PLANNING APPLICATIONS FOR MINERALS DEVELOPMENT

A Good Practice Guide for Developers and Agents

Directorate of Regeneration and Environment
The Role of Doncaster MBC

Doncaster Metropolitan Borough Council has responsibility for the determination of planning applications for minerals development within its jurisdiction, and it is therefore a Minerals Planning Authority (MPA).

Planning permission is usually required if you wish to extract minerals such as limestone, sand, gravel, clay, coal, coal mine methane and coal bed methane. Other minerals not specifically mentioned here are also likely to require planning permission for extraction. You should note that development that involves incidental minerals extraction (e.g. the creation of a fishing pond) might also constitute minerals development.

If you are unsure whether or not your proposed development requires planning permission or you encounter difficulties in preparing your planning application, you can seek advice by writing to:

**Directorate of Regeneration and Environment, Civic Office, Waterdale, Doncaster, DN1 3BU**

Alternatively you may telephone (01302) 736000.

Making a Minerals Planning Application can be complex and this document is not intended to replace the role of pre-application meetings. You are therefore strongly urged to discuss your proposal with one of the Council’s officers prior to submission and to seek private, specialist professional help.

[http://www.doncaster.gov.uk/services/planning/pre-application-advice](http://www.doncaster.gov.uk/services/planning/pre-application-advice)
Content of the Planning Application

An acceptable application is one that includes a fully completed application form (the application form is accompanied by guidance notes), the appropriate fee, a plan clearly identifying the site that is the subject of the proposal (including access to the public highway) and other relevant information as identified in this document and/or pre-application discussions.

It is essential that applications include all the necessary information and appropriate drawings to clearly describe and detail the development, and the following list outlines the basic information which will be required as part of the application:

- Total amount and nature of material to be extracted
- Total life of operations
- Contours on commencement and completion
- Waste / material to be brought onto site
- Method of working, depth and area of excavation, excavation batters and stand offs, direction, phasing and programming of working
- Wet or dry working and dewatering
- Soil stripping, storage and replacement
- Stability of faces and tips
- Hours of working
- Employment levels
- Site Layout, including access provisions, screening and landscaping, stockpiles and storage areas
- Plant, machinery and buildings (including mobile plant)
- Fencing and site security
- Artificial lighting
- Storage of hazardous materials
- Water supply and disposal of waste water
- Location of lagoons
- Water collection and drainage
- Monitoring recording and reporting groundwater
- Measures to protect or divert services
- Public Rights of Way
- Protect and managing of natural features to be retained
• Protected species and mitigation
• Translocation of notable plants
• Efficient use of mineral - sale and consumption for appropriate uses, minimisation of waste, re-use and recycling of the mineral and its products
• Making safe disused mine shafts etc.
• Oil and gas development - location and number of wells, pipelines etc.

Although the above provides a general guide to the information that should be contained within a supporting statement the following sections outline issues that should be addressed in more detail (as appropriate).

Some applications, depending on the characteristics of the development, the environmental sensitivity of the location of the development and the characteristics of the potential impact of the proposed development, may require an Environmental Impact Assessment (EIA). Applicants can apply in writing to the Local Planning Authority for a Screening Opinion (to determine whether or not an EIA is required) and a Scoping Opinion (to determine what issues the EIA should address).

It may be helpful to contact organisations, such as those listed throughout this document, so that any concerns they may have can be addressed prior to the submission of the application, which will facilitate its speedier determination. Applicants should note that if they request a Scoping Opinion regarding the content of an Environmental Statement, then the advice from these, and other, departments and organisations will be sought by the Mineral Planning Authority.

**Need and Exceptional Circumstances**

Government policy requires each area to maintain a suitable landbank (a stock of planning permissions for the winning and working of minerals). Developers may wish to refer to the present local aggregate assessment [http://www.doncaster.gov.uk/services/planning/monitoring-and-implementation](http://www.doncaster.gov.uk/services/planning/monitoring-and-implementation) when attempting to demonstrate that there are prevailing exceptional circumstances that justify a particular proposal. It should be noted, however, that the general commitment to maintain a landbank does not remove the discretion of a mineral planning authority, or the
Secretary of State, to refuse planning permission should there be overriding objections.

Preferred Areas are identified within the existing Doncaster UDP for sand and gravel extraction, and for limestone extraction. Within the Preferred Areas, applications for aggregates extraction will normally be permitted, subject to other considerations including environmental protection. Whilst the existing UDP identifies Areas of Search for sand and gravel extraction, in addition to the Preferred Areas, it is now recognised that there are distinctions between soft or building sand, and sharp sand and gravel. This issue is detailed in Doncaster’s Core Strategy (Policy CS20). Developers will need to demonstrate that proposed sites contain materials which would satisfy demand for particular specifications of aggregates for which there is a shortfall in supply.

Planning applications for any type of development are not usually required to demonstrate need or discuss the merits of alternative sites. However, there are exceptions to this general rule, which include:

• In circumstances where there are material planning objections to the proposal that may otherwise lead to refusal, it is open to the applicant to attempt to demonstrate that the need for the proposal outweighs the objections.

• Where it is determined that an Environmental Impact Assessment is required, the Environmental Statement submitted by the applicant will be required to outline the main alternatives studied by the applicant and an indication of the main reasons for the favoured choice, taking into account the environmental effects.

Contact: Development Management
Civic Office, Waterdale, Doncaster, DN1 3BU
Tel: 01302 736000
E-mail: tsi@doncaster.gov.uk
**Local Amenity**
Mineral extraction can potentially have a significant impact on local residents and the local environment. Applications should therefore identify potential problems and explain what methods of monitoring and mitigation will be employed. Typically these issues will include noise, dust, blasting, and subsidence. Should the dust suppression measures incorporate bowsering; the source of water should be identified.

**Traffic Considerations**
The transportation of minerals by rail or canal will be encouraged, and details of any non-road transport methods should be incorporated into the application. However, it is acknowledged that the location of mineral deposits, together with the markets supplied often makes road transport the only feasible option.

Applicants will therefore be required to provide details of the daily number of vehicles leaving and entering the site, together with their classification (e.g. HGV) and size. Identification of expected sales and vehicle routes, together with an assessment of the highway capacity (including surveys of existing traffic levels, where appropriate) and details of any proposed highway improvements will be required. Applications should also contain details of proposed site access arrangements, including wheel cleaning facilities, turning space and any proposed haul road(s). Should the wheel cleaning facilities incorporate wheel washes, the sources of water should be identified.

In addition to traffic resulting from operations, the application should include details of traffic resulting from staff travelling to and from work, together with proposals and initiatives to reduce the use of private cars.
Flood Risk Assessment
Applicants should note that almost all planning applications for development within a flood risk area are likely to require a Flood Risk Assessment (FRA). To find out if your development proposal is within a flood risk area visit the Environment Agency website (www.environment-agency.gov.uk). The detail and technical complexity of a FRA will reflect the scale and significance of the development proposal. To find out what information would need to be submitted if the council requires a FRA, you should visit the Environment Agency Flood Zone advice website.

Contact:
The Environment Agency, National Customer Contact Centre
PO Box 544, Rotherham, S60 1BY

Soils, Hydrological and Hydrogeological Considerations
Minerals extraction can have significant impact on soils, hydrology and hydrogeology.
It is expected that the agricultural resource will be protected and retained wherever possible. Where proposals include the loss of agricultural land, details of how subsoil and topsoil will be removed, stored and replaced will be required (see Restoration and Aftercare below).

Applications should include relevant geological information, the amount of overburden to be removed, the type, tonnage and quality of saleable material together with the distribution, depth and volume of material within site. The type, nature and quantity of waste the extraction will produce should also be identified, together with details of how it will be managed.

The application should identify existing surface and subsurface drainage arrangements and flows, the depth to the water table, existing variations
in water table levels and the location of licensed and unlicensed water abstraction points. The impact of the proposal on these considerations should then be addressed, especially its influence on the water table and surface hydrology and hydrogeology.

Contacts:
The Environment Agency, National Customer Contact Centre
PO Box 544, Rotherham, S60 1BY

South Yorkshire Mining Advisory Service
Barnsley Metropolitan Borough Council
Development Service
PO Box 604
Barnsley
S70 9FE
Tel: 01226 772690

Natural England
https://www.gov.uk/government/organisations/natural-england

Archaeology and Historical Significance
An application will be expected to include an evaluation of the archaeological or historical interests of development site, together with an assessment of the proposed development’s potential impact, and measures for preserving and/or recording items of significance.

Contacts:

South Yorkshire Archaeology Service
Howden House
1 Union Street
Sheffield
S1 2SH

Landuse, Landscape and Ecological Appraisal
A detailed description of the existing features of the development site will be required. This should include an appraisal of the existing site conditions and the geological, landform, landuse (including existing public rights of way), landscape and ecological interest of the site. The landscape details should include photographs of the short, medium and long distance of views onto the site.
The application should clearly identify which features are to be retained and which will be removed as part of the development. The application should also outline what mitigation measures will be used during the life of the site, for example planting and landscaping, and the provision of alternative public rights of way.

Further information on ecological issues can also be obtained from:


**Restoration and Aftercare**

An integral part of the application should be the proposed restoration and aftercare of the site. It is expected that the restoration of larger sites will be phased in such a way as to allow the gradual restoration of the site. Details of the phasing and programming of works should therefore be included within the application.

The restoration scheme should include details of the materials to be used in the restoration of the site, including any waste to be brought onto the site (whether inert or otherwise). If the restoration will involve the deposit of any waste, then full details of the proposed operations must be submitted. It is strongly recommended that the Environment Agency, as the regulatory body for waste, be contacted at the earliest opportunity.

The final contours, typical gradients and levels on completion of the restoration should be clearly identified. The restoration plan should include the position, extent and depth of water features, stocking lakes/ponds with fish and plants. Provision should also be made for the removal of all plant, machinery and haul roads (as appropriate) and the reinstatement of Public Rights of Way.
In order to ensure successful restoration of the site, developers will need to consider the removal, storage and replacement of overburden. Detailed guidance can be found on the website for the Department of the Environment, Food and Rural Affairs (www.defra.gov.uk). Subsoil and topsoil should be stored and replaced separately, and the method of overburden replacement should be described.

Upon the completion of restoration on any part of a site the operators will be required to carry out an aftercare programme lasting at least five years. Details of this programme should be included within the application and should specify cultivation techniques, provisions for re-establishment of flora, placement of fences, gates and stiles, site drainage (for example the construction of field drains).

The intended users of the site following restoration should be identified, and details of whether land will be transferred into the control of any other group(s) should be provided. It should be noted that unless a legal agreement indicates otherwise it is the minerals operator who is responsible for carrying out the approved aftercare scheme.

Further information about restoration and afteruse, together with the appropriate contacts for the proposed restoration can be obtained from the Planning Department.

**Local Residents and Parish Councils**

Because minerals applications are often contentious and can lead to numerous objections, it is often helpful to contact local residents, and Parish Councils where appropriate, prior to the submission of an application. The contact details of the appropriate Parish Council are available at [http://www.doncaster.gov.uk/services/the-council-democracy/town-and-parish-councils](http://www.doncaster.gov.uk/services/the-council-democracy/town-and-parish-councils)

In addition to pre-application discussions, mineral operators proposing an operation that will have a substantial life span, or a significant impact on the environment, will be encouraged to establish local liaison forums. These are intended to enable local residents to meet on a regular basis with representatives from the operating company, the Mineral Planning Authority and other bodies as appropriate.
Utilities

Applicants are advised to contact local utility providers (water, electricity, gas and phone) prior to the submission of a planning application, to ascertain whether their proposals may affect any equipment.

Drawings

It will always be necessary to submit accurate drawings showing the proposal, which should be based on ordnance survey maps. The following information should be regarded as a minimum requirement:

- Land ownership boundaries
- The extent of the area to be excavated
- Drawings showing the existing ground levels and the contours of the land on completion of restoration (including cross sections). The contours should extend to a sufficient distance beyond the restored area so that the relationship between the new ground levels and surrounding ground levels is clearly shown.
- Drawings showing any proposed phased extraction and restoration
- Site access, parking and vehicle turning space, showing details of construction and layout
- Areas to be used for storage of sub soil and top soil
- Existing and proposed drainage e.g. culverts, surface streams, field drains etc.
- Landscaping proposals (location, numbers, size, species, mix, planting method etc.)
- Afteruse/Aftercare (for a minimum of 5 years)
- Any constraints (e.g. footpaths)
- Other drawings as necessary as part of an Environmental Impact Assessment

Please note that all measurements should be in metric rather than imperial units (the Mineral Planning Authority is unable to accept applications which provide measurements in imperial units).
The Determination Process

If the proposals are large, in a sensitive location (e.g. green belt, close to residential areas etc.), involves an Environmental Statement, or deals with complex issues, the time taken to reach a decision is likely to be lengthy. It is therefore advisable to submit your planning application well in advance of the date on which it is intended to commence operations on site.

Planning applications are initially received by the Technical Support and Improvement team, where they are registered onto the system and passed onto a planning officer:

1) To establish if it is valid and that the appropriate fee has been paid
2) To ascertain that it contains sufficient information for it to be properly dealt with

If the application is invalid or contains insufficient (initial) information, contact will be made with the applicant/agent via telephone, email or letter explaining what needs to be done.

Once the application is validated, it will be advertised by site notice and press advert placed in the local paper. Documents will be published on www.doncaster.gov.uk/planningapplicationsonline

A consultation document will be sent to various organisations that have the right to be consulted on various aspects of the proposal and other interested bodies. If they have been previously contacted and their concerns addressed in either the accompanying statement or Environmental Statement, then the determination process can be substantially speedier. Some of the Consultees and/or the case officer will visit the application site and may ask for additional information. It is important that such requests are responded to promptly. If this raises further issues the case officer will discuss them with you. All correspondence will be addressed to the agent (if applicable), unless the applicant requests otherwise.
When the consultation process is completed and the Council’s officers have all the information that is required, the case officer will compile a report containing an assessment of the proposal taking into account all the material planning considerations (having regard to the views of consultees and any representation made). The Planning Committee of the Council, which is composed of elected members, or a senior officer with delegated powers will make the decision to either grant or refuse your application. A Decision Notice will be issued shortly afterwards, which will provide details of any conditions or Legal Agreement requirements attached to the grant of planning permission or the reasons for refusal. In the event that planning permission is refused, you will be informed of your right to appeal. The case officer may be contacted to discuss in more detail the reasons for the Council’s decision.

**Service Provision**

The Council’s Development Management Team have produced this document. Comments on this document and the service you receive are always welcome and these should be addressed to The Planning Manager, Civic Office, Waterdale, Doncaster, DN1 3BU.

Further information can be found on the Council’s website www.doncaster.gov.uk

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