order to preserve the capacity at the national Low Level Waste Repository applications may come forwards in the plan area for the disposal of low volume low level waste at other landfill sites.

4.6.2.3 However, the nuclear industry operates throughout the UK, and proposals of this nature are likely to involve large volumes of waste. Despite the specialist nature of the waste producer, the disposal of low level waste to landfill is in principle no different to the disposal of other wastes to landfill, in land use terms, with the exception that it is subject to the necessary radionuclei safety assessment by the Environment Agency. Consequently their transportation over long distances cannot be easily justified[38]. Proposals for the disposal of low level radioactive waste in the Plan area will only be supported where they are primarily for the disposal of wastes arising in the Plan area. Proposals which would manage significant volumes of waste from outside the plan area would be likely to represent an unsustainable use of land in that location, due to the distances travelled by the vehicles associated with their operation.

4.6.2.4 In light of the need to reduce the movements of low level radioactive waste, and the uncertainty over the potential availability of a local disposal facility, a site suitable for the disposal of very low level radioactive waste has been identified within the cartilage of the Springfield nuclear fuel manufacturing site, to provide for its long term security. The site is suitable to maintain an adequate landfill capacity for the type and quantity of waste produced by the facility.

37 Other wastes produced or predicted to arise within the plan area include those arising from the lifecycle of the Heysham nuclear reactors, which are managed at specialist facilities based outside the plan area catering to a national catchment area. Also within the plan area are several sources of anthropogenic non nuclear industry (hospitals, universities etc), these waste arisings are typically managed at conventional landfills or incinerators.

38 In addition, operators of nuclear licenced sites are required to prepare low level waste management plans, setting out how the wastes generated through the life cycle of the site will be managed, as part of the environmental permitting process overseen by the Environment Agency. These plans should be in accordance with the waste hierarchy, informed by an assessment of the risks to public health, and a consideration of all practicable options. When preparing these transport must be explicitly considered, taking into account the volumes and activity of the waste as well as the distance over which it will need to be transported for each option. Alternatives to long distance transport are particularly relevant where large volumes of lower activity wastes are produced.

Implementation

4.6.2.5 Approval of applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; to be monitored and reported in the Joint Authorities Monitoring Report - the remaining landfill void space is reported in the Joint Authorities Monitoring Report. Allocations that are not taken up will be reviewed and updated at least every 5 years.

4.6.3 Construction, Demolition and Excavation Waste Deposits to Land

Policy MW 24

Construction, Demolition and Excavation Waste Deposits to Land

Development for the deposition of construction, demolition and excavation waste will only be supported where the applicant can demonstrate that:

- The benefits of the proposal outweigh any potential harm arising from the proposal; and
- The highway network and site access can satisfactorily accommodate the traffic generated.

Justification

4.6.3.1 Following construction, demolition and excavation waste recycling there may still be a proportion for which there is no demand from the construction industry. In addition, the nature of subsoils in the Plan area (normally heavy boulder clay) means that there is often little potential for the reuse or recycling of excavated spoil. In these instances recovery to land, in the form of landscaping or acoustic bunds, or agricultural improvements, or finally disposal to landfill, may be the most sustainable option.

4.6.3.2 Consequently there will remain a need for the continued deposition of waste to land during the plan period. This will take the form of short term local agricultural improvements or landscaping schemes associated with construction projects, and longer term quarry restorations or dedicated landfill sites.

4.6.3.3 Agricultural improvements through the deposit of waste can be necessary to address a localised water-logging issue, or to make a field more accessible to machinery or livestock. In these instances it is necessary to ensure that the proposal results in conditions that are at least equivalent to the original quality of the agricultural land.

4.6.3.4 Proposals for the deposit of waste that cannot otherwise be recycled in voids created by minerals extraction may be acceptable, in particular restoration works to increase biodiversity, for safety reasons, or to provide for an agricultural end use, though the quantities of inert waste proposed should be proportionate to the need and not excessive. By restricting the tipping of recyclable waste the Plan seeks to drive an increase in construction, excavation and demolition waste recycling and reuse.

4.6.3.5 In all cases, the restoration or other benefits of the deposit to land must be balanced against the potential environmental or social impacts of the proposal. In particular, given the likelihood that most proposals will come forwards in rural areas, the impact on the road surface through wear and in particular on road safety through the tracking of soil onto the road or the size and frequency of vehicles associated with the proposal will be relevant. Impacts of noise, dust and potential issues around flooding will also be important.

Implementation

4.6.3.6 Approval of applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; to be monitored and reported in the Joint Authorities Monitoring Report - the remaining landfill void space is reported in the Joint Authorities monitoring report. Allocations that are not taken up will be reviewed and updated at least every 5 years.

4.7 Safeguarding Developments and Infrastructure

4.7.1 Safeguarding Minerals Infrastructure

Policy MW 25

Safeguarding Minerals Infrastructure

Proposals for incompatible development in close proximity to minerals infrastructure and their operations will only be supported where:

- They are designed or located so as to be compatible with any impacts arising from the minerals infrastructure; and
- They would not give rise to any unacceptable impact upon the operations of the minerals infrastructure.

Minerals infrastructure operators shall be consulted as part of any planning application for incompatible development within the safeguarding area.

Justification

4.7.1.1 In certain parts of the Plan area there is an increasing demand for developable land; where other suitable sites are not available this can result in encroachment upon minerals infrastructure by incompatible development[(39)]. These types of land uses are therefore likely to be incompatible within close proximity to the minerals infrastructure identified below.

4.7.1.2 In line with the 'agent of change' principle, proposals for development must consider the potential disturbance arising from the minerals infrastructure's operations upon the proposed development, and where necessary ensure that they are located or designed in such a way as to reduce or remove those impacts; so that the future of the safeguarded operation will not be prejudiced. Failure to do so is likely to result in impacts upon the future residents or land users of the proposed development, and a concomitant impact on the operations of the minerals infrastructure as the operator seeks to respond to complaints arising from these impacts.

4.7.1.3 The impacts upon the operational practices of the minerals infrastructure potentially resulting from the encroachment of incompatible development may give rise to significant economic impacts in the Plan area, affecting the supply of construction materials, and should be considered as part of the determination of relevant planning applications.

Minerals Infrastructure Safeguarding Areas

4.7.1.4 Minerals infrastructure safeguarding areas are defined on the policies map, extending 250m[(40)] around the identified minerals infrastructure described below. Within these safeguarding areas this policy should be applied, and operators should be consulted on any application within them. However, due to the nature of minerals infrastructure and the operations associated with

39 housing or other sensitive developments (such as hospitals or hotels) which may be impacted upon due to the early morning/late night operations of the mineral industry, or the noisy/dusty nature of some of their operations

40 400m around hardrock aggregate quarries

them, safeguarding implications may extend beyond the area identified on the policies map. The policy may also therefore be applied outside of the minerals infrastructure safeguarding areas under some circumstances[41].

Coating and batching plant

4.7.1.5 Coating[42] and batching[43] plant are vital to support the local construction industry, and thus the wider economy, through their role in manufacturing and distributing materials key to the delivery of new infrastructure. However, the market for these materials often requires irregular operating hours, and in particular early morning or nighttime operations and vehicle movements associated with those operations.

Aggregate Wharfs

4.7.1.6 In setting out the revised National and regional guidelines for aggregate provision 2005-2020 one of the assumptions made is that the importation of marine aggregates into the north west will substantially increase in future years as a replacement for land based sand and gravel. There are very few wharves capable of receiving such material in the Plan area and as such any site capable of such use should be safeguarded for the future.

4.7.1.7 Historically the Port of Heysham has imported marine dredged aggregate in bulk and distributed from there by road. Although this use has recently ceased, should there be a future requirement for importation of marine aggregate or crushed rock then this site would appear to be the only site suitable for meeting such requirements.

Minerals Railheads

4.7.1.8 National Policies encourage an alternative to bulk transportation of minerals by road and support the sustainable movement of waste/minerals, seeking where practical to use alternative modes of transport such as rail, sea or inland waterways. The only site within the plan area where this occurs at present is Ribblesdale Cement Works ,Clitheroe.

4.7.1.9 Land should be protected from alternative development that would prevent its effective use for rail freight generating uses.

Quarries and known mineral resources

4.7.1.10 In the Plan area there are a substantial number of existing mineral sites and permitted reserves where conflict with future development could arise.

4.7.1.11 Proximal sterilisation of potentially workable reserves should be considered, as well as sterilisation of currently permitted reserves brought about by possible changes or restrictions to working practices necessary in order to avoid impacts on the proposed development. To facilitate this mineral consultation areas are defined including known resources adjacent to the quarry's reserves. To reflect the use of blasting in hard rock quarries, the minerals infrastructure safeguarding area is extended to 400m around hard rock quarries.

Implementation

41 For example where the topography or landscape lacks natural screening features , or where the infrastructure is accessed from a single road off the primary route network

42 A plant to combine various materials (bitumen, aggregates etc) and heat them to make asphalt/tarmac

43 A plant to combine various materials (aggregates, cement, water etc) to make concrete

4.7.1.12 This policy will be implemented through the approval of applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; to be monitored and reported in the Joint Authorities Monitoring Report. It is likely that the majority of applications that are likely to come forward will be submitted to the Local Planning Authority to determine.

4.7.1.13 Pre-application discussions and engagement is useful as it will enable an applicant to be better informed of what is required at submission, allowing more time for evidence to be collected and considered before the scheme is finalised and submitted to the LPA. This serves to reduce the risk of a delayed, prolonged determination of an application.

4.7.1.14 The relevant mineral operator shall be consulted for any applications for incompatible development within the minerals infrastructure safeguarding area.

4.7.2 Safeguarding Land for Access Improvements

Policy MW 26

Safeguarding of Land for Access Improvements

The Minerals and Waste Planning Authority will safeguard land for:

- Relocated access to Whitworth Quarry Complex
- Re-alignment/diversion of Long Dales Lane, Dunald Mill
- Haulage route through Back Lane and Leapers Wood Quarries

Justification

4.7.2.1 The majority of minerals and waste will, however, continue to be moved by road, and a number of the current and proposed sites within the Plan area suffer from poor access. Safeguarding proposals have been identified where improvements could be made to reduce the impacts on these locations. These proposals are an effort to raise the profile of access improvements and alternative roads in improving the amenity of these areas, and particularly to ensure these opportunities are taken into account when new development comes forwards.

Implementation

4.7.2.2 Approval of applications subject to appropriate conditions, or refusal of applications if proposals are unsatisfactory; to be monitored and reported in the Joint Authorities Monitoring Report. In the majority of cases planning applications would be part of applications for minerals and waste development which would need to ensure improvements were made prior to implementation of those permissions, possibly necessitating the implementation of Policy MW 3 'Planning Obligations'. All of the schemes set out above would require implementation and funding by the applicant to realise the associated development. Allocations that are not taken up will be reviewed and updated at least every 5 years.

Appendix A Implementation, Monitoring and Policy Evaluation

The Minerals and Waste Planning Authority have a statutory requirement to keep under review matters which may be expected to affect development in the plan area (s13 (1) of the Planning and Compulsory Purchase Act 2004). They also have a statutory requirement to keep the local plan under review, having regard to the results of the review above (s17 (6) of the Planning and Compulsory Purchase Act 2004).

The NPPF states that Local Plans should be kept up to date and regularly reviewed; the NPPG suggests that most Local Plans are likely to require updating in whole or in part every five years.

As part of this review the Minerals and Waste Planning Authority will produce and regularly update a Local Aggregate Assessment and a Local Waste Assessment, as well as contribute to work on any regional monitoring reports produced by working groups such as the aggregate working party or waste network. The Minerals and Waste Planning Authority will report annually on the extent to which the policies of the Local Plan are being implemented, and where appropriate this report will contain information on the progress made towards implementing the Local Development Scheme.

Monitoring indicators are identified; any significant changes in these indicators (relative to the figures set out in policy) will prompt a consideration of the implications on the Local Plan, and may prompt a partial review of the Local Plan policies.

Policy Aim	Mechanism	Stakeholder Responsible	Monitoring Indicator	Implementation Issue
Protect mineral resources from permanent sterilisation by other development Protect coating/batching plant and safeguarded land for access improvements from inappropriate development	Mineral resource to be a material consideration in determining planning applications within safeguarded areas.	LPA. Applicant.	• Planning permissions refused/granted in safeguarded areas.	Reliant on district/developer awareness of the policy.

Policy Aim	Mechanism	Stakeholder Responsible	Monitoring Indicator	Implementation Issue
Maximise the use of recycled and secondary materials in all new development	Sustainable construction to be a material consideration in determining planning applications .	Applicant LPA.	• Demolition protocol accompanying large planning applications	Investment is influenced by economy and landfill tax escalator. Reliant on district/developer awareness of the policy.
Extract sufficient minerals to meet our contribution to local, regional and national needs	Refuse or approve planning applications with the use of appropriate conditions where necessary, should the policy criteria be met.	M&WPA. Applicant - minerals industry Land owners	• Distribution and well pad density of planning permissions for energy minerals granted/refused • Amount of permitted reserves and production/sales of aggregate minerals, including a consideration of productive capacity and distribution. • This reserve expressed as a landbank. • Time extensions approved/refused.	Should the industry develop to the extent that there are 10 wells per 100km^2 this may indicate a review of the Plan should be considered. Some permitted reserves may not be extracted during the plan period, due to economic or practical constraints on the resource. The availability of information on permitted reserves/landbanks of individual operators or quarries. Difficulties may be encountered securing the access improvement identified. Projected demand may change.

Policy Aim	Mechanism	Stakeholder Responsible	Monitoring Indicator	Implementation Issue
			• Major infrastructure projects granted planning permission. • GVA of minerals industry.	
Provide for a suitably located network of waste management facilities	Refuse or approve planning applications, with the use of appropriate conditions where necessary.	M&WPA. Applicant - waste industry. Land owners.	• Capacity of permitted facilities, by management type. • Major infrastructure projects granted planning permission. • GVA of waste industry.	Investment in, and provision of, facilities is directly related to the economy and the landfill tax escalator. Land owners changing aspirations for site. LPAs changing long term aspirations for areas around allocated land. Projected demand may change. there are acknowledged issues around the availability of waste arising information.

Appendix B Aggregate Objectively Assessed Need (Local Aggregate Assessment 2017, using 2016 data)

B.1 Sand and gravel: Permitted reserves are sufficient to meet forecast demand, however all current sand and gravel extraction planning permissions expire during the forecast period, and half of the permitted reserve is held in one quarry. Also the landbank will be reduced below acceptable levels during the forecast period. In addition recent demand, as illustrated by the 3 year average of sales, has increased above the 10 year average.

2017-2032	Sub-regional forecast (mt)	10 year average land won sales forecast (mt)	3 year average land won sales forecast (mt)
Annual demand	0.44	0.4	0.52

	Sub-regional forecast (mt)	10 year average land won sales forecast (mt)	3 year average land won sales forecast (mt)
Forecast demand	6.6	6	7.8
Permitted reserves	7	7	7
Shortfall in supply	-	-	- 0.7
Surplus in supply during forecast demand period	-0.4	1	-
Representing a landbank of x years	-	3	

B.2 Limestone: The permitted reserves are sufficient to meet forecast demand, but will be held in a dwindling number of quarries. Also the landbank may be reduced below acceptable levels during the forecast period. In addition recent demand, as illustrated by the 3 year average, is increasing.

2017-2032	Sub-regional forecast (mt)	10 Year Average forecast (mt)	3 year average sales forecast (mt)
Annual demand	2.54	2	2.18

	Sub-regional forecast (mt)	10 Year Average forecast (mt)	3 year average sales forecast (mt)
Forecast demand	38.1	30	32.7
Permitted reserves	58.02	58.02	58.02
Shortfall in supply	-	-	-
Surplus in supply during forecast demand period	19.9	28	25.4
Representing a landbank of x years	7.8	14	11

B.3 Gritstone: The permitted reserves are sufficient to meet forecast demand, but the majority of the permitted reserve is held in one quarry. In addition recent demand, as illustrated by the 3 year average, is increasing.

2017-2032	Sub-regional forecast (mt)	10 year average forecast (mt)	3 year average sales forecast (mt)
Annual demand	1.69	0.92	1.06

	Sub-regional forecast (mt)	10 year average forecast (mt)	3 year average sales forecast (mt)
Forecast demand	25.4	13.8	15.9
Permitted reserves	77.86	77.86	77.86
Shortfall in supply	-	-	-
Surplus in supply during forecast demand period	52.5	64.1	62
Representing a landbank of x years	31	70	59

Appendix C Waste Objectively Assessed Need (Local Waste Assessment 2016 using 2015 data)

C.1 Municipal solid waste

	Recycling and composting (tpa)	Recovery (tpa)
Predicted demand in 2032	Using the different recycling and growth rates described above: No change targets scenario – Range from 321,000 to 618,000 EC targets scenario –Range from 368,000 to 710,000	Using the different recycling and growth rates described above: Both scenarios – Range from 142,000 to 274,000
Permitted capacity	450,000 (including 35,000 permitted but not built in-vessel composting at WTSs)	340,000
Shortfall in 2032	It can be seen that under three of the scenarios there is no shortfall; where there is a shortfall it ranges from 68,000 in the lower scenario to 260,000 in the highest scenario	No shortfall anticipated

C.2 Commercial and industrial waste

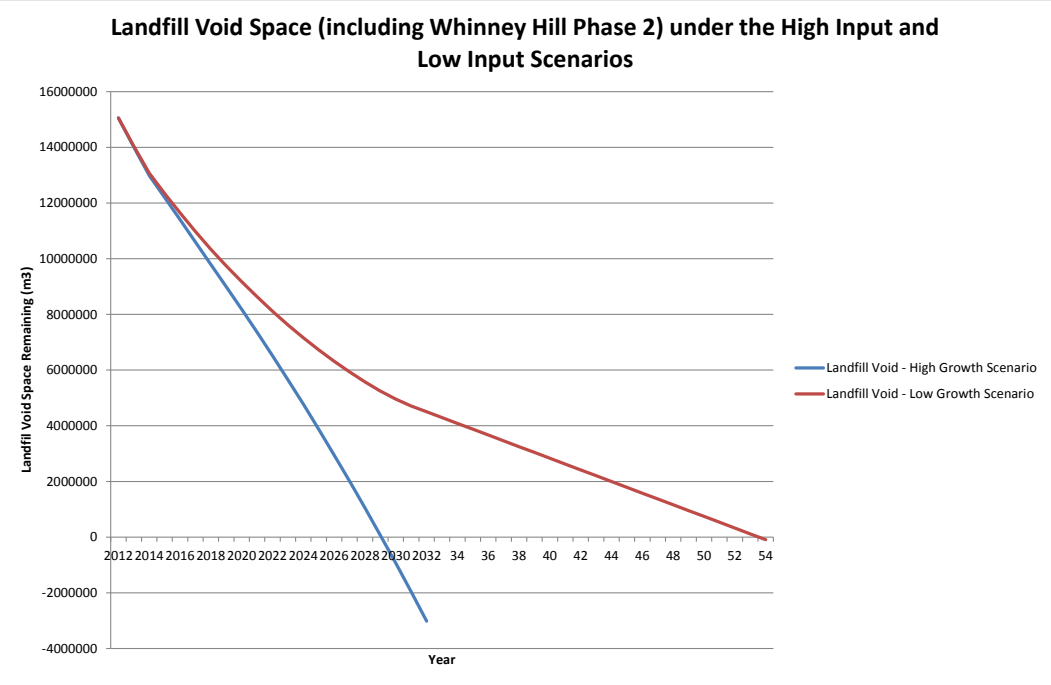
	Recycling and composting (tonnes)	Recovery (tonnes)
Predicted demand in 2032	Using the different recycling and growth rates described above: 2009 arisings scenario – Range from 413,000 to 1,535,000 Plus imports scenario – Range from 565,000 to 2,102,000	Using the different recycling and growth rates described above: 2009 arisings scenario – range from 206,000 to 767,000 Plus imports scenario – Range from 283,000 to 1,050,000
Permitted capacity	5,000,000	
Shortfall in 2032	No shortfall anticipated	No shortfall anticipated

C.3 Construction and demolition waste

	Recycling and composting	Recovery
Predicted demand in 2032	Range from 1.6 million to 6.2 million tonnes using the different growth and recycling scenarios described above	Range from 1.2 million to 3.6 million tonnes using the different growth and recycling scenarios described above
Permitted capacity	There is considerable degree of uncertainty over permitted capacity, particularly given the availability of exempt sites	There is considerable degree of uncertainty over permitted capacity, particularly given the availability of exempt sites
Shortfall in 2032	There is considerable degree of uncertainty over the presence or otherwise of a shortfall in capacity, particularly given the availability of exempt sites	There is considerable degree of uncertainty over the presence or otherwise of a shortfall in capacity, particularly given the availability of exempt sites

C.4 Landfill

Landfill Void Space Projections



Appendix D Replaced Local Plan Policies

D.1 With the adoption of the Joint Lancashire Minerals and Waste Local Plan all of the policies of the Joint Lancashire Core Strategy and the Joint Lancashire Site Allocation and Development Management Policies Local Plan are superseded.

D.2 The table below is provided for information, and is not a comprehensive record; it should not be used to infer weight or policy consideration beyond that which is written in the policy or policy justification.

Revised Local Plan Policy	Core Strategy and Site Allocation Policy replaced	Policy addition arising through review	Policy removed arising through review
MW1	DM2, CS5, CS6, CS9, NPPF1, DM1	Explicit reference to public health, economy, and climate change in justification text.	NPPF1 removed, no longer a Government requirement to include in Local Plan. DM1 removed as no longer necessary now plans are combined. Local liaison groups and early consultation removed as policy consideration, these are addressed in the SCI and appendix to the Local Plan.
MW2	CS5, CS9, M1	Policy added.	
MW3	CS5, CS9, DM2, DM3		Reference to using s106 to enforce planning permission end date removed as policy consideration, replaced by review period in MW22.
MW4	CS5, CS8, CS9, DM2, WM2, WM3, WM4, M1	Policy added.	
MW5	CS5	Policy added.	
MW6	M2	Preeseall salt field separated out from general MSA policy.	
MW7	CS1, M2	Urban areas included, with specific policy considerations in these areas.	
MW8	CS1, CS5, CS6		

Revised Local Plan Policy	Core Strategy and Site Allocation Policy replaced	Policy addition arising through review	Policy removed arising through review
MW9	CS2	Reference to waste audits added to bring in line with NPPW.	
MW10	CS6, CS7		
MW11	CS3, CS4, DM1, M1	Figures revised/updated.	Reference to 25% use of recycled aggregates as review indicator removed.
MW12	CS3, CS4, M1		
MW13	CS3, CS4, M1	Flexibility added.	
MW14	CS3, CS4, M1	Lower Hall Farm added.	
MW15	CS3, CS4, M1		
MW16	CS3, CS4, M1		
MW17	CS5, DM2	Policy added.	
MW18	CS6, CS7, CS8, DM1, WM1	Figures revised/updated.	
MW19	CS8, CS9, WM2, WM3		Specific industrial estates no longer named.
MW20	CS2, CS8, CS9, WM4		Specific industrial estates no longer named.
MW21	CS8, CS9, DM4	Proximity to heat user added as policy consideration.	
MW22	CS7, CS8, DM3, LF1, LF2	Review period added as policy consideration.	Reference to Whinney Hill as 'long term strategic provision' removed as policy consideration. Specific hazardous landfill policy removed.
MW23	CS8, LF4	Consideration of the amount of waste coming from outside of the Plan area added as policy consideration.	
MW24	CS8, LF2		
MW25	M2, M3, SA1	Safeguarded areas around quarries and known reserves separated out from general MSA policy.	Safeguarded rail sidings unrelated to specific minerals or waste sites removed from policy.

Revised Local Plan Policy	Core Strategy and Site Allocation Policy replaced	Policy addition arising through review	Policy removed arising through review
		Coating and batching plants identified and safeguarded areas identified around them and added as policy consideration.	
MW26	SA2		Safeguarded access improvements unrelated to specific minerals or waste sites removed from policy.

Appendix E The Planning Application Process

E.1 The minerals planning authority is required to determine applications within the statutory timescales (from validation to committee decision - 8 week for planning applications, 13 weeks for major applications and 16 weeks for applications accompanied by an environmental statement), or such period as may be agreed with the applicant, or in accordance with a planning performance agreement.

E.2 In order to ensure the minerals planning authority can keep to these timescales it is important that applications, when submitted, are accompanied by sufficient information to allow full consideration of any environmental impacts and proposed mitigation measures. The validation checklist is produced to ensure applicants are aware of the necessary information that should accompany a planning application.

E.3 Pre-application discussions can assist in ensuring the efficient operation of the planning application process. Applicants are encouraged to discuss proposed developments with the minerals planning authority at the earliest opportunity.

E.4 Environmental Impact Assessment (EIA) is required where the proposed development is major development which is of more than local significance or with unusually complex and potentially adverse environmental impacts. Details of how and when development will require Environmental Impact Assessments are contained within the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

E.5 If the proposed development is EIA development the applicant is also encouraged to request a scoping opinion, to determine the scope of the information to be provided in the environmental assessment.

E.6 Applications that are received and validated will be entered on the planning registerBroken link - possible circular reference [44].

E.7 The planning application will be advertised in the press and by notice on the application site. The Parish Council and District Council will be consulted, together with other statutory consultees including the Environment Agency and Natural England. The relevant mineral planning authority Ward Councillor, and nearby residentsBroken link - possible circular reference [45] will also be notified.

E.8 Following this there is a statutory 21 day periodBroken link - possible circular reference [46] for consultation responses within which representations should be sent, either online or using the contact details in Appendix 5. If representations are received outside of this period they will still be taken into account up to the time the decision on the planning application is taken. Members of the public may inspect copies of the application, plans and any other documents submitted with it at the County Council or appropriate District Council office.

44 Details of which are available in Appendix M 'Contact Details'
45 Owners and occupiers that are adjacent to or considered to be materially affected by the development
46 This may be extended at the discretion of the minerals planning authority, depending on the nature and complexity of the proposal

E.9 A report describing the planning application, its context and impacts, responses to the consultation, and officer recommendations is prepared by officers of the Council, and presented to the mineral planning authority's planning or development CommitteeBroken link - possible circular reference [47].

E.10 The agenda and items are published on the Council's website at least 5 working days before the committee meeting. There is the opportunity to speak at the planning committee (further details can be found on the Council's websiteBroken link - possible circular reference [48]).

E.11 The members of the planning or development control Committee consider the officers report, hear any third party representations, discuss the application, and vote on whether to grant or refuse planning permission. Each application must be considered on its own merits, in accordance with the development plan and considering present guidance, national policy and other material considerationsBroken link - possible circular reference [49].

E.12 If the decision is refused the applicant can appeal to the Secretary of State. Any such appeal is considered by an independent inspector of the Planning Inspectorate, who will report their findings to the Secretary of State. The appeal process can be either by written representations, an informal hearing or by full public inquiry. The decision of the Secretary of State is final, subject to a 'statutory appeal' which can consider the lawfulness of the decision that was taken.

E.13 Alternatively the lawfulness of the decision can be challenged (a judicial review), if the applicant or a third party feel that the minerals planning authority acted unlawfully. This requires the permission of the courts; there are strict time limits for applying to the courts for a judicial review.

Monitoring

E.14 Once planning permission is granted the developer is required to operate within the conditions imposed on the planning permission. Monitoring and inspection visits will form a key part of the successful implementation of any planning permission, to ensure the operator complies with any conditions imposed on the planning permission. The frequency with which sites are visited will depend on the nature and scale of the development. Sites where breaches of planning control have been identified will be visited more regularly.

E.15 Where a breach of planning control is identified the Council will take appropriate and proportionate action to remedy the breach using the powers at its disposal.

E.16 Monitoring will also be carried out through the other regulatory regimes, including the Environment Agency and the Health and Safety Executive.

47 Alternatively, under certain circumstances, a decision may be made under the mineral planning authority's scheme of delegation by the head of planning. Further information is available on the Council's website

48 Details of which are available in Appendix M 'Contact Details'

49 A material consideration is a factor to be taken into account when a decision on a planning application is reached. Ultimately what is or is not a material consideration is determined by the courts. Any consideration that relates to the development or use of land is capable of being a material consideration: material considerations include for example the impacts associated with noise and dust, but do not include loss of a personal view or loss of property value. The weight to be given to a material consideration is a question of planning judgement for the planning authority.

Appendix F Mineral Resource Assessments

F.1 Sufficient information on mineral resources is necessary for local authorities to determine planning applications for non-mineral development within an MSA. The level of detail provided should be appropriate to the scale and nature of the proposed development. An assessment needs to be carried out by a suitably qualified professional. The minerals resource assessment should specify whether there are minerals present and, if so, whether it is feasible to extract the mineral(s).

1. Presentation of geological data. This could take the form of:

    a. Desk top study of existing surface and solid geological and mineral resource information; or
    b. Borehole investigations

2. Assessment of the mineral resource potential of any mineral present considering its ability to meet the required specification for its intended use, before or after processing (the relevant BSI or equivalent), and the quantity present.
3. Assessment of the mineral recovery potential:

    a. Acceptability

        i. Site surroundings and neighbours, and their sensitivity to impacts associated with working minerals)
        ii. Depth of overburden
        iii. Size of site, and the ability of the site to accommodate batters and storage of overburden, mineral processing facilities
        iv. Benefits such as SUDs, local vernacular, reduced visual impact

    b. Viability

        i. Whether the prior extraction will prejudice the development of the land by:

            i. Delaying the implementation of the proposed development beyond an acceptable timescale
            ii. Affecting the ability of the land to receive the proposed development
            iii. Significantly affecting the developments viability

        ii. Consideration should be given to the location of potential markets for the mineral, including on site
        iii. Does the developer hold the mineral rights

4. Potential for proximal sterilisation

    a. Extent of MSA around development and its development potential
    b. Impact of proposed development on current or potential future working of any nearby quarry and the impact of the quarry on the proposed development

F.2 BGS can be contacted for information on mineral resource datasets at enquiries@bgs.ac.uk

F.3 The Coal Authority can be contacted for information on coal datasets at coalresources@coal.gov.uk

Appendix G Prior Extraction

- Minerals which are very close to the surface usually present the least difficulties with extraction and could be extracted using a mobile excavator.
- Deeper minerals may require a specialist earth moving contractor and may take longer to excavate. These are also more likely to require the restoration/backfilling of the void created by the excavation.
- The extraction of hard rock will require specialist equipment, as a general rule will be associated with more environmental impacts, and as such will not normally be a candidate for prior extraction, especially in urban locations.

G.1 Prior extraction will be carried out by excavators and dumper trucks; the size of these will be dictated by the size of the site. They will usually be the same as the machinery used in the site preparation works associated with the proposed development (site levelling, digging foundations, etc). Where prior extraction involves the stockpiling of the minerals on site, or an off-site location for stockpiling such as a permitted quarry or a dedicated site, it is likely to require further planning permission. This choice will be informed by the amount of mineral present, the size of the site and the phasing of the delivery of the proposed development.

G.2 In considering prior extraction the LPA will need to consider both the impacts and the benefits of prior extraction. The potential practical implications of prior extraction are matters of fact and degree involving the scale and nature of those possible impacts, some of these are set out below. Details of these may need to be submitted as part of the mineral resource assessment, or a separate planning application for prior extraction[(50)].

G.3 **Flood Risk**

G.4 When considering the prior extraction of a mineral resource, its potential to increase the sites vulnerability to flooding is a key consideration. Reducing the ground level may make the site more vulnerable to flooding, and affect drainage from the site. On sites less vulnerable to flooding, prior extraction can assist in ensuring the development does not increase flood risk elsewhere, as per the NPPF. Prior extraction could produce voids suitable for use in attenuating surface water in tanks or open features as part of a sustainable urban drainage system (SUDs); it could also create a much larger void for use as a landscape or recreational asset.

G.5 **Dust emissions**

G.6 Prior extraction has the potential to produce dust. However, the emission of dust will be short-lived at prior extraction sites, due to the limited life of the working. It may be appropriate for the mineral resource assessment to include information on:

- baseline conditions of the existing dust climate around the site of the proposed operations and anticipate the dust emissions generated during the non-mineral development following prior extraction;
- identify site activities and parameters that could lead to dust emission and propose mitigation where appropriate;
- proposals to monitor and report dust emissions to ensure compliance with appropriate environmental standards and to enable an effective response to complaints.

50 A separate planning application **may** be required for the prior extraction of the mineral(s); this will need to be submitted for determination by the MPA, in two tier areas this will be Lancashire County Council.

G.7 Noise generation

G.8 Prior extraction has the potential to generate noise. However, the noise will be short-lived at prior extraction sites, due to the limited life of the working. It may be appropriate for the mineral resource assessment to include information on:

- baseline conditions around the site, including the location of noise-sensitive properties;
- the main characteristics of the production process and proposals to minimise, mitigate or remove noise emissions at source;
- proposals to monitor noise emissions during prior extraction of minerals, to ensure compliance with appropriate environmental standards.

G.9 Traffic movements

G.10 Prior extraction has the potential to increase HGV movements to and from the development site, though there may be opportunities for backhauling using empty delivery wagons. It may be appropriate for the mineral resource assessment to include information on:

- The vehicle movements associated with the removal of minerals from the site;
- The opportunities for using the mineral resource on site and the number of vehicle movements reduced as a result.

G.11 Land stability in surface mine workings and tips

G.12 Prior extraction has the potential to affect the stability of neighbouring land. It may be appropriate for the mineral resource assessment to include information on:

- the stability characteristics of any slopes required during excavation or once restored;

G.13 any stability hazards created and the location of vulnerable features (such as buildings or rights of way).

Appendix H Sources of Technical Information in Support of the Local Plan

There are a number of sources of information and guidance that can assist in the procedure for determining the significance of an impact, alongside the information provided in support of an application. These include:

Standards published at the national or local level that identify specific targets or levels:

- National Planning Practice Guidance
- UK Air Quality Strategy
- District Air Quality Management Areas

Information on measurement and analysis is available in published British Standards (BS EN) on, amongst other things, ground borne vibration, noise monitoring and noise attenuation.

Specialist advice and guidance on the interpretation of information and determining the acceptability of impacts is provided by officers in the minerals and waste planning authority and the district authority for transport and traffic, landscape, biodiversity, heritage and archaeology, and environmental health.

Other guidance documents on monitoring and best practice include:

- Designing waste facilities – a guide to modern design in waste (DEFRA, 2008)
- Habitat creation handbook for the minerals industry (RSPB, 2003)
- Controlling the environmental effects of recycled and secondary aggregate production: good practice guidance (DETR, 2000)
- Reducing the effects of surface mineral workings on the water environment: a guide to good practice (DETR, 1998)
- Good practice guide for handling soils (MAFF, 2000)
- Defra guidance on successful reclamation of minerals and waste sites (DEFRA, 2004
- Lancashire County Council landscape, heritage, and ecology planning advice webpages referred to in this Local Plan.

Appendix I Unconventional Oil and Gas Reservoirs

I.1 Hydrocarbons (gas and oil) are predominantly extracted from permeable rock formations such as sandstones. Here hydrocarbons have flowed over time from their source rock through the permeable rock until they are trapped under an impermeable rock formation where it collects and forms a reservoir.

I.2 'Unconventional' or 'tight' reservoirs are rock formations that are not as permeable. These are both source rock and reservoir. Processes need to be applied to these formations in order to stimulate the flow of gas.

I.3 One example of this kind of formation is shale[51] with significant organic content. The Lancashire Bowland Shales have been identified as having potential to hold shale gas which could be exploited for commercial purposes. Shale gas mainly consists of methane, although other gases may also be present. Shale has low permeability (i.e. does not allow gas to flow) so gas production in commercial quantities requires the rock structure to be fractured to provide permeability; the process to achieve this is known as hydraulic fracturing ('fracking').

Map 1 Schematic geology of natural gas resouces (BGS, 2013)

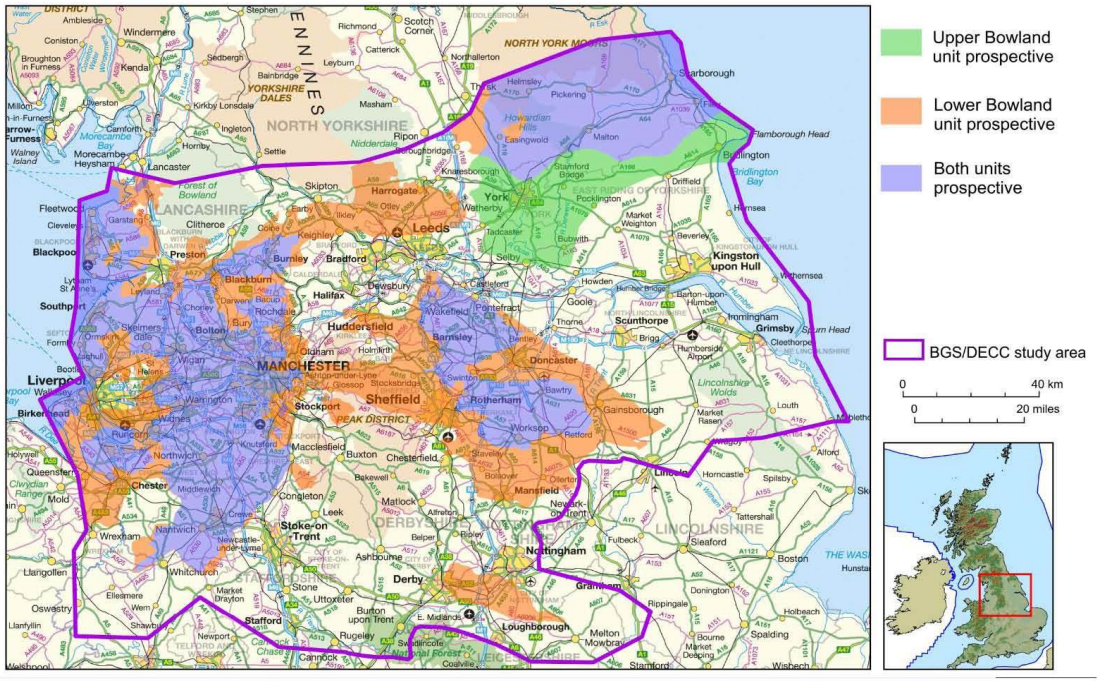


Fig 1. BGS/DECC study area

I.4 Figure 1: Schematic geology of natural gas resouces (BGS, 2013)

I.5 Similar processes can also be applied to old coal mines or coal seams (Coal Bed Methane), which may require dewatering operations and possibly hydraulic fracturing, or be generated by burning the coal in place underground (Underground Coal Gasification), which requires the injection of oxygen and steam into the coal measure[52].

51 Shale is a common type of sedimentary rock formed from deposits of mud, silt, clay and organic matter.

52 The exploitation of these require permission from the Coal Authority (for access to the coal) and a licence from DECC (for capture of the hydrocarbons). The Coal Authority manages the UK's coal reserves and must agree to any access to coal formations for any purpose, including drilling through it.

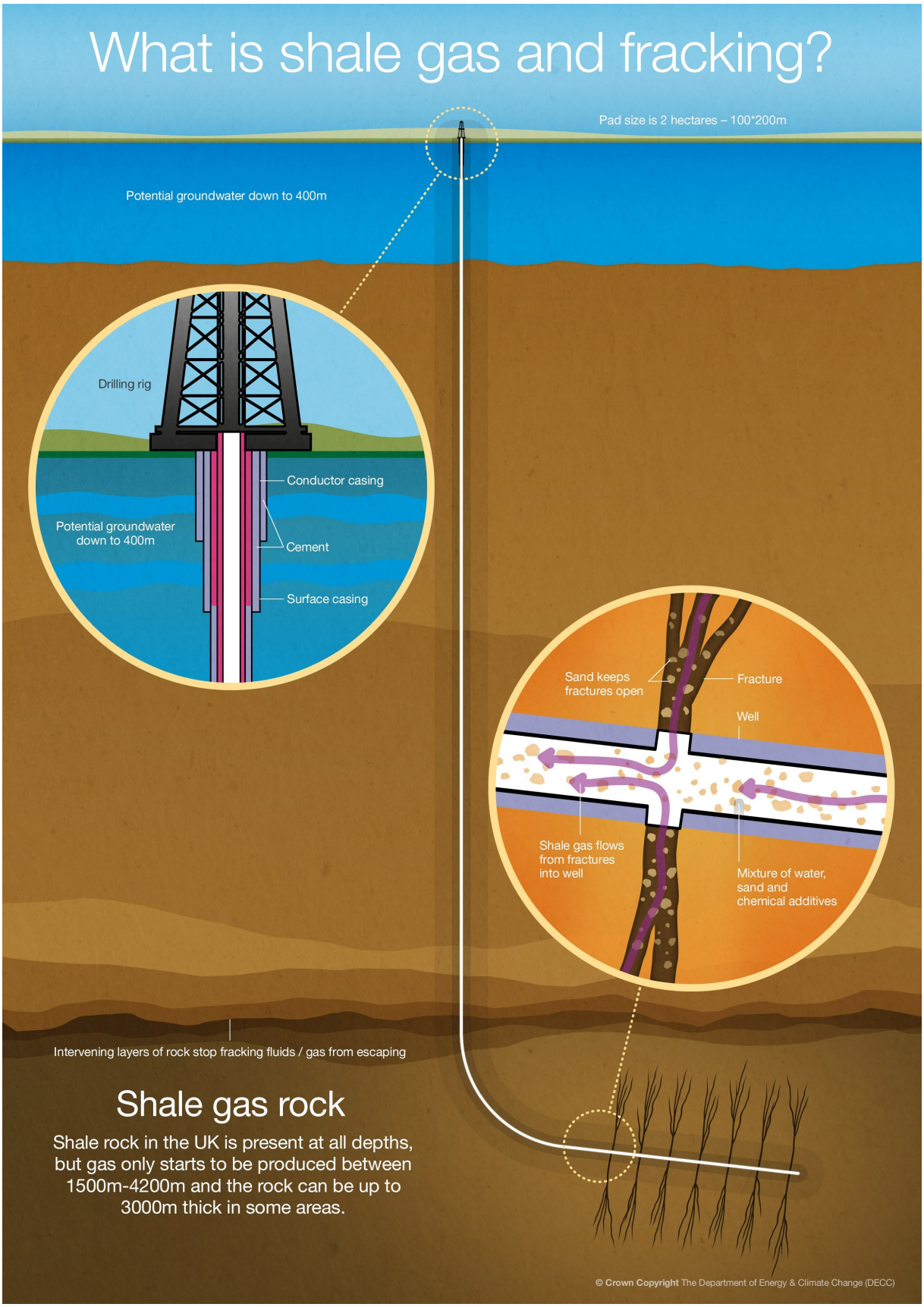
I.6 Hydraulic fracturing (“fracking”) is a generic term for operations which aim to improve hydrocarbon flow rates in low permeability oil/gas reservoirs by increasing the natural fracturing in the rocks, or by creating artificial fractures. These operations vary, in choice and volume of fluid injected, pressures and rates, depending on specific reservoir attributes.

I.7 The fluid consists of water, fine sand particles to act as a proppant and a combination of chemicals chosen relative to geology type to act as a lubricant. Fluids are pumped into the shale under pressure in a controlled way to fracture the rock. Additional fluids are pumped into the well to maintain the pressure in the well so that fracture development can continue and the proppant can be carried deeper into the formation. A well may be too long to maintain sufficient pressure to stimulate fractures across its entire length. Plugs may be inserted to divide the well into smaller sections (‘stages’). Stages are fractured sequentially, beginning with the stage furthest away and moving towards the start of the well. After fracturing, the plugs are drilled through and the well is de-pressurised. This creates a pressure gradient so that gas flows out of the shale into the well.

I.8 As the pressure is released, the pressurised fracturing fluid flows back to the surface ('flow-back water') but it now also contains saline water with dissolved minerals from the shale formation ('formation water'). Some fracturing fluid is left within the shale including the sand which resides within the fractures and creates a migratory path way from which gas can flow to the surface via the borehole. Fracturing fluid and formation water returns to the surface over the lifetime of the well as it continues to produce shale gas (‘produced water’) and may contain naturally occurring radioactive materials (NORM), depending on the source rock. This is common to oil and gas exploration, but due to the processes involved in fracking, it has the potential to generate larger volumes.

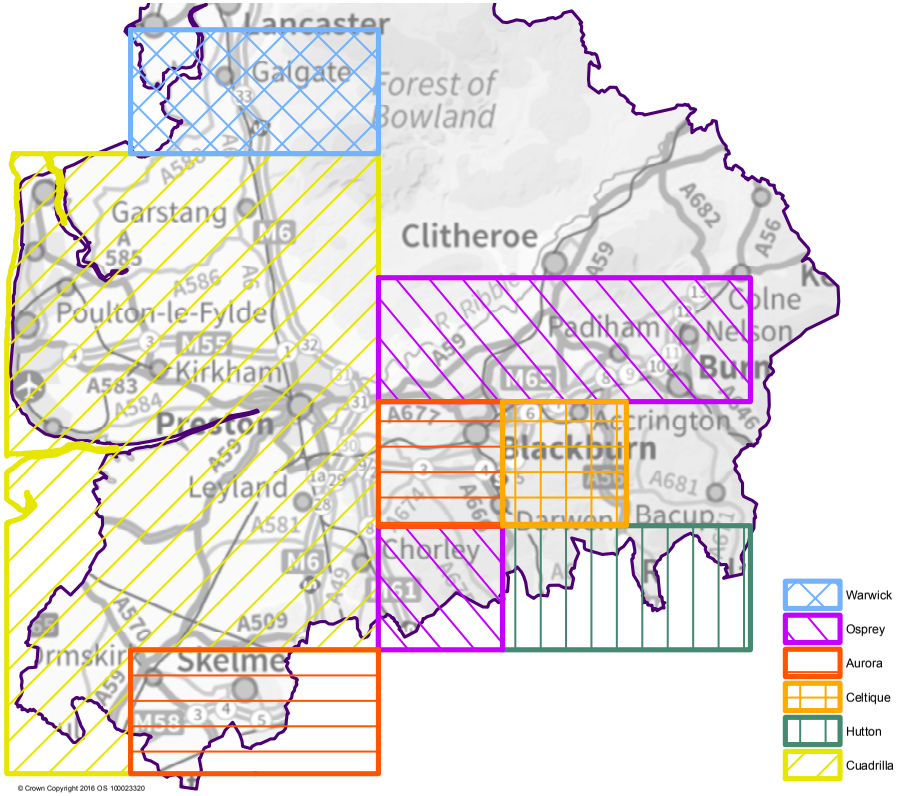
I.9 Horizontal drilling is often used with shale gas wells, with lateral extensions up to 10,000 feet within the shale, to enable the creation of a very large fracture network within the shale. However, the ability to carry out lateral drilling, and the flexibility in site selection it may provide, must take into account the geological conditions and the likely passage of any drilled borehole through fault lines potentially giving rise to seismic movement and contamination pathways.

Figure 2 Shale Gas and Fracking (DECC, 2014)



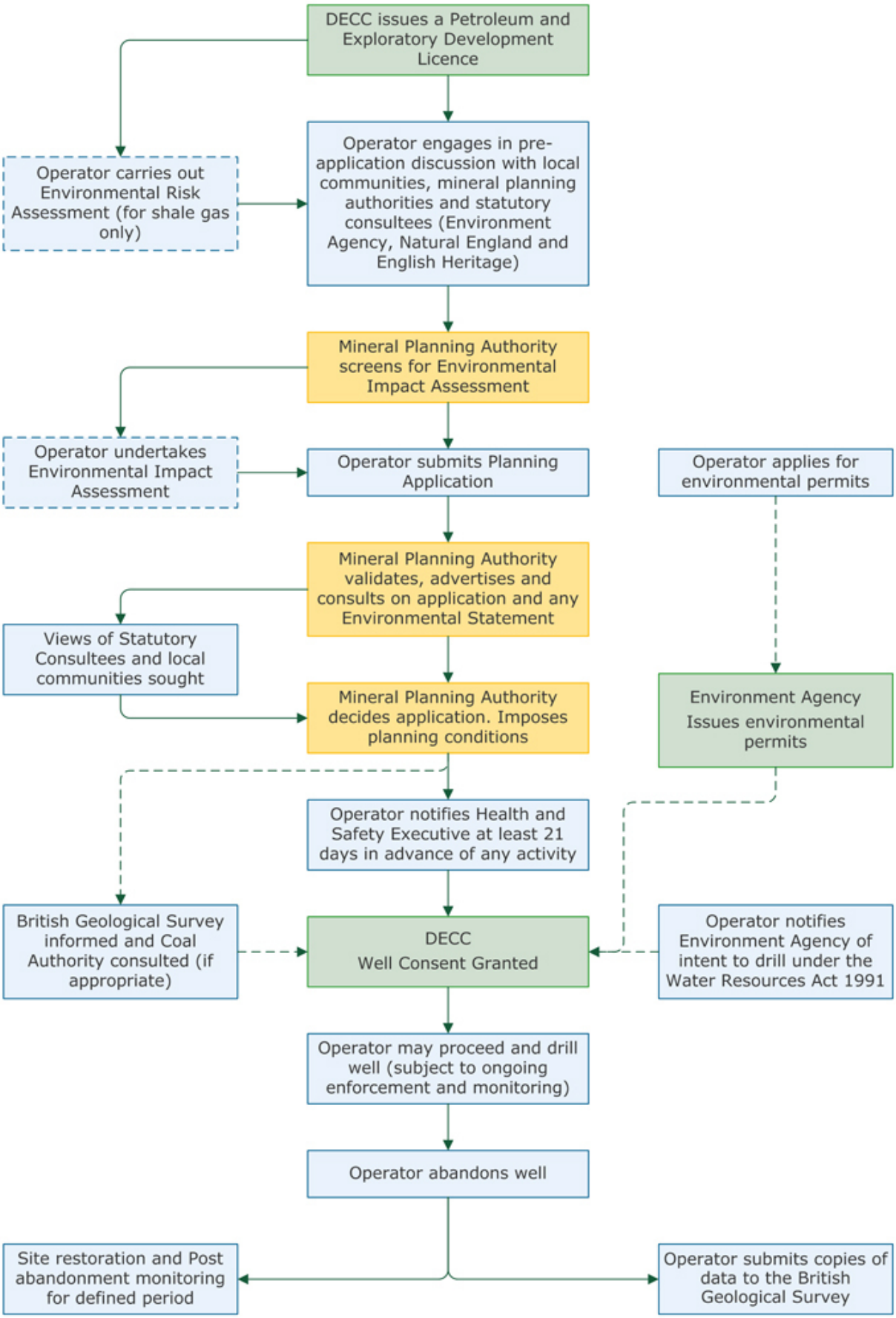
Appendix J Petroleum Exploration and Development Licences

Picture 1 Onshore Oil and Gas Petroeum Exploration and Development Licences (14th Round)



Appendix K Regulatory Bodies

Picture 2 The Role of the Regulatory Bodies (CLG, 2013)



K.1 There are four regulatory bodies responsible for on shore oil and gas exploration and exploitation:

Minerals Planning Authority

K.2 The minerals planning authority is the strategic planning authority for mineral developments in their area: Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Council are the minerals planning authority for their respective areas. This involves managing the planning process according to planning rules set out by the government to assess applications for mineral developments, including mineral exploration. The minerals planning authority must determine applications in accordance with planning law.

K.3 Where developments involving onshore oil and gas development are not classed as permitted development and actually require planning permission, the minerals planning authority must determine planning applications in accordance with the NPPF, together with policies in the Development Plan. Planning applications are considered on their merits and whether or not they are in compliance with the policies in the Development Plan. Safety and environment are important factors and we consider the advice provided by other agencies before making those decisions. A planning application can only be refused if it is contrary to the policies of the development plan and there are legitimate reasons to do so. If planning permission is granted, the minerals planning authority monitor and inspect the operations to ensure they comply with any conditions imposed.

K.4 The minerals planning authority will consider the land use implications of matters regulated by the other regulatory authorities, such as emissions to atmosphere, water and seismic risks for example, but will not seek to duplicate their regulatory controls through the imposition of conditions etc.

The Environment Agency (EA)

K.5 The Environment Agency's key role in on-shore drilling is to protect groundwater including aquifers, and surface water including rivers and water courses from pollution and to ensure that any hydraulic fracturing flowback water is managed and disposed of responsibly.

K.6 An environmental permit (under the Environmental Permit Regulations) will be required for oil and gas developments, and may include industrial emissions activity, mining waste activity, groundwater activity, waste discharge activity, abstraction, and radioactive substances activity. The chemical content of hydraulic fracturing fluids are also covered by the environmental permitting regime.

K.7 The EA are also a statutory consultee in the planning process and will discuss proposals and provide advice to planning authorities. The EA provide advice as part of pre-application enquiries, for scoping of any Environmental Impact Assessment and on the planning application itself. Where risks to the environment are significant, for example where development is proposed contrary to groundwater protection policy and practice, the EA will object to the planning application.

K.8 Operators must demonstrate to the EA that their proposed activities are not harmful to people or the environment. The EA use a variety of methods such as audits, site inspections, check monitoring and / or sampling, and reviewing operator records and procedures. They may ask to monitor the effects their activities have on the environment and report these for inclusion on EA public registers through the permits issued. The EA have the power to serve notice on an operator to stop an activity; and where an offence is committed, the Environment Agency can prosecute.

Picture 3 Types of Environment Agency Permits (EA, 2014)

Type of Pemit	Why this type of permit may be required for oil and gas development
Groundwater activity	Where the EA considers that the risk of inputs to groundwater requires this.
Mining waste activity	Likely to apply in most circumstances.
Industrial emissions activity	When the intention is to flare more than 10 tonnes of natural gas per day (generally applies to exploration phase only).
Radioactive substances activity	Likely to apply where low level Naturally Occurring Radioactive Material (NORM) are contained in the rock cuttings or fluid returned to the surface from the well.
Water discharge activity	If surface water run-off from the site becomes polluted, for example, due to a spill of diesel.
Abstraction	If more than 20,000 litres of water per day is to be abstracted as part of the development.
Groundwater investigation consent	To cover drilling and test pumping where there's the potential to abstract more than 20 cubic metres per day (m3/day) of water.
Water abstraction licence	If the plan is to abstract more than 20m3/day for own use rather than purchasing water from a public water supply utility company.
Flood defence consent	If the proposed site is near a main river or a flood defence.

Department of Energy and Climate Change (DECC)

K.9 Companies seeking to explore for or produce oil or gas must first obtain a petroleum exploration and development licence (PEDL) from DECC. These licences are bid for by operators in licencing rounds.

K.10 The issue of a PEDL conveys no permission for operations on land, but gives exclusivity for exploration operations against other oil and gas exploration companies within a defined area. DECC regulates the efficient use of the resource (i.e., the oil or gas in the ground) by scrutiny of the drilling operations and production plans, as well as proposals for flaring, and any hydraulic fracturing programme and the methods proposed to monitor, report and mitigate the associated seismic risk.

Health and Safety Executive (HSE)

K.11 The HSE is responsible for regulating the health and safety aspects of oil and gas operations, including considering well design and construction, inspecting well integrity, and the transport and injection of gas into the grid. Operators are required to notify HSE on well design and, whilst the HSE do not give consent, they will scrutinise the design and can undertake a range of further interventions (up to issuing prohibition notices) if they have concerns about the proposed design. Operator are also required to have a well examination scheme, delivered by an independent well examiner who (as part of that scheme) will review the well design and monitor the construction phase of the well and its subsequent maintenance and decomissioning.

K.12 They require operators to provide them with a weekly report of drilling activity, the contents of which can trigger further interventions, including site visits.

K.13 Further information is available in the HSE questions and answers document:

K.14 http://www.hse.gov.uk?shale-gas/assets/docs/shale-gas.pdf

Appendix L General Duties and the Relevant Objectives

L.1 Under the requirements of the Waste (England and Wales) Regulations 2011, the Minerals and Waste Planning Authorities must:

- Carry out their planning functions, including the drafting of the Plan, having regard to the relevant objectives of the revised Waste Framework Directive:
    - Article 13 - ensure that waste management is carried out without endangering human health, without harming the environment and, in particular:
        - without risk to water, air, soil, plants or animals;
        - without causing a nuisance through noise or odours; and
        - without adversely affecting the countryside or places of special interest.
    - The first part of Article 16 (1) - take appropriate measures to establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households, including where such collection also covers such waste from other producers
    - Article 16 (2) - The network shall be designed to enable the Community as a whole to become self-sufficient in waste disposal as well as in the recovery of waste referred to in paragraph 1, and to enable Member States to move towards that aim individually, taking into account geographical circumstances or the need for specialised installations for certain types of waste.
    - Article 16 (3) - The network shall enable waste to be disposed of or waste referred to in paragraph 1 to be recovered in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to ensure a high level of protection for the environment and public health.
- Not grant planning permission or development consent for a landfill unless it has taken into consideration the requirements of—
    - paragraph 1.1 of Annex I to Council Directive 1999/31/EC on the landfill of waste;
    - paragraph 5 of that Annex, but only in respect of nuisances and hazards arising from traffic beyond the site of the landfill.

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- Not grant planning permission for a mining waste facility to which Article 7 of Directive 2006/21/EC of the European Parliament and of the Council on the management of waste from extractive industries applies unless it is satisfied that—
    - the operator of that facility will meet the requirements of Article 11(2)(a) of that Directive; and
    - the management of waste at that facility will not conflict directly or otherwise interfere with the implementation of the plans referred to in Article 7(3)(b) of that Directive.

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Appendix N Glossary

Adopted Policies Map	This map illustrates all the policies contained in the local plan, together with any saved policies. It will always reflect the up to date minerals and waste planning strategy for the area. Relevant minerals and waste policy will be represented by inset maps, to be included in the districts' policies map.
Aggregates	Sand, gravel, crushed rock and other bulk materials used by the construction industry.
British Standard (BSI)	In 2002 new European standards were published for aggregates and came into force as new British Standards in 2004, abbreviated to BS EN.
CHPQA Standard	Combined heat and power is the simultaneous generation of heat and power in a single process. CHPQA is a management and administrative process, including Registration, Self-Assessment, Validation and Certification, carried out on behalf of the Department of Energy and Climate Change. The CHPQA Standard is the formal document setting out the CHPQA methodology, definitions, thresholds, and criteria for Good Quality certification.
Coating and Batching Plant	Industrial plant composing weighbridge, cabin, towers, storage bays, silos, conveyors, and in the case of coating plant a burner and trommel, for the mixing of concrete or asphalt, and their loading onto lorries.
Commercial & Industrial Waste (C&I)	Industrial waste is waste generated by factories and industrial plants. Commercial waste is waste arising from the activities of wholesalers, catering establishments, shops and offices; as defined by the Controlled Waste Regulations 1992.
Construction & Demolition Waste (C&D)	Controlled waste arising from the construction, repair, maintenance and demolition of buildings and structures.
Core Strategy (CS)	Sets out the long-term spatial vision for the local planning authority area, the spatial objectives, and outlines the strategic policies required to delivery that vision in respect of minerals and waste. District and unitary authorities also produce a core strategy as part of their Local plan.
Crushed Rock	Hard types of rock, which have been quarried, fragmented and graded for use as aggregate.
Degree of Permanence	The anticipated lifespan of the development, or the change of use established by the development. Temporary

	developments are unlikely to prevent the extraction of a mineral resource for future generations.
Development plan	Consists of the Local Plans that have been adopted in that area, as defined in the Planning and Compulsory Purchase Act 2004 s38. Planning decisions must be made in accordance with the development plan, unless material considerations indicate otherwise.
Dormant Site	A historic quarry with planning permission that was not been worked between 1982 and 1995; as registered under the Planning and Compensation Act 1991 and the Environment Act 1995 . These sites would require the submission and approval of updated planning conditions prior to the restarting of quarrying.
End Markets	The user of diverted material that has been returned to the marketplace as a feedstock (raw materials used in the manufacturing process).
Energy from Waste (EfW)	The conversion of waste into a usable form of energy, often heat or electricity.
Gasification & Pyrolysis (Advanced Thermal Treatment)	A means of recovering energy from waste, known as advanced thermal treatment. Waste is heated at high temperatures and a usable gas is produced.
Generic Development Management Policies	These are a series of criteria-based policies which ensure that all development within the area will meet the spatial vision and spatial objectives set out in the Core Strategy.
Gritstone	The use of the term gritstone in the Local Plan includes sandstones.
Hard Rock	Consolidated rock such as limestone, gritstone and granite.
Hazardous Waste	Wastes that have the potential to cause harm to human health or the environment, for example contaminated soil; as defined by the Hazardous Waste Regulations 2005 and the European waste classifications.
Heavy Goods Vehicle (HGV)	Lorries or trucks over 3.5 tonnes
Household Waste	Refuse from household collection rounds, waste from street sweepings, public litter bins, bulky items collected from households and wastes which householders themselves take to household waste recovery centres and "bring sites"; as defined by the Controlled Waste Regulations 1992.
Household Waste Recycling Centres (HWRC)	A facility provided by the Waste Disposal Authority that is available to the public to deposit waste which cannot be collected by the normal household waste collection round.

Incineration	The controlled burning of waste. Energy may also be recovered in the form of heat (see Energy from Waste).
Independent Examination	Prior to adoption the local planning authority must submit the local plan to the Secretary of State for examination, under section 20 of the Planning and Compulsory Purchase Act 2004. The examination is carried out by a planning inspector appointed by the Secretary of State, in order to test the soundness and conformity of the local plan and the consultation processes undertaken.
Inert Waste	Waste which does not contain any components which exhibit chemical or biological activity (i.e. wastes that do not contain any organic matter or "chemicals"); as defined by the Landfill Directive. Examples of inert wastes include sand, clay, crushed rock, demolition rubble and hardcore.
Infrastructure	The physical features (for example roads, rails, and stations) that make up the transport network.
Interburden	Rock lying inbetween areas of mineral resource. This will influence the value of the mineral resource as it will affect the time, efficiency and cost associated with working and working the mineral resource.
Issues, Options and Preferred Options	The "pre-submission" consultation stages on Local Plan with the objective of gaining public consensus over proposals ahead of submission to Government for independent examination.
Joint Authorities	Refers to the Joint Working of Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Council in preparing the Joint Lancashire Minerals and Waste Local Plan.
Kerbside Collection	The collection by local authorities of recyclable goods directly from households, or occasionally industrial and commercial premises.
Lancashire Minerals and Waste Local Plan (LMWLP)	Contains planning policies on minerals and waste for Lancashire prepared under the old style plan making process. Adopted in 2001, half of its policies have been replaced by the Core Strategy in 2006.
Landbank	A stock of planning permissions sufficient to provide for continued mineral extraction over a given period.
Landfill (including land raising)	The permanent disposal of waste into the ground, by the filling of man-made voids or similar features, or the construction of land forms above ground level (landraising).

Local Plan	Planning policy document prepared by a planning authority for use in determining planning applications within their administrative area, forming part of the development plan.
Local Planning Authority (LPA)	The statutory authority whose duty it is to carry out the planning function for an area.
Marine Dredged Aggregate	Sand and gravel dredged from deposits on the seabed and landed at shipping wharves for use as aggregate.
Material Considerations	A process in planning law in which the decision maker when assessing an application for development must consider matters relevant to that application in planning terms in deciding the outcome of an application.
Materials Recycling Facility (MRF)	Facility that separates recyclables from the general waste stream
Mechanical Biological Treatment (MBT)	The treatment of residual waste using a combination of mechanical separation and biological treatment.
Merchant Site	A facility that accepts waste from a variety of producers or managers on a commercial basis, rather than only disposing of its own waste.
Mineral	Rock or other material that has a commercial value when extracted.
Mineral Development	Any activity related to the exploration for or winning and working of minerals, including tipping of soil and ancillary operations such as the use of processing plant.
Mineral Resource	A potential mineral deposit where there quality and quantity of material present has not been tested.
Mineral Safeguarding Areas	Areas of known mineral resources that are of sufficient economic or conservation value to warrant protection for generations to come.
Minerals and Waste Development Scheme	Document setting out documents the Joint Authorities intend to include within its MWDF, and the programme for production.
Minerals and Waste Planning Authority (M&WPA)	A local planning authority with responsibility for mineral and waste planning, including deciding planning applications.
Minerals Apportionment	The splitting of regional supply guidelines for minerals demand between planning authorities or sub regions, based on national estimates of the country's future needs for minerals.

Minerals Consultation Area (MCA)	An area identified in order to ensure consultation between the relevant Minerals Planning Authority and district planning authority before certain non-mineral planning applications made within the area are determined, using powers under schedule 1 of the Town and Country Planning Act 1990.
Minerals Reserves	Mineral deposits which have been tested to establish the quality and quantity of material present and which could be economically and technically exploited.
Mineral Resource Assessment	An assessment containing sufficient information on the mineral resource to allow the LPA to determine a planning application within a MSA.
Municipal Solid Waste (or MSW); Also referred to as Municipal Waste	Household waste and any other waste collected by a Waste Collection Authority such as municipal parks and gardens waste, beach cleansing waste and waste resulting from the clearance of fly-tipped materials.
Non-Minerals Development	Development that is not associated with the winning and working of minerals.
Non-Renewable Resources	A resource that does not renew itself at a sufficient rate for sustainable economic extraction.
NPPF	National Planning Policy Framework. The framework acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications.
Overburden	Rock or soil overlying a mineral resource. The depth of overburden will influence the value of the underlying mineral resource as it will affect the time, efficiency and cost associated with working and working the mineral resource.
Permitted Reserves	Mineral reserves with the benefit of planning permission for extraction.
Planning & Compulsory Purchase Act 2004	The Planning and Compulsory Purchase Act 2004 introduces a statutory system for regional planning; a new system for local planning; reforms to the development control and compulsory purchase and compensation systems; and removes crown immunity from planning controls. It also updates elements of the 1990 Town & Country Planning Act.
Primary Aggregates	Naturally occurring sand, gravel and crushed rock used for construction purposes.

Primary Route Network	The Primary Route Network (PRN) is defined by the Highways Authority (Lancashire County Council, Blackpool Council, and Blackburn with Darwen Borough Council). It comprises non-motorway trunk roads and the more important 'A' class roads. In conjunction with motorways, the PRN provides a national network for medium/longer distance traffic serving places of traffic importance throughout Great Britain. The PRN is identifiable by direction signs with a green background; these show a limited number of forward 'primary destinations', which can include key nodes on the PRN even though the location may not be a significant traffic generator. Although not a road classification as such, primary routes are required to be open to all classes of traffic without restriction and must not have permanent or environmental weight restrictions upon any part of them. The Department for Transport expects local authorities to maintain primary routes in good order.
Prior Extraction	The extraction of minerals prior to development taking place.
Proximal Sterilisation	The sterilisation of a mineral resource by the influence of a development adjacent to the resource. The potential for impacts on the development, through noise or dust, makes it impractical to work the mineral resource adjacent to the development.
Proximity Principle	Waste should be managed as near as possible to its place of production, reducing travel impacts.
Recovery	Value can be recovered from waste by recovering materials through recycling, reducing travel impacts.
Receptor	Some one or thing affected by an impact.
Recycled Aggregates	Aggregates produced from recycled construction waste such as crushed concrete and planings from tarmac roads.
Recycling	The reprocessing of waste either into the same products or a different one.
Refuse Derived Fuel (RDF)	A fuel product produced from the combustible fraction of waste.
Regional Aggregate Working Party (RAWP)	A working group comprising members from the constituent mineral planning authorities (MPAs), Central Government departments and representatives from the mineral extraction industry.
Regional Self Sufficiency	Requires that most waste should be managed within the region in which it is produced.

Regional Technical Advisory Body (RTAB)	Provides specialist advice on waste to the Regional Planning Body.
Safeguarding	The process of ensuring that non-minerals development does not needlessly prevent the future extraction of mineral resources, of local and national importance.
Secondary Aggregates	Aggregates other than crushed rock and sand and gravel (primary aggregates) produced as by-products of other processes such as foundry sand and furnace bottom ash.
Significant impact	The significance of an impact is a product of an impacts characteristics and the value, sensitivity, and recoverability of the relevant receptor.
Site of Special Scientific Interest (SSSI)	Affords legal protection to the best sites for wildlife and geology in England.
Site Specific Policies and Allocations	This refers to allocation of sites for specific minerals and waste developments. Policies will identify any specific requirements for individual proposals.
Spatial Planning	Spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function. This will include policies which can impact on land use, for example by influencing the demands on, or needs for, development, but which are not capable of being delivered solely or mainly through the granting or refusal of planning permission and which may be implemented by other means.
Spatial Vision	A brief description of how the area will be changed at the end of the plan period (often 10-15 years).
Sterilisation	When development or land use changes prevent possible mineral exploitation in the foreseeable future.
Supplementary Planning Guidance (SPG) or Supplementary Planning Document (SPD)	Provides further detail on certain policies and proposals related to specific policy in development plans.
Sustainable Development	Sustainable development is focused on providing a better quality of life for everyone now and for generations to come. This is achieved through considering the long-term effects of social, economic and environmental impacts in an integrated and balanced manner. Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Sustainable Urban Drainage Systems (SuDS)	A sequence of water management practices and facilities designed to drain surface water in a manner that will provide a more sustainable approach than the conventional practice of routing run-off through a pipe to a watercourse. These can include attenuation measures where water is delayed from entering the public drains until demand on the wider network is reduced for example during periods of heavy rain.
Very low level radioactive waste (vLLRW)	This is a subset of low level waste, with very low amounts of radioactivity. The decommissioning and clean-up of nuclear sites will create large amounts this waste, typically lightly contaminated soil and building rubble. It does not need the level of disposal engineering provided by the low level waste repository at Drigg, so National policy states that it can be disposed of to landfill, providing it is controlled in ways specified by the Environment Agency. The maximum activity is 4 MBq per tonne of total activity. For waste containing tritium, the concentration limit for tritium is 40MBq per tonne.
Waste	Waste in any material or object that is no longer wanted and which requires disposal. If a material or object is reusable, it is still classed as waste if it has first been discarded.
Waste Hierarchy	A framework for securing a sustainable approach to waste management as defined by the EU Waste Framework Directive: • Prevention, through design etc • Preparing for reuse, by checking, cleaning, repairing etc; • Recycling or composting, by turning waste into new products, materials or substances etc; • Other recovery, where waste serves a useful purpose by replacing other materials that would otherwise have been used, for example energy from waste (including gasification and pyrolysis, anaerobic digestion, some land spreading or landscaping/restoration work etc; • Disposal, for example landfill or incineration without energy recovery etc.
Waste Minimisation/Reduction	Found at the top of the waste hierarchy, the most desirable way of managing waste - avoiding the production of waste in the first place.

Waste Stream	Waste stream is the flow or movement of wastes from the point of generation (i.e. household or commercial premises) to final disposal. A waste stream may reduce significantly over time as valuable items are separated for recycling and are recovered through resource recovery.

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