

# **Pembrokeshire Coast National Park Authority**

**Pembrokeshire Coast National Park Local Development Plan 2**

## **Safeguarding Minerals Zones**

Supplementary Planning Guidance

Date of Consultation: 15<sup>th</sup> September 2021

Date of Adoption: 26<sup>th</sup> October 2022

This item is also available in Welsh / Mae'r eitem hon ar gael yn Gymraeg hefyd

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## **1. Introduction**

- 1.1 This supplementary planning guidance provides information to help with planning applications on minerals safeguarding areas within the National Park. Supplementary Planning Guidance does not form part of the Local Development Plan, but can provide additional detail about how the policies of the Plan are implemented.
  
- 1.2 This guidance has been produced following the publication of new British Geological Survey (BGS) Aggregate Safeguarding Maps of Wales. Co-funded by the Welsh Government and BGS, these maps were produced to assist Mineral Planning Authorities in the delineation of aggregates safeguarding areas in Local Development Plans. The extent of the minerals safeguarding areas in Pembrokeshire are shown on the Local Development Plan 2 Proposals Maps and are available to view on the Authority's website via the interactive proposals map.

## **2. Background and Context**

- 2.1 The Welsh Government requires that minerals are safeguarded against unnecessary sterilisation by permanent development. In some cases prior extraction of the mineral can allow the development to take place. In other cases a different site should be sought for the development.
  
- 2.2 This guidance sets out the issues which need to be addressed when applications are submitted on mineral safeguarding zones. The attached flow chart sets out this process.

### 3. Policy Context

#### Local Development Plan 2 Policy

Policy 21	<p><b>Minerals Safeguarding</b></p> <p>Resources of sand and gravel, limestone, and sandstone, igneous rock and slate will be safeguarded as shown on the proposals map.</p> <p>Extraction of minerals before development which would otherwise sterilise mineral resources of current or likely future economic importance will be required, provided there is no suitable alternative location and an overriding need for the development, and extraction can be achieved:</p> <ul style="list-style-type: none"><li>a) without prejudicing the proposed development; and</li><li>b) by completing the extraction within a reasonable timescale; and</li><li>c) without unacceptable environmental impacts.</li></ul>
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3.1 A series of stages will need to be gone through to establish whether there is a need for the development to take place within a mineral safeguarding area, and if need is established, whether the mineral can be extracted prior to development.

3.2 The flow chart attached to this guidance provides an indication of the process and questions which should be answered. The following notes should help with this. In the first instance, where insufficient information is provided, the Authority will seek the necessary information. A proportionate approach will be taken; the level of information required will depend on the specific details of the proposed development. If this is not provided, the application is likely to be refused on the ground of lack of proper justification.

## MINERALS STERILISATION

<p>Is this a householder application or within an existing curtilage</p> <p>OR</p> <p>Is this a temporary development?</p>	<p>Householder<sup>1</sup> applications and applications within an existing curtilage, where the mineral resource has already been sterilised will not fall within this policy.</p> <p>Minerals can be sterilised by permanent development. Temporary development even for many years will not permanently sterilise minerals and is excluded from this policy.</p>
<p>Is an alternative suitable location available outside the Mineral Safeguarding Area?</p>	<p>Proposals should avoid development on minerals safeguarding areas.</p> <p>Planning applicants will need to demonstrate why this is the only suitable location for the proposal, and must make a case for the development to be located within a mineral safeguarding area.</p>
<p>Is there an overriding need for the development? E.g.</p> <ul style="list-style-type: none"> <li>- allocated within the LDP</li> <li>- community need</li> <li>- functional business need</li> <li>- affordable housing need</li> </ul>	<p>If there is no need for the development to take place on mineral safeguarding areas then permission is likely to be refused. The permission can be granted if need is established. Need has already been established for allocations within the Local Development Plan. Other cases for need can also be made. This can include the needs of the community, affordable housing need, and the need for an existing business or enterprise to expand onto adjacent land.</p> <p>The developer will be required to establish the need for new development, unless the site is allocated within the Local Development Plan.</p>
<p>Applications which fail to demonstrate that the development must take place on the mineral safeguarding zone are likely to be refused. Applications which are acceptable under this part of the Policy must go on to consider whether prior extraction of the resource is possible.</p>	

<sup>1</sup> These include works and extensions to an existing dwelling

## PRIOR EXTRACTION

<p>Would landscape impact of prior extraction be detrimental to the special qualities of the National Park? OR Are there recognised historic features which must be retained? OR Are there trees and hedgerows / hedge banks which must be retained?</p>	<p>The National Park Authority will consider whether environmental considerations outweigh the need for prior extraction. The landscape character, historic, ecological and biodiversity features will be a consideration. Prior extraction can destroy these features, and a balance will need to be struck about their contribution to the landscape of the National Park, the character of the new development and ecological connectivity for example.</p> <p>The applicant should provide all relevant information to the Authority</p>
<p>Is the resource within the buffer zone of sensitive development?  OR Is the resource sand and gravel (or other resources where no blasting is required) and within 100metres of existing sensitive development?<sup>2</sup></p>	<p>Hard rock limestone normally requires blasting to extract it. National planning guidance states that blasting should not take place within a 200m buffer zone around existing sensitive development. Where no blasting is required, the buffer zone is 100m around existing sensitive development.</p> <p>The applicant will be required to demonstrate that the resource cannot be extracted because of existing sensitive uses within the relevant buffer zone of the proposed development and that the mineral resource is already sterilised.</p>
<p>Is the mineral confirmed</p>	<p>British Geological Survey can provide confirmation that the mineral exists at this location<sup>3</sup>.</p>
<p>If the mineral is confirmed, the planning applicant will be required to investigate prior extraction. There may still be reasons why extraction cannot take place e.g. the extraction will delay the development beyond a reasonable timescale, the extraction is not technically feasible, or there</p>	<p>The developer will need to demonstrate why it is not practical or feasible to extract the material. This may relate to the financial viability of the scheme, a lack of market for the material or technical details such as the impact on the water table or aquifers for example.</p> <p>It may be possible to modify the proposal to avoid sterilisation.</p>

<sup>2</sup> 'Sensitive development' is any building occupied by people on a regular basis and includes housing areas, hostels, meeting places, schools and hospitals where an acceptable standard of amenity should be expected. Minerals Technical Advice Note (Wales) 1: Aggregates (2004), paragraph 70

<sup>3</sup> There is a commercial charge for this service

may be no local market for the material.	
A separate planning application is required to assess the working of the mineral	The Authority will determine a planning application for prior extraction of the mineral before built permanent development can take place.

#### 4. Useful contacts

Further information available from

Park Direction  
Pembrokeshire Coast National Park Authority  
Llanion Park  
Pembroke Dock  
Pembrokeshire  
SA72 6DY

[devplans@pembrokeshirecoast.org.uk](mailto:devplans@pembrokeshirecoast.org.uk)

Telephone : 01646 624800

British Geological Survey,  
Cardiff University  
Main Building  
Park Place  
Cardiff  
CF10 3AT  
Tel: 02920 521962  
E-mail: [bgs-wales@bgs.ac.uk](mailto:bgs-wales@bgs.ac.uk)

# Planning Application within a Minerals Safeguarding Area

## MINERAL STERILISATION ISSUES

Is this a householder application or within an existing curtilage?  
OR  
Is this a temporary development?

Yes

Relocate the development away from the mineral safeguarding area.

Yes

No

Is an alternative suitable location available outside the Mineral Safeguarding Area?

No

If there is no overriding need for the development and it would result in unnecessary sterilisation of mineral resources, planning permission will be refused.

No

Is there an overriding need for the development? E.g.  
- allocated within the LDP  
- community need  
- functional business need  
- affordable housing need

Yes

A mineral planning application is required to ensure the prior extraction of material.

## PLANNING OUTCOMES

This flow chart relates to mineral safeguarding issues only. All other material planning issues will also be taken into account.

## PRIOR EXTRACTION ISSUES

Would landscape **impact of prior extraction** be detrimental to the special qualities of the National Park?  
OR  
Are there recognised historic features which must be retained?  
OR  
Are there trees and hedgerows / hedge banks which must be retained?

Yes

The National Park Authority will consider whether environmental considerations outweigh the need for prior extraction

If Yes

No further justification required under MSA.

No

Is the resource within the buffer zone of sensitive development?

Yes

No further justification required under MSA.

No

Is the mineral confirmed at this location?

Yes

Investigate prior extraction e.g.  
Can the mineral be extracted within a reasonable timescale?  
Can the mineral be re-used on site?  
Is extraction technically and economically feasible?

Yes

No further justification required under MSA

No

No

No further justification required under MSA.