

Minerals and Mineral Associated Waste Applications

Guidance notes for completing the minerals and associated waste application form

When to use this form

This form should be used for the following types of application:

- full planning permission for mineral workings;
- renewal of a temporary permission;
- extension to an existing site;
- retrospective planning permission for development already begun or carried out without planning permission (Section 73A applications).

Note: Variation of Conditions (Section 73 applications) – If you are seeking permission for variation of a condition or conditions attached to a previously granted planning permission, you will be required to use the appropriate 1APP application form available from the Planning Portal website (www.planningportal.gov.uk).

Note: Applications for Onshore Oil and Gas, which were previously made on a mineral planning authority form, are now made via a form downloadable from the Planning Portal website (www.planningportal.gov.uk). Guidance notes can also be downloaded from the same web page.

Note: Application forms for: determination of conditions for a mineral site / mining site under the Environment Act 1995 (Section 96 and paragraph 9 of Schedule 13 / paragraph 6 of Schedule 14), and applications for determination of conditions on an Interim Development Order permission (planning and Compensation Act 1991 (section 22 and paragraphs 2, 4 and 10 of Schedule 2) are now provided on the Planning Practice Guidance website: (<http://planningguidance.planningportal.gov.uk>).

Before making an application, if you have not already done so, you are strongly advised to seek pre-application advice. Details of the Pre-Application service are available on the Planning section of the DCC website.

Please note - If the Mineral Planning Authority (MPA) considers that there is insufficient information to determine your application, it may ask for more. It is therefore in your own interest to provide information as comprehensively as possible.

Please provide an electronic copy on CD/DVD of the completed application form and other supporting document along with the required number of paper copies as outlined below. Providing electronic copies of documents will speed up the registration and consultation processes.

Information required

These guidance notes are intended to help you complete the application form and provide the planning authority with all the necessary information for your application to be determined in the shortest timescale possible.

This guidance document provides a general summary of the necessary information and does not provide for the detailed procedure for every circumstance. If you are unclear about any item, please consult the Planning Department at Derbyshire County Council.

The accompanying Validation Checklists are provided to help guide you through the information requirements for the various kinds of minerals development.

You must also refer to the Derbyshire County Council Local List of Information Requirements which provides further detail on the statutory and local information requirements for all planning applications.

Where possible Derbyshire County Council as Mineral Planning Authority will carry out the consultation process electronically, however the MPA will normally require a minimum of three printed copies of the application form together with a minimum of three copies of each of the plans and any other supporting material. In some circumstances the MPA may require further copies in order to assist the consultation process.

In the case of applications with mandatory Environmental Statements (see below) the MPA will require the applicant to provide sufficient printed copies to meet the requirements of the EIA Regulations.

In both instances (applications with and without Environmental Statements) you are recommended to clarify such requirements with the authority prior to submitting the application.

When preparing your application you are advised to take account of relevant Development Plan policies and designations, the National Planning Policy Framework, remaining Minerals Planning Guidance Notes and other Government guidance relevant to best practice for minerals developments. The most up to date guidance is likely to be found on the Planning Practice Guidance website.

Supporting statements or other information

The application form is designed to give brief details of the proposed developments. In all cases it will be necessary to provide the MPA with additional information concerning your application. This should normally take the form of a supporting statement.

The checklists are provided to remind you of the range of information required by the authority to assist them in making their decision. A supporting statement should follow the order of the checklists. All additional information should be referenced to the checklists.

Environmental Impact Assessment and Environmental Statements

The EIA Regulations are *The Town and Country Planning (Environmental Impact Assessment) Regulations 2011*:

If your proposal is likely to have significant effects on the environment it will almost certainly need to be the subject of an assessment of those effects, an Environmental Impact Assessment (EIA), under EIA Regulations, and the results submitted as an Environmental Statement (ES) with your application.

For some kinds of development (listed in schedule 1 of the EIA Regulations) an ES will always be required. For some others, (Schedule 2 of the EIA Regulations), whether or not an ES must be submitted with your application will be a matter which will be decided by the MPA (although you may apply to the Secretary of State for a direction if you disagree with the MPA's decision). As an ES usually takes many months to prepare, you are strongly advised to establish at any early stage, through the DCC Pre-Application service, or a formal screening request under Part 2 of the EIA Regulations, whether an ES will be required with your application.

Explanatory notes on the questions in the form

1. **Applicant Details**

Enter the details of the individual or company making the application here.

2. **Agent Details**

If you are an agent making the application on behalf of the applicant, enter your details here.

If this section is completed, all correspondence, including any decision notice, will be sent to the agent.

3. **Description of the Proposed Development**

Please provide a brief description of the proposed development. This description will be used on all publicity and correspondence relating to the application so please ensure the proposal is described accurately and concisely.

If any part of the development has already started or been completed, please provide the relevant dates in this section.

4. **Pre-application Advice**

If you have received pre-application advice from the Derbyshire County Council prior to submitting your application, please provide the date, any reference number and the name of the officer who dealt with your enquiry.

5. **Full Address of Proposed Development**

Enter the full address of the application site here including the postcode if known. If the postcode is not known, please ensure that a grid reference and/or description of the location are included.

6. **Existing/Last Known Land Use of Site**

Please provide details of the current use(s) of the application site.

7. **Applicant's Interest in the Site and any Adjoining Land**

Please state the applicant's interest in the application site and any land adjoining the site.

8. Previous Mineral Permissions

If any part of the site has previously been granted planning permission for minerals or associated development, please provide the permission references here.

It may be appropriate to consolidate existing permissions already on the site and associated development. If so, please indicate which permissions are to be consolidated.

9. Total Application Area

This should include all land within the red line area shown on the location plan accompanying your application.

10. Nature of Minerals Application

Please choose from the available options or specify in the space provided.

11. Type of Development

Please choose from the available options and ensure that you have completed the relevant checklist for each option ticked. Guidance on completing the checklists is provided separately.

12. Plans, Drawings and Supporting Material

Please provide details of the supporting material submitted with your application including plan references and titles for all plans submitted.

13. Environmental Statement

i) If you answer yes to this question, please complete sections ii – iv. If you have answered no, please continue to question 14.

ii) Please provide the address of where the ES is available for public inspection, other than the offices of the county or district council, here. This information will be included on any publicity associated with the application.

This information will be included on any publicity associated with the application.

iii) Under the terms of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011, a reasonable charge reflecting printing and distribution costs may be made to a member of the public for a copy of the ES. Please provide the cost for a copy of the ES. This information will be included on any publicity associated with the application.

- iv) Please provide a contact address from which a copy of the Environmental Statement can be purchased. This information will be included on any publicity associated with the application. If this address is the same as that given in ii) you may leave this box blank.

14. Certification

Please specify which certificate you have completed to accompany your application. Copies of the blank certificates are attached at the back of the form.

15. Fees

Please state the fee which has been submitted along with your application. Your application cannot be validated until the correct fee is received. Details of the current fees for planning applications can be found on the Planning Portal website at www.planningportal.gov.uk

Extraction

16. Minerals to be Extracted

Please provide the quantity of each mineral to be extracted from the site in tonnes. Volumes in cubic metres can also be stated (but not instead of tonnes).

17. Area of Excavation

- i) Please state the surface area of the excavation(s) in hectares.
- ii) Please state the highest existing ground level within the area to be excavated.
- iii) Please state the maximum depth to be excavated.

18. Proposed Duration of Mineral Extraction

- i) Please enter the proposed start date of any mineral extraction operations.
- ii) Please enter the proposed end date of mineral excavation operations.
- iii) Please enter the proposed duration of mineral extraction operations.
- iv) If any site operations will occur outside of the duration of excavation, please state the duration of all site operations (including mineral extraction).

19. Proposed Method of Extraction

Please summarise the proposed method(s) of extraction to be used. For example augering, open casting etc.

20. Soil and Overburden

Please provide details of any soil and overburden; i.e. volumes and location of storage areas. It may be necessary to illustrate this information on a plan included in the supporting information.

21. Agricultural Land

Please provide details of any relevant Agricultural Land Classification for the proposed site. The quality of agricultural land that would be lost to enable mineral extraction is likely to be a consideration in the determination of the proposal.

22. Waste Resulting From Extraction

Please state the quantities of all types of waste resulting from mineral extraction.

23. Quality Assessment

For some types of minerals development to be acceptable the MPA must ensure that particular high quality resources are used appropriately. Please provide details of the evaluation procedures that would be undertaken to assess the quality of the minerals and how the results would be presented to the MPA.

24. Ancillary Operations

Please provide details of any ancillary activities which would last beyond the period of mineral extraction. For example vehicle storage and maintenance facilities, processing plant, service buildings etc.

Mineral Processing

25. Materials to be Processed

Please state the quantities of any extracted materials to be processed on site. This should include only materials which will be both extracted and processed on site.

26. Imported Materials

Please provide details of any material(s) to be imported onto the site for use in the processing of raw materials.

27. Plant and Machinery

- i) Please provide details of any plant and machinery to be used on site including mobile plant used on a regular basis.

- ii) Please state the maximum height that any plant or machinery will reach above existing ground level.

28. Plant Capacity

Please provide details of the capacity of any plant to be used on site for processing.

Normal capacity is defined as the average, anticipated or target tonnage during normal operation.

Maximum capacity is defined as the highest sustainable tonnage that the processing plant could operate at.

29. Water Source

Please provide details of the source of any water to be used during processing on site.

30. Stockpiles

Please state in metres the maximum height of any storage facilities or stockpiles of processed material as measured from the existing ground level.

31. Processed Materials

Please provide details of the quantity of each type of material resulting from processing on site. Waste resulting from processing does not need to be included in this section and is covered under question 34.

32. Off-Site Processing

Please provide the full address of any off site(s) at which material extracted on site will be processed.

33. End Use of Processed Material

Please provide details of the proposed end use of any mineral products produced on site or at any processing plant as stated in question 31. Please also provide details of the immediate proposed destination of mineral products when they leave the site.

34. Waste Arising from Processing

- i) Please provide details of the nature of any waste arising from the processing of materials on site, and the estimated annual quantity which will be produced in tonnes (you may also wish to refer to volumes in cubic metres).

- ii) If any waste is to be stockpiled or tipped on site, please state the maximum height (in metres) from existing ground level of any waste stockpiles/tips.
- iii) Please tick the appropriate box and ensure that, where applicable, any waste tips are clearly marked on a plan accompanying the application.
- iv) Please tick the appropriate box and ensure that, where applicable, any tailing lagoons are clearly marked on a plan accompanying the application.

35. Waste Transportation

If any waste is to be transported to a separate site for disposal, please provide details of the location and proposed method of transportation of the waste under sections i) and ii).

If no waste is to be transported to a separate site, tick the “No” box and proceed to question 36.

Other Buildings, Plant or Structures

36. Buildings, Plant and Structures

Please provide a brief description of the number, size and use of any buildings, plant or other structures to be erected on the site. Please ensure that details are clearly shown on plans accompanying the application and provide plan references here.

Traffic and Transport

37. Proposed Method(s) of Transportation of Processed Materials

Please briefly describe the proposed method(s) to be used for transporting the processed materials to the location(s) stated in question 33.

38. Site Access

If a new access to the site is to be created, or alterations made to an existing access, please provide details of the new arrangements here giving plan references where necessary.

39. Vehicle Movements

Please complete the table to provide details of the proposed number of vehicle movements per working day and the estimated capacity of loaded vehicles.

'Average vehicle movements' refers to the mean number of vehicles per working day.

'Maximum vehicle movements' refers to the highest anticipated number of vehicle movements on any one day.

40. Vehicle Routeing

Please provide details of the proposed route to be used by vehicles entering and leaving the site to the primary road network and if known to the final destination (i.e. a named processing plant or power station). Summarise the proposed methods to be used to control traffic impacts resulting from vehicles entering and leaving the site.

Environmental Effects of Development

41. Statutory Designations

Please provide details of any statutorily designated sites affected by the proposals. These may include the Peak District National Park, Sites of Special Scientific Interest (SSSIs), National Nature Reserves, Special Protection Areas (SPAs) for birds; and Special Areas of Conservation (SACs), Listed Buildings and Conservation Areas and Scheduled Ancient Monuments

42. Hours of Operation

Please provide details of the proposed days and times of the listed operations and any others not included on the list.

Enter the proposed start and end times in the 'Time period' field using the 24 hour clock e.g. 09.00 – 17.00 and the proposed days on which operations will be carried out in the 'Days of the week' field e.g. Monday – Friday.

43. Noise

- i) Please list all locations where background noise levels have been measured and state the existing and predicted noise level for each in accordance with the guidance set out in the *Minerals – Noise emissions* section of the Planning Practice Guidance website.
- ii) Please summarise proposed measures for controlling noise and methods for noise monitoring also following the guidance set out in the *Minerals – Noise emissions* section of the Planning Practice Guidance website..

44. Dust

Please provide details of dust mitigation measures such as wheel washes and a Dust Action Plan, together with details of dust monitoring. Where

appropriate this information should be expanded upon in the supporting documentation. Please refer to the guidance set out in the *Minerals – Dust emissions* section of the Planning Practice Guidance website.

45. Blasting

Please provide comprehensive information on the proposed blasting regime.

46. Hazardous Substances

Please define the nature and location of any hazardous substances to be imported, used or stored on site.

47. Water

Please provide outline details of measures to avoid unacceptable impacts on hydrology / hydrogeology and expand upon this in the supporting information where appropriate.

48. Environmental Protection Act 1990

Please provide a summary of processes relevant to the Act. All processes that are required to be registered under Parts A and B of the act should be listed on the form.

49. Public Rights of Way

You can find out if there are any Public Rights of Way likely to be affected by the development by using the Derbyshire Mapping Portal on the county council's website or by contacting the Public Rights of Way team on telephone number 01629 533262 or by email at ESPROW@Derbyshire.gov.uk

50. Visual Impact

Please summarise any measures proposed to mitigate the visual impacts of the development.

51. Stability of Working Faces, Tips and Associated Structures

Please summarise any operational or restoration measures proposed to ensure the stability of working faces, tips and associated structures. Please refer to the guidance set out in the *Minerals – Quarry-slope stability* section of the Planning Practice Guidance website.

Landfilling of Mineral Extraction Sites (to be completed where relevant)

52. Landfilling with imported wastes

Please provide details of any landfilling included as part of the proposal. Landfilling of a minerals site is likely to be acceptable only under particular or exceptional circumstances. Therefore any applicant wishing to include this in a part of a proposal is advised to make a comprehensive case as part of the application.

53. Materials to be Deposited (excluding material for soil cover and restoration)

The table should be used to provide a summary of the proposed types of waste to be deposited. Please expand upon this in the supporting documentation where appropriate.

54. Built Development

The proximity of built development is an important factor in the appraisal of landfill proposals. It is in the interest of the applicant to identify and take into account impacts on such development.

55. Landfill Gas and Leachate

Please provide a summary of the proposal measures for monitoring and controlling landfill gas and leachate. The location of plant and infrastructure associated with the management of landfill gas and/or leachate should be provided in the supporting documentation.

Restoration, Aftercare and Afteruse

56. Intended Afteruse or Uses

Please set out the nature and extent of particular restoration and aftercare land uses in the table.

57. Restoration Phasing

Where possible and/or appropriate the early restoration of parts of a mineral site is strongly encouraged. Please set out the nature of the phasing and realistic timescales for completion of each phase on the form and expand upon this information in the supporting documentation where appropriate.

58. Use of Soil Materials in Restoration

For the proposed restoration to be successful it is vital that sufficient soil and soil making material would be available. Please set out the key information on the form and expand on it in the supporting documentation where appropriate.

59. Restoration Methods and Machinery

Restoration works have the potential to generate significant noise, dust and visual impacts. Therefore it may be necessary to evaluate and

mitigate these impacts. A summary should be provided on the form and expanded upon in the supporting information.

60. Aftercare

Where parts of a site are restored early it will be necessary to implement a full or interim aftercare strategy for that part of the site. The final aftercare strategy should be set out as comprehensively as possible in the supporting documentation with the key information provided on the form.

61. Benefits of the Development

Relevant Planning Policy is likely to take into account the socio-economic and environmental effects of the proposed development. A summary of what the applicants perceives to be the associated benefits should be set out on the form and expanded upon in the supporting documentation.

62. Declaration

Please ensure that you have read the declaration and signed and dated the completed form. If you are completing the form on behalf of the applicant, please ensure you have included their details in the 'On behalf of' field.