

3. Mineral Extraction and Resource Protection

3.1 Background

3.1.1 In the area outside the National Parks, North Yorkshire contains extensive deposits of economically valuable minerals. In recent years average annual production rates have been:-

- over 12 million tonnes of deep mined coal
- 2.5 million tonnes of sand and gravel
- 4.3 million tonnes of crushed rock for aggregate use
- 0.8 million tonnes of material for non-aggregate use

In addition, natural gas production became operational in early 1995. Appendix 3 lists the active mineral workings in the Plan Area.

3.1.2 The policies in this chapter seek to minimise the loss of non-renewable mineral resources, through the controlled release of sites to meet forecast requirements, by encouraging greater use of secondary and recycled materials and by protecting mineral resources from sterilisation. As minerals can only be worked where they occur, there are limited opportunities for reducing environmental pollution and improving transport energy efficiency. However, there is scope for environmental benefits in the longer term with the reclamation of mineral workings.

3.2 Need for Minerals

<i>Aim</i>	▪ To ensure an adequate and steady supply of minerals
<i>Objectives</i>	▪ To maintain adequate landbanks for sand and gravel and crushed rock in accordance with national and regional guidelines
	▪ To identify areas for potential future mineral extraction

Landbanks

3.2.1 National guidance in MPG1 requires each mineral planning authority to make a contribution to meeting the demand for minerals which generally reflects the nature and extent of minerals in its area. More specifically, MPG6 requires planning for aggregates to be based on the identification of landbanks for both sand and gravel and crushed rock to enable the minerals industry to maintain access to an adequate and steady supply, even when demand fluctuates. A landbank comprises a stock of reserves with planning permission for extraction. The quantity of reserves with permission needed to maintain landbanks for aggregates is determined by the anticipated future requirement for aggregates, as expressed in the agreed sub-regional apportionment of the guidelines in MPG6, and by the period of time for which the landbank is to be maintained.

3.2.2 Sand and gravel (including building sand) and crushed rock are subject to national guidance on the duration of landbanks. In the case of sand and gravel the landbank should be sufficient for at least 7 years extraction. An unspecified longer period is

indicated for crushed rock. The County Council considers that a period of at least 10 years is appropriate for a crushed rock landbank. (See Chapter 5 for calculation of the landbanks)

- 3.2.3 In order to maintain a landbank at an appropriate level for a requisite number of years, it will be necessary to seek to release land for aggregate mineral working where there is a shortfall between the forecast requirements and the current stock of permitted reserves. As permitted reserves are usually worked on a continuous basis and new reserves granted planning permission intermittently, the level of the landbank may be subject to fluctuations upwards and downwards over relatively short periods of time. Where the level of the landbank is a material consideration in the determination of a planning application for new aggregate resources, the County Council will, subject to the availability of appropriate data, have regard to the level prevailing at the time when the application is determined.
- 3.2.4 There is no requirement to make specific landbank provision for the future working of non-aggregate and energy minerals. Planning applications for these minerals will be determined on their individual merits, having regard to relevant development plan policies.

*Policy 3/1
Landbanks*

The Mineral Planning Authority will endeavour to provide and maintain throughout, and at the end of the Plan period, a stock of permitted aggregate reserves (a landbank) equivalent to at least 7 years production for sand and gravel and at least 10 years production for crushed rock.

Sand & Gravel and Crushed Rock

- 3.2.5 The calculations of future aggregate production requirements are set out in Appendix 1. To assist in meeting the calculated shortfall between forecast requirements arising from the sub-regional apportionment exercise and existing landbanks, Preferred Areas have been identified where favourable consideration is most likely to be given to aggregate mineral working.
- 3.2.6 Preferred Areas are considered to be generally less constrained in environmental and planning terms. However it should not be assumed that planning permission will automatically be granted in Preferred Areas as there could be other material issues, perhaps too detailed for the Local Plan, which would need to be addressed in considering the merits of an individual application.
- 3.2.7 Areas of Search have also been identified to assist in meeting forecast shortfalls in provision at the end of the Plan period and to provide flexibility should sites in the Preferred Areas not come forward. Chapter 5 details the processes used in selecting Preferred Areas and Areas of Search and identifies the selected areas. Any proposal in a Preferred Area or Area of Search will be required to comply with the other policies in the development plan before planning permission is granted.

*Policy 3/2
Preferred Areas*

In order to maintain landbanks of permitted reserves, proposals for aggregate mineral working in Preferred Areas will be regarded as acceptable in principle. Satisfactory details will have to be submitted before planning permission can be granted

*Policy 3/3
Areas of Search*

Planning permission may be granted for aggregate mineral working within Areas of Search where the Mineral Planning Authority is satisfied that sufficient mineral cannot be obtained from the Preferred Areas.

- 3.2.8 Having identified Preferred Areas and Areas of Search for future aggregate mineral working, it follows that new aggregate mineral workings outside these areas would be contrary to policy. Any planning permission for such development would need to be justified by other material considerations as required by Section 54A of the 1990 Act. Such considerations might include compelling unforeseen need for the mineral which cannot be met elsewhere; the creation of such environmental, economic or other benefit as to justify substituting an allocated site; or minor adjustments to boundaries causing no significant policy conflict. In practice the circumstances where a proposal outside a Preferred Area or Area of Search would be more acceptable than one within those areas is likely to be rare.
- 3.2.9 However, proposals may arise for borrow-pits, or for small-scale extensions to existing workings, which do not fall within Preferred Areas and Areas of Search. Borrow-pits, the location of which are related to future construction projects, may be acceptable subject to Policy 5/6. The County Council considers that limited extraction around an existing quarry can be acceptable in principle to avoid either sterilising a resource or re-starting working at a later date after mineral working in the existing quarry has ceased. Such proposals will need to be assessed against the other policies in the Plan. No allowance has been made for small-scale extensions in calculating land requirements in the Plan and they will be regarded as windfall sites for statistical purposes, adding to the stock of minerals in the landbank. Due to the individual nature of mineral workings, it is not appropriate to quantify the term "small-scale", but the County Council will assess proposed extensions, including the deepening of quarries, against the following criteria - mineral quantity, working life, annual production and the geographical extent and scale in relation to the existing quarry area.

*Policy 3/4
Other Areas*

Outside Preferred Areas and Areas of Search, planning permission for aggregate mineral working will normally only be granted for borrow pits and small-scale extensions to existing sites.

Building Sand

- 3.2.10 The limited building sand production in the County and the size of the current landbank are such that no provision is made in

the Plan for further workings through Preferred Areas and Areas of Search. Any unforeseen shortfall in provision will be catered for in a review of the Plan. Planning applications will, therefore, be considered on their merits within the terms of Policy 3/5, having regard to the need to maintain a landbank of at least 7 years.

Non-Aggregate and Energy Minerals

- 3.2.11 In addition to the County's significant contribution to the national and regional supply of aggregates, there are also important non-aggregate and energy mineral deposits within the County which serve specialised markets. North Yorkshire contains the whole of the approved Selby Coalfield and underground gas reserves in the Vale of Pickering.
- 3.2.12 The Plan makes no specific land allocations for the further working of non-aggregate and energy minerals but it is possible that planning applications will be submitted. Any such applications will be considered on their merits in the light of the policies in the County Structure Plan and this Plan.

*Policy 3/5
Building Sand,
Non-Aggregate &
Energy Minerals*

Planning applications to work building sand, non-aggregate minerals, oil, gas or coal will be assessed on their individual merits against national guidance and the policies in the development plan.

3.3 Protection of Mineral Resources

Aims

- To encourage greater use of alternatives to primary resources
- To prevent the unnecessary sterilisation of mineral resources and to minimise potential conflict with non-mineral development

Objectives

- To identify safeguarding areas for future working
- To restrict non-mineral development which would hinder the implementation of existing mineral planning permissions or mineral development in Preferred Areas and Areas of Search
- To seek to restrict non-mineral development where it would be adversely affected by mineral operations
- To support and encourage the use of secondary and recycled materials as an alternative to primary aggregates, provided proposals are environmentally acceptable

Mineral Consultation Areas

- 3.3.1 Minerals are a finite resource. In maintaining their supply and promoting a sustainable approach to minerals planning, it is essential to minimise potential conflict between mineral and non-mineral development. Non-mineral development which would sterilise significant areas of unworked mineral resources and thereby deny these resources to future generations, should be discouraged.
- 3.3.2 There are two aspects to this element of sustainability:-
- to direct non-mineral development to areas where there would be minimum sterilisation of mineral resources; and
 - to ensure that future non-mineral development would not be adversely affected by proximity to existing or potential mineral workings.
- 3.3.3 Schedule 1 of the 1990 Act makes provision for mineral planning authorities to identify Mineral Consultation Areas. These would be formally notified to district councils who would then be obliged to consult the mineral planning authority on planning applications within these Areas which, if allowed to go ahead, could either sterilise mineral resources or be adversely affected by mineral operations.
- 3.3.4 The County Council's present Mineral Consultation Area maps are old, incomplete and require updating. Revised maps, together with a list of the types of applications which should be referred, will be produced and published as supplementary guidance following the preparation of this Plan. They will form the basis of a consultation procedure with District Councils and will be available for inspection by the public.

<i>Policy 3/6</i> <i>areas Mineral Consultation</i>	Mineral Consultation Area maps will be prepared identifying with known potentially valuable mineral resources and areas where permission exists for mineral development.
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<i>Policy 3/7</i> <i>Mineral Sterilisation</i>	<p>In considering planning applications for non-mineral development:-</p> <ul style="list-style-type: none">(i) mineral resources will be protected from sterilisation, unless there is an overriding need for the development;(ii) prior extraction of minerals which would otherwise be sterilised by the development will be permitted, provided that it is practicable and environmentally acceptable; and(iii) development which would be adversely affected by mineral working will normally be opposed.
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Secondary and Recycled Materials

- 3.3.5 Pursuance of a more sustainable approach to minerals

extraction requires that alternatives to primary land-won minerals are utilised as far as possible, where such usage is compatible with other environmental aims and objectives set out in the Plan. The main alternatives to primary aggregates include mineral by-products or wastes such as power station ash and colliery spoil which meet appropriate technical specifications, together with materials derived from the recycling of primary aggregates, for example demolition wastes and road planings. These materials can be used for a wide variety of purposes, including bulk fill for construction projects, cement manufacture, road surfacing and for the manufacture of building blocks. Other uses may be found as processing technology develops and market circumstances change.

- 3.3.6 The use of secondary and recycled materials helps to achieve sustainable objectives by conserving resources of non-renewable primary minerals, by lessening the environmental and amenity impacts associated with extraction of primary mineral, and by reducing the quantity of "waste" materials which require disposal. However the use of secondary and recycled materials may itself raise particular environmental concerns.
- 3.3.7 Although national surveys of usage of secondary and recycled materials indicate that, at present, only about 10% of national aggregate requirements are met from these sources, the emphasis on sustainable development set out in MPG6 requires much greater attention to be given to promoting and facilitating the utilisation of these materials in order that they may provide an increasing proportion of the overall supply of aggregate. Structure Plan Policy M7 reflects this advice by encouraging the use of lower quality and substitute materials in place of primary aggregates. The County Council, through the Minerals Local Plan, will continue to give strong support to these objectives and will continue to encourage the development of alternative sources of supply. (See also Section 5.5 Alternative Aggregate Sources)

*Policy 3/8
Secondary and Recycled
Aggregates*

Proposals for re-working, or re-using mineral wastes and industrial by-products, and for recycling demolition or construction wastes, will be permitted provided that they are environmentally acceptable and do not conflict with development plan policies.