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Your ref:

Our ref: SP1/3 MH/NO'S/SB

Date: 21 November 2012

21 NOV 2012

FOR THE
ATTENTION OF

Dear John Macholc

PLANNING APPLICATION NO: 3/2012/0964

PROPOSAL: ERECTION OF THIRTY DWELLING HOUSES, CREATION OF A NEW ACCESS ONTO WHALLEY ROAD, NEW ESTATE ROAD, LANDSCAPE, SERVICING, A REPLACEMENT SCHOOL CAR PARK, PICK-UP AND DROP-OFF PROVISION, AND PUBLIC OPEN SPACE, ALONG WITH DEMOLITION OF THE EXISTING AGRICULTURAL

LOCATION: LAND TO THE NORTH OF WHALLEY ROAD HURST GREEN (BETWEEN WARREN FOLD AND SCHOOL LANE COMPRISING PART FIELD AND SCHOOL CAR PARK) CLITHEROE BB7 9QH

This planning application has been brought to the County Council's attention as minerals planning authority for the area. I refer you to the development plan for the area, specifically the saved policies of the *Lancashire Minerals and Waste Local Plan 2006* and the *Lancashire Minerals and Waste Core Strategy* and emerging *Site Allocation and Development Management Policies*, and the *National Planning Policy Framework*.

The application is in a Mineral Safeguarding Area as defined by emerging policy M2 of the *Joint Lancashire Minerals and Waste Local Development Framework Site Allocation and Development Management Policies and Proposals Map*, and protected by Policy CS1 of the adopted *Joint Lancashire Minerals and Waste Core Strategy*.

The National Planning Policy Framework, paragraph 144, states:

"Local planning authorities should not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for those purposes"

The adopted Lancashire Minerals and Waste Core Strategy Policy CS1 states:

"Mineral resources with the potential for extraction now or in the future will be protected from permanent sterilisation by other development. Extraction of mineral resources prior to other forms of development will be encouraged."

Jo Turton

Executive Director for the Environment

Room C9 • County Hall • Preston • PR1 0LD

The emerging Policy M2 from the Lancashire Minerals and Waste Site Allocation and Development Management Policies is set out below:

Within these mineral safeguarding areas identified planning permission will not be supported for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals, unless the applicant can demonstrate to the satisfaction of the minerals planning authority that:

- *The mineral concerned is no longer of any value or has been fully extracted.*
- *The full extent of the mineral can be extracted satisfactorily prior to the incompatible development taking place.*
- *The incompatible development is of a temporary nature and can be completed and the site returned to its original condition prior to the minerals being worked.*
- *There is an overarching need for the incompatible development that outweighs the need to avoid sterilisation of the mineral resource.*
- *That prior extraction of minerals is not feasible due to the depth of the deposit*
- *Extraction would lead to land stability problems.*
- *In the case of peat deposits, that it no longer serves as a carbon sink.*

To accord with national policy, the Core Strategy and the emerging policy M2 of the Site Allocation and Development Management Policies document the applicant must be able to demonstrate that the development meets the criteria above. Given the nature of this development, and its potential to permanently sterilise resources in its vicinity, I would encourage you to request from the applicant a site survey that is carried out by a competent geological consultant.

This site survey should form the basis for a technical assessment by the applicant as to the size and nature of any workable mineral deposits (sandstone), including whether the mineral is of value, and whether they could be extracted prior to the development taking place.

If the mineral resource could not be extracted prior to development taking place, for example, because of subsequent flooding or land stability issues that would preclude the proposed development taking place; then a judgement will have to be made as to whether the importance given to the development by your local planning authority outweighs the need to avoid the sterilisation of the mineral resource.

Yours sincerely



Marcus Hudson
Head of Planning