



## PLANNING, ENVIRONMENT AND DEVELOPMENT SERVICE

Planning Development Control  
 County Hall Aylesbury Buckinghamshire HP20 1UY  
 Hays DX97401, Aylesbury 2  
[www.buckscc.gov.uk](http://www.buckscc.gov.uk)

### GUIDANCE NOTES FOR APPLICANTS

#### MINERAL DEVELOPMENT AND/OR WASTE MANAGEMENT APPLICATIONS

#### 1 INTRODUCTION

- 1.1 Before making any planning application, applicants are strongly advised to discuss their proposal with a County Council Development Control Officer. You should submit applications to the County Council Planning and Environment Service. The address is at the top of this page. Our telephone number is Aylesbury (01296) 382111. Applications, which are submitted without all the information requested in the forms and/or guidance notes may not be registered and may be returned to applicants to provide the necessary information in order for the application to be considered.

#### Policy

- 1.2 The Council's Buckinghamshire Minerals and Waste Local Plan 2004 – 2016 contains policies, proposals and guidance concerning mineral extraction and landfilling. It is essential that you read the Plans before considering making an application.

#### Guidance

- 1.3 These guidance notes are provided to assist applicants who intend to submit a planning application for mineral extraction, landfilling or other waste management facilities in Buckinghamshire. Please read the guidance notes before filling in the application forms or preparing any plans and drawings. The questions in the application form have been prepared for the purpose of obtaining the detailed information necessary for the County Council's consideration of mineral extraction or waste management developments.
- 1.4 If you are making an application for both mineral extraction and waste management, you will need to complete all the sections in the form. You are not required to complete section 3 on mineral extraction if the proposal is only for waste management (section 4) and vice versa. You can submit proposals for plant and buildings at minerals or waste sites by answering the relevant questions in sections 3 and/or 4.

#### Permitted Development

- 1.5 If you are unsure if your proposal requires planning permission, because you consider it does not involve development or may be permitted development under the Town and Country Planning (General Permitted Development) Order 1995, please contact a Development Control Officer. In cases of dispute you may wish to apply to determine the issue under Section 192 of the Town and Country Planning Act 1990.

#### Environmental Assessment

- 1.6 You should also consider whether your proposals are likely to require a formal Environmental Impact Assessment. For some developments the production of an

Environmental Statement is mandatory. These developments include:

- (i) All mineral extraction operations exceeding an area of 25 hectares.
  - (ii) All waste disposal installations for:
    - (a) the incineration, chemical treatment or landfill of hazardous waste;
    - (b) for the incineration or chemical treatment of non-hazardous waste with a capacity exceeding 100 tonnes per day.
- 1.7 A Screening Opinion will need to be made by the Council, to assess whether an Environmental Assessment is required for the following developments:
- (i) All proposals for mineral extraction operations above 1,000 cubic metres
  - (ii) All installations for the disposal of waste where the area of the development exceeds 0.5 hectare or where it would be within 100 metres of any controlled waters
  - (iii) All developments within the Chilterns AONB, or which affect an SSSI or Scheduled Ancient Monument.

If the development meets any of these criteria it is recommended that you request in writing a Screening Opinion from the County Council.

#### Number of Copies To Submit

- 1.8 Before submitting the application you should contact the Development Control Officer you have been discussing the proposal with who will advise you how many copies of the application are needed for consultation purposes. If you do not submit the number of copies requested by the officer, including all plans and supporting documents, then these will need to be copied by the Council, which is likely to delay the determination of the application. An electronic copy of the application and all accompanying documentation should be provided on a CD/DVD or by e-mail to [dcplanning@buckscc.gov.uk](mailto:dcplanning@buckscc.gov.uk).

#### Planning Obligations

- 1.9 Development proposals, which have off site impacts; for example lorry movements may require the completion of a legal agreement by the applicant, operator and landowner. The Development Control Officer will need to advise you on the matters to be controlled by the agreement before you submit your application. If you fail to provide the requisite information, cooperation or financial provisions to complete the legal agreement then your application may be refused.

## **2 DOCUMENTS TO BE SUBMITTED WITH MINERALS OR WASTE PLANNING APPLICATIONS**

#### The Application Form T.C.P. 2 (Ed.2.10)

- 2.1 If you are uncertain about a particular answer or fact please give your best estimate, and state that it is an estimate. Questions 3.18 to 3.21 for Minerals and 4.12 to 4.14 for Waste ask you to compile a list to be attached to the form. Other questions ask you to provide information in Statements or to illustrate the requested information on the plans submitted with the application. If you do not answer a relevant question or provide the requested information then the application may be returned to you or the determination of the application may be delayed if the information is provided after the application has been submitted and further consultation is required.

#### Plans, Sections and Drawings

- 2.2 All plans must be in metric dimensions and be on an Ordnance Survey base. Each plan should be clearly titled and given its own unique reference number as well as being signed and dated on each sheet by the Applicant or their Agent. Please note

that the plans, sections and drawings will be treated as part of the application. Any plan, section or drawing which is not submitted as part of the application but is intended for illustrative purposes only, should be clearly labelled to this effect. In most cases, applications involving mineral extraction or waste management will require the following plans, sections and drawings.

- 2.3 **Location Plan.** The Location Plan should be on a scale of 1:50,000.
- 2.4 **Site Plan.** This should be on a standard scale and of a scale not less than 1:2500. It should be on an Ordnance Survey (or similar) base and show the information specified in TABLE 1.
- 2.5 **Working Plan(s).** These should be at the same scale and level of detail as the Site Plan and include the information specified in TABLE 2.
- 2.6 **Restoration Plan(s).** These should be at the same scale and level of detail as the Working Plan and show how the site will be restored following the completion of mineral extraction and/or waste management operations. TABLE 3 specifies what minimum information is required.
- 2.7 **Sectional Plan(s).** Sectional plans of the development will be required to show the information in TABLE 4.
- 2.8 **Plans of Buildings, Plant and Structures.** The Council requires that detailed plans of all fixed plant, buildings and structures be submitted with the application. These plans should be at a scale of not less than 1:100 and include ground plans, elevations (with dimensions) and show the type and the colour of materials to be used. Weighbridges and fixed wheel cleaning equipment should be included.

#### Application Supporting Statement (Working and Restoration)

- 2.9 The application statement is an opportunity for the Applicant to clarify points, or provide additional information in support of the application. Matters, which should be considered for inclusion in the statement, are set out in TABLE 5.

#### Aftercare Statement

- 2.10 With regard to the return of the land to agriculture, forestry, or amenity recreation or nature conservation, it is important that the Applicant includes a statement about how the aftercare of the site will be dealt with. Matters to be considered in the Aftercare Statement are set out in TABLE 6. This table includes matters required Schedule 5, Part 1, Paragraph 2(1) of the Town and Country Planning Act 1990.

#### Certificates under the Town and Country Planning (Development Management Procedure) (England) Order 2010

- 2.11 Article 10 of the Order requires an application for planning permission to be accompanied by one of four certificates in accordance with Article 12. If you are the sole freeholder or have a leasehold interest, with at least 7 years left to run on the lease, Certificate A is appropriate. If you are not, you will have to give notice to the other owners, and complete Certificate B. Certificates C and D are appropriate only if you have made efforts to trace the other owners and have failed. An owner for the purposes of Certificates B, C and D includes a person having a leasehold interest with 7 or more years to run, a person entitled to an interest in any mineral (other than oil, gas, coal, gold or silver), as well as the freehold owner.
- 2.12 If any of the land to which the Application relates constitutes or forms part of an agricultural holding, you will also have to give notice to any agricultural tenant and notify the Council accordingly.

### **3 OTHER PLANNING APPLICATION MATTERS**

#### Planning Application Fees

- 3.1 The Team Leader Planning Development Control can advise you on how much the planning application fee is. In 2010 the fees are based upon an area calculation of the site and are payable for each 0.1 hectare of site area or part thereof. The fee should be submitted with your application, and the cheque made payable to 'Buckinghamshire County Council.'

#### Restoration Bonds

- 3.2 The Buckinghamshire Minerals and Waste Local Plan states that when a mineral extraction and/or waste management application is made, the Council may seek a restoration bond from the landowner or operator. The restoration bond provides a guarantee that the site will be restored in accordance with the requirements of a planning permission, either by the operator or landowner, or in their absence or failure by the Council. The Development Control Officer can advise you on the need for a bond in a planning obligation in connection with your proposed development.

#### Licences for Waste Management Operations

- 3.3 Where waste management is to take place, in most cases, in addition to obtaining Planning Permission, operators will also need to obtain an Integrated Pollution Prevention and Control Licence pursuant to the requirements of the Environmental Protection Act 1990. Application forms and advice can be obtained from the Environment Agency.

#### Building Regulations

- 3.4 The Application Form TCP2 (Ed2.10) relates only to planning procedures. For buildings and structures you may also need to apply for approval under the Building Regulations. The Forms are available from the District Council within which the property is located.

#### Site Services and Utilities

- 3.5 Where the development will involve the provision of, or affect gas, electricity, water or telephone or other utility services, the Applicant should give notice of the proposal at the earliest practicable date to the service undertaker(s) involved.

#### Public Rights of Way

- 3.6 Please note that in the event planning permission is granted this does not give a right to extinguish or divert footpaths or other rights of way. If your scheme affects a public right of way you should contact Rights of Way on telephone number 01296 382171.

#### Other Legislation

- 3.7 *It is your responsibility to ensure that your proposal complies with other legislation.*

**TABLE 1**

| <b>Site Plan Information</b>  | <b>On Plan(s)</b> |
|---|-------------------|
| Application land, edged red. Access route between the site and the public highway is part of the site area and should be within the red line.                     |                   |
| Land adjoining the site under the Applicant's control, edged blue.  |                   |
| Land within or adjoining the site from which minerals have previously been extracted or where waste management has already taken place, highlighted and annotated |                   |
| Position of existing buildings, plant and structures and all materials storage locations  |                   |
| Position of all underground services, overhead lines, roads, bridleways, footpaths and other public rights of way on, or adjacent to the site                     |                   |
| Position of hedges and trees within and adjacent to the site showing clearly which are to be retained and any which are to be removed                             |                   |
| Existing contours of the land within and on adjacent land to remain undisturbed outside the site (*).   |                   |
| Position of any watercourses, drainage ditches or ponds within or bounding the site showing, where appropriate, the direction of flow                             |                   |
| Locations where soil profiles were taken  |                   |
| Locations of trial holes and boreholes for mineral extraction sites   |                   |
| Location of noise monitoring points including all those points to be used for noise monitoring during development   |                   |

(\*) Plans shall be at a scale of not less than 1:2,500 scale and show a minimum of 1 metre contours with the spot height highest points of the land clearly shown

**TABLE 2**

| <b>Working Plan(s) Information</b>  | <b>On Plan(s)</b> |
|---|-------------------|
| Areas of land to be excavated shown <u>edged green</u> and/or the areas to be filled, shown <u>diagonally hatched</u> .   |                   |
| Safety margins to protect public rights of way, railway lines, underground services, watercourses, pipelines, overhead lines, pylons, buildings and trees, shrubs and hedges which are to remain undisturbed and to protect the stability of adjacent land.   |                   |
| Topsoil, subsoil and overburden storage areas. <i>Note:</i> Soil must not be removed from the site unless obviously authorised by the Council.  |                   |
| Proposals for screening and landscaping the operations, including the positions of screen bunds, and the position, size and type of all trees, shrubs and hedges to be planted on site before operations commence, and the measures to be taken to protect them. The heights of screen bunds should be stated and shown in section.   |                   |
| Location of all processing and other plant, stockpiles, buildings, offices, weighbridges, wheel cleaners, etc. The maximum height of stockpiles should be stated and shown in section.  |                   |
| Details of fencing and other security arrangements  |                   |
| Method and direction of working.  |                   |
| Phasing of working including direction of working in each phase. <i>Note:</i> A phase is one year's extractions or waste disposal unless otherwise indicated.   |                   |
| Diverted watercourses showing direction of flow, or where watercourses are to be stopped up. <i>Note:</i> In advance of submitting an application you should have sought advice from the Environment Agency on this issue   |                   |
| Any washing or slurry lagoons, leachate collection systems, sources of water supply, means of drainage and the position of any water discharges going to surrounding watercourses. <i>Notes:</i> In advance of submitting an application you should have sought advice from the Environment Agency on this issue. Applicants may wish to consider the use of wind or solar powered pumps as a more sustainable method of power generation |                   |

|   |  |
|---|--|
| Position and width of vehicular access route from the site to the public highway. Details of design of the junction where the access route from the site meet the public highway shown on a separate plan at a scale of 1: 100. This should show the width of the road, its means of construction, the turning radii, sight lines and location of wheel cleaning measures. <i>Note:</i> In advance of submitting an application you should have sought advice from the Highway Authority on this issue. |  |
| Internal traffic routes within the site (indicating widths), and the position of any conveyor belts or pipes  |  |
| Noise monitoring locations, particularly where specific measures are required for particular phases of working and differ from any longer term monitoring of the site as a whole  |  |
| Dust control measures.  |  |
| Location and specification of lighting including height of the light fixture.   |  |

Note: Details of odour and vermin control at waste sites should be included with applications but are matters for regulation and control by the Environment Agency.

**TABLE 3**

| <b>Restoration Plan(s) Information</b>   | <b>On Plan(s)</b> |
|--|-------------------|
| Final post settlement contours of the land, with typical gradients indicated and spot height high points.  |                   |
| Location of any areas of water remaining as a permanent feature of the restoration, together with the depths of water and details of typical margin treatment of the water areas.  |                   |
| Land drainage proposals including the positions of field drains, ditches, pumps and watercourses (including the direction of flow), and permanent discharge points to surrounding watercourses. <i>Note:</i> Applicants may wish to consider the use of wind or solar powered pumps as a more sustainable method of power generation |                   |
| Position, size and type of all trees, shrubs and hedges retained on site following the completion of operations and details of trees, shrubs and hedges to be planted, with their planned date of planting, and the protection and maintenance measures and programme.   |                   |
| Other landscaping proposals, e.g. paving, fencing, banks etc. and any roads and tracks to be either retained or established.   |                   |

**TABLE 4**

| <b>Section Plans Required</b>   | <b>Submitted</b> |
|---|------------------|
| Cross and longitudinal sections showing surface levels before operations commence and after restoration has been completed. Where extraction of minerals is to take place, the maximum depth of the excavations should be shown, and also the level of average water tables. Details should be provided of the range of fluctuation of the watertable and its relationship to the type of restoration proposed. |                  |
| For mineral extraction and landfilling operations, soil profiles should be submitted in respect of not less than the upper 1.4 metres of the surface of the site. This should differentiate between topsoil, subsoil and other overburden, give the thickness of each and describe the characteristics of the soil  |                  |
| For mineral extraction, trial hole and borehole information to include:<br>1. Depths of top and subsoil and overburden<br>2. Thickness, depths and characteristics of the mineral to be extracted, nature of any other minerals which are present but which are not to be extracted<br>3. Geology of the ground below the mineral to be extracted and, if reached, the depth of the watertable.                 |                  |

**TABLE 5**

| <b>Supporting Statement – Development Principles</b>   | <b>Considered</b> |
|--|-------------------|
| Secondary or Alternative Aggregates Production and/ or Waste Management and the waste hierarchy  |                   |
| Sustainable transport, proximity principle and vehicle movement minimisation   |                   |
| Future site use  |                   |
| Existing extraction and /or waste management on site and in the locality   |                   |
| <b>Site Operations</b>   |                   |
| Need for buildings and employment generation   |                   |
| Special Need to Work outside of usual working hours (8.00AM to 6.00PM) or on Saturdays, Sundays or public holidays                         |                   |
| Minerals on site and proposed use  |                   |
| Working methods including dewatering, open storage and use of mobile plant   |                   |
| Use or treatment of mineral waste  |                   |
| Additional details about the capacity and likely output of the plant other than listed in answer to questions 3.18 to 3.21 or 4.12 to 4.14 |                   |
| Pre and post settlement levels   |                   |
| Sealing or capping measures  |                   |
| Daily lorry movement number controls   |                   |
| Lorry routing controls and operator enforcement  |                   |
| Environmental and Amenity constraints, their protection and mitigation measures including buffer zones and landscaping                     |                   |
| Noise generation and means of monitoring and control   |                   |
| Dust and Odour minimisation and control  |                   |
| Need for lighting, location and specification  |                   |
| Gas, electricity and other utility equipment on site   |                   |
| Foul and surface water drainage  |                   |
| Hazardous substances   |                   |
| Landfill gas and leachate  |                   |
| Landfill gas electricity generation and use of wind energy   |                   |
| Soil resources, management methods and machinery   |                   |
| Phasing  |                   |
| Drainage   |                   |
| Landscaping  |                   |

**TABLE 6**

| <b>Aftercare Statement</b>  | <b>Considered</b> |
|---|-------------------|
| Preliminary phasing of aftercare and prospective dates for submission of detailed aftercare programme |                   |
| Measures to prevent soil compaction, soil loosening and cultivation                                   |                   |
| Remedial drainage   |                   |
| Soil testing, fertilisation and cropping and management over five years                               |                   |
| Weed and pest control   |                   |
| Details specifying the construction of landfill gas wellheads and distribution systems                |                   |

Note: The Aftercare Statement will be accepted as forming part of the Application, unless it is clearly indicated otherwise by the Applicant