



**NO
GRAVEL PIT
HERE**

Planning Consent for Mineral Works



**Oliver Puddle
25 September 2013**

DustScan Ltd

CONTENTS

- Examples of Planning Applications
- Examples of Mineral Works
- Mineral Planning Process
- Environmental Impact Assessment (EIA)
- National Planning Policy Framework (NPPF)
- Dust Assessment Study (DAS)
- Dust Management Scheme/Plan (DMS/DMP)

Planning Consent for Mineral Works

As in any planning matter that might affect air quality, whatever the sector of industry, the key concern at the outset is to understand the current setting and the proposed activities

Mineral Planning Applications

- New site
- Extension to existing workings
- Significant change to existing site operations
- Review of Mineral Planning Permission (ROMP) review – every 15 years

Surface Coal Mine



Roadstone Quarry & Asphalt Plant



Sand Pit



Sand Pit & Building Supplies Compound



Limestone Quarry



Limestone Quarry & Cement Works



Proposed Quarry



Quarry - Entrance



Mineral Planning Process

- Scoping report of proposed development by applicant
- Scoping opinion from MPA – NPPF or MTAN1 (Wales)
- EIA inc. Dust and Air Quality Assessment, in accordance with 2011 EIA Regs (not always required)
- EIA might suggest modifications to proposed development
- Planning application to LA supported by ES (EIAs)...
- Consent?
- Not always a straightforward process!

Sand & Gravel Quarry near Housing



Mineral Planning Process

- The primary objective of a planning application is to obtain planning permission
- Applications are therefore usually only submitted when there is a good chance of consent being granted
- ES must be adequate – further information might be requested which could delay planning process
- EIAs assess the impacts of the proposed development and if necessary suggest amendments and/or mitigation to reduce the likelihood and magnitude of impacts
- Robust EIAs can increase the chances of a planning application being successful

Environmental Impact Assessment (EIA)

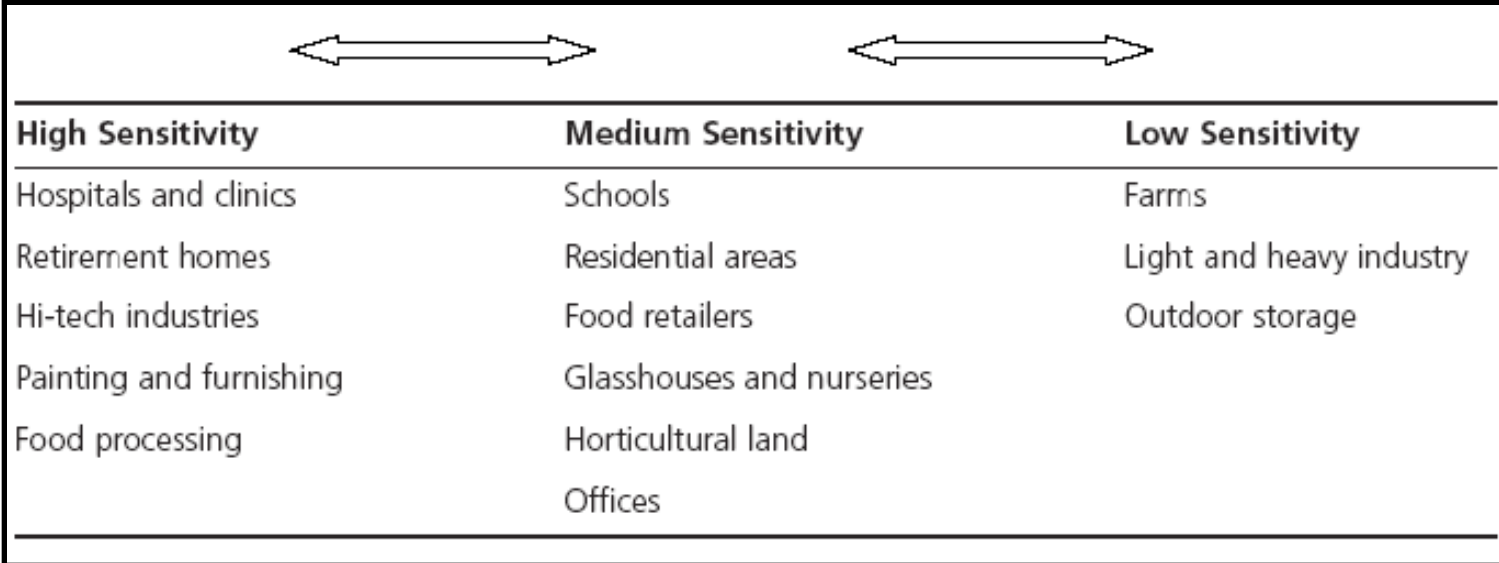
- Can include assessments for dust and air quality, landscape, noise, vibration, odour (e.g. landfill), geology, ecology etc. – All come together to form ES
- Aim of assessments to demonstrate that the proposed development will not cause harm and will not lead to exceedences of official limit values (e.g. AQOs) or cause nuisance
- Assessments should be undertaken with reference to NPPF and other relevant best practice guidance
- Defra 'LAQM.TG (09)' & PGNs inc. 'PGN 3/08 (12)', Arup (1995), MIRO/AEA good practice guide (2010) etc.
- IAQM construction dust guidance (2012)

National Planning Policy Framework (NPPF)

- Replaces MPS2 & resurrects Arup report!
- MPAs expected to ensure proposals do not have unacceptable adverse effects on the natural or historic environment or human health or cause nuisance
- Conditions may be attached to sites working in close proximity to communities (e.g. programme of work, location of plant and separation distances)
- Dust emissions should be controlled, mitigated or removed at source – DAS (EIA)

Examples of dust-sensitive facilities (NPPF)

The relationship of the activities within mineral works to surrounding land uses varies from site to site

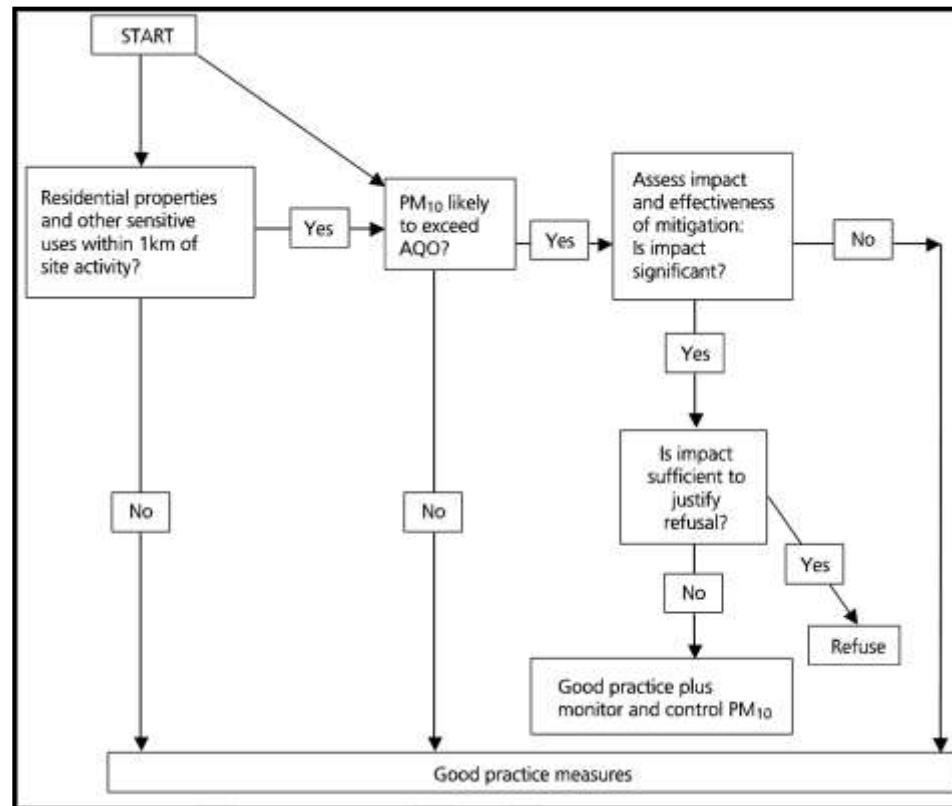


High Sensitivity	Medium Sensitivity	Low Sensitivity
Hospitals and clinics	Schools	Farms
Retirement homes	Residential areas	Light and heavy industry
Hi-tech industries	Food retailers	Outdoor storage
Painting and furnishing	Glasshouses and nurseries	
Food processing	Horticultural land	
	Offices	

Examples of dust sensitive facilities (after Ireland M, 1992)

Site Assessment Flow Chart (NPPF)

Site Assessment Flow Chart to determine the potential impact of quarry processes on local air quality (PM₁₀)



Dust Assessment Study (DAS)

- Usually visible 'nuisance' dust (directional soiling and/or deposition) and PM₁₀ for mineral works
- NO₂ & NO_x also if significant change in HGV movements
- Baseline conditions must be established – monitor?
- Identify site activities that might lead to dust emissions
- Identify site parameters which might increase impacts
- Recommend mitigation measures, modify design?
- Monitor and report emissions to ensure compliance and to aid complaint investigations - DMP

Baseline Conditions



Dust Assessment Study (DAS)

Potential impacts of a proposed development can be assessed by:

- Comparisons with similar sites or interpreting monitoring and/or weather data (use any existing data if available)
- Investigating complaints records
- Demonstrating compliance with site conditions & AQOs – Custom and Practice guidelines for ‘nuisance’ dust
- Estimating residual effects after mitigation
- Professional judgement of consultant

Dust Management Plan/Scheme (DMP/DMS)

- Often recommended by DAS and recommended by condition
- Mitigation – dust containment, suppression etc.
- Site diary – activities etc.
- Dust and weather monitoring – ‘trigger limits’
- Robust complaints procedure
- Liaison Committee
- DMPs/DMSs should be regularly reviewed

Consent?

- Realistic planning proposal inc. afteruse - MPA
- Comply with best practice guidance
- Site specific DMS/DMP
- Implement mitigation measures & review efficacy
- Monitor emissions where appropriate

Public Inquiry appeal? Expert Witness?

Demand for housing & roads requires minerals!

Thank you / Questions?



**Oliver Puddle
25 September 2013**

