

## Policy CS38 – Minerals

Summary of Comments Received	Recommended Response
<p>Point 4 of Policy CS38 should be altered to read: "<u>and may include suitable long-term management, during the life of the development, of land not currently being worked,</u>" to make it clear that mitigation will be secured whether the site is being worked or not, in accordance with paragraph 143 of the National Planning Policy Framework the accompanying Technical Guidance (March 2012).</p>	<p>Accepted. It is recommended that point 4 of Policy CS38 is amended to read: "adequate provision for the mitigation of any negative impacts will be secured <u>during operations and periods when the site is not being worked;</u>" It is also recommended that paragraph 24.1 is strengthened to read: "Minerals are an important economic asset but the exploration, working, storage, processing and distribution of minerals can have harmful effects on the environment. <u>In line with national policy, applicants will need to demonstrate that mineral sites can be sensitively designed and operated in a way to ensure there are no unacceptable adverse impacts on the environment or human health, which should be linked to a long-term management plan and landscape strategy during the life of the scheme. The land should be restored at the earliest opportunity in accordance with an aftercare scheme and a budget that makes provision for high quality restoration, aftercare, after-use and a final landform consistent with landscape character of the surrounding area.</u>"</p>
<p>Point 5 of Policy CS38 should say that: "<u>appropriate restoration will be expected to enhance biodiversity and geodiversity as appropriate</u>".</p>	<p>No change is recommended as point 5 of Policy CS38 already says that: "sensitive environmental restoration and aftercare of sites will be secured at the earliest opportunity, to a standard and manner consistent with the character, setting and landscape of the surrounding area;" and provision to protect and enhance biodiversity and geo-diversity is already contained within Policy CS33 – Biodiversity and Geodiversity.</p>
<p>Paragraph 24.5 may need amending in the light of the recent award of a coal gasification licence for the Dee Estuary to Cluff Natural Resources.</p>	<p>No change is recommended because there is no indication that production in Wirral would be either possible or viable.</p>
<p>A reference to energy pipelines could be included in the supporting text to Policy CS38.</p>	<p>No change is recommended to Policy CS38 because the safeguarding of pipelines is already provided for under Policy CS42 – Development Management.</p>
<p>National policy also requires the Council to set out policies to enable prior extraction of minerals where non-minerals development is to take place.</p>	<p>No further change is recommended because, following consultation with the mineral industry, it has been confirmed that Wirral has no workable resources for land-won crushed rock, sand, gravel or industrial minerals. The only workable site for clay extraction, which is already identified on the Unitary Development Plan Proposals Map, is used intermittently and further work relating to safeguarding will be undertaken to inform a site specific Local Plan.</p>

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<p>Policy CS38 does not safeguard the known locations of specific minerals resources of local or national importance, which should be done through the defining of a Mineral Safeguarding Area in the Core Strategy in line with national policy and up-to-date mineral safeguarding advice. It is not sufficient to outline only the intention to safeguard land in general terms. Policy CS38 needs to safeguard all known mineral resources, in particular clay, and cannot solely safeguard permitted reserves. It is not sufficient to rely upon land ownership to safeguard minerals from unnecessary sterilisation caused by incompatible development. Permitted reserves in Wirral are already at risk from encroachment from incompatible development. Existing, planned and potential rail head and wharfage, such as the existing mineral wharf at Eastham should also be safeguarded. Landings of marine minerals at Eastham have remained fairly consistent and on average represent up to 30% of total landings in the North West and are strategically significant. Regional assumptions of marine dredged aggregate should not be used as an indicator of the need for safeguarding as annual landings in the North West have never been at the assumed rate of 937,500 tonnes but have been on average between 400,000 - 600,000 tonnes.</p>	<p>Accepted. It is recommended that Policy CS38 is amended to read: <u>“Land that should be safeguarded around mineral resources and facilities that are considered to be of economic importance will be included in a site specific Local Plan. Mineral resources and facilities within safeguarded areas will be protected against unnecessary sterilisation by other development.”</u> in line with British Geological Survey Good Practice Advice OR/11/046 and National Planning Policy Framework, paragraph 143. It is also recommended that paragraph 24.4 is amended to read: <u>“Marine-won sand and gravel from Liverpool Bay has previously been landed at port facilities at Birkenhead and Eastham and is currently landed at a purpose-built facility on the Bromborough coast. Annual landings have been as high as 124,000 tonnes but over recent years have reduced to just over 92,000 tonnes, on average representing up to 30 percent of total landings in the North West. A more up-to-date Local Aggregates Assessment is currently being jointly prepared by the Merseyside and Greater Manchester authorities, to agree the local apportionment of minerals requirements.”</u></p>