

### Introduction

Unlike most other forms of development controlled by the planning system, minerals can only be worked where they occur in the ground. Although the process of extraction is generally a temporary one it can have a fairly detrimental impact on amenity and on the environment generally for a relatively extended time period. Detailed policies therefore are laid down for the assessment, control and restoration of mineral workings so as to maintain the important contribution of minerals to the local and national economy whilst maintaining high environmental standards.

The policies are in line with the Government's Mineral Planning Guidance including the recently revised "National and Regional Guidelines for Aggregates Provision in England, 2001 – 2016" which are part of the revision of MPG6 (1994) and the requirements of the North West Aggregates Working Party. In addition to policies for the assessment and control of mineral working provision is also made for the protection from sterilisation of mineral deposits in the ground by development, the maintenance of the regional level of mineral production and the protection of ecologically valuable remnants of mosslands by the restriction of peat working.

It should be noted that the mineral policies of this Plan have been reviewed and shortened since the first Wigan UDP to cut out unnecessary repetition and cross-referencing. It is not therefore possible to consider mineral working in isolation from the other policies of the Plan but instead, users should be aware that all the policies of the Plan are interrelated and should be read as a whole. For example, nature conservation considerations, although covered in the policies in the Environment and Design chapter, may be equally important in considering a mineral working proposal.

## **MW1 MINERAL WORKING**

**THE COUNCIL WILL SEEK TO MAINTAIN AN APPROPRIATE CONTRIBUTION TO THE REGIONAL PRODUCTION OF MINERALS AND WILL SEEK TO MINIMISE THE ADVERSE EFFECTS OF SUCH MINERAL WORKINGS.**

Minerals are an important national resource which provide raw materials for several key forms of economic activity which are essential to prosperity and well-being. Their extraction however, differs from other forms of development in that it can only take place where the minerals occur naturally. Mineral working can be very intrusive and disruptive to sensitive land uses.

This policy therefore, along with the Part 2 policies, specifies that mineral working will be allowed in those areas where it is environmentally acceptable, that its adverse effects will be minimised by careful attention to screening, restoration and transportation along with the standards and working methods and that regard will be paid to the need to maintain the historical contribution to the regional output of minerals by local facilities.

### **MW1A Protection of Mineral Resources**

**In considering development proposals, the Council will take account of the desirability of protecting mineral deposits from sterilisation by development and, where appropriate, the prior extraction of minerals will be encouraged before such development proceeds.**

Once land is built upon, any mineral resources lying beneath it are lost to the community. Sites containing mineral resources should therefore be protected from development for as long as possible. Even when building has to proceed, in many cases thoughtful planning could ensure that, subject to compliance with the other policies of the Plan, the mineral is extracted before development commences.

### **MW1B Aggregate Production**

**The Council will consider the following criteria, in addition to those in Policy MW1C, when determining planning applications for new aggregate mineral workings or for the extension to existing workings:-**

- (a) The contribution that the proposal can make towards maintaining the Greater Manchester share of the regional production of aggregates, as expressed in the most recent report of the North West Regional Aggregates Working Party; and**
- (b) The need to contribute to the maintenance of a supply of reserves with planning permission within Greater Manchester, in accordance with the advice in MPG6, "Guidelines for Aggregates Provision in England"; and**
- (c) The need to maximise the contribution made to the total supply of aggregates by secondary and recycled materials.**

In planning for mineral production, it is important that the contribution made to the regional output of minerals by local facilities is maintained so as to continue to contribute important new materials for the construction, energy and manufacturing industries. Technical advice on the apportionment of aggregate requirements is provided by the North West Regional Aggregates Working Party. The contribution that a proposal can make towards this requirement will therefore be one of the factors to be taken into account in considering such proposals.

Mineral extraction requires high capital investment and fairly long lead times. In order to ensure that production continues smoothly from year to year adequate reserves (or land banks) of sites with planning permission are required.

The Council, in accordance with Government objectives expressed in MPG6, wishes to encourage the use of secondary and recycled materials in the construction industry. It will therefore ensure that there is not an over-provision of primary aggregates which would discourage the use of secondary or recycled materials and will support the development of facilities that produce or process such materials. Secondary or recycled materials are likely to include colliery waste or minestone, blast furnace slag, power station ash, china clay, sand, slate waste and demolition or construction industry wastes including road planings.

#### **MW1C Mineral Working and Exploration**

**Mineral working and exploration, including the erection of surface buildings, plant and infrastructure, and the surface disposal of mineral waste, will be permitted only when the following criteria are satisfied:-**

- (a) Except in the case of mineral exploration adequate reserves of the mineral in terms of both quality and quantity are proved;**
- (b) It will not have an unacceptable effect on land drainage and water supply and will not cause groundwater or surface water pollution;**
- (c) It will not increase the extent of active workings in a particular locality to an unacceptable degree;**
- (d) It will not result in the sterilisation of significant quantities of mineral within the site or in adjacent areas by reason of working methods or by any other reason;**
- (e) In the case of opencast coal, sandstone and gritstone, extraction and storage of mineral or over-burden will not take place within 200 metres of a significant number of dwellings or other environmentally sensitive properties, unless local circumstances dictate otherwise;**
- (f) Where feasible, rail or water transport links are provided to mineral workings and disposal points and used so as to minimise road transport;**

Mineral exploration or working and their associated activities are generally very environmentally intrusive. Stringent criteria must be met before exploration or working can be acceptable, in addition to the application of the other relevant policies of the Plan. The provision of rail and water-linked depots will reduce the need to move minerals by road and hence provide environmental benefit from the lower flows of road freight traffic.

The deposit of a bond or other form of financial guarantee with the Council is intended to indemnify against the situation which has occurred in the past where an opencast coal operator has gone out of business after mineral extraction but before restoration of the site has been completed. The requirement for such financial guarantees is in accordance with paragraphs 64 and 65 of MPG3.

#### **\* MW1D Remnant Mossland**

**Permission will not be granted for peat extraction on the remaining fragments of Remnant Mossland shown on the Proposals Map.**

**In other cases, peat extraction will only be permitted when the criteria listed in Policy MW1C are satisfied. Subsequent restoration of such sites should, wherever possible, be for wetland rehabilitation with a preference for lowland bog or complementary habitat and the enhancement of the nature conservation resource.**

\*(11, 14, 15, 16, 29, 30, 31)

This policy deals with the fragments of Remnant Mossland both on Chat Moss and at other locations in the Borough where peat extraction will be resisted. The sites, which are defined on the Proposals Map, comprise the remaining areas of semi-natural, uncultivated moss of high wildlife value in the Borough. Most of them are also Sites of Special Scientific Interest or Sites of Biological Importance and represent part of the critical natural capital of the Country. Their conservation is therefore in accordance with national policy on peatlands as described in MPG13. It is intended to give effect to the guidance in PPG9 that peat working should be subject to special considerations.

Proposals on other sites will be considered on their merits and in accordance with the general policy for mineral working in Policy **MW1C**.

As a signatory to the Royal Society for Nature Conservation's Peatland Protection Charter, the Council is also committed to phasing out the use of peat and peat products in its own activities and promoting the use of substitutes for peat.

#### **MW1E Operation and Restoration of Mineral Workings**

**Applications for Mineral Workings will not be approved unless they include satisfactory schemes to provide:-**

- (a) For working and landscaping, providing for progressive working and restoration where feasible;**
- (b) In the case of drift and deep mining, for a scheme of working which minimises subsidence and risk of damage to buildings, structures and land;**

- (c) For the processing and disposal of the mineral;**
- (d) For the disposal and where possible, re-use of mineral waste;**
- (e) For screening and landscaping whilst working is in progress;**
- (f) For restoration;**
- (g) For after-care in the case of restoration to agriculture, forestry or amenity use, including nature conservation;**
- (h) For the satisfactory transportation and routing of the mineral and any waste;**
- (j) In the case of opencast coal working, a financial guarantee or bond to cover the cost of site restoration and aftercare.**

All proposals for mineral working must show that the site can be adequately screened, worked and restored, that processing and transport of the mineral will not give rise to planning problems in themselves and that any waste can be adequately disposed of. These are matters which, in the past, have not always been adequately dealt with leading to nuisance whilst operations take place and a legacy of dereliction.

#### **MW1F Control of Mineral Workings**

**Where mineral working is acceptable in principle, the Council will, as appropriate:-**

- (a) Limit the period of operations;**
- (b) Control levels of noise and vibration;**
- (c) Control hours of working and maintenance;**
- (d) Ensure satisfactory access to the site;**
- (e) Prevent or control the production and disposal of polluted water and dust;**
- (f) Control the impact of blasting;**
- (g) Ensure the satisfactory disposal and where possible, re-use of waste materials arising from mineral working;**
- (h) Limit the visual impact of the development by means of screening or other appropriate measures;**
- (j) Ensure the stability of surrounding land;**
- (k) Ensure that the site is satisfactorily restored and maintained.**

This policy specifies the aspects of a mineral working site which the Council will seek to control in considering the details of any application, the conditions to be imposed on any permission and the matters which may be subject to legal agreements.