

## Minerals and Waste Joint Plan

# Evidence Paper: Minerals Safeguarding Cross Boundary Issues

Updated July 2016

## Contents

Introduction	2
1. Tees Valley and Darlington Council	3
2. Durham County Council	7
3. Lancashire County Council	9
4. Bradford Metropolitan Borough Council	11
5. Leeds City Council	13
6. Wakefield Council	15
7. Doncaster Council	19
8. East Riding of Yorkshire Council	21
9. Yorkshire Dales National Park Authority	23
10. Summary	24

# Minerals safeguarding – cross boundary issues

## 1.0 Introduction

1.1 The safeguarding of minerals has been a requirement of Government policy for several years both in Minerals Policy Statement 1 (MPS1) and more recently in the National Planning Policy Framework (NPPF).

1.2 The starting point for safeguarding minerals is consideration of the type, quantity and quality of the minerals resource in the individual mineral planning authority (MPA) area to help decide the range and extent of the mineral resources which may need to be 'safeguarded' for possible future extraction.

1.3 British Geological Survey (BGS) have produced, on behalf of Government, guidance on safeguarding<sup>1</sup> to help Minerals Planning Authorities (MPAs) assess the mineral resources and decide which to safeguard.

1.4 North Yorkshire County Council (NYCC), North York Moors National Park Authority (NYMNPA), City of York Council (CYC), utilising support from BGS and based on the guidance, have developed an approach for safeguarding of minerals for inclusion in the Minerals and Waste Joint Plan for the three MPA areas<sup>2</sup>.

1.5 Early in 2013 NYCC, NYMNPA and CYC agreed to work together to produce a Minerals and Waste Joint Plan and so for the purposes of this document the three mineral planning areas will be known as the Joint Plan area, and the three Mineral Planning authorities known as the Joint Plan authorities.

1.6 Minerals resources often cross administrative boundaries and this paper considers the current or emerging position on minerals safeguarding within adjacent MPA's, identifying any safeguarding policies and safeguarded mineral resource adjacent to the boundary of the Joint Plan area. Any mineral safeguarded areas (MSA) in adjacent authorities in proximity to the Joint Plan area boundary have been mapped to show the extent of the resource and whether it matches the potential MSAs for the same resource in the Joint Plan area. This will allow consideration of cross-boundary compatibility relating to MSAs and help ensure consistency of approach.

1.7 There are 12 MPAs adjacent to the Joint Plan area. These are Redcar and Cleveland Council, Middlesbrough Borough Council, Stockton Borough Council, Darlington Borough Council, Durham Council, Lancashire County Council, Bradford Metropolitan City Council, Leeds City Council, Wakefield Council, Doncaster Council, East Riding of Yorkshire Council, and Yorkshire Dales National Park Authority. The map below shows the Joint Plan area and the location of the adjacent authorities.

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<sup>1</sup> BGS, A Guide to Mineral Safeguarding, 2007

BGS, Mineral Safeguarding in England: a good practice guide. 2011

<sup>2</sup> BGS, Mineral Safeguarding Areas for North Yorkshire County Council, 2011, BGS Mineral Safeguarding Areas for North York Moors National Park, BGS Mineral Safeguarding Areas for City of York.



Figure 1: Map of Joint Plan area and adjoining MPAs.

1.8 Each adjacent MPA is considered individually below in terms of their current known approach to mineral safeguarding.

1.9 In August 2014 a draft of a Minerals Safeguarding Cross Boundary Issues document was circulated to all adjoining Mineral Planning Authorities requesting comments. Responses were received from the large majority of consultees. Some had no additional information or amendments to make but some provided additional information or requested amendments. Additional information and/or amendments were received from the Yorkshire Dales National Park Authority, Durham County Council, Lancashire County Council, Leeds City Council, Doncaster Metropolitan Council and East Riding Council. The additional information and corrections were incorporated in to the document which was recirculated in December 2014 along with a draft Local Aggregate Assessment. Further comments received were fed into this final version of the document.

1.10 Following consultation on a Preferred Options version of the Minerals and Waste Joint Plan and as a result of representations received from the Mineral Products Association, additional sand and gravel resources (glaciolacustrine deposits in the Vale of York) were added to the mineral safeguarding areas in the Joint Plan area. New maps have been produced, where relevant, to reflect this and the mineral safeguarding policies of the adjoining authorities re-checked to identify any further changes.

## Tees Valley

1.11 The Tees Valley area comprises 5 MPAs; Darlington Borough Council, Stockton Borough Council, Middlesbrough Council, Redcar and Cleveland Council and Hartlepool Council. MPAs in the Tees Valley area produced a Joint Plan which covered the 5 MPA areas. The ‘Tees Valley Joint Minerals and Waste Development

Plan – Core Strategy DPD' was adopted in September 2011. The following policies contained in the Plan deals with minerals safeguarding in the Tees Valley.

**Policy MWC1: Minerals Strategy**

The sustainable use of minerals resources in the Tees Valley will be delivered through:

- a) Where appropriate, identifying sources of alternatives to primary mineral resources, including secondary and recycled minerals, and encouraging the development of facilities to process alternative materials either at the point of production or other suitable locations;
- b) Ensuring new-build developments, in particular those in regeneration and growth point areas, contribute to efficient use of resources, to increase the proportion of construction and demolition waste recycled per year for use as an alternative mineral from 38% in 2005 to at least 80% from 2016 onwards;
- c) The efficient use of permitted reserves of primary minerals to help meet the identified need, whilst continuing to drive minerals supply up the minerals hierarchy
- d) Identifying those wharves which can be used for the landing of marine dredged sand and gravels and safeguarding associated land for the development, extension and continuation of this activity;
- e) Safeguarding the necessary infrastructure to enable the sustainable transport of minerals, in particular the use of existing rail and port facilities in the Tees Valley; and
- f) Identifying mineral resources underlying the Tees Valley and protecting them from necessary sterilisation by build development.

**Policy MWC4: Safeguarding of Minerals Resources from Sterilisation**

Within the minerals safeguarding areas, non-minerals development will only be permitted in the following circumstances:

- a) The development would not sterilise or prejudice the future extraction of the mineral resource because there is evidence that the resource occurs at depth and can be extracted in an alternative way or there is evidence that the resource has been sufficiently depleted by previous extraction; or
- b) The mineral will be extracted prior to development and this will not significantly adversely affect the timing and viability of the non-minerals development; or
- c) The need for the non-mineral development can be demonstrated to outweigh the need for the mineral resource.

**Policy MWC5: Protection of Minerals Extraction Sites**

Operational safeguarding areas are identified around the following minerals extraction sites:

- a) Hart Quarry (Hartlepool); and
- b) Stockton Quarry (Stockton-on-Tees)

Within these areas, development proposals will be required to demonstrate that they are compatible with the permitted minerals operations.

1.12 Only 4 of the 5 MPAs in the Tees Valley directly border the Joint Plan area, these are Darlington Borough Council, Middlesbrough Borough Council, Stockton Borough Council and Redcar and Cleveland Borough Council. The following table lists those minerals present in Tees Valley, broken down by Local Authority area,



which adjoin the Joint Plan area, indicating if that mineral is safeguarded up to the NYCC boundary.

MPA	Mineral resource present near NYCC boundary	Safeguarded
Darlington – displayed on the proposals map	Sand and gravel Crushed rock Gypsum	Yes Yes Yes
Stockton	Sand and gravel	Yes
Middlesbrough	Sand and gravel	Yes
Redcar and Cleveland	Sand and gravel	Yes

Table 1: Safeguarded minerals in parts of Tees Valley adjoining the Joint Plan area

1.13 The Tees Valley authorities have produced an overarching map which shows the Mineral Safeguarding Areas in the 5 MPAs. The information from this overarching map has been added to the draft safeguarding maps produced by the Joint Plan Authorities to indicate where the Mineral Safeguarding Areas for each adjacent MPA are located in proximity to the border. The location of the Tees Valley in relation to the Joint Plan area is shown in the inset map in the top right hand corner. The maps are produced by individual mineral type.

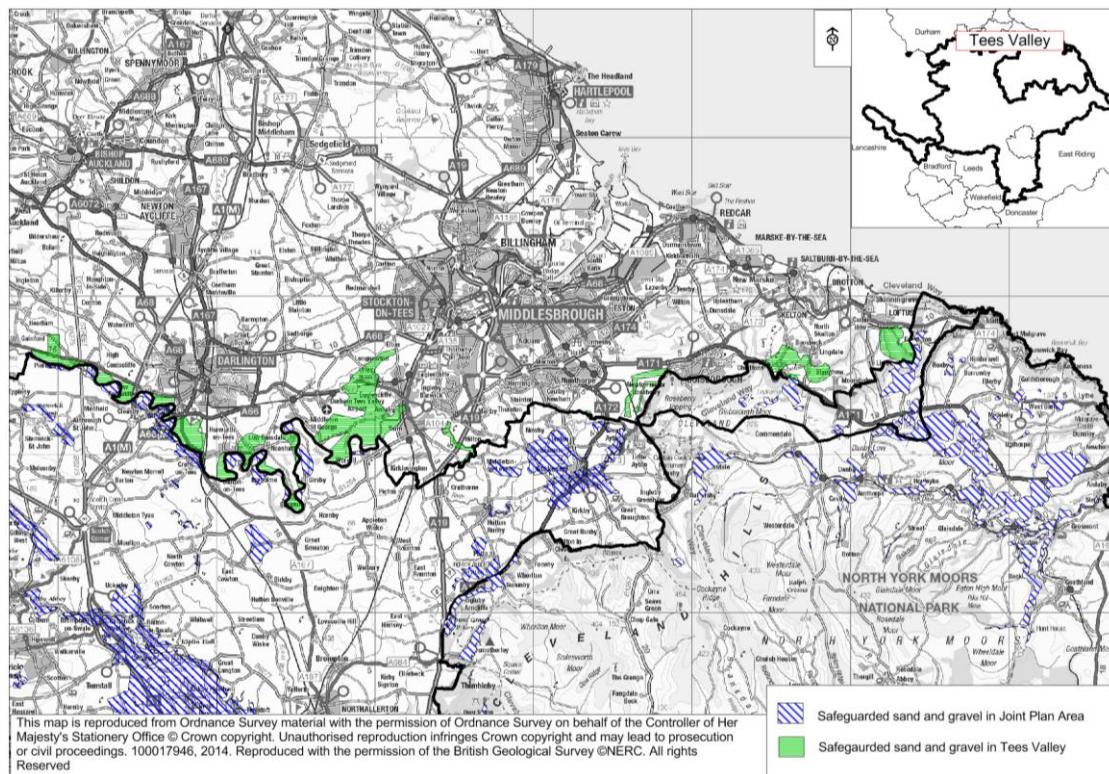


Figure 2: Sand and gravel safeguarding at boundary between the Joint Plan area and Tees Valley.

1.14 The map below shows the Mineral Safeguarding Areas (MSAs) for crushed rock in the Joint Plan area.

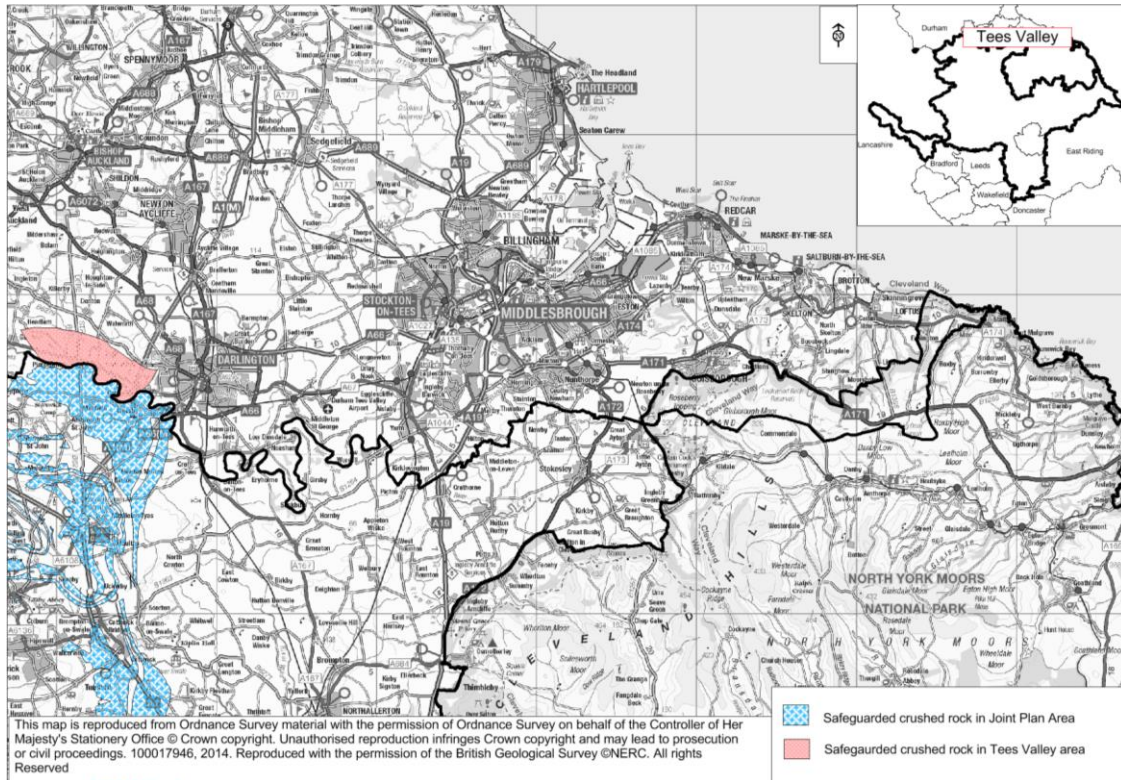


Figure 3: BGS crushed rock safeguarding map between Tees Valley boundary and Joint Plan area

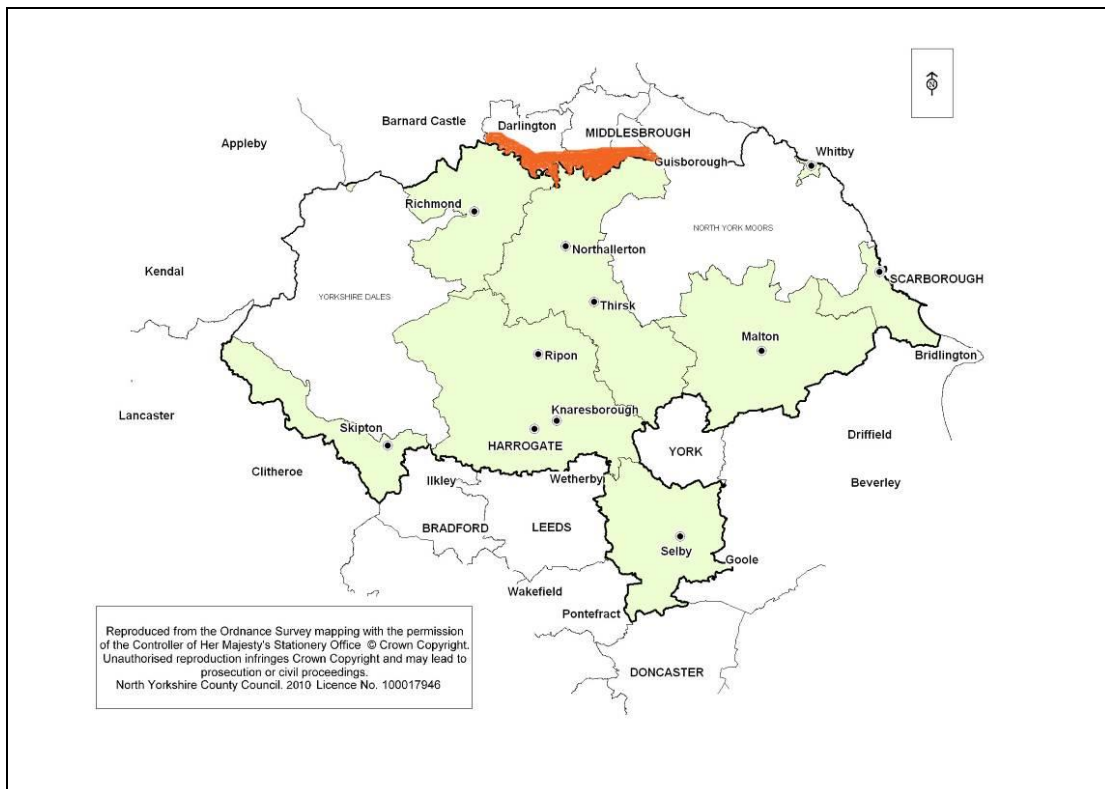


Figure 4: Gypsum safeguarding at boundary between NYCC and Tees Valley.

■ Safeguarded gypsum outside the North Yorkshire plan area

1.15 Gypsum has not been recommended for safeguarding in any of the Joint Plan authorities BGS reports, but is safeguarded in the Tees Valley Area at this location.

1.16 At a local level only 4 of the MPAs in the Tees Valley border onto the Joint Plan area; of these only Darlington Borough Council has included Mineral Safeguarding Areas on a Proposals map.

1.17 A combined response from Tees Valley was received to the August 2014 consultation, they had no objections to the content and no additions to make.

## Durham Council

1.18 Durham Council is in the process of producing the County Durham Local Plan, currently at Issues and Options stage. Extant minerals policies are saved from the Minerals Local Plan 2000 'saved' policies. However, There is no specific 'saved' policy which deals directly with mineral safeguarding but there is one which deals with development in Mineral Consultation areas and another which deals with extraction of minerals in advance of development.

### **M14 Preventing sterilisation**

Development will only be permitted within or adjoining a Mineral Consultation Area as shown on the proposals map where:

- a) it would not sterilise significant quantities of potential mineral resources; or
- b) it represents infill development within an established built up area; or
- c) it is otherwise acceptable and:
  - i) no other suitable locations are available; and
  - ii) development would not lead to the sterilisation of reserves of high quality or scarce minerals(in accordance with Policy M18).

### **M15 Extraction in advance of other development**

The extraction of minerals in advance of other development with planning permission or which is on land allocated in an adopted development plan will be permitted provided that:

- a) the extraction does not prejudice or unduly impede the development; and
- b) any additional impact on local amenity is acceptable (in accordance with policies M36-M37).

1.19 Durham Council has produced a proposals map which shows the mineral consultation areas and mineral resources in the County.



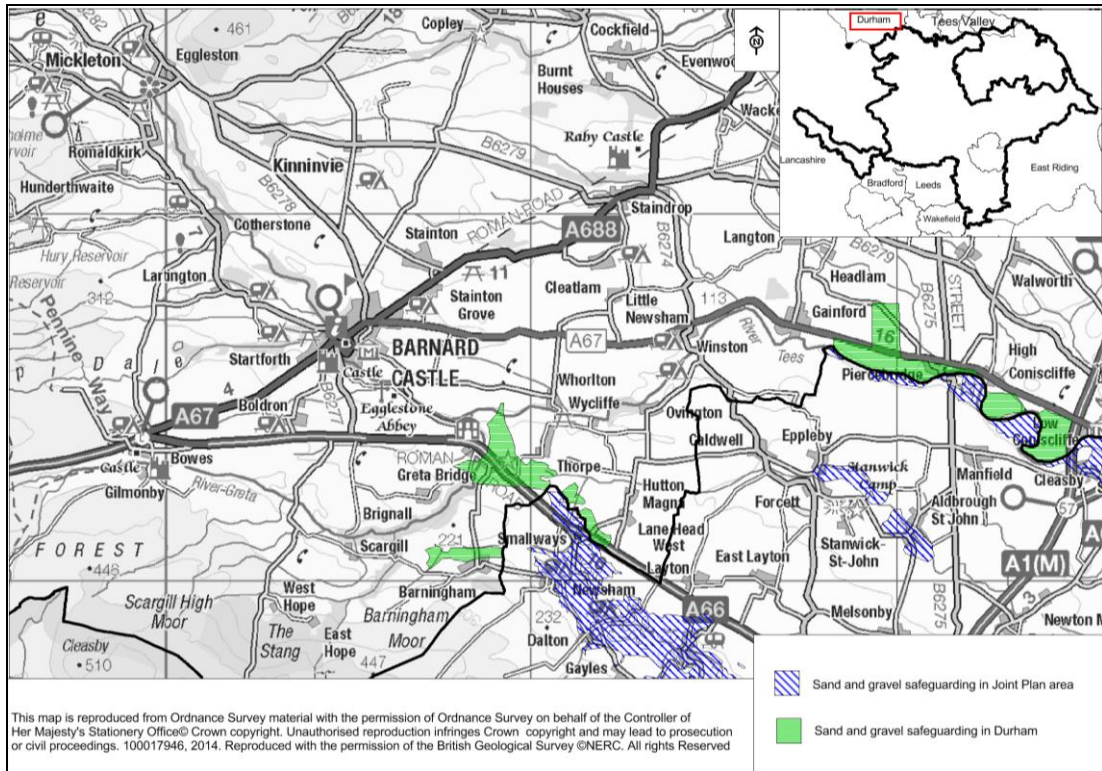


Figure 5: Sand and gravel safeguarded at the boundary between Durham and the Joint Plan area.

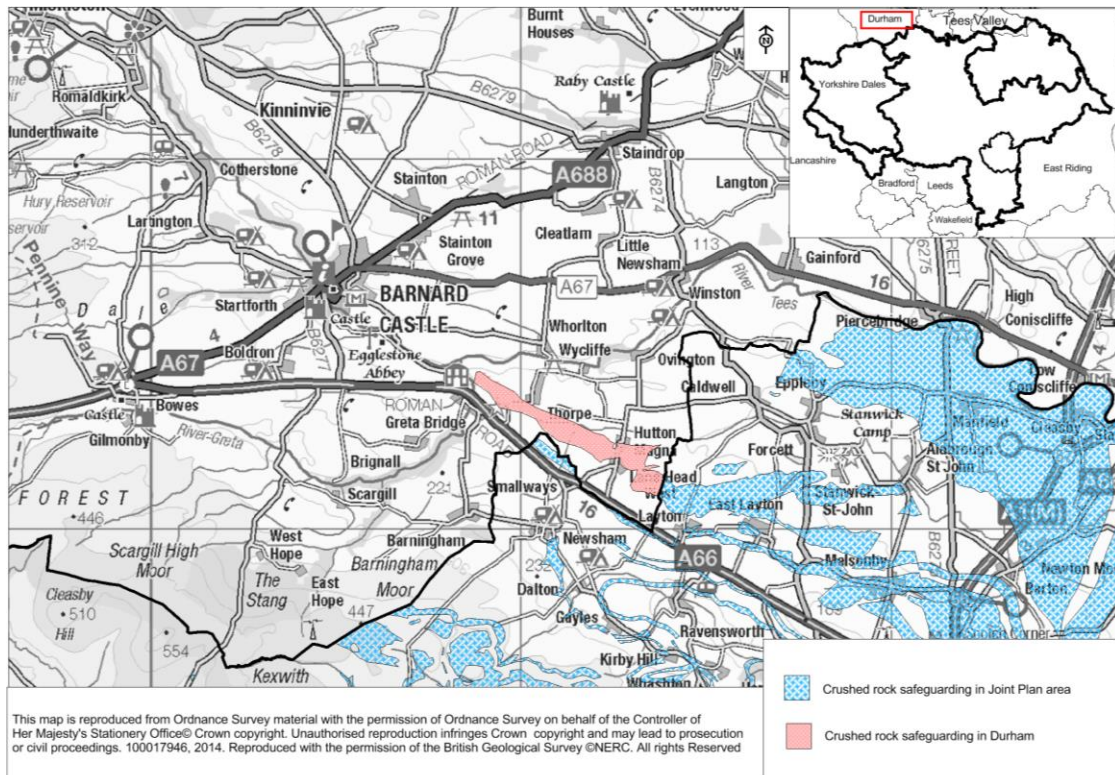


Figure 6: Crushed rock safeguarded at the boundary between Durham and the Joint Plan area.

1.20 Durham County Council responded to both the August 2014 and December 2014 consultation requesting minor amendments to the maps displaying the

safeguarded resource within Durham County Councils boundary and these updates have been incorporated.

## Lancashire County Council

1.21 Lancashire County Council has produced a Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, which was adopted in February 2009, includes a mineral resources policy which includes reference to minerals safeguarding and a Joint Lancashire Minerals and Waste Local Plan – Site Allocations and Development Management Policies, Part One which was adopted in September 2013 and which contains a specific minerals safeguarding policy.

### **Policy CS1** (from the Core Strategy)

Minerals will be extracted only where they meet a proven need for materials with those particular specifications.

Lancashire's minerals resources, including those shown on the Key Diagram, and including its former mineral workings, will be identified and conserved, where they have an economic, environmental or heritage value.

Minerals resources with the potential for extraction now or in the future will be identified as Mineral Safeguarding Areas and protected from permanent sterilisation by other development.

Mineral consultation areas will be identified and reviewed regularly. District councils will consult with the minerals planning authority where proposals for developments fall within these areas.

Extraction of minerals resources prior to other forms of development will be encouraged.

The Mineral Planning Authorities will work with industry and others to ensure the best available information supports these principles.

### **Policy M2 – Safeguarding Minerals** (from the Local Plan)

Within the Plan area, Mineral Safeguarding Areas have been delineated on the Policies Map around all deposits of:

- Limestone
- Sand and Gravel
- Gritstone (Sandstone)
- Shallow Coal
- Brickshales
- Salt

Within these mineral safeguarding areas identified, planning permission will not be supported for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals, unless the applicant can demonstrate to the satisfaction of the local planning authority that:

- The mineral concerned is no longer of any value or has been fully extracted.
- The full extent of the mineral can be extracted satisfactorily prior to the incompatible development taking place.



- The incompatible development is of a temporary nature and can be completed and the site returned to its original condition prior to the minerals being worked.
- There is an overarching need for the incompatible development that outweighs the need to avoid the sterilisation of the mineral resource.
- Extraction would lead to land stability problems.

1.22 The Key Diagram in the adopted ‘Managing Waste and Natural Resources’ document shows the location of the mineral resources. The Site Allocation and Development Management DPD, which was adopted in September 2013, shows the mineral safeguarding areas on a policies map, but the map does not differentiate between the different mineral types. For this document the maps provided in the Managing Waste and Natural Resources document have been used to provide an accurate reflection of the cross boundary position for different minerals. Sand and gravel is identified near to the boundary, but not directly adjacent to it so immediate cross boundary compatibility issues do not arise. Safeguarded crushed rock in Lancashire does lie adjacent to the Joint Plan boundary. The map below shows the part of the Joint Plan area bordered by the part of Lancashire County Council which contains the safeguarded crushed rock resource at the boundary.

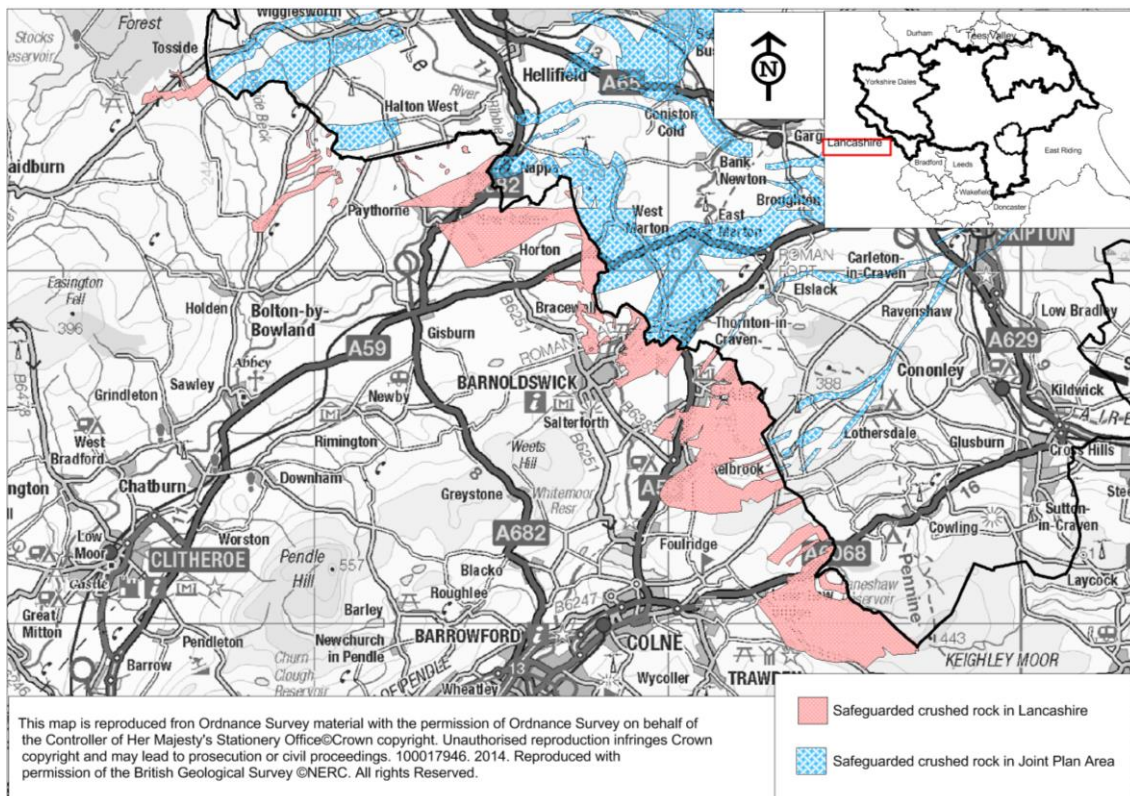


Figure 7: Crushed rock safeguarded at the boundary between Lancashire and the Joint Plan area.

1.23 Lancashire County Council responded to the August 2014 consultation and requested that the map be changed to show more of the safeguarded resource in their area, this update has now been carried out.

## City of Bradford Metropolitan Borough Council

1.24 Bradford's most recent published document which includes minerals safeguarding is the Core Strategy Development Plan Document Publication Draft produced in February 2014 which was submitted to the Secretary of State in December 2015 and is currently awaiting for the outcome of the Examination in Public. The Core Strategy is therefore not yet adopted but the proposed policy is below.

### **Policy EN12 – Minerals Safeguarding**

- A. Sandstone, coal and sand and gravel resources within the District will be safeguarded from sterilisation by other forms of development through the allocation of Mineral Safeguarded Areas defined in the Allocations DPD based on broad areas shown in the Minerals Safeguarding Plan.
  
- B. Within Coal and Sandstone Safeguarding Area planning permission should not be granted for proposals involving the development of over 1 hectare of land unless it has been demonstrated that one of the following circumstances applies:
  - 1. The applicant proposes to recover part of the sandstone resource beneath the site for use as construction materials, or;
  - 2. The applicant has demonstrated that there is no sandstone resource beneath the site of sufficient quality to produce either building stones or aggregates at sufficiently shallow depth to be viable for extraction, or;
  - 3. The applicant has demonstrated that the costs associated with extracting the sandstone resource beneath the site significantly outweigh the value of resource, or;
  - 4. The applicant has demonstrated that none of the sandstone resource beneath the site could be extracted without prejudicing the development of the site, or;
  - 5. The prior extraction of the sandstone resource would result in an unacceptable level of environmental harm, or;
  - 6. There is an urgent need for the development, in term of economic, environmental or social benefits, which justifies the sterilisation of a sandstone resource which could otherwise be viable for extraction.
  
- C. Within Coal and Sand and Gravel Minerals Safeguarding Areas planning permission should not be granted for any major developments unless it has been demonstrated that one of the following circumstances applies:
  - 1. The applicant proposes to recover the coal or sand and gravel resource beneath the site prior to developing the site, or;
  - 2. The applicant has demonstrated that there is no coal or sand and gravel resource beneath the site at sufficiently shallow depth to be viable for extraction, or;
  - 3. The applicant has demonstrated that the costs associated with extracting the coal or sand and gravel resource beneath the site significantly outweigh the value of the resource, or;
  - 4. The prior extraction of coal or sand and gravel resource would result in an unacceptable level of environmental harm, or;
  - 5. There is an urgent need for the development, in terms of economic, environmental or social benefits, which justifies the sterilisation of the coal or sand and gravel resource.



- D. Planning permission should not be granted for the development of any land within 500m of an existing active minerals extraction site, other than development within the curtilage of an existing dwelling house, unless it has been demonstrated that the development would not prejudice any opportunities for the future extension of the active minerals extraction site.
- E. Planning permission should not be granted for development within active, inactive or historic minerals extraction voids unless it has been demonstrated that such development would not result in the sterilisation of an economically significant mineral resource or a resource which may be required for the restoration or conservation of historic buildings and would not be affected by any unacceptable land stability risks.
- F. Proposals involving the extraction of minerals from a development site which has the benefit of planning permission for a type of development which would otherwise sterilise the mineral resource beneath the site, will be supported in principle, providing that the proposal accords with the other policies with the other policies within the Local Development Plan.

1.25 There is no proposals map available for City of Bradford Council which includes minerals information. There are maps of the minerals safeguarding areas in the Core Strategy Development Plan Document Publication Draft produced in February 2014. The map below shows the safeguarded sand and gravel resource at the boundary of Bradford Metropolitan Borough Council and the Joint Plan area.

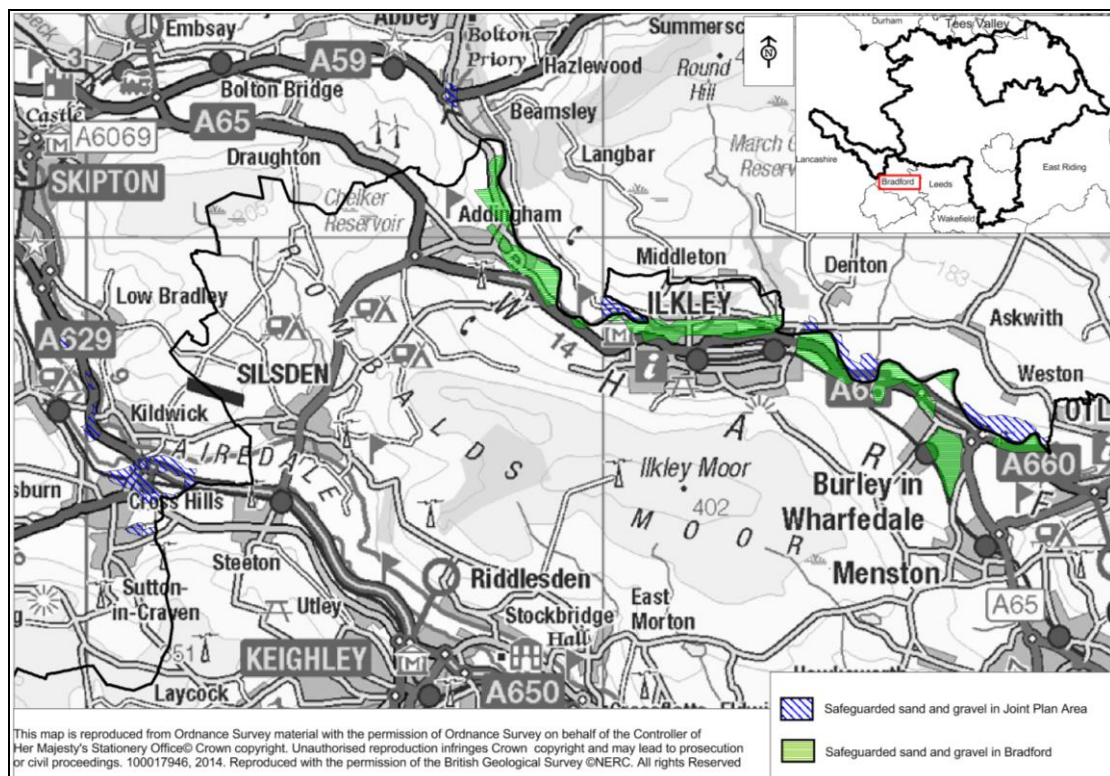


Figure 8: Safeguarded sand and gravel at the boundary between Bradford and the Joint Plan area.

1.26 Bradford Metropolitan District Council responded to the August 2014 consultation and confirmed that the information for their area was correct and

advised that they would produce a proposals map/site allocations map for minerals when their Allocations DPD is progressed further.

## Leeds City Council

1.27 Leeds City Council has Minerals Safeguarding Policies within its 'Natural Resources DPD (Local Plan)' which was adopted in January 2013, it also mentions safeguarding in its minerals policy in the Core Strategy, adopted in November 2014, and the policy establishes the overall framework for the policies in the Natural resources Local Plan.

The policies are detailed below.

### **Leeds Core Strategy**

#### **POLICY EN7: MINERALS**

Proven mineral resources of surface coal and sand and gravel will be protected from sterilisation by the designation of the following mineral safeguarding areas:

- (i) Surface coal – extensive across the main urban area and to the south and east of the District,
- (ii) Sand and gravel – the lower Aire Valley around Methley, the Wharfe Valley (to the west of Pool) and the Aire Valley through the urban area.

Leeds will aim to meet the following targets for aggregate provision during the plan period:

Sand and gravel: 146,000 tonnes per annum

Crushed rock: 440,000 tonnes per annum

The Council will seek to identify opportunities to ensure that aggregates can be transported by non-road based freight into the city and maximise opportunities for marine-won aggregate to contribute towards supply.

#### **Natural Resources Local Plan**

##### **Minerals 2: Mineral safeguarding areas (MSA) – sand and gravel**

Within the Sand and Gravel Minerals Safeguarding Areas shown on the Policies Map, applications for development over 1 hectare in size must demonstrate that removal of the sand and gravel will take place prior to or during development unless:

1. It can be shown that it is not economically viable to do so (including effects on communities or the wider economy), or
2. It is not environmentally acceptable to do so, or
3. The need for the development outweighs the need to extract the sand and gravel, or
4. The sand and gravel will not be sterilised by the development.

##### **Minerals 3: Mineral safeguarding areas – surface coal**

###### **Development sites**

Within the Surface Coal Mineral Safeguarding Area shown on the Policies Map applications for non-householder development must demonstrate that the opportunity to recover any coal present at the site has been considered. Coal present should be removed prior to or during development unless:

1. It can be shown that it is not economically viable to do so, or

2. It is not environmentally acceptable to do so, or
3. The need for the development outweighs the need to extract the coal, or
4. The coal will not be sterilised by the development.

#### **Non-development sites**

Permission shall not be given for the working of surface coal deposits beneath undeveloped land which is not going to be developed for other uses, unless applicants are able to demonstrate the environmental acceptability of their proposal, that the highest operational standards will be met and that restoration will enhance landscape quality and biodiversity. Weight will be attached to schemes which provide local and/or community benefits avoid the sterilisation of mineral resources, address mining legacy issues or facilitate other development which is in accordance with the development plan.

#### **Minerals 4: Safeguarding existing mineral extraction sites**

The existing minerals sites shown on the Policies Map are safeguarded to ensure that mineral reserves are not compromised by other forms of development.

Applications for change of use of a safeguarded minerals site will be required to demonstrate that there is no longer a need for the site for mineral purposes either within the Leeds district or adjoining West Yorkshire local authority areas.

#### **Minerals 5: Mineral extraction – sand and gravel**

##### **1. Area of search**

Proposals for the extraction of sand and gravel within the defined Area of Search at Methley (as shown on the Policies Map), will be supported in principle for proven deposits in accordance with Minerals 9.

##### **2. Allocation**

Land at Midgeley Fram, Otley is allocated for sand and gravel extraction.

#### **Minerals 6: Limiting sand and gravel extraction in the Wharfe Valley**

It is unlikely that proposals for the extraction of sand and gravel within the area to the east of Pool in the Wharfe Valley will be supported.

#### **Minerals 12: Safeguarding minerals processing sites**

The mineral processing sites shown on the Policies Map are safeguarded to protect them against alternative uses unless it can be demonstrated that the site is no longer required to produce a supply of processed minerals.

1.28 The mineral safeguarding information is included in the adopted map books produced as part of the Minerals and Waste DPD. The map below shows the safeguarding of sand and gravel at the boundary of Leeds City Council and the Joint Plan area.



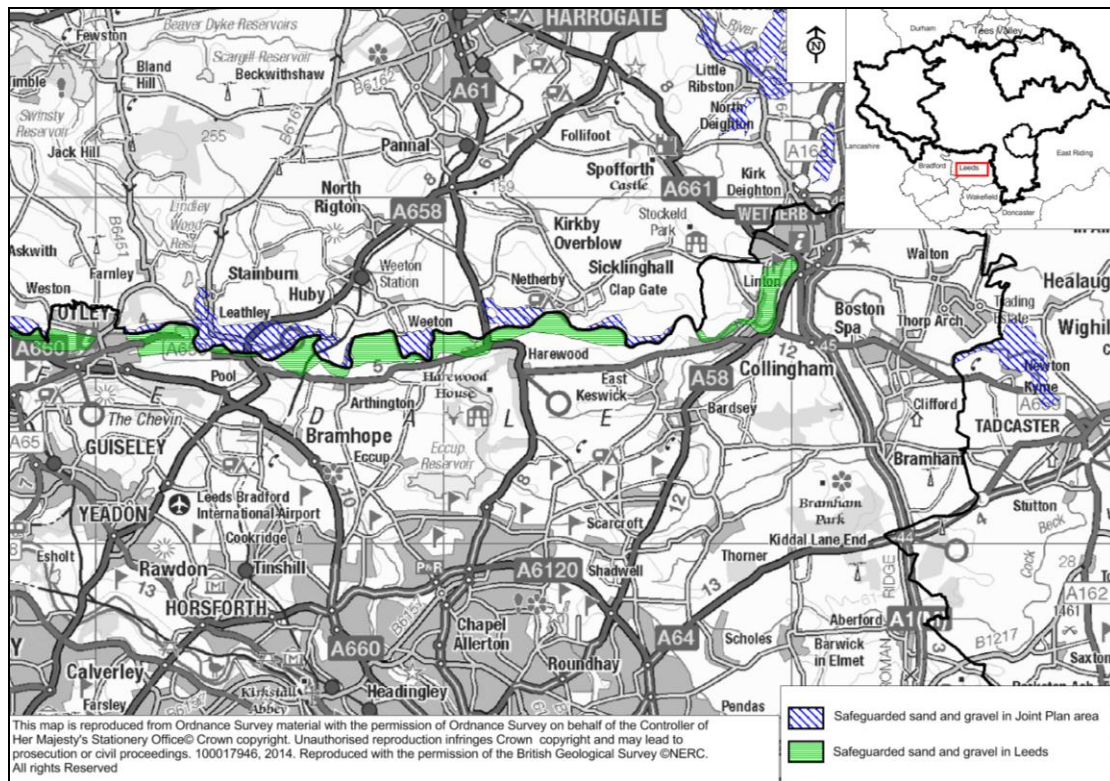


Figure 9: Safeguarded sand and gravel at the boundary between Leeds and the Joint Plan area.

1.29 Leeds City Council responded to the August 2014 consultation and requested some minor amendments to the map which has been updated. They also suggested including information about imports from the Yorkshire Dales and increased use of marine aggregates in the future. This has not been included as it is considered to be information more appropriate to the Local Aggregate Assessment.

### Wakefield Metropolitan District Council

1.30 The ‘Wakefield Metropolitan District Local Development Framework’ was adopted in April 2009. WMDC also developed some site specific mineral safeguarding policies in the ‘Wakefield Metropolitan District Local Development Framework Site Specific Policies Local Plan’ which was adopted in September 2012. Both are shown below.

#### Wakefield Metropolitan District Local Development Framework

##### Policy CS 16 – Minerals

In conjunction with other authorities, the Council will maintain an appropriate contribution towards the regional supply of aggregates and provide an adequate and steady supply of other minerals.

1. Aggregates
  - a. Known mineral resources of economic value will be identified as Mineral Safeguarding Areas within the Upper Magnesian Limestone belt in the Knottingley and Darrington Area, adjacent to existing mineral extraction sites. The known remaining unworked deposits of alluvial sand and gravels are identified in the Lower Calder Valley between the settlements



of Horbury and Calder Grove and to the north of Stanley Ferry and the M62. Mineral Safeguarding Areas will be protected from development that could result in their sterilisation.

2. Aggregates and other minerals
  - a. Existing mineral reserves throughout the district which have planning permission will be protected from inappropriate development that could result in their sterilisation;
  - b. Working of mineral resources from land reclamation schemes may provide secondary aggregates and other minerals in association with restoration and/or development wherever practicable and environmentally acceptable.
  - c. Sustainable transport will be used wherever practicable in connection with mineral extraction, particularly existing rail-heads and the wharf at Pioneer Way/Whitwood
  - d. The district includes areas where land reclamation is required, particularly on older colliery workings at Fryston Wheldale, the former Prince of Wales Colliery site at Pontefract and Sharlston Colliery. Land reclamation will be supported and limited extraction will be acceptable where it enables reclamation
  - e. Mineral extraction before development commences will generally be acceptable, particularly where the development would result in a considerable extension to an urban area, provided the extraction is carried out in a reasonable time-scale and in an environmentally acceptable manner.

The contribution to the supply of alternative materials for use as secondary aggregates will be maximised by securing opportunities for recycling, processing and transfer of materials wherever practicable and environmentally acceptable.

Wakefield Metropolitan District Local Development Framework, Site Specific Policies Local Plan.

### **Minerals Safeguarding Areas**

**The following sites shown on the Policies Map have been allocated as Mineral Safeguarding Areas:**

#### **MSA 1**

South Knottingley/ Darrington – Limestone  
To safeguard Limestone reserves in the east of the district – south of Knottingley.

#### **MSA 2**

St John's Field, Normanton – Clay  
To safeguard clay reserves south of Altofts.

#### **MSA 3**

Greenfield Road, south of Altofts, Normanton – Clay  
To safeguard clay reserves south of Altofts

#### **MSA 4**

The Wyke, Horbury – Sand and gravel  
Due to the location of minerals, development cannot be met elsewhere and in this instance it is in the Green Belt. The site will contribute towards the regional supply of

aggregates and provide an adequate and steady supply of sand and gravel. The proposal conforms to the Core Strategy.

**MSA 5**

Stanley Ferry, Wakefield – Sand and Gravel

Due to the location of minerals, development cannot be met elsewhere and in this instance is in the Green Belt. The site will contribute towards the regional supply of aggregates and provide an adequate and steady supply of sand and gravel. The proposal conforms to the Core strategy.

**MSA 6**

Limits of the shallow coal resources

To safeguard potentially economically viable deposits of coal in the district. The limits of the shallow coal resources as far as possible. The limits of the coal resources do not necessarily identify economically viable deposits.

**MSA 7**

Limits of the concealed coal resources

To safeguard potentially economically viable deposits of coal in the district. The limits of the concealed coal resources are shown to safeguard coal mineral resource as far as possible. The limits of the coal resources do not necessarily identify economically viable deposits.

**Mineral Reserves – Areas with Planning Permission**

**The following sites as shown on the Policies Map have been allocated as Mineral Reserves**

**MR 1**

Foxholes, North of Altofts – sand and gravel

**MR 2**

Penbank, Castleford – sand and gravel

**MR 3**

Newland Lane, Normanton – Clay

**MR 4**

Womersley Road, Knottingley – Limestone

**MR 5**

Nostell Brickworks (North), Wragby – Clay

**MR 6**

Nostell Brickworks (South), Wragby – Clay

**MR 7**

Crofton Triangle, Shay Lane, Crofton – Ash and shale

**MR 8**

The Strands, Horbury Bridge – Sand and gravel

1.31 Not all Mineral Safeguarding Areas or Mineral Resource Areas are near the Joint Plan border, only MSA 1 and MSA 6 in terms of safeguarding areas and MR 4 in terms of mineral resource areas.

1.32 The maps below show where the boundary of Wakefield MDC meets the Joint Plan area boundary, and the safeguarding of crushed rock and shallow coal at the boundary.

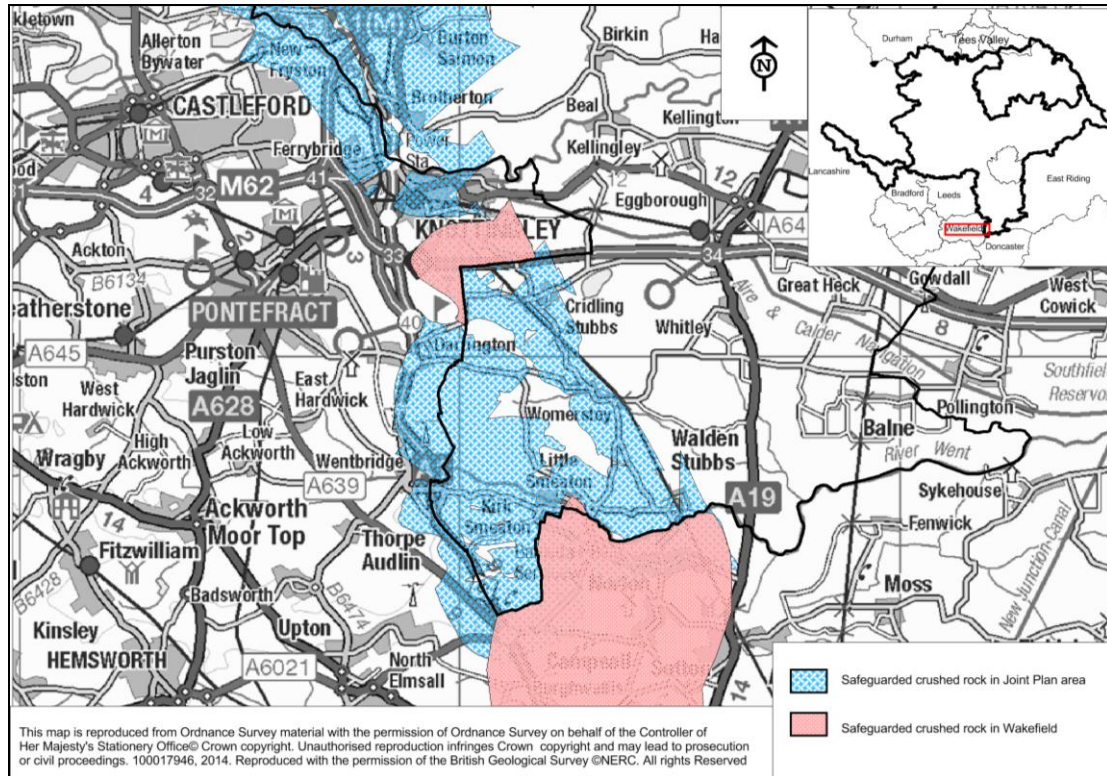


Figure 10: Crushed rock safeguarding at the boundary between Wakefield and the Joint Plan area.

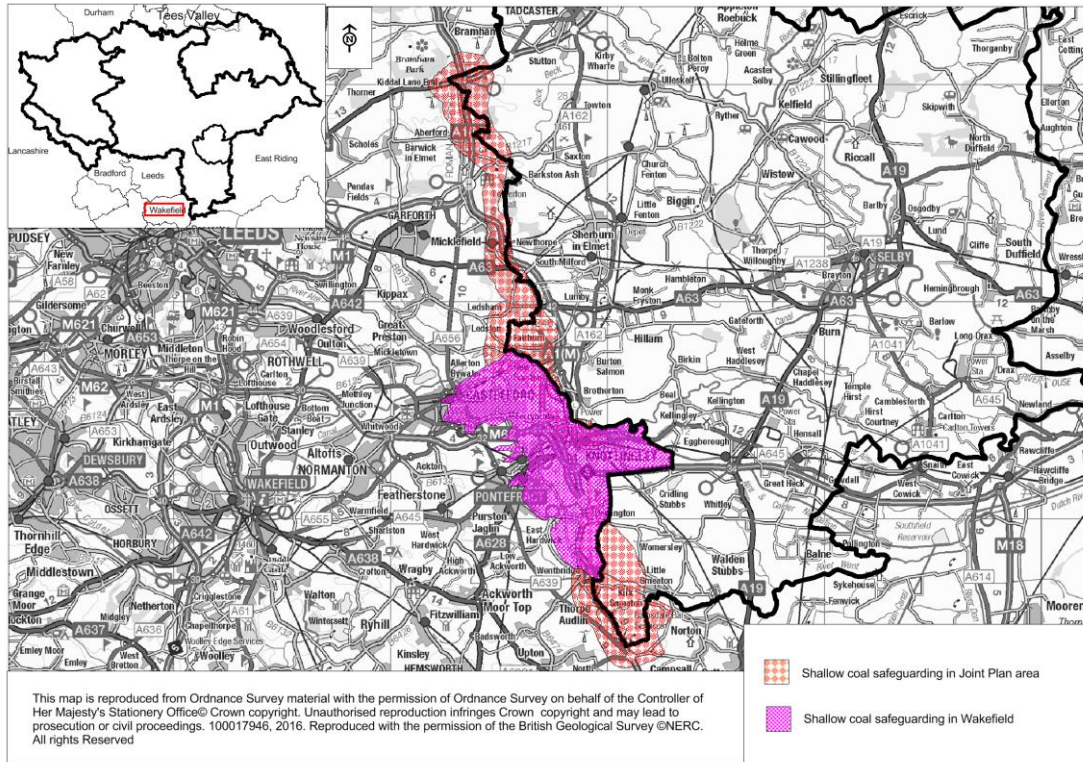


Figure 10: Shallow coal safeguarding at boundary between Wakefield and Joint Plan area.

1.33 Wakefield Council have not responded to either consultation.

### Doncaster Council

1.34 Doncaster Council adopted a Core Strategy in May 2012, which includes a policy for minerals safeguarding.

#### Policy CS20: Minerals

Doncaster has substantial mineral resources, including industrial and energy minerals and aggregates, of which we provide the majority of South Yorkshire's supply. The delivery of adequate minerals during and beyond the plan period (2011 – 2026) will be ensured based on the principles set out below.

- A. The use of secondary and recycled aggregates will be maximised, whilst also reducing the reliance on primary aggregates by:
  1. Requiring development, including land reclamation schemes, to contribute towards providing or using recycled material and/or secondary minerals;
  2. Where possible, maintaining a landbank of permitted reserves for at least seven years for sand and gravel and with Rotherham Council at least ten years of aggregate limestone;
  3. Monitoring and reviewing the permitted reserves of sand and gravel, and aggregate limestone.
  4. Identifying appropriate mineral extraction areas to contribute toward sub-regional apportionment and directing aggregate mineral exploration and extraction towards 'Areas of search and
  5. Requiring proposals for sand and gravel to demonstrate that the mineral resource includes a significant proportion (20% or more) of sharp sand



and gravel.

- B. Sufficient industrial and energy minerals will be provided for by:
1. Supporting proposals for unconventional gas on areas of derelict and degraded land or with close proximity to existing infrastructure for example pipelines and existing gas storage areas such as at Hatfield and Trumfleet;
  2. Supporting proposals for energy minerals, such as coal (and its by-products), conventional oil and gas which balance economic and environmental benefits;
  3. Identifying land for colliery spoil disposal at Hatfield Colliery; and
  4. Identifying land for the future supply of industrial dolomite, including allocating an extension to Warmsworth Quarry.
- C. In all cases, proposals for minerals related development will only be supported where:
1. It is accessible via appropriate transport infrastructure including the rail and canal network where possible;
  2. It minimises impacts on local amenity and is reclaimed to a suitable afteruse; and ;
  3. Minor schemes (such as fish ponds), retain and reuse extracted material on site, unless wider benefits are justified.
- D. Minerals will be safeguarded during and beyond the plan period by:
1. Defining 'mineral safeguarding areas' around all economically important deposits of shallow coal, aggregate, industrial and building (including historic) limestone within the Magnesian Limestone ridge between Barnsdale Bar in the north Stainton in the south, and the sharp sand and gravel between Fishlake and Bawtry; and;
  2. Identifying and protecting wharves for the bulk transport of material (for example Cadeby Quarry)
- E. Proposals within Mineral Safeguarding Areas (including existing built-up areas), which are in accordance with the development plan allocations, will be required to consider whether prior extraction of any economically valuable minerals is feasible and environmentally acceptable. Other proposals for non-mineral development within Mineral Safeguarding Areas will be supported where:
1. The proposal incorporates the prior extraction of any minerals of economic value in an environmentally acceptable way; or;
  2. The mineral is of no economic value; or;
  3. It is not possible to extract the mineral in an environmentally acceptable way; or;
  4. The need for the development outweighs the need to safeguard the site for the future; or;
  5. The development is minor or temporary in nature.

1.35 The Minerals Safeguarding Areas are not expressed on the key diagram, maps of the resource areas are provided in the Core Strategy document. The only mineral directly adjacent to the boundary with the Joint Plan area is limestone. The map

below shows the safeguarding of crushed rock at the boundary between Doncaster Council area and the Joint Plan area.

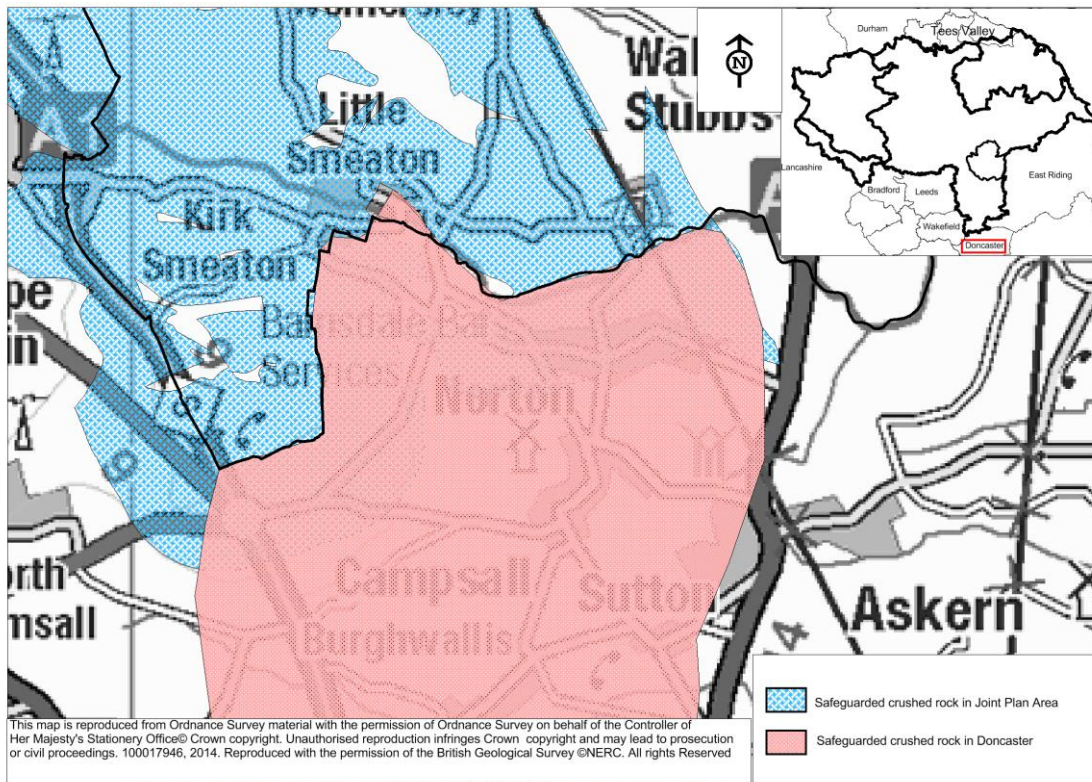


Figure 11: Safeguarded crushed rock at the boundary of Doncaster and the Joint Plan area.

1.36 Doncaster Metropolitan Borough Council responded to both the August 2014 and December 2014 consultation. They confirmed that the information presented was correct. They confirmed that they were reviewing their approach to minerals safeguarding but it is likely that the safeguarding boundaries will remain largely the same. They raised concern regarding the fact that it appears on the map that North Yorkshire are looking to safeguard crushed rock outside their administrative boundary. Subsequent review of this matter revealed a mapping error which has been corrected.

### East Riding of Yorkshire Council

1.37 East Riding of Yorkshire Council and Kingston upon Hull Council have produced an East Riding Local Plan, Proposed Submission Strategy document in January 2014.

**Policy EC6: Protecting mineral resources (from the East Riding Local Plan)**

- A. Mineral Safeguarding Areas for sand and gravel, crushed rock, limestone, industrial chalk, clay and silica sand are identified on the *Policies Map*.
- B. Within or adjacent to Mineral Safeguarding Areas, non-mineral development, which would adversely affect the viability of exploiting the underlying or adjacent deposit in the future, will only be supported where it can be demonstrated that the :
  1. Underlying or adjacent mineral is of limited economic value;

2. Needs for the development outweighs the need to safeguard the mineral deposit;
3. Non-mineral development can take place without preventing the mineral resource from being extracted in the future;
4. Non-mineral development is temporary in nature
5. Non-mineral development is in accordance with an allocation in the *Allocations Document* or a *Neighbourhood Development Plan*; or
6. The underlying or adjacent mineral deposit can be extracted prior to the non-mineral development proceeding, or prior to extraction of the deposit is not possible.

1.38 Minerals safeguarding area maps have been published on East Riding Council's website. The map below shows safeguarded sand and gravel at the border between East Riding of Yorkshire Council and the Joint Plan area.

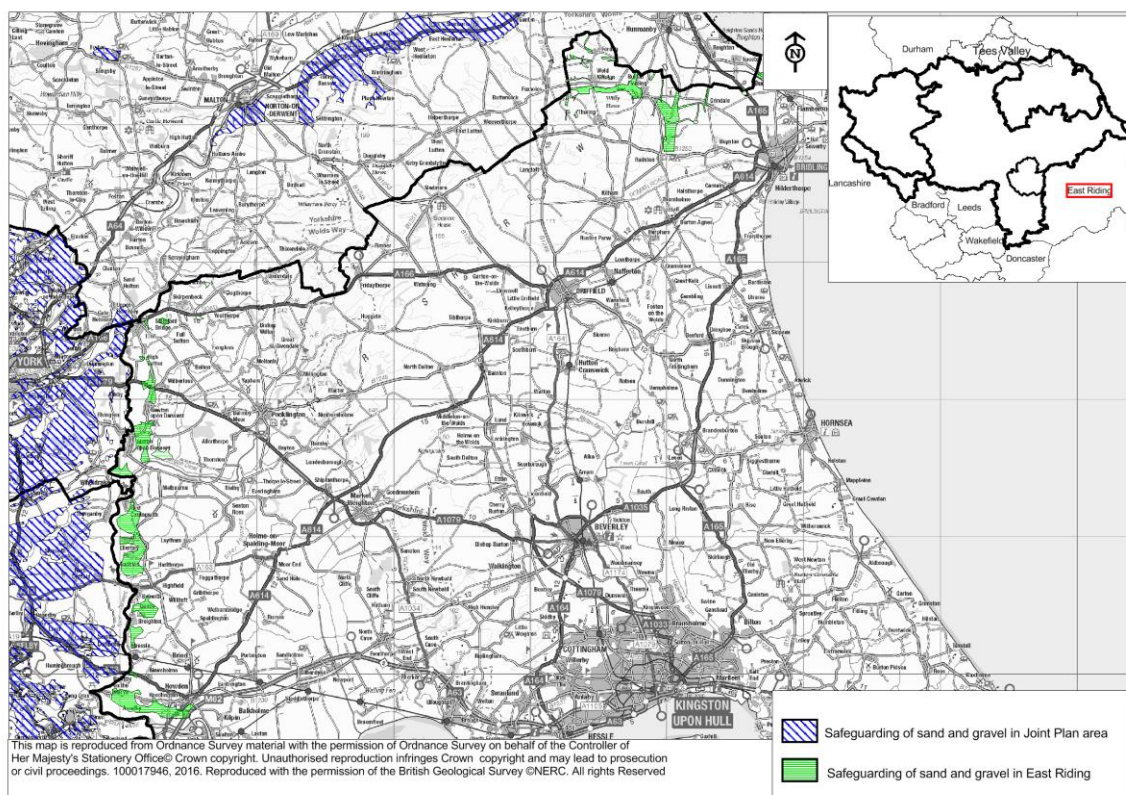


Figure 12: Safeguarded sand and gravel at the boundary of East Riding Council and the Joint Plan area.

1.39 East Riding Council responded to both the August 2014 and December 2014 consultation. They pointed out that there was an updated policy for safeguarding in the East Riding Local Plan and requested minor amendments to the map. This has been updated to reflect the comments. Following the revision of the sand and gravel safeguarding areas in the Joint Plan area as a result of the Preferred Options consultation, this has led to further resources being identified for safeguarding within the Joint Plan area but which lie adjacent to the boundary with East Riding. East Riding Council were consulted on this change in July 2016 but had no comments to make

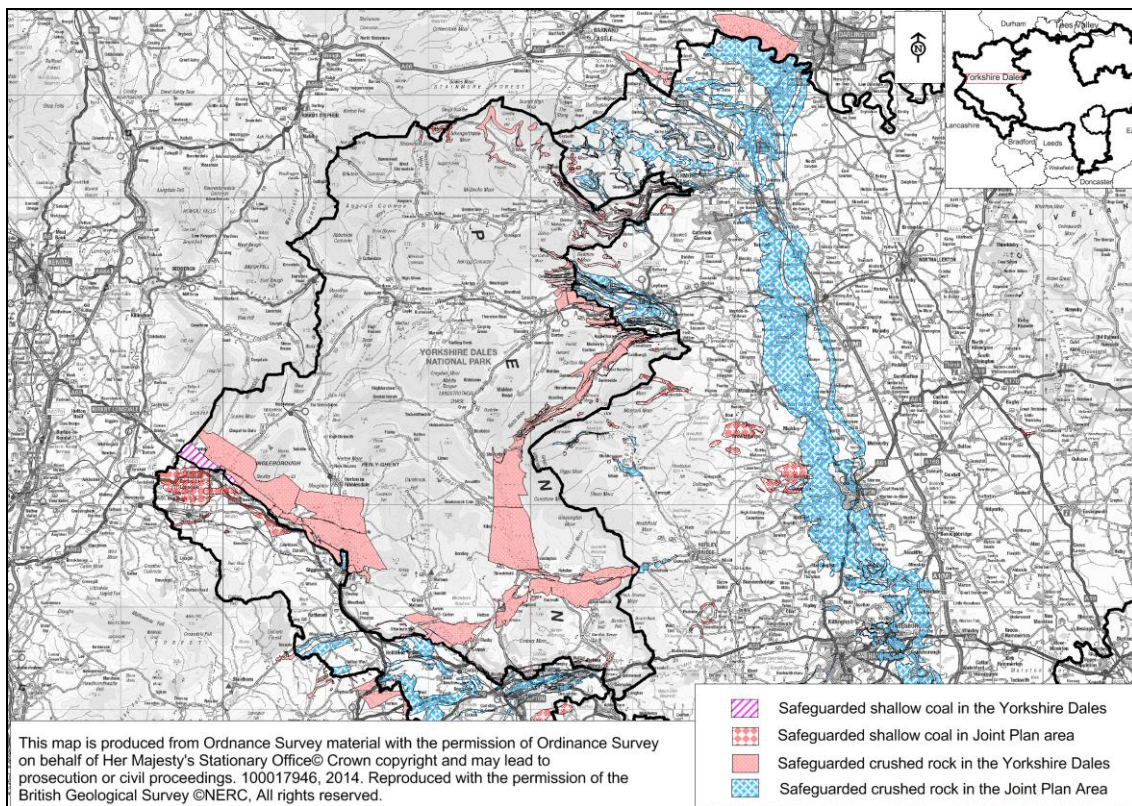


## Yorkshire Dales National Park.

1.40 The Yorkshire Dales National Park Authority (YDNPA) has significant minerals resources and substantial working takes place there. The YDNPA is In the process of preparing a new Local Plan and this was submitted for examination in January 2016. The policy relating to safeguarding is below.

### **L9 Mineral and railhead safeguarding**

Planning permission will not be granted for development that would sterilise a mineral resource or prevent the use of a railhead identified on the Policies Map unless there is a need for alternative development that overrides the need to safeguard the mineral or railhead.



1.41 The Yorkshire Dales National Park responded to the August 2014 consultation by providing links to their draft safeguarding policy and safeguarded mineral resource. This information has been incorporated into the document.



## 2.0 Summary

2.1 This paper has been reviewed and updated in light of a decision to propose additional sand and gravel safeguarding areas as a result of further consultation on the Minerals and Waste Joint Plan.

2.2 All of the MPAs which are adjacent to the Joint Plan area have an adopted policy or are developing a policy with regard to minerals safeguarding. In some cases proposed safeguarded areas are not yet finalised and the position may need to be kept under review.

2.3 The main minerals safeguarded (or proposed for safeguarding) by other MPAs adjacent to the NYCC boundary are sand and gravel and crushed rock, with shallow coal and gypsum also safeguarded adjacent to the NYCC boundary by a small number of authorities.

2.4 Information acquired during this study suggests that there is generally a good degree of consistency between areas safeguarded, or proposed for safeguarding, outside but near to the Joint Plan boundary, with areas to be included for safeguarding within the Joint Plan area.

2.5 The most significant potential discrepancy in approach is in relation to the safeguarding of underground deposits of gypsum. Gypsum resources are safeguarded, in the Tees Valley Joint Minerals and Waste Development Plan, along a substantial length of the boundary between the Joint Plan area and the Tees Valley area. However, gypsum has not been identified by BGS as a mineral resource in North Yorkshire because of its association with water-bearing strata, 2006 (BGS Commissioned Report CR/04/228N *Mineral Resource Information in Support of National, Regional and Local Planning: North Yorkshire (comprising North Yorkshire, Yorkshire Dales and North York Moors National Parks and City of York)*). For this reason gypsum has not been proposed for safeguarding in the 2011 BGS study *Minerals Safeguarding Areas for North Yorkshire County Council*.

2.6 The mapping of the MSAs across MPA boundaries has provided an opportunity to identify any cross boundary issues of consistency and enable discussions with the relevant authorities to take place if required. The adjoining authorities which are included in this document were requested to provide comments on the document and any suggested amendments were made.

2.7 The work suggests that, in terms of areas under consideration for safeguarding by the Joint Plan authorities, there are no significant potential inconsistencies with the approach of neighbouring authorities.

## Contact us

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If you would like this information in another language or format such as Braille, large print or audio, please ask us.



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