Cheshire East Local Plan

Draft Minerals and Waste Plan

November 2022

Cheshire East Council

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Contents

1
Introduction

1 Introduction

Cheshire East Local Plan

1.1 This document is the first draft of the Cheshire East Minerals and Waste Plan (MWP) and is published for (Regulation 18[(1)]) consultation to seek your views on its content. It has two main purposes. The first is to allocate sites and areas so that the Council can sustainably meet identified requirements for the provision of minerals and the management of waste. The other is to set out detailed policies to guide decisions on minerals and waste planning applications within the Borough. Once it is adopted the MWP will replace the saved policies contained within the separate Mineral and Waste Local Plans prepared by Cheshire County Council. These were adopted in June 1999 and July 2007 respectively.

1.2 The MWP will also replace Local Plan Strategy (LPS) policies SE 10 'Sustainable Provision of Minerals' and SE 11 'Sustainable Management of Waste'. These policies are largely general in nature and reproduce planning guidance and act as a marker to explain how mineral and waste matters will be covered in the Council's subsequent Minerals and Waste Local Plan. Since the LPS was adopted, the Council has undertaken further work on the minerals and waste evidence base and as a result now has a better understanding of minerals and waste matters in Cheshire East. This is reflected in the detailed policies contained within this MWP. The MWP does not use apportionment to determine supply requirements for aggregate sand and crushed rock for the reasons given in ¶¶3.30 and 3.67-3.71 respectively of this plan. Therefore, this criteria in LPS Policy SE 10 (together with accompanying Table 13.2 and relevant justification text) needs to be formally replaced by the MWP. In addition, the draft MWP does not currently identify any areas for new waste management facilities but uses a criteria-based policy to determine any applications for new facilities. Further evidence base work is required on waste needs for the whole plan period but as things stand this aspect (Criterion 2.i) of Policy SE 11 is also inconsistent with the draft MWP. It is for these reasons that the Council intends to replace LPS policies SE 10 and SE 11 in their entirety through the relevant policies in the MWP.

1.3 The MWP is the third planning policy document produced by the Council since its formation in 2009. The other documents being the LPS and the emerging Site Allocations and Development Policies Document (SADPD). This suite of policy documents (once all approved) will together constitute the Council's Local Plan and when combined with relevant made neighbourhood plans, produced by town and parish councils in Cheshire East, will form the statutory development plan for the area covered by the Local Plan. This excludes the part of the Borough that falls within the Peak District National Park (PDNP), since this is the responsibility of a separate planning authority that covers the whole PDNP area. Proposals requiring planning permission in the Council's Local Plan area will be determined in accordance with all relevant policies within the statutory development plan as a whole, unless material considerations indicate otherwise.

Plan period

1.4 The MWP covers the Plan period 2021 to 2041. This differs from but overlaps with the 2010 to 2030 Plan period of the LPS (adopted 2017) and SADPD (to be considered for adoption by Council in December 2022). This amended Plan period is required as the MWP will contain new strategic policies. This means the MWP must have at least a 15-year plan period remaining at the time of adoption to satisfy national planning policy requirements.

1.5 The new plan period will require the updating of any relevant key evidence that does not currently cover the full Plan period to 2041. The findings from this evidence will need to be incorporated into the MWP before the Council can embark on the more formal subsequent (Regulation 19) stage of public consultation. This applies particularly to the current Waste Needs Assessment (WNA), which only covers the period to 2030.

1 Town and Country Planning (Local Planning) (England) Regulations 2012. https://www.legislation.gov.uk/uksi/2012/767/contents/made

Strategic policies

1.6 The MWP contains a mixture of both strategic and non-strategic policies. To conform with national planning policy requirements, the MWP needs to make explicit which policies are strategic policies. Table 1.1 'Identified strategic policies within the MWP' below identifies all the MWP policies that the Council considers are strategic policies. The remaining MWP policies are considered non-strategic.

Table 1.1 Identified strategic policies within the MWP

Policy number and title
Policy MIN 1 'Mineral safeguarding areas'
Policy MIN 2 'Safeguarding mineral supply sites and infrastructure'
Policy MIN 3 'Managing the sand resource'
Policy MIN 4 'New sand resource allocations and areas of search'
Policy MIN 5 'Prioritising the use of substitute, secondary and recycled aggregates'
Policy MIN 6 'Aggregate crushed rock'
Policy MIN 7 'Non-aggregate sandstone'
Policy MIN 8 'Provision for salt extraction'
Policy MIN 11 'Peat'
Policy WAS 1 'Waste management strategy'
Policy WAS 2 'Waste management capacity and needs'
Policy WAS 3 'Spatial strategy for locating waste management facilities'
Policy WAS 4 'Waste management facilities in the Green Belt'
Policy WAS 5 'Waste management facilities in the open countryside'
Policy WAS 6 'Safeguarding of waste management facilities'

Consultation and engagement

1.7 Consultation on a Minerals and Waste Issues Paper was undertaken in April 2017 to understand what the key issues were for minerals and waste in the Borough. In total, 240 responses were received to the questions in the issues paper during the consultation period. These were from 77 different individuals or organisations. Further details can be found in the report of consultation, which can be viewed on the Council's website[(2)].

1.8 A 'Call for Sites' exercise was also undertaken at the same time as the issues consultation. This enabled interested parties to submit sites or areas for potential allocation for minerals and waste uses. A total of 26 minerals and 20 waste sites or areas were submitted for consideration. An initial assessment of these sites has been undertaken, together with the other sites that have been considered for allocation in the MWP, and the draft reports of findings forms part of the evidence base and can also be found on the council's website[(3)].

1.9 The Council is running a further Call for Sites exercise alongside the consultation on the draft

2 Available at www.cheshireeast.gov.uk/mwp
3 Available at www.cheshireeast.gov.uk/mwp. The findings are split between a Minerals Site Selection Report and a Waste Site Selection Report

MWP. This recognises that the last call for sites exercise was some time ago and operators within the minerals and waste industry may wish to pursue alternative proposals, particularly in light of the needs identified in this Plan. Any sites and areas submitted as part of the new Call for Sites exercise will be screened using the Council's Draft Minerals and Waste Site Selection Methodology and considered alongside the existing pool of sites/areas included in the initial draft site assessment work. A final version of the Minerals and Waste Site Selection Reports will be published at the Publication Draft stage to support the Council's choices around site allocations or area designations in the MWP.

1.10 The consultation on the draft MWP and accompanying Call for Sites exercise will run for a 6 week period. The Council's preference is for responses to be made electronically via its consultation portal as this will enable the Council to make the comments publicly available more quickly and better ensure that all the required details have been completed. Other electronic and paper responses will be accepted within the consultation period. Full details on the consultation and how responses should be made will be provided on the Council's website[(2)].

Duty to Co-operate

1.11 Duty to Co-operate (DtC) is an important requirement in plan making generally but this is particularly so with minerals and waste, as it generates cross boundary strategic issues on a national basis rather than just with neighbouring authorities as is normally the case with other parts of the Local Plan. This is because of the presence of nationally important minerals (silica sand and salt) and the need to use waste facilities elsewhere, which can be some distance away, to manage some of the waste generated in Cheshire East. The Council will resume DtC discussions on the basis of the draft policies contained in the MWP with the eventual aim of agreeing statements of common ground with relevant planning authorities across the country, on mineral supply and waste management capacity, so that it is able to satisfy an Inspector at Examination that the MWP has been "soundly" prepared.

1.12 The Council is aware that the Government's recently published planning reforms[(4)] propose to replace DtC with a new policy alignment test. The Council await further details on how this is to work in practice and will undertake the necessary work in relation to the MWP to comply with these requirements once they are known and come into force.

Evidence base

1.13 The MWP is being developed in association with an up-to-date, relevant and proportionate evidence base. This includes baseline information from the British Geological Survey (BGS) on the nature and extent of mineral resources in Cheshire East, Environment Agency information on the quantities of waste produced and managed in the Borough, as well as bespoke Council commissioned studies relating to Cheshire East's sand resource and waste management needs.

1.14 The Council also produces a yearly Local Aggregates Assessment (LAA), which provides information on the supply and demand for aggregates in the Borough. This helps the Council, as the Minerals Planning Authority (MPA), to meet its obligations to deliver a steady and adequate supply of minerals as part of the plan making process. In addition, the Council has a municipal waste management strategy that details how it intends to reduce, reuse, recycle, recover and dispose of municipal waste up to 2030. This sets out the key aims and objectives for the management of municipal waste and is reviewed every 5 years.

1.15 The evidence base can be viewed on the Council's website[(2)] and is referred to at relevant points within the MWP.

Sustainability Appraisal and Habitats Regulations Assessment

1.16 In tandem with the preparation of the MWP, the Council is preparing a Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA). The role of the SA is to promote sustainable

4 Part of the Levelling-up and Regeneration Bill as introduced in the House of Commons on 11 May 2022

development by assessing the extent to which the emerging plan will help to achieve relevant environmental, economic and social objectives when judged against reasonable alternatives.

1.17 A HRA has also been prepared to support the development of the MWP. This assesses the impact of the MWP on internationally designated nature conservation sites. The impact of the MWP has been assessed both on its own and in combination with other plans and projects. The HRA is an iterative process and plays an important role in refining the contents of the plan, both in terms of policies and site allocations.

1.18 Both the interim SA and the HRA have been published for consultation alongside this draft MWP.

Other policy considerations

1.19 The draft MWP has been prepared within the wider strategic policy context provided by Government guidance, with the National Planning Policy Framework (NPPF)[(5)], the National Planning Policy for Waste (NPPW)[(6)] and the Planning Practice Guidance (PPG)[(7)] being particularly relevant to the MWP. In taking account of relevant legislation and policies, the MWP seeks to provide further guidance and local interpretation of their requirements.

1.20 In addition to plans prepared by the Council, consideration is also given to any relevant policies contained within made neighbourhood plans when plan making or determining planning applications, as these form part of the Statutory Development Plan. Further details on neighbourhood planning and the extent of made neighbourhood plans in Cheshire East can be found on the Council's website[(8)].

HS2

1.21 HS2 is a significant rail infrastructure project that is planned to be constructed through the Borough during the Plan period. It is likely to have implications for both mineral aggregate need and waste management capacity. The Council will be undertaking further discussions with HS2 so that the minerals and waste implications of the project for Cheshire East can be fully understood and accounted for within the MWP.

Adopted policies map

1.22 The Council's website contains an interactive adopted policies map that identifies the spatial extent of adopted and saved policies. A separate draft policies map has been produced, which illustrates the proposed geographical extent of relevant policies in the MWP, alongside the policies in the LPS and SADPD, to assist with their interpretation.

Next steps

1.23 The preparation of the draft MWP for public consultation represents an early stage in the Plan's development to final adoption. Table 1.2 'MWP remaining stages and indicative timetable to adoption' below outlines the remaining stages and gives an indicative timetable to adoption.

5 Available at https://www.gov.uk/guidance/national-planning-policy-framework
6 Available at https://www.gov.uk/government/publications/national-planning-policy-for-waste
7 Available at https://www.gov.uk/government/collections/planning-practice-guidance
8 Available at www.cheshireeast.gov.uk/neighbourhoodplanning

Table 1.2 MWP remaining stages and indicative timetable to adoption

Stage/task	Date
Committee sign off for consultation on Draft M&W Plan.	Q3 2022
Public consultation on Draft MWP including call for sites exercise.	Q3 2022
Review of comments received and amendments, where appropriate, to the policies and proposals in the MWP. Decision on whether to consult on a second draft or to proceed to publication version.	Q4 2022
Update evidence base for new plan period (WNA) including updated new site assessments following call for sites exercise and update SA/HRA.	Q4 2022
Completion of Publication version of MWDPD and internal sign off.	Q2 2023
Public consultation on Publication version of MWDPD and accompanying SA and HRA. Review of the comments received and decision on whether to proceed to submission or make amendments and re-consult.	Q3 2023
Submission of MWP to Secretary of State.	Q2 2024
Examination of MWP.	Q3 2024
Modifications and inspector's report.	Q4 2024
Adoption of MWP.	Q1 2025

Minerals and Waste Plan structure and contents

1.24 The remainder of the MWP has been structured to bring together information and policies into five Chapters covering the following matters: Vision and Objectives; Minerals; Waste; Development Management Policies for Minerals and Waste; and Monitoring and Information. In total, the draft MWP proposes 43 policies (comprising 14 Minerals, 11 Waste and 18 DM policies) and identifies 15 new core monitoring indicators.

1.25 More detailed supporting information and maps are provided in the Appendices. These cover a range of details including on: the spatial extent of resources/geology; the identified safeguarded areas, sites and infrastructure; the boundary of allocated sites; a glossary; and list of acronyms.

2
Vision and objectives for minerals and waste

2 Vision and objectives for minerals and waste

2.1 The MWP sets out a vision for minerals and waste matters in Cheshire East for the Plan period and this will, once adopted, replace the Vision and Strategic Priorities identified for minerals and waste in the LPS. The MWP's Vision is accompanied by a set of Strategic Objectives that identify how the Vision will be achieved. These objectives are used as a basis for developing the suite of planning policies outlined in the MWP. The elements that comprise the Vision and Strategic Objectives, as detailed below, are not listed in any order of priority. They should instead be considered in their entirety.

The vision

The vision

During the plan period to 2041 and beyond, Cheshire East will have developed a sustainable approach to minerals and waste that:

- only approves new or extended sites/facilities for mineral extraction and waste management that are located and operated to minimise harmful impacts on climate change, the transport network, local communities and the local environment;
- provides sufficient capacity for mineral supply and waste management to meet identified needs within the Borough and, where appropriate, to help contribute to meeting wider needs;
- prioritises the use of secondary and recycled aggregates over primary aggregates, and the reuse and recycling of waste before other waste management options. This will move waste up the 'Waste Hierarchy' to increase the amount re-used, recycled, composted or treated rather than used for energy recovery or sent to landfill;
- safeguards for future generations those minerals that can be economically won, together with the facilities and infrastructure required for mineral processing and transportation, from proposals for non-mineral development;
- seeks to manage waste as close to its source of production as possible and to safeguard the waste management facilities or capacity required to meet identified needs, both current and proposed, from proposals for non-waste development; and
- restores former mineral and waste management sites to a high standard to benefit local communities through the enhancement of amenity and the environment.

The objectives

2.2 The minerals and waste Vision will be delivered through the following overlapping Objectives:

General

Objective OB 1

Tackling climate change

To minimise the causes of climate change by taking appropriate mitigation measures to reduce greenhouse gas and carbon emissions through energy efficient design and operation, including minimising the use of non-renewable energy sources and vehicle movements, for example by using appropriate technology, co-locating waste facilities or by processing minerals at extraction sites.

To minimise the impacts of climate change by taking mitigation measures such as avoiding inappropriate development in areas at high risk of flooding.

Objective OB 2

Reducing transport impacts

To explore realistic opportunities to minimise the transport impacts on climate change, local communities and the environment from the movement of minerals and waste by road, through the greater use of more sustainable transport alternatives (such as rail, waterways or pipelines) and the preferred use of non-minor roads for lorry movements.

Objective OB 3

Making development acceptable within its wider locality

To minimise the impacts and maximise the benefits of minerals and waste development on local communities and the environment, both natural and historic, by requiring appropriate measures of mitigation and enhancement to make development acceptable.

Objective OB 4

Maximising biodiversity net gain

To maximise opportunities to deliver measurable improvements for biodiversity net gain by creating or enhancing habitats in association with proposed minerals and waste development. This will be achieved on site, off site or as a combination of measures.

Objective OB 5

Promoting the prudent and efficient use of mineral resources

To promote the prudent and efficient use of the Borough's mineral resources by encouraging the maximum practical recovery of aggregate from secondary and recycled material in preference to the use of primary aggregates, as well as using substitute aggregates.

To make sure that applications for new primary mineral reserves are considered appropriate and sustainable in resource use terms when compared with estimated unmet need requirements and the NPPF requirement to make "best use" of mineral resources to secure their long-term conservation.

Objective OB 6

Ensuring an adequate and steady minerals supply

To seek to deliver an adequate and steady supply of aggregate sand and gravel, silica sand, salt, crushed rock and building stone to help meet the planned growth needs of Cheshire East and to make an appropriate contribution to meeting wider needs outside of the Borough, particularly for strategically important minerals such as silica sand and salt.

Objective OB 7

Enabling appropriate oil and gas development

To protect local communities and the environment within Cheshire East from any unacceptable impacts associated with potential oil and gas development, whilst acknowledging the contribution that an acceptable proposal for such development can make to help achieve the national need for energy security.

Objective OB 8

Ensuring high quality restoration and aftercare

To restore mineral sites at the earliest opportunity and to the highest possible standards with an appropriate afteruse that positively contributes to the area through a range of factors including landscape character, nature conservation and enhancement, enhanced ecological networks, countryside access and recreation, local amenity and the local economy.

Objective OB 9

Safeguarding mineral resources, facilities and infrastructure

To safeguard important mineral resources from unnecessary sterilisation by non-mineral development so they remain available for potential future use, as well as safeguarding mineral facilities (including those used to process and recycle secondary aggregate) and infrastructure that support the supply of minerals in the Borough.

Waste

Objective OB 10

Achieving net self-sufficiency

To seek to achieve net self-sufficiency for managing waste generated within the Borough in the long term, through supporting appropriate proposals for waste management that help meet identified capacity gaps, move waste up the 'Waste Hierarchy' and minimise disposal to landfill.

Objective OB 11

Implementing the proximity principle

To seek to minimise the distance that mixed municipal waste generated in Cheshire East is moved by road through the development of a network of facilities, which deliver the Borough's identified waste management capacity requirements, in locations as close as possible to the main sources of waste or to the place where the output is to be used, such as the digestate from anaerobic digestion.

Objective OB 12

Prioritising brownfield land use

To prioritise the use of previously developed land or allocated employment land over undeveloped land outside of settlement boundaries for providing sites for waste management purposes, while recognising that a rural location close to a farm, for example, may be preferable for amenity reasons in some limited instances such as the provision of compost sites or anaerobic digestion facilities where odour or bioaerosols may be an issue.

Objective OB 13

Reusing or restoring waste sites

To restore to a high standard those waste management sites that are no longer required or acceptable in a particular location, so they can be sustainably used for other appropriate purposes to the benefit of the local community.

Objective OB 14

Safeguarding waste management capacity and facilities

To safeguard waste management capacity in the Borough to meet identified needs, both current and proposed, from proposals for non-waste development. This includes the protection of permitted waste management facilities required to meet locational needs and the prevention of non-waste proposals close to waste management facilities that will prejudice their full operation.

3
Sustainable provision of minerals

3 Sustainable provision of minerals

Introduction

3.1 Minerals are an essential component in the creation of both a successful economy and a good quality of life, since they are the raw materials that help provide the infrastructure, buildings, energy and goods that the country needs. However, as minerals are a finite natural resource and can only be worked where they are found, it is important that best use is made of them to secure their long-term future.

3.2 The BGS report[9] on mineral resource in Cheshire and its accompanying map identifies the type and location of the economic minerals present in the Borough, that is to say, those resources that due to their geology and quantity are considered able to be economically extracted. This shows that the geology underlying Cheshire East is diverse and provides a range of mineral resources (See Figure 3.1 'Cheshire East mineral resource overview' for overview). The most extensive resources being salt (see Appendix A 'Salt resource/proposed safeguarding map') and sand (see Appendix B 'Sand resource/proposed safeguarding map'). The remaining resources identified by BGS are shown in Appendix C 'Rock (sandstone) and shallow coal/proposed safeguarding map' and Appendix D 'Peat and clay'.

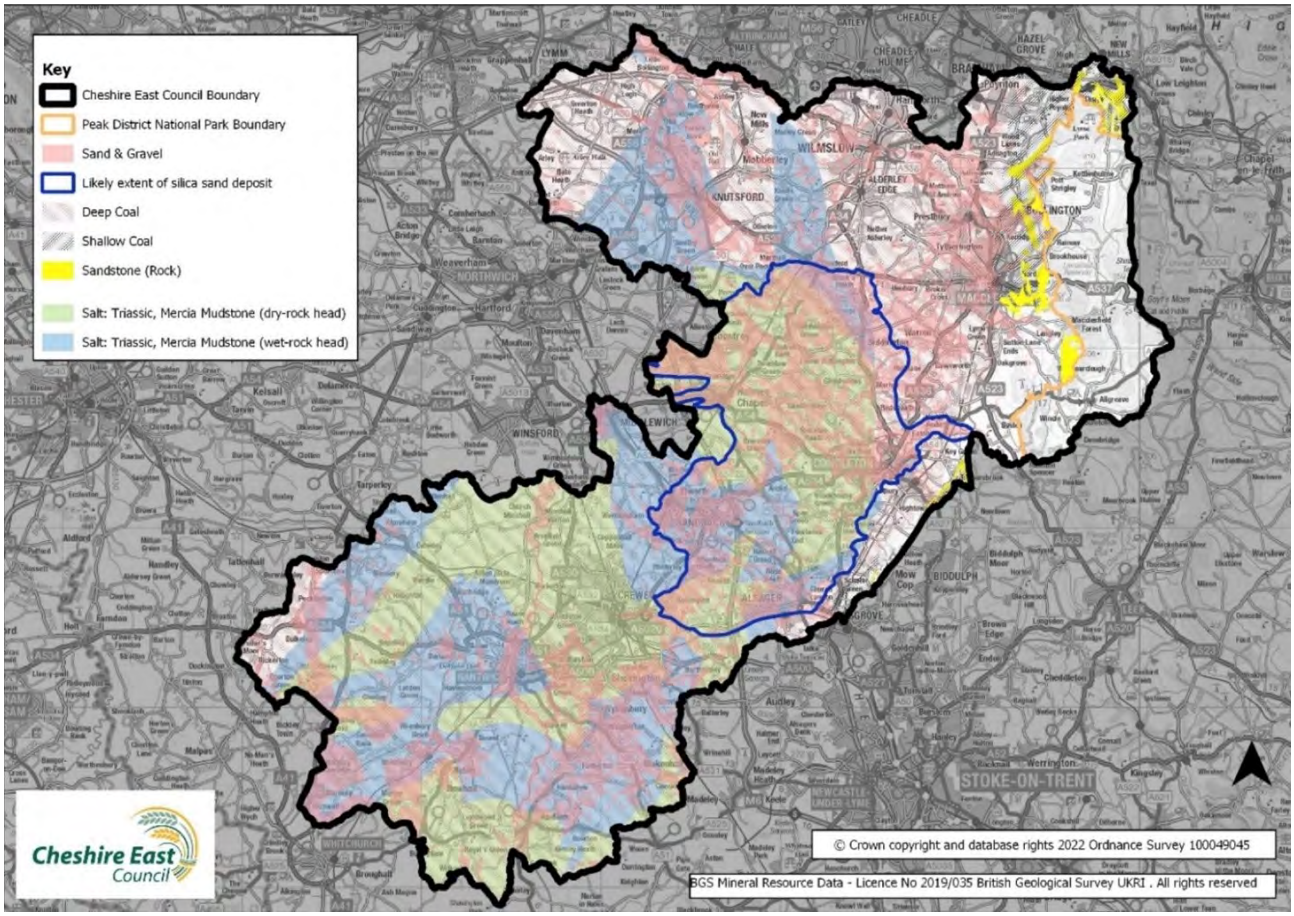
3.3 The Cheshire salt resource is one of the most significant nationally and accounts for some 85% of UK production. Whilst rock salt is extracted from below ground via a mine-head located in Winsford in the neighbouring council area of Cheshire West and Chester (CWaC) (and used largely for gritting roads), controlled solution brine mining takes place at the Warmingham Brinefields below Cheshire East and is piped directly to the British Salt works in Middlewich. This salt is used as an essential raw material in both chemical manufacturing and food production. It is supplied to end users nationwide.

3.4 The Borough also contains high quality silica sands, which are nationally relatively scarce. The BGS have identified the Cheshire resource as one of the most important in the country providing almost 44% of the total production in England in 2018[10]. Silica sand is used primarily for specialist purposes due to its physical and chemical composition. It is referred to as an industrial mineral since it is an essential raw material in a range of industrial applications, most notably glass manufacturing and foundry casting. It also has horticultural, and leisure uses, such as sports pitch enhancement, as well as numerous other applications including ceramics, chemicals manufacture and water filtration. Some silica sands, where suitable, can also be used as a construction aggregate in mortar. The silica sand in Cheshire East is also supplied to end users nationwide.

3.5 In addition to the important extraction of silica sand and salt already mentioned, the other mineral resources that are present and currently extracted in the Borough include aggregate (construction sand and gravel), sandstone (mostly for use as building stone but also as crushed rock) and peat. Appendix E 'Permitted mineral extraction sites 2021' identifies all the 16 permitted mineral extraction sites in Cheshire East at December 2021 and the mineral being extracted, although it should be noted that not all sites are currently active. While clay and coal can also be found in the Borough, they are no longer commercially worked. In addition, it is likely that other forms of hydrocarbon (oils and gas) are present but further exploration is required to understand the extent of the resource and whether it can be commercially extracted.

9 https://www2.bgs.ac.uk/mineralsuk/download/england/cheshire.pdf
10 Silica Sand Mineral Planning Factsheet, British Geological Survey, January 2020 https://www2.bgs.ac.uk/mineralsuk/download/planning_factsheets/mpf_silica_sand.pdf

Figure 3.1 Cheshire East mineral resource overview



3.6 Cheshire East Council is a member of the North West Aggregate Working Party (NW AWP). The working party is comprised of mineral planning authorities within the North West region and representatives from the minerals industry. Its role is to produce fit-for-purpose and comprehensive data on aggregates covering the region. It operates within the national Managed Aggregate Supply System to deliver a steady and adequate supply of aggregates. This "requires mineral planning authorities which have adequate resources of aggregates to make an appropriate contribution to national as well as local supply, while making due allowance for the need to control any environmental damage to an acceptable level. It also ensures that areas with smaller amounts of aggregate make some contribution towards meeting local and national need, where that can be done sustainably"[(11)]. The Government aids this process by publishing "National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates"[(12)]. The Council consults the NW AWP on its draft LAA each year and considers the comments received before finalising the document.

3.7 As a MPA, the Council is responsible for ensuring that policies are in place that will provide for the minerals of local and national importance found in the Borough. This requires the protection of the resource through safeguarding and prior extraction, as well as the protection of the related mineral supply infrastructure required to extract, process and transport the resource. It also means that supply options should be prioritised to maximise the sustainable use of existing minerals by alternative or substitute sources, such as recycled and secondary aggregates, in preference to land-won resources. However, there will inevitably be a requirement for new land-won resources.

3.8 This Chapter sets out the policies the Council will use to determine planning applications that relate to or impact upon the extraction and management of aggregates, as well as industrial and energy minerals.

11 Reference ID: 27-060-20140306, Minerals PPG, Ministry of Housing, Communities & Local Government, 2014 https://www.gov.uk/guidance/minerals

12 ¶213 d), NPPF, Ministry of Housing, Communities & Local Government, 2021 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

Safeguarding mineral resources and infrastructure

3.9 To conform with Government policy and guidance and to meet the requirements of Objective OB 9 'Safeguarding mineral resources, facilities and infrastructure' of this plan, policies are required to make sure that minerals are not needlessly sterilised by non-mineral development and that the mineral supply infrastructure required to store, process and sustainably transport minerals is safeguarded. Facilities to process and recycle secondary aggregates also require protection and this matter is dealt with by Policy MIN 5 'Prioritising the use of substitute, secondary and recycled aggregates'.

3.10 The long term protection of mineral resources for future generations is achieved through the identification of Mineral Safeguarding Areas (MSAs). For clarification, these are not proposed areas for mineral extraction, nor are they an indication that mineral extraction proposals will be permitted within these areas. Instead, they are intended to make sure that any proposed non-mineral development in the identified areas has, as part of the process of determining the application, fully considered the potential impact of the development on the mineral resources present (through sterilisation) and their possible extraction or processing.

3.11 The Council has used mineral resource information provided by the BGS as the basis for defining the extent of the MSA boundaries. This was supplemented by the findings of the Cheshire East Council Sand Study 2019-20[13] in respect of the aggregate and silica sand resource. A separate MSA has been identified for salt, sand (comprising silica sand and sand & gravel), sandstone and shallow coal. While their broad extent is illustrated by the resource maps shown in appendices A to D, the boundaries can be identified in greater detail on the Council's draft policies map[13]. These boundaries represent the extent of the known resource. They do not include a buffer area around the resource, although Policy MIN 1 'Mineral safeguarding areas' requires applications for development close to the edge of a MSA boundary to consider its potential impact on the safeguarding of the mineral resource and its potential future extraction.

3.12 The Council has decided not to produce a MSA for hydrocarbons, peat or clay. There is currently insufficient information on the extent of the hydrocarbon resource to be able to define a MSA for it, although its extraction is less likely to be threatened by surface development due to the depth of the resource and its method of extraction.

3.13 National policy prevents the extraction of the peat resource through new permissions, either via new sites or the extension of existing sites. There are currently two sites in the Borough that have extant permission for peat extraction, although these operate on a small scale. Consequently, the Council has not produced a MSA for peat but has instead developed policies that prevent new peat extraction and recognise the value of peat habitats, both as a biodiversity resource and carbon store, and seeks to protect the peat resource from inappropriate development for this reason, namely Policy MIN 11 'Peat'.

3.14 While a clay resource is present in Cheshire East, the full extent is unknown as BGS only identify some of this resource (as shown in Appendix D 'Peat and clay') due to its variable quality and thickness. Therefore, the Council considers there to be insufficient available information to prepare a MSA to safeguard the clay resource.

13 Available at www.cheshireeast.gov.uk/mwp

Policy MIN 1

Mineral safeguarding areas

1. Mineral resources comprising salt, sand (silica sand and sand & gravel), sandstone and shallow coal located within the defined Mineral Safeguarding Area (MSA) boundaries shown on the adopted policies map will be protected from permanent sterilisation or potential constraint by non-mineral development occurring on or close by (at least within 250m of) the resource.
2. Development that is incompatible with the safeguarding of these mineral resources will only be granted planning permission if at least one of the following criteria is satisfied:

    i. the applicant can demonstrate that the mineral being safeguarded has:

        a. no current or potential future value; or
        b. would not be needlessly sterilised; or
        c. would be inappropriate/not viable to extract at this location;

    ii. the safeguarded mineral impacted by the development will be extracted prior to the proposed development taking place without causing unacceptable adverse impacts on the environment or local community;
    iii. the proposed development is of a temporary nature and allows the site to be restored in a timely manner so that the safeguarded mineral can be subsequently extracted when needed;
    iv. there is an overriding and exceptional strategic need for the incompatible development outweighing the need for mineral safeguarding when balanced against all material planning considerations; and
    v. it is a type of development exempt from safeguarding as identified in the supporting information to Policy MIN 1 'Mineral safeguarding areas'.

3. Planning applications for non-mineral development that may impact on the safeguarding of mineral resources within a MSA must include a Mineral Resource Assessment (MRA) as part of their supporting information unless the application is considered exempt under criterion 2.v. of Policy Policy MIN 1 'Mineral safeguarding areas'. This should detail, to the satisfaction of the Minerals Planning Authority (MPA), the merits of the proposed development and its effects on minerals safeguarding and sterilisation. It should include and comply with the details identified in the supporting information to Policy MIN 1 'Mineral safeguarding areas'.

Supporting information

3.15 The Council will seek to protect finite mineral reserves in MSAs from non-mineral development, both within the MSAs or close by, where this has the potential to sterilise or unduly constrain these resources from being extracted. Planning applications for such development must be accompanied by a Mineral Resource Assessment (MRA) that demonstrates that mineral interests have been appropriately considered. Generally, the MPA considers “close by” to be within at least 250m of the outside of a MSA boundary, but development it considers may have a constraining or sterilising effect on a mineral resource that is more distant than this will, at the discretion of the MPA, be considered to fall within the requirements of Policy MIN 1 'Mineral safeguarding areas'.

3.16 The Council will use the Minerals Safeguarding Guidance[14], published in April 2019 by the Mineral Products Association and Planning Officers Society, as a starting point for determining the information required to be included in a MRA.

14 https://mineralproducts.org/MPA/media/root/Publications/2019/MPA_POS_Minerals_Safeguarding_Guidance_Document.pdf

3.17 The MRA should normally be undertaken by a person with appropriate qualifications/professional background in minerals (such as a mineral surveyor) and include suitable information on the presence, quantity and quality of the mineral that may be sterilised, as well as the potential opportunities and constraints for its prior extraction. It should set out clear conclusions on the viability of extracting the mineral from the proposed development site, taking account of the presence or absence of constraints, the amount (tonnage) and economic/heritage value of the mineral that will be sterilised.

3.18 The Council will advise on the comprehensiveness of the MRA that is required based on its location, the nature of the proposed development and its judgement of the likely potential risks/opportunities for mineral sterilisation and prior extraction. Sometimes it may allow a lighter touch mineral assessment to be undertaken instead. For example, small scale development within existing urban areas is less likely to require a fully detailed MRA than similar development outside urban areas, where the potential for wider sterilisation is greater and the resource is more able to be viably extracted without causing unacceptable adverse impacts to the environment or local community. This flexible and proportionate approach will make sure that the Council has sufficient information to understand the mineral safeguarding implications of a development without putting an undue burden on the applicant to undertake unnecessarily detailed work.

3.19 Where a MRA has demonstrated the need for mineral safeguarding, the onus will be on the applicant to demonstrate the exceptional strategic circumstances that would over-ride the normal assumption that mineral safeguarding will apply. This could involve a national infrastructure project such as HS2 but would not cover proposals, such as for additional housing or employment, where needs and priorities are addresses through a plan-led planning system in accordance with ¶15 of the NPPF (2021).

3.20 The Council recognises that some types of development by their nature are unlikely to require mineral safeguarding or present viable opportunities for prior extraction. These are referred to in criterion 2.v. of Policy MIN 1 'Mineral safeguarding areas' and identified below. They are exempt from safeguarding and the need for an accompanying MRA:

a. applications for householder development;
b. applications for alterations and extensions to existing buildings and for change of use of existing development, unless intensifying activity on site;
c. applications for advertisement, listed building or conservation area consent;
d. applications for reserved matters including subsequent applications after outline consent has been granted;
e. prior notifications such as telecoms, forestry, agriculture and demolition;
f. Certificates of Lawfulness of Existing Use or Development and Certificates of Lawfulness of Proposed Use or Development ; or
g. applications for works to trees

Policy MIN 2

Safeguarding mineral supply sites and infrastructure

1. In addition to safeguarding the mineral resource itself, the Council will safeguard existing, planned, and potential sites for:

   i. mineral extraction;
   ii. the bulk transport, handling and processing of minerals; and
   iii. the handing, processing and distribution of substitute, recycled and secondary aggregate material;

   from proposed non-mineral development located at a distance (at least within 250m) that is likely to prevent or unduly restrict their operation for these purposes.

2. Planning applications for non-mineral development that may impact on the protection of mineral sites and transport or processing infrastructure should be accompanied by a Mineral Infrastructure Assessment. This assessment should be undertaken to the satisfaction of the MPA and include the following information:

   i. how significant the potential impact may be on the operation of the mineral site and/or infrastructure based on the potential sensitivity of the proposed development;
   ii. any measures proposed to mitigate this impact; and
   iii. details on the extent of mitigation that would be provided

3. Proposed development that is considered by the MPA to be incompatible with the safeguarding of sites identified in criterion 1 of Policy MIN 2 'Safeguarding mineral supply sites and infrastructure' will not be permitted.

Supporting information

3.21 The Council has identified a list of safeguarded sites relevant to the application of this policy in Appendix F 'Proposed safeguarded mineral supply sites and infrastructure (Policy MIN 2)' and their location is identified on the interactive adopted policies map. This list will be reviewed and updated on a regular basis as part of the Authority Monitoring Report (AMR). Mineral processing referred to in this policy can include a range of activities including the manufacturing of coated materials, concrete and concrete products.

3.22 The Council recognises that not all types of development are likely to impact on mineral supply sites and infrastructure. The Council will advise on whether a Mineral Infrastructure Assessment (MIA) is required. The types of development likely to be exempt from requiring a MIA include those identified as exempt from safeguarding in the supporting information to Policy MIN 1 'Mineral safeguarding areas' (¶3.20).

3.23 The Council will use the Minerals Safeguarding Guidance[(14)], published in April 2019 by the Mineral Products Association and Planning Officers Society, as a starting point for determining the information required to be included in a MIA.

3.24 When a MIA is required, it should provide sufficient evidence to enable the Council to assess whether the proposed development is likely to have an adverse effect on the mineral facility including its capacity. In particular, it should identify the potential sensitivity of the proposed development to the operation of the safeguarded infrastructure, the potential impact this may have on its operation and whether satisfactory mitigation measures can be provided as part of the proposed development

to prevent capacity reduction at the facility or constrain its operation more generally[15].

The sand resource

3.25 The sand resource in Cheshire East consists of both aggregate sand, which is used for construction purposes, and non-aggregate (industrial) sand (also referred to as silica sand) that is used for applications other than as construction aggregate due to the high proportion of silica that it contains (normally, but not exclusively, more than 95% silicon dioxide). "Unlike construction sands, which are used for their physical properties alone, silica sands are valued for a combination of chemical and physical properties. These include a high silica content in the form of quartz and, more importantly, very low levels of deleterious impurities, particularly clay, iron oxides and refractory minerals, such as chromite. They typically have a narrow grain-size distribution (generally in the range 0.1 to 2mm). For most applications, silica sands must conform to very closely defined specifications, and consistency in quality is of crucial importance. Particular uses routinely require different combinations of properties and attributes. Consequently, different grades of silica sand are usually not interchangeable in use. Silica sands command higher prices than construction sands and serve a wider geographical market, including exports"[16].

3.26 Although BGS mapping indicates that the Borough contains large amounts of both aggregate and non-aggregate sands, the focus of current sand extraction activity is on the production of non-aggregate silica sands. Background information on the geology of the sand resource in Cheshire East, the end uses to which it can be put, and the sand sites (active in 2019) and markets they serve can be found in the Cheshire East Council Sand Study 2019-20[17]. The report, prepared by Cuesta Consulting Ltd, also assesses some related strategic issues and their implications for plan making in the Borough. This includes the fact that the silica sand resource in Cheshire East is unconstrained by national landscape designations (such as National Parks and Areas of Outstanding Natural Beauty) compared with other parts of the country (such as West Sussex) where potential silica resources are located in a National Park. However, there are other silica sand resource constraints in the Borough relating to important environmental designations (such as Ramsar sites and Sites of Special Scientific Interest) that must be weighed against the important landscape designations elsewhere when determining the appropriate contribution that silica quarrying in Cheshire East should make nationally. This strategic issue will be a matter for ongoing duty to cooperate discussions with other relevant MPAs, both individually and through the national Industrial Sands Working Group. The Cheshire East Council Sand Study 2019-20 has assisted the Council in developing suitable policies in the MWP for managing its sand resource so that it meets the NPPF requirements around planning for a steady and adequate supply of both aggregate (construction) and non-aggregate (silica) sands.

3.27 Managing the Borough's sand resource to meet these requirements is made more difficult by the fact that these two elements of the sand resource are currently derived largely, if not entirely, from the same geological deposit at the active sand quarries in the Borough. This makes it more difficult for the Council to forecast the extent of the contribution that the existing sand quarries will make, once they have been operating for a while, in meeting both aggregate and non-aggregate needs.

3.28 This is down to a lack of comprehensive data on the extent and composition of the remaining reserve as it is being extracted, since the MPA only has site information on the estimated split between the aggregate and non-aggregate sand reserve at the time an application for new reserves is submitted. While quarry operators provide site information on the extent of aggregate sand sales through the yearly LAA, it is difficult to obtain ongoing consistent information on the split between aggregate and non-aggregate sand sales and the likely remaining site reserves for each of these products as operators are not required to provide this (non-aggregate sand) information to the MPA. Non-aggregate sand production represents a significant part of the overall sand resource output in the Borough. The Council have estimated this to be around 76% of all sand sales in the last 10 years (2011-20).

15 To conform with the "agent of change" requirement detailed in ¶187 of the NPPF (2021)
16 Extract from the Silica Sand Mineral Planning Factsheet, British Geological Survey, 2020 https://www2.bgs.ac.uk/mineralsuk/download/planning_factsheets/mpf_silica_sand.pdf
17 available at www.cheshireeast.gov.uk/mwp

Extent of the Permitted Sand Resource

3.29 At the start of the Plan period on 1 January 2021 there were five permitted sand quarries in the Cheshire East MPA area comprising Arclid (Sandbach), Bent Farm (Congleton), Eaton Hall (Congleton), Rudheath Lodge (Goostrey) and White Moss Quarry (Alsager). However, it should be noted that the Council discounts White Moss Quarry from its calculation of permitted aggregate sand reserves based on the low quality of the remaining reserve and the site's partial allocation for housing in the adopted LPS. Further details can be found in the Council's LAA. In addition, the site at Rudheath Lodge crosses local authority boundaries with around 44% of the site area lying within the adjoining MPA area of CWaC. The Council has agreed with CWaC on how best to represent the aggregate sand output from this quarry (which was approved in July 2019 and will primarily produce non-aggregate sand) in the yearly LAA of each MPA. This involves splitting overall sales on a 56/44% basis in line with the percentage of site area that lies within each MPA area. This will make sure that there is no double counting of sand sales from Rudheath Lodge quarry. Where no indication is given by the operator on the split between aggregate and non-aggregate sand, it will be assumed that sand sales represent a 75/25% split between non-aggregate and aggregate sand based on the proportion of forecast reserves identified at the time of the relevant planning applications. This will be adjusted in line with any updated information that may subsequently become available.

3.30 The Council's latest published LAA (December 2021)[18] identifies a total permitted sand reserve for the Borough, excluding the area within the Peak District National Park, of 14.30 million tonnes (Mt). This is estimated to comprises 2.60Mt of aggregate (construction) sand and 11.70Mt of non-aggregate (silica) sand. The Council has used the 2021 LAA as the basis for calculating aggregate sand resource needs within the MWP, both in terms of the figures it contains and the overall approach to the calculation of aggregate need forecasts it adopts. This approach does not use the Government's latest national guidelines on aggregate provision, published in June 2009 and covering the period 2005 to 2020, which were subsequently apportioned out to the MPAs in the NW AWP sub-region (as sub-national guidelines[19][20]) due to concerns regarding the robustness of the data. Further details are provided in the 2021 LAA, which was ratified by the North-West Aggregates Working Party in December 2021.

Sand Requirements

3.31 The Government advises the use of landbanks as an indicator for ensuring that an adequate and steady supply of aggregate sand is planned for and maintained. This is a particularly important consideration during plan preparation and as an ongoing monitoring tool for review purposes. A landbank is the sum (in tonnes) of all the reserves with valid planning permission and is usually assessed on the basis of average sales over the past 10 years, although the past 3-year sales could also be used as a better reflection of current market trends if considered appropriate. In addition to average past sales, the Council must also consider other relevant local information that may impact on future aggregate demand. The NPPF requires planning authorities to maintain landbank reserves of at least 7 years for aggregate sand & gravel.

3.32 There is no landbank requirement for industrial minerals, such as silica sand, in the NPPF. Instead, the Government advises MPAs to plan for a steady and adequate supply of industrial minerals by "maintaining a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant, and equipment"[21]. These reserves should be at least 10 years for individual silica sand sites and at least 15 years for silica sand sites where significant new capital is required.

18 https://www.cheshireeast.gov.uk/planning/spatial-planning/research_and_evidence/minerals-background-evidence.aspx
19 National and regional guidelines for aggregates provision in England 2005-2020, CLG, June 2009 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7763/aggregatesprovision2020.pdf
20 The Future of Sub-Regional Apportionment in the Cheshire Sub-region, Cheshire East and Cheshire West & Chester Councils, 2010 https://www.cheshireeast.gov.uk/pdf/planning/spatial-planning/cwac-future-of-sub-regional-apportionment.pdf
21 ¶214 c), NPPF, Ministry of Housing, Communities & Local Government, 2021

Aggregate Sand Requirement

3.33 The 2021 LAA identifies that on average some 0.406Mt of aggregate sand has been sold yearly from Cheshire East quarries over the last 10 years (2011 to 2020). However, rather than rely solely on past sales data, the LAA has also considered other local information to identify a potential annual average figure for future aggregate demand over the next 15 years (2021 to 2035) of some 0.477Mt. This is 2% greater than the 10-year average sales figure (0.406Mt). This uplift figure accords with national guidance and is considered a more robust approach than the use of apportionment as shown in the justification to LPS Policy SE 10 'Sustainable Provision of Minerals'. Therefore, this aspect of the MWP will supersede that approach once adopted.

3.34 Applying the 0.477Mt annual demand implies there was an aggregate landbank in the MPA area of 5.45 years on 31 December 2020. This is below the at least 7-year landbank requirement in the NPPF.

3.35 Table 3.1 'Aggregate sand demand/supply information and forecast requirements for the MWP' below provides aggregate demand and supply information including a calculation of potential aggregate sand requirements within Cheshire East based on the average 2% uplifted sales figure. This shows that there is forecast to be an aggregate sand shortfall of at least 6.94Mt by the end of the Plan period in 2041. The MWP will need to plan to provide for this shortfall if it is to maintain the required aggregate sand landbanks to the end of the Plan period.

Table 3.1 Aggregate sand demand/supply information and forecast requirements for the MWP

Row identifier	Aggregate sand information and forecast requirements	Amount
A	The past 10-year average annual sales demand figure (2011 to 2020) [from 2021 LAA]	0.406Mt
B	The 15-year forecast of future average annual sales demand including an annual 2% uplift for economic growth (2021 to 2035) [from 2021 LAA]	0.477Mt
C	The estimated remaining permitted aggregate reserve at 31/12/20 [from 2021 LAA]	2.60Mt
D	The permitted aggregate reserves landbank at 31/12/20 shown in years [Row C/Row B]	5.45
E	A forecast for future demand for the whole 20 year Plan period (2021 to 2041) [Row B x 20]	9.54Mt
F	The new aggregate provision to be identified in the MWP (2021 to 2041) to meet at least requirements identified in the NPPF [Row E – Row C]	6.94Mt

Non-Aggregate (Silica) Sand Requirement

3.36 While planning guidance requires the MPA to identify aggregate sand requirements at a Borough-wide level through the collected calculation of landbanks based on past sales, there is no similar need to identify a Borough-wide requirement for non-aggregate sand in the MWP. Instead, stocks of permitted reserves are used as a monitoring tool to aid decision making on planning applications at existing industrial minerals sites. Guidance advises that these "should be used as an indicator to assess when further permitted reserves are required at an industrial mineral site" (PPG, Reference ID: 27-087-20140306).

3.37 As already highlighted, planning policy and guidance requires MPAs to plan to maintain stocks of permitted reserves of at least 10 years for individual non-aggregate (silica) sand sites and at least 15 years for silica sand sites where significant new capital is required. In addition, guidance requires that "each application for minerals extraction must be considered on its own merits, regardless of the current stock of permitted reserves. However low stocks of permitted reserves to justify capital investment may be seen as a strong indicator of urgent need" (PPG, Reference ID: 27-089-20140306).

Also, that "the required stock of permitted reserves for each silica sand site should be based on the average of the previous 10-year sales. The calculations should have regard to the quality of sand and the use to which the material is put" (PPG, Reference ID: 27-090-20140306).

3.38 The Council has estimated both past 10-year non-aggregate sand sales and the remaining stock of permitted non-aggregate sand reserves at the four operational sand quarries in the Borough on 31 December 2021. This is based on information obtained from a survey of operators undertaken by the Council in 2017, details submitted as part of planning applications for new reserves and LAA monitoring return information. It represents the best available information given the difficulties in obtaining up-to-date and accurate information for sales and the ongoing aggregate/non-aggregate split in the remaining sand reserves for each site as already highlighted. In addition, as highlighted in the Cheshire East Council Sand Study 2019-20[22], it is not possible to provide a detailed breakdown of the proportion of sand sales to each market from each site due to the incomplete data provided by operators.

3.39 As it is also not possible to publish the specific site sales and reserve figures for commercial confidentiality reasons, Table 3.2 'Estimated stock of permitted non-aggregate sand reserves based on estimated average 10 year non-aggregate sand sales (2011-20) for each quarry on 31/12/20' identifies the overall estimated stock of permitted non-aggregate sand reserves for each quarry at the start of the Plan period on 1 January 2021. This has been calculated by dividing the estimated reserve on 31 December 2020 by an average of the estimated non-aggregate sand sales figure for that quarry for the previous 10 year period (2011 to 2020).

Table 3.2 Estimated stock of permitted non-aggregate sand reserves based on estimated average 10 year non-aggregate sand sales (2011-20) for each quarry on 31/12/20

Quarry	Estimated stock of permitted non-aggregate sand reserve (years)
Arclid (Sandbach)[1]	9.56
Bent Farm (Congleton)	9.53
Eaton Hall (Congleton)	14.90
Rudheath Lodge (Goostrey)[2]	12.00

1. Excludes the additional permitted reserve of 4.5Mt at Arclid approved in January 2021
2. Landbank for whole site and based on approved years of operation as there is limited past sales information due to extraction beginning in 2020

3.40 As Table 3.2 'Estimated stock of permitted non-aggregate sand reserves based on estimated average 10 year non-aggregate sand sales (2011-20) for each quarry on 31/12/20' identifies, the Council estimates that at the start of the Plan period Eaton Hall and Rudheath Lodge quarries were meeting the at least 10 year stock of permitted reserves required by the NPPF. However, Arclid and Bent Farm quarries fell slightly short of this requirement, although the requirement is exceeded at Arclid (19.34 years) once the subsequent permission of 4.5Mt in January 2021 is included. The Council approved in February 2022, subject to the signing of a S106 agreement, an application to increase the sand reserves (primarily non-aggregate) at Bent Farm by some 0.41Mt.

3.41 It should be noted that the stock of reserves position is constantly changing as further reserves are granted, existing reserves reassessed, and further sand sales occur. In line with PPG, the Council will consider the individual stock of non-aggregate reserves position at the time an application to extract additional reserves is made. This will help assess if an increase in the stock of permitted reserves is needed to maintain NPPF requirements so that a steady and adequate supply of non-aggregate sand can be maintained.

22 Available at www.cheshireeast.gov.uk/mwp

Call for sites exercise

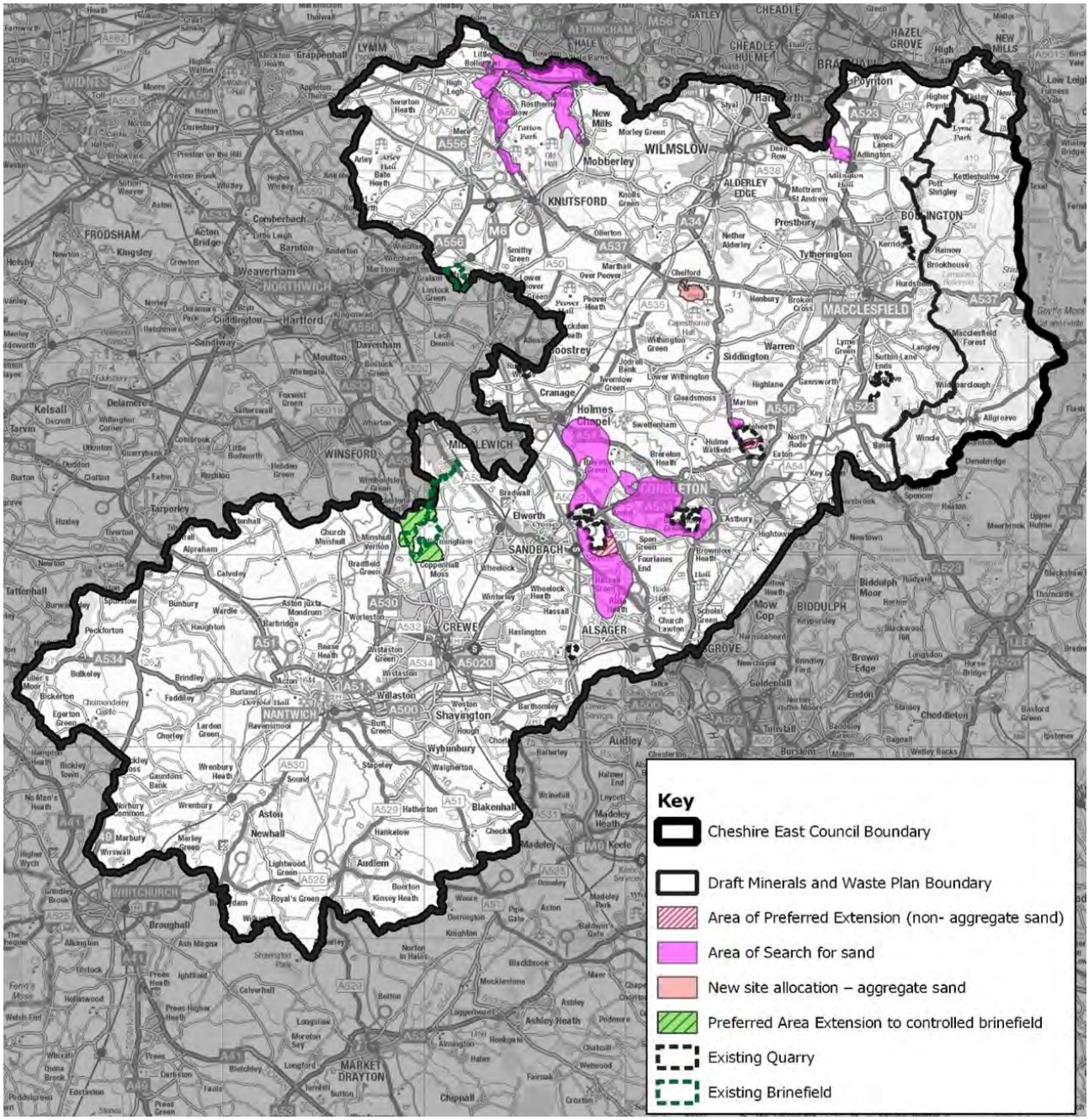
3.42 The Council undertook a Call for Sites exercise in 2017 to enable landowners and mineral operators to put forward land or areas for inclusion in the MWP, as a way of assisting the Council in meeting national requirements around ensuring a steady and adequate supply of minerals is delivered during the Plan period. Most of the sites and areas put forward (as either proposed site allocations, Preferred Areas or Areas of Search) related to the supply of sand, that is to say 25 of the 27 submitted sites/areas[23]. The Council has assessed all the proposals put forward following the Call for Sites exercise and the draft findings report can be found on the Council's website[24].

3.43 The report concluded, based on the need requirements identified above, that there is only sufficient detail for the Council to identify a Preferred Area of Extension at two of the existing active (non-aggregate) quarries and a new quarry allocation to meet aggregate need. To provide flexibility in meeting future sand needs, the Council has also identified 14 Areas of Search (AOS) in the draft MWP based on the Call for Site 2017 submissions, as shown in Appendix G 'Proposed sand allocations and AOS designations (Policy MIN 4)'. An overview map showing the general extent of these AOS is provided in Figure 3.2 'Proposed mineral site allocations in the Draft MWP'. This represents the first stage in defining the potential geographical area of the AOS and will be subject to further refinement once the Council has considered the advice received from statutory consultees (including Natural England, the Environment Agency and Historic England) following the draft MWP consultation. In addition, as the route of HS2 through the Borough and its associated safeguarded land has been refined since the 2017 Call for Sites exercise was undertaken, further consultation with HS2 Ltd is required to reassess the implications of the proposed AOS. The SA and HRA process will provide further opportunity to inform and refine the boundaries of proposed sites/areas and to identify any appropriate mitigation measures.

3.44 The Council is running a further Call for Sites exercise alongside the consultation on the draft MWP. This recognises that the last Call for Sites exercise was some time ago and priorities around the sites/areas where operators may wish to pursue applications for new reserves could have changed. It also enables the minerals industry to consider the need and policy approach identified by the Council in this Plan and to make further submissions (of suitable detail) for proposed new sites for aggregate sand, Preferred Area of Extension to existing quarries and AOS. Sites and areas submitted as part of the new Call for Sites exercise will be screened using the Draft Minerals and Waste Site Selection Methodology and considered alongside the existing pool of sites/areas identified in the Draft Minerals Site Selection Report[24]. A final version of the Draft Minerals Site Selection Report will be published at the Publication Draft Stage to support the Council's choices around minerals site allocations or area designations in the MWP.

23 The other two submitted sites were for controlled solution brine mining
24 Available at www.cheshireeast.gov.uk.mwp

Figure 3.2 Proposed mineral site allocations in the Draft MWP



Managing the sand resource

3.45 In view of the current shortfall in the overall aggregate sand landbank and the non-aggregate stock of permitted reserves position at each of the four existing sand quarries, as identified in Table 3.1 'Aggregate sand demand/supply information and forecast requirements for the MWP' and Table 3.2 'Estimated stock of permitted non-aggregate sand reserves based on estimated average 10 year non-aggregate sand sales (2011-20) for each quarry on 31/12/20' respectively, the general strategy of the MWP is required to be different for aggregate and non-aggregate sand to make sure that a steady and adequate supply of both elements of the sand resource is maintained over the Plan period. The difference in approach being based on the priority given to meeting any shortfall through the provision of extensions to existing quarries (in the case of non-aggregate sand) or the provision of new quarries (in the case of aggregate sand).

Policy Approach - Non-Aggregate (Silica) Sand

3.46 A significant majority of the sand output from the existing quarries is non-aggregate (silica) sand. As Table 3.2 'Estimated stock of permitted non-aggregate sand reserves based on estimated

average 10 year non-aggregate sand sales (2011-20) for each quarry on 31/12/20' and the subsequent text identifies, only one quarry (Bent Farm) was estimated at the start of the plan period to be falling slightly short of the required stock of permitted non-aggregate sand reserve in the MPA area. The general strategy of the MWP is to prioritise meeting identified non-aggregate (silica) sand needs through extensions to the existing sand quarries. This is done through the identification of an Area of Preferred Extension at Arclid and Eaton Hall Quarries. The Council's current Call for Sites exercise provides an opportunity for site operators to put forward other suitably detailed proposals for extensions to existing quarries, particularly at Bent Farm, to make sure there is a steady and adequate supply of silica sand over the plan period. This approach will be sufficient to maintain the required stocks of permitted reserves for non-aggregate (silica) sand at the existing quarries for the remainder of the plan period.

3.47 The approach of prioritising existing quarries is considered to offer benefits due to reduced environmental disturbance (especially where access and mitigation measures are already in place), retention of existing employment, as well as making use of existing processing facilities and investment. Its disadvantage is the potential cumulative impact that continued extraction could have on the area if successive extensions are permitted. These factors have been considered through the site selection process as the MWP has been developed. They will also be a consideration when planning applications are determined.

3.48 Any proposals for new non-aggregate sand quarries should come from within the identified AOS boundaries. As silica sand is a relatively rare and important national resource with specialist end uses that requires appropriate husbanding to secure their long-term conservation, any proposals for new non-aggregate (silica) sand quarries within the MPA area will need to be justified. Information will be required on the specification of the sand at the site and the markets it is intended to serve, so that the MPA is satisfied that this represents the "best use" of the resource in the long-term (in line with ¶209 of the NPPF (2021)).

Policy Approach – Aggregate (Construction) Sand

3.49 Aggregate sand extraction in Cheshire East is currently dependent upon (or is an inevitable by-product of) silica sand extraction at all four of the active sand quarries in the Borough. The Council does not consider it is possible to meet all the aggregate sand needs (of at least 6.94Mt) over the Plan period from the existing quarries. Therefore, the strategy of the MWP is to prioritise meeting the identified aggregate sand needs through the allocation of new aggregate extraction sites. As a result of the Call for Sites exercise in 2017 the Council can allocate an aggregate sand site at Astle Farm East near Chelford in the draft MWP but there is scope for further allocations for aggregate sand sites should suitable information be submitted via the consultation on the draft MWP or its accompanying Call for Sites exercise. This could include focused proposals for a 'Preferred Area(s)' designation, for aggregate sand or to expand the existing proposed AOS boundaries, where suitable levels of information have been submitted to the Council to justify the designation of such areas.

Policy MIN 3

Managing the sand resource

Applications for new sand reserves will be permitted provided all the following criteria are satisfied:

General

1. Suitable technical evidence has clearly demonstrated that current permitted reserves cannot meet the required level of provision;
2. The level of reserves proposed is considered appropriate and sustainable in resource use terms when compared with estimated unmet need requirements and the NPPF requirement to make "best use" of mineral resources to secure their long-term conservation;
3. The proposal accords with the hierarchy for resource delivery identified within the non-aggregate and aggregate sand sections of criteria 8 and 11 of Policy MIN 3 'Managing

the sand resource', unless it can be demonstrated that greater priority schemes are either unavailable or not viable to meet future non-aggregate or aggregate sand needs;

4. There are no unacceptable adverse environmental and local community impacts;
5. A suitable scheme and timetable for site restoration is proposed;
6. The applicant agrees, as part of a legal agreement or planning condition, to provide the MPA in confidence with annual forecast figures of the overall remaining permitted reserve at the quarry broken down between aggregate and non-aggregate sand. Such a requirement will endure for the time the quarry remains active and aid the Council in managing its sand resource through the process of Local Plan monitoring and review;

Non-Aggregate (Silica) Sand

7. The proposal will help meet the at least 10-year stock of permitted reserves at an existing site as required by the NPPF or an at least 15 year permitted reserves stock where significant new capital is required
8. The additional required non-aggregate reserve cannot be met by a suitable alternative proposal at a higher priority in the following hierarchy of resource delivery:

    i. first priority: the delivery of the Area of Preferred Extension (MIN 4.1 and MIN 4.3) identified in Policy MIN 4 'New sand resource allocations and areas of search' over other proposals; then
    ii. second priority: an unidentified extension of an existing quarry located within an Area of Search; then
    iii. third priority: an extension to an existing quarry outside an Area of Search or a new quarry located within an Area of Search; then
    iv. fourth priority: a new quarry outside of an Area of Search

9. The proposal demonstrates (supported by relevant technical evidence) that:

    i. there is a proven need for silica sand of a specific quality and quantity that will be met by the proposal; and
    ii. the mineral resource will be used efficiently so that high-grade silica sand deposits are reserved for industrial end uses.

Aggregate (Construction) Sand

10. The proposal will help meet the at least 6.94Mt shortfall of aggregate sand reserve required for the Plan period as identified in Table 3.1 'Aggregate sand demand/supply information and forecast requirements for the MWP' and/or the at least 7-year aggregate sand landbank identified in the NPPF;
11. The additional required aggregate reserve cannot be met by a suitable alternative proposal at a higher priority in the following hierarchy of resource delivery:

    i. first priority: the delivery of allocated site MIN 4.2 identified in Policy MIN 4 'New sand resource allocations and areas of search' and any subsequent suitable extensions to it over other proposals; then
    ii. second priority: the provision of a new aggregate sand quarry within the Area of Search and any subsequent suitable extensions to it; then
    iii. third priority: a new aggregate sand quarry from outside an Area of Search

Policy MIN 4

New sand resource allocations and areas of search

The Council will seek to increase its permitted sand resource to meet unmet identified needs through the following allocations and Area of Search designations:

Site number	Site name (and option ref)[1]	Main sand output and allocation type, or areas of search designation	Estimated amount of new reserve (Mt), or Area (ha)
MIN 4.1	Eaton Hall Quarry, Congleton (MSS4)	Non-Aggregate, Area of Preferred Extension	3Mt
MIN 4.2	Astle Farm East, Chelford (MSS13)	Aggregate, New Site	5.23Mt
MIN 4.3	Arclid, Sandbach (MSS18)	Non-Aggregate, Area of Preferred Extension	10Mt
MIN 4.4	Land North of Mill Lane, Adlington (MSS3)	Area of Search for Sand	81ha
MIN 4.5	Cheshire Gateway, Yarwood Heath Farm and Spodegreen Farm, Little Bollington (MSS5)	Area of Search for Sand	104ha
MIN 4.6	Land West of A556, Near Altrincham (MSS6)	Area of Search for Sand	121ha
MIN 4.7	Land South of A556, East of Bucklow Hill (MSS7)	Area of Search for Sand	192ha
MIN 4.8	Land North of Knutsford Farm, North-West Knutsford (MSS8)	Area of Search for Sand	74ha
MIN 4.9	Land North of M56, Near Altrincham (MSS9)	Area of Search for Sand	269ha
MIN 4.10	Land South of M56, Near Altrincham (MSS10)	Area of Search for Sand	166ha
MIN 4.11	Land East of Tatton Park, Knutsford (MSS11)	Area of Search for Sand	213ha
MIN 4.12	Land North of Eaton Hall Quarry and South of Cockmoss Farm, Eaton, Congleton (MSS12)	Area of Search for Sand	30ha
MIN 4.13	Land West of A50, Newcastle Road, Arclid, Sandbach (MSS14)	Area of Search for Sand	16ha
MIN 4.14	Land South of Arclid Quarry, Sandbach and South-East of Sandbach [MSS15a Combined Area]	Area of Search for Sand	596ha
MIN 4.15	Land Between Holmes Chapel and Arclid, Sandbach (MSS20)	Area of Search for Sand	776ha
MIN 4.16	Land West & South-West of Congleton and Somerford New House, Holmes Chapel Road, Somerford, Congleton [MSS21a Combined Area]	Area of Search for Sand	794ha
MIN 4.17	Land Surrounding Smethwick Farm, Smethwick Green, South of Brereton Heath (MSS26)	Area of Search for Sand	76ha

1. Taken from the Draft Mineral Site Selection Report. Available at www.cheshireeast.gov.uk/mwp

Supporting information

3.50 The boundaries for the sites listed in Policy MIN 4 'New sand resource allocations and areas of search' are shown in Appendix G 'Proposed sand allocations and AOS designations (Policy MIN 4)'.

3.51 The Council's LAA and AMR will be used to identify the current position regarding estimates of the extent of permitted reserves for aggregate and non-aggregate sand respectively. This information will assist in determining whether aggregate sand landbanks or the stock of permitted non-aggregate sand at individual sites is meeting the at least requirements identified in the NPPF. This will be an important factor in determining applications for new sand reserves.

3.52 The sequential approach to prioritising new sand resource delivery detailed in Policy MIN 3 'Managing the sand resource' is intended to prioritise extensions to existing quarries, rather than new quarries to deliver any additional non-aggregate sand provision over the remaining plan period for the reasons already stated. However, as the output of aggregate sand from existing quarries is unlikely to meet identified needs, the priority is to deliver a new aggregate sand site or sites to meet this requirement. Policy MIN 3 'Managing the sand resource' also acknowledges that there may be circumstances when sites located in areas not identified in the Plan (through the AOS designations identified in Policy MIN 4 'New sand resource allocations and areas of search') will be permitted where these secure significant material planning benefits that outweigh any material planning objections.

3.53 All proposals will be expected to demonstrate that the development accords with the sequential approach to delivering new sand resources and, in doing so, demonstrate that the permitted reserves cannot meet the required level of provision or that the Allocated Sites, Preferred Areas of Extension or AOS (as relevant) are not available or viable for future mineral development. This should be demonstrated through the submission of sufficient information to provide an overview of the mineral resource to be worked, evidence of the mineral resource supported by sufficient borehole data and geological analysis of the quantity and quality of mineral and any special properties of the mineral, potential markets and evidence of the site specific considerations relevant to the development. The full list of information required is set out in the minerals application validation checklist[25].

3.54 In addition, proposals for non-aggregate (silica) sand extraction will be expected to demonstrate, through the submission of borehole data and geological analysis carried out by a suitably qualified professional, that the sand meets the specifications for the proposed silica sand end uses. Silica sand is a finite resource and a specialist mineral, in terms of its quality and the type of end uses to which it can be used, which cannot be replicated by other resources. The efficient or "best use" of silica sand extracted from new and permitted sites will be secured through suitable conditions and planning obligations.

Other aggregates

3.55 In addition to aggregate sand and gravel, the Council must consider how it will plan for the steady and adequate supply of other types of aggregates used in the Borough, namely crushed rock, substitute, secondary and recycled aggregates, and marine-dredged sands.

Marine-Dredged Aggregates

3.56 The Crown Estate owns almost all the sand and gravel resources lying off the coast of England, Wales and Northern Ireland. They are responsible for awarding and managing commercial agreements for companies to extract it. Around 15 to 20Mt of sand & gravel is dredged from the seabed yearly and landed at dedicated mineral wharves within the UK, including the North West region. Marine-dredged sand & gravel is capable of being used for a range of construction uses where its physical properties allow and is an alternative to land-won primary aggregate.

3.57 The Crown Estates report that the total current primary marine aggregate reserve was 306.6Mt

25 https://www.cheshireeast.gov.uk/planning/view_a_planning_application/making_a_planning_application/minerals_development.aspx

including 9.81Mt in the North West dredging region at July 2021[26]. The 10-year average offtake of primary construction aggregate is 16.39Mt in total including 0.28Mt in the North West dredging region. This can be compared with the total annual permitted offtake (at July 2021) of 38.71Mt, including 1.1Mt in the North West dredging region. Comparing the current primary reserves with the 10-year average annual offtake indicates a total marine aggregate reserve of 18.71 years including a 35.16 year reserve in the North West dredging region. An application for a further dredging licence in the region has been submitted which, if approved, could increase the permitted tonnage of aggregate sand that is extracted by 0.5Mt.

3.58 There are no wharves in Cheshire East to land marine-dredged aggregates. It is difficult to determine how much of the marine aggregate dredged in the North West region is currently supplied to meet demand in Cheshire East. The most recent available figures are from the 2019 Aggregate Minerals Survey. This indicates that sales of marine sand and gravel in the North West decreased by 11% between 2014 and 2019 to 97,000 tonnes. This accounted for just some 4% of total sand & gravel sales in the region in 2019. Marine aggregate sales to the Cheshire sub-region (which includes the CWaC MPA area) were 29,000 tonnes in 2019. No sales information is available for the Cheshire East MPA area, so it is unclear how much of the 29,000 tonnes was sold here. However, as a proportion of the overall land-won primary aggregate currently sold in the Borough (a yearly average of 406,000 thousand tonnes in the last 10 years), the amount that comprises marine aggregates is not considered to be significant and is assumed to continue at current levels over the plan period, that is to say the Council does not propose to make any adjustment to the primary land-won aggregate requirement figures to take account of marine aggregate sales at present. However, the Council will include marine aggregate sales in subsequent sand forecasts should specific Cheshire East MPA information become available in the future or should the level of these sales increase significantly.

Substitute, Secondary and Recycled Aggregates

3.59 These are often sourced from construction and demolition waste or derived from other industrial processes (known as secondary aggregates) and can include, for example, furnace ash. The use of such material not only reduces the requirement for primary land-won resources but also reduces its need for disposal to landfill. The NPPF requires MPAs to, as far as practicable, take account in planning policies of the contribution that substitute, secondary and recycled materials and mineral waste could make to the supply of materials before considering the extraction of primary minerals[27]. Secondary and recycled materials make a steady but important contribution to meeting the UKs aggregate needs. The Mineral Products Association has reported that secondary and recycled aggregates are estimated to represent nearly 30% of the domestic aggregates market[28]. Recycled and secondary materials will not be able to completely substitute for primary aggregates in all uses, and the supply of such material depends on construction and particularly demolition activity.

3.60 The 2017 Waste Needs Assessment (WNA) and its 2019 Refresh[29] prepared for the Council (by BPP Consulting) estimates the amount of construction, demolition and excavation (CD&E) waste arising in Cheshire East up to 2030. This can be used as a proxy for the potential supply of recycled and secondary aggregates in the MPA area. The 2019 WNA Refresh found that around 690,000 tonnes of CD&E waste were produced in Cheshire East in 2017[30] and that the total management capacity for recycling such material was around 815,000 tonnes per annum[31]. The Refresh identified 13 such recycling facilities in the Borough and highlighted that some of the capacity in these facilities was also used to manage other waste streams. Six of these sites were specifically identified as producing recycled aggregates with a combined capacity in 2017 of 556,500 tonnes per annum[32].

26 Marine Aggregates Capability & Portfolio 2021, The Crown Estates https://www.thecrownestate.co.uk/media/3945/2021-capability-portfolio-report.pdf
27 ¶210 (b), NPPF, July 2021 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf
28 Long term aggregates demand and supply 2016-2030, Mineral Products Association (published 2017) https://mineralproducts.org/documents/MPA_Long_term_aggregates_demand_supply_scenariors_2016-30.pdf
29 Available at www.cheshireeast.gov.uk/mwp
30 691,344 tonnes, Table 13, 2019 WNA Refresh – Report 3
31 814,700 tonnes, Tables 6 and 9, 2019 WNA Refresh – Main Report
32 ¶4.18, 2019 WNA Refresh – Main Report

3.61 As the peak quantity of construction and demolition waste requiring conversion to aggregate is estimated to be less than this, at around 420,000 tonnes per annum in 2030[(33)], the WNA Refresh indicates (in ¶4.19) that there is not expected to be any capacity issues for recycling aggregate in the Borough during the period to 2030, that is to say the total management capacity exceeds the identified requirement. The Council intends to undertake a new WNA to cover the full plan period to 2041 and will incorporate the findings into the MWP prior to the next stage of public consultation. While the Council do not propose to make any adjustment to the primary land-won aggregate requirement figures based on the estimated secondary and recycled aggregate provision, it is proposed for sustainability reasons to encourage their further use and to safeguard the waste management facilities that produce this aggregate material.

Policy MIN 5

Prioritising the use of substitute, secondary and recycled aggregates

1. The Council will permit proposals for the production and supply of substitute, secondary and recycled aggregates where these comply with the other policies of the development plan, including the locational requirements identified in Policy WAS 3 'Spatial strategy for locating waste management facilities', and contribute to meeting its aggregate supply needs.
2. All existing facilities permitted for the handling, processing and distribution of substitute, recycled and secondary aggregate will be safeguarded, in line with Policy MIN 2 'Safeguarding mineral supply sites and infrastructure' and Policy WAS 6 'Safeguarding of waste management facilities', and there will be a presumption against any development that could prejudice the ongoing operation of such facilities.

Supporting information

3.62 The Council, in line with Government planning guidance, is committed to increasing the production and use of recycled aggregates as a sustainable way of reducing the amount of primary land-won aggregates that are required through quarrying activity. The existing facilities for aggregates recycling are set out in the LAA. Several sites exist that are dedicated to recycling construction and demolition wastes to produce recycled aggregates. The use of secondary and recycled aggregates, together with the use of substitute materials, needs to be encouraged to maximise the contribution that these materials can make to new construction and development projects in the Plan area. The safeguarding of facilities for the handling, processing, and distribution of substitute, recycled and secondary aggregate material, whether existing, planned or potential sites is required by the NPPF and is set out in Policy MIN 2 'Safeguarding mineral supply sites and infrastructure'.

Crushed Rock

3.63 A variety of hard rocks when crushed are suitable for use as aggregate. Their technical suitability for different application depends on physical characteristics including crushing strength, resistance to impact and abrasion. Higher quality aggregates are required for coated roadstone and for mixing with cement to produce concrete. Lower quality materials are suitable for use as construction fill and in drainage media applications. In Cheshire the main hard rock type is sandstone. The oldest rocks of the area, previously quarried extensively for building stone, are the Carboniferous Sandstone of the Millstone Grit Group. They lie along the eastern margins from Macclesfield to Congleton. The overlying sandstones of the Pennine Coal Measures Group were also extensively quarried for building stone.

3.64 As sandstone can be used either as an aggregate (in the form of crushed rock) or as a non-aggregate building material, the management of the permitted sandstone resource in Cheshire East should be considered as a whole against forecasted needs for both uses.

33 418,197 tonnes, Table 11, 2019 WNA Refresh – Main Report

The sandstone (rock) resource

3.65 There are nine permitted sandstone quarries in Cheshire East but only six are currently active (see Appendix E 'Permitted mineral extraction sites 2021' for the name and location of these quarries). All have planning permission beyond 2035 and operate on a small scale. The active quarries almost entirely supply the building stone rather than crushed rock market. The three inactive sites have been inactive for many years, including for the whole period since Cheshire East was created in 2009, but are understood to have supplied aggregate crushed rock in the past. The Council estimate that, as a whole, the permitted sites had a sandstone reserve of some 4.88Mt on 31 December 2020.

3.66 In terms of forecasted needs for non-aggregate building stone, just 0.001Mt (or 1,000 tonnes) has been sold yearly on average over the last 10 year period, which is 2011 to 2020. This would suggest there is a total requirement for some 0.02Mt over the 2021 to 2041 Plan period. As building stone is not an aggregate there is no requirement to take account of local information to include a yearly uplift to past building stone sales from the 2020 base date of the Plan. The Council considers that there is already a sufficient building stone reserve, to maintain a steady and adequate supply of building stone over the next 20 year period to 2041, without the need for further reserves to be permitted. Therefore, the MWP is not seeking to increase the overall permitted sandstone reserve for use as building stone over this period, although the individual landbank position of an existing quarry will be considered should an application for additional reserves be made to make sure that the minimum requirements for the intended use of the output are met.

3.67 In terms of forecasted needs for aggregate crushed rock, the Council has received only limited and sporadic information on crushed rock sales from quarry operators (via the yearly survey) since Cheshire East was formed in 2009. This supports the Council's belief that any crushed rock produced at the active quarries is minimal and incidental to the main activity of producing non-aggregate building stone. In the absence of any meaningful sales information for crushed rock from the Borough's active quarries, the Council has sought to forecast needs by using information from the national Aggregate Mineral Survey undertaken periodically by Government. Table 3.3 'Extract from the 2009 to 2019 aggregate mineral surveys detailing estimates for the importation and consumption of aggregate crushed rock in the Cheshire sub-region (tonnes)' provides a summary of the amounts of import and consumption of crushed rock in the Cheshire sub-region (which includes the CWaC MPA area) from the last three surveys undertaken in 2009, 2014 and 2019. The survey does not provide a figure for the Cheshire East MPA area on its own.

Table 3.3 Extract from the 2009 to 2019 aggregate mineral surveys detailing estimates for the importation and consumption of aggregate crushed rock in the Cheshire sub-region (tonnes)

Aggregate mineral survey year	Imports	Consumption
2009	976,000	977,000
2014	2,059,000	2,059,000
2019	1,612,000	1,612,000

3.68 It is clear from Table 3.3 'Extract from the 2009 to 2019 aggregate mineral surveys detailing estimates for the importation and consumption of aggregate crushed rock in the Cheshire sub-region (tonnes)' that the Cheshire sub-region consumes a large quantity of crushed rock (limestone), almost all of which is imported. The most recent survey indicates that Derbyshire is the principal source of this aggregate (at between 30 and 40%), with other important sources being Leicestershire, the Peak District National Park and Flintshire (at between 10 and 20% each).

3.69 The Council has forecast future need based on the information in the last two surveys. The 2009 data has not been considered in the forecast of demand since it was undertaken at a time of recession and the subsequent low rates it reports are likely to produce an underestimate of normal demand. In line with its 2021 LAA, the Council has used an average of the 2014 and 2019 import data for crushed rock, of some 1.84Mt, as the baseline for forecasting future demand in the sub-region over the next 20 years (2021 to 2041). As with aggregate sand and gravel, the Council has applied

an annual 2% growth figure from the 2020 base date over the Plan period using the 2.16Mt a year average forecast figure for crushed rock identified in the 2021 LAA. This produces a total forecast requirement for aggregate crushed rock for the 2021 to 2041 Plan period of 43.2Mt (that is to say 20 x 2.16) for the Cheshire sub-region as a whole. This includes the CWaC MPA area that currently has no hard rock quarries and so does not produce crushed rock.

3.70 It is possible for some of this need to be met from the existing permitted sandstone reserves. However, the Council does not consider this is currently likely for the following reasons. Firstly, sandstone, by virtue of its physical characteristics, is considered to generally produce a low specification product when crushed and so has a more limited range of uses for construction purposes than other crushed aggregates such as limestone. Secondly, the Cheshire East rock sites have several constraints, such as road access issues and limited processing capacity, which require considerable investment to overcome. As these sites are currently under the control of local (independently owned) operators rather than national operators, it is less likely that the required investment for up scaling of operations will be made in the foreseeable future. Finally, some of the sites are constrained by planning condition that limit the depth at which the rock can be extracted, thereby impacting on the type and quantity of available material.

3.71 While the Council's strategy is for the MWP to meet an appropriate share of its aggregate crushed rock requirement, there is currently no indication that the wider minerals industry is seeking to expand the extraction of the sandstone resource in Cheshire East to meet local and wider demand for aggregate crushed rock. There have been no planning applications to increase crushed rock reserves since 2009 and no sites were submitted, during the 2017 call for sites exercise, for inclusion in the MWP for this purpose. Consequently, it is considered that requirements for aggregate crushed rock will continue to be met by crushed rock (limestone) imports into the area for the foreseeable future. If this situation changes, a crushed rock policy is included in the MWP to support proposals that increase the production of crushed rock from within the MPA area to meets its needs through the provision of new or extended quarrying capacity.

Policy MIN 6

Aggregate crushed rock

The Council will permit proposals that increase the production of crushed rock from within the MPA area to provide greater self-sufficiency in meeting its needs and to reduce the current reliance on imported crushed rock. Applications for new or extended crushed rock quarrying capacity will be approved provided:

1. Proposals to extend the permitted reserve at an existing quarry or to provide a new quarry clearly demonstrates that the current permitted reserve within Cheshire East is insufficient to provide a 10-year landbank for anticipated levels of crushed rock production as set out in the latest LAA; or
2. Proposals to extend the permitted reserve at an existing quarry clearly demonstrate the need for a specific type or quality of crushed rock that will not be met by existing permitted reserves; and
3. The proposal will not result in any unacceptable adverse impacts to the environment or local community and it conforms with other policies of the Local Plan.

Supporting information

3.72 The Council is supportive of proposals that will provide a sustainable approach to meeting aggregate crushed rock needs within the Borough, where this will not result in any unacceptable adverse impacts on the wider area. This will require significant investment either to establish a new quarry or to refocus operations at an existing hard rock quarry. In the latter case, the onus will be on the operator to justify the need for any additional permitted reserves at an existing quarry. The Council's expectation is that existing permitted reserves will be quarried first before new reserves are sought

unless the applicant can demonstrate, with suitable technical evidence, that there is an insufficient landbank or the existing permitted reserves are either unsuitable or unlikely to be worked for crushed rock purposes.

Policy MIN 7

Non-aggregate sandstone

The Council will manage its non-aggregate sandstone (rock) resource to make sure that a steady and adequate supply of sandstone (rock) is provided over the Plan period (2021 to 2041) to meet identified needs based on average past sales of 0.001Mt a year and a total forecast need of at least 0.02Mt. Regard should be had to the latest requirements set out in the Council's AMR.

Supporting information

3.73 The Council estimated there to be a permitted sandstone reserve of some 4.88Mt on 31 December 2020. As this is sufficient to meet forecasted needs for non-aggregate sandstone (rock) to 2041 of 0.02Mt, it is not considered likely that there will be a requirement for additional permitted non-aggregate sandstone (rock) reserves. This situation may change if the operation of existing quarries shifts to the supply of aggregate crushed rock in the future and the amount of sandstone quarried significantly increases as a result. The Council will identify any changes to non-aggregate sandstone (rock) requirements through its AMR.

The salt resource

3.74 Salt is a nationally significant resource that occurs in its solid form as rock salt or in solution as brine. There are extensive resources of salt in the Cheshire Basin underlying the Borough occurring within the Triassic Mercia Mudstone group. These comprise two salt-bearing formations of a lower Northwich Halite Formation and an upper Wilkesley Halite Formation. Whilst rock salt is extracted in neighbouring CWaC, controlled solution brine mining takes place at Warmingham Brinefields from the Northwich Halite Formation at depths of over 250m.

3.75 Solution mining or 'leeching' is the process used to extract brine and involves the drilling of a well into the salt layer through the cap rock. Fresh water is then pumped under pressure through a pipe to dissolve the salt and create brine. This is taken up to the surface through a separate pipe. Air is used as a blanket to prevent upward development of the cavity and as development continues, the position of the water pipe is moved, producing a cylindrical cavity with a dome-shaped roof. As the cavities are deep underground, sonar surveys are used to monitor the size and shape of the developing cavities to make sure that structural integrity is maintained.

3.76 In some instances, the underground cavities that are created are subsequently converted for other purposes. In Cheshire, some salt cavities have been converted for the purpose of storing natural gas. There are also other types of storage being utilised worldwide such as compressed air energy, hydrogen storage and waste disposal that could be developed in Cheshire, some of which could help address any future national energy crisis. Therefore, the MWP must consider not only how it is to manage the additional needs for salt extraction over the plan period, but also how it will manage the future uses of the cavities that are created. This includes considering how to prevent the creation of cavities where this is done purely for storage purposes with the salt resource being discarded rather than being used sustainably as a finite resource[34].

3.77 The brinefields at Warmingham have been operational since the 1970's and contain significant reserves; in 2015 the operator stated that the total site reserves were in the region of 700Mt. While this means that there should be sufficient reserves for this plan period and the foreseeable future,

34 ¶209 of the NPPF (2021) requires best use to be made of finite nature resources to secure their long-term conservation https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

based on current rates of extraction, it is important that the MWP protects existing resources/operations (see Policy MIN 1 'Mineral safeguarding areas' and Policy MIN 2 'Safeguarding mineral supply sites and infrastructure') and identifies the location where any requirements for new future workings should be accommodated. It should be noted that there are no landbank requirements specified for the extraction of salt in the NPPF, although a steady and adequate supply is expected with planning applications complying with all relevant planning policies.

Policy MIN 8

Provision for salt extraction

The Council will manage its salt resource to make sure that a steady, adequate and sustainable supply of salt and brine is delivered through controlled solution mining by:

1. Continuing to prioritise extraction from the existing permitted reserves at the Warmingham and Holford Brinefields;
2. Requiring any applications for additional permitted reserves to demonstrate that:
    i. the existing permitted reserves are insufficient to enable a steady and adequate supply of salt during the Plan period to meet need;
    ii. that best use will be made of the additional brine resource so that it is used sustainably as a finite resource; and
    iii. the proposal will not result in any unacceptable adverse impacts to the environment or local community;
3. Refusing applications to create salt cavities for storage purposes if it cannot be demonstrated that best use will be made of the extracted salt resource;
4. Requiring any applications for additional permitted reserves to be met firstly from the following allocated Preferred Area Extensions near the Warmingham Brinefields:
    i. MIN 8.1 ‘Land West of Railway Line, Warmingham’;
    ii. MIN 8.2 ‘Extension to Warmingham Brinefield’
5. Requiring any other applications for additional permitted reserves outside of the permitted sites or allocated preferred areas to demonstrate that the required level of provision cannot be met from within these preferred areas;
6. Supporting ancillary brine development where it is demonstrated to:
    i. be necessary to support the operation of the brinefield; and
    ii. result only in environmental and amenity impacts that can be controlled to an acceptable level in accordance with relevant development plan policies

Supporting information

3.78 The boundaries for the sites listed in Policy MIN 8 'Provision for salt extraction' are shown in Appendix H 'Proposed preferred area extensions for salt (Policy MIN 8)'.

3.79 The general strategy of the MWP is to prioritise meeting identified needs for new salt extraction, in the form of brine, through the allocation of two new ‘Preferred Area Extension’ designations at the Warmingham Brinefields. These were put forward following the Council’s Minerals Call for Sites exercise that took place in 2017. A detailed assessment of these areas can be found in the Council’s Draft Minerals Site Selection Report. The Council considers this approach to site prioritisation to be sufficient to maintain the overall requirements for salt over the plan period. Special circumstances would have to be demonstrated by applicants to justify applications for new salt resources outside of the ‘Preferred Area Extensions’ designated in the MWP. This would need to include a detailed

justification, supported by relevant technical evidence, to show why the proposal should be considered in preference to the designated Preferred Area Extensions.

3.80 Prioritising development at Warmingham Brinefield, rather than at new areas elsewhere, is considered to present a sustainable approach to new mineral provision. It will reduce environmental disturbance (especially where access and mitigation measures are already in place), allow the retention of existing employment, as well as make use of existing processing infrastructure and facilities. Whilst this approach could result in potential cumulative impact from continued extraction in the Warmingham area, this factor has been considered through the site selection process as the MWP has been developed and would be a consideration when planning applications are determined.

3.81 All proposals will be expected to demonstrate that the development accords with the sequential approach outlined above and, in doing so, demonstrate that the permitted reserves cannot meet the required level of provision or that the Preferred Area Extensions are not available or viable for future mineral development. Suitable information should be submitted to provide an overview of the mineral resource to be worked including: evidence of the mineral resource supported by sufficient borehole data and geological analysis of the quantity of mineral; potential markets; and evidence of the site specific considerations relevant to the development. The full list of information required is set out in the minerals application validation checklist[35].

Policy MIN 9

Afteruse of salt cavities

The Council will permit the afteruse of salt cavities once mining operations have been completed provided it can be demonstrated (supported by relevant technical evidence) that:

1. All the salt resource that can be safely and economically extracted has been removed;
2. The creation and operation of the proposed afteruse will not compromise the stability of the salt cavity structure in the future or lead to any potential unacceptable adverse impacts, both above and below ground, including to other mining operations, other infrastructure, the wider environment or the local community.
3. The salt cavity has been created and the extracted resource used sustainably for meeting food, industrial or other purposes that meet NPPF “best use” requirements, rather than created largely for storage purposes with the salt resource being discarded.

Energy minerals

Coal

3.82 Coal is a national energy resource and is present beneath much of Cheshire East. However, it is mostly buried at great depths beneath younger geological layers. There are currently no active coal workings in the Borough, although there is a history of mining around Poynton and Mow Cop where coal seams come closer to the surface. The Council has identified the shallow coal resource as part of its safeguarding policy.

3.83 The Council does not think it is necessary to make specific provision for coal mining in the Plan. This is because of the Government’s proposals around reducing climate change including the commitment, through the COP26 Glasgow Climate Pact (December 2021), to scale up the development of clean power generation and energy efficiency measures. These include accelerating efforts towards the phasing down of unabated coal power and phasing out of inefficient fossil fuel subsidies. The Pact also included a commitment to global net-zero greenhouse gas emission by mid-century. In addition, the UK Government’s sixth Carbon Budget (April 2021) set in law climate change targets

35 https://www.cheshireeast.gov.uk/planning/view_a_planning_application/making_a_planning_application/minerals_development.aspx

that would cut emissions by 78% by 2035 compared with 1990 levels.

3.84 The Council will consider any proposals for coal extraction against the relevant Development Plan policies and the NPPF, including ¶217 which states: "Planning permission should not be granted for the extraction of coal unless: a. the proposal is environmentally acceptable, or can be made so by planning conditions or obligations; or b. if it is not environmentally acceptable, then it provides national, local or community benefits which clearly outweigh its likely impacts (taking all relevant matters into account, including any residual environmental impacts)."

Hydrocarbons (Oil and Gas)

3.85 Reserves of oil and gas are referred to as either conventional or unconventional hydrocarbons depending on the nature of the geology where they are found and, as a result, how easy they are to extract. Conventional hydrocarbons are oil and gas deposits that have migrated from their source rock (such as shale) into permeable or porous rock such as sandstone but are now prevented from migrating further by impermeable rock. This traps the hydrocarbon beneath the impermeable rock where it collects and forms a reservoir. This resource is relatively easy to extract through conventional oil and gas wells. The process of on-shore extraction has been undertaken within the UK for over 100 years and there are currently around 2,100 of these wells in the UK. While some hydrocarbon exploration has taken place in the past, there are no wells or planning permissions associated with conventional hydrocarbon activity in Cheshire East.

3.86 Unconventional hydrocarbons refer to oil and gas that is trapped within rocks of low permeability and, as a result, these hydrocarbons are more difficult to extract. The unconventional resources likely to be of most relevance to Cheshire East are shale gas and coalbed methane. Shale is formed from muddy sediments rich in organic matter deposited in seas millions of years ago. As these sediments were buried, they were heated and turned into rock and the organic matter was converted into gas and oil which is trapped in the rock. Hydraulic Fracturing commonly known as "fracking" is a technique used in the extraction of gas from shale rock. Coalbed methane occurs when methane is bound within coal by a process known as adsorption, namely where gas molecules adhere to surfaces or fractures within the coal. It is extracted by borehole in a similar process to shale gas but, instead of injecting water at high pressure to fracture the rock, the gas is released from the coalbed by pumping out the water that occurs naturally in coal seams.

3.87 The exploration, appraisal and extraction of hydrocarbons are controlled by the Government through a licensing system, with relevant consents being required from the MPA, Environment Agency and Health and Safety Executive. The latest (14th) round of Petroleum Exploration and Development Licences (PEDL) were announced in December 2015, with companies invited to bid for exclusive rights to specific areas. Appendix I 'PEDL licenses map' shows the location of the six PEDL areas, covering 10 grids of land within or partly within Cheshire East, that were issued through the 14th Onshore Licensing round. The licences convey no permission for operations on land but give exclusivity for exploration operations against other oil and gas exploration companies within a defined area. The PEDLs issued in Cheshire East all have extant status[(36)].

3.88 No applications have been made to date within the Borough as a result of the issuing of these licences and no sites in Cheshire East have planning permission to explore, appraise or extract unconventional hydrocarbons such as shale gas. In addition, there is currently a Government moratorium on fracking related applications and activity in England. However, the Council considers it prudent to include a hydrocarbons policy in the plan that includes for unconventional hydrocarbon extraction in case this position should change during the plan period to 2041.

3.89 National policy and guidance require MPAs to make a clear distinction between, and plan positively for, the three phases of development (exploration, appraisal and production). It also supports the identification of criteria to assist with the location and assessment of well sites within areas licensed for hydrocarbon development. The following policy sets out the Councils approach to assessing applications for the development of oil, gas and unconventional hydrocarbons.

36 See OGA website for details of individual licensed areas: https://www.nstauthority.co.uk/exploration-production/onshore/licensing-regime/

Policy MIN 10

Conventional and unconventional hydrocarbons (oil and gas)

Proposals for the exploration, appraisal or production of hydrocarbons will be considered on the following basis:

Exploration and appraisal

1. Proposals for the exploration and appraisal of hydrocarbons will only be permitted where it has been demonstrated that well sites and associated facilities are sited in the least sensitive location from which the target reservoir can be accessed, and they accord with all relevant policies of the Local Plan. Where proposals for exploration and appraisal are permitted, there will be no presumption that long term production from those wells will be permitted.

Production

2. Proposals for hydrocarbon production will only be permitted where it has been demonstrated that the further works and surface facilities are justified as being required to manage the output from the well(s), including facilities for the utilisation of energy, where relevant, and that they are sited in the least sensitive location from which the target reservoir can be accessed. Proposals will also need to accord with all relevant policies of the Local Plan and be supported by a full appraisal programme for the hydrocarbon resource.

Overall assessment

3. Having assessed the impacts of proposals for exploration, appraisal and production of hydrocarbons, permission will only be granted for such activities where it has been demonstrated that there are no unacceptable adverse impacts on human health, general amenity and the environment (both natural and historic).
4. All proposals should include restoration and aftercare measures for each stage of development.
5. All applications for development associated with the exploration, appraisal and production of oil, gas and unconventional hydrocarbons will be expected to demonstrate that:

    i. well sites and associated facilities are sited, so far as is practicable, to minimise adverse impacts on the environment or local communities
    ii. the development is located outside Protected Groundwater Source Areas
    iii. there are no unacceptable adverse impacts (in terms of quantity and quality) upon sensitive water receptors including groundwater, water bodies and wetland habitats
    iv. the exploration and appraisal operations are for an agreed, temporary length of time
    v. the drilling site and any associated land is restored to a high quality standard and appropriate afteruse that reflects the local landscape character at the earliest practicable opportunity
    vi. fugitive emissions from the exploration, testing and production activities should be minimised

Supporting information

3.90 Whilst accepting that hydrocarbon related proposals and activities may come forward during the plan period, the Council is concerned to make sure that they can be undertaken in a way that does not unacceptably impact on the environment and the amenity of local communities. This can raise issues that are dealt with by policies elsewhere in the Local Plan, including the LPS and SADPD. These include issues such as climate change, protection of wildlife and biodiversity, protection of the

historic environment, landscape character, agricultural land, flood risk, water resources, pollution, land contamination and land Instability, public rights of way and restoration.

3.91 Particular consideration will be given to the location of hydrocarbon development involving hydraulic fracturing, having regard to impacts on water resources, seismicity, local air quality, landscape, noise and lighting impacts. Such development will not be supported within protected groundwater source protection zones or where it might adversely affect or be affected by flood risk or within Air Quality Management Areas or protected areas for the purposes of the Infrastructure Act 2015, section 50.

3.92 As with all applications, hydrocarbon proposals requiring planning permission will need to satisfy all relevant policies within the statutory development plan as a whole if they are to be permitted.

Other minerals

Policy MIN 11

Peat

The development of new sites for peat extraction or for physical extensions to existing sites will not be permitted. Applications for time extensions to existing peat extraction sites will be considered on a case-by-case basis and should demonstrate that the proposal is necessary to enable the proper restoration of the land or to secure biodiversity, climate change or other appropriate objectives of the Local Plan.

Supporting information

3.93 Peat is used primarily in the horticultural industry either as a growing medium or soil improver. Over recent years the use of alternatives to peat has significantly increased for environmental, nature conservation, geodiversity, archaeological and climate change issues relating to its extraction.

3.94 There are several areas of peat accumulation that have formed in hollows in the superficial deposits within Cheshire East. In places the thickness of the peat is sufficient to be exploited (see Appendix D 'Peat and clay'). Peat extraction is only known to have taken place at White Moss Quarry near Alsager and at Lindow Moss near Wilmslow. Both locations have planning permissions for the commercial extraction of peat.

3.95 In line with national planning policy, the Council is not permitting new sites or extensions to existing sites for peat extraction. Therefore, no further areas for peat extraction are proposed during the Plan period. Furthermore, any proposals for time extensions to existing peat extraction sites will need to fully consider the potential impact this will have on climate change and biodiversity. Planning guidance provides further clarification of the circumstances under which time extensions for peat extraction sites may be considered, for example to allow sufficient time to extract further small quantities of peat, thus facilitating the subsequent proper restoration of the land.

3.96 As national planning guidance only mentions peat in relation to its excavation as a mineral resource rather than any wider impacts that may result from groundworks associated with development or inappropriate land management, such as on climate change (resulting from its function as a store or sequester of carbon) and in improving biodiversity value, the Council intends to address this wider issue in its local plan review. In the meantime, the extraction of peat to enable the development of allocated residential, employment or mixed-use sites will generally be acceptable where the extracted peat is minimised as far as possible and used in peat restoration projects. In such circumstances, applicants must submit a statement to the MPA detailing the approach to managing peat within the site, including the volume of extraction and its proposed end use.

Clay

3.97 Boulder clay covers large areas of Cheshire East, although it varies considerably in thickness and quality. It has historically been extracted for purposes including soil improvement and supply to the brick making industry. More recent uses are as an engineering material in the capping of waste landfill sites. Permission exists at Maw Green near Crewe for extraction of clay and for its use as a landfill capping material on-site and for off-site use elsewhere. It may not be possible to predict areas where extraction is commercially viable without investigating specific sites. Any planning applications received will be determined against Policy MIN 12 'Borrow pits' and other relevant policies in the development plan including policies in the LPS and SADPD.

Other mineral activities

Policy MIN 12

Borrow pits

Proposals for borrow pits will be permitted where they accord with all the following criteria:

1. The extracted materials will only be used in connection with the specific construction project to which it is associated;
2. The borrow pit can be accessed directly from the construction project or from a short length of suitable highway;
3. The extraction period of the borrow pit is limited only to the duration of the construction project;
4. Extraction of aggregate from the borrow pit would represent the most sustainable source of aggregates, having regard to the availability of secondary, recycled and land-won sources and their location in relation to the construction project;
5. It is demonstrated (through the submission of appropriate evidence) that reusable or recyclable construction, demolition and excavation waste from the construction project site is not available in sufficient quantity or is of an inappropriate specification for the project;
6. A suitable scheme and timetable for site restoration is proposed; and
7. There are no unacceptable adverse environmental and local community impacts.

Supporting information

3.98 In addition to using aggregate materials sourced from permitted quarries, marine dredging, substitute or secondary sources and recycled aggregate waste, borrow pits can also be used occasionally as a further source of aggregate minerals or to supply clay. A borrow pit is a term used in construction for a hole, pit or excavation that has been dug for the purpose of removing mineral, such as sand and gravel, for use in a nearby construction project such as an overpass or embankment. Therefore, they are a temporary mineral working that operates only for a limited period to supply the linked construction project while it is being built.

3.99 While borrow pits are commonly used to source large quantities of bulk fill material, they can also be required to supply higher quality aggregates for use in major construction projects such as High-Speed Rail (HS2) or road schemes. The advantages of borrow pits are that they avoid the need to transport aggregates from a more distant source. This can benefit communities through reduced road transport, as well as reduce the rate at which reserves within quarries are depleted. However, in some cases it would be preferable to use secondary or recycled aggregates, where these are available close to the construction site. The most sustainable option will therefore differ with the varying circumstances of each site, requiring the planning authority to consider their appropriateness on a case-by-case basis. The timely restoration or afteruse of a borrow pit is also an important consideration.

Mineral Processing

3.100 Minerals often need processing to meet customer requirements before they can be sold. To reduce transport costs this is often done by siting processing plants at the quarries themselves, although processing can also be done elsewhere away from the quarry. In Cheshire East there are processing facilities at all the active sand quarries in the Borough. There are also other mineral processing facilities away from quarries that process material generated by the operator of that facility. One such facility in Cheshire East is at Basford rail sidings in Crewe, which processes used ballast from the rail network into useable material.

3.101 Primary processing activities typically involve washing, crushing and screening. Other processing facilities, referred to as secondary activities, can also take place at quarries or rail depots, for example concrete batching and coated roadstone production. These involve the importing of materials not produced at the site.

3.102 A policy is required to control the planning issues that can arise from mineral processing activities by operators to make sure they are appropriate in terms of:

- the balance between the primary and secondary activities being undertaken at the site, particularly if it is in a rural location requiring the extent of development to be kept to a minimum;
- any relevant timescales that limit the permitted primary activity and the restoration of the site; and
- the acceptability of the potential impacts of the processing activity on the surrounding area, including the environment and community amenity.

Policy MIN 13

Mineral processing at quarries and other sites

A proposal for primary and/or secondary mineral processing will be supported at a quarry or rail depot provided that:

1. It is linked to the principal activity on the site and will remain ancillary to it for its duration;
2. It does not unduly delay or in any way jeopardised an agreed restoration scheme at the site;
3. In the case of a central processing facility for linked or satellite quarry sites, it is demonstrated to be the most sustainable and viable option in terms of minimising potential impacts from processing activity on the environment, local community and the other factors identified in the supporting information to Policy MIN 13 'Mineral processing at quarries and other sites'.

Supporting information

3.103 The Council understands the benefits that can be derived by processing minerals at extraction sites and rail depots. This policy seeks to support such activity by balancing these benefits against the potential planning issues that can arise. Quarrying activity is, by its nature, a temporary activity that requires the land to be restored once extraction has ceased. As it usually takes place in rural areas, it is important that the extent of any ancillary processing is suitable for its location (particularly if it involves the importation of material onto the site) and takes full account of any adverse impacts.

3.104 Where there is a proposal to physically link a quarry to a processing facility off site, the applicant must demonstrate that this represents the most sustainable and viable option. This should include the following:

- a suitable explanation of why it is not possible to process the mineral at the source quarry;
- a commitment to link the lifetime of the processing plant to the permitted lifespan of the source quarry;

- an acceptable proposal for site restoration once processing activity ceases; and
- a demonstration that the impacts on the environment and local community of the processing plant can be adequately mitigated.

3.105 The acceptability of potential development impacts, together with any proposals for additional railhead capacity, will be considered against the development management policies within this document and the Local Plan as a whole.

Blasting

3.106 There are currently no sites within Cheshire East that utilise blasting as a means of extracting minerals. Consequently, it is likely that people would be more sensitive to blasts should they occur. This means that vibration limits should be routinely set at the lower end of the scale. The British Standards Institution has produced two standards that relate to blast-induced vibration; one relates to the impact on buildings and structures, and the other to the impact on people within buildings. With respect to people, the standard sets out a "satisfactory magnitude" of 6 to 10mm/second peak particle velocity; for buildings, a peak particle velocity for low frequency vibrations is given as 15 to 20mm/second. Applicants should discuss the relevant peak particle velocity requirement with the Council in advance of applying for planning permission.

3.107 Due to natural variation within the rock mass, and other factors that are outside the shot firer's control, it would be unreasonable to require absolute compliance with a limit. It is normal practice to require more than 95% of blasts to be below the defined limit. If considered appropriate, the Council will require a regression line model to be developed and maintained to inform blast design. There are several other advantages to the development of a regression line model. These include improving the precision and efficiency of blasts, helping operators to lower their costs, and, when a problem arises at a sensitive property during a blast, the regression line will illustrate exact blast conditions and these can then be reworked to improve the blast effects at that property in future.

Policy MIN 14

Blasting

An application for the winning and working of minerals that necessitates blasting will normally only be permitted where it would satisfy all the following criteria:

1. Ground vibration as a result of blasting shall be minimised by applying best practice and following appropriate guidance;
2. Provisions would be made to minimise air over pressure;
3. Provision would be made to monitor blasts;
4. Audible warning procedures will be undertaken;
5. No secondary blasting will be undertaken; and
6. Provision would be made to limit the periods during which blasting occurs to between 09:00 and 18:00 Mondays to Fridays.

Supporting information

3.108 Applicants seeking permission for development involving blasting shall agree peak particle velocities in advance of the submission of their application. All applications for blasting will be expected to demonstrate that there will be no unacceptable impacts on amenity, human health, and the natural and historic environment due to blast related ground vibration. Ground vibration attributable to quarry blasting in any direction at sensitive properties shall not exceed the agreed peak particle velocities unless robust justification is provided. The operator is normally expected to develop a regression line model to inform blast design, unless suitable justification is provided and accepted by the planning authority that shows this to be unnecessary. Records of the detailed design of each blast shall be

maintained and made available to the MPA within two weeks of written request. Records of the detailed design of each blast shall be maintained at the site for a period of at least three months and be made available to the MPA on request.

4

Sustainable management of waste

4 Sustainable management of waste

Introduction

4.1 This chapter sets out the strategy and policies the Council, as the waste planning authority for the Borough (excluding the National Park), will use to determine planning applications for development that provide for or impact upon the management of waste during the Plan period. This comprises a strategy for waste management that takes account of the wider policy context for waste set out at the national level, through legislative and planning policy guidance, which aims to make sure that waste is managed more sustainably. It draws on the findings of the Council's relevant Waste Need Assessments (WNA) to identify the amount of waste that is forecast to be generated within the Borough over the Plan period broken down by the five principal waste streams. This identifies whether there is sufficient existing waste management capacity, the extent of any capacity shortfalls or surpluses, and whether any of these shortfalls are proposed to be met from management facilities outside of the Borough, subject to future Duty to Co-operate discussions and agreement.

4.2 This Chapter includes a spatial strategy for waste that priorities the locations where proposals for new waste management facilities will be permitted, as well as providing specific policies detailing how waste management proposals in the Green Belt and open countryside will be considered by the Council. The Chapter also includes some specific policy areas on: wastewater and sewage treatment facilities; on-farm anaerobic digestion plants; sites for energy recovery; ancillary development at landfill, land raise and open organic waste management sites; and the deposit of inert waste to land for restoration and land improvement.

Waste management strategy

4.3 The Council has incorporated the national principles of the Circular Economy[37], the Waste Hierarchy[38], self-sufficiency and proximity (commonly referred to as the "proximity principle"[39]. These principles seek to use waste as a resource and to manage it (through an appropriate network of facilities) as close as possible to the main sources of waste or to the place where the output is to be used, taking account of the catchment areas needed to secure the economic viability of waste facilities.

4.4 The Circular Economy is concerned with using resources for as long as possible so that the maximum value can be extracted from their use. However, once this resource has reached the end of its useful life the products and materials that make up the waste are recovered and regenerated for other purposes. This means prioritising the management of waste in accordance with the waste hierarchy identified in national planning guidance. This gives the highest priority to reducing the amount of waste that is produced in the first place through prevention and minimisation. When waste is created, priority for its management is as follows: preparing it for re-use, then recycling (including composting), then recovery (including energy generation), and last of all disposal (for example to landfill).

4.5 Although an aim, there is no expectation in PPG for each local planning authority to deal solely with its own waste to meet the requirements of the self-sufficiency and proximity principles.

"Nor does the proximity principle require using the absolute closest facility to the exclusion of all other considerations. There are clearly some wastes which are produced in small quantities for which it would be uneconomic to have a facility in each local authority. Furthermore, there could also be

37 Detailed in the Government's Resources and Waste Strategy, Defra, 2018 https://www.gov.uk/government/publications/resources-and-waste-strategy-for-england

38 Detailed in the Government's Waste Management Plan for England, Defra 2021 https://www.gov.uk/government/publications/waste-management-plan-for-england-2021 and the National Planning Policy for Waste, DCLG, 2014 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/364759/141015_National_Planning_Policy_for_Waste.pdf

39 Self-sufficiency and proximity principles detailed in the Government's Waste Management Plan for England, Defra 2021 https://www.gov.uk/government/publications/waste-management-plan-for-england-2021and PPG for Waste, DCLG, 2015 https://www.gov.uk/guidance/waste) into policy through its Waste Management Strategy

significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively. The ability to source waste from a range of locations/organisations helps to make sure that existing capacity is used effectively and efficiently, and importantly helps maintain local flexibility to increase recycling without resulting in local overcapacity" (PPG, Reference ID: 28-007-20141016).

Policy WAS 1

Waste management strategy

1. In seeking to implement the waste principles identified in national policy concerning the Circular Economy, the Waste Hierarchy, Self-Sufficiency and Proximity, the Council's Waste Management Strategy is to permit proposals for new facilities and the extension or enhancement of existing facilities related to the management of waste provided:

    i. they result in waste needs being met and managed at the highest priority point in the Waste Hierarchy, unless a departure from this hierarchy is justified by a waste lifecycle assessment showing a lower priority point will achieve the best overall environmental outcome.
    ii. they will meet identified waste capacity gaps and needs in accordance with Policy WAS 2 'Waste management capacity and needs'
    iii. they will locate new development in accordance with Policy WAS 3 'Spatial strategy for locating waste management facilities', Policy WAS 4 'Waste management facilities in the Green Belt' and Policy WAS 5 'Waste management facilities in the open countryside'
    iv. they will safeguard existing waste capacity in accordance with Policy WAS 6 'Safeguarding of waste management facilities'
    v. they will not have an unacceptable adverse impact on the environment, human health, economy and social amenity.

2. The Council will not permit non-waste related development proposals that unacceptably impact upon safeguarded waste management capacity, both current and proposed, in accordance with Policy WAS 6 'Safeguarding of waste management facilities'.

Supporting information

4.6 The Council's overall aim is to be net self-sufficient in waste management, whilst recognising the necessity of relying on regional capacity to manage some waste streams. The Council's Municipal Waste Management Strategy 2030[40] and planning policies also seek to reduce waste in the borough and the Council will seek to make sure that waste is managed at the highest point in the Waste Hierarchy. The Waste Hierarchy sets out a preferential sequence of interventions to manage waste based on the following priority order:

1. Prevention
2. Minimisation
3. Preparing for re-use
4. Recycling and composting
5. Energy recovery
6. Disposal

4.7 To conform with the Waste Regulations 2011[41], the Council will make sure that the best overall environmental outcome is delivered when applying the Waste Hierarchy. This may require specific

40 https://www.cheshireeast.gov.uk/pdf/waste-and-recycling/municipal-waste-management-strategy-review-2020-final.pdf
41 Schedule 1, Part 1, 2. The Waste (England and Wales) Regulations 2011 https://www.legislation.gov.uk/uksi/2011/988/contents/made

waste streams to depart from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste. This should take account of:

- the general environmental protection principles of precaution and sustainability
- technical feasibility and economic viability
- protection of resources, and
- the overall environmental, human health, economic and social impacts

4.8 The identified waste need is provided for by:

- safeguarding existing facilities for waste use;
- supporting appropriate extensions and enhancements to existing facilities;
- using available regional capacity for Energy Recovery, Non-Hazardous Landfill, and Deposit to Land waste streams; and
- supporting development of new facilities, in suitable locations, where it is not possible to look to regional capacity or the expansion of existing facilities.

4.9 Redevelopment of suitable sites in existing waste management use is generally encouraged where improvement and diversification would lead to an increase in appropriate management capacity consistent with the national Waste Hierarchy and the Council's settlement hierarchy. In addition, waste management development for new or improved facilities should be in locations that minimise their impact on the environment and social amenity. They should also seek to prioritise the type of land and buildings used for waste management, to make better use of previously developed land or existing buildings, and to avoid development in the open countryside or Green Belt as detailed in Policy WAS 3 'Spatial strategy for locating waste management facilities', Policy WAS 4 'Waste management facilities in the Green Belt' and Policy WAS 5 'Waste management facilities in the open countryside'.

4.10 The impact of non-waste development on existing and proposed waste capacity is also an important factor as the introduction of sensitive receptors, such as housing, in close proximity (at least 250m) to such waste facilities can adversely prejudice their operation. Guidance on the safeguarding of waste facilities is provided by Policy WAS 6 'Safeguarding of Waste Management Facilities'.

Waste management capacity and needs

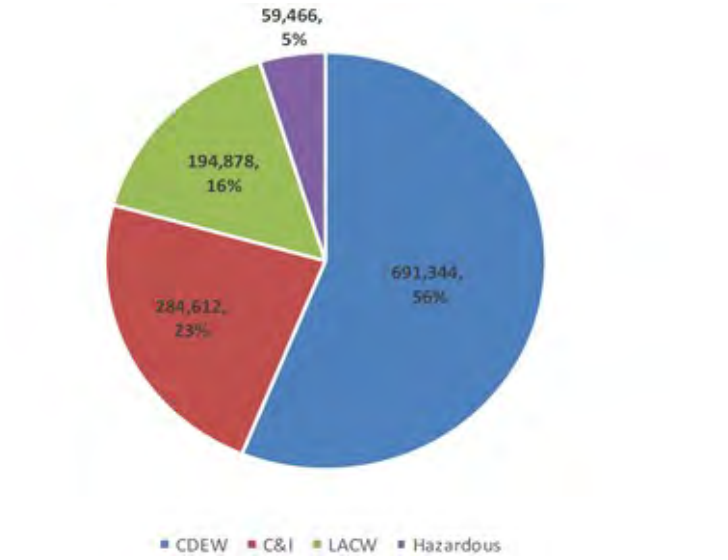
4.11 The starting point for working towards achieving the stated waste objectives of the MWP, including those on net self-sufficiency, is to understand the waste context and challenge for Cheshire East. In order to do this, it is necessary to: identify the amount and type of waste currently produced in the Borough; forecast the amount of waste likely to be produced over the plan period; understand the extent to which existing facilities can satisfy the identified capacity requirements; determine the waste management capacity gap; and assess the extent to which this gap can be sustainably met through the use of available sub-regional capacity outside of the Borough. The Waste Needs Assessment (WNA) is a key evidence document that the Council has prepared to enable such considerations to take place.

4.12 The current WNA was originally published in 2017 and then refreshed in 2019 (principally using 2017 data from the Environment Agency). It was prepared for the Council by BPP Consulting and covered the period to 2030. It considered the following waste streams:

- local authority collected waste (municipal/household);
- commercial and industrial;
- construction, demolition and excavation;
- hazardous;
- low level radioactive;
- agricultural; and
- wastewater

4.13 The 2019 WNA found that just over 1.2Mt of waste arose within Cheshire East in 2017 and that this represents a reasonable value for the Council to plan for through its MWP for the period to 2030. The principal components are shown in Figure 4.1 'The amount of waste arising in the principal waste streams in Cheshire East in 2017 as identified by the 2019 WNA (tonnes)' below as an amount in tonnes divided by the four principal waste streams. Also, the 2019 WNA found that while there appears to be sufficient capacity to meet recycling and organic waste treatment management requirements, there is a predicted shortfall in capacity to manage residual waste (black bin) and inert waste over the period to 2030. However, these findings will need to be reviewed in due course to cover the full plan period to 2041. This may result in the need to provide for greater waste management capacity in the MWP.

Figure 4.1 The amount of waste arising in the principal waste streams in Cheshire East in 2017 as identified by the 2019 WNA (tonnes)



4.14 The 2019 WNA findings mean that the MWP should seek to make provision for a landfill site and an energy from waste (EFW) facility (either a single, larger facility or several smaller community facilities), unless appropriate additional capacity can be identified for the plan period in nearby areas outside of Cheshire East with the agreement of the relevant planning authorities through Duty to Co-operate discussions. This draft Plan will act as a starting point for such discussions but the findings of the updated WNA will be required before the Council is able to determine the appropriate strategy for managing waste in the MWP to 2041. Unlike the current WNA, the updated WNA will need to take account of HS2. This is a significant rail infrastructure project that is planned to be constructed through the Borough during the plan period. It is likely to have implications for both mineral aggregate need and waste management capacity.

Policy WAS 2

Waste management capacity and needs

Planning permission for the development of new waste management facilities, and the extension or enhancement of existing facilities related to the management of waste, will be granted where it can be demonstrated that:

1. The proposed development will contribute to meeting shortfalls in waste management capacity as set out in the Council's latest Waste Needs Assessment;
2. Existing safeguarded waste sites cannot accommodate additional capacity;
3. Sufficient regional capacity does not exist to enable the waste concerned to be managed in accordance with the proximity principle;
4. In the case of landfill proposals, it will not result in the diversion of waste to disposal and thereby prevent its management at the highest priority point in the Waste Hierarchy;
5. In the case of "other recovery" proposals, it will not result in the capacity requirements, as specified in the latest Authority Monitoring Report, being exceeded at any point in the Plan period;
6. In the case of Municipal Waste Proposals, the facility is required to meet the objectives of the Council's Municipal Waste Strategy rather than any wider municipal waste requirements.

Supporting information

4.15 The Council must plan for the management of a range of waste including municipal/household waste, commercial/industrial waste, construction/demolition waste, low level radioactive waste, agricultural waste, hazardous waste and wastewater.

4.16 Within Cheshire East facilities exist to manage waste via the following types of facilities:

- inert landfill (now only accepting soils for capping and restoration)
- organic waste treatment
- materials recycling facilities
- waste transfer
- waste recycling
- wastewater treatment facilities

4.17 The solid waste management requirements are broken down into a series of sub-categories, as follows:

- recycling and reuse
- organic waste treatment (inc. composting)
- residual energy recovery
- residual waste: non-hazardous landfill
- inert waste

4.18 The Council's latest WNA (the 2019 Refresh) sets out the expected capacity requirement for each solid waste stream over the plan period and identifies that there is likely to be sufficient existing consented capacity to meet recycling and organic waste treatment requirements. However, there is a predicted shortfall for the plan period to manage residual and inert wastes of some 406,547 tonnes, primarily arising from the need for additional management capacity in the form of energy recovery, non-hazardous landfill and deposit to land. The 2019 WNA anticipates that management could be achieved by exporting waste to neighbouring authorities where sufficient sub-regional capacity currently exists, subject to agreement being reached through Duty to Co-operate discussions.

4.19 Policy WAS 6 'Safeguarding of waste management facilities' safeguards a range of appropriate

existing waste management facilities for local authority collected waste (LACW), commercial and industrial waste (C&I) and construction, demolition and excavation waste (CD&E) that help provide the capacity needed to meet projected waste forecasts. These are listed in Appendix J 'Proposed safeguarded existing waste management facilities (Policy WAS 6)'. The expectation is that applicants should show that there is insufficient capacity in these safeguarded sites before permission will be granted for new waste management capacity. A full list of safeguarded sites can be found in the 2019 WNA, which will be updated in the AMR and in subsequent WNAs.

4.20 The "other recovery" proposals identified in the policy refer to those waste management proposals between recycling and disposal in the Waste Hierarchy and includes: anaerobic digestion; incineration with energy recovery; gasification; and pyrolysis. These produce energy (fuels, heat and power) and materials from waste.

4.21 The policy also seeks to make sure through condition or legal agreement that any additional landfill capacity that is permitted doesn't result in waste being disposed of to landfill that should be managed at a higher level in the Waste Hierarchy. To improve self-sufficiency, the Council will permit suitable proposals for managing municipal waste generated in the Borough to meet its Municipal Waste Strategy objectives.

Policy WAS 3

Spatial strategy for locating waste management facilities

Planning permission for the development of new or extended waste management facilities will be granted where it can be demonstrated that:

1. The proposed development cannot be located in a settlement at a higher level in the Council's Settlement Hierarchy as identified by Local Plan Strategy Policy PG 2;
2. The proposed development cannot be met elsewhere on available land that provides better health impacts (by making sensitive receptor impacts more acceptable) and/or better transport, operational and environmental benefits;
3. The proposed development cannot be met elsewhere on available land at a higher priority in the following hierarchy of land uses/types:

    i. first priority: land with an existing waste management use
    ii. second priority: land with an existing employment or industrial use within the B2 and B8 use classes
    iii. third priority: land/buildings in one of the following categories (no order of preference):

        a. previously developed, contaminated and/or derelict land
        b. existing mineral working and landfill sites where waste material is used in conjunction with restoration, or proposed waste operations are temporary and linked to the completion of the mineral/landfill operation
        c. unused and under-used agricultural and forestry buildings and their curtilages
        d. land forming part of new major development proposals

    iv. fourth priority: other land including greenfield sites in the open countryside and in the Green Belt

Supporting information

4.22 This policy sets an overall approach to the location of new waste management capacity across Cheshire East. It will be for the planning authority as decision maker to give appropriate weight to each locational criterion within the policy when determining an application based on the individual circumstances that apply, particularly if there is any conflict in achieving the dual aims of directing

development up the settlement hierarchy and prioritising certain land uses or types.

4.23 Waste management development should be located close to the source of waste being treated and be easily accessible. Areas that are likely to offer opportunities to achieve this are locations within or close to the borough's larger urban areas as identified through LPS Policy PG 2 'Settlement Hierarchy'.

4.24 Permitted sites currently in waste management use are safeguarded as they make an important contribution to the provision of the capacity needed to manage waste in Cheshire East. The preferred approach of locating new waste development is to make best use of existing facilities, through co-location and, additional development to expand or improve their use.

4.25 Where proposals cannot be located on safeguarded waste management facilities, existing employment or industrial land in B2/B8 uses may be suitable where the impact on any sensitive receptors can be made acceptable. The impact of waste management facilities in terms of vehicle movements, noise, odour and vibration may be similar to activities that arise at existing employment or industrial sites and therefore consideration should be given to such locations where existing uses have a similar profile.

4.26 Other areas potentially suitable for waste management development include previously developed land, sites and areas identified for employment uses, industrial and storage purposes, and redundant agricultural and forestry buildings and their curtilages. Existing uses in these locations often give rise to similar impacts as waste uses and therefore the impact of introducing a waste use is likely to be more acceptable than in locations not developed for such uses.

4.27 The location of waste management facilities can have an important effect on ensuring sustainable outcomes for waste and minimising impact on communities and the environment. Therefore, whilst it is important to make sure that waste development does not conflict with policies related to the protection of the Green Belt and the Open Countryside, there may be circumstances where greenfield sites are the most appropriate and sustainable locations for waste management facilities. To determine the impact new waste management facilities may have on the environment and communities, amenity and health, applicants are expected to submit detailed assessments, using appropriately qualified consultants, that set out the impacts and how such impacts will be addressed[(42)].

4.28 Generally, new build facilities will not be appropriate development in the Green Belt. However, the Council recognises that some waste management facilities are most suited to a rural location, where sufficient distance (at least 250m) from receptors sensitive to noise and odour (such as anaerobic digestion, in-vessel composting, wastewater or open-air organic waste) can be achieved. In some instances, new built facilities may require a Green Belt location to ensure the most sustainable approach to managing waste arising from a particular area. When considering waste development within the Green Belt, the Council will determine applications in accordance with LPS Policy PG 3 'Green Belt' and Policy WAS 4 'Waste management facilities in the Green Belt'.

4.29 Similarly, waste management development in the Open Countryside will not generally be appropriate, however for specific types of waste arising or used in a rural location or where other substantial public interest benefits arise, this type of location may be appropriate providing that there is no unacceptable harm to the environment or communities.

4.30 Waste management development should avoid locations that would have an unacceptable adverse effect on sites of regional and local importance as identified in Policy DM 12 'Protecting land of biodiversity or geological value'.

42 See ¶7, National Planning Policy for Waste, DCLG, 2014. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/364759/141015_National_Planning_Policy_for_Waste.pdf

Policy WAS 4

Waste management facilities in the Green Belt

1. Development of waste management facilities in the Green Belt will be permitted where it can be demonstrated that the development would not form inappropriate development and if it preserves the openness of and does not conflict with the purposes of including land in the Green Belt.
2. Circumstances where waste development may be regarded as not inappropriate include:

    i. where the waste development has a low visual impact (such as open windrow composting);
    ii. where it involves the necessary deposit of inert waste to land to facilitate restoration of a mineral extraction site with extant planning permission;
    iii. where it involves an extension or alteration to an existing waste management facility provided that it does not result in disproportionate additions over and above the size of the original building;
    iv. where it involves the replacement of an existing waste management facility provided the new building is for waste management use and not materially larger than the one it replaces;
    v. where it involves limited infilling or the partial/complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), provided this would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development; or
    vi. where it involves the re-use of buildings provided that the buildings are of permanent and substantial construction.

3. The following considerations may contribute to the very special circumstances that would necessitate the siting of waste management facilities within the Green Belt:

    i. the redevelopment of a waste site (for example landfill) to improve and enhance Green Belt objectives; or
    ii. the absence of any suitable and available alternative sites outside the Green Belt, where this is supported by a comprehensive assessment of potential options and the contribution they can make towards meeting both waste capacity requirements and the achievement of a sustainable waste management network.

Supporting information

4.31 The development of permanent waste facilities is not generally supported in the Green Belt. Where waste development can preserve the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt, it may be regarded as not inappropriate within the Green Belt.

4.32 Waste facilities that include new buildings may be considered inappropriate development in the Green Belt. If the proposed development constitutes inappropriate development, permission will only be granted where very special circumstances can be demonstrated. In this respect, very special circumstances will only exist where the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

4.33 Notwithstanding the above, proposals within the Green Belt must demonstrate that the development is designed in such a manner as to preserve the openness of the Green Belt by reason of its design and scale, nature and location, including appropriate mitigation measures to avoid and/or

minimise potentially adverse effects. In addition, waste development either within or conspicuous from the Green Belt should not result in visual impacts or intrusion (for example by reason of siting, materials or design) that would detract from the openness or character of the Green Belt.

Policy WAS 5

Waste management facilities in the open countryside

1. Waste management proposals will be considered inappropriate development and not permitted in the open countryside unless:

    i. there are no other suitable, higher priority sites in terms of location and land use/type as detailed in Policy WAS 3 'Spatial strategy for locating waste management facilities'; and
    ii. there is a demonstrated need for the proposed waste management capacity (as identified in the latest Waste Needs Assessment) that cannot be met by existing, consented or planned capacity; and
    iii. the proposed development will contribute to achieving targets for recycling, and the diversion of waste away from disposal in a manner that does not prevent management of the waste at the highest point practical in the Waste Hierarchy.

2. Waste management proposals submitted as an exception under criteria 3i, ii and iv of LPS Policy PG 6 'Open Countryside' are expected to meet the criteria identified above.

Supporting information

4.34 Generally, new built facilities will not be appropriate development in the Open Countryside. However, the Council recognises that some waste management facilities are most suited to a rural location, where sufficient distance (at least 250m) from sensitive receptors of noise and odour (such as anaerobic digestion in-vessel composting, wastewater or open-air organic waste) can be achieved. In some instances, new build facilities may require a rural location to ensure the most sustainable approach to managing waste arising from a particular area or use of its products.

4.35 Policy WAS 5 'Waste management facilities in the open countryside' expands on LPS Policy PG 6 'Open Countryside' to set out the approach to be taken to proposals for waste management facilities in rural areas and the countryside. LPS Policy PG 6 'Open Countryside' establishes that development in the open countryside will only be permitted for specific land uses including agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area.

4.36 Waste uses may be considered 'appropriate to a rural area' where they meet the criteria of Policy WAS 5 'Waste management facilities in the open countryside'. Applications for waste uses as exceptions to Policy PG 6 'Open Countryside' will be considered against criteria 3.i, ii and iv of that Policy, and against Policy WAS 5 'Waste Management Facilities in the Open Countryside.

4.37 Applicants should submit information to demonstrate how their proposals will meet an identified waste need and describe how their scheme will contribute to managing waste at the highest point of the Waste Hierarchy.

Policy WAS 6

Safeguarding of waste management facilities

1. Existing and proposed facilities that contribute to the management of any waste stream will be safeguarded from development for other purposes unless it can be demonstrated, using evidence of current and forecast waste needs identified in the latest WNA, that:

    i. it will not prejudice the Council's aim of net self-sufficiency and creating a network of waste management facilities at suitable locations in the Borough to implement the principles of the Waste Hierarchy;
    ii. there are suitable alternative facilities in the vicinity with sufficient available capacity to accommodate the waste management capacity that will be lost, thereby ensuring there is no net loss in the ability to manage identified waste needs;
    iii. there are suitable alternative facilities elsewhere with sufficient available capacity to accommodate the waste management capacity that will be lost, where this is considered the best waste management option and meets the requirements of the proximity principle.

2. Any proposals for new non-waste development that would introduce new sensitive receptors onto land adjoining, adjacent to or in close proximity to a safeguarded waste management facility will only be permitted where it is demonstrated that the development will not prejudice the full potential of the current or future operation of the waste management facility.

Supporting information

4.38 The existing network of waste management sites in Cheshire East are essential to the management of waste in the borough making a vital contribution to the Council's ability to achieve net self-sufficiency through both the direct management of waste within the authority area, and through cooperation with regional operators.

4.39 Cheshire East is a large authority with dispersed settlements ranging from hamlets and villages to larger urban areas such Crewe and Macclesfield. Outside of the urban areas much of the land is rural and agricultural, and as such, is subject to restrictive planning policies related to the Open Countryside and/or the Green Belt[43].

4.40 Therefore, opportunities for the development of new waste management capacity are limited in Cheshire East. The loss of existing or planned waste management sites to other types of development, or the introduction of new development that may place a constraint on management activity and capacity could make the Council's ambition to achieve net self-sufficiency harder to achieve.

4.41 The safeguarding of sites in existing lawful waste use, or with planning permission, will make sure that the need for existing or planned waste management infrastructure is considered when decisions are made on new development in Cheshire East. Safeguarded waste management facilities are shown on the interactive adopted Policies Map and indicate sites in existing waste use, including committed sites that have not been developed, and sites with temporary permissions that contribute to the management of any waste stream. Appendix J 'Proposed safeguarded existing waste management facilities (Policy WAS 6)' lists the safeguarded waste management facilities relevant to this policy. This list will be updated in the AMR to include any new waste management facilities permitted and to remove any existing facilities that are redeveloped as a result of the implementation of this policy.

4.42 Proposals for development within 250m of operational or safeguarded waste sites must make

43 See LPS Policies PG 3 'Green Belt' and PG 6 'Open Countryside'

sure that they do not create unreasonable restrictions on such facilities by virtue of the new proposals. Where such a proposal could have a significant adverse effect on an operational or dormant safeguarded waste site in its vicinity, the applicant shall submit appropriate information to demonstrate that such impacts will not arise or that they can be successfully mitigated. This information may be required, at the discretion of the planning authority, for proposals within 400m of an operational or safeguarded waste site and, in more limited cases, for proposals at a greater distance if it is considered that significant adverse impacts are reasonably likely to arise.

4.43 Some forms of development are unlikely to have a significant impact on safeguarded waste management facilities. Where a proposal is within, or in proximity to a waste management facility, applicants are advised to seek pre-application advice on whether an impact on waste management capacity is likely to arise. The types of development that are unlikely to prevent or constrain the operation of waste management facilities are identified below:

i. applications for householder development;
ii. applications for alterations and extensions to existing buildings and for change of use of existing development, unless intensifying activity on site;
iii. applications for advertisement, listed building or conservation area consent;
iv. applications for reserved matters including subsequent applications after outline consent has been granted;
v. prior notifications such as telecoms, forestry, agriculture and demolition;
vi. Certificates of Lawfulness of Existing Use or Development and Certificates of Lawfulness of Proposed Use or Development; or
vii. applications for works to trees.

Policy WAS 7

Wastewater and sewage treatment facilities

1. Proposals for the management of wastewater and sewage sludge will be permitted provided that new facilities or the extension to existing facilities are accommodated on land with an existing waste management use where transport, operational and environmental benefits can be demonstrated as a consequence of the co-location of waste management facilities.
2. Where this is not feasible in operational terms, proposals for the management of wastewater and sewage sludge will be permitted provided that it is:

    i. necessary to support new development; or
    ii. required to meet environmental standards or regulatory provisions.

3. All proposals will be required to demonstrate that:

    i. there is a need for increased capacity to support sustainable development; and
    ii. the scale of the development is appropriate to managing the identified need; and
    iii. opportunities for the onsite capture and use of biogas are made wherever practicable with excess electricity exported to the national grid.

Supporting information

4.44 There is an established network of wastewater and sewage treatment facilities across Cheshire East that is safeguarded by Policy WAS 6 'Safeguarding of waste management facilities'. The 2017 WNA concluded, following discussions with United Utilities (the sewage undertaker within the Borough) that there is no need to make express provision in the MWP for additional wastewater and associated

sewage sludge in Cheshire East for the period to 2030[44]. As a result of this conclusion, it was not considered necessary to revisit this waste stream in the 2019 WNA. However, this situation will be reviewed as part of the updated WNA that will cover the plan period to 2041.

4.45 As part of their statutory duties sewerage undertakers periodically review and assess the capacity of existing wastewater treatment works (WWTW) in relation to proposals for new development (including housing and employment allocations). Therefore, there may be a future need for further sites to be developed as WWTW. The policy allows for flexibility to meet such needs.

4.46 If new wastewater capacity (including sewage sludge treatment) is required, locational criteria can guide proposals to the most appropriate locations. Such an approach recognises that the location of new or improved facilities depends on the location of new development (for example housing) and on the investment programmes of the sewerage undertaker scrutinised by the water regulator OFWAT.

4.47 Efficient energy recovery can occur at WWTW. When sewage sludge is digested it produces a methane rich biogas that can be burnt to recover energy. This biogas can be used to heat the sewage sludge digesters, and where possible, generate electricity. Where there is excess energy, and the capability to do so, this renewable electricity can be exported to the national grid.

4.48 Depending on its size, a combustion plant at WWTW burning biogas generated from the anaerobic digestion of sewage sludge will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 (as amended) and will be subject to Policy WAS 9 'Sites for energy recovery'.

Policy WAS 8

On-farm anaerobic digestion plants

On-farm anaerobic digestion plants will be permitted where:

1. They are of an appropriate size/capacity to primarily accommodate inputs of material from the farm unit or from other linked farms in the vicinity;
2. The energy and other outputs from the plant are used primarily on the farm unit or the other linked farms in the vicinity;
3. Any additional inputs and outputs required to make the plant viable are from as local an area as possible to achieve the highest sustainable outcome;
4. Proposals are located to avoid the best and most versatile agricultural land.

Supporting information

4.49 Anaerobic digestion (AD) is the microbial breakdown of organic material in the absence of oxygen to yield a methane-rich gas and digested material. These outputs are known as 'biogas' and 'digestate' respectively: biogas can be used as a fuel, digestate is the residue of the organic matter after AD and can be used as organic fertiliser and soil conditioner. The biological process is not dissimilar to that which takes place in a stomach or in a landfill that has received waste containing organic biodegradable materials. Best practice application of AD technology is an effective way of managing on-farm waste and producing renewable energy.

4.50 AD facilities can process biodegradable organic wastes from the agriculture and food industry and other food waste, and the process can have numerous benefits for the agricultural sector including reducing environmental pollution through better waste management, reducing greenhouse gas emissions, producing improved organic fertiliser, reducing outlay on chemical fertilisers and reducing the impacts from these, and the production of renewable energy and heat for on-farm use.

44 Scoping of Management Requirements for 'Other' Waste Generated in Cheshire East, CE WNA 2017 – Supporting Report 5 www.cheshireeast.gov.uk/mwp

4.51 On-farm AD should process waste that primarily arises from the farm unit itself. Therefore, applicants for on-farm AD should provide sufficient information to demonstrate what type of waste will be processed, where it will be drawn from and provide information on whether and to what extent the proposal will rely on waste from outside the farm unit to make the facility viable.

4.52 Applicants will also be required to demonstrate how they have met the criteria of LPS Policy SE 12 'Pollution, Land Contamination and Land Instability' to make sure no significantly harmful effects arise from the proposal; and demonstrate how they have met the criteria of emerging SADPD Policy RUR 2 'Farm diversification'.

Policy WAS 9

Sites for energy recovery

1. Proposals for on-site energy recovery should demonstrate that:
    i. they will not undermine the provision of waste management facilities operating further up the Waste Hierarchy;
    ii. the waste to be treated cannot practically be reused, recycled or processed to recover waste materials;
    iii. they are located in close proximity to the source of waste in order to obtain a reliable and regular supply of feedstock whilst minimising transport emissions;
    iv. they will maximise energy recovery, either by combined heat and power (CHP) or electricity generation;
2. Pre-sorting shall be carried out to make sure that only residual waste is used as a feedstock, and value recovery from by-products of the process should be maximised.
3. Applicants must demonstrate that any residue from the process will be satisfactorily managed and/or made use of.
4. Proposals for biomass plants, anaerobic digesters and other facilities that use waste material to produce heat or CHP should, whenever possible, be located close to existing or potential users of heat.

Supporting information

4.53 Energy/value recovery is used to describe those processes that either directly burn waste to recover energy value or produce a floc that could be used as a fuel. These processes must not be confused with other recycling facilities that recover material value. There are several different technologies that involve some form of energy recovery from waste. Some of these are fairly well established, whilst others are novel, and further technologies continue to emerge. In addition to recovering energy from waste, these processes often create other by-products from the waste that have an intrinsic commercial value, or from which value can be recovered through further treatment. In general, however, they provide a sustainable energy source.

4.54 Mechanical-biological treatment (MBT) involves recovering recyclable materials from waste, then treating the remainder to create a fuel or low activity material for landfill restoration. The organic element is extracted to be treated separately, for example by anaerobic digestion, or by composting

4.55 Mechanical heat treatment (autoclave) works like a pressure cooker, using high temperature steam to sanitise the waste. Items such as glass and cans are cleaned by the process and can be easily sorted out for recycling. The resulting fibrous material can be used as a fuel or in building materials.

4.56 Advanced thermal treatment is the general term for combustion of waste in an oxygen limited environment. It includes the processes of gasification and pyrolysis. Gasification is the heating of waste with air, steam or oxygen to create a gas. The process also creates ash and tar. Pyrolysis

involves the heating of waste to a high temperature in the absence of oxygen. It produces a combustible gas (syngas), a char and a mixture of soils and liquid effluent.

4.57 There are currently no major waste incinerators in Cheshire East. All clinical waste and hazardous waste are taken for incineration to sites outside Cheshire East at Runcorn, Chester and Northwich. Whilst it is municipal waste that tends to be burnt in incinerators, C&I waste could also be managed in this way.

4.58 The Council's Municipal Waste Management Strategy 2030 seeks to eliminate landfill by prioritising recycling, composting and re-use, but recognises that incineration avoids the negative effects of landfill. In achieving a sustainable waste management system, incineration with energy recovery is expected to play a role as part of an integrated local and regional solution. The Municipal Waste Management Strategy 2030 makes clear that where waste cannot be sensibly reused, recycled or composted, using it as a fuel in incinerators should be considered.

4.59 Appropriately sited, designed and managed incineration facilities could help divert waste away from landfill and may help the management of hazardous waste. Applicants must demonstrate that there is a need for such a facility and that the identified need cannot be met locally or in the sub-region. Measures would need to be in place to make sure that most of the waste is pre-sorted to maximise reuse and recycling potential.

4.60 In accordance with emerging SADPD Policy ENV 15 'New development and existing uses', applicants must also demonstrate that there will be no unacceptable adverse effects, especially in terms of noise and odour, on receptors within 250m of the proposal.

Policy WAS 10

Ancillary development at landfill, landraise and open organic waste management sites

Where it is proposed to locate ancillary development at a landfill site, landraise site or open organic waste site, this will be permitted where the environmental effects of the development are demonstrated to be acceptable and the development is removed on cessation of the waste management use unless material considerations support their longer term or permanent retention, and the impact of its retention accord with all other policies of the Local Plan.

Supporting information

4.61 The operation of a waste management facility may require ancillary development. This may take the form of buildings for storage or processing of waste materials. It may also include facilities to meet the day-to-day working needs of waste operators, such as staff welfare facilities and a site control office and weighbridge, as well as facilities necessary for environmental controls such as gas flares and leachate containment ponds.

4.62 Where such facilities are necessary to ensure the safe and smooth operation of the waste facility concerned, they must be subservient to the primary waste management function of the site. Ancillary development is assumed to be a temporary feature of waste management sites and is expected to be removed once the operational phase of the facility is completed.

4.63 The acceptability of the design of such facilities, including materials, scale and location within the site will be assessed against LPS Policy SE 1 'Design' and emerging SADPD Policy GEN 1 'Design Principles'. The design of such facilities should take account of its impact on the landscape and environment.

Policy WAS 11

Deposit of inert waste to land for restoration and land improvement

1. The use of inert waste material to restore mineral and landfill sites will be supported in principle where it is demonstrated that the proposed restoration profiles are required to achieve a satisfactory afteruse for the land.
2. Any other proposals for deposit of inert or organic waste to land will only be permitted where it is demonstrated that:

    i. the waste to be deposited cannot be used more sustainably for re-use, recycling or recovery;
    ii. the deposit of materials would not undermine the provision of waste management facilities operating further up the Waste Hierarchy;
    iii. the deposit of materials will not undermine the restoration of quarries and landfills that require the inert materials for restoration purposes;
    iv. there are no other feasible or practicable alternative means to realise the outcomes to be achieved by the proposed development;
    v. the amount of waste materials used to raise the level of the land is the minimum amount of material necessary;
    vi. in the case of land improvement or remediation projects, sufficient evidence is provided to demonstrate that the proposal will provide a significant improvement to damaged or degraded land and/or provide a greater environmental or agricultural value than the previous land use; and
    vii. it would not raise the level of the land to an unacceptable degree such that it would create an adverse visual impact on the landscape and/or reduce openness of the Green Belt.

3. Proposals for landraising that constitute a waste disposal activity, for its own sake, will not be permitted.

Supporting information

4.64 Disposal is the least preferred option for managing waste and includes landraise and incineration without energy recovery, as well as landfill.

4.65 The term landfill relates to waste disposal mainly below ground level (by filling a void), whereas landraise refers to waste disposal mainly above pre-existing ground levels.

4.66 Proposals for the deposit of inert waste are important for the restoration of former minerals workings. It can facilitate creation of a much more satisfactory landform and afteruse providing a growing medium on sites where soils are very thin or of poor quality.

4.67 Applicants are required to consider how the final restoration profiles will support satisfactory afteruses and make sure the requirements of LPS Policy SE 4 ‘The Landscape’ are met through the submission of a Landscape and Visual Impact Assessment.

5
Development management policies for minerals and waste

5 Development management policies for minerals and waste

5.1 Development management policies help to deliver the vision and objectives of the plan by providing the criteria against which future minerals and waste development will be assessed.

5.2 Applicants are advised to discuss proposals for minerals and waste development with the Council prior to submission of a planning application. Pre-application discussions can help the identification of potential constraints early in the process. Planning applications for minerals and waste development should provide sufficient information to allow a balanced assessment to be made.

5.3 Applicants are also advised to enter into early dialogue with other relevant regulatory bodies as planning applications progress, such as the Environment Agency, to make sure that any potential impacts from the proposed development can be addressed and the appropriate licences or permits can be considered.

Environmental impact assessment

5.4 Minerals and waste development proposals are often major and can have a significant impact on the environment. An Environmental Impact Assessment (EIA) can be required and can be used to identify the likelihood of significant impacts occurring as a result of a development. It considers how the impacts could be mitigated and explores alternative ways in which the development could be carried out. Where EIA is required, the findings of this process must be included in a separate Environmental Statement to be submitted alongside the planning application.

5.5 All minerals and waste planning applications that meet the appropriate thresholds and criteria set out in The Town and Country Planning (Environmental Impact Assessment) Regulations 2017[(45)] will be screened to determine whether an EIA is required. Applicants may also request a formal screening opinion from the Council prior to submitting a planning application. Where an EIA is required, applicants may also request a scoping opinion setting out the issues to be addressed within the Environmental Statement.

Review of mineral permissions

5.6 In accordance with the requirements of the Planning and Compensation Act 1991 and the Environment Act 1995, mineral planning permissions are subject to periodic review. The review process is used to make sure that mineral sites can demonstrate sustainability aspirations and appropriate environmental protection by bringing planning conditions up-to-date where this is appropriate. Review submissions may be subject to EIA in the same way as a planning application. Applicants submitting review schemes should have regard to the requirements of the policies contained in this Plan and make sure that all the environmental issues are satisfactorily identified and addressed.

45 https://www.legislation.gov.uk/uksi/2017/571/contents/made

Policy DM 1

General development management criteria

1. Applications must be accompanied by a thorough evaluation of potential direct and indirect impacts of the proposal. Where unacceptable adverse impacts are identified, measures should be proposed to avoid, reduce or mitigate those impacts. Where unacceptable impacts cannot be avoided satisfactorily, then the proposal will not be permitted. In particular, proposals will be expected to demonstrate that there would not be an unacceptable impact (including temporary, permanent, short-term and long-term impacts, as well as cumulative impacts in combination with other existing or permitted development) on:

    i. local amenity and health (including noise levels, odour, air quality, dust, litter, vermin, light pollution and vibration);
    ii. the water environment, having regard to impacts on the flow and quantity of surface and groundwater, and water quality;
    iii. flood risk both on-site or off-site, as demonstrated by a Flood Risk Assessment, and the capacity of existing drainage systems;
    iv. agricultural land, having regard to safeguarding the long-term potential of best and most versatile agricultural land and conserving soil resources, as well as preventing soil pollution;
    v. aircraft safety due to the risk of bird strike and/or building height and position;
    vi. the safety and capacity of the road and other transport networks;
    vii. the intrinsic quality and character of the landscape, tranquillity and countryside, including any local features that contribute to its local distinctiveness;
    viii. trees, woodlands, hedgerows and biodiversity;
    ix. the openness and purpose of the Green Belt;
    x. Public Open Space, the definitive Public Rights of Way network and outdoor recreation facilities;
    xi. land stability including tips, quarry slopes, backfilled land, and mining subsidence;
    xii. ground contamination and risks of pollution;
    xiii. the natural and geological environment (including internationally, nationally or locally designated sites and irreplaceable habitats);
    xiv. the historic environment, having regard to the significance of designated and non-designated heritage assets and their settings, including archaeological assets and their settings; and
    xv. the character and quality of the area in which the development is situated, through poor design.

2. Where appropriate, enhancement of the environment will be sought, including Public Rights of Way and the green infrastructure network (in accordance with LPS Policy SE 6), the natural, historic and built environment, the surrounding landscape including biodiversity net gain, and creation of recreation opportunities.
3. All proposals for new or relocated waste management capacity will be expected to provide sufficient information on the type and source of the waste being managed, applying the Waste Hierarchy in priority order, including the distance travelled. In assessing proposals for waste management facilities, the Council will have regard to the proximity principal and desirability of managing waste close to its source.

Supporting information

Amenity and Health

5.7 Minerals and waste development can adversely impact on the amenity of local communities including residents, businesses and other land users. Development proposals should aim to make sure that a high standard of amenity is retained and, where possible, increased for all the users that would be reasonably expected to be affected by the proposed development. Factors affecting quality of life may be quantitative (for example those concerning physical and chemical environmental conditions such as air quality, noise, vibration, blasting) or qualitative (for example those concerning amenity, visual impact or intrusion). Adverse impacts may arise as a result of site construction, operation and restoration, as well as from the transportation of minerals and waste.

5.8 The precise level of impacts will vary according to local conditions and the type, scale, and intensity of development proposed. Factors to be considered will include the local topography, the position of the proposed development in relation to other uses and the degree to which any adverse effects can be mitigated. Where necessary, appropriate separation distances or buffer zones between minerals and waste developments and occupied residential property or other sensitive receptors and/or other mitigation measures will be required, as determined on a site-specific, case-by-case basis.

5.9 All planning applications will be expected to be accompanied by sufficient information prepared by a suitably qualified person to enable a thorough assessment of all environmental impacts of the development. The information submitted in support of a planning application should reflect that outlined in the Council validation checklist for minerals and waste[46].

Water Resources and Water Quality

5.10 Cheshire East's water environment is diverse and supports river catchments with many tributaries, water bodies (including lakes and ponds), and man-made surface waters such as reservoirs and canals. The water environment above ground also supports biodiversity, amenity, recreation, transport businesses and community life. Below ground, groundwater provides an important resource, supporting surface watercourses and water bodies. The physical and chemical quality of these resources is important. Surface and groundwater quality and flow can be affected by mineral extraction and waste management facilities, potentially impacting on dependent habitats and species. Mitigation measures will be considered on a site-by-site basis to determine what is required.

Flooding

5.11 Flood risk should be taken fully into account when addressing the potential long term impacts of development on climate change, the environment and existing communities. National policy states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. This sequential risk-based approach has been applied in identifying the allocations set out in the MWP. However, this does not negate the need for development proposals on these sites to include a site-specific flood risk assessment, including consideration of climate change allowances. Requirements for site-specific flood risk assessments and the application of the sequential and exception tests are set out in national policy. National guidance identifies development within flood-risk vulnerability classifications. Sand and gravel working is identified as water-compatible development, with other forms of mineral working and processing identified as less vulnerable. Waste treatment is also identified as less vulnerable, except for landfill and hazardous waste facilities, which are identified as more vulnerable. The restoration of mineral sites may present opportunities to implement flood management measures and reduce flood risk.

Best and Most Versatile Agricultural Land and Soils

5.12 The economic and other benefits associated with best and most versatile (BMV) agricultural

46 https://www.cheshireeast.gov.uk/planning/view_a_planning_application/making_a_planning_application/minerals_development.aspx

land should be considered when locating proposals for minerals and waste development, with the aim of locating development on areas of poorer rather than higher quality land. The expectation is that where development involves the stripping of soils from BMV land (such as for mineral extraction and waste deposit), appropriate soil handling and soil storage arrangements will be required to ensure the long term protection of the soil resource. Restoration and aftercare of BMV sites should make sure that the land is returned to a condition of at least equal (if not greater) quality than existing prior to the development. This will enable the land to retain its longer-term capability and be a high-quality resource for the future. Therefore, proposals for minerals and waste development that are sited on BMV land should include a Soil Handling and Replacement Strategy.

Aircraft Safety

5.13 Minerals and waste developments can pose a risk to aircraft safety due to the hazard of bird strike. The height of buildings including chimneys can also present a hazard. Early consultation with the Airport Operator or National Air Traffic Services Ltd is required so that an assessment can be made of any impacts, including extensions to existing sites or new proposed development, to make sure that they do not pose either an increased hazard or new hazard.

Transport

5.14 The borough includes an extensive road network including the M6 Motorway, which runs north to south through the centre of the borough, and the M56 running east to west to the north. Manchester Airport lies immediately north of the borough. Historic transport routes crisscross the borough in the form of canals, railways and roadways, further enriching the built heritage of the borough and influencing aspects of the townscape and development of towns and villages. Apart from recycled rail ballast movement by rail, the majority of mineral is processed by pipeline or conveyor for onward distribution by road. Waste is moved by road.

Landscape

5.15 The landscape is characterised by the contrast between the extensive flat lowland plain and gently rolling farmland bordered to the west of the borough with the distinctive sandstone ridge, and to the east by the rising Pennine foothills. The landscape is characterised by glacial river valleys with wooded cloughs, unimproved features including mosses, heaths, meres and several designated parkland estates.

Trees hedgerows, woodlands

5.16 In addition to the provisions of LPS Policy SE 5 ‘Trees, Hedgerows and Woodland’, any application for development involving the loss of, or potential threat to, the continued health and life expectancy of trees, hedgerows and woodlands should be accompanied by an arboriculture assessment, details of tree protection measures and proposed replacement tree and hedgerow planting. Any proposals involving the loss of hedgerow may be required to be accompanied by an assessment of the importance of the hedgerow in relation to The Hedgerow Regulations 1997[47].

The Green Belt

5.17 Proposals for mineral extraction within the Green Belt will be supported, provided they preserve the openness of and do not conflict with the purposes of including land within the Green Belt, and where compliant with other relevant MWP policies. These can include any elements of development that are considered integral to extractive operations, for example those associated with access and restoration. Other forms of development, including on-site processing, will be supported where compliant with relevant MWP policies and national policies. Development of waste management facilities in the Green Belt will also be supported, where it can be demonstrated that the development would not constitute inappropriate development and provided it preserves the openness of and does not conflict with the purposes of including land in the Green Belt.

47 https://www.legislation.gov.uk/uksi/1997/1160/contents/made

Land Stability and Ground Contamination

5.18 Mineral and waste development proposals should take account of existing and potential future site stability issues. National policy is clear that, where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. Development on land, which is known or suspected to be contaminated, or for development that could potentially pose a contamination risk must be supported by sufficient information to enable possible contamination risks to be fully assessed and mitigated. Any mitigation measures and monitoring identified as necessary should be implemented in full.

Historic environment

5.19 The borough contains a valued, varied and unique heritage including several cultural and environmental assets with conservation areas, listed buildings, scheduled monuments, registered parks and gardens, registered battlefield, world heritage site and local listings. The historic built environment is complex due, for the most part, by the size and diversity of the area. Some areas are heavily influenced by their geological, landscape and topographical character.

Policy DM 2

Minimising waste during construction and development

1. Proposals for new development will only be permitted if they support the efficient use and recovery of resources throughout the life of the development. To achieve this requirement all new development proposals should be accompanied by either a waste management plan or Circular Economy statement that shows how the following measures have been incorporated:

    i. design principles and construction methods that minimise the use of primary minerals and encourage the use of building materials made from recycled materials;
    ii. construction and demolition methods that minimise waste production, maximise the re-use and recovery of materials (as far as practicable) on-site and minimise off-site disposal; and
    iii. a design and layout that facilitates sustainable waste management by providing appropriate storage and segregation facilities.

2. Proposals for major development should identify measures to support implementation of the Waste Hierarchy during construction and demolition (where applicable), including details on the quantity and type(s) of waste expected to be generated.
3. Proposals should include a soil survey and management plan, as well as detail how the movement and extraction of soils will be minimised during construction.

Supporting information

5.20 Preventing the generation of waste from our community and business operations is a crucial step in transitioning to a more sustainable and efficient approach to resource use and management; this is supported by national policy and reflected in the Waste Hierarchy. The prevention of waste should be carried out in conjunction with increasing the proportion of waste that is re-used, recycled, or composted. The MWP can contribute positively to this through supporting the general promotion of waste prevention, and by specific proposals relating to new development.

5.21 The construction industry in particular produces a considerable amount of waste. This policy sets a requirement for the handling of waste arising from the construction and operation of development to maximise re-use and recovery opportunities and minimise off-site disposal.

5.22 Proposals for major development should set out how waste is to be prevented and measures

taken to drive waste arisings up the Waste Hierarchy to support resource efficiency and recovery, in particular during construction and demolition (where applicable). This should include approximate volumes and types of waste expected to be generated by the proposed development and the measures to be implemented to prevent and minimise waste arisings and subsequent management methods to be employed.

5.23 Soils management is essential to sustaining all natural systems, and impacts across a range of matters including landscape, ecology, forestry, flooding and contaminated land issues. The retention of healthy soil structure is therefore essential and can be aided by minimising hard surfaces on development sites. Applicants should submit a soil survey and soils management plan that sets out the quality and type of soils on site, the impact of development on the soil and how extracted soil will be managed.

Policy DM 3

Plant and buildings

An application for plant and machinery or other associated development will be permitted where it satisfactorily meets all the following criteria:

1. It is designed and located within the site to minimise visual intrusion;
2. It is adequately and harmoniously screened from sensitive locations;
3. It is appropriately finished and coloured to blend into its surroundings;
4. It will be removed from the site at cessation of operations unless material considerations support their longer term or permanent retention and there are overriding advantages in retention in connection with a related proposal, and under these circumstances the impact of the proposal has been assessed beyond the operational life of the site; and
5. The primary use is associated directly with the mineral extracted at the site or a waste management operation being carried out at the site.

Supporting information

5.24 Plant, machinery and other ancillary development all have impacts over and above that of the primary mineral or waste development. Whilst the location of this ancillary development within the facility is generally determined by operational requirements, there is a need to mitigate any adverse visual and amenity impacts and to make sure this ancillary development is acceptable. There is also a need to make sure that the proposed ancillary development is integral and necessary to support the primary operations being carried out on site and is removed from the site at the cessation of those operations, unless there are material considerations that warrant their long-term retention. In such circumstances, the applicant would be expected to demonstrate that there are overriding advantages in retaining this development in connection with a related proposal; and there is a demonstration that the impact of the proposal has been assessed beyond the operational life of the site and such impacts are acceptable in the long term.

Policy DM 4

Restoration and aftercare

1. Minerals and waste development will be required to demonstrate that they have an appropriate phased sequence of working, restoration, afteruse and aftercare that will enable long-term enhancement of the environment.
2. Proposals for restoration and aftercare of mineral and waste sites, including proposals for review of restoration strategies and plans, will be permitted where:

    i. restoration and aftercare schemes are considered to be sufficiently detailed, practicable and achievable within the proposed timescales;
    ii. the land disturbed at any one time by the development would be minimised through a phased approach to working and by implementing restoration at the earliest possible opportunity;
    iii. the amount of any imported backfill would be the minimum necessary to achieve the satisfactory restoration of the site;
    iv. differential settlement of backfill is avoided;
    v. the restoration is appropriate to the location and is sympathetic to and informed by landscape character and the historic environment;
    vi. opportunities for restoration to improve or enhance habitats, and associated ecosystem services to biodiversity, landscape, agricultural land quality, historic environment or community use would be delivered to contribute to the provisions of emerging SADPD Policy ENV 1 'Ecological Network' and LPS Policy SE 6 'Green Infrastructure';
    vii. restoration provides for a net gain in biodiversity in accordance with emerging SADPD Policy ENV 2 'Ecological implementation' and LPS Policy SE 3 'Biodiversity and Geodiversity'.
    viii. flood risk on or off-site would not be increased and opportunities to reduce flooding would be maximised;
    ix. the aftercare provision would be sufficient to secure high quality and sustainable restoration of the site;
    x. where proposals have resulted in the loss of best and most versatile agricultural land, the restoration scheme seeks to restore (to the same or better grade) as much of this best and most versatile agricultural land as practicable;
    xi. existing Public Rights of Way are protected as far as possible and opportunities to enhance Public Rights of Way are maximised where possible (including through improved wheelchair, pushchair and other accessible friendly measures to widen their possible use by all members of society); and
    xii. proposals do not result in any increased risk of aviation bird strike or sufficient mitigation and management is identified as part of the overall restoration and aftercare scheme to reduce this risk.

3. Restoration proposals will be subject to a minimum five-year period of aftercare during which time any monitoring and management identified as necessary by the Council will be carried out; the draft detail of which shall be provided as part of any application and shall be set out in full in an aftercare management plan to be secured by planning condition. Where proposals or elements of proposals, such as features of biodiversity interest, require a longer period of management, the development will only be permitted where an acceptable period of extended aftercare is proposed and secured through a S106 legal agreement, and sufficient provision is made for monitoring and management of the land during that aftercare period as detailed in the aftercare management plan.

Supporting information

Restoration

5.25 It is particularly important that temporary development sites such as quarries and landfill sites are properly restored, and the measures taken to achieve this are appropriate. To facilitate the earliest possible restoration and limit operational impacts, temporary workings should be subject to progressive extraction (where relevant) and restoration. The phased sequence of extraction and/or restoration should be provided at the application stage. The aim should be to achieve phased restoration to minimise the area of land disturbed and the total period of mineral working and/or landfill operations. Phased restoration also helps to gauge the initial success of the restoration scheme by observing which aspects have worked well, as well as identifying which aspects have been less successful.

5.26 The effective restoration of a temporary site will often depend upon the identification and proper management of soil resources, prior to operations taking place, as well as during the restoration and aftercare phases. To establish the quality and quantity of the soil resource the findings of a detailed survey will be required with the application.

5.27 To achieve satisfactory restoration to agricultural or forestry uses, topsoil and subsoil in sufficient quantities are required. In cases where insufficient soils exist on site, the applicant will need to make provision to make sure that adequate soils or soil making materials are available to restore the site satisfactorily. The way soil materials are handled is also a key element of successful restoration, and details of the management of soils, including storage methods, timing and means of soil movements, and machinery to be used will be required.

5.28 Separate stripping and storage of topsoils and subsoils will generally be required to make sure that reinstatement of the soil profile is completed correctly. Where possible the direct replacement of soils should be undertaken, to facilitate the restoration of previously worked areas of the site and prevent unnecessary damage to the soil structure. Soil storage mounds will be subject to controls relating to their positioning, dimensions, treatment and protection to ensure the soil quality is maintained.

5.29 Restoration operations and works to secure the approved afteruse may in some circumstances be subject to delay. To mitigate any environmental impacts and provide some certainty in such circumstances, measures to secure an interim restoration scheme will generally be imposed. Also, where sites undertaking mineral extraction and/or restoration works cease prematurely and the cessation is of a more permanent nature, a derelict landform may result. To safeguard against this the Council will seek to impose controls to secure an alternative restoration scheme. Financial guarantees to ensure the restoration of temporary sites will only be sought in exceptional circumstances.

Aftercare

5.30 Following the final restoration of any land it should be placed in aftercare.

5.31 The statutory minimum time for an aftercare period is 5 years but the Council will seek to negotiate longer periods where this is necessary. The Environment Act 2021 requires the whole of England to be covered by Local Nature Recovery Strategies to enable the delivery of biodiversity net gain. Mineral development and restoration in the 'areas that could become of particular importance for biodiversity' (namely opportunity areas) could help in their delivery. The Environment Act 2021 requires biodiversity net gain to be maintained for at least 30 years. Aftercare measures are required to make sure that the restoration is sustained, and the site is returned to a beneficial use. These measures involve improving the structure, stability and nutrient value of soils, ensuring adequate drainage is available, maintenance of Public Rights of Way, and securing the establishment and management of newly seeded and planted areas together with such other maintenance as may be necessary to bring the land back to its approved afteruse. These provisions are as applicable to small-scale infilling operations as they are to large-scale quarries and will be sought in all cases.

5.32 The restoration of mineral workings and landfill sites provides an opportunity to return land

either to its original use, or an alternative use of benefit to the local or wider community. A wide range of possible options exist for suitable afteruses following the completion of mineral working and waste activities. These include:

- creation or enhancement of biodiversity and geodiversity;
- improvements to the landscape;
- provision of recreational facilities and public open space;
- creation of new woodland, including community woodlands;
- creation of new water environments improved public access, including new public footpaths and bridleways; and
- agriculture and food production.

5.33 The focus of the Council is for this MWP to contribute towards the overall objectives set out in the in the 25 Year Environment Plan (2018) to deliver a Nature Recovery Network providing 500,000ha of additional wildlife habitat (in 25 years - to 2043). Natural England has identified the potential habitats that should be created through mineral site restoration for each National Character Area. A Local Nature Recovery Strategy will be prepared that will identify 'areas that could become of particular importance for biodiversity'. Mineral extraction, restoration and afteruse is likely to provide opportunities for implementation of this through creation of habitats and providing linkages to areas of existing importance.

5.34 Emerging SADPD Policy ENV 1 'Ecological networks' identifies habitats of national and local importance as priorities for conservation and restoration. It is important that the planning process helps to maintain and enhance these wildlife resources. However, restoration options are not mutually exclusive, for example, where sites are restored to agriculture, provision can still be made for biodiversity gains and habitat features that support the ecological network. Indeed, all developments will be required to attain a net gain in biodiversity through the creation of one of the priority habitats set out in the ecological network. For small-scale or predominantly agricultural sites this could be as basic as the provision of increased lengths of hedgerow, creation of a field pond or small, new copses of native broadleaved woodland. It is frequently the small-scale non-mineral related infill operations (less than 10 hectares) where opportunities for biodiversity improvement have been missed and this policy is seeking to improve this situation. The restoration, aftercare and afteruse of minerals sites can deliver very large biodiversity net gain. There may be opportunities for some of the gains achieved at minerals sites to provide biodiversity gain for other developments.

5.35 Sites differ in their characteristics, constraints and opportunities; through geology, topography and historic land uses specific parts of the borough are more suited to certain afteruses. Therefore, it is important that restoration and afteruse is tailored to the site and its surroundings and where possible incorporate the local community's aspirations. Thus, the intent is that sites should prioritise restoration to the priority habitats set out in emerging SADPD Policy ENV 1 'Ecological networks'. It should be noted that this does not prohibit sites within the broad areas creating a range of priority habitats or sites outside of those habitats listed.

5.36 Site afteruse should be guided by Natural England's National Character Areas (NCAs)[48] for the north west. Mineral working and restoration will be a mechanism for implementing biodiversity gain and the Local Nature Recovery Strategy. Linking restored sites with the surrounding landscape also provides the opportunity for enlargement or linking together of existing habitats helping to offset the effects of habitat fragmentation and creating an ecological network. Therefore, the Council will encourage larger blocks of habitat creation, as they deliver greater ecological benefits. Restoration schemes need to be resilient to future climate change impacts. Habitat creation can act as a living carbon sink and well-designed schemes, in appropriate locations, may also offer benefits in terms of provision of climate change mitigation measures such as greater flood storage capacity allied to recreational or biodiversity afteruses. Furthermore, the restoration of mineral sites to habitats can help wildlife adapt to climate change, creating 'stepping stones' and increasing the permeability of the landscape enabling climate change induced range shifts.

48 https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making/national-character-area-profiles

5.37 Restoration can provide opportunities to secure a net gain in accessible geodiversity and address past losses. The restoration of mineral extraction sites offers significant opportunities for accessible geodiversity interest, in particular for educational use. Where restoration could assist or achieve the creation of geodiversity features, thereby improving overall geodiversity levels in the borough, the relevant geodiversity afteruse should be incorporated within the restoration scheme.

Policy DM 5

Transport

1. Proposals for minerals or waste development will be permitted where it is demonstrated that:

    i. transport links are adequate to serve the development or can be improved to an appropriate standard;
    ii. where practicable and viable, the proposal makes use of rail or water for the transportation of materials to and from the site, or the need for road transport can be demonstrated;
    iii. low or zero emission vehicles, under the control of the site operator, are used which, where practicable, use fuels from renewable sources;
    iv. materials are capable of being transported using the Lorry Route Network with minimal use of local roads, as far as reasonably practicable;
    v. vehicle movements associated with the development will not have an unacceptable impact on the capacity of the highway network;
    vi. there is safe and adequate means of access to the highway network and vehicle movements associated with the development will not have an unacceptable adverse impact on the safety of all road users that cannot be satisfactorily mitigated; and
    vii. satisfactory provision is made for vehicle turning and parking, manoeuvring, loading, and, where appropriate, wheel cleaning facilities;

2. A Transport Statement or Transport Assessment will be required if significant levels of traffic are proposed. Where relevant, a Traffic Management Plan should be submitted, which can be referred to in the monitoring of successful applications.
3. Where highway improvements are required to accommodate the proposed development, these will be secured by planning conditions or legal agreements. Such improvements will normally be required to be in place before any operations commence, or in accordance with an agreed timetable for implementation.

Supporting information

5.38 The vehicle movements associated with the development of minerals and waste facilities has the potential to cause significant impacts on the local and Strategic Road Network. This can be through increased traffic volumes, vehicle types and sizes, and from issues such as noise and vibration, dust, debris and structural damage. As vehicles are often travelling over significant distances, impacts are not just confined to the immediate vicinity of the site but may affect roads and settlements located along haulage routes.

5.39 The effects of traffic generated by mineral development should be minimised, particularly impacts on local communities, the environment and the local and Strategic Road Network.

5.40 Road transport can often be the only practical form of access to sites in Cheshire East due to the geography of the borough and limited opportunities for transportation by rail, water-based transportation, pipelines and conveyors. Proposals for development that result in increased traffic levels should demonstrate through a Traffic Management Plan that all options for transporting minerals from the proposed site have been explored. Where non-road forms of transport have been discounted,

the reasons for this should be clearly demonstrated.

5.41 If non-road transport is considered not to be a realistic option, the applicant will be expected to show that measures such as traffic routing, hours of movement and considerate driving will be implemented and monitored through a Transport Management Plan (where required). This will help to minimise the environmental impacts of vehicle movements and supplement/underpin the transport related conditions attached to a planning consent.

5.42 In certain cases, where proposals are otherwise acceptable, the local road network may not be sufficient to cope with the additional volume and type of vehicle movements that would be created by the proposed development. It may therefore be necessary to improve the road network through the widening of carriageways or improvement of junctions and so on. Such improvements can be negotiated and agreed between the local Highway Authority or Highways England as necessary and operators and can be controlled through planning conditions and obligations.

Policy DM 6

Landscape and visual impacts

1. Proposals for minerals and waste development including restoration and afteruses should be designed to conserve and enhance the landscape quality in accordance with LPS Policy SE 4 'The Landscape'. Minerals and waste development close to a settlement should take account of the character and setting of the settlement. Proposals should set out measures for an acceptable separation distance with landscaping and planting that is appropriate to the character of the area and that would be consistent with the proposed afteruse of the site. Where development is considered acceptable, consideration should be given to afteruses that help develop a network of green infrastructure that benefits local communities and wildlife.
2. Proposals for minerals and waste development should make sure operations are appropriately screened from public view to reduce and mitigate adverse visual impact, if required, and would not have an unacceptable impact on visual amenity before, during and on completion of the development. Natural landforms and landscape features should be used to help screen developments as far as practicable. Additional landscape screening in the form of tree or hedgerow planting and/or suitable screen mound formation may be required to reduce visual impacts of the proposal.
3. Where the Council requires a Landscape and Visual Impact Assessment to be undertaken, these should detail the identification of:

    i. landscape character and/or features and its value (including the nature, extent and level of importance);
    ii. key visual receptors, their sensitivity and connection with and contribution to wider networks;
    iii. potential adverse impacts that are likely to arise as a result of the proposed development including (where relevant) both temporary impacts during operation of the site and permanent impacts on completion of the development;
    iv. measures required to avoid and/or minimise potentially adverse impacts to an acceptable level including any requirements for mitigation in advance of the development commencing; and
    v. opportunities to protect and enhance particular features that create a specific aspect of local distinctiveness or character.

4. In accordance with emerging SADPD Policy ENV 5 'Landscaping', a landscaping scheme will be required where appropriate as part of the working and restoration scheme. This should include details of all interim and final landscape planting and details of all maintenance and management arrangements during the aftercare period.

Supporting information

5.43 The nature of mineral extraction is that it will almost inevitably have to take place beyond the existing and planned limits of built-up settlements. Existing and new waste facilities are primarily based in the main urban areas of the borough, however, such facilities may be required or best placed in the countryside where this is consistent with communities taking more responsibility for their own waste, subject to the locational considerations of Policy WAS 3 'Spatial strategy for locating waste management facilities'. Notwithstanding this there may be proposals within urban areas that could affect locally important open spaces, such as common land, village greens, Local Wildlife Sites and recreational land.

5.44 Proposals must be sympathetic to the character and quality of the landscape, including local distinctiveness, and take account of local landscape strategies and any other relevant designations, such as Local Landscape Designation areas.

5.45 Applicants should consider the potential visual impact of their proposals, and design accordingly; this may include appropriate design in keeping with the locality or prior landscaping and planting work. Assessment of any impacts should include consideration of the potential impacts or enhancement of the landscape both during and after working, the duration of any adverse impacts, and mitigation and/or compensatory measures to replace losses and the provision of any long-term asset enhancement through restoration proposals.

5.46 Provided that the proposal meets the requirements of other policies in this plan, the Council will seek to agree appropriate design, screening and other mitigation measures to allow the development to go ahead. Maintenance of landscaping will be normally required for a minimum period of 10 years from implementation of each phase of planting and restoration and be secured by conditions. Criterion 3. iv of Policy DM 6 'Landscape and visual impacts' is particularly relevant to development that may impact on the setting of the Peak District National Park as an asset of national, regional and location importance.

Policy DM 7

Water resources and flood risk

1. Proposals for mineral and waste development will be permitted provided that, both during the operations and on cessation of the development, the development:

    i. does not cause unacceptable adverse impacts on quality, quantity or flow of any water resources;
    ii. does not cause any changes to groundwater and surface water levels that would result in unacceptable adverse impacts on:

        a. adjoining land;
        b. the quality of groundwater resources or potential groundwater resources; and
        c. the potential yield of groundwater resources, river flows or natural habitats;

    iii. does not exacerbate flood risk in areas prone to flooding and elsewhere, both now and in the future and should accord with the requirements of emerging SADPD Policy ENV 16 'Surface water management and flood risk' as informed by a Flood Risk Assessment; and
    iv. where possible protects and enhances the quality of rivers and other watercourses and water bodies (including within built-up areas).

2. All proposals must include measures to ensure the achievement of both no deterioration and improved ecological status of all waterbodies within the site to meet the required ecological status under the relevant River Basin Management Plan.
3. A hydrogeological assessment may be required to demonstrate the effects of the proposed development on the water environment and how these may be mitigated to an acceptable level. This should be carried out by an appropriately qualified person and identify both temporary and permanent impacts, mitigation and any requirements for long term monitoring.

Supporting information

Water Resources

5.47 Minerals and waste development has the potential to affect water quality and pollute groundwater resources. Surface water run-off from hard standing areas, for example, can pollute groundwater resources. So too can the discharge of wastewater from waste management operations, such as composting or recycling plants, if not properly controlled. Leachate from non-hazardous landfill also needs to be carefully controlled.

5.48 Careful consideration needs to be given to the impact of sand and gravel extraction on groundwater resources as the water table is often higher and working normally gives rise to a need for dewatering. Mineral extraction can cause disruption to ground and surface water flows in these circumstances, as can the formation of artificial lakes or the partial filling of a void using inert waste as part of restoration. Dewatering may also impact on local groundwater abstractions and may have an adverse effect on vegetation and nearby watercourses by lowering the water table in the vicinity of workings.

5.49 The cumulative impact of extraction and restoration on groundwater also needs careful consideration in addition to the specific impact of an individual working.

5.50 Proposals close to an area of existing working will need to take account of cumulative impact by considering:

- the nature of the geological deposits in the area;

- the characteristics of the aquifer;
- water balance calculations for operational and restoration phases of working; and
- volumetric flows or levels of local watercourses or other groundwater dependent receptors for operational and restoration phases of working.

5.51 Where significant cumulative impact is envisaged groundwater modelling may need to be undertaken. The Environment Agency can offer appropriate advice on groundwater impact.

5.52 The Environment Agency also has a regulatory function in relation to licensing discharges to the water environment and the abstraction of water. Abstractions that are used for drinking water (including private and unlicensed abstractions) lie in Source Protection Zones 1 and 2 and are subject to a minimum 50 metre and 250 to 500 metre radius protection respectively. When granting planning permission, the Council will consider whether it is necessary to attach appropriate conditions to mitigate any potential harm to groundwater and will liaise with the Environment Agency to make sure these do not conflict with or unnecessarily duplicate other controls.

5.53 Restoration of mineral and waste sites can provide opportunities to enhance the water environment, including through the creation of priority wetland habitat, re-naturalisation of river channels, re-connecting rivers with their floodplains, providing flood storage, retaining sediment, and regulating water quality. All proposals should demonstrate how the operation and restoration of a site will, where appropriate, protect water resources from pollution.

Flood Risk

5.54 Responsibility for flood risk management is divided between the Environment Agency and the Council in its role as the Lead Local Flood Authority (LLFA). The Environment Agency is responsible for taking a strategic overview of the management of all sources of flooding and has specific responsibility for the management of flood risk from main rivers and from the sea.

5.55 The LLFA is responsible for managing the risk of flooding from surface water and groundwater and is responsible for the management of ordinary watercourses (namely small, local watercourses that are not designated as main rivers).

5.56 Development should be directed away from areas at the highest risk of fluvial or surface water flooding. Where development on land at risk of flooding is proposed, its acceptability will be determined through the application of the sequential test (except those sites allocated in the Plan that were subject to the sequential test as part of the Strategic Flood Risk Assessment process) and, if necessary, the exception test.

5.57 Waste treatment (except landfill and hazardous waste facilities) is classified as a 'less vulnerable' form of development with reference to flood risk and is generally appropriate in areas designated as Zone 1 and Zone 2 for fluvial flood risk. Landfill and hazardous waste facilities are classified as 'highly vulnerable' forms of development and are generally only appropriate in areas designated as Zone 1 for fluvial flood risk. Sand and gravel working is classified (in the NPPF Annex 3) as 'Water-compatible' development, which is appropriate in all flood zones. Other minerals working and processing is classified as 'less vulnerable', appropriate in all flood zones apart from 3b where the exception test is required to be applied. On-site flood risk should be reduced through layout and design.

5.58 Development on land identified as being at substantial risk of flooding from surface water or groundwater should be discussed with the LLFA at the earliest possible stage of project development. The purpose of those discussions would be to identify options for the effective management of the likely impact of the proposed development on surface water or groundwater flood risk.

Pollution control and amenity

5.59 Provision for minerals and the effective management of waste must be balanced with the need to protect people and the environment from potential harm. If alternative locations are available, needs should normally be met on land that causes least overall harm to amenity, particularly bearing in mind the need to protect human health. Minerals and waste development often gives rise to concerns about pollution and harm to people and the environment. Planning decisions should make sure that no unacceptable harmful impact results from development and measures can normally be put in place to make sure that development meets appropriate standards.

5.60 Issues such as noise, dust, air quality and vibration should be considered when considering proposals for mineral and waste development. A buffer zone can help to mitigate potential harm from workings. Standard distances for buffer zones between workings and sensitive receptors are not specified as they can lead to unnecessary restriction and in some instances sterilisation of mineral resources; they may also result in inadequate protection measures for affected property. In line with the PPG on Minerals (¶018), the extent of any buffer zone should be decided on a case-by-case basis at the planning application stage.

5.61 The environment is one of the three overarching objectives identified in NPPF. This includes the requirement for planning to contribute to conserving and enhancing the natural, built and historic environment by minimising waste and pollution. Many of the issues raised by mineral development are also relevant to proposals for waste management and in particular concerns about odour, vermin, birds, litter and light pollution may arise; all of which should be addressed as part of any planning application. Proposals for development should also consider the cumulative impact of working on local amenity.

5.62 The Environment Agency operates controls that overlap with the planning process. Planning focuses on the acceptable use of land and the impact of that use and when decisions are made it can be assumed that pollution control regimes will operate effectively to control emissions to air and discharges to water, and so on. An application for an environmental permit can be sought prior to or concurrently with a planning application. This allows for all relevant information to be available at the planning stage and can help avoid unnecessary duplication of controls. Planning conditions should not normally be used to control matters that are normally the subject of an environmental permit.

Policy DM 8

Noise and vibration

1. All mineral and waste development will be expected to demonstrate (through the submission of a noise impact assessment) that all direct, indirect and cumulative noise and vibration impacts arising from the proposal would not result in unacceptable adverse impacts on public health and amenity throughout the lifetime of the development.
2. In accordance with Planning Practice Guidance[(49)], noise attributable to minerals developments shall not exceed the background noise levels, LAeq 1 hour (free field) by more than 10dB(A) at noise sensitive properties during normal working hours (07:00 to 19:00), subject to:

    i. a maximum of 55dB(A) LAeq 1 hour (free field) during weekday daytime (07:00 to 19:00)
    ii. a maximum of 55dB(A) LAeq 1 hour (free field) during Saturday daytime (07:00 to 13:00)
    iii. a maximum of 55dB(A) LAeq 1 hour (free field) during evening (19:00 to 22:00)
    iv. a maximum of 42dB(A) LAeq 1 hour (free field) during night time (22:00 to 07:00)

3. Sunday, Public/Bank holiday and night-time working near to noise sensitive properties or receptors should be avoided where practicable. Developments that are required to operate at these times shall provide extensive noise mitigation measures and, when operational, shall proactively seek to minimise noise throughout the life of the development, based on the findings of comprehensive environmental noise monitoring. A limit of 42dB (A) LAeq 1 hour (free field) shall apply.
4. Where relevant, a site-specific impact assessment may be required to determine existing/ambient levels, identify potential impacts and appropriate avoidance and/or mitigation measures to be implemented. Where applicable, a site management and monitoring plan should be developed to ensure the implementation and maintenance of mitigation measures throughout operations. Applicants should liaise with appropriate personnel within the Environment Agency and the Council's Environmental Protection Team prior to the submission of a planning application to establish the scope of any assessments required.

Supporting information

5.63 Minerals and waste development can result in adverse impacts on amenity by virtue of scale, appearance, type and intensity. Amenity refers to residents' expectations for enjoyment of their surroundings and amenity considerations can cover a range of issues including noise and vibration and can extend to perceptions of the possible effects of development on health.

5.64 Such impacts need to be managed effectively if the development is to be considered acceptable. The potential impacts of noise and vibration should be addressed for each stage of the development including any demolition and site restoration activities, and in terms of the vehicle movements generated by all phases of the development.

5.65 It is recognised that some temporary activities, including soil stripping, construction and removal of soil storage and baffle mounds, aspects of road construction and maintenance can present particular noise impacts. For such activities, increased temporary weekday daytime noise level limits should not exceed 70dB(A) LAeq 1 hour (free field) for periods of up to 8 weeks in a year at specified noise sensitive properties. Operators will be expected to make every effort to deliver temporary works at a lower level of noise impact. The NPPF 2021 (¶210g) recognises that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction.

49 PPG: Minerals (2014) Reference ID: 27-021-20140306 https://www.gov.uk/guidance/minerals

5.66 Where tonal noise and/or peak and impulsive noise would contribute significantly to total site noise, separate limits will be required independent of the background noise levels and may include Lmax in specific octave or third octave bands and will not be allowed to occur regularly at night.

5.67 A noise impact assessment would be required to determine existing/ambient levels, identify potential temporary and permanent direct and indirect impacts, along with cumulative impacts and appropriate avoidance and/or mitigation measures to be implemented. The noise assessment shall identify all embedded and residual mitigation requirements and requirements for any long-term monitoring and shall demonstrate that there are no impacts on nearby sensitive receptors or adjacent land uses.

Policy DM 9

Air quality: dust and odour

1. Proposals for new minerals and waste development, and for the expansion of existing operations, will only be permitted where the applicant can demonstrate that the proposed development will not have an unacceptable adverse impact on amenity, human health, air quality and the natural and historic environment, with regard to dust, odour, bioaerosols and other emissions (including no detrimental impact on the AQMAs). All emissions should be controlled, mitigated or removed at source and should not have a significant detrimental impact on residential amenity or human health.
2. Where relevant, a site-specific impact assessment may be required to determine existing/ambient levels, identify potential impacts and appropriate avoidance and/or mitigation measures to be implemented. Where applicable, a site management and monitoring plan should be developed to ensure the implementation and maintenance of mitigation measures throughout operations. Applicants should liaise with appropriate personnel within the Environment Agency and the Council's Environmental Protection Team prior to the submission of a planning application to establish the scope of any assessments required.

Supporting information

5.68 The release of fumes and other emissions to air, including bioaerosols, from some types of minerals and waste development could be, or perceived to be, a source of adverse impact on human health and amenity. Odour arising from some types of waste management activities can give rise to impacts on the amenity and wellbeing of communities, and dust arising from any phase of development can also be a source of nuisance for communities.

5.69 For proposals that would be likely to adversely impact air quality through emissions of pollutants or particulate matter, including as a result of traffic generation, the developer should provide an assessment of the impact on surrounding sensitive receptors. Assessments should make use of appropriate methodologies and definitions of significance.

5.70 Issues to be addressed include emissions to air of pollutants (such as oxides of nitrogen or particulates) arising from site preparation, operation, and where relevant, decommissioning and restoration, and from related traffic. Any assessment should identify the controls, mitigation measures and monitoring arrangements that would be applied to avoid adverse impacts. The potential for development to impact on designations including Air Quality Management Areas should also be addressed.

5.71 Where necessary an air quality assessment should include an assessment of odour emissions from the proposal and may require the preparation of an odour management plan. Emissions arising because of waste management processes may also be subject to control under other regulatory regimes, including the Environmental Permit regime, and close liaison with the Environment Agency is required prior to submitting an application to inform the preparation of any air quality assessment and odour management plan.

Policy DM 10

Other amenity impacts

Minerals and waste development will be permitted where it can be demonstrated that they are unlikely to generate unacceptable adverse impacts from illumination, litter and pests, or other harm to the qualities of life and wellbeing of communities and the environment. Planning applications should provide sufficient information to identify how these impacts will be minimised and managed throughout the lifetime of the development. Illumination levels and siting and design of lighting should be designed to make sure there are no significant adverse impacts on residential amenity, wildlife or highway safety, whilst allowing safe operation of activities on site.

Supporting information

5.72 All proposals for minerals and waste development will need to show that suitable consideration has been given to the impacts of the development on the quality of life and wellbeing of communities and the environment. Significant adverse impacts should be identified and mitigated against. Developers should consider the potential for the use of artificial lighting to give rise to adverse impacts on local amenity and should aim to minimise the incidence of light pollution, glare and sky glow.

Policy DM 11

Historic environment

1. Planning permission will be granted for minerals and waste development where it can be demonstrated that heritage assets will be conserved in a manner appropriate to their significance and (where possible) the historic environment is enhanced.
2. All development proposals that would directly affect any heritage asset and/or its setting (designated or non-designated) must be accompanied by a Heritage Statement that will be expected to identify the:

    i. nature, extent and significance of the asset(s) and their setting;
    ii. potential adverse impacts that are likely to arise, specifically identifying where substantial harm or loss of significance is likely to occur, as result of the proposed development;
    iii. measures required to avoid and/or minimise potentially adverse impacts to an acceptable level;
    iv. the requirement for a programme of post-permission works including any mitigation measures and long-term monitoring; and
    v. opportunities for the enhancement of the historic environment (where possible).

3. Proposals located within the Jodrell Bank Observatory Consultation Zone may be required to submit sufficient information (such as electromagnetic interference attenuation calculations) to establish the interference levels that the proposal would have to comply with to protect the efficiency of the telescopes. An Electromagnetic Interference Management Scheme may be required to be implemented and maintained for the duration of the development.

Supporting Information

5.73 Mineral extraction, by its nature, has the potential to have adverse impacts on the historic environment, particularly archaeological interests. However, it is acknowledged that both minerals and waste development also have the potential to affect different types of heritage assets and their setting.

5.74 To establish the presence and significance of heritage assets (both designated and undesignated) and their setting, and the elements that contribute towards significance, proposals for minerals and waste development should include a phased assessment involving a desk-based assessment, walk over survey and field evaluations (as appropriate). The field evaluation would normally include an archaeological geophysical survey and targeted trial trenching to ground truth[(50)] the results. This is particularly important in the case of archaeology, where assets may not be identified until the process of assessment or evaluation has begun. The assessment should also set out measures to ensure careful management of assets as well as measures required to avoid and/or minimise potentially adverse impacts to acceptable levels (and appropriate to their significance) including the requirement for a programme of post-permission works and opportunities for conservation and enhancement. Opportunities could include incorporating specific features into landscaping or restoration schemes to reinforce our connection with the historic environment and contribute to a sense of place.

5.75 LPS Policy SE 14 'Jodrell Bank' sets out the requirements for development in proximity to the observatory. Emerging SADPD Policy HER 9 'World Heritage Site' provides further information on these requirements. Jodrell Bank Observatory will be consulted on applications within the Jodrell Bank Observatory Consultation Zone and applicants may be required to submit a Radio Interference Assessment (RIA) and a mitigation plan to demonstrate that proposals do not impair the efficiency of the telescopes or have an adverse impact on the historic environment and visual landscape setting of the Jodrell Bank Radio Telescope. A range of factors will be relevant when considering whether a RIA is required including scale and type of development, location in proximity to the telescopes, and site layout and topography.

Policy DM 12

Protecting land of biodiversity or geological value

Planning permission will not be granted for minerals or waste development that would have an unacceptable adverse impact on the character, appearance, ecological, geological, landscape or amenity value of land of biodiversity or geological value, including:

1. Core areas of the ecological network
2. Potential Special Protection Areas, candidate Special Areas of Conservation or proposed Ramsar sites
3. Local Geological Sites
4. Local Landscape Designation areas
5. Trees and woodlands
6. Country parks, local green spaces, village greens and other areas of open space
7. Conservation areas and locally listed buildings (including their setting);
8. Strategic and local green gaps;
9. Land or buildings in sport, recreational or tourism use;
10. Land that is of regional or local importance for wildlife corridors or for the conservation of biodiversity;
11. Local Nature Recovery Strategy and Nature Recovery Network

unless it can be demonstrated that there is an overriding need for the development and any impacts can be satisfactorily mitigated or compensated for, such that there is a net gain or improvement to their condition.

50 'Ground truthing': a technique used to prove or refute the accuracy or other data by means of direct or (in situ) observation'

Supporting information

5.76 Regionally and locally important sites are designated in recognition of their significance at the local and/or regional level. The level of protection afforded to such sites reflects their significance to the fabric of the local natural, historical and built environment, as well as the important role that they can provide as local community facilities. These sites include core areas identified in the ecological network[51] consisting of:

- Special Areas of Conservation;
- Special Protection Areas;
- Ramsar sites;
- Sites of Special Scientific Interest;
- National Nature Reserves;
- Local Nature Reserves;
- (non statutory) Local Wildlife Sites; and
- UK priority habitats.

5.77 These sites also include Local Geological Sites, Country Parks, conservation areas, protected woodlands, open space within built-up areas, Green Gaps (including those identified in neighbourhood plans), land or buildings for recreational use and sites identified and protected in neighbourhood plans.

5.78 Whilst minerals and waste development that would have damaging effects on these sites should not be allowed, there may be measures that can be put in place to prevent the harm occurring, and in some circumstances, there may be other material factors that are sufficient to override preservation of the features. Where adverse effects cannot be avoided, provision for the creation of new and/or enhancement of the existing areas of interest may be required in compensation.

Policy DM 13

Land stability and subsidence

1. Proposals for mineral and waste development will be permitted if it can be demonstrated (including through submission of a land and slope stability risk assessment where appropriate) that they will not have an unacceptable adverse impact on the stability or safety of surrounding land, buildings and watercourses, both during and following cessation of operations.
2. Proposals for new or extended mineral extraction, or proposals for the placement of waste on land, will be required to contain an appraisal of slope stability carried out by a suitably qualified person.
3. Proposals under criterion 1. and 2. of Policy DM 13 'Land stability and subsidence' should identify and assess the significance of any potential hazard to people, property and environmental assets, and identify any features that could adversely affect the stability of the minerals or waste mass. As well as considering the land stability implications of the operational stages of the development, the appraisal should address the site's stability following restoration, including the suitability of the site for the intended afteruse and, where relevant, the differential settlement of materials that may be used to backfill the site.

Supporting information

5.79 National policy and guidance states that tip and quarry slope stability is an issue to consider for mineral development, and that the planning system works alongside several other regimes to consider this issue. Similarly land stability and subsidence is a factor to consider in relation to landfill

51 Emerging SADPD Policy ENV 1 'Ecological network'

and landraise proposals.

5.80 Whilst the Quarries Regulations 1999 place a duty on the site operator to ensure the safety of quarry excavations and tips and, once abandoned, that the quarry is left in a safe condition, and there is a recognition that the MPA should not duplicate the role of the bodies responsible for monitoring and enforcing these regulations, slope stability needs to be considered at the time of the making a decision.

Policy DM 14

Community liaison

Proposals for minerals and waste development will be permitted provided that, where necessary, a site liaison group is established by the operator to address issues arising throughout the period of working and restoration of the site.

Supporting information

5.81 Community liaison committees provide a forum for site issues to be discussed. Some existing mineral extraction and landfill sites in the Plan area have liaison groups to assist communication between operators and the local community. National policy encourages preapplication discussion and proactive working[52].

Policy DM 15

Cumulative impact

Proposals for minerals development and waste development, including the intensification of use, will be permitted provided that an unacceptable adverse level of disturbance to the environment and/or to residents, businesses and visitors will not result, either individually or as a cumulative effect (simultaneously and/or successively), alongside other existing development and planned allocations. Planning conditions may be used to co-ordinate working, thereby reducing the cumulative impact.

Supporting Information

5.82 The cumulative impact of several minerals and/or waste management operations either on one site or in close proximity to each other may be a factor that needs to be assessed, as well as the effects of these types of developments in conjunction with other developments in an area.

5.83 It is important to consider the suitability of granting permission for sites that would be in close proximity to other minerals or waste sites. Proposals for simultaneous and/or successive operations at several sites in a wider area of commercially viable deposits may impact on the amenity of communities and localities over an extended period, depending on the nature, age and size of the site(s). Such cumulative impacts can occur in several ways:

- the cumulative impact of a number of separate effects from a single site;
- the cumulative effects from two or more active sites, including sites being restored or used for waste;

52 https://www.cheshireeast.gov.uk/pdf/planning/spatial-planning/sci-2022.pdf

- the combined effect on the landscape and ecology from the working, re-working and restoration of several sites; or
- the cumulative impact on the quality of life of local communities from a relatively unbroken sequence of working and restoration.

5.84 Adverse cumulative impacts could include increased levels of noise, vibration, dust, odour and artificial lighting. The local highway network could also be affected by increased HGV movements with additional hazards related to road safety.

Policy DM 16

Safeguarded aerodromes

1. Minerals and waste development within aerodrome safeguarding zones will only be permitted where it can be clearly demonstrated that it will not result in any unacceptable adverse impacts on aviation safety.
2. Where bird strike is identified as a potential hazard, then the preparation and implementation of an approved Bird Management Plan may be required.

Supporting Information

5.85 Minerals and waste development proposals located close to aerodromes, airports or their flight path can be potential hazards to aircraft safety. A common risk from mineral and waste developments is where they are likely to attract birds, which could increase the risk of bird strike. Risks to aviation safety from site restoration proposals in particular are not only associated with water-based habitat types, for example some bird species associated with bird strike can be found on agricultural land or operational landfill schemes. This policy does not preclude any specific forms of restoration or afteruse but seeks to make sure that aviation safety is fully considered and addressed through appropriate consultation, avoidance and mitigation.

5.86 The aerodrome safeguarding zones for safeguarded aerodromes are defined on safeguarding maps authorised by the Civil Aviation Authority and issued by the aerodrome safeguarding authority/airport licence holder. Their purpose is to define certain types of development that require prior consultation with the safeguarding authority or National Air Traffic Services Ltd in order for them to assess the implications of these developments for the safe operation of aircraft using the airport and its airspace.

5.87 Government advice in OPDM Circular 1/2003 'Advice to Local Planning Authorities on Safeguarding Aerodromes and Military Explosives Storage Areas' sets out the detailed guidance on how safe and efficient operations can be secured.

Policy DM 17

Sustainable use of soils

Minerals and waste development that has an unacceptable adverse impact on agricultural land classified as 'best and most versatile' (Grades 1, 2 and 3a) will only be permitted where it can be shown that:

1. There is an overriding need for the facility;
2. There is no suitable alternative site of lower agricultural quality that provides the same benefits in terms of sustainability; and
3. In the case of temporary uses, the land could be restored to its previous agricultural quality or better, or another beneficial afteruse can be secured that outweighs any loss.

Supporting Information

5.88 Where development would affect best and most versatile agricultural land the long-term impact on soil resources, agricultural land quality and farming, and other established rural land uses will be considered. This assessment should be informed by a soil and land quality survey and a soil handling and replacement strategy, where appropriate. The approach to the long-term protection of best and most versatile soils could potentially allow for the movement of such soils off-site to be used on lower quality agricultural land, for example, where mineral extraction is below the water table and wetland habitat would be the most appropriate restoration option. Biodiversity-led restoration also provides an opportunity to protect soils, enabling habitat creation in addition to soil conservation for future agricultural needs.

Policy DM 18

Public rights of way

Planning permission will be granted for minerals and waste development where it is demonstrated that the proposal would not lead to the loss or degradation of a Public Right of Way (such as a footpath, cycleway or bridleway) or a permissive path (such as a canal towpath). Where disruption of a right of way is unavoidable, convenient and safe diversion or the creation of an alternative route (both during operations and following restoration of the site) will be required, which should provide clear and demonstrable benefits for the wider community. The opportunity should be taken, wherever possible, to make provision for appropriate, improved access to the Public Right of Way network that contributes positively to:

1. The Cheshire East Cycling Strategy;
2. The Cheshire East Rights of Way Improvement Plan Strategy and Implementation Plans; and
3. The walking, cycling and public transport objectives of the Cheshire East Local Transport Plan.

Supporting information

5.89 National planning policy highlights that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. It also says that planning policies should protect and enhance Public Rights of Way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks, including national trails. Maximising sustainable transport opportunities supports active lifestyles, well-being and, therefore, good health. The diversion or stopping up of a

public footpath, bridleway or other public road in association with a planning application must be considered before the granting of planning permission.

6
Monitoring and implementation

6 Monitoring and implementation

6.1 A monitoring framework (MWP MF) has been developed, set out in Table 6.2 'MWP monitoring framework', to effectively monitor the policies of the MWP. It lists the core monitoring indicators that will appear in the council's yearly Authority Monitoring Report (AMR) in relation to policies set out in the MWP and adds to the monitoring framework contained in Table 16.1 of the LPS and the Inspector's recommended Main Modification [MM72] (Table 13.1) to the Revised Publication Draft SADPD (emerging SADPD).

6.2 The relevant minerals and waste indictors contained in the LPS and emerging SADPD monitoring frameworks are set out in Table 6.1 'LPS and emerging SADPD indicators relevant to the MWP'. As LPS Policies SE 10 'Sustainable Provision of Minerals' and SE 11 'Sustainable Management of Waste' are proposed to be deleted and replaced with Policies in this MWP the indicators in the LPS monitoring framework that relate to these Policies are proposed to be deleted also (MF11 Mineral provision and landbanks and MF16 Waste arisings and the amounts of waste recycled, recovered or going for disposal) and therefore do not appear in the table.

Table 6.1 LPS and emerging SADPD indicators relevant to the MWP

Indicator no.	Monitoring framework	Indicator
MF14	LPS MF	Creation and loss of areas designated for their intrinsic environmental value including sites of international, national, regional, sub-regional or local significance
MF15	LPS MF	Listed Buildings at risk of loss
MF31	Emerging SADPD MF	Number of designated heritage assets
MF33	Emerging SADPD MF	Number of planning applications approved contrary to EA[1] advice on water quality grounds
MF34	Emerging SADPD MF	Number of planning applications approved contrary to EA advice on flood risk
MF35	Emerging SADPD MF	Ecological and chemical river quality
MF36	Emerging SADPD MF	Highest, lowest and average air quality in Air Quality Management Areas

1. Environment Agency

6.3 The Council also publishes a LAA[53] every year through the NW AWP, which identifies the need for aggregates and highlights any shortfalls. As a result indicators in the LAA are not being identified in the MWP MF unless the Council feel there is a need to supplement what the LAA is doing.

6.4 The MWP MF includes, where appropriate, targets to be achieved, triggers and proposed actions. Where it would appear through monitoring that targets are not being met, it may be necessary to:

- review the policies in the MWP[54] to see if they need to be amended to deliver the Objectives of the MWP

53 Available at www.cheshireeast.gov.uk/mwp

54 The NPPF (2021) paragraph 33 states 'Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and then should be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require early review if local housing need is expected to change significantly in the near future.'

- consider alternative strategies
- take appropriate management action to remedy the cause of under-performance

6.5 The need to update policies or take appropriate management action will consider evidence on likely future delivery, for example information on granting of planning permissions and feedback from developers on the prospects for the implementation of schemes. Any recommended actions will be set out in the AMR.

Table 6.2 MWP monitoring framework

Indicator no.	Indicator	Target	Trigger[1]	Proposed action for target not being met
MF37	Number of proposals permitted in a Mineral Safeguarded Area that resulted in mineral resource sterilisation.	No sterilisation of safeguarded minerals resources	Planning application approved contrary to Policy MIN 1 'Mineral safeguarding areas'.	Review reasons for decision. Consider as part of five-year plan review if necessary.
MF38	Number of proposals permitted that impact on the protection of mineral sites, and transport or processing infrastructure.	No permissions impacting on protected minerals sites, and transport or processing infrastructure	Planning application approved contrary to Policy MIN 2 'Safeguarding mineral supply sites and infrastructure'.	Review reasons for decision. Consider as part of five-year plan review if necessary.
MF39	Stock of permitted non-aggregate (silica) sand reserves	Achieving at least 10-year stock of permitted non-aggregate (silica) sand reserves at each existing site.	Not achieving the target	Review reasons for decision. Consider as part of five-year plan review if necessary.
MF40	Location of new non-aggregate (silica) sand development	Majority of permissions in first or second priority locations in accordance with the hierarchy of resource delivery.	Majority of permissions in third or fourth priority locations within the hierarchy of resource delivery	Review reasons for decision. Consider as part of five-year plan review if necessary.
MF41	Aggregate (construction) sand landbank	Achieving at least 7-year aggregate (construction) sand landbank across the MWP area.	Not achieving the target.	Review reasons for decision. Consider as part of five-year plan review if necessary.
MF42	Location of new aggregate (construction) sand development	Majority of permissions in first or second priority locations in accordance with the hierarchy of resource delivery.	Majority of permissions in third priority location within the hierarchy of resource delivery	Review reasons for decision. Consider as part of five-year plan review if necessary.
MF43	Progress in meeting unmet sand needs through allocations and areas of search	For allocated sites to come forward and other proposals to be located in the areas of search identified	Allocated sites not progressing in a timely manner and other proposals coming from outside of areas of search	Liaise with mineral operators regarding lack of progress on allocated sites. Consider as part of five-year plan review if necessary.
MF44	Non-aggregate sandstone (rock)	Maintaining a supply of non-aggregate	Significant change in the amount of	Consider as part of five-year plan review if

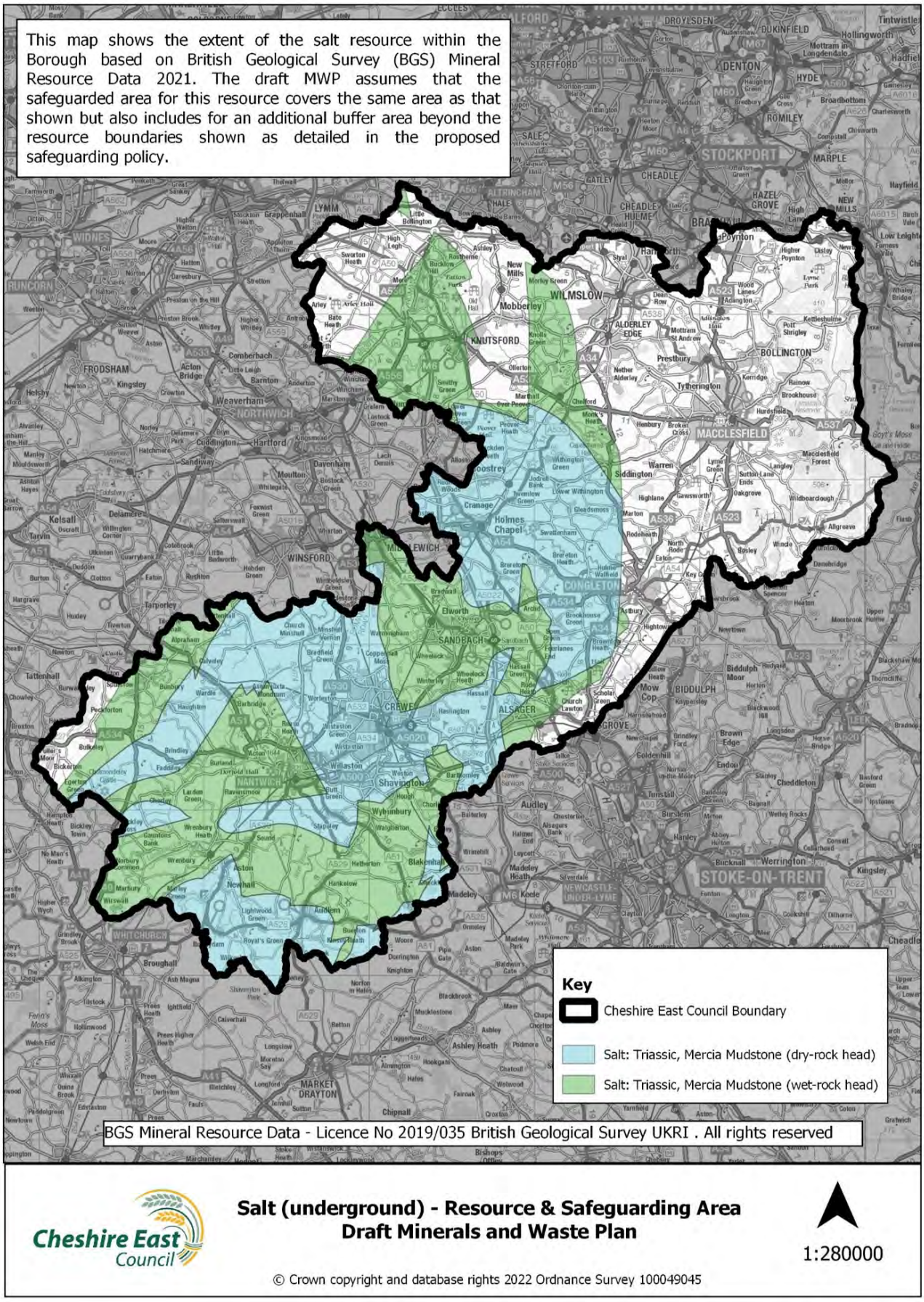
Indicator no.	Indicator	Target	Trigger[1]	Proposed action for target not being met
	sales	sandstone (rock) reserve, equivalent to at least 20 years sales.	non-aggregate sandstone (rock) sold, over a five-year period based on average sales	necessary.
MF45	Location of any additional salt reserves	Locate additional salt reserves on the preferred areas of extension located in Policy MIN 8 'Provision for salt extraction'	The granting of permission for new salt reserves that are located outside of the preferred areas of extension identified by sites MIN 8.1 and MIN 8.2	Review reasons for decision. Consider the future of sites MIN 8.1 and MIN 8.2 as part of five-year plan review if necessary.
MF46	Creation of salt cavities for storage purposes	Prevent cavities being created purely for storage purposes where best use isn't made of the extracted salt	Cavities being created purely for storage purposes where best use isn't made of the extracted salt	Review reasons for decision. Consider as part of five-year plan review if necessary.
MF47	Waste management capacity	Meet the shortfalls in waste management capacity identified in the current waste needs assessment	The shortfalls in waste management capacity identified in the current waste needs assessment not being met	Consider as part of five-year plan review if necessary.
MF48	Location of new waste management facilities by settlement hierarchy	Majority of permission located in accordance with the settlement hierarchy	Majority of permissions in LSCs and OSRA.	Review reasons for decision. Consider as part of five-year plan review if necessary.
MF49	Location of new waste management facilities by land use/type	Majority of permissions in first or second priority locations in accordance with the hierarchy of land uses.	Majority of permissions in third or fourth priority locations within the hierarchy of land uses.	Review reasons for decision. Consider as part of five-year plan review if necessary.
MF50	Number of proposals permitted that impact on the protection of waste management facilities.	No permissions impacting on identified safeguarded waste management facilities	Planning application approved contrary to Policy WAS 6 'Safeguarding of waste management facilities'.	Review reasons for decision. Consider as part of five-year plan review if necessary.
MF51	Locally important buildings lost	No loss of locally important buildings	Loss of locally important buildings	Review reasons for decision. Consider as part of five-year plan review if necessary.

1. 51% is considered to be a majority. To indicate a trend (or change in trend), and hence to determine persistency, there needs to be at least five years of an increase/decrease in figures

Appendices

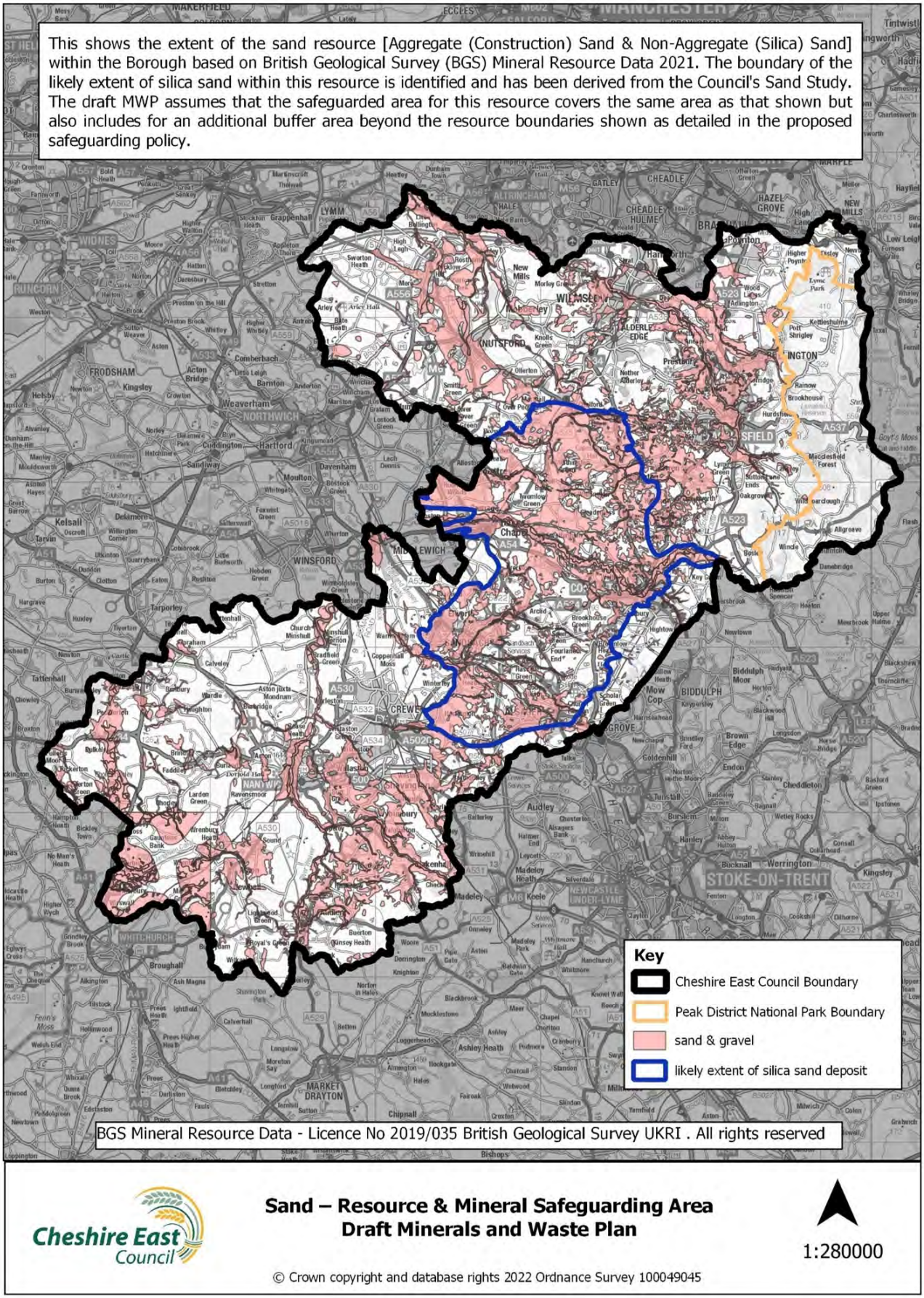
Appendix A Salt resource/proposed safeguarding map

Figure A.1 Salt (underground) - resource & safeguarding area



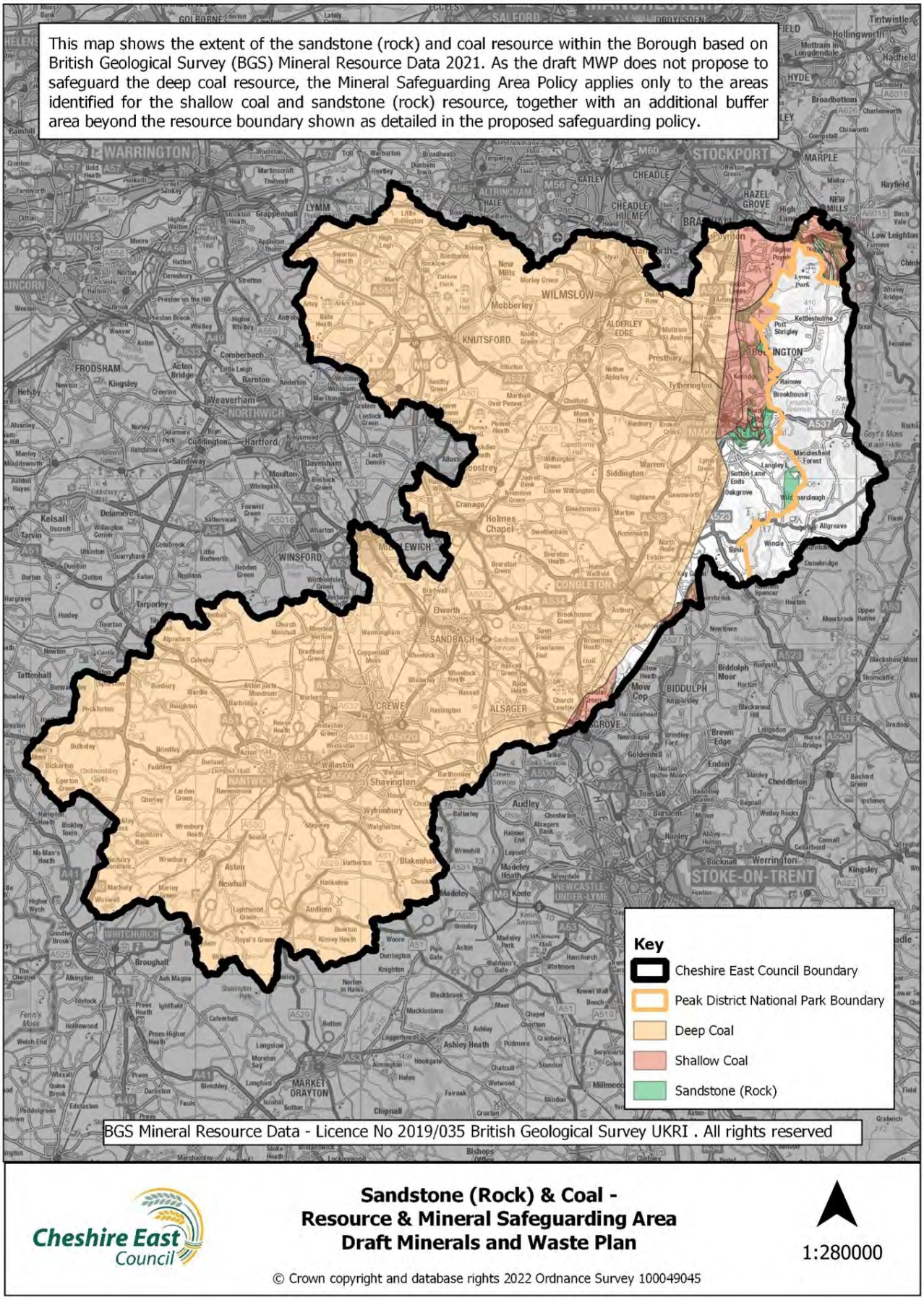
Appendix B Sand resource/proposed safeguarding map

Figure B.1 Sand - resource & mineral safeguarding area



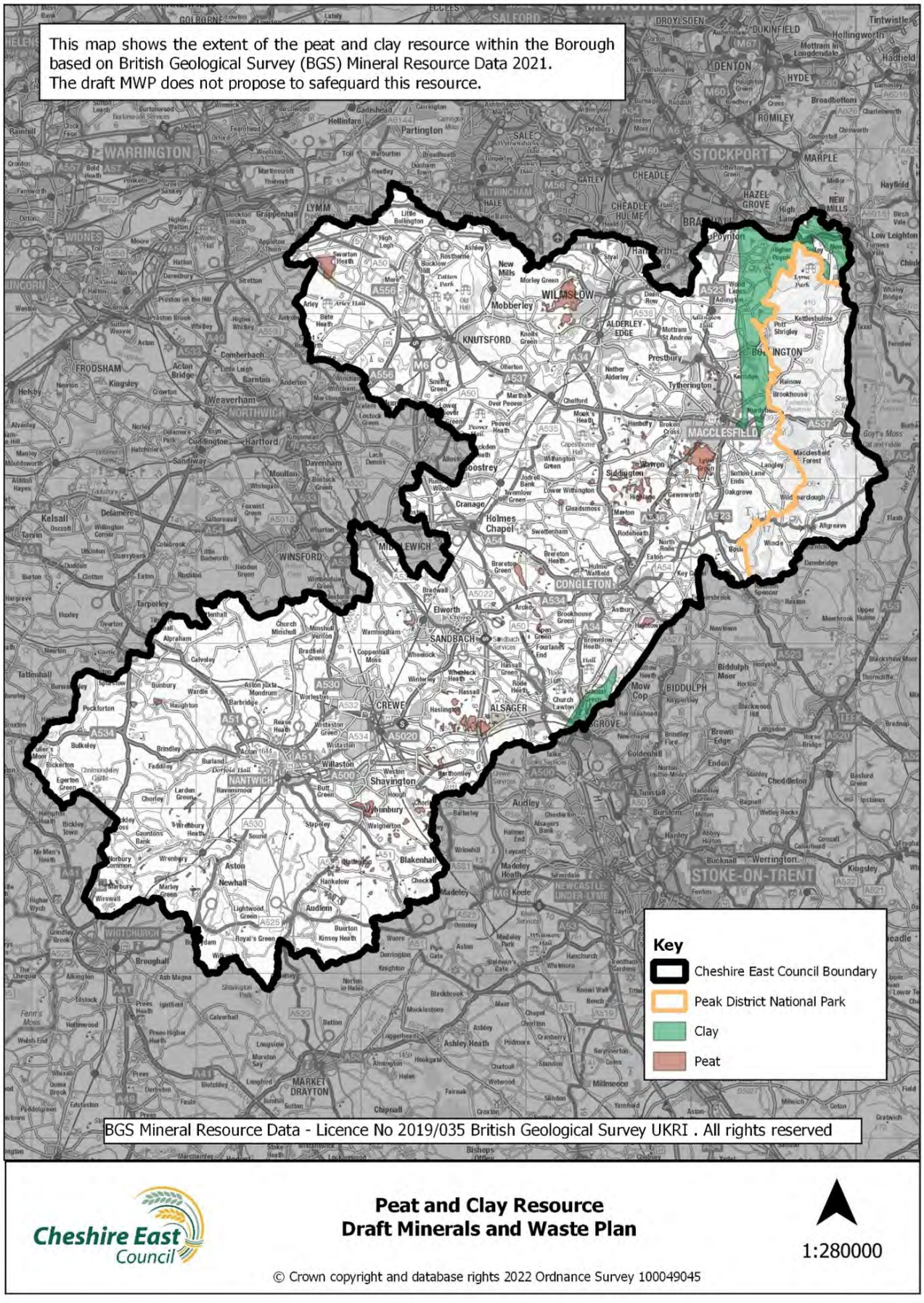
Appendix C Rock (sandstone) and shallow coal/proposed safeguarding map

Figure C.1 Sandstone (rock) & coal - resource & mineral safeguarding area



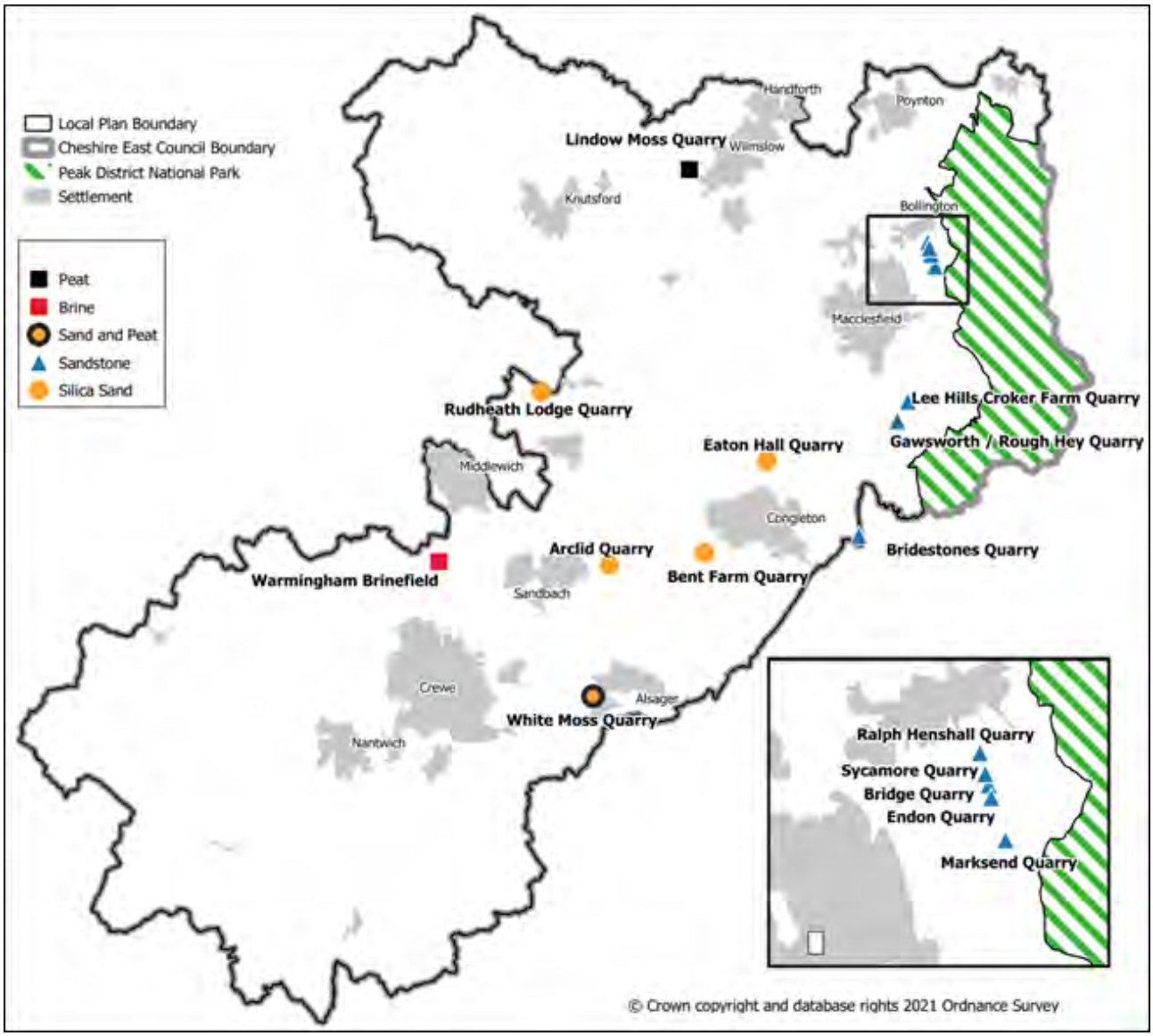
Appendix D Peat and clay

Figure D.1 Peat and clay resource



Appendix E Permitted mineral extraction sites 2021

Figure E.1 Permitted mineral extraction sites 2021



Appendix F Proposed safeguarded mineral supply sites and infrastructure (Policy MIN 2)

Table F.1 Proposed safeguarded mineral supply sites

Site name	Address	Operator	Mineral type
Warmingham Brinefields	Hill Top and Hole House Farm, School Lane, Warmingham	British Salt	Controlled solution brine mining
Holford Brinefields	Northwich (small areas within Cheshire East)	Ineos	Controlled solution brine mining
Arclid Quarry	Congleton Road, Arclid, Nr Sandbach	Bathgate Silica Sand Ltd	Silica sand with by product aggregate sand
Bent Farm Quarry	Wallhill Lane, Brownlow, Congleton, CW12 4HW	Sibelco UK Ltd	Silica sand with by product aggregate sand
Eaton Hall Quarry	Manchester Road, Eaton, CW12 2LU	Tarmac Trading Ltd	Silica sand with by product aggregate sand
Rudheath Lodge	New Platt Lane, Cranage & Allostock, CW4 8HJ	Sibelco UK Ltd	Silica sand with by product aggregate sand
White Moss Quarry	Radway Green, Crewe CW1 5UJ	Land Recovery Ltd	Sand
Bridestone Quarry	Dial Lane, Congleton, CW12 3QL	Bridestone & Brydges Ltd	Sandstone (building stone)
Bridge Quarry	Windmill Lane, Bollington Macclesfield SK10 5AZ	Earls Stone Ltd	Sandstone (building stone)
Endon Quarry	Windmill Lane, Bollington, Macclesfield SK10 5AZ	Park Skip Hire	Sandstone (building stone & aggregate)
Gawsworth and Rough Hey Quarries	Leek Rd, Gawsworth, Macclesfield SK11 0JN	O' Gara Developments Ltd	Sandstone (aggregate)
Lee Hills/Croker Farm Quarry	Sutton, Macclesfield SK11 0HX	Lee Hills Quarries	Sandstone (aggregate)
Marksend Quarry	Lidgetts Lane, Rainow, Macclesfield, SK10 5AX	Earls Stone Ltd	Sandstone (building stone & aggregate)
Ralph Henshaw Quarry	Windmill Lane, Kerridge, Macclesfield, SK10 5AZ	Earls Stone Ltd	Sandstone (building stone & aggregate)
Sycamore Quarry	Windmill Lane, Kerridge, Macclesfield, SK10 5AZ	Earls Stone Ltd	Sandstone (building stone & aggregate)

Table F.2 Proposed safeguarded infrastructure sites

Site name	Address	Operator	Infrastructure type
Cemex Northern Ltd	Adlington Estate, London Road, Adlington SK10 4NL	Cemex Northern Ltd	Concrete batching plant
Enviro Skip Hire	Station Yard, Radway Green, Nr Alsager CW2 5PH	Enviro Skip Hire Ltd	Substitute, secondary & recycled aggregates
William Beech Skip	Betchton Cottage, Cappers Lane,	William Beech Skip	Substitute, secondary &

Site name	Address	Operator	Infrastructure type
Hire Ltd	Betchton, Sandbach CW11 2TW	Hire Ltd	recycled aggregates
Total Concrete Products Ltd	Basford Old Creamery, Newcastle Road, Chorlton, Crewe, CW2 5NQ	Total Concrete Products Ltd	Precast and readymix concrete products
Bill & Ben Skip Hire	The Yard, Brunswick Wharf, Brook Street, Congleton CW12 1RG	Bill & Ben Skip Hire Ltd	Substitute, secondary & recycled aggregates
T Armstrong Concrete Blocks Ltd	Brook Street, Congleton	T Armstrong Concrete Blocks Ltd	Concrete products
Basford Sidings	Basford Rail Sidings, Crewe	Network Rail	Rail sidings for the storage & distribution of rail ballast
Breedon Southern Ltd	Second Avenue, Crewe Gates Industrial Estate, Weston Road, Crewe CW1 6BZ	Breedon Southern Ltd	Concrete batching plant
Cemex Northern Ltd	Second Avenue, Crewe Gates Industrial Estate, Weston Road Crewe CW1 6BZ	Cemex Northern Ltd	Concrete batching plant
Macclesfield Gawsworth Concrete Plant	Congleton Road, Gawsworth, Macclesfield SK11 9ET	Tarmac	Concrete batching plant
British Salt Works	Cledford Lane, Middlewich CW10 0JP	British Salt Ltd	Processing & manufacture of controlled salt brine solution
Aggregate Industries Ltd (Bardon Industries)	Sandbach Concrete Plant, Springvale Industrial Estate, Millbuck Way, Sandbach CW11 3HT	Aggregate Industries Ltd (Bardon Industries)	Concrete batching plant
Mincrete Ltd (Bulcon)	Springvale Industrial Estate Millbuck Way, Sandbach CW11 3HT	Mincrete Ltd (Bulcon)	Concrete batching plant
Enviro Skip Hire	Unit 3a Norton Way, Sandbach, CW11 3WL	Enviro Skip Hire	Substitute, secondary & recycled aggregates
Nick Brookes Demolition & Waste Disposal	Wardle Industrial Estate, Green Lane, Wardle Nr Nantwich CW5 6DB	Scanlans Plant Hire Ltd	Substitute, secondary & recycled aggregates
Scanlan's Plant Hire	Tricketts Lane, Willaston, Nantwich CW5 6PZ	Scanlans Plant Hire Ltd	Substitute, secondary & recycled aggregates
Nick Brookes Demolition & Waste Disposal	Wardle Industrial Estate, Green Lane, Wardle Nr Nantwich CW5 6DB	Nick Brookes Group	Substitute, secondary & recycled aggregates
Concrete Panel Systems	The Old Creamery, Wrenbury Industrial Estate, Station Road, Wrenbury, CW5 8EX	Graham Heath Construction Ltd	Concrete products

Appendix G Proposed sand allocations and AOS designations (Policy MIN 4)

Figure G.1 MIN 4.1 Eaton Hall Quarry, Congleton

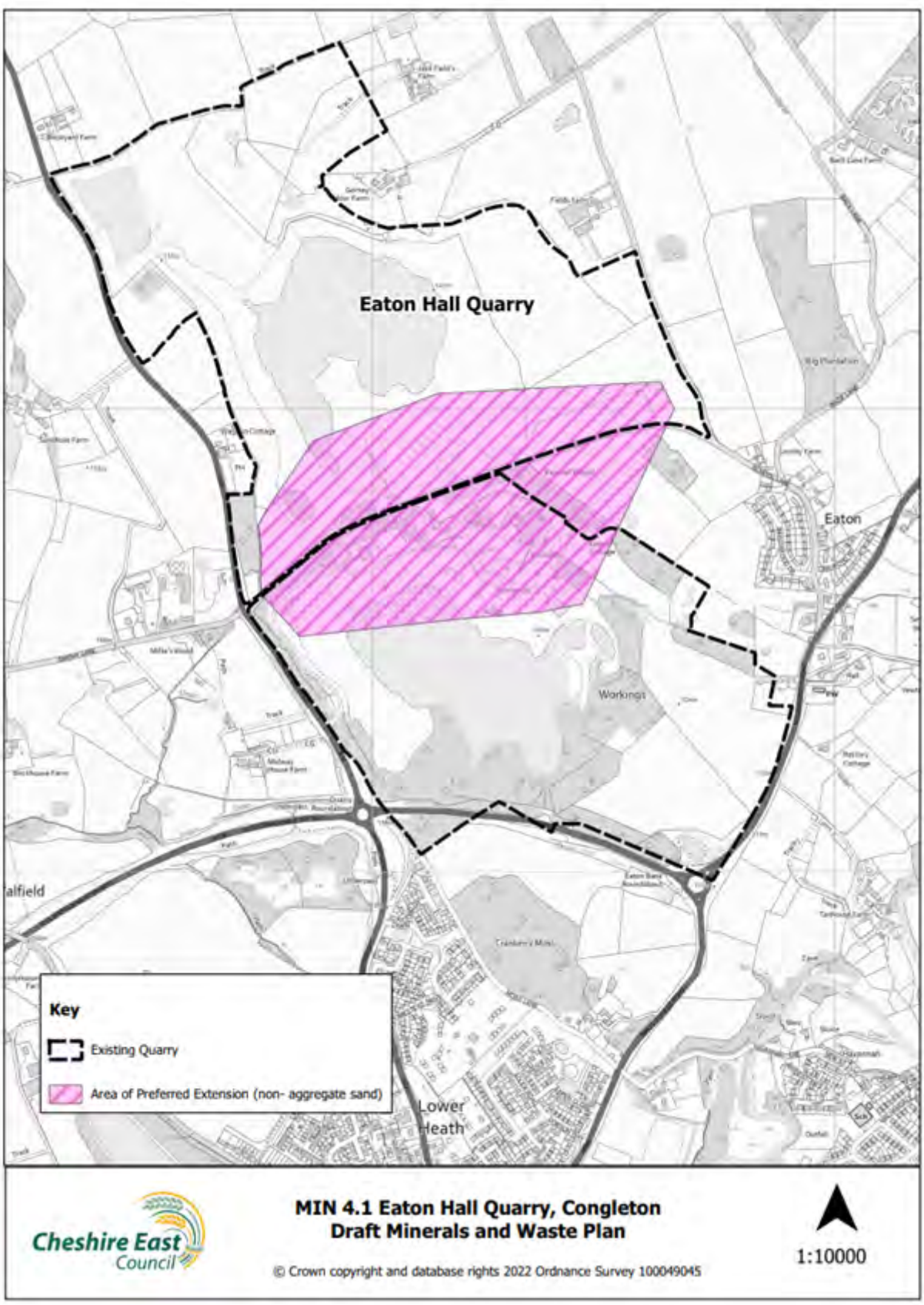


Figure G.2 MIN 4.2 Astle Farm East, Chelford

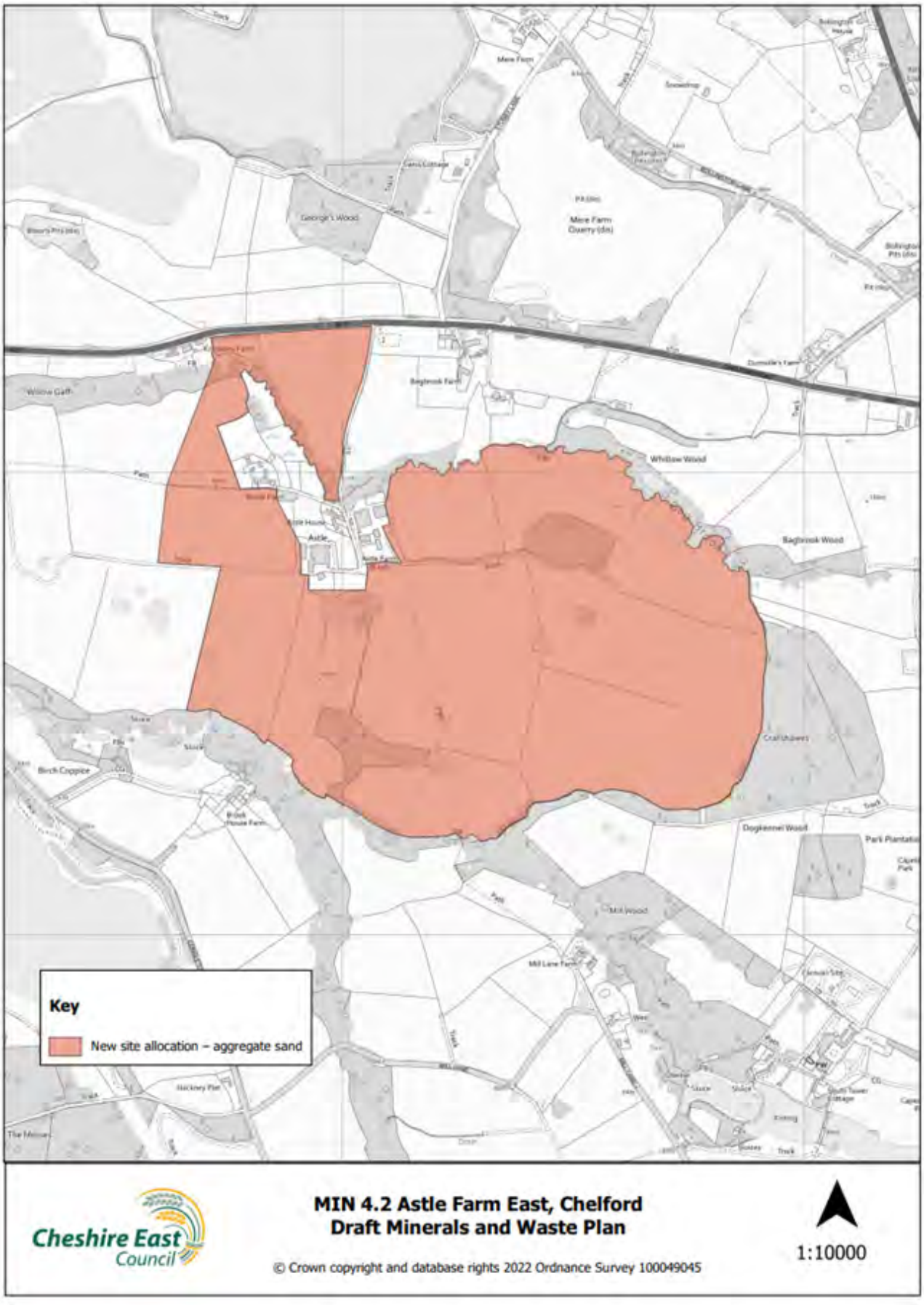


Figure G.3 MIN 4.3 Arclid, Sandbach

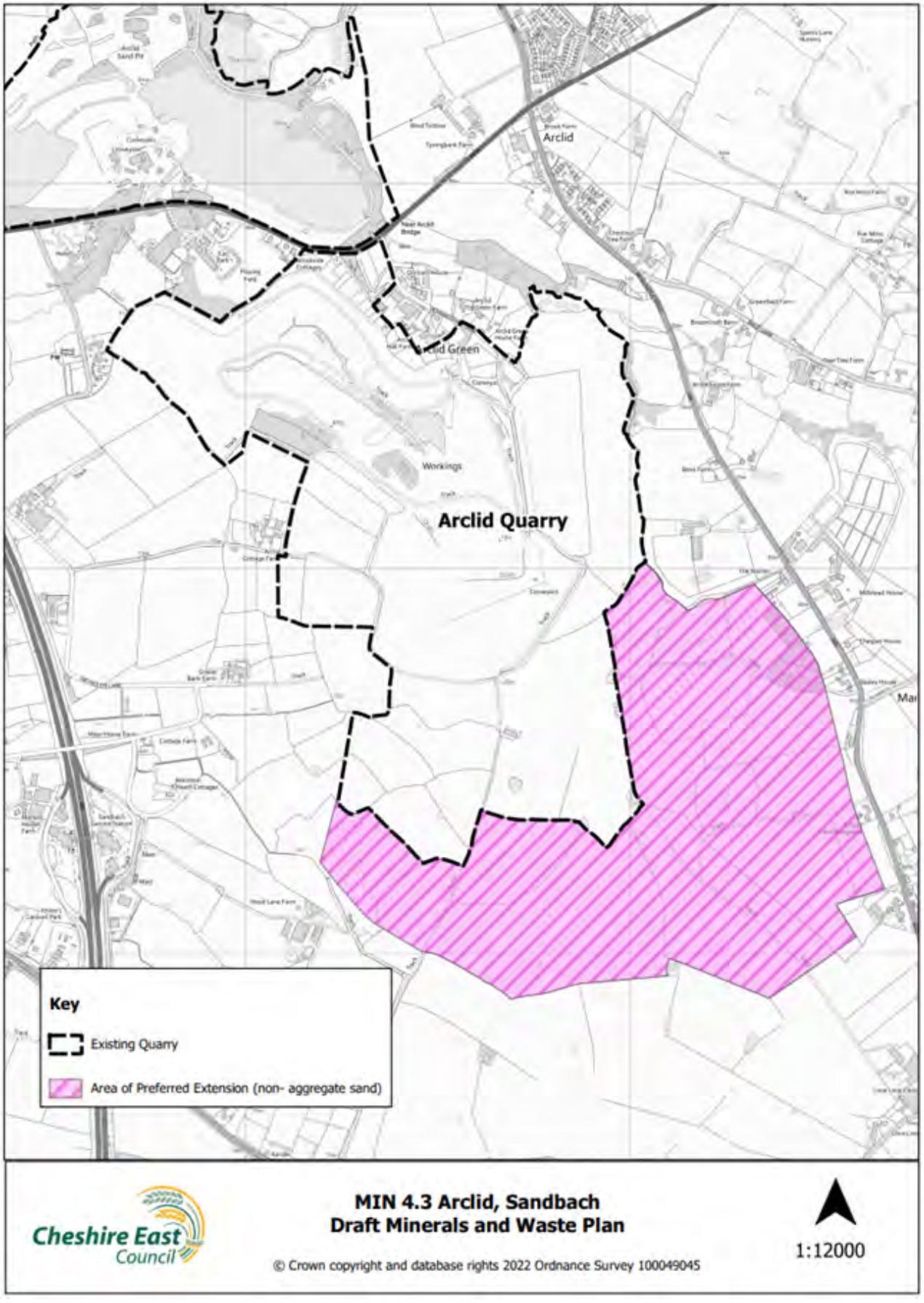


Figure G.4 Land North of Mill Lane, Adlington

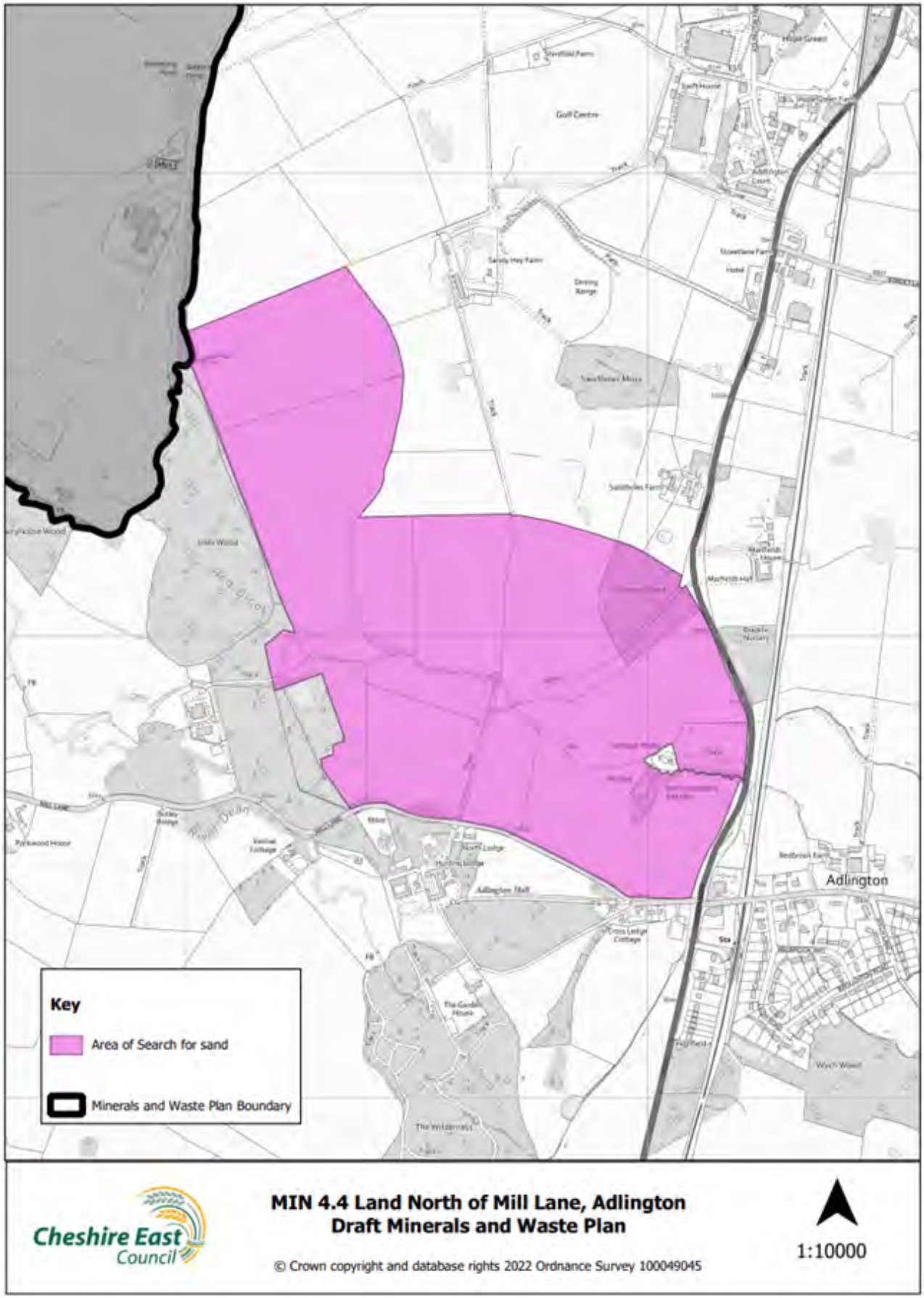


Figure G.5 MIN 4.5 Cheshire Gateway, Yarwood Heath Farm and Spodegreen Farm, Little Bollington

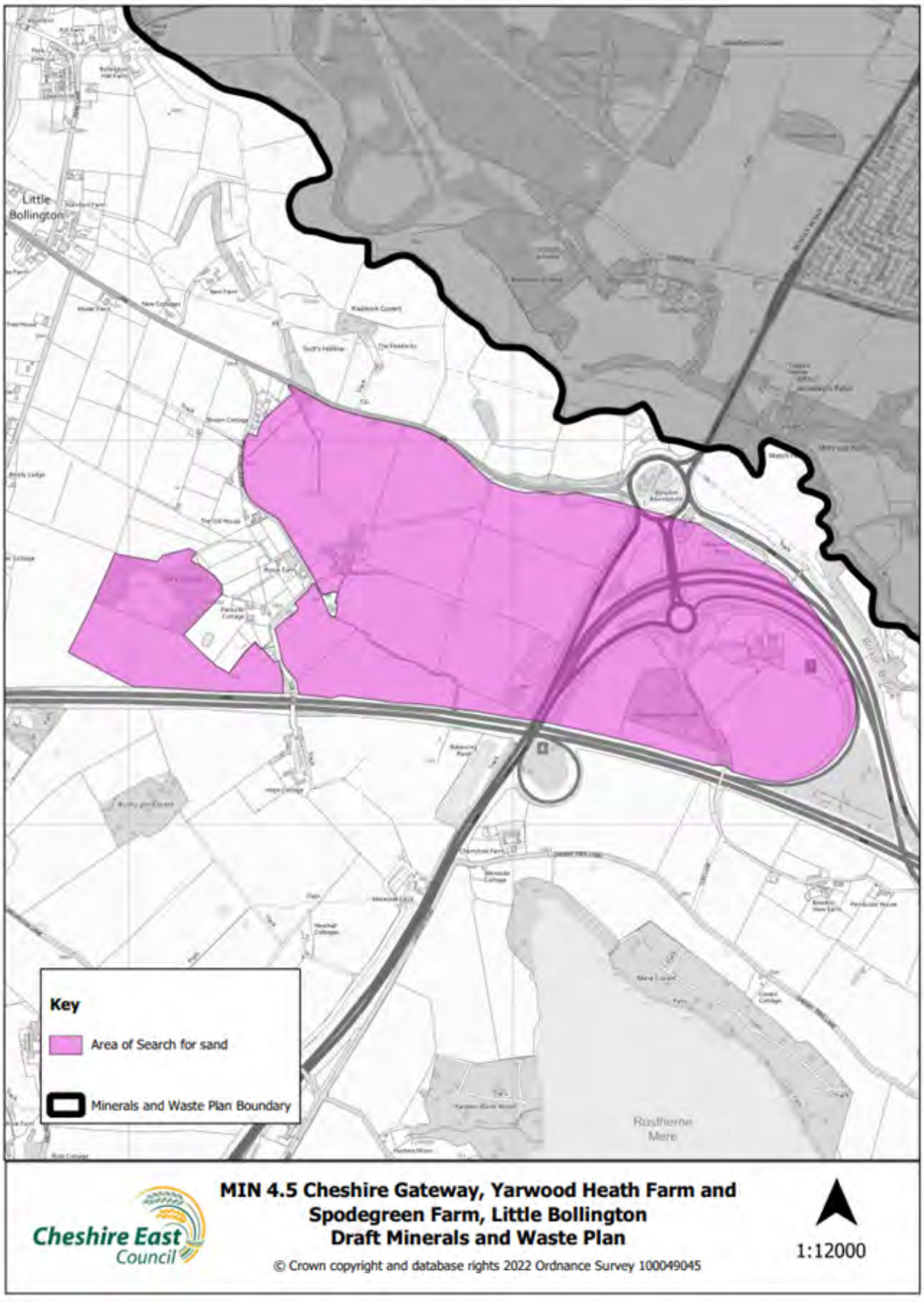


Figure G.6 MIN 4.6 Land West of A556, Near Altrincham

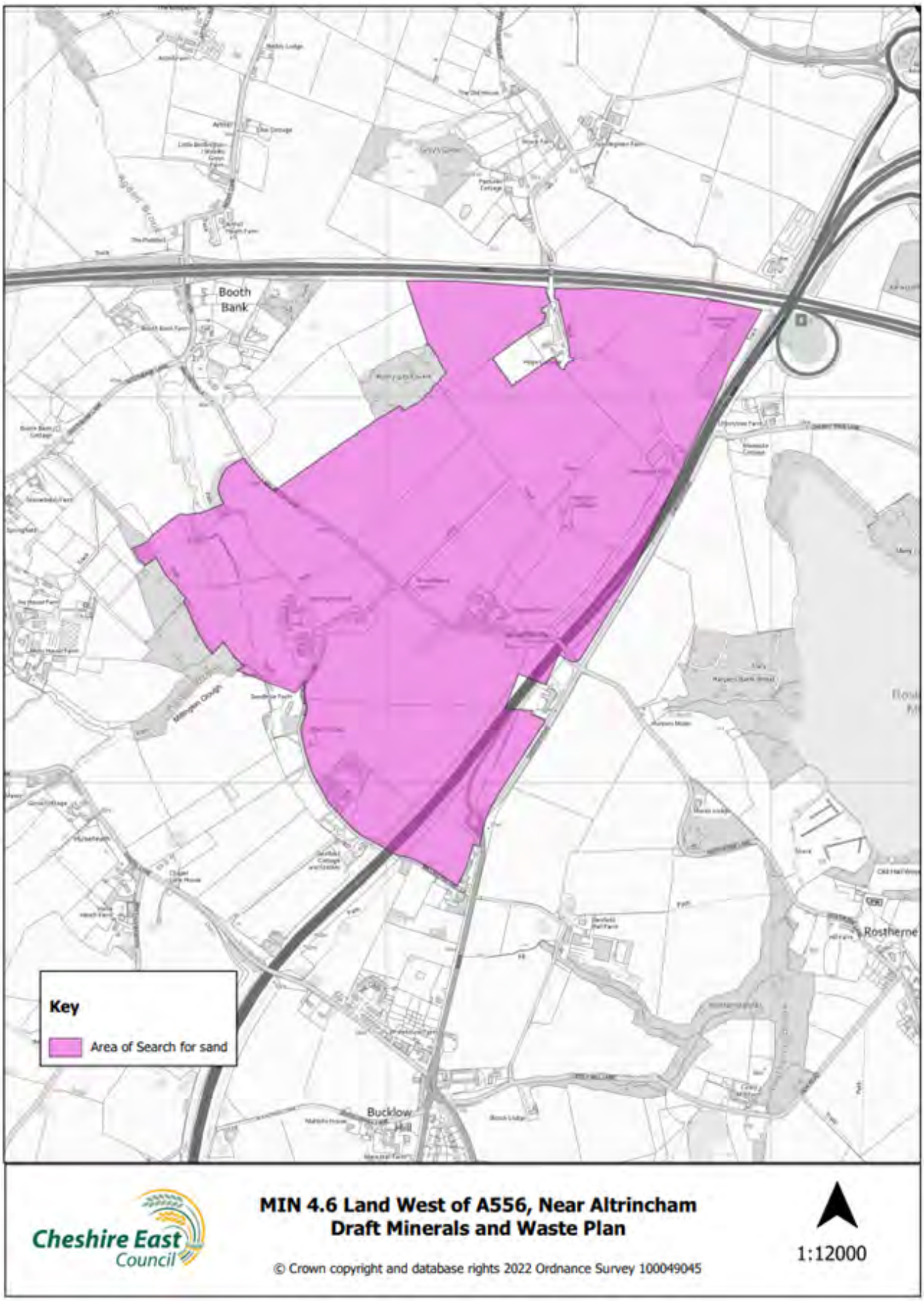


Figure G.7 MIN 4.7 Land south of A556, East of Bucklow Hill

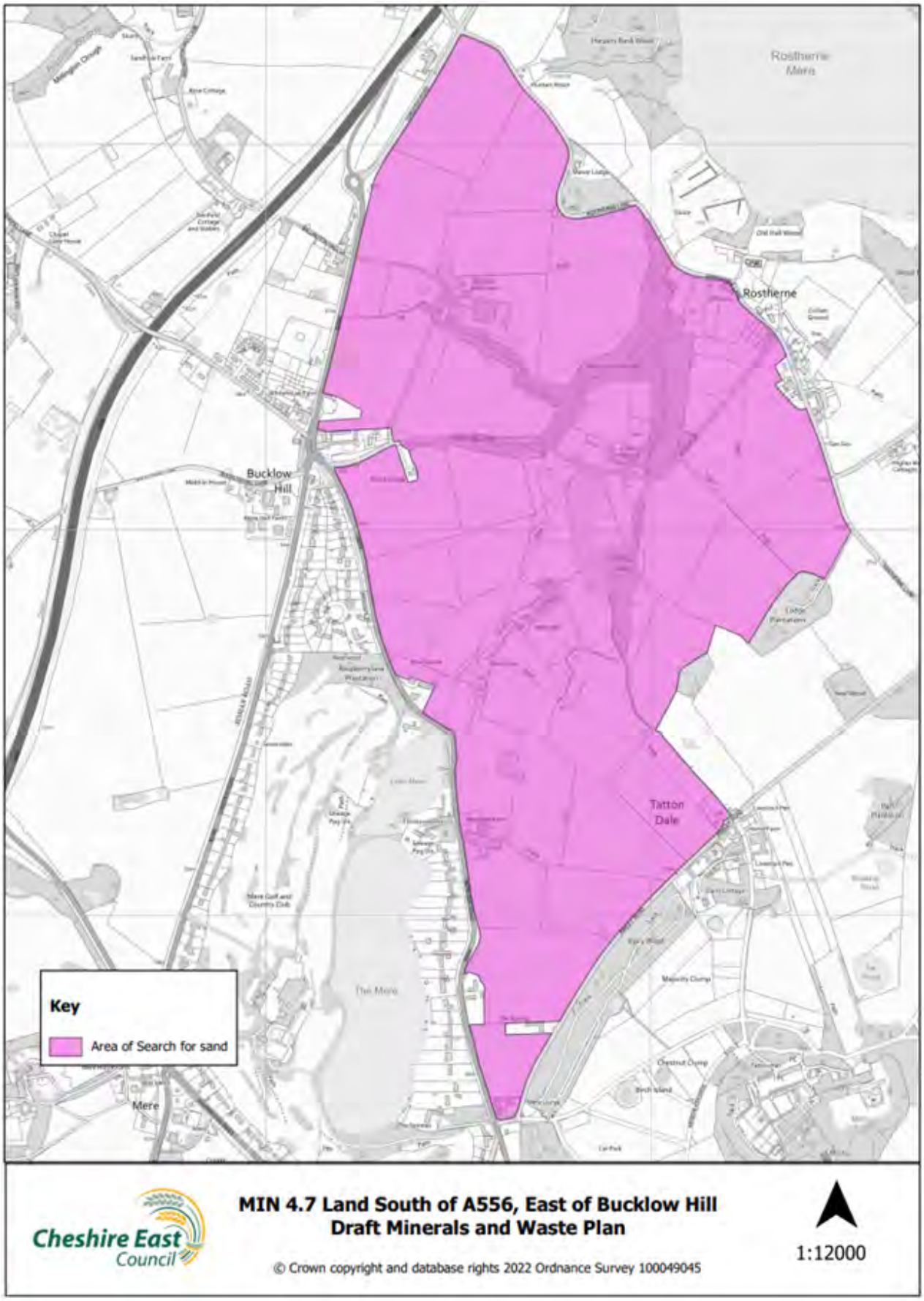


Figure G.8 MIN 4.8 Land North of Knutsford Farm, North-West Knutsford

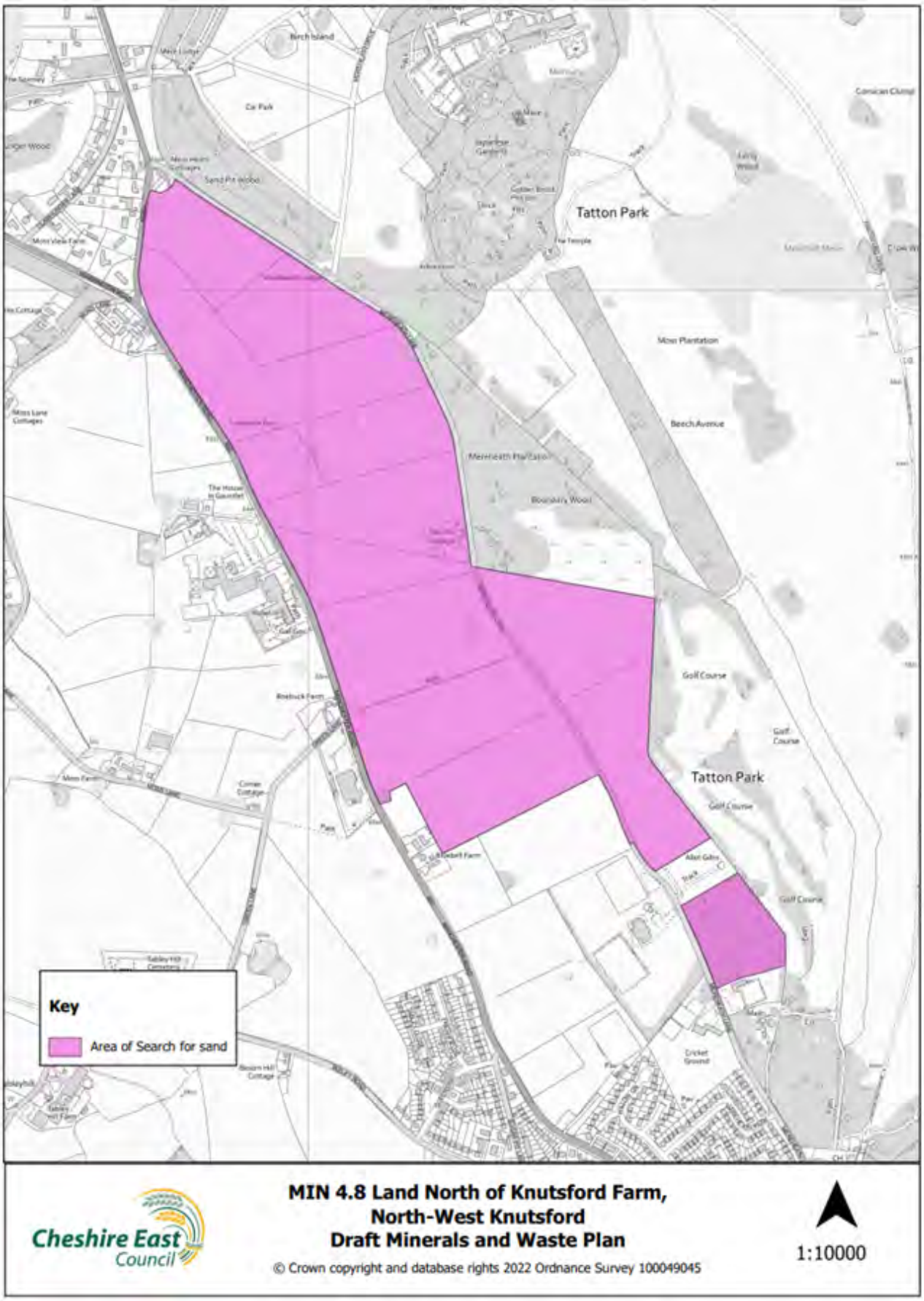


Figure G.9 MIN 4.9 Land North of A56, Near Altrincham

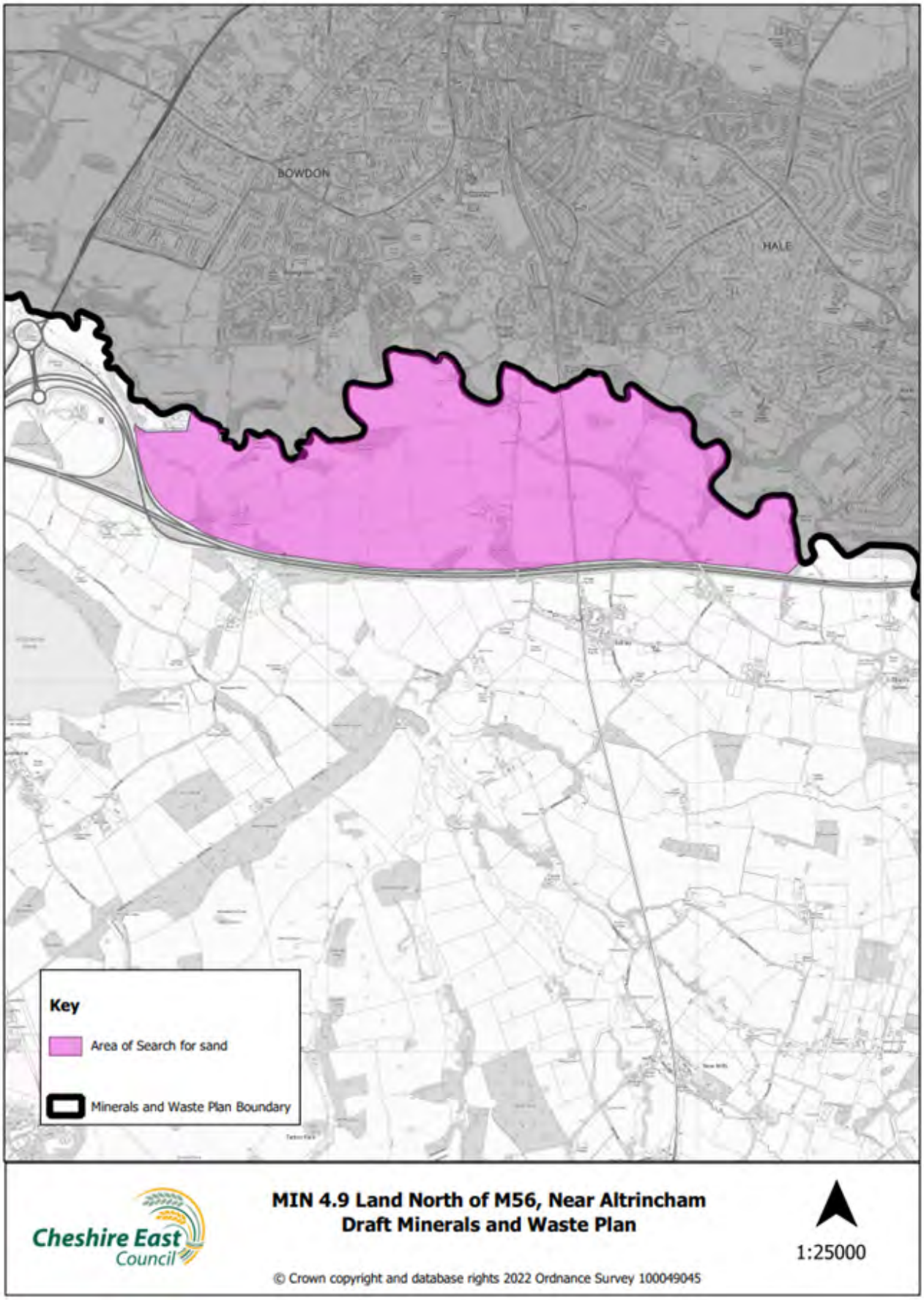


Figure G.10 MIN 4.10 Land South of M56, Near Altrincham

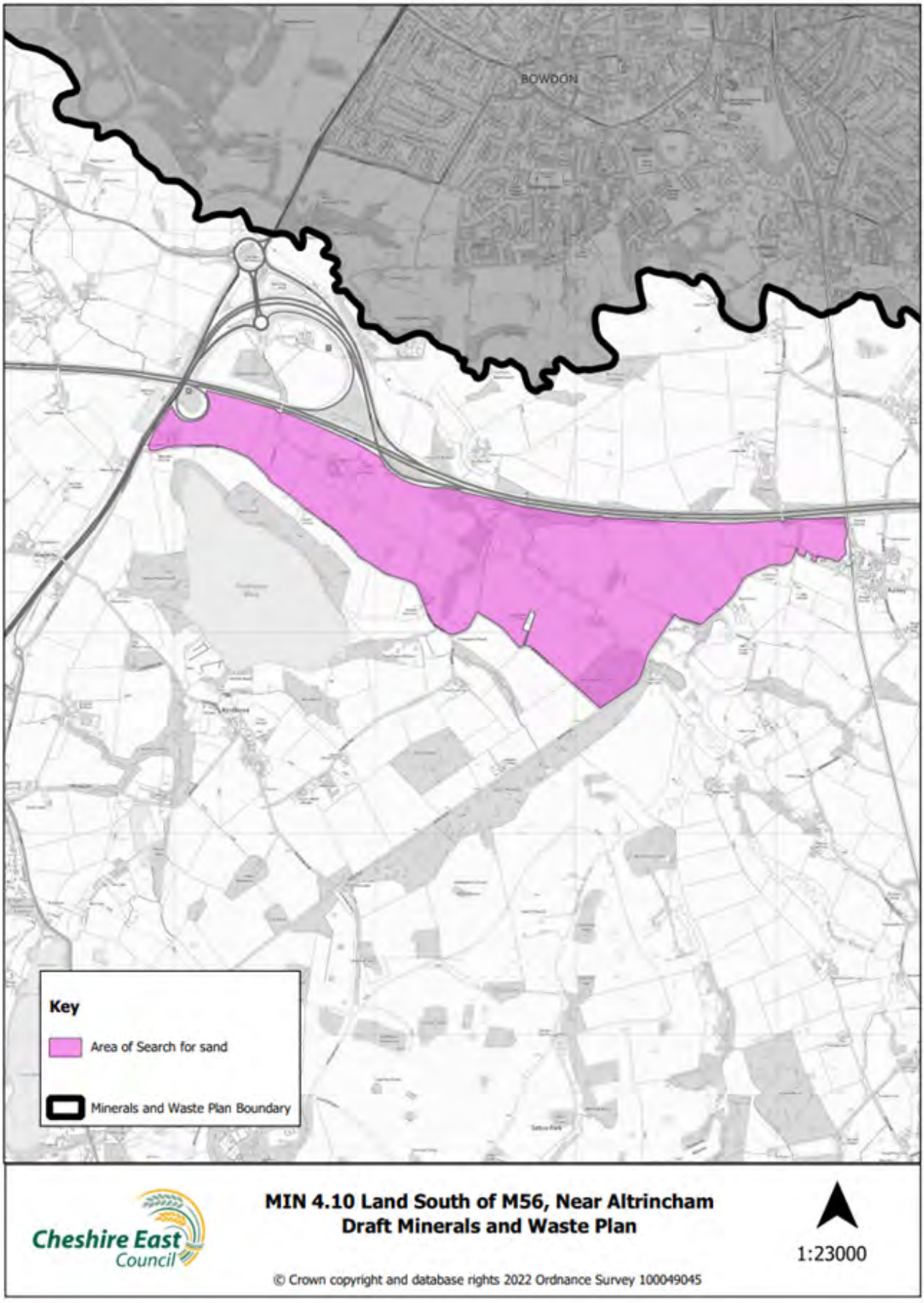


Figure G.11 MIN 4.11 Land East of Tatton Park, Knutsford

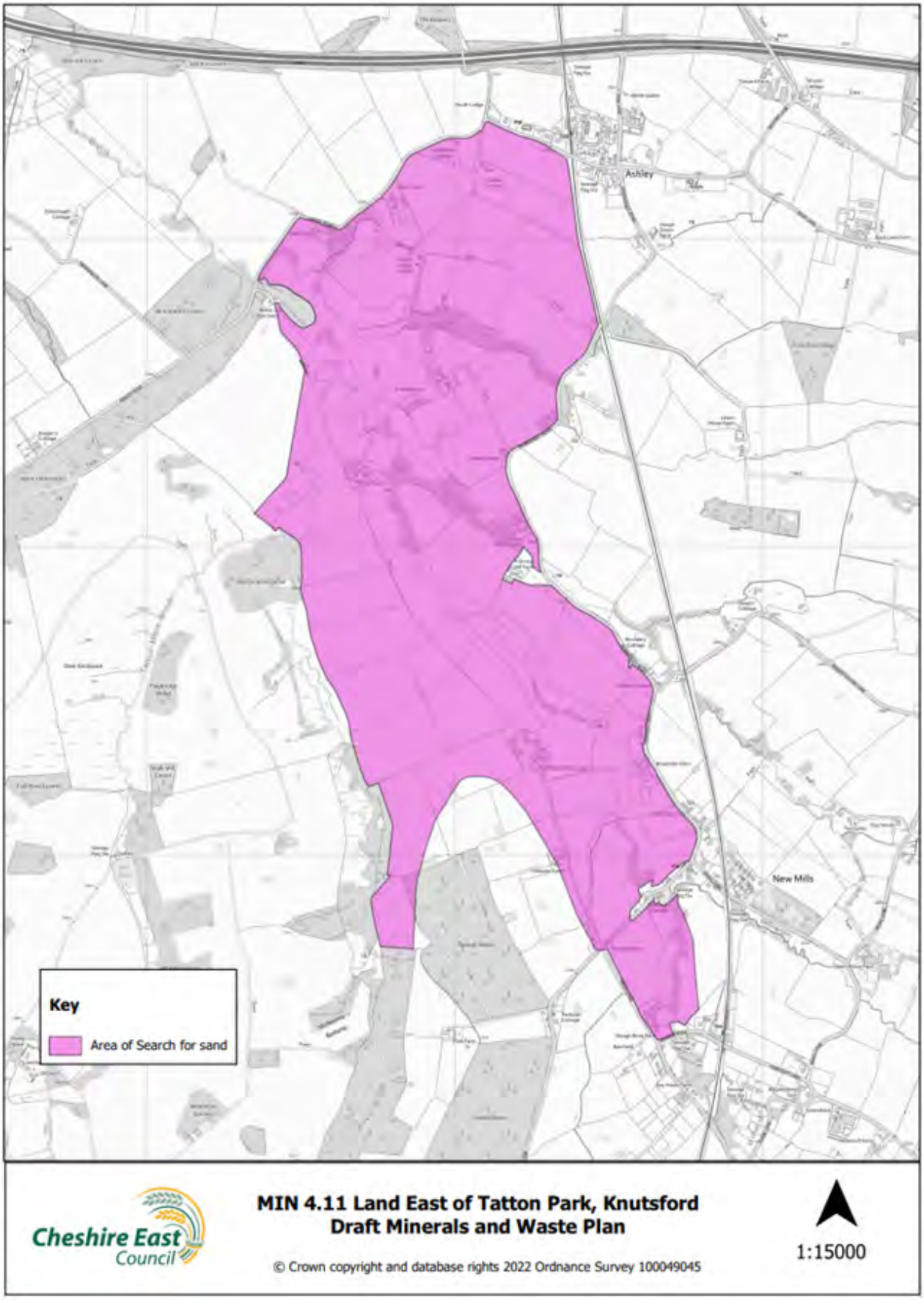


Figure G.12 MIN 4.12 Land North of Eaton Hall Quarry and South of Cockmoss Farm, Eaton, Congleton

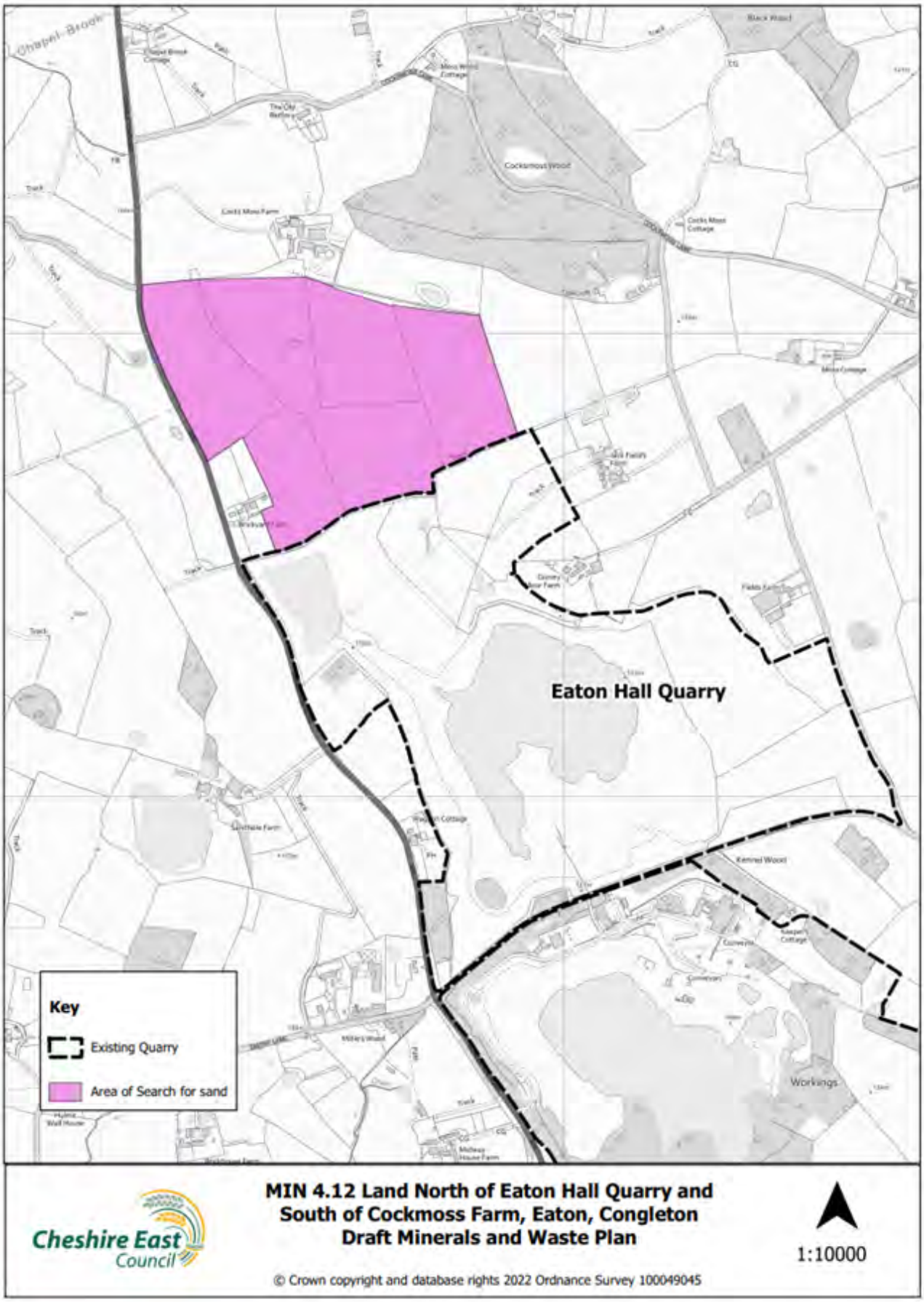


Figure G.13 MIN 4.13 Land West of A50, Newcastle Road, Arclid, Sandbach

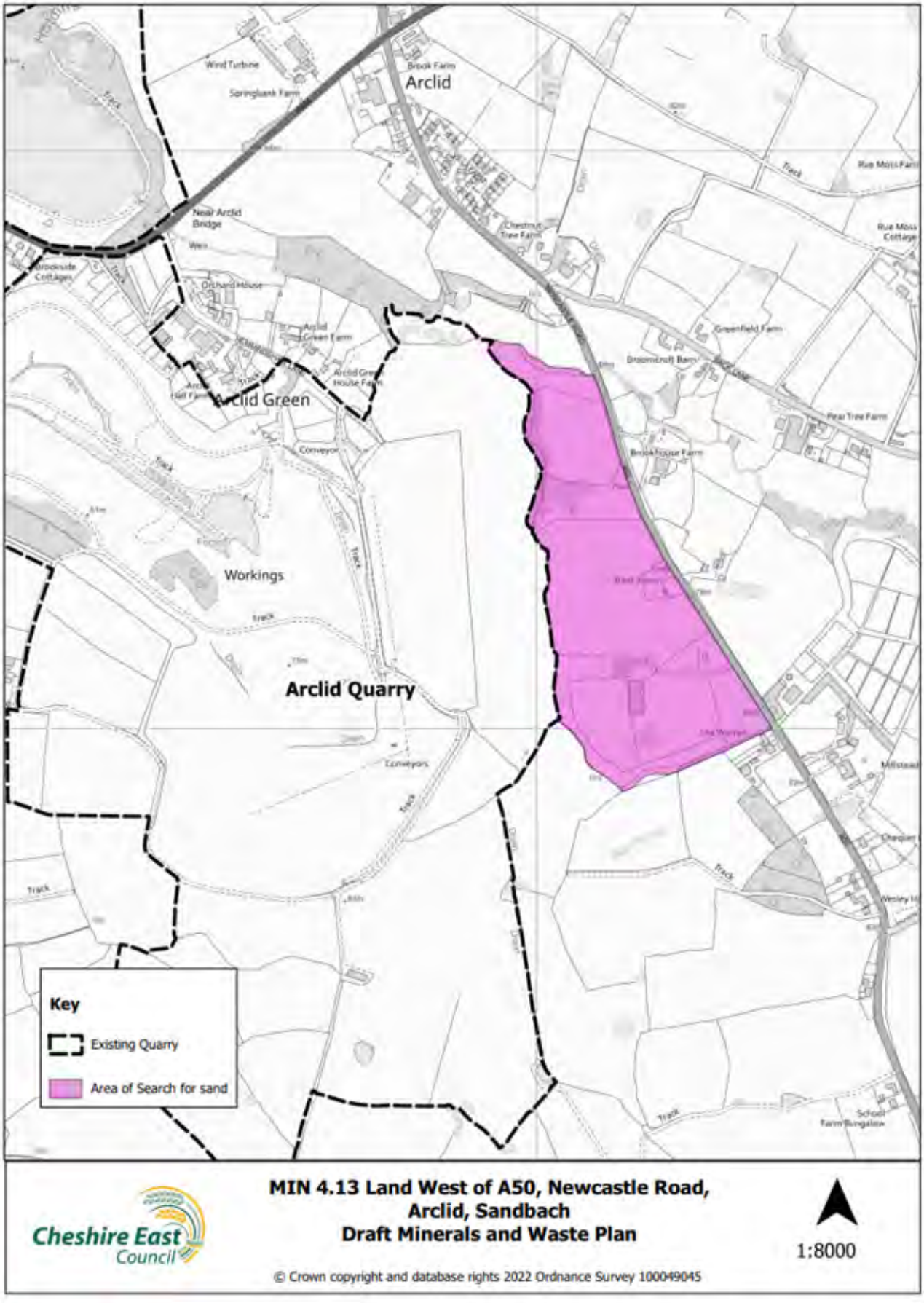


Figure G.14 MIN 4.14 Land South of Arclid Quarry, Sandbach and South-East of Sandbach

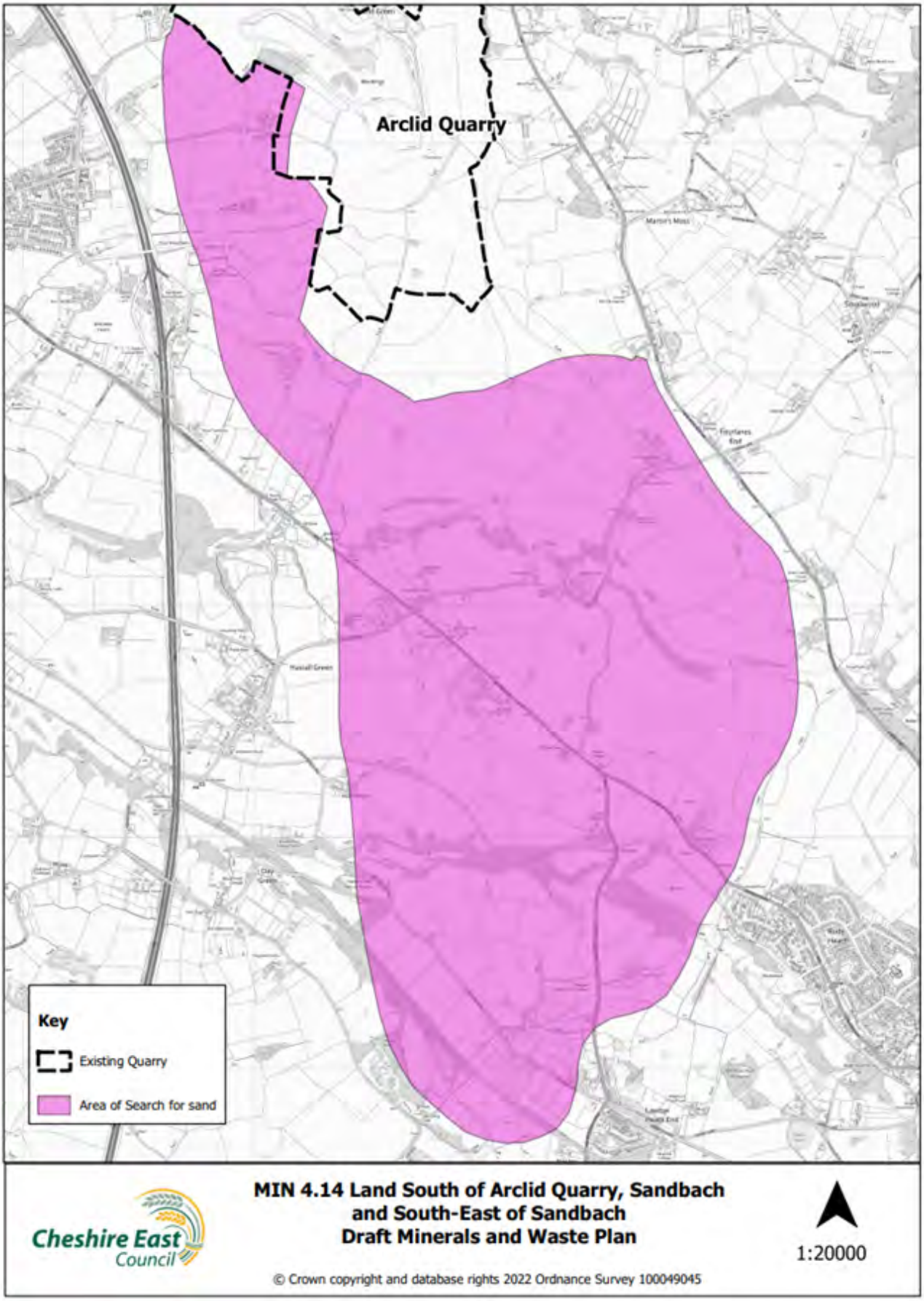


Figure G.15 MIN 4.15 Land between Holmes Chapel and Arclid, Sandbach

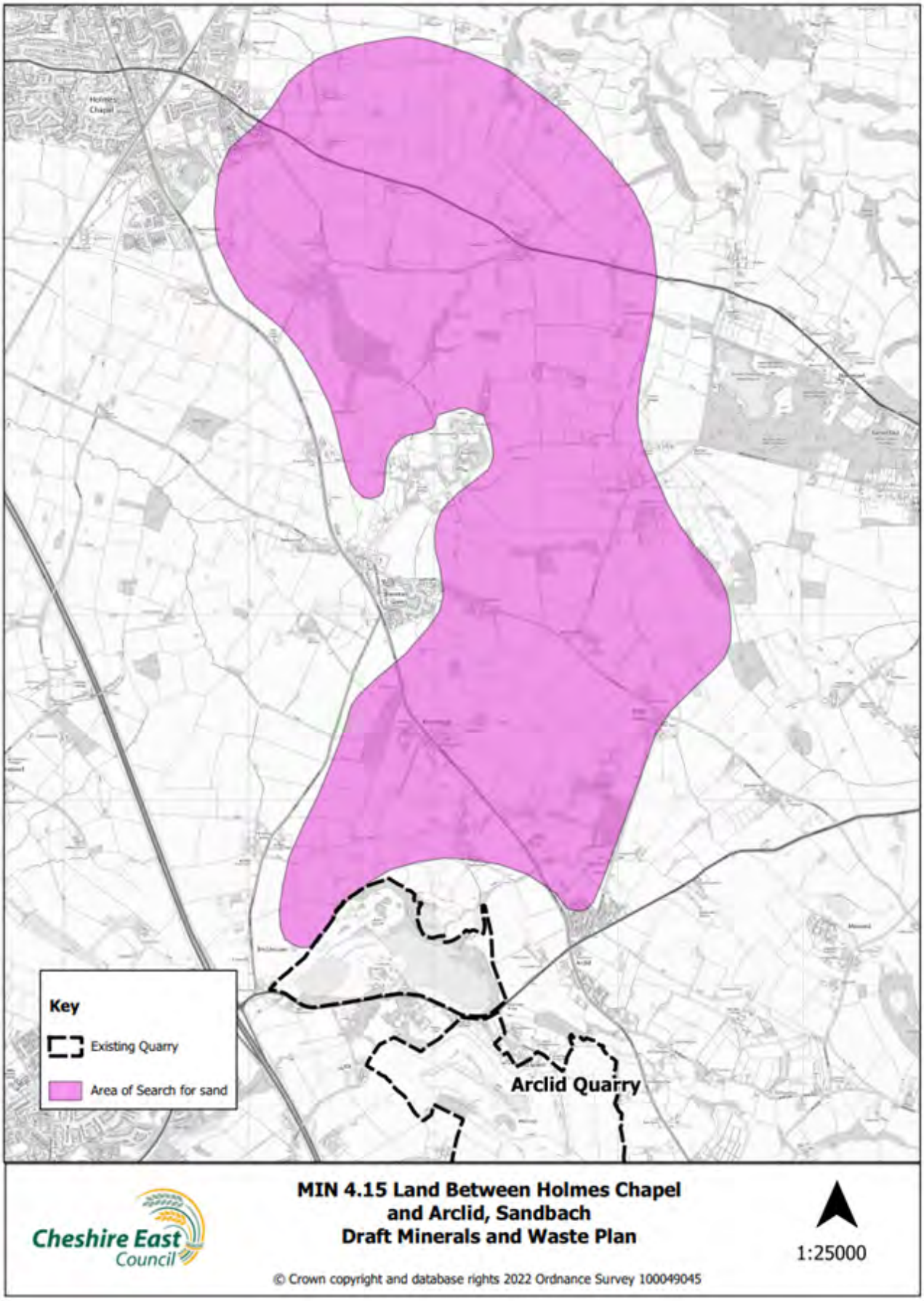


Figure G.16 MIN 4.16 Land West and South West of Congleton and Somerford New House, Holmes Chapel Road, Somerford, Congleton

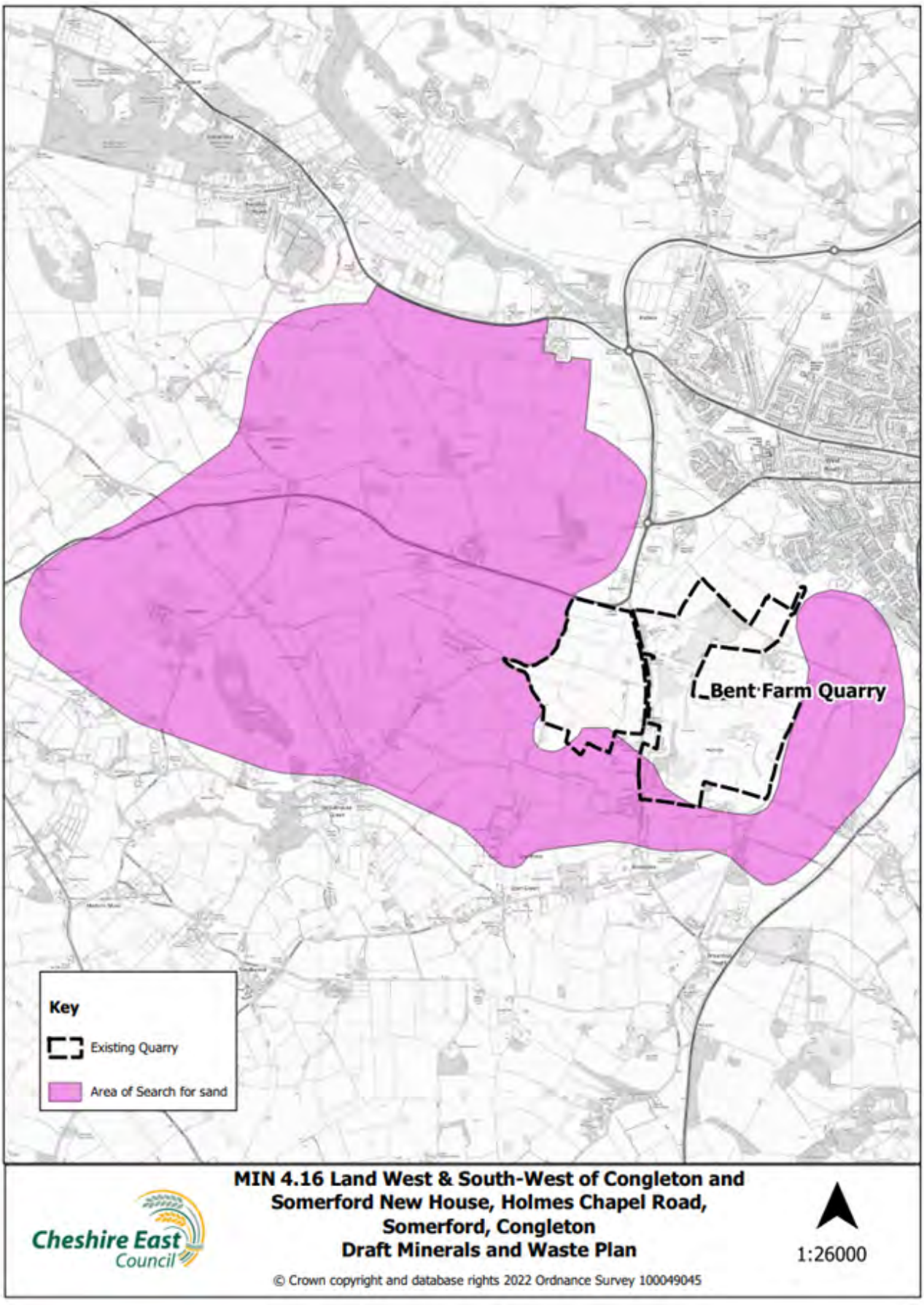
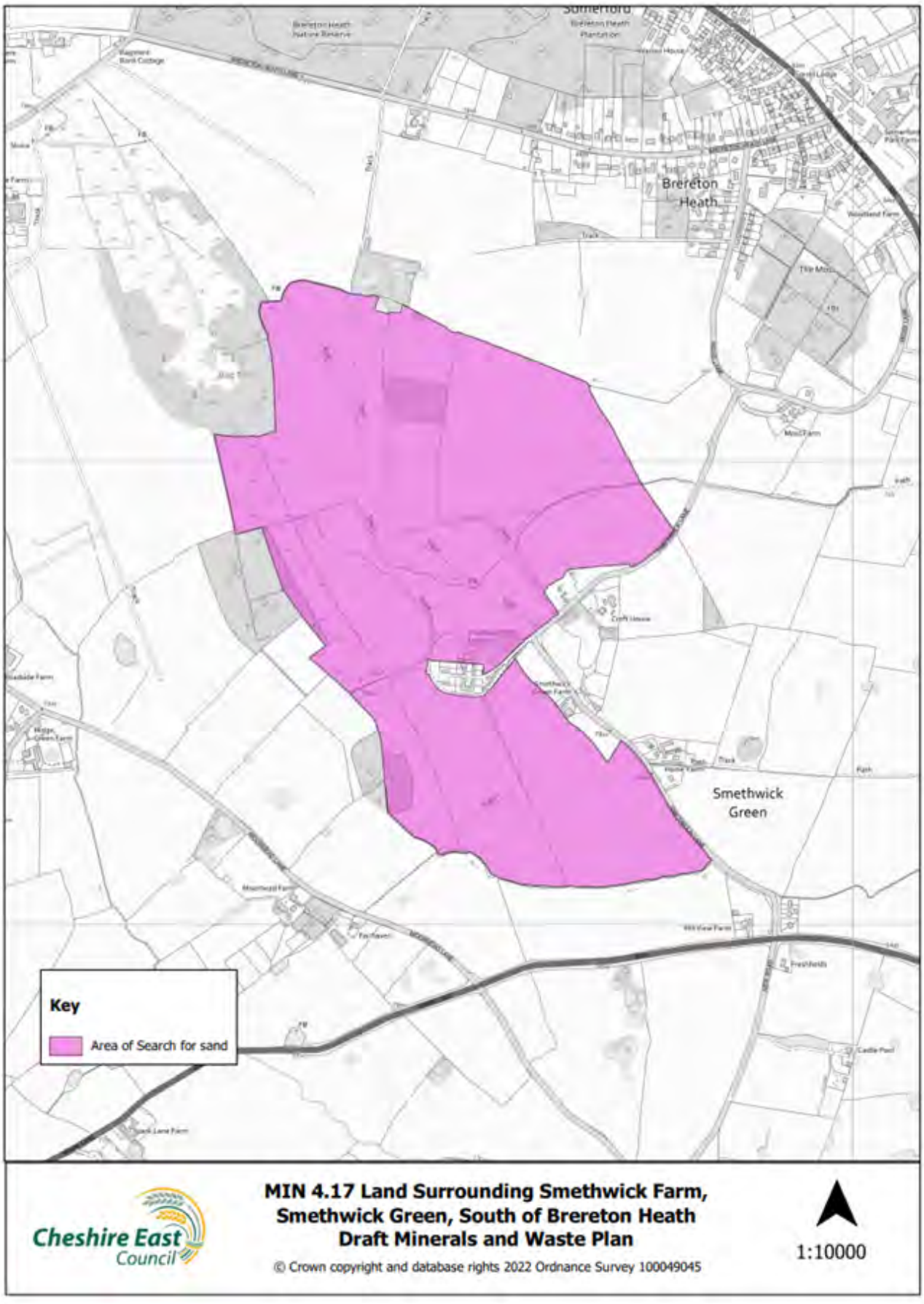


Figure G.17 MIN 4.17 Land Surrounding Smethwick Farm, Smethwick Green, South of Brereton Heath



Appendix H Proposed preferred area extensions for salt (Policy MIN 8)

Figure H.1 MIN 8.1 Land West of Railway Lane, Warmingham

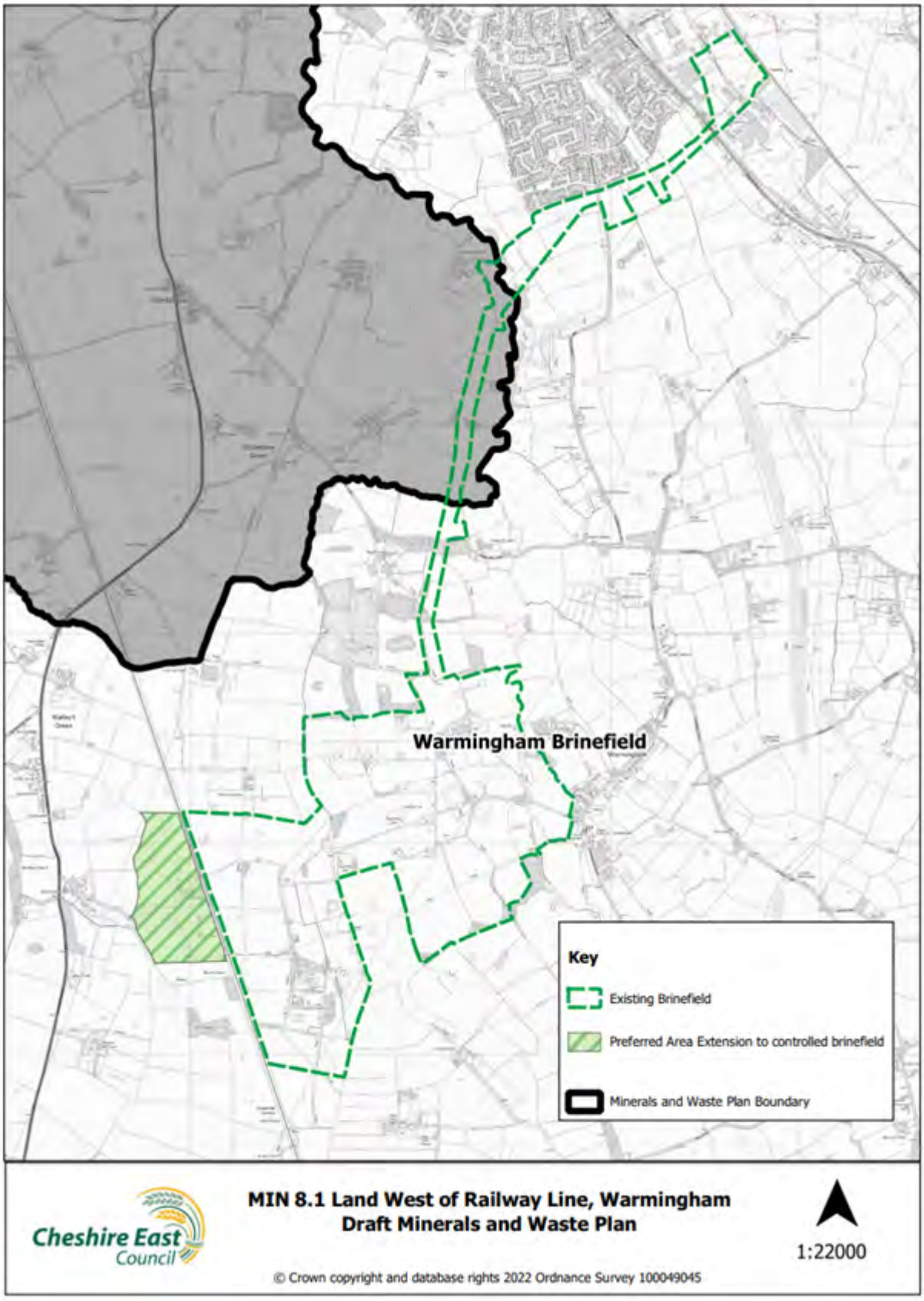
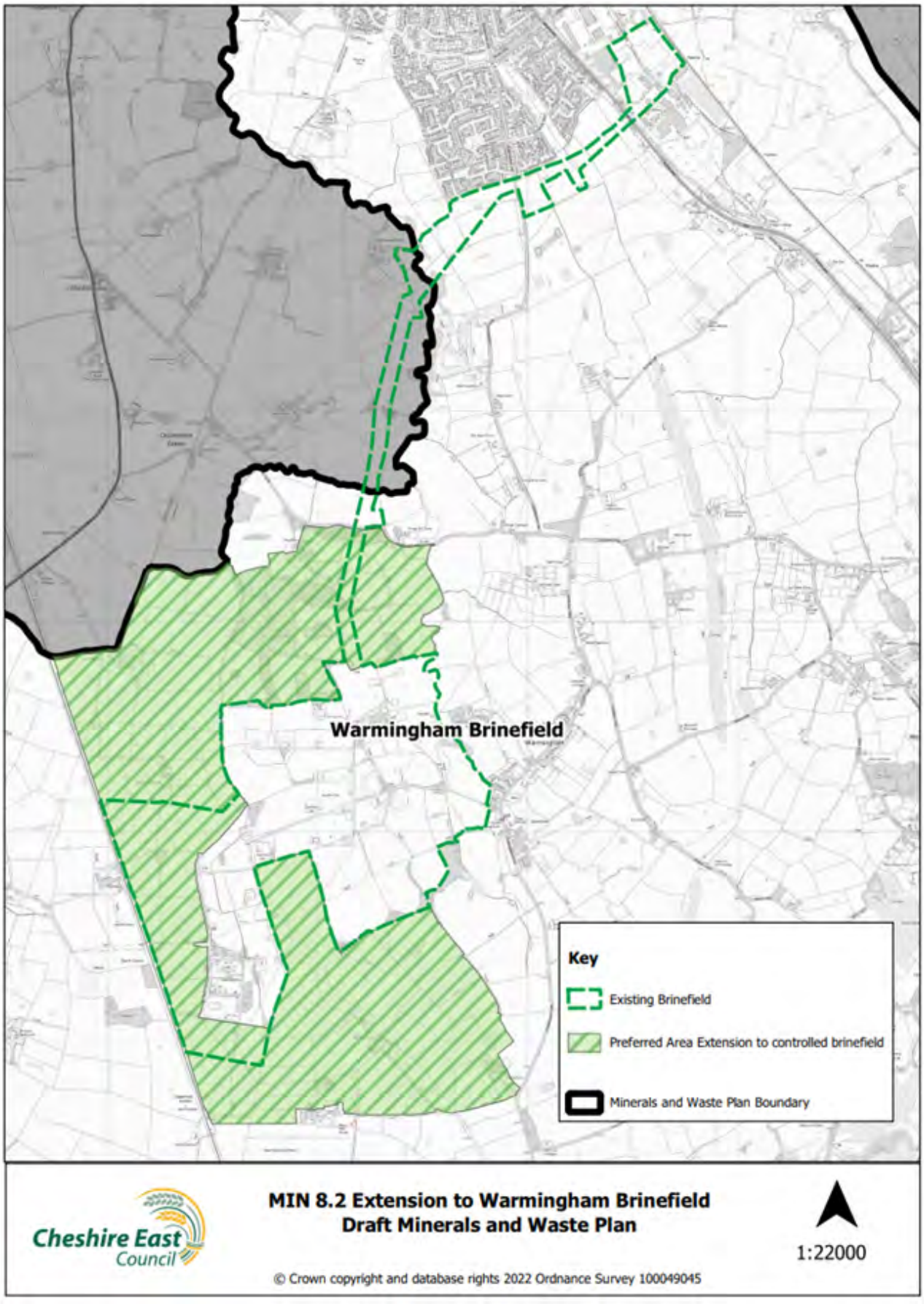
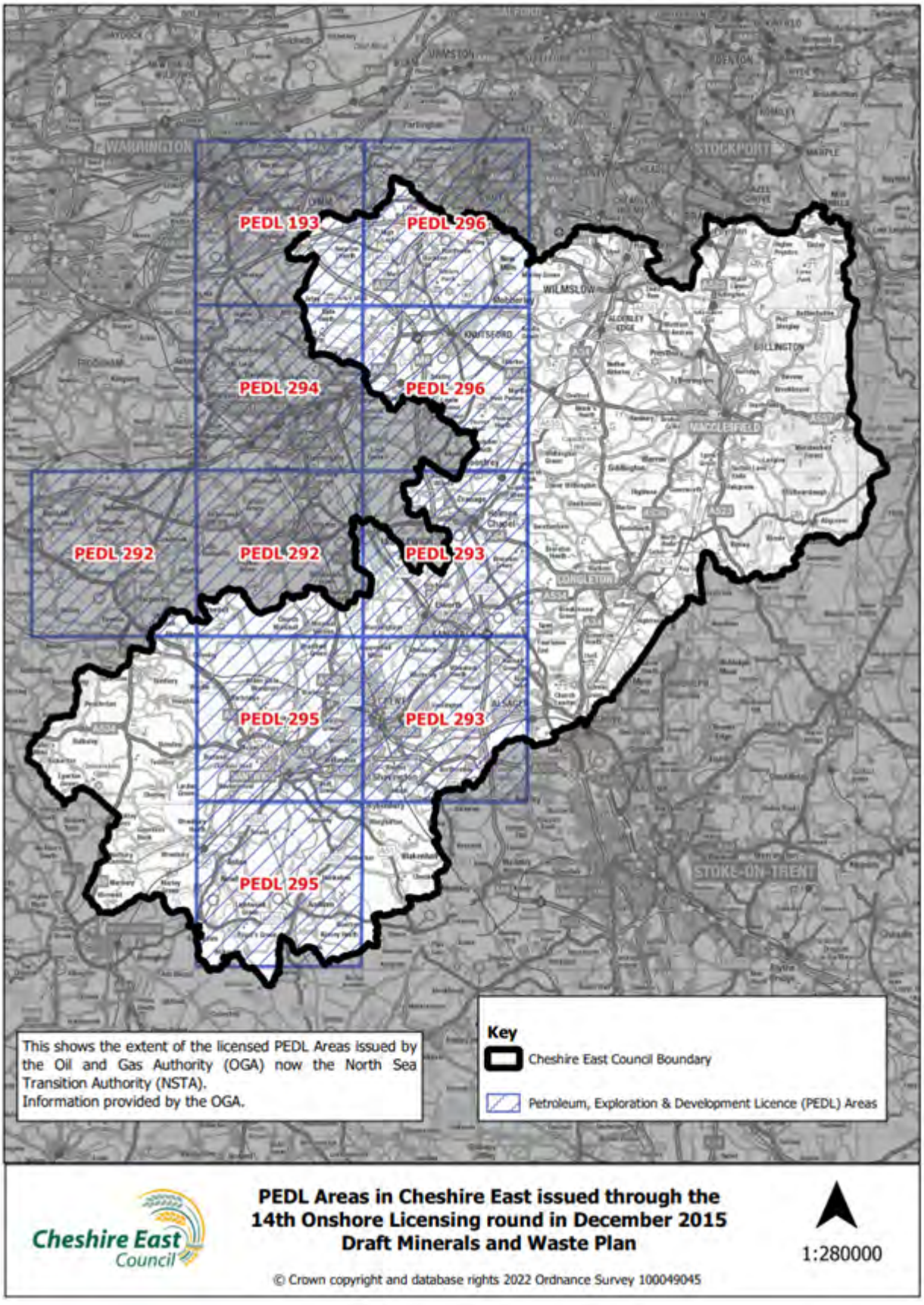


Figure H.2 MIN 8.2 Extension to Warmingham Brinefield



Appendix I PEDL licenses map

Figure I.1 PEDL areas in Cheshire East issued through the 14th onshore licensing round in December 2015



Appendix J Proposed safeguarded existing waste management facilities (Policy WAS 6)

Table J.1 Proposed safeguarded existing waste management facilities

Site Name	Address	Operator	Waste Management Type
Tanyard Farm	Castle Mill Lane, Ashley Nr Altrincham WA15 OQT	PG & HM Jackson	Organic treatment facility
Alsager Household Waste Recycling Centre	Hassall Road, Alsager ST7 2SJ	HW Martin Waste Ltd	Household waste recycling centre/waste transfer facility
Dry Matter Ltd	Gore Farm, Feldy Green Road, Aston by Budworth, Nr Northwich CW9 6LU	Dry Matter Ltd	Material recycling facility
Enviro Skip Hire, Station Yard, nr Alsager	Radway Green Road, Barthomley, Crewe, CW2 5PH	Enviro Skip Hire Ltd	Waste transfer facility/aggregate recycling facility
W Beech Skip Hire Ltd	Betchton Cottage, Cappers Lane, Betchton, Sandbach CW11 2TW	William Beech Skip Hire Ltd	Waste transfer facility
Bollington Household Waste Recycling Centre	Albert Road, Bollington SK10 5HS	HW Martin Waste Ltd	Household waste recycling centre/waste transfer facility
Brunswick Wharf Depot	Brook Street Congleton CW12 1RG	Ringway Jacobs Ltd	Waste transfer facility (LACW & C&I)
Bill & Ben Recycling Centre	The Yard Brunswick Wharf, Brook Street Congleton CW12 1RG	Bill & Ben Skip Hire Ltd	Waste transfer facility (CDEW Recycling & C&I/LACW
Tandom Metallurgical Group Ltd	Third Avenue, Radnor Park Industrial Estate, Congleton, CW12 4XE	Tandom Metallurgical Group Ltd	Waste transfer facility/material recycling facility
Curzn Alloys Ltd	Radnor Park Industrial Estate, 2nd Avenue, Congleton, CW12 4XJ	Curzn Alloys Ltd	Material recycling facility
Leighton Grange IVC	Middlewich Road, Leighton, Crewe CW1 4QQ	Biowise Ltd	Organic treatment facility
Maw Green Landfill	Maw Green Road, Crewe, CW1 5NG	3C Waste Ltd	Inert & non -hazardous landfill/ material recycling facility
Crewe Household Waste Recycling Centre	Pyms Lane, Crewe CW1 3PJ	HW Martin Waste Ltd	Household waste recycling centre/waste transfer facility
Basford Sidings	Basford Sidings, off Gresty Road, Crewe	Network Rail	Waste transfer facility (rail ballast)
Houston & Sons	Victoria Avenue Crewe CW2 7SR	Houston & Sons Ltd	Material recycling facility
S.L. Metals Ltd	Unit 3 Cotton Farm, Middlewich Road, Holmes Chapel, CW4 7ET	S.L. Metals Ltd	Material recycling facility

Site Name	Address	Operator	Waste Management Type
Knutsford Household Waste Recycling Centre	Mobberley Road, Shaw Heath, Knutsford WA16 8HT	HW Martin Waste Ltd	Household waste recycling centre/waste transfer facility
Macclesfield Household Waste Recycling Centre	Congleton Road, Gawsworth, Macclesfield, SK11 9QP	HW Martin Waste Ltd	Household waste recycling centre/waste transfer facility
Gawsworth Quarry	Off London Rd, Gawsworth SK11 0JN	O'Gara Developments Ltd	Inert landfill
Environmental Hub	Cledford Lane, Middlewich, CW10 OJR	ANSA Environmental Services Ltd	Waste transfer facility
Middlewich Household Waste Recycling Centre	Croxton Lane, Middlewich CW10 9EZ	HW Martin Waste Ltd	Household waste recycling centre/waste transfer facility
Spares 4 Your Car Ltd	Unit 3 King Street Industrial Estate, King Street, Middlewich, CW10 9LF	Spares 4 Your Car Ltd	Material recycling facility
WPI Group	King Street Trading Estate, King Street, Middlewich CW10 9LF	WPI Group	Waste transfer facility
Whittaker's Green Farm	Whittaker's Green Farm, Pewit Lane, Hunsterson, Nr Nantwich CW5 7PP	WGR Ltd	Organic treatment facility
Garratts Metals	Windy Arbour Alvaston Business Park Nantwich CW5 6PF	Garratts Metals Ltd	Material recycling facility
Car Transplants Recycling (Synetiq Ltd)	Chester Road, Nantwich, CW5 6BU	Synetiq Ltd	Material recycling facility
Nick Brookes Group	Wardle Industrial Estate, Green Lane, Wardle, CW5 6DB	Nick Brookes Group	Organic treatment facility/waste transfer facility/aggregate recycling facility/material recycling facility
Scanlan's Plant Hire Ltd	Tricketts Lane, Willaston Nantwich CW5 6PZ	Scanlan's Plant Hire Ltd	Waste transfer facility (CDEW Recycling including skip waste)
Poynton Household Waste Recycling Centre	Anson Road, Poynton SK12 1TD	HW Martin Waste Ltd	Household waste recycling centre/waste transfer facility
Fields Farm	Fields Farm, Clay Lane, Moston, Sandbach CW11 3QX	CRJ Services Ltd	Organic treatment facility
Sandbach Recycling Centre	Booth Lane, Sandbach CW11 3PU	HW Martin Waste Ltd	Waste transfer facility
Enviro Skip Hire, Sandbach	Unit 3a Norton Way Moss Lane Industrial Estate Sandbach CW11	Enviro Skip Hire Ltd	Waste transfer facility

Site Name	Address	Operator	Waste Management Type
	3WL		
Sandbach Commercial Dismantlers Ltd	The Yard, Moston Road, Sandbach, CW11 3HL	Sandbach Commercial Dismantlers Ltd	Material recycling facility
Green Contract Services Ltd	Old Hall Brickhouse 2 Congleton Road, Sandbach, CW11 4SR	Green Contract Services Ltd	Waste transfer facility
Higher Smallwood Farm	Walkers Lane, Scholar Green ST7 3SU	HSF Recycling Ltd	Organic treatment facility
	Windsor Drive, Brindley, Nantwich, CW5 8HZ	United Utilities	Waste water treatment facility
	Gallantry Bank, Bickerton	United Utilities	Waste water treatment facility
	Land at The Homesteads, Church Minshull, CW5 6DZ	United Utilities	Waste water treatment facility
Wrenbury WWTW	Woodcote Hill Lane, Wrenbury Heath, Nantwich, CW5 8EH	United Utilities	Waste water treatment facility
	Land at French Lane, Baddington, CW5 8AP	United Utilities	Waste water treatment facility
	Land off Green Lane, Wardle	United Utilities	Waste water treatment facility
	Land off Bunbury Road, Alpraham	United Utilities	Waste water treatment facility
	Station Road, Calveley, Tarporley, CW6 9JL	United Utilities	Waste water treatment facility
	Timbersbrook Country Park, Weathercock Lane, Congleton	United Utilities	Waste water treatment facility
	Land at Lakeside, Bosley, Macclesfield, SK11 0PL	United Utilities	Waste water treatment facility
	Land off Macclesfield Road, Eaton	United Utilities	Waste water treatment facility
	10 Brownlow Heath, Brownlow Heath Lane, Brownlow	United Utilities	Waste water treatment facility
	Senderfield Lane, Sandbach	United Utilities	Waste water treatment facility
	Richard Woodcock Way, Alsager	United Utilities	Waste water treatment facility
	Dragons's Lane, Moston, Sandbach	United Utilities	Waste water treatment facility
Macclesfield WWTW	Butley Lanes, Prestbury, Macclesfield, SK10 4DS	United Utilities	Waste water treatment facility
	Oak Lane Marton	United Utilities	Waste water treatment facility
	off Trouthall Lane, Plumley	United Utilities	Waste water treatment facility
	Holly Grove, Tabley, Knutsford	United Utilities	Waste water treatment facility
	Hough Green, Ashley	United Utilities	Waste water treatment facility
Alderley Edge WWTW	Carr Lane, Alderley Edge, SK9 7SL	United Utilities	Waste water treatment facility

Site Name	Address	Operator	Waste Management Type
	Northern Outfall Works, Styal Road, Wilmslow, SK9 4AE	United Utilities	Waste water treatment facility
	Hough Hole, Rainow	United Utilities	Waste water treatment facility
	Hassall Road, Alsager, Stoke on Trent, ST7 2SJ	United Utilities	Waste water treatment facility
Audlem WWTC	Whitchurch Road, Audlem, Crewe, CW3 0EE	United Utilities	Waste water treatment facility
	The Willows Caravan Site, Coole Lane, Austerson, Nantwich, CW5 8AB	United Utilities	Waste water treatment facility
Bowdon WWTW	Bow Lane, Bowdon WA14 3BY	United Utilities	Waste water treatment facility
	Festival Avenue, Buerton, Crewe, CW3 0DB	United Utilities	Waste water treatment facility
	Land at Weaver View, Church Minshull,	United Utilities	Waste water treatment facility
	Barn Road, Congleton, CW12 1LJ	United Utilities	Waste water treatment facility
Great Warford WWTW	Noahs Ark Lane, Mobberley, Knutsford, SK9 7AX	United Utilities	Waste water treatment facility
Nantwich WWTW	Middlewich Road, Nantwich	United Utilities	Waste water treatment facility
	Land at Warmingham Lane, Moston	United Utilities	Waste water treatment facility
Knutsford WWTW	Off Knutsford Road, Mobberley WA16 7PS	United Utilities	Waste water treatment facility
	Carlisle Close, Mobberley, Knutsford, WA16 7HD	United Utilities	Waste water treatment facility
	Mill Lane, Bulkeley, Malpas, SY14 8BL	United Utilities	Waste water treatment facility
	Bowes Gate Road, Bunbury, CW6 9QA	United Utilities	Waste water treatment facility
Crewe WWTW	Main Road, Aston Juxta Mondrum, CW5 6DU	United Utilities	Waste water treatment facility
Middlewich WWTW	Prosperity Way, Middlewich	United Utilities	Waste water treatment facility
Holmes Chapel WWTW	Knutsford Road, Cranage, CW4 7DE	United Utilities	Waste water treatment facility
Lawton Gate WWTW	Knutsford Road Rode Heath	United Utilities	Waste water treatment facility
	Liverpool Road East, Church Lawton, ST7 3AH	United Utilities	Waste water treatment facility
Adlington WWTW	London Road, Adlington	United Utilities	Waste water treatment facility
	Mowpen Brow, High Legh	United Utilities	Waste water treatment facility

Site Name	Address	Operator	Waste Management Type
	Candelan Way, High Legh, WA16 6TP	United Utilities	Waste water treatment facility
	Harbour Lane, Gawsworth, SK11 9EX	United Utilities	Waste water treatment facility
	Moss Mere, Smallwood, Sandbach	United Utilities	Waste water treatment facility
	Lindow End, Foden Lane, Knutsford Rd Mobberley	United Utilities	Waste water treatment facility
	Lower Roughwood Mill, Alsager Road, Hassall Green	United Utilities	Waste water treatment facility
	Main Road, Worleston, Nantwich	United Utilities	Waste water treatment facility
	John Ford Way, Arclid	United Utilities	Waste water treatment facility
	Love Lane, Betchton, Sandbach	United Utilities	Waste water treatment facility
	Winsford Road, Cholmondeston	United Utilities	Waste water treatment facility
	Hilbre Bank, Alpraham Green, Tarpoley	United Utilities	Waste water treatment facility
	Checkley Lane, Nantwich	United Utilities	Waste water treatment facility
	Longhill Lane, Near Ravens Bank, Crewe	United Utilities	Waste water treatment facility
	Adj Orwell House Farm, Yew Tree Lane, Moreton, Congleton	United Utilities	Waste water treatment facility
	The Beeches, New Road, Moreton, Congleton	United Utilities	Waste water treatment facility
	Land opposite Silver Springs, Weathercock Lane, Congleton	United Utilities	Waste water treatment facility
	Rear of Oakwood Road, off Hoo Green Lane, Hoo Green	United Utilities	Waste water treatment facility
	Rear of 13 New Road, Moreton, Congleton	United Utilities	Waste water treatment facility
	Paddock Hill Lane, Mobberley	United Utilities	Waste water treatment facility
	Mere Moss Farm, Moss Mere, Smallwood CW11 2XG	United Utilities	Waste water treatment facility
	Smethwick Lane, Brereton, Sandbach	United Utilities	Waste water treatment facility
	Land At Congleton Road Swettenham Holmes Chapel CW12 2LP	United Utilities	Waste water treatment facility
	The School House, Swettenham Lane Swettenham Congleton CW12 2LE	United Utilities	Waste water treatment facility

Appendix K Glossary

Glossary

Advanced Thermal Treatment	A range of technologies designed to generate a fuel (syngas) from waste. This may be used to produce heat, electricity or used as a fuel or chemical feedstock. The principal technologies are based on gasification and pyrolysis. Often deployed at smaller scale than mass burn incineration.
Aftercare	An agreed programme of work designed to bring a restored mineral or waste disposal site to a satisfactory standard usually for agricultural, amenity or nature conservation uses. Normally imposed in the form of a planning condition for a specified period following the initial restoration.
After use	The use that land, used for minerals working or waste management, is put to after restoration such as agriculture, forestry and recreation.
Aggregates	Sand, gravel and crushed rock and other bulk fill materials that are suitable for use in the construction industry as concrete or mortar, or for use as a construction fill or railway ballast.
Aggregate Recycling Facility	A site where aggregate, including hardcore and soil is stockpiled and mechanically screened and crushed as necessary and where contaminants such as timber, glass and metal are removed.
Agricultural Waste	Waste produced on a 'farm' in the course of 'farming'. Agricultural waste takes both 'natural' (or organic) and 'non- natural' forms e.g. plastics.
Anaerobic Digestion	A process to manage organic matter including green waste and food waste broken down by bacteria in the absence of air, producing a gas (biogas) and nutrient rich solid or liquid (digestate). The biogas can be used to generate energy either in a furnace, gas engine, turbine or to power vehicles, and digestate can be applied to land as a fertiliser.
Apportionment	Currently set by the 'National and regional requirements for aggregate provision in England 2005-2020', a specified amount of aggregates to be produced annually on a sub-regional basis.
Area of Search	Areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply.
Aquifer	A geological stratum or formation which contains exploitable resources of water which is capable of either storing or transmitting water.
Best and most versatile agricultural land	Land in grades 1, 2 and 3a of the Agricultural Land Classification
Biodegradable Waste	Waste that can break down over time due to natural biological action/processes, such as food, garden waste and paper.
Bird Strike	Damage to aircraft caused by birds.
Borehole Log	The record of a drilling activity which indicates the type of mineral found at various depths and geological horizons.
Borrow Pit	A mineral working providing aggregates or other bulk filling material solely for use in a particular project and normally close to the project.

Bund	Mound of inert material, usually clay or soil which is used as a visual and/or acoustic screen or barrier.
Cell	The compartment within a landfill site in which waste is deposited. The cell includes physical boundaries such as a low permeability base, a bund wall and low permeability cover.
Combined Heat & Power	The combined production of heat (usually in the form of steam) and power (usually in the form of electricity).
Commercial Waste	Waste arising from premises which are used wholly or mainly for trade, business, sport, recreation or entertainment, excluding municipal and industrial waste.
Composting	A biological process which takes place in the presence of oxygen (aerobic) in which organic wastes, such as garden or kitchen waste, are converted into a stable granular material.
Controlled Solution Brine Mining	Brine is produced by solution mining by injecting water into salt beds and pumping out the resulting salt solution.
Controlled Waste	The term used for waste that is subject to regulation under the Environmental Protection Act (as clarified in the Controlled Waste (England and Wales) Regulations 2012), namely household, commercial and industrial waste.
Construction, Demolition & Excavation Waste	Controlled waste arising from the construction, repair, maintenance and demolition of buildings and structures.
Dry Rock Head	Salt beds which are overlain by marl so that the salt is outside the zone of circulating groundwater and therefore dry.
Duty to co-operate	Introduced by the Town & Country Planning (Local Planning) (England) Regulations 2012, requires Local Authorities and other public bodies to co-operate on cross-border strategic planning issues.
Energy from Waste	The conversion of the calorific value of waste into energy, normally heat or electricity through applying thermal treatment of some sort. This may also include the production of gas that can be used to generate energy.
Environmental Impact Assessment	A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.
Gasification	The thermal breakdown of organic material by heating waste in a low oxygen atmosphere to produce a gas. This is then used to produce heat/electricity.
Greenfield	Land, or a defined site, usually farmland, that has not previously been developed.
Green Gap	A current local designation that seeks to maintain the definition and separation of existing communities, and to indicate support for the longer term objective of preventing Crewe, Willaston, Wistaston, Nantwich, Haslington and Shavington from merging into each other.
Groundwater	Water that has penetrated the earth from the surface via stratapores and fissures.
Habitats Regulation	A Habitats Regulations Assessment (HRA) is a process that determines

Assessment (HRA)	whether a proposed plan or project could significantly harm the designated features of a European site.
Hazardous Waste Landfill	Sites where hazardous waste may be disposed by landfill. This can be a dedicated site or a single cell within a non-hazardous landfill, which has been specifically designed and designated for depositing hazardous waste.
Hazardous Waste	Waste requiring special management under the Hazardous Waste Regulations 2005 due to it posing potential risk to public health or the environment (when improperly treated, stored, transported or disposed). This can be due to the quantity, concentration, or characteristics of the waste.
Household Waste	Waste from: households collected from the kerbside; bulky items collected from households; waste delivered by householders to household waste recycling centres and 'bring recycling sites'; street sweepings; and public litter bins.
Household Waste Recycling Centres	A facility that is available to the public to deposit waste not collected through kerbside collection. (Also known as a civic amenity site).
Hydrocarbons	Within the context of the mineral policies, “hydrocarbons” relate to oil, gas and coal bed methane.
Incineration	The controlled burning of waste. Energy may also be recovered in the form of heat (see Energy from Waste).
Industrial Minerals	Minerals which are necessary to support industrial and manufacturing processes and other non-aggregate uses. These include minerals of recognised national importance such as brickclay (especially Etruria Marl and fireclay), silica sand (including high grade silica sands), industrial grade limestone, cement raw materials, gypsum, salt, fluorspar, tungsten, kaolin, ball clay and potash.
Inert Waste	Waste which, when deposited into a waste disposal site, does not undergo any significant physical, chemical or biological transformation.
In-vessel Composting	The composting of biodegradable waste in an enclosed environment with accurate temperature control and monitoring systems ranging from enclosed halls, tunnels, reactors, vessels and containers.
Landbank (Minerals)	Quantity of mineral remaining to be worked at sites with planning permission. Usually expressed as the number of years permitted reserves will last at an indicated level of supply or given rate of extraction.
Landfill (including landraising)	The permanent disposal of waste to land, by the filling of voids or similar features, or the construction of landforms above ground level (landraising). Through restoration the land provided may be used for another purpose.
Local Authority Collected Waste	All waste collected by a local authority. This includes local authority collected household waste and business waste and non-municipal fractions such as construction and demolition waste. LACW is the definition used in statistical publications, which previously referred to municipal waste.
Managed Aggregate Supply System	A mechanism (which works through national, sub-national and local partners working together) to deliver a steady and adequate supply of aggregates, as well as handle the significant geographical imbalances in the occurrence of suitable natural aggregate resources and the areas

	where they are most needed.
Materials Recycling Facility (MRF)	A facility for sorting recyclable materials from the incoming waste stream, normally mechanically or manually separated, baled and stored prior to reprocessing.
Mechanical Biological Treatment (MBT)	A term used to describe a number of different residual waste treatment processes that involve both mechanical and biological treatment of municipal solid waste (MSW). MBT plants are used to separate mixed waste streams, typically from MSW, into a range of dry products (typically ferrous and non-ferrous metals and glass), high calorific value refuse derived fuels (RDF) suitable for incineration, and wet biodegradable slurries suitable for either composting or anaerobic digestion (AD).
Mineral Infrastructure Assessment	A methodical assessment of the potential effects of a non-minerals development on safeguarded minerals infrastructure including loss of the site / facility or constraint on its operation and capacity, and measures to mitigate any effects.
Mineral Resources	Natural concentrations of minerals in or on the Earth's crust that are or may become of economic interest because they are present in such a form, quality or quantity that there is potential for eventual economic extraction.
Mineral Reserve	Mineral deposits which have been tested to establish the quality and quantity of material present and which could be economically and technically exploited.
Mineral Safeguarding Area	An area designated by a Mineral Planning Authority which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development.
Mineral Working	Removing a mineral from its position in or under the land.
Methane	A colourless, odourless gas formed during the anaerobic decomposition of putrescible waste. It is a major constituent of landfill gas.
Neighbourhood Plan	A plan prepared by a town/parish council or neighbourhood forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).
Non-Hazardous Landfill	A landfill permitted to accept non-inert (biodegradable) wastes e.g. municipal and commercial and industrial waste and other non-hazardous (including inert) wastes. A landfill may only accept hazardous waste if a special cell is constructed.
Open Countryside	The open countryside is the area outside defined local plan settlement boundaries. This applies to settlements in the first three tiers of the Council's settlement hierarchy, namely Principal Towns, Key Service Centres and Local Service Centres.
Open Windrow Composting	The composting of organic waste in external windrows which are not enclosed in any building, tunnel, reactor, vessel or other container.
Permitted Reserves	Sites where planning permission has been granted for development but where extraction has still to take place or is not yet completed. It may cover the whole or part of a site.
Preferred Area	Areas containing known mineral resources largely unaffected by substantial planning constraints where planning permission might

	reasonably be anticipated providing proposals are environmentally acceptable.
Progressive Restoration	The method of restoring a site or area in phases, undertaken in conjunction with ongoing working, so that the minimum area practicable is out of its former use at any one time
Proximity Principle	A principle that advocates that waste should be disposed of (or otherwise managed) close to the point at which it is generated.
Pyrolysis	The heating of waste in a closed environment (that is, in the absence of oxygen) to produce a secondary fuel product).
Recovery	The processing of waste to recover value including recycling, composting or (energy recovery through) thermal treatment.
Recycling	The reprocessing of materials extracted from the waste stream either into the same product or a different one that can be re-used.
Recover to Land	Activities involving the permanent deposit of inert waste for specific purposes not classed as disposal. Generally subject to permitting. It may include backfilling of mineral workings.
Reduction	Reducing the amount of waste produced.
Refuse Derived Fuel	Waste remaining after materials for re-use, recycling and composting/organic waste treatment (e.g. anaerobic digestion) have been removed.
Residual Waste	Waste remaining after materials for re-use, recycling and composting/organic waste treatment (e.g. anaerobic digestion) have been removed.
Re-use	The re-use of materials in their original form, without any processing other than cleaning.
Secondary Aggregates	Aggregates derived from by-products of extractive industry such as china clay waste, colliery spoil and pulverised fuel ash. They can also be derived from the recycling of construction and demolition wastes such as crushed concrete.
Sewage Sludge	A putrescible, odorous by product of the treatment of sewage at treatment works that may be produced in the form of liquid sludge or solids.
Sustainability Appraisal (SA)	An appraisal of the economic, environmental and social effects of a plan from the outset of the preparation process to allow decisions to be made that accord with sustainable development.
Unconventional Hydrocarbons	The term “unconventional” refers to the method of accessing and extracting the oil or gas, rather than the oil or gas itself being unconventional. Unconventional hydrocarbons include shale gas and coal bed methane.
Vermin	Insects and small wild animals which can be attracted to waste sites (including landfill sites) and can be a health hazard.
Waste Arising	The amount of waste generated in a given locality over a given period of time.
Waste Management Authority	The local authority responsible for the management of all household waste within the borough. In this case Cheshire East Council. As a

	unitary authority Cheshire East is the statutory Waste Collection Authority (WCA), Waste Disposal Authority (WDA) and Principal Litter Authority.
Waste Planning Authority (WPA)	The local authority responsible for waste development planning and control. In this case Cheshire East Council.
Waste Transfer Station	A site to which waste is delivered for bulking prior to transfer to another place for further processing or disposal.
Waste Management Facility Safeguarding	An area/site designated by a Waste Planning Authority which covers waste facilities/infrastructure. The safeguarding will seek to make sure that the need for existing or planned waste management infrastructure, its capacity and any potential constraint on its management activity is considered when decisions are made on new development.
Waste Water Treatment Works (WWTW)	A facility for the treatment of sewage, waste water and effluent.

Appendix L Acronyms

Acronyms	
AD	Anaerobic digestion
AMR	Authority Monitoring Report
AOS	Areas of Search
AQMA	Air Quality Management Area
BGS	British Geological Survey
BMV	Best and most versatile (agricultural land)
C&I	Commercial and industrial waste
CD&E	Construction, demolition and excavation
CHP	Combined heat and power
COP26	26th United Nations Climate Change Conference
CWaC	Cheshire West and Chester
DLUHC	Department for Levelling Up, Housing and Communities
DtC	Duty to Co-operate
EA	Environment Agency
EFW	Energy from waste
EIA	Environmental Impact Assessment
HRA	Habitats Regulations Assessment
HS2	High Speed 2 rail
LAA	Local Aggregates Assessment
LACW	Local authority collected waste
LLFA	Lead Local Flood Authority
LDF	Local Development Framework
LPS	Local Plan Strategy
MAS	Managed aggregate supply system
MBT	Mechanical-biological treatment
MIA	Mineral Infrastructure Assessment
MPA	Mineral Planning Authority
MPG	Mineral Planning Guidance
MRA	Mineral Resource Assessment
MSAs	Mineral Safeguarding Areas

Mt	Million tonnes
MWP	Minerals and Waste Plan
NCA	National Character Area
NPPF	National Planning Policy Framework
NPPW	National Planning Policy for Waste
NW AWP	North West Aggregate Working Party
OFWAT	The Water Services Regulation Authority
PDNPA	Peak District National Park Authority
PEDL	Petroleum Exploration and Development Licence
PPG	Planning Practice Guidance
RIA	Radio Interference Assessment
SA	Sustainability Appraisal
SADPD	Site Allocations and Development Policies Document
WNA	Waste Needs Assessment
WPA	Waste Planning Authority
WWTW	Waste water treatment works

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