



**MINERAL SAFEGUARDING REPORT**

**AGRICULTURAL BUILDING FOR THE  
REARING AND CARE OF CALVES**

**ON BEHALF OF  
PICKSTOCK**

27 September 2021

**Our Ref: CLR230**

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# QUALITY MANAGEMENT

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Date:	<b>27 September 2021</b>
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# 1 INTRODUCTION

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## 1.1 Background

- 1.1.1 Claremont Planning Consultancy have been instructed by the applicant, Pickstock, to prepare and submit a Mineral Safeguarding Report in support of planning application 21/1361/FUL which seeks planning permission for the construction of an agricultural building for the rearing and care of calves on land at The Gables, Powys. The full planning application for the proposed works was submitted to the Authority on 23 July 2021 and is currently pending consideration.
- 1.1.2 The application site at The Gables is located within a Minerals Safeguarding Area for Sand and Gravel (category 1) and Sandstone (category 2) therefore necessitating the preparation of this Mineral Safeguarding Report. This supporting report will demonstrate that the proposed development of an agricultural barn will not necessitate the extraction of Sand, Gravel and Sandstone prior to development and will not sterilise this resource from future use.
- 1.1.3 This Mineral Safeguarding Report forms part of a wider submission base for application 21/1361/FUL and should be read in conjunction with documents and drawings already submitted in support of the application.
- 1.1.4 This Mineral Safeguarding Report will set out both the National and Local planning policy relevant for mineral safeguarding, and will then go on to detail the application site and the proposed development. Chapter 5 of this report will then assess the impact of the proposed agricultural building on the Sand, Gravel and Sandstone resources of the site.

## 2 PLANNING POLICY

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### 2.1 Introduction

2.1.1 The application site at The Gables is located within a Minerals Safeguarding Area for Sand and Gravel (category 1) and Sandstone (category 2) as identified by the proposal map extracts at Appendix 2. This section will therefore provide an overview of both national and local planning policy guidance pertinent to the proposed development.

### 2.2 National Planning Policy Guidance

#### Planning Policy Wales

2.2.1 Planning Policy Wales (PPW) is the Welsh Government's policy document, describing the land use context for using land sustainably with the latest edition published in February 2021. The document supports every strategy published by the Welsh Government and is supported by a variety of Technical Advice Notes. It recognises that planning and the way land is used contributes to economic development, to maintain Wales's natural assets and to the health, well-being and the quality of life of individuals and communities.

2.2.2 **Section 5.14** of the PPW establishes that society needs and will continue to need for the foreseeable future a wide range of minerals, being the primary constituents of most construction products alongside a wide variety of pharmaceutical, chemical and agricultural products amongst others. Construction related minerals and mineral products are particularly important in Wales and are essential for housing and infrastructure.

2.2.3 **Paragraph 5.14.2** sets out that, in relation to mineral extraction, the role of the planning authority is to balance the fundamental requirement to ensure adequate supply of minerals with the protection of amenity and the environment. The key principles are to;

- Provide positively for the safeguarding and working of mineral resources to meet society's needs now and in the future, encouraging the efficient and appropriate use of high quality materials.
- Protect environmental and cultural characteristics of places, including those highly cherished for their intrinsic qualities such as wildlife, landscapes, and historic features.
- Reduce the impact of mineral extraction and related operations during the period of working by ensuring that impacts on relevant environmental qualities caused by mineral extraction and transportation are within acceptable limits.
- Achieving, without compromise, a high standard of restoration and aftercare so as to avoid dereliction and to bring discernible benefits to communities, heritage, and wildlife, including beneficial after uses or opportunities for enhancement of biodiversity and the historic environment.

2.2.4 **Paragraph 5.14.5** identifies that there are large resources of useful minerals in Wales, it is important to ensure that they are not wasted and that they are used efficiently. **Paragraph 5.14.7** goes on to assert that it is important that access to mineral resources which society may need is safeguarded in order to prevent sterilisation by other forms of permanent development. Planning authorities should consider the long term and the need for preventative action. The PPW

considers that safeguarding does not indicate an acceptance of mineral working, but that the location and quality of the mineral is known and the environmental constraints associated with extraction, including the potential for extraction of mineral resources prior to undertaking other forms of development have been considered.

- 2.2.5 **Paragraph 5.14.9** considers that, in accordance with the areas identified on the National Minerals Resource Maps, areas to be safeguarded should be identified on proposals maps and policies should protect mineral resources from other types of permanent development which would either sterilise them or hinder extraction, or which may hinder extraction in the future as technology changes.

#### **Technical Advice Notes**

- 2.2.6 Planning Policy Wales is supported by a range of Technical Advice Notes (TANS) which provide more detailed guidance on the themes covered by the PPW. More specifically, the Welsh Government has prepared Minerals Technical Advice (MTANs) which provides guidance for mineral planning authorities.

*Minerals Technical Advice Note (MTAN) Wales 1: Aggregates (March 2004)*

- 2.2.7 **Paragraph 7** of MTAN1 provides that the overarching objective in planning for aggregates provision is to ensure supply is managed in a sustainable way so that the best balance between environmental, economic, and social considerations is struck while making sure that the environmental and amenity impacts of any necessary extraction are kept to a level that avoids causing demonstrable harm to interests of acknowledged importance.

- 2.2.8 **Paragraph 32** considers the extraction of sand and gravel, identifying that the current pattern of land-based extraction of sand and gravel is unlikely to change in North Wales where landbanks of permitted reserves are adequate and therefore supply responds to market demand, noting however that resources must be safeguarded for possible use by future generations.

#### **Minerals Planning Policy Wales**

- 2.2.9 Minerals Planning Policy Wales was adopted in December 2000 and sets out the land-use planning policy for Wales in relation to mineral extraction and related development. **Paragraph 13** expects that access to mineral deposits which society may need is safeguarded. It anticipates that areas to be safeguarded are clearly identified on Proposals Maps and be protected from other types of permanent development which would either sterilise them or hinder their extraction, or which may hinder their extraction in the future as technology changes. The potential for the extraction of mineral resources prior to extraction prior to undertaking other forms of development must therefore be considered.

- 2.2.10 **Paragraph 34** of Minerals Planning Policy Wales also establishes criteria which should be applied to minerals proposals to ensure that they do not have an unacceptably adverse impact on the environment or the amenity of nearby residents. Issues that must be addressed include;

- Access and traffic generation
- Noise
- Control of dust, smoke, and fumes
- Visual intrusion and general landscaping
- Impact on sites of nature conservation, historic and cultural importance.

## 2.3 Local Planning Policy

### Powys Local Development Plan 2011-2026

- 2.3.1 The Powys Local Development Plan (2011-2026) was adopted by Powys County Council on 17 April 2018 and supersedes the earlier Powys Unitary Development Plan (2001-2016). The Local Development Plan consists of a Written Statement and the Proposals and Inset Maps, setting out the Council's policies for the development and use of land in Powys.
- 2.3.2 Strategic Policy SP7 of the Plan finds that to safeguard strategic resources and assets in the County, development proposals must not have an unacceptable adverse impact on the resource or asset and its operation with Mineral Resource Areas considered to represent one such strategic resource within the County. This Policy therefore seeks to protect the County's strategically important resources and their operation (including where applicable the use and enjoyment of the asset) by avoiding sterilisation, providing for future winning/working of resources and in general protecting assets and resources from unacceptable development so as to protect the economic, social and well-being of Powys. As such, only development proposals that will not have an unacceptable impact, both individually and cumulatively, on the asset/resource and the purposes for which it is safeguarded should be permitted.
- 2.3.3 **Policy DM8** provides more detailed local planning policy in respect of minerals, identifying that within the designated Mineral Safeguarding Areas, non-mineral development proposals within these areas will only be permitted where it can be demonstrated by the developer that;
- The mineral resource is not of potential future value;
  - The development is of a temporary nature which can be completed and the site returned to a condition that would allow for future extraction; or
  - The mineral could be extracted satisfactorily prior to the incompatible development taking place; or
  - Extraction would not meet the tests of environmental acceptability or community benefit as set out in National Policy; or
  - There is an over-riding need in the public interest for the development; or
  - The development is householder development and/or of very minor nature such as extensions to existing dwellings and associated development within the curtilage of the property.
- 2.3.4 Supporting text provided to Policy DM8 establishes that the intention of this policy is to ensure that mineral resources are not needlessly sterilised by other development so that they remain accessible to future generations.

## 3 THE APPLICATION SITE

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### 3.1 The Site

- 3.1.1 The application site extends to approximately 0.076 hectares of agricultural land, the extent of which is defined by the Location Plan presented at **Appendix 1**, and comprises part of the wider agricultural land holding of Pickstock.
- 3.1.2 The extent of the application site is predominantly defined by established mature vegetation, especially at the northern and western boundaries of the site. A small gravel track which extends along the site's eastern boundary provides vehicular access to both the application site and nearby parcels of agricultural land.
- 3.1.3 The review of Local and National planning policy undertaken within Chapter 2 of this report has established that the application site is located within Mineral Safeguarding Areas for both Sand and Gravel and (Category 1) and Sandstone (Category 2). A public right of way also runs along the gravel track which marks the eastern extent of the site. The site is located wholly within an area of very low flood risk from the rivers and sea and at medium flood risk from surface water. The application site is located approximately 470m so the south west of scheduled monument MG005 Domen Castell Mound and Bailey Castle.

### 3.2 Site Context

- 3.2.1 The application site is located to the south of Llanfechain, a medium sized rural is settlement. As established, the application site abuts similar agricultural land also under the control of Pickstock. To the east of the application site, adjoining agricultural land is used for livestock grazing with a number of large agricultural buildings and courtyard also established. Further agricultural land located to the north and west of the application site is used for the growth and harvest of crops. By virtue of the site's rural location, the application site is separated from established development at Llanfechain.

### 3.3 Planning History

- 3.3.1 The field parcel within which the application site is located has been subject to one previous planning application. This consented scheme proposed a barn adjacent to the dismantled railway, directly to the north of the application site. It is notable that the site for application P/2018/0043 has the same mineral safeguarding allocation on the proposals map but there were no safeguarding concerns during the consideration of this, very similar proposal and no safeguarding report required. The accumulation of agricultural buildings at this location will be considered as a result.
- P/2018/0043 (08.01.2018) full planning application for the erection of an agricultural building. **Approved** (07.03.2018).

### 3.4 Geological Data

- 3.4.1 Information provided by the British Geology Survey identifies that the site presents superficial Glaciofluvial sheet deposits alongside Devensian Sand and Gravel. The bedrock geology of the site is found by the survey to be interbedded Siltstone and Mudstone.



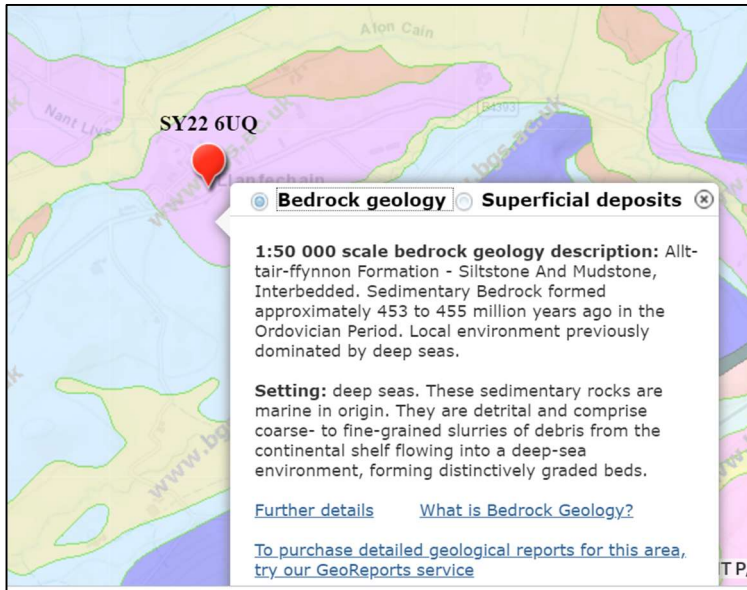


Figure 1: Bedrock geology of site (source: British Geology Survey).

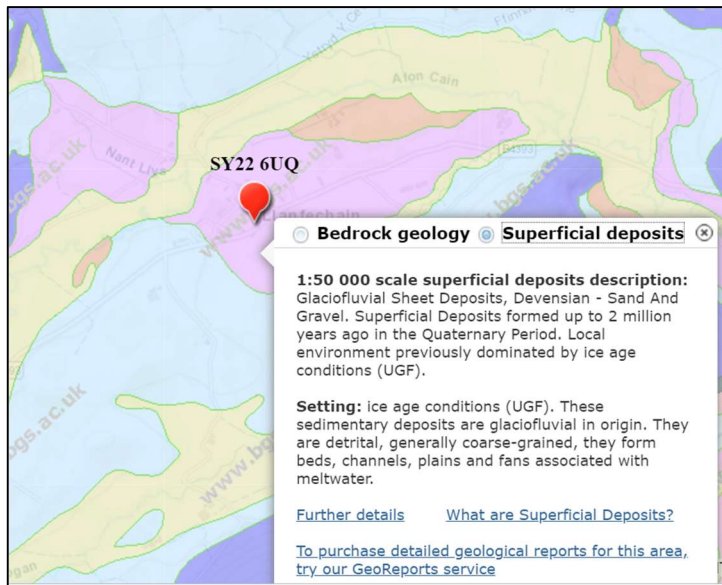


Figure 2: Superficial deposits on site (source: British Geological Survey)

## 4 DEVELOPMENT PROPOSAL

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### 4.1 Development Proposal

- 4.1.1 This Mineral Safeguarding Report relates to the proposed development of an agricultural building for the rearing and calves, as proposed through application 21/1361/FUL which is presently under consideration by Powys County Council.
- 4.1.2 The plans and drawing submitted in support of application 21/1361/FUL illustrate that the proposed agricultural building will be of pitched roof form and extend to a maximum ridge height of approximately 4m. The proposed agricultural building will also extend to a width of approximately 20m, whilst the building will have a proposed depth of approximately 48m. The proposed floorplan also illustrates that the proposed agricultural building will not be subdivided, and will have an approximate floor area of 960sqm. Access to the proposed building will be taken from the established site access via the gravel track to the east of the site.
- 4.1.3 The proposed agricultural building will have open walls with a roof constructed from corrugated iron and cement fibre sheets. No boundary walls, external lighting, or new boundary treatments are proposed through this application.

## 5 SAFEGUARDING ASSESSMENT

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### 5.1 Introduction

5.1.1 This Chapter seeks to assess the proposed development in relation to the relevant minerals planning policy and guidance. It will demonstrate that the application site will not likely be regarded as suitable, or commercially, viable for mineral extraction and will then assess the proposed development in relation to Policy DM8 – Mineral Safeguarding of the Powys Local Development Plan to establish that the proposed development and site context satisfies several of the policy exceptions listed.

### 5.2 Suitability of Site for Mineral Extraction

#### *Geology*

5.2.1 This Mineral Safeguarding Report has established thus far that the application site at The Gables is located within a Mineral Safeguarding Zone for both Sand and Gravel (category 1) and Sandstone (category 2). It is therefore necessary to identify the distribution of known mineral resources across Wales so that these can be considered alongside other land use information to facilitate the development of more sustainable and effective management strategies.

5.2.2 For sand and gravel resources, the British Geology Survey establishes that sand and gravel deposits derived from superficial deposits, such as those at the application site, are generally concentrated in river valleys and terraces, with bedrock resources representing only a possible source of supply where they are buried under a significant thickness of superficial deposits. Moreover, for sandstone resources, the Survey identifies that Sandstone of different geological ages can be found across Wales but differ widely in their thickness and physical properties, and thus their resource potential. Sandstone resources present in mid and south Wales are noted by the British Geology Survey as being of higher quality and more suitable for high specification aggregate uses.

5.2.3 The Survey also provides a regional overview of mineral resources, locating the application site within the 'Mid Wales-North' region. Substantial sandstone reserves are identified within this region which extend from high quality sandstone reserves in the south of Wales. The Survey also establishes that Glaciofluvial sand and gravel, is concentrated in the river valleys of the mid Wales-north region, with extensive spreads present in the Severn Valley between Welshpool and Newtown, located further south of the site at Llanfechain. Significant deposits of sand and gravel are also located elsewhere within this region, chiefly north of Aberystwyth.

5.2.4 The information from the British Geology Survey therefore demonstrates that sand and gravel and sandstone deposits are extensive, both within the 'Mid Wales-North' region and within Wales itself. Given the extensive presence of both mineral resources, the selection for sites for mineral extraction will therefore likely be based upon the commercial costs of extraction. As such, it is reasonable so consider that extensions to existing sites, the re-opening of dormant site, or the implementation of dormant mineral working consents will be explored prior to undertaking extraction at new sites. The application site extends to a total of 0.076 hectares of agricultural land, and is abutted by land which is similarly under use, and in places developed, for agricultural purposes. The extraction of sand and gravel or limestone in this location, close to the village of

Llanfechain and within an area with no established quarries in the vicinity, would be a completely new enterprise that would be a substantial change to the established farming business in situ. As such it is considered unlikely that the minerals will be extracted by the current owners, whilst the barn proposed and those existing agricultural buildings do not present a practical or financial constraint to the future working of the minerals.

5.2.5

*Likelihood of Gaining Planning Permission for Mineral Extraction*

5.2.6 Guidance contained within Minerals Planning Policy Wales establishes that minerals proposals should be sited where they will not have an adverse impact on the environment or the amenity of nearby residents, detailing a range of criteria for consideration when locating mineral extraction sites. This statement has identified that the application site is presently accessed via a small gravel track which extends along the eastern boundary of the land, which is also designated as a public right of way. Although this right of way is used by a small number of agricultural vehicles, this use is not intensive, and the track is entirely unsuitable for use by Heavy Goods Vehicles and the intensity of use required for mineral extraction. As a public right of way, the upgrading of the track to ensure its suitability for use for activities associated with mineral extraction is not within the applicant's control.

5.2.7 The visual intrusion and landscape impact of mineral extraction on site further contributes to the site's unsuitability for extraction. As established a public right of way extends to the east of the application site, development of the site for mineral extraction would adversely affect the landscape character and value of the landscape when viewed from the public right of way. Moreover, given the level topography of both the application site and surrounding land, the visual intrusion of mineral workings on site into the surrounding landscape would be significant. The site also occupies a sensitive location less than 500m from a scheduled monument. The visual intrusion and landscape impact engendered by mineral extraction activities on site would therefore likely be detrimental to the setting of this asset and found unacceptable when considered at planning application.

*Feasibility of Extraction as a Standalone Site*

5.2.8 As evidenced, the application site is of modest scale, extending to only 0.076 hectares in size and the available mineral resource on the site alone therefore is considerably limited. When considering the wider field parcel, alongside other lands under the control of the applicant, a larger area is identifiable that could have prospects for mineral extraction. In this instance, the whole of 'Bongain Farm' at The Gables would be considered. In this instance the removal of the proposed dutch barn to provide for mineral extraction would not prejudice quarrying or relate to economic disincentive of a level that would prevent the minerals from being extracted. The location of the proposed barn adjacent to an erected barn on a working farm would equally provide no further disincentive or cumulative constraints to a landowner that was willing to mine the aggregate.

*Incidental Recovery / Extraction as any part of Development*

5.2.9 The construction of the proposed agricultural building for rearing of calves will not require substantial excavation to deliver. It is therefore not considered that incidental extraction through

the proposed development will be realised, nor will any incidental sand and gravel and sandstone extracted be suitable for use within the proposed development.

### **5.3 Powys Local Development Plan- Policy DM8**

5.3.1 Policy DM8 of the Powys Local Development Plan contains the Council's policy in respect of Mineral Safeguarding Areas, setting out that non-mineral development proposals within Mineral Safeguarding Area will only be permitted in a select few circumstances as detailed below.

1. The mineral resource is not of potential future value.

5.3.2 This Chapter has established that the application site is moderate in scale, being approximately 0.076 hectares in size. It has been illustrated that the site is not located in close proximity to any other mineral extraction sites and therefore, given the modest size of the site, is unlikely to be considered as a viable location for extraction on its own. The erection of a barn on this area of safeguarded land will not materially harm the delivery of mineral resources and will not permanently sterilise the safeguarded minerals. Furthermore, information sourced from the British Geology Survey has demonstrated that extensive deposits of both sand and gravel and sandstone are present throughout the 'Mid Wales-North' region and wider Wales. The supply of these minerals is therefore not considered to be constrained to the point that future extraction at the application site would be necessary.

2. *The development is of a temporary nature and can be completed and the site restored to a condition that would allow for future extraction*

5.3.3 Planning application 21/1361/FUL relates to the proposed construction of an agricultural building for the rearing of calves. The development will not require significant excavation to be delivered, and if necessary could be removed to allow for mineral extraction if required in the future, albeit unlikely. The construction of the proposed agricultural building will not therefore sterilise the mineral resource or overtly prejudice the site's potential for future extraction.

3. *The mineral could be extracted satisfactorily prior to development*

5.3.4 This Chapter has sought to demonstrate that the application site will likely not be considered suitable for mineral extraction by virtue of its access, landscape, and heritage constraints. Due to the small size of the application site, the extraction of the mineral prior to development will not be viable. As established, the minor nature of the proposed development ensures that this resource will not be sterilised through the development.

4. *Extraction would not meet the tests of environmental acceptability or community benefit as set out in National Policy.*

5.3.5 Although the application site is not located within a protected landscape, it has been demonstrated that the extraction of sand, gravel and sandstone from the application site would incur a high level of visual intrusion to the surrounding landscape which, by virtue of the extensive system of public rights of way which extend adjacent and to the south of the site and gently sloping topography of the site would result in considerable harm to the surrounding landscape. The proximity of the application site to a scheduled monument ensures that the landscape impact arising from development in this location should be limited to avoid detrimentally impacting upon the setting of this asset. Where the harm to the surrounding landscape, and potential harm to the setting of

the nearby scheduled monument is considered, this harm will not be outweighed by the modest community benefit of extracting the small quantum of resource captured by the application site.

5. *There is overwhelming need in the public interest for the development*

5.3.6 The proposed development relates to the construction of an agricultural building which will contribute towards the practical farming of the site and rearing of beef cattle. The proposed building is modest in scale, and is therefore considered to be sustainable by reason of its proposed rural use within the countryside. The delivery of agricultural buildings necessary for the rearing of livestock is considered to be vital in respect of the production of food to serve the local and national populace.

5.3.7 The wider site context around Llanfechain is similarly located within Mineral Safeguarding Area and therefore any development at this location will similarly impact upon the underlying mineral resource.

6. *The development is householder development and/or very minor in nature such as extensions to existing dwellings and associated development within the curtilage of a property.*

5.3.8 This exception is not applicable to the proposed development. However, whilst the proposed development is not a householder development or very minor in nature, it is of moderate scale covering a site area of approximately 0.076 hectares. As such, the proposed development should not be regarded as being of a scale which will impact a significant quantum of mineral resource.

## 6 RECOMMENDATIONS AND CONCLUSIONS

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### 6.1 Recommendations

6.1.1 Claremont Planning have been instructed by the applicant, Pickstock, to prepare and submit a Mineral Safeguarding Report in respect of the proposed development of an agricultural building for the rearing of calves at The Gables, Llanfechain which is currently under consideration by the Council under application reference 21/1361/FUL.

6.1.2 This report has sought to set out the relevant national and local minerals planning policy relevant to the proposal, alongside a description of the application site, and the proposed development. Within Chapter 5, an assessment of the development proposal in relation to the relevant policy and guidance has been undertaken. This assessment has illustrated that sand and gravel and sandstone deposits are extensive throughout Wales, with a wide variety of sites therefore available for future extraction. The modest size of the site, and its isolated location away from other extraction sites ensures that the application site will be unlikely to be considered a commercially suitable site for mineral extraction. Furthermore, the adjacent lands controlled by the applicant are in use for the rearing of cattle and there is no incentive at this time for this farming enterprise to cease and engage in quarrying. Moreover, in the event that mineral extraction is proposed on site in the future, it is considered unlikely that such works would be easily granted planning permission, by virtue of the visual, landscape, and heritage impact of mineral extraction works in this location. If however such a consent was forthcoming, the removal of this barn and the existing barn adjacent is not considered a loss that would prohibit quarrying in the future.

6.1.3 This report has also sought to assess the proposed development in relation to Powys Local Development Plan Policy DM8. It has been illustrated through this report that the proposed development satisfies several of the exceptions listed within the policy, chiefly exceptions 1,2, and 6 of Policy DM8.

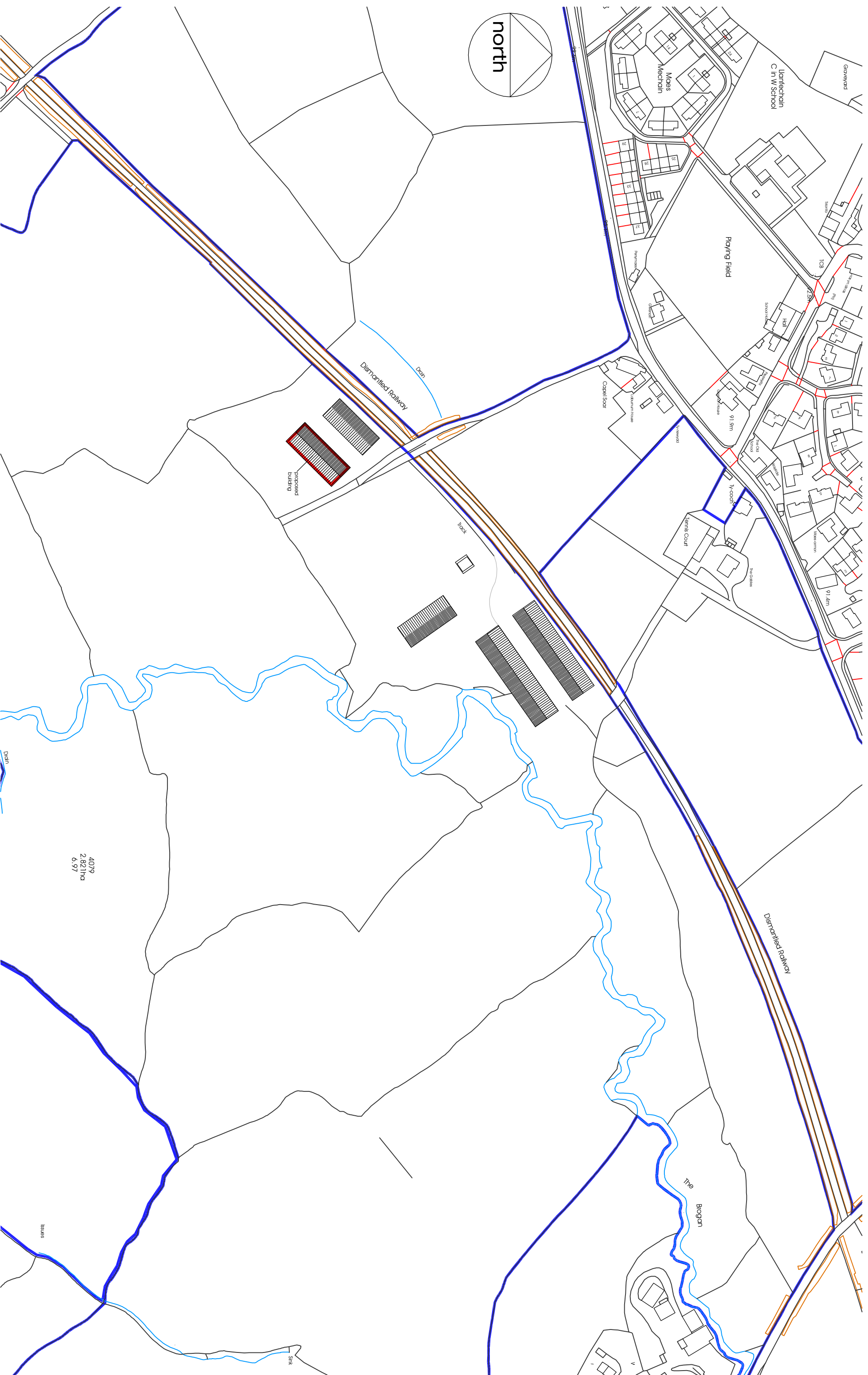
### 6.2 Conclusions

6.2.1 It is therefore considered that the proposed construction of an agricultural building at The Gables, Llanfechain is exempt from safeguarding on the basis that the mineral resource is not of potential future value, and where future extraction of the site is unachievable. Taking the above into account, the Council are respectfully requested to positively receive this application, and acknowledge that the application site is not suitable for mineral extraction, and that the proposed development will not prejudice future extraction of the site where necessary.

# APPENDIX 1 – LOCATION PLAN

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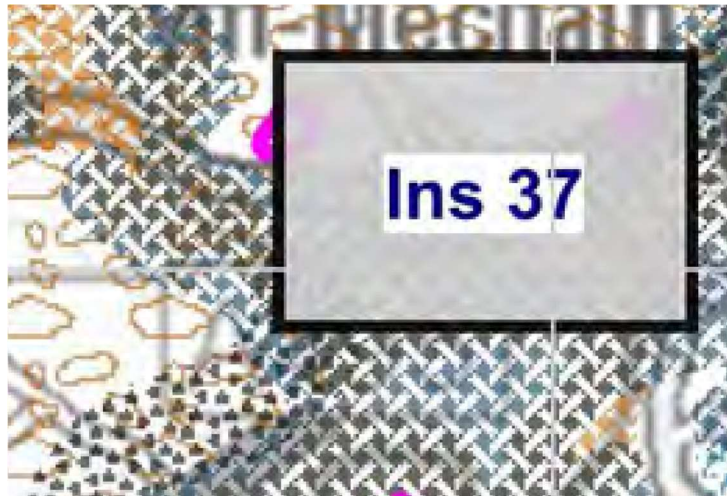


# farm building location plan

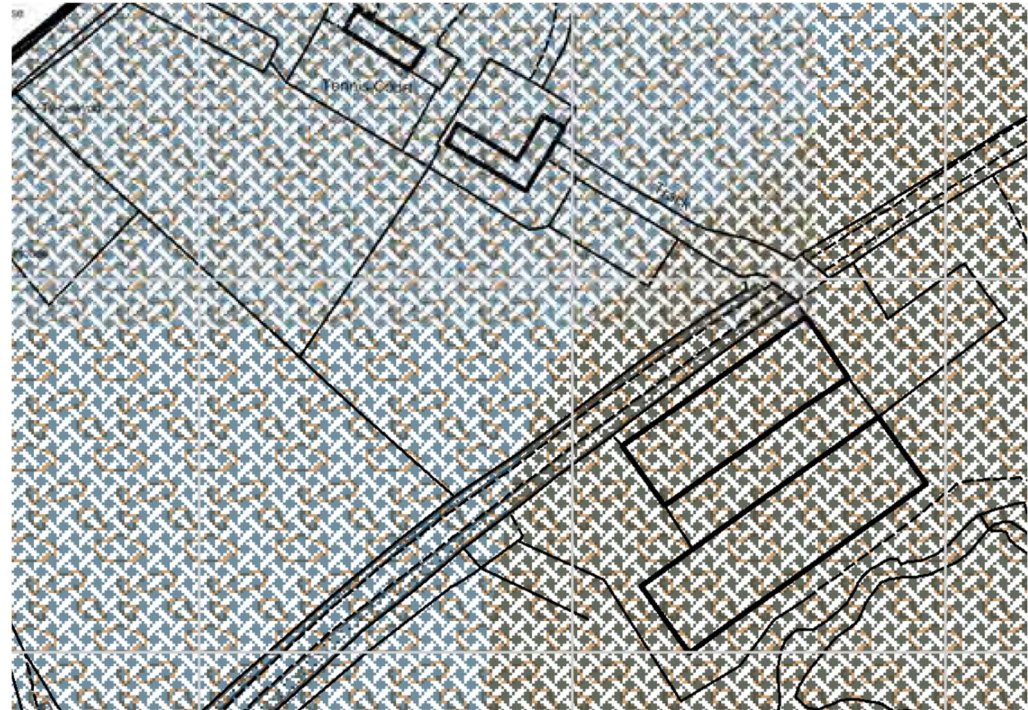
# APPENDIX 2 – PROPOSALS MAP EXTRACT

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Proposals Map Extract :



Inset Map 37 :



 **Sand and Gravel Category 1 Resource Safeguarding Area (SP7, DM8)**

 **Sandstone Category 2 Resource Safeguarding Area (SP7, DM8)**

 **Sand and Gravel Category 2 Resource Safeguarding Area (SP7, DM8)**