

# Minerals Safeguarding Areas in Sunderland

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MSA Topic Paper

7/1/2017

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## 1. The Local Plan

- 1.1. The council is preparing a new Local Plan to replace the Unitary Development Plan. The Local Plan will consist of a Core Strategy and Development Plan (the “Core Strategy”); a separate Allocations and Designations Plan; and the International Advanced Manufacturing Park Area Action Plan. The Core Strategy will set out the overarching planning policy framework for development in the city over the next 18 years (2015-2033). The document will make strategic site allocations for major developments and set out development management policies for different land uses in the city.
- 1.2. The council published its draft preferred options Core Strategy and Development Management Policies for consultation in August 2013. A consultation on Growth Options took place between May and July 2016. The council is now working towards publishing a revised draft Core Strategy for consultation in August 2017.
- 1.3. This Topic Paper has been prepared to help guide the preparation of the Minerals chapter in the Core Strategy.

## 2. What is Mineral Safeguarding?

- 2.1. Minerals are a non-renewable resource which make a vital contribution to the economy and can only be extracted from where they are found in the ground. Sunderland City Council’s role as a Mineral Planning Authority (MPA) means that it is required to safeguard mineral resources from non-minerals development to ensure they are not needlessly sterilised. Sterilisation means that the mineral can no longer be worked, or extracted; examples of sterilisation would be if a building was built on top of the resource, or close to it. It is unlikely and impractical to extract minerals after development has taken place. This means that mineral resources should be taken into consideration when determining planning applications for non-minerals development.
- 2.2. Paragraph 143 of National Planning Policy Framework (NPPF) states that MPAs should identify Mineral Safeguarding Areas (MSA) and adopt appropriate policies in their Plans. The Council will meet this requirement by identifying MSA in the Core Strategy. MPAs are also required to safeguard existing, planned and potential minerals-related infrastructure.
- 2.3. It is important to note that there is no presumption that resources defined within an MSA will be worked.
- 2.4. NPPF recommends a systematic approach to the identification of MSAs which:
  - uses the best available information on the location of all mineral resources in the authority area. This may include use of British Geological Survey (BGS) maps as well as industry sources;
  - consults with the minerals industry, other local authorities (especially district authorities in two-tier areas), local communities and other relevant interests to define Minerals Safeguarding Areas;
  - sets out Minerals Safeguarding Areas on the policies map that accompanies the Local Plan and define Mineral Consultation Areas; and

- adopts clear development management policies which set out how proposals for non-minerals development in Minerals Safeguarding Areas will be handled, and what action applicants for development should take to address the risk of losing the ability to extract the resource. This may include policies that encourage the prior extraction of minerals, where practicable, if it is necessary for non-mineral development to take place in Minerals Safeguarding Areas and to prevent the unnecessary sterilisation of minerals.

3.5 The issue of defining an MSA in the urban area is clarified to explain that this should be done where necessary, for example, beneath large regeneration projects in brownfield land areas.

3.6 Further guidance on defining MSA's is provided in National Planning Policy Guidance<sup>1</sup> and a detailed methodology is set out in *Mineral Safeguarding in England: good practice advice*<sup>2</sup>.

### 3. Which minerals are found in Sunderland?

3.1. Sunderland possesses a variety of valuable minerals resources including Permian yellow sand and crushed rock which play a part in meeting local, regional and national requirement. Sunderland currently has one operational quarry extracting aggregates which is located in Eppleton.

3.2. Aggregates – Aggregates are sand, gravel, crushed rock and other bulk materials used by the construction industry. Sand (basal Permian sand (yellow sand)) and the overlying magnesian limestone (the lower magnesian limestone (Raisby formation)) are currently extracted at Eppleton Quarry, Hetton-le-Hole. The limestone is crushed before sale for use as roadstone and fill. Magnesian limestone from the area is used for agricultural purposes.

3.3. Energy Minerals - Surface coal resources are present across roughly the western half of Sunderland although coal is no longer extracted.

### 4. Approach to safeguarding minerals

4.1. The BGS guide to mineral safeguarding provides detailed information on how to identify and implement MSA. The guide provides a methodology with the following steps:

- Step 1. identify the best geological and mineral resource information, (This Document)
- Step 2. decide which mineral resources to safeguard and the physical extent of the Mineral Safeguarding Areas, (This Document)
- Step 3. undertake consultation of the draft Mineral Safeguarding Areas, (This Document)
- Step 4. decide on the approach to safeguarding in the Core Strategy,
- Step 5. include development management policies in a Development Plan Document,
- Step 6. include safeguarding in district level Development Plan Documents, (not applicable to Sunderland CC)
- Step 7. include mineral assessments in the local list of information requirements.

*Step 1: Identify the best geological and mineral resource information*

4.2. The council has used the mineral resource map for Northumberland and Tyne & Wear which was prepared by the BGS<sup>3</sup>. The map delineates the mineral resources of current, or potential,

<sup>1</sup> Reference ID: 27-002-20140306 - Reference ID: 27-006-20140306

<sup>2</sup> BGS (2011) Mineral Safeguarding in England: good practice advice

economic interest in the area in order to assist in the preparation of planning documents. Information on the shallow coal resource layer has also been informed by information published by The Coal Authority (Sunderland District (B) – Surface Coal Resource). This information has been used to inform the maps in this Topic Paper.

*Step 2. decide which mineral resources to safeguard and the physical extent of the Mineral Safeguarding Areas*

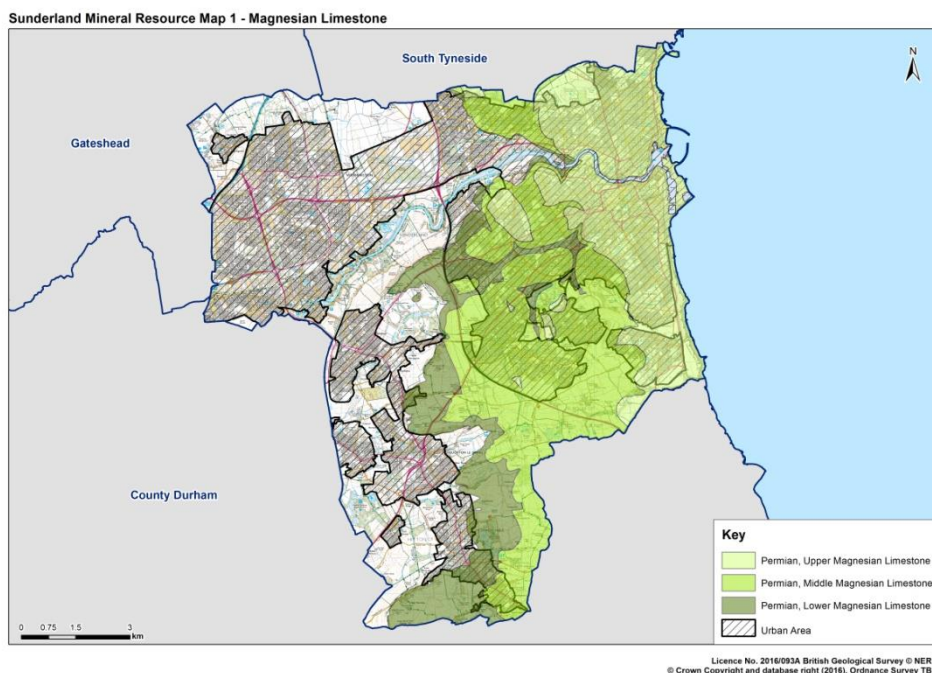
4.3. The Plan area has 4 mineral resources which have the potential for safeguarding:

- Magnesian Limestone
- Sand and Gravel (Superficial and Bedrock deposits)
- Shallow coal
- Clays

4.4. It is important to note that MSA do not confer any presumption in favour of extraction. The purpose is to ensure that minerals are taken into consideration when assessing planning applications for non-minerals development.

Magnesian Limestone

4.5. Magnesian limestone covers the greatest area of Sunderland and is found mainly to the east of the limestone escarpment in the vicinity of High and Low Moorsley, Hetton Downs, Newbottle and Penshaw. The resource is of regional importance for use as an aggregate and should therefore be safeguarded. Magnesian Limestone is also valuable as an industrial mineral, although the current quarry operations may not produce industrial grade limestone.



Sand and Gravel (Superficial deposits)

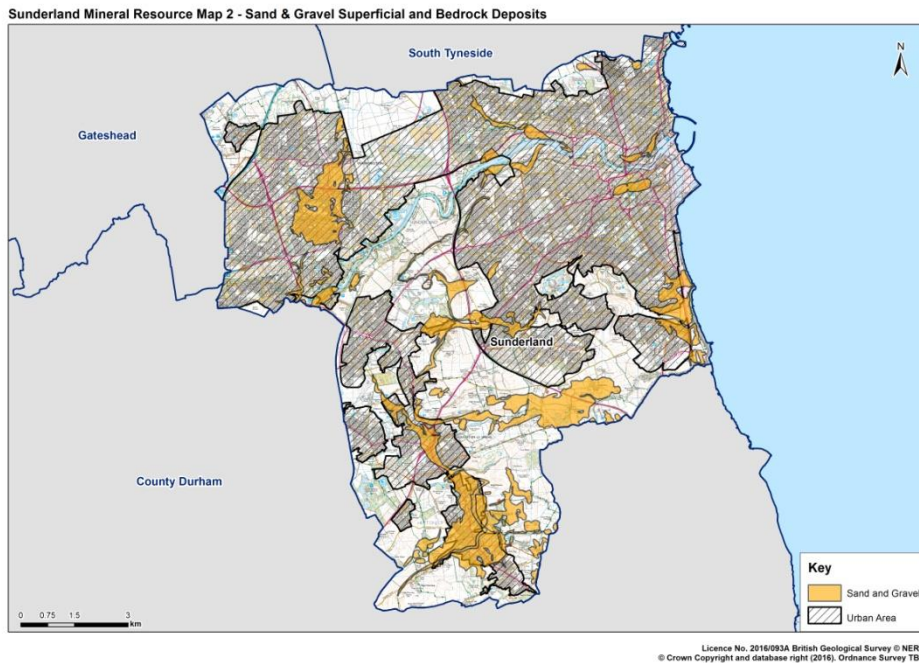
4.6. Sand and gravel deposits are found in the Burdon, Warden Law and Eppleton parts of the Plan area. The majority are glacial sand and gravel resources which are ice-contact sediments laid down by streams flowing on the tops of, within and beneath ice sheets. There are also some

<sup>3</sup> Available at <http://www.bgs.ac.uk/mineralsUK/search/home.html> , Mineral Resource Maps North East

smaller areas of river sand and gravel deposits. Although this resource is not worked in the Plan area at present, the viability of such resources changes over time and, as such, the resource should be safeguarded.

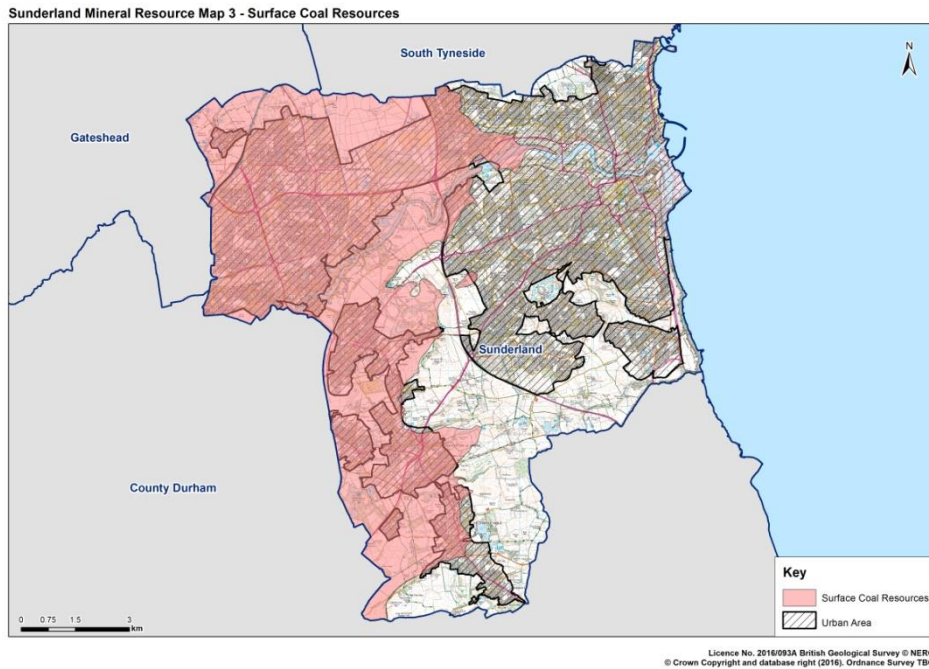
Sand and Gravel (Bedrock deposits)

- 4.7. Basal Permian sand deposits are found adjacent to the limestone deposits at High Moorsley, Hetton Downs, Houghton-le-Spring, Newbottle, New Herrington and Penshaw. Basal Permian sand is the primary mineral for extraction at Eppleton Quarry, the only active quarry in the Plan area. Whilst the market for Basal Permian sand is niche, the resource is of regional importance for use as an aggregate and should therefore be safeguarded.



Shallow coal

- 4.8. Shallow coal deposits are found across the western half of the Plan area. Whilst coal is no longer worked in Sunderland, it is considered a nationally important resource in terms of energy supply and should therefore be safeguarded.



#### Clays

- 4.9. Brick clay and fireclay is associated with the shallow coal resources found to the west of the Plan area. Clay is not worked in Sunderland, however, fireclay is found in association with the shallow coal measures, and would therefore be safeguarded alongside the shallow coal. Given this, there is no need to identify a separate safeguarding area for clay.

#### Extent of the resource to be safeguarded

- 4.10. National Planning Policy Guidance<sup>4</sup> (NPPG) explains that safeguarding mineral resources should be defined in designated areas and urban areas where necessary to do so. For example, safeguarding of minerals beneath large regeneration projects in brownfield land areas can enable suitable use of the mineral and stabilisation of any potentially unstable land before any non-minerals development takes place. In Sunderland, it is proposed that this should include suggested regeneration sites of over 5ha in size which would ensure that only sites of sufficient size to deal with onsite storage of overburden are considered for safeguarding. More information on such sites will become available during the preparation of the Local Plan Allocations and Designations Plan. However, it is recognised that there are instances where prior extraction of minerals on smaller sites could be viable, and the council will consider such proposals on a case-by-case basis.
- 4.11. Non-minerals development near a resource can result in sterilisation of that resource even where the development did not overlie the mineral. It is therefore proposed to extend the MSA around the mineral resource by using a buffer. This would ensure that proposals for non-minerals development within a specified proximity of a mineral resource was considered in terms of sterilisation. It is proposed to include a buffer of 250m around the resource for minerals that are not worked using blasting methods, and 500m where the mineral is worked using blasting.
- 4.12. There are parts of two internationally important environmental designations within the Plan area: the Northumbria Coast Special Protection Area (SPA), which protects species, and the Durham Coast Special Area of Conservation (SAC), which protects habitats. In addition to this,

<sup>4</sup> NPPG Paragraph: 004 Reference ID: 27-004-20140306

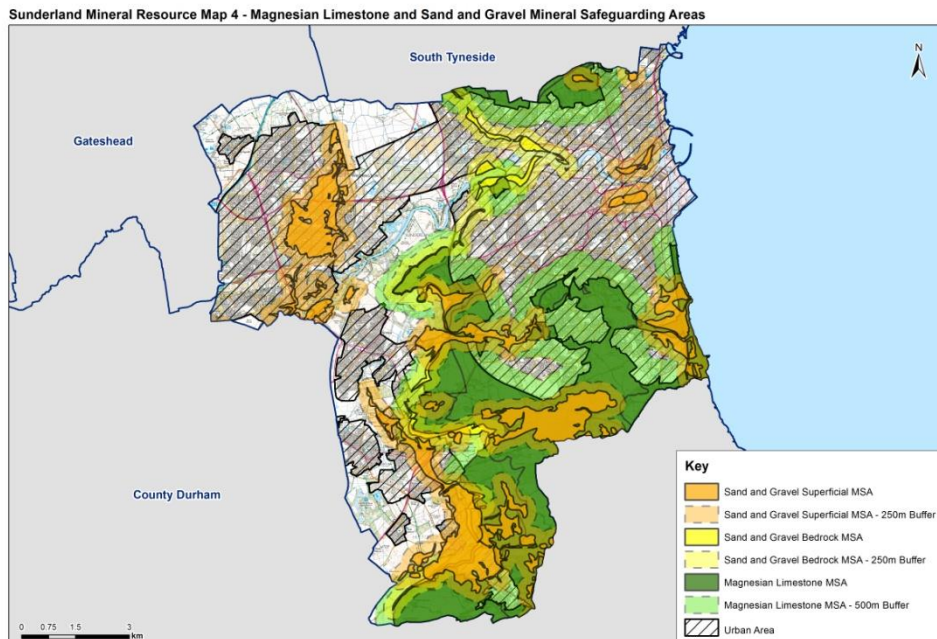


there are a number of Scheduled Ancient Monuments, Sites of Special Scientific Interest (SSSI) and other environmental and heritage designations. BGS guidance suggests that the presence of such designations does not preclude safeguarding however, it is considered unlikely that sterilising development would take place in such locations.

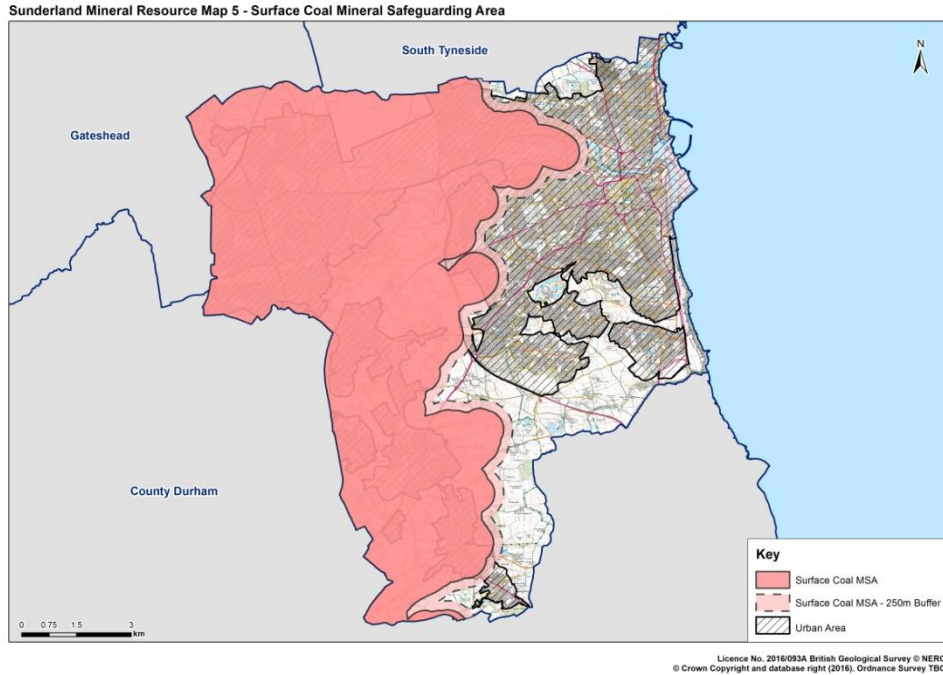
4.13. Given the above, it is proposed to safeguard the known resource for safeguarded minerals, along with a buffer. Surface coal and sand and gravel resource shall be safeguarded within the urban area, although this would only apply to development over 5ha in size. The Local Plan will flag up where any allocated sites would be required to consider mineral resources, through a mineral resource assessment.

**Table 1 Mineral Resources to be Safeguarded**

	Resource	Area to Safeguard	Buffer
<b>Aggregates</b>	Sand and Gravel	Superficial deposits: River terrace deposits Glaciofluvial deposits	250m
		Bedrock deposits: Permian, yellow sands formation	250m
	Limestone	Permian, upper magnesian limestone Permian, middle magnesian limestone Permian, lower magnesian limestone	500m
<b>Energy Minerals</b>	Surface mined coal	Surface coal resource	250m
<b>Other</b>	Clay	Fireclay (associated with coal measures)	



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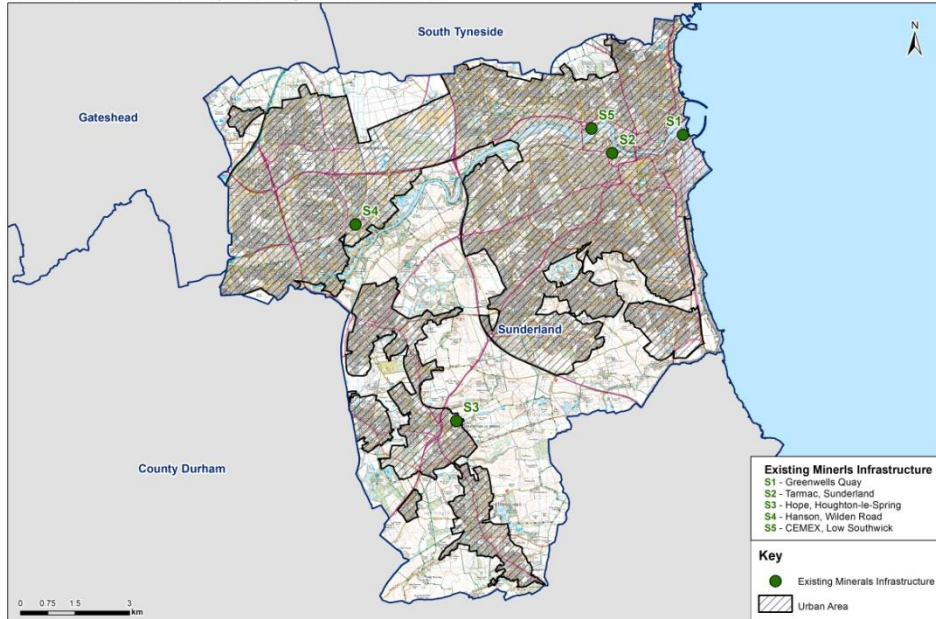
## 5. Safeguarding Existing and Planned Minerals Infrastructure

- 5.1. In addition to safeguarding mineral resources which may become of economic importance, NPPF (para. 143) requires the council to safeguard existing, planned and potential minerals infrastructure such as rail heads and wharfs, as well as concrete batching sites. The purpose of safeguarding these facilities is to ensure that sites for these purposes are available should they be needed and to prevent sensitive or inappropriate development that would conflict with the use of sites identified for these purposes.
- 5.2. There is one wharf within the Plan area that is active for the importation of sand and gravel: Greenwells Quay (Sunderland wharf), which is operated by Northumbrian Roads.
- 5.3. There are four concrete batching and coating sites within the Plan area: Trimdon Street, Sunderland (Tarmac); Houghton-le-Spring (Hope); Wilden Road (Hanson); and Low Southwick (CEMEX).
- 5.4. There are no permanent aggregate recycling facilities in Sunderland.
- 5.5. Such facilities can be sterilized by incompatible proximal development and therefore it is proposed to extend the safeguarding area 100m beyond the infrastructure itself to ensure that the future viability of the minerals infrastructure is considered as part of any planning decisions on non-minerals development within this area. The Council will consider proposals for any development within the 100m buffer that is not covered by the list of exemptions in terms of any potential impact on the viability of the minerals infrastructure.

**Table 2 Minerals Infrastructure to be Safeguarded**

<b>Wharf</b>	Greenwells Quay (Sunderland Wharf)
<b>Concrete Batching and Coating Plant</b>	Trimdon Street, Sunderland
	Houghton-le-Spring
	Wilden Road
	Low Southwick

Sunderland Mineral Resource Map 6 - Existing Minerals Infrastructure



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## 6. How will the MSA be used?

- 6.1. It is proposed that policies on MSA are included in the Core Strategy. The 'Citywide' policy on minerals would provide information on which mineral resources/minerals infrastructure is being safeguarded and their extent. The 'Development Management' policy on minerals included in the Core Strategy would set out how the MSA should be considered during the planning application process. The defined MSA will be identified in the Core Strategy.

## 7. Proposed exemptions

- 7.1. Not all forms of development will result in the sterilisation of minerals, and the sterilisation effect of some development is considered minor. It is proposed the following types of development will be exempt from consultation as part of the MSA:

- i. Applications for Householder development
- ii. Applications for extensions or alterations to existing buildings and for change of use of existing development which do not fundamentally change the scale and character of the building/use.
- iii. Applications that are in accordance with the local plan where the plan took account of prevention of unnecessary mineral sterilisation and determined that prior extraction should not be considered when development applications in a Mineral Safeguarding Area came forward.
- iv. Applications for Advertisement Consent.
- v. Applications for reserved matters including subsequent applications after outline consent has been granted.
- vi. Prior notifications (telecommunications; forestry' agriculture; demolition).
- vii. Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs).
- viii. Applications for works to trees.
- ix. Applications for temporary planning permission.
- x. Relevant Demolition in a Conservation Area.
- xi. Applications for Listed Buildings Consent.
- xii. Within the urban area only, development over 5ha in size.