

October 2012
MWPU

Greater Manchester Joint Minerals DPD

REPORT FOR INSPECTOR: Outcomes from Proposed Main and Minor Changes Consultation August-Sept 2012

In total 32 representations have been received from 15 organisations/individuals. The following tables sets out a summary of the key points made by representees and the Minerals and Waste Planning Unit response to each one.

Name/ Organisation	Chapter/ Policy/ Paragraph	Is the DPD legally compliant/ sound	Representation	What changes are necessary to make the DPD sound/legally compliant?	Minerals and Waste Planning Unit comments
United Utilities	DPD	Y	United Utilities PLC has no additional comments to make at this stage on the proposed modifications	N/a	Noted
Environment Agency	DPD	Y	No comments to make	N/a	Noted
National Trust	DPD	Y	No comments to make	N/a	Noted
Network Rail Mining Team	DPD	Y	Network Rail has no comments on the Modifications from the Minerals viewpoint but would request that the Network Rail Mining Team is consulted on all planning applications for mineral extraction within 200 metres of the railway	N/a	Noted
Network Rail Planning Team	DPD	N	Development proposals' affecting the safety of level crossings in the Greater Manchester area is an extremely important consideration for Network Rail and emerging planning policy to address. The impact from development can result in increases, often significant, in the vehicular and/or pedestrian traffic utilising a crossing which in turn can have impacts upon safety and service provision.	Inclusion of an additional policy on Level Crossings to confirm the following: 1. The Greater Manchester Council have a statutory responsibility	It is worth noting that this representation raises a new issue for the Minerals Plan, as a Policy on Level Crossings has never been raised by Network Rail or any other organisation previously. This representation is therefore outside the scope of the recent consultation on Main

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			<p>As a result of increased patronage over crossings (including HGVs), Network Rail could be forced to reduce train line speed in direct correlation to the increase in vehicular and pedestrian traffic using a crossing. This would have severe consequences for the timetabling of trains and would also effectively frustrate any future train service improvements.</p> <p>In this regard, we request that the potential impacts from development effecting Network Rail's level crossings are specifically addressed through the Greater Manchester Minerals Plan: Consultation on Proposed Modifications. There have been instances whereby Network Rail has not been consulted as statutory undertaker where a proposal has impacted on a level crossing.</p> <p>We strongly believe that the importance of Level Crossing safety warrants a specific Policy included in the Greater Manchester Minerals Plan: Consultation on Proposed</p>	<p>under planning legislation (Schedule 5 (f) (ii) of the Town & Country Planning (Development Management Procedure) Order, 2010) to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway;</p> <p>2. As a first principle, Network Rail would seek</p>	<p>and Minor Modifications.</p> <p>As a Minerals specific Plan, it is not appropriate for the Greater Manchester Minerals Plan to include a policy on Level Crossings as such a policy would be applicable to all land use planning issues. Instead such a policy may be more appropriate within Core Strategy/Local Plans prepared by the Greater Manchester Councils.</p> <p>As such no changes to this policy are proposed as a result of this representation.</p>

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			<p>Modifications which will help to elevate the importance of Level Crossings within the development management and planning process.</p>	<p>to close Level Crossings where possible. 3. Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing impact and mitigation measures including assessment of closure; and 4. The developer is required to fund any qualitative improvements required to the</p>	

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				level crossing identified as a direct result of the development proposed.	
Simon Lord	DPD	Y	I am unable to provide an informed comment but I reserve the right to offer objections at a later date.	N/a	Noted
Cheshire East Council	DPD	Y	No comments to make	N/a	Noted
The Coal Authority	Para 4.44 (PMC/AG MA/21)	Y	No comments to make	N/a	Noted
Martin Leay (on Behalf of Sinclair's, operators of Chat Moss and Astley Moss Peat Sites)	Policy 1 PAMC/AG MA/49	N	In addition to the suggested change wording for Policy 1, additional wording for Policy 1 should be added.	"In line with the presumption in favour of sustainable development set out in the National Planning Policy Framework positive consideration will be given to minerals	The benefits of sustainable mineral extraction are the basis for the Greater Manchester Minerals DPD, the amendment to Policy 1 suggested is not necessary to render the Plan sound or legally compliant. As such no further change to Policy 1 is proposed as a

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				development which accords with the policies set out in this document and with all other relevant Local Plan (Local Development Framework) policies. Such development will be considered to be sustainable and will be permitted unless other material considerations indicate otherwise, whilst also giving great weight to the benefits of mineral extraction, including to the economy."	result of this representation.
Friends of the Earth	Policy 1: PAMC/AG	N	Friends of the Earth objects to the insertion of the main modification to Policy	Policy 1: The Presumption in	The Greater Manchester Minerals Plan has been

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	MA/49		<p>1 because it presumes that development that is in line with the Plan is sustainable, and is not explicitly integrated with the existing environmental criteria set out in the Plan in the original Policy 1 Key Planning and Environmental Criteria. A presumption in favour of sustainable development as set out in the main modification to inserted Policy 1 is also not explicitly integrated to Policy 5 Unconventional Gas Resources of the submission document which seeks to set environmental criteria for unconventional gas applications.</p> <p>The modification to Policy 1 must be amended to be in line with the precautionary principle and sustainable development principles as set out in the 2005 Sustainable Development Strategy and the National Planning Policy Framework, and para 143 of the National Planning Policy Framework.</p>	<p>favour of Sustainable Minerals Development <i>In line with the above criteria and the presumption in favour of sustainable development as set out in the National Planning Policy Framework, positive consideration will only be given to minerals development which accords with the policies set out in this document and with all other relevant local plan (Local Development</i></p>	<p>developed in accordance with all relevant government policy, guidance and takes account of local issues and evidence.</p> <p>The principle of sustainable development is set out within the National Planning Policy Framework. The Framework states that Local Plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally (paragraph 15, pg 4). NPPF does not contain reference to the precautionary principle instead making reference to the need for Local Planning Authorities to assess applications for</p>

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				<p><i>Framework) policies. Such development will be considered to be sustainable and will be permitted unless other material considerations indicate otherwise. where the applicant can demonstrate by appropriate evidence and assessment that reasonable scientific doubt can be excluded as to adverse impacts of the proposed development alone or in combination with other developments:</i></p> <ul style="list-style-type: none"> - <i>On the quality and quantity of water</i> 	<p>mineral working to ensure there are no 'unacceptable adverse impacts' (para 143 bullet point 6).</p> <p>The Planning Inspectorate issued advice to Planning Authorities that, if incorporated into a Local Plan submitted for examination, may be an appropriate way of meeting this expectation. The wording of Policy 1 is based upon the advice issued by the Planning Inspectorate. The National Planning Policy Framework does not include any reference to applicants 'demonstrating that reasonable scientific doubt can be excluded as to adverse impacts of the proposed development'. Therefore it is not</p>

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				<p><i>resources, including groundwater and water courses</i></p> <ul style="list-style-type: none"> - <i>On air quality (including through emissions of methane and sulphur)</i> - <i>On local communities</i> - <i>On greenhouse gas emissions and climate change.</i> 	<p>considered prudent or necessary to modify Policy 1 to include such wording.</p> <p>Additionally, the reference to water quality, air quality and climate change which are suggested for inclusion within Policy 1 are issues which all mineral proposals would be required to address as they are covered by:</p> <ul style="list-style-type: none"> • other Policies of the Minerals Plan (e.g. Policy 2); • policies contained within each of the Authorities Local Plan/Core Strategy and; • the National Planning Policy Framework.

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					<p>Policies contained within the Development Plans across Greater Manchester, including the GM Minerals Plan will ensure that mineral operations will not result in an unacceptable adverse impact.</p> <p>The Submitted Plan and the proposed modifications are considered to meet the requirements of national planning policy and are justified in the local context and therefore considered sound and legally compliant. As such no changes to the Plan are proposed.</p>
Mineral Product Association	Policy 1: PAMC/AG MA/49	Y	No comments to make	N/a	Noted
Peak District	Policy 2	Y	No comments to make	N/a	Noted

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National Park Authority	(PAMC/AG MA/3)				
Mineral Planning Group (representing Armstrongs, owners of two quarries in Bolton)	Policy 2 (PAMC/AG MA/3)	N	<p>Policy 2 is proposed to be modified and we are pleased to see the inclusion of the essential term “at least” in relation to both sand & gravel and crushed rock landbanks. However, we are still of the firm view that this policy needs to take account of the significant difference in both specification and end-use of the two types of sandstone that occur in the Greater Manchester Joint Minerals DPD area. We reiterate that the soft red sandstones found, for example at Bold Heath quarry, cannot be likened or compared to the hard gritstone/sandstone reserves or resources found at and around Pilkington and Montcliffe quarries in Bolton. At present the crushed rock landbank of these two utterly different mineral types are lumped together into one landbank (crushed rock).</p>	<p>We believe the best approach would be to have separate crushed rock landbanks for each mineral type i.e. Soft Permo-Triassic Red Sandstones as one landbank. We believe the best approach would be to have separate crushed rock landbanks for each mineral type i.e. Soft Permo-Triassic Red Sandstones as one landbank and Hard Carboniferous buff/grey Sandstones/Gritstones as the other</p>	<p>This matter was discussed during the Examination in Public hearings in February 2012.</p> <p>National planning policy does not support the maintenance of landbanks for minerals other than sand and gravel and crushed rock nor is there any evidence to justify the inclusion of such disaggregated landbanks. In addition, the apportionment figures for Greater Manchester are combined with those of Merseyside and Warrington for reasons of commercial confidentiality, as there are so few quarrying across the</p>

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				<p>landbank. To lump the two distinctive rock types into one landbank calculation will only mislead the general public and possibly even formal consultees, allowing them to be lulled into a false sense of security in thinking that the crushed rock landbank is adequate when, in reality, it may not be. We would be most grateful if the above comments are taken on-board.</p> <p>Might we respectfully suggest that the matter could be dealt with</p>	<p>subregion. It is not possible, due to the way the quarry returns data is collected, or appropriate to break down the landbank information further in the way suggested within this representation.</p> <p>The submitted Plan and the proposed modifications are therefore considered to meet the requirements of national planning policy and are justified in the local context and therefore considered sound.</p>

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				in the form of a "Note" at the end of the suggested amended Policy 2.	
Mineral Products Association	Peat issues: PAMC/AG MA/45	Y	No comments to make	N/a	Noted
Martin Leay (on Behalf of Sinclair's, operators of Chat Moss and Astley Moss Peat Sites)	Paragraph 6.4 PAMC/AG MA/45	N	Although it is agreed that there is no need for Peat to be included in the Minerals Search Area policy, non support for deletion of last bullet point – as this would imply that peat is either not to be included as currently of economic importance, nor has the potential to become important. Without doubt the peat mineral resources within the Greater Manchester area are of economic importance and should not, therefore, be deleted from the minerals safeguarded areas already identified.	Safeguarded Areas for Peat should still be included within the LDF even though there is no future need to search for new Peat Safeguarded Areas.	Mineral Safeguarding Areas aim to protect a mineral resource from sterilisation from other non mineral development. The National Planning Policy Framework sets out the range of minerals which are locally and nationally important for the purposes of Mineral Safeguarding. Peat is not identified as a locally and nationally important mineral. The National Planning Policy Framework also sets

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					<p>out that planning permission should not be granted for the extraction of Peat on new or extended sites this can be seen as confirmation that the national policy direction on peat extraction has altered and that future extraction of peat is not considered necessary or appropriate. This change in policy approach at the national level has influenced the emerging Minerals Plan and resulted in the decision not to safeguard peat resources from other non mineral development.</p> <p>Additionally, given the likely stability issues arising from building on peat it is highly likely that peat would be extracted prior to any non</p>

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					<p>mineral development and therefore there would be no issue of sterilisation of the mineral.</p> <p>Therefore the Minerals Plan is considered sound and legally compliant and no further change in respect of Peat is proposed as a result of this representation</p>
The Coal Authority	Para 6.6 (PMC/AG MA/46)	Y	No comments to make	N/a	Noted
The Coal Authority	Policy 7 (PMC/AG MA/24)	N	<p>Policy 7 as amended is not justified, effective or consistent with national policy. The Coal Authority has previously commented we support the proposed modification to Policy 7 in so far as it goes. However it no way overcomes our objection in principle to the soundness of the DPD with regard to Mineral Safeguarding- which was fully articulated in our case to the Public Examination</p>	<p>We consider that the whole Surface Coal Resource should be included within an MSA.</p> <p>The Coal Authority would be happy to attend any additional hearing</p>	<p>The issue of Mineral Safeguarding in Greater Manchester was explored in some detail during the hearing sessions in February 2012. Support for the modifications to Policy 7, so far as they go, from the Coal Authority is welcomed by the Greater</p>

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			which remains before the Inspector for consideration.	session to continue the debate in relation to the Soundness of the DPD based upon the conclusion the Inspection may have reached, should the Inspector deem it necessary/appropriate to reopen this debate.	<p>Manchester Authorities.</p> <p>The Modifications were developed through engagement with relevant parties following the adjournment of the hearing sessions in February. Whilst the GM Authorities did not expect to satisfy the concerns of all parties, the GM Authorities believe that the modifications offer a reasonable, justifiable and viable approach to Mineral Safeguarding in Greater Manchester.</p> <p>Therefore the approach to MSAs as set out within the Modifications, supported by the written statements and discussions during the hearing sessions in February, is considered</p>

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					sound and legally compliant by the Greater Manchester Authorities.
Natural England	Policy 7 PAMC/AG MA/45:	Y	The removal of peat from the MSA as it is no longer considered a locally or nationally important mineral reflects national policy which prohibits further extraction of peat. Natural England does not comment on the extent or content of MSA as these are designed to preclude the sterilisation of mineral from other development rather than an allocation for mineral development, therefore we have no comment to make on this modification to the Plan.	N/a	Noted. Although, whilst peat is no longer considered a locally or nationally important mineral for extraction purposes the change in the status of peat is unlikely to mean a total prohibition of peat extraction, as the wording of the NPPF refers to 'new sites and extensions to existing sites'. Current planning permissions are unaffected.
Mineral Products Associated	Policy 7: PAMC/AG MA/24	N	We object to this proposed change. The approach of the authorities to Mineral Safeguarding Areas was discussed extensively at the Inquiry and we wish to rely on our submitted evidence and oral comments made at the hearings in addition to these comments. Policy	We suggest the following alternative policy wording for Policy 7. A prerequisite for this alternative policy is that the entire sand	The issue of Mineral Safeguarding in Greater Manchester was explored in some detail during the hearing sessions in February 2012.

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			<p>formulation is intended to be evidence based (NPPF para 158). BGS (Oct 2011) guidance on the identification and policy for MSAs also places emphasis on a robust evidence base (para 4.0.2). Part of the evidence base for economic minerals present in Greater Manchester has been used to identify MSAs. However, some of that evidence on the occurrence of mineral has been deliberately ignored. Thus the policy as it is proposed to be amended describes two such categories for prior extraction of mineral; within MSAs and outside MSAs, whereas the BGS guidance assumes that the process of plan making would have identified all potentially viable deposits of economic mineral and included them in a MSA. Therefore we believe the policy is unsound because it is not justified, not being founded on a robust evidence base and it is contrary to national policy.</p> <p>In addition, the policy makes no allowance for the potential sterilisation of mineral by</p>	<p>and gravel resource should be included in the proposed MSA including urban areas.</p> <p><i>Within the Minerals Safeguarding Areas, applications for non mineral development unless exempted, must demonstrate that proposals will not result in sterilisation of the mineral resource beneath or adjacent to the site and that removal of the sand and gravel will take place prior to or during development unless:</i></p>	<p>The Modifications were developed through engagement with relevant parties following the adjournment of the hearing sessions in February.</p> <p>Whilst the GM Authorities did not expect to satisfy the concerns of all parties, the GM Authorities believe that the modifications offer a reasonable, justifiable and viable approach to Mineral Safeguarding in Greater Manchester.</p> <p>In brief, as set out at the hearing session, most of the sand and gravel resource in the urban area has been built on. This means that any sand and gravel that was not already worked has mostly been sterilised and prior extraction of minerals</p>

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			<p>adjacent or proximal development. This is specifically referred to in the BGS guidance (para 4.2.8 and MPS1 Practice Guide para 32). Thus even if it is not feasible to extract mineral prior to the implementation of a non mineral development in a MSA, sterilisation may still occur as a result of the development closing off access to adjacent mineral, or by making the later extraction of that mineral either economically or environmentally unacceptable. A system where all deposits of economically important mineral are included within a MSA will be able to pick up cases such as these because the policy approach is inclusive of all development (save those minor developments that are considered to be exempt). In contrast, the Greater Manchester approach will not allow all such cases to be picked up because a significant area of mineral deposit lies outside of a MSA, and the intended identification of sites for potential prior extraction through DPDs will not flag up</p>	<ol style="list-style-type: none"> 1. <i>it can be shown that it is not economically viable to do so (including effects on communities or the wider economy), or</i> 2. <i>it is not environmentally acceptable to do so, or</i> 3. <i>the need for the development outweighs the need to extract the sand and gravel, or</i> 4. <i>The sand and gravel will not be sterilised by the</i> 	<p>is likely to result in unacceptable amenity impacts. Districts working on Site Allocations DPDs are addressing the need to take minerals into account when considering future regeneration projects within the urban area and the potential for prior extraction.</p> <p>There is little evidence of prior extraction of minerals in the urban area in Greater Manchester or other comparable areas.</p> <p>In trying to define which deposits in Greater Manchester that are of economic interest for the purposes of defining MSA, MWPU contacted all minerals developers in the Greater Manchester area,</p>

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			<p>potential problems due to proximal development. The only way we can see this being rectified is if the DPD process specifically looked at the potential for sterilisation by proximal development for every proposed site allocation and redevelopment proposal (not just for those where prior extraction is considered viable), which would be onerous and completely unworkable. The policy must therefore be considered unsound because it is not effective.</p> <p>The policy as proposed to be amended will also result in an unsustainable outcome in that it is selective in the protection afforded to a scarce resource, in a way that would not be tolerated for another resource such as heritage or wildlife.</p> <p>The Greater Manchester authorities have made much of the perceived difficulties for developers caused by including urban areas in a MSA. However, the authorities have offered no evidence that the prospect</p>	<p><i>development.</i></p>	<p>including those who are members of BAA and MPA, as well as those organising themselves. The response from industry was important to inform the development of the MSA policy and the Minerals Plan more widely. Very few responses were received and of those that did respond, some said that they had no interest as the material in Greater Manchester as it uneconomic to work.</p> <p>The GM Authorities used the limited information available on known interest of past prior extraction and BGS data, which did not identify which mineral deposits were of economic importance.</p>

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			<p>of prior extraction will put potential developers off. We believe that if properly constructed a minerals safeguarding policy for all areas of economic mineral will result in a consistent treatment of the mineral resource.</p> <p>This is how we see an effective system working. The way the BGS guidance promotes best practice is to recommend the mapping of the mineral resource including enough of a buffer around it to deal with proximal issues. This is then backed up by a criteria based policy with exemptions for certain developments, such a householder development, temporary uses, changes of use, etc. The final piece of the framework is a set of validation requirements for developers if their site is in the MSA. The BGS guidance recommends that developers produce a desk top assessment of any effects on mineral safeguarding using published information including the potential sterilisation of mineral in adjacent land.</p>		<p>The decision to exclude the urban area recognises past mineral extraction in what is now the urban area and the fact that any remaining deposits in the urban area have been built upon.</p> <p>Evidence drawn from discussions with the ten GM Authorities, a review of the current policies on prior extraction, and information from the mineral industry in Greater Manchester it was concluded there was little need to include the urban area within the MSA.</p> <p>Furthermore, prior extraction of some minerals in the urban area may make some developments uneconomic which is an important consideration</p>

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			<p>This should be enough to confirm if mineral is present in potentially exploitable quantities or if there are proximal issues. It would then be up to the developer to mount an argument against prior extraction if he didn't think it was viable, or show why his development will not affect potential mineral working from adjacent or nearby sites, or why his development should override the mineral interest. Only if there was a prima facie case for prior development would the authority then ask for details of boreholes, quality analyses, and working/restoration programmes. We do not think that as presented, this is an onerous requirement or burden on a developer, who after all will have to carry out a similar exercise for archaeological potential and ecological interest.</p> <p>The authorities will also point to the lack of examples of prior extraction in urban areas as evidence of a corresponding absence of viability. However, this is flawed for two reasons. First, the lack of examples</p>		<p>given the need for economic growth.</p> <p>Therefore the approach to MSAs as set out within the Modifications, supported by the written statements and discussions during the hearing sessions in February, is considered sound and legally compliant by the Greater Manchester Authorities.</p>

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			<p>demonstrates that sterilisation has been taking place for lack of a safeguarding system. The first version of the BGS guidance published in 2007 said “It is the purpose of the planning system to address competing demands on land-use, but until recently that system gave little effective weight to the protection of minerals resources in comparison with that afforded to environmental assets. As a result, there have been many instances where minerals were needlessly sterilised.” (page 4) and one might add, a corresponding lack of examples of prior extraction. Second, the lack of urban examples will be self perpetuating if urban areas continue to be excluded from MSAs.</p>		
Coal Pro	Policy 7: PAMC/AG MA/24	N	<p>CoalPro’s main concern initially was that the mineral safeguarding area for coal should include all shallow coal resources, including within the urban area. CoalPro was also concerned that the policy on prior extraction was insufficiently robust and that this, combined with a restricted MSA,</p>	<p>We continue to take the view that the MSA for coal should cover all of the shallow coal resource, including within the urban</p>	<p>The issue of Mineral Safeguarding in Greater Manchester was explored in some detail during the hearing sessions in February 2012.</p>

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			<p>meant that the draft Plan was unsound. CoalPro supports the proposed modification to policy 7 so far as it goes as it deals more robustly with prior extraction both within and outside Mineral Safeguarding Areas.</p>	<p>area. Indeed, the amended prior extraction policy, whilst much improved, will still be inadequate if not combined with a MSA which covers the whole of the area over which prior extraction may be possible.</p>	<p>Support for the modifications to Policy 7, so far as they go, from the Coal Authority is welcomed by the Greater Manchester Authorities.</p> <p>The Modifications were developed through engagement with relevant parties following the adjournment of the hearing sessions in February. Whilst the GM Authorities did not expect to satisfy the concerns of all parties, the GM Authorities believe that the modifications offer a reasonable, justifiable and viable approach to Mineral Safeguarding in Greater Manchester.</p> <p>Therefore approach to MSAs as set out within the</p>

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					Modifications, supported by the written statements and discussions during the hearing sessions in February, is considered sound and legally compliant by the Greater Manchester Authorities.
The Coal Authority	Para 6.17 (PMC/AG MA/12)	Y	No comments to make	N/a	Noted
UK Coal	Policy 12 PAMC/AG MA/5	Y	UK Coal supports the proposed modification. In accordance with Paragraph 144 of the NPPF bonds or other financial guarantees should only be sought in exceptional circumstances.	N/a	Support for the modification is noted.
The Coal Authority	Policy 12 (PMC/AG MA/5)	Y	No comments to make	N/a	Noted
Natural England	Policy 12 (PMC/AG MA/5)	Y	The deletion of the requirement for restoration bonds may impact on the quality of or reduction in some restoration schemes in some circumstances. Good	N/a	As concluded during the EiP hearing sessions, it is not appropriate for Development Plans to

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			<p>restoration, particularly near urban areas can provide important greenspace and green infrastructure which is known to be beneficial to health. The deletion therefore could lead in some circumstances to an impact on objective 6 - To improve physical health and mental health and reduce health inequalities.</p> <p>Depending on the circumstances and nature of the restoration, schemes can also contribute to the following objectives:</p> <p>11: To protect, enhance, manage and restore where appropriate biodiversity, protected species, habitats and sites of geological importance.</p> <p>12: To protect and improve landscape and townscape character and accessibility. – (by appropriate restoration and green infrastructure enhancement)</p> <p>14: To protect and improve the quality of controlled waters.</p> <p>15: To protect and improve air quality. (By planting and restoring open areas)</p> <p>16: To restore and protect land and soil</p>		<p>require restoration bonds.</p> <p>Guidance relating to financial provision for restoration and aftercare of quarries is set out within Technical Guidance to the National Planning Policy Framework (para 49- 51 on pg 22).</p> <p>This guidance sets out that bonds should only be sought in exceptional circumstances and where operators are contributing to a mutual funding scheme such as Mineral Products Association Restoration Guarantee Fund it should not be necessary for a Mineral Planning Authority to seek additional financial guarantees. Therefore the Policy must be modified as</p>

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			<p>and to manage contaminated and potentially unstable land</p> <p>17: To mitigate and adapt to climate change - (provision of alternative habitats lost due to climate change)</p> <p>18: To minimise the risk of flooding and increase the use of SUDS. – (the creation of flood relief schemes)</p> <p>These benefits could be impacted upon if mineral workings were not adequately restored. It is for the authorities to consider whether the complete removal of restoration bonds is appropriate or whether some provision should remain for certain circumstances.</p>		<p>set out within Main Modification PMC/AGMA/5.</p> <p>Additionally, it is not appropriate or necessary to duplicate the guidance provided within NPPF within the Minerals Plan.</p> <p>Adequate restoration of Mineral sites will be achieved by policies and monitoring arrangements as supported by the Submitted Plan. In legal terms, even with the removal of the requirement for financial bonds for this Policy, there remains an opportunity for the Greater Manchester Authorities to link restoration requirements or financial provision for their completion to landownership through</p>

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					<p>developer contributions.</p> <p>The provision of financial support for restoration of mineral sites is set out within the National Planning Policy Framework. Therefore there will not be any overall impact on the objectives of the Sustainability Appraisal.</p>
<p>Martin Leay (on Behalf of Sinclair's, operators of Chat Moss and Astley Moss Peat Sites)</p>	<p>Policy 12 Restoration and Aftercare PAMC/AG MA/5</p>	<p>Y</p>	<p>Support for deletion of financial provision text – bullet no. 3 of 5.</p>		<p>Noted.</p>
<p>Friends of the Earth</p>	<p>Policy 12: Restoration and Aftercare</p>	<p>N</p>	<p>Friends of the Earth objects to the removal of bullet 3 from Policy 12 regarding details of financial provision. Policy 12 must be amended to include the</p>	<p>Policy 12 must be amended as follows:</p>	<p>As concluded during the EiP hearing sessions, it is not appropriate for Development Plans to</p>

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	PAMC/AG MA/5		precautionary principle.	<p><i>Applications for minerals extraction will only be permitted where they satisfy the precautionary principle and are accompanied by appropriate proposals for site restoration and aftercare. This should include all of the following:</i></p> <ol style="list-style-type: none"> <i>1. Details of the final restoration scheme and proposed future land use;</i> <i>2. Details of timescales for completion of restoration including details of</i> 	<p>require restoration bonds.</p> <p>Guidance relating to financial provision for restoration and aftercare of quarries is set out within Technical Guidance to the National Planning Policy Framework (para 49- 51 on pg 22).</p> <p>This guidance sets out that bonds should only be sought in exceptional circumstances and where operators are contributing to a mutual funding scheme such as Mineral Products Association Restoration Guarantee Fund it should not be necessary for a Mineral Planning Authority to seek additional financial guarantees. Therefore the Policy must be modified as</p>

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				<p><i>completion of individual phases of restoration where a progressive restoration scheme is proposed;</i></p> <p><i>3. Details of financial provision to be put in place to guarantee the restoration of the site;</i></p> <p><i>4. Details of aftercare arrangements that are to be put in place to ensure the maintenance and management of the site once restoration is complete;</i></p> <p><i>5. Details of community liaison measures to be put</i></p>	<p>set out within Main Modification PMC/AGMA/5.</p> <p>Additionally it not appropriate or necessary to duplicate the guidance provided within NPPF within the Minerals Plan.</p> <p>Adequate restoration of Mineral sites will be achieved by policies and monitoring arrangements as supported by the Submitted Plan. In legal terms, even with the removal of the requirement for financial bonds for this Policy, there remains an opportunity for the Greater Manchester Authorities to link restoration requirements or financial provision for their completion to landownership through</p>

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				<i>in place during the operation of the site including mineral extraction, restoration and final land use.</i>	<p>developer contributions.</p> <p>The provision of financial support for restoration of mineral sites is set out within the National Planning Policy Framework. Therefore there will not be any overall impact on the objectives of the Sustainability Appraisal.</p>
Friends of the Earth	Insertion of new Policy: Fracking & Shale Gas Extraction	N	Friends of the Earth recommend that a new policy is inserted specifically in relation to fracking and other unconventional gas to support the amended main modification Policy 1 and to replace Policy 5 which does not contain any criteria relating to groundwater contamination and climate change.	<i>Planning permission for fracking or shale gas operations (including test drilling and extraction) will not be granted unless a) the Council is satisfied that all reasonable scientific doubt that there is any risk of</i>	The impacts of any proposal for ground gas extraction in Greater Manchester would be subject to appraisal and assessment in line with the existing Development Plan and other material considerations. The Development Plan includes all planning policies within the Greater Manchester Local Plans and the Regional Spatial Strategy

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				<p><i>adverse impacts including groundwater contamination has been eliminated</i> <i>b) the proposal will not compromise the Council's duties in relation to climate change mitigation;</i> <i>and</i> <i>c) the proposal is environmentally acceptable, or it can be made so by planning conditions or obligations.</i></p>	<p>and must be prepared in accordance with the National Planning Policy Framework. The Development Plan is supplemented by material considerations which include emerging Local Planning policies and evidence from Reports such as the one produced by the Royal Society and the Royal Academy of Engineering into shale gas extraction by hydraulic fracturing.</p> <p>Following reports of seismic events in Lancashire which were associated with hydraulic fracturing for shale gas extraction purposes the UK Government's Chief Scientific Adviser, Sir John Beddington FRS, asked the Royal Society and the Royal</p>

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					<p>Academy of Engineering to review the scientific and engineering evidence and consider whether the risks associated with hydraulic fracturing (often termed ‘fracking’) as a means to extract shale gas could be managed effectively in the UK. The results of the report¹ form the basis for current guidance and Planning policy in relation to hydraulic fracturing in England. The report did not conclude that hydraulic fracturing for shale gas extraction should cease in the UK. Instead in made several recommendations to the shale gas extraction industry and regulatory authorities but did not result</p>

¹ http://royalsociety.org/uploadedFiles/Royal_Society_Content/policy/projects/shale-gas/2012-06-28-Shale-gas.pdf

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					<p>in changes to the National Planning Policy Framework or other relevant planning policy in the UK.</p> <p>National Planning Policies and guidance do not separate shale gas extraction by hydraulic fracturing from the range of other current ground gas extraction processes or even future unconventional methods of extraction. National Planning Policy does not require that Councils be '<i>satisfied beyond all reasonable scientific doubt that there is any risk of adverse impacts including groundwater contamination has been eliminated</i>'.</p> <p>The NPPF places significant</p>

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					<p>emphasis on the importance of climate change and its impacts. However it is not appropriate for the Minerals Plan to set out National Energy Policy.</p> <p>The Minerals Plan includes policies to allow the assessment of any proposal for extraction of gas resources, including shale gas extraction by hydraulic fracturing, such as Policy 5 and Policy 1 of the Submitted Plan. Any proposal would be judged against the entire Development Plan, which includes policies in Local Plans and the Regional Spatial Strategy, which in turn has been prepared in accordance with national planning policy.</p>

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					The Submitted Plan and the proposed modifications are considered to meet the requirements of national planning policy and are justified in the local context and therefore considered sound and legally compliant. As such no changes to the Plan are proposed.
Peak District National Park Authority	Maps	Y	No comments to make	N/a	Noted
Mineral Products Association	Maps 1-10: PAMC/AG MA/3	Y	No comments to make	N/a	Noted
Mineral Products Association	Map 2a: PAMC/AG MA/5	Y	No comments to make	N/a	Noted
The Coal Authority	Maps 4-8 11-20	Y	No comments to make	N/a	Noted

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	(PMC/AG MA/20 & PMC/AGM A/21)				
The Coal Authority	PMC/AGM A/30 & PMC/AGM A/32 & PMC/AGM A/4	Y	No comments to make	N/a	Noted