

Email 14 November '08

Noel,

We are currently going through the Hearing in Public stage of the Examination of our Core Strategy and Generic Development Control Policies.

The Coal Authority has submitted representations about land stability matters and Cumbria's legacy of former mine workings. In connection with these we have suggested changes to two of the development control policies. These changes are highlighted below.

I shall be grateful if you can let me know if British Gypsum has any comments on these changes to the policies.

The matter is programmed for discussion at the Hearing session next Wednesday 19th November and it would be useful if you could reply before then if possible,

Richard

DEVELOPMENT CONTROL POLICIES DC 2

GENERAL CRITERIA

Minerals and Waste proposals must, where appropriate, demonstrate that:

- a. noise levels, blast vibration and air over-pressure levels would be within acceptable limits,
- b. there will be no significant degradation of air quality (from dust and emissions),
- c. public rights of way or concessionary paths are not adversely affected, or if this is not possible, either temporary or permanent alternative provision is made, and
- d. carbon emissions from buildings, plant and transport have been minimised.
- e. **issues of ground stability arising from former mineworkings, or naturally occurring, have been addressed.**

Considerations will include:

- the proximity of sensitive receptors, including impacts on surrounding land uses, and protected species,
- how residual and/or mineral wastes will be managed
- the extent to which adverse effects can be controlled through sensitive siting and design, or visual or acoustic screening,
- the use of appropriate and well maintained and managed equipment,
- phasing and duration of working,
- progressive restoration,
- hours of operations, and
- appropriate routes and volumes of traffic
- other mitigation measures

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AFTERUSE AND RESTORATION

Proposals for minerals extraction, or for temporary waste facilities such as landfill, should be accompanied by detailed proposals for restoration including proposals for appropriate afteruse, financial provision and long term management where necessary. Restoration and enhancement measures should maximise their contributions to national, regional and local biodiversity objectives and targets. **In all cases restoration schemes must demonstrate that the land is stable and that the risk of future collapse of any mineworkings has been minimised.**

After-uses that enhance biodiversity and the environment, conserve soil resources, conserve and enhance the historic environment, increase public access, minimise the impacts of global warming, and are appropriate for the landscape character of the area will be encouraged. These could include: nature conservation, agriculture, leisure and recreation, and woodland,

Where sites accord with other policies, an alternative or mixed afteruse that would support long term management, farm diversification, renewable energy schemes, tourism, or employment land may be acceptable.

All proposals must demonstrate that:

- a. for agricultural, forestry and amenity afteruses there is an aftercare management programme of at least 5 years, but longer where required to ensure that the restoration scheme is established,
- b. the restoration is appropriate for the landscape character and wildlife interest of the area, and measures to protect, restore and enhance biodiversity and geodiversity conservation features are practical, of a high quality appropriate to the area and secure their long term safeguarding and maintenance,
- c. restoration will be completed within a reasonable timescale and is progressive as far as practicable,
- d. provision for the likely financial and material budgets for the agreed restoration, aftercare and afteruse will be made during the operational life of the site.
- e. **restoration will be undertaken using industry best practice.**

Peat workings should be restored to peat regeneration wherever possible.