

 INSTITUTE OF HISTORIC BUILDING CONSERVATION

 STONE ROOFING ASSOCIATION

 ENGLISH HERITAGE



STONE SLATE DELPHS

A GUIDE TO MAKING A MINERAL PLANNING APPLICATION FOR A STONE SLATE QUARRY OR DELPH

STONE ROOF WORKING GROUP

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Overview

Britain is fortunate in having a wide variety of roofing sandstones and limestones that have contributed to the regional distinctiveness of our towns and countryside.

Unfortunately, many of these stone slates are no longer produced with the result that we are losing historic roofs at an alarming rate. In an effort to stem this loss, English Heritage's Roofs of England campaign has been encouraging the re-opening of small, stone slate quarries or 'delphs' to supply local markets.

Before you can open a quarry or delph you must obtain planning permission from the local council. This can appear to be a more difficult process than it really is, so don't be put off. Help and support are available from many organisations and if the various steps are approached methodically with a clear plan of action in mind you will find that the process is straightforward. This guide sets out the stages in preparing an application and where to go for help and advice.

Every council will have a Development Plan that is intended to ensure that the market for stone products can be satisfied without unacceptable consequences. So if there is a demand for the slates then the mineral planning process will normally support its supply. A planning application should:

- demonstrate the demand for the stone slates and the size of the market;
- explain how the rock will be quarried and the slates manufactured; and,
- explain how any impacts on the environment or neighbours will be controlled or eliminated and how the delph will eventually be restored.

If your proposals are sensible, and realistic and provide sufficient detail, you have every chance of succeeding.

■ *Stone slates are typically obtained from beds a few metres thick close to the ground surface.*

Below these the rock will probably be suitable for other traditional products such as flagging and walling. The demand for all these products should be included in the market research and, where there is a need, in the planning application.



ACTION CHECK LIST

1 FINDING A SOURCE OF ROOFING STONE AND MARKET RESEARCH

- Is the landowner willing?
 - Is the rock suitable for stone slate production? Undertake trial pits and trial splitting. In certain circumstances trial pits and other operations to explore and test for minerals may themselves require planning permission and / or other consents. Generally however, permission is not difficult to obtain.
- Is the market big enough to support your business?
 - Prepare a business plan. The council's business or economic development department may be able to direct you to sources of help with this.

2 CHECK WHETHER PLANNING PERMISSION IS REQUIRED

- Will other permissions, licences and consents for example for diverting public rights of way or tree felling be necessary? See section 6 and appendix 1.

3 CHECK WHETHER THE LAND YOU WANT TO WORK AND LAND NEARBY WHICH WOULD BE AFFECTED IS DESIGNATED FOR CONSERVATION REASONS

- See section 6 and appendix 4

4 PREPARING THE PLANNING PERMISSION APPLICATION

A— Before making a formal application:

Discuss your provisional ideas with the minerals planning officer and the local council's building conservation staff. Before you meet make sure you have the following in outline -

- The justification - market need, an estimate its size and any other products to be produced.
- The location of the proposed delph (and any alternative sites).
- The scale of activity - estimates of the ground area needed with a sketch plan, duration and quantity of production, machinery, number of vehicle journeys, and site restoration proposals.

At the meeting ask for an explanation of the development plan for mineral development and how it relates to other local objectives such as building conservation, sustainability and historic building conservation. This guide contains details of all the information which might have to be included with the application. Take this along and go through it to check what you must submit. Check the council's timetable of planning meetings so that you can time your application.

B—Preparing your application:

Consider employing a minerals planning consultant. You will benefit from reading the local development plan but if this mass of paper seems daunting talk the subject through with your mineral planner. These documents include many issues relevant to delving such as sustainability, conservation and local distinctiveness and other environmental policies relating to nature and landscape conservation, protection of the water environment, soils and other natural resources. Factors such as residential amenity, recreation, sport and access to and enjoyment of the countryside may also be important. Consider whether any special surveys may be needed and consider impartially how your proposals may affect these interests, ensuring that the application deals with the potential effects fully and fairly.

Make a check-list of all the issues, the evidence to be submitted and how or where you will obtain it. This might include:

- A market report and evidence of need for the product(s) from amenity and building conservation organisations, local builders, roofers, architects, and the public;
- A report on the suitability of the rock and the viability of the delph;
- Other supporting evidence such as employment prospects;
- Site plans at several scales showing the operations including working and storage areas (emphasise the small scale of the operation), buildings, restoration plan, access routes and water courses;
- A description of the operation including hours and methods of working and a restoration plan;
- Methods for controlling effects such as noise from machinery and preventing the contamination of land or water
- How you will respond to or deal with objections - consider a public meeting or an article for a local paper to explain what you are proposing and why;
- Ownership certificates and notices.

Ask the minerals planner to advise on other evidence that might be needed. If necessary obtain any supplementary documents or reports such as an environmental assessment.

Complete the application form and assemble all the supporting documents.

5 SUBMIT THE APPLICATION AND PAY THE FEE

Introduction

The roofs and walls of our historic buildings reflect the geology of the surrounding landscape and demonstrate local skills in using available resources. The results have created the vernacular or traditional local buildings which we now cherish.

Britain is fortunate in having a wide variety of roofing sandstones and limestones that have contributed to the regional distinctiveness of our towns and countryside. Forest Marble stone slates at Bibury in Gloucestershire. (Photo: Terry Hughes)



In many parts of the country, stone slate roofs are a fundamental part of vernacular buildings. But for years, their existence has been under threat. Modern man-made slates and tiles have replaced limestone and sandstone slates. As a result, stone slate quarries or delphs have closed down and local sources of materials have disappeared.

In a few areas (such as the Cotswolds, the Pennines, South Wales and the Marches), this trend has begun to be reversed and there has been a revival of stone slate production. But in many parts of Britain, where stone roofing was once commonplace it is now almost impossible to find a source of new locally produced material. Meanwhile, the number of stone roofs dwindles as they are destroyed to maintain other buildings.

In an attempt to address this situation, the Roofs of England campaign was initiated by English Heritage - the government's historic buildings conservation advisors for England. As a continuation of this campaign, a working group was established to maintain the initiatives at a national level.

Set up in 1999, the Stone Roofing Working Group is made up of professionals with an interest in stone slate production, stone roofing and historic building conservation. The group aims to:

- Promote and revive the stone slating industry and:
- Provide a forum for developing specialist advice on all aspects of stone slate production and stone-roofing repair, restoration and construction.

The Stone Roof Working Group has been looking at how to stimulate the development of new stone slate delphs. This is particularly important where none now exist, or where there are insufficient sources of supply in terms of the type, quality and quantity of stone slates available. This guide has been produced as the first part of this initiative.

The extraction and production of stone slate was traditionally - and is still - low tech and small scale.

This means that the capital investment required is small compared with other types of quarrying. Traditional use of stone slates is very localised, so large-scale production is unlikely. Because the potential market is relatively small major quarrying companies tend not to become involved. Instead, most existing sources of stone slate have been developed by farmers and landowners, or by specialist companies delving with the agreement of the landowner.

Purpose of this guide

Despite the revival in stone slate production in some areas, the Stone Roof Working Group is concerned that appropriate guidance and advice has not been available to those people wishing to make an application for planning permission for a new delph.

The Stone Roof Working Group sees this type of small-scale production as the best way of increasing the range and supply of new stone slate. This guide

is therefore aimed particularly at landowners but will also be of interest to anyone else considering setting up in production.

Using an agent

Making a planning permission application can require a considerable amount of information, details and plans, so it is recommended that you use a professional agent.

This guide aims to help you to prepare an application and takes you through the process of seeking planning permission. It is not intended to be a substitute for using a professional agent but does provide information on what the process involves.

You will probably require some specialist advice in investigating and developing your proposal, even before you make your application. There are a number of minerals planning consultants

and surveyors who specialise in this type of work and who will have an in-depth knowledge of the minerals planning process.

If you do use an agent, ensure that they have the relevant professional background and experience - minerals planning is a specialist field even within the planning process. For advice on specialists in your area, contact the Stone Roofing Association at the address given in Appendix 5 Addresses and Further Information at the end of this guide.

First steps – Locating a source of roofing stone

So, if you are interested in stone slate production or think you may have suitable stone on your land, what are the first steps and where do you start?

Prospecting. Any exposures of rock should be examined for thinly splitting rock, vertical joints and the direction in which the rock layers dip. If the rock is close jointed slates or blocks will be small. If the beds dip downwards into the ground surface (from right to left in this picture) there will be increasing overburden to remove if the delph follows the beds. However it may be possible to work 'along the strike' (from top right to bottom left). (Photo: Terry Hughes)



In practice, interest in stone slate production tends to begin either with awareness of a potentially suitable source of stone or with a need to find a particular type of material.

Indications that you are in a stone slate area are usually fairly self-evident. Most obviously you will probably be aware of stone roofs on some of the buildings you see and pass everyday. In some places, relatively few such buildings now remain but there may be other clues. The presence of drystone walls, made from thin, flat (fissile) pieces of stone, often indicates areas of stone slate production.

You may already own a building that has, or once had, a stone roof. In that case, you have probably had difficulty finding suitable slates to repair it. Perhaps you had to buy or re-use second-hand stone slates taken from another building.

It's not always easy to find a potential source suitable for stone slate production, but the following pointers may help you:

- Most types of stone slate are found close to the surface. There may be clearly visible outcrops of fissile stone on hillsides; look out for these in upland areas;
- In arable areas, such as parts of the Cotswolds, pieces of fissile stone may be turned up when fields are ploughed;
- The material for drystone wall field boundaries will usually have been quarried or even ploughed up in the immediate vicinity. So they give a good indication of where fissile stone may be found;
- Your local council's historic buildings officer may know places which have (or once had) drystone walls or buildings with stone slate roofs. These may indicate that stone slate delphs or sources of fissile stone were once present. Historically, stone slates were not carried over large distances.
- Find out where there are old and existing delphs and look at these. If you don't know where they are, look at 1:50,000 and 1:25,000

Ordnance Survey maps. These have quarries marked on them. Older maps of your area may be especially useful for showing quarry sites. The David and Charles reprints of the original Ordnance Survey maps dating back to the 1830s can be very helpful. One of the best places to find old maps is your County Archives. Local libraries may be another source. At the website www.oldmaps.co.uk you can search 19th century Ordnance Survey maps for old delphs. Sometimes these describe the delph's products.

- The English Heritage publication Research Transactions volume 9 Stone Roofing includes information on the location of old delphs in some regions.
- Finally, if you don't mind paying for information, the British Geological Survey (BGS) has produced detailed 1:50,000

geological maps of the whole country. These can be ordered through good map shops or directly from the BGS. Geological maps are published in two series Solid and Drift. You need maps from the Solid series that show the rock below the surface. They won't show quarry sites, but are useful for telling you the type of stone you are dealing with. The BGS also holds unpublished information on the location of old stone slate delphs, but again you may need to pay for this. Their details can be found in Appendix 5 - Addresses & Further Information.

Having done your initial homework, you should have some idea of where to begin searching for fissile stone. The next stage is to get out and start looking at the possible sites or areas you have identified. You may have to examine several sites before you find any promising stone.



- *Prospecting in an old delph in Herefordshire. A small amount of work with an excavator will reveal whether it is worked out.*
(Photo: Terry Hughes)

Is the rock suitable for stone slate production?

When you think you've found a source of fissile stone, the next step will be to investigate its potential for use as a roofing material. For this, you will need expert advice either from a consultant who specialises in building stone or from the Stone Roofing Association.

Prospecting in virgin ground requires a series of trial pits or trenches to determine the suitability of the rock, its depth and location. It may also permit the amount of useable rock to be estimated.
(Photo: Terry Hughes)



If you don't own the land and have not already done so, you will need to contact the landowner and start talking to them about your interest in the stone. If you don't know who they are, ask locally. Failing that, search through the Land Registry (in England and Wales) or the Land Register or Register of Sasines, if you are in Scotland. This will cost you a fee. For contact details see Appendix 5.

You will almost certainly need to dig a number of small trial pits to find the extent and depth of the material. But unless you have experience, it's probably worth arranging to do this in conjunction with a visit from your consultant or the SRA.

Your initial trial pits may not contain good quality or suitable fissile stone, or it may not be present in a viable quantity. Reinstate the pits and try again elsewhere. Review your search area if you continue not to find fissile material.

It should not be assumed that just because a stone is fissile that it will be durable. Seek advice from a geologist or the SRA about how to assess the quality of the rock.



In the limestone regions of Gloucestershire, Wiltshire and Somerset stone slates 'float' in beds of clay. Prospecting may only need a small excavator to prove their presence or absence. (Photo: Chris Harris)

Is planning permission required?

When you identify a viable quantity of fissile material suitable for stone slate production, approach the Minerals Planning Authority (MPA) for your area. You should ask them whether planning permission is required, the likelihood of obtaining it, and what's involved in making an application. As a general rule, any proposal to develop a new stone slate delph will require planning permission.

The only exception to the need to make a planning application is when it is associated with an agricultural holding. This is known as permitted development, that is, where planning permission has been granted generally, in advance, by the relevant government minister (see *Annex 1*). This has been interpreted to mean that permission is not required where the stone is to be used on agricultural buildings, including dwellinghouses, on the farm where it is extracted with the restriction that the stone must not be sold for use anywhere else. However the exact limits of how permitted development apply to agricultural holdings are not completely clear and you should take expert advice before relying on this.

There are some restrictions on what qualifies as agricultural permitted development. Most importantly, all processing must be undertaken on the farm or holding from which the stone is extracted and excavation must not take place within 25m of a classified or trunk road or, in Scotland, within 25m of a railway line. Further details on extraction under agricultural permitted development are set out in Appendix 1.

Trial pits and exploratory work which will takes less than 28 days do not usually need planning permission but in some cases they will. Check with your local MPA before starting these, so that they can tell you definitively whether permission is required. Even if it is not, it's best to ensure that they are aware of what you are doing. Check if the site, or land nearby that may be

affected, is designated for conservation reasons. The landowner and the planning authority will be able to tell you if it is. If so, how would the mineral operations affect the interests which lead to the site being designated? If the designation is of national or international importance for the natural or cultural heritage (for example a Site of Special Scientific Interest or a Scheduled Ancient Monument) it will almost certainly be better to find an alternative location that is not so designated, if one is available. If you do decide to proceed with a scheme that may affect a designated site you should immediately seek expert advice in the relevant field (ecology, geology, hydrology, archaeology etc) and arrange to meet the relevant government agency that is responsible for the designation, such as English Nature, English Heritage or their equivalents in Wales, Northern Ireland or Scotland. If the Agency indicates that they would be likely to object to your proposal, you should only proceed in the expectation that a public inquiry may be necessary and a lot of time and money will need to be spent to justify the case for the delph in the light of any harm it might cause. The time taken to determine the application will be much longer than in non-designated cases. Where a proposed delph may affect the integrity of an internationally designated nature conservation site, experience indicates that the local authority is unlikely to grant permission. The application would need to be referred to the government and it can only consider granting permission in closely prescribed and very exceptional circumstances that meet legal requirements set by the Council of the EU.

Towhom should an application for planning permission be made?

Applications for planning permission should be made to the Minerals Planning Authority. This will be the county council if you are in an area that has a two-tier local government structure (with district and county councils). If you are in an area that has a Unitary Authority or in a National Park, the application should be made to them. If you are not sure, check with the local Council Planning Department and they will advise you who to contact.

Other permissions, licences and consents

There are other permissions, licences and consents that you may need to obtain before you commence extraction.

These are not specifically required for stone slate production, but your operation may affect things that are regulated, for example by creating a discharge to a watercourse, felling trees, and stopping-up or diverting a public right of way. Your MPA can advise on who to contact about these.

As well as the permission of the owner of the land and/or the mineral rights, don't forget that that you will also need to get the permission of the owners

of any of the land over which you propose to take access to the extraction site. This is likely to include the local Highways Authority - your County Council or Unitary Authority.

You probably won't need any other permissions, licences and consents until after you've obtained planning permission. But it's worth contacting the relevant authorities or agencies to find out their requirements in case these affect your planning application or vice-versa.

Pre-application discussions with the MPA

When developing a proposal, it is important to understand what is required to support your application. The MPA needs the information to understand what you are proposing and to allow them to make a decision on your proposal.

The stone slate working face will probably be very small. This picture of a sandstone delph shows how the horizontal beds are worked as a series of benches.
(Photo: Terry Hughes)



Before making a planning permission application, contact the MPA and discuss your proposal with them. If you're contacting the authority for the first time, it's best to make an appointment in advance and give them brief verbal details of what you want to discuss. This will help them to know what to expect and to be better prepared in terms of the advice they give you. Send them a location plan and the Ordnance Survey map reference of the site. This may be helpful if they want to visit it before you meet.

It will also avoid any doubt about its exact location. Pre-application discussions are usually free.

It's best to contact the MPA at an early stage as there may be expenses involved in investigating a site's potential, developing a proposal, and making an application. You will not want to incur these costs only to be told that the site has absolutely no chance of getting planning permission. If this does happen, do not ignore it. The planning officer will have good reasons for saying it and you are unlikely to get permission without his recommendation.

If you're considering a number of sites with a view to developing one of them, tell the MPA where the sites are - they will treat this information as confidential. The advice they give you may be an important consideration in your final site selection.

If you have a specific site in mind, at your initial meeting you should be able to describe what you are proposing to do and where. 'Sketch' plans or drawings showing how the site could be developed can be very helpful in giving the planning officer an idea of how your proposal will work. Broad details about the anticipated level and duration of production, processes involved, machinery likely to be used, vehicle movements and site restoration are all issues that will probably need addressing when your application is submitted. Even at this stage, it's worth giving the planning officer at least a rough idea of these.

In turn, the MPA will want to give you important information to help you get your application right. This will include:

- details of their planning policies which are relevant to stone slate production, and whether the proposal is likely to be in accordance with policies contained in the Council's development plan

- any likely changes due in the near future that would affect your proposal, such as alterations to local or national policy

- an indication of what information they will need to be able to decide such things as whether an environmental assessment is likely to be required

- some idea of the key issues likely to be important in deciding your application

- information on any relevant planning decisions by the authority

- details of any organisations that will be asked to comment on your application e.g. English Nature, the Countryside Agency, the Countryside Council for Wales or Scottish Natural Heritage

Pre-application discussions should help you find out what plans and documentation the MPA will need to be able to determine your application. The more complete the information you supply from the outset, the less likely will be delays in considering your application. But be prepared to submit further information, if required, once the process is underway.

During pre-application discussions, the MPA's planning officer may happily give you his views on the likelihood of receiving planning permission, but remember that informal opinions are not binding.

Almost certainly, there will be some matters that the planning officer is not fully aware of at your initial meeting, or something that is unforeseen until a later stage of your application. Sometimes such things can become important factors. So it's essential that there is a full and frank exchange of information and views; this will allow your proposal to be considered in an open way and ensure that you get the best possible advice.

Development plan policies

All Minerals Planning Authorities will either have or be preparing a 'development plan' for their area. This will consist of a Regional Spatial Strategy and Local Development Frameworks. These set out policies for determining planning permission applications. So it's important to find out what these say.

Copies of plans can be obtained from your MPA, although you will usually have to pay for them and they may be expensive. Alternatively, copies should be available in your local library. By law, MPAs must determine applications according to the policies contained in their development plan. So there's little point in making a planning permission application that is clearly contrary to these policies.

Few MPAs have policies specifically on stone slate delphs, but most have policies on building-stone quarries that will be relevant to your application. Usually, they also have other, more general policies that will be pertinent and you should take these into account too.

It is common for minerals planning applications to be accompanied by written statements outlining the

proposals they contain. So when preparing your application, it's useful to include such a statement, with a section showing how your proposal complies with any relevant development plan policies.

A list dealing with each policy item in turn will help you develop and present your application. If there are any aspects of your plan that don't conform with any policy, consider whether they can be amended to ensure that they comply.

Check to see if there are any other 'positive' policies that might help your application.

These may not be specifically concerned with quarrying, but might be under such sections as sustainability, building or nature conservation and local distinctiveness.

Most mineral planning authorities will have policies on building stone quarries that will be relevant to your application. In the past many buildings were made from very small local quarries often dug on the farm. There is considerable local demand for stone for the construction and repair of vernacular and historic buildings.

Finding supplies of suitable stone is vital to maintain local distinctiveness. New locally-delved stone slates being installed on Dore Abbey, Herefordshire.

(Photo: Terry Hughes)



Pre-application consultation with other agencies

Pre-application consultation with other agencies and organisations can be important. Some will be statutory consultees whose views on your application will be sought by the MPA.

Consider contacting them about your proposal, as they can advise on how they will judge your proposal and might be willing to give informal views.

The supporting information you submit with your application may be particularly important for these organisations. So it helps to have as much supporting documentation as possible. Remember that anyone opposed to the opening of a delph will undoubtedly make their feelings known to the MPA. Those in favour may do no more than say that they have 'no objections'.

There are also other authorities, agencies and organisations which, while they have no formal role in the planning process, may provide support for your proposal. As they are not consultees to the MPA, they are unlikely to come forward unless asked to do so. So

contact every authority, agency and organisation you can think of who might welcome the supply of your particular material and ask them to write you a letter in support of the application. If they have a need for your type of material, ask them if they can quantify this. Your local building conservation department should always be contacted and they will be able to indicate other supportive organisations.

Many of these organisations may not be willing to be specific, as they do not want to become embroiled in local politics. So approach them for a more general letter if a more specific response is not a possibility. Further details of authorities, agencies to contact, and details of the kind of response you should aim for are in Appendix 2.

Submitting your planning application

You should now have an idea of the preparatory work needed before you submit a planning application. When this point is reached, the application should be made on a form obtained from the MPA. This will either be a special form for quarry applications or a shorter, more basic one with an additional minerals questionnaire attached. The application may seem rather lengthy and to need quite a lot of detailed information. Read it through carefully, together with any accompanying instructions.

The application should be accompanied by a number of plans, including one to identify your site, and drawings or documentation necessary to describe your proposal. In practice, this is likely to require a considerable amount of preparation. A full list of the information you will probably have to submit with your application is set out in Appendix 3. Take this list with you when you have your initial meeting with the minerals planning officer. Go through it with them, identifying what information they will require.

In addition, you will need to complete a number of certificates and notices concerning the ownership of the site and whether it forms part of an agricultural holding. If you are in Scotland, there are also notices to be served on any neighbours informing them of your application. The certificates should be

returned with your application to the MPA and the notices sent to the relevant people concerned.

You will have to pay a fee for your application to the MPA. Fees are calculated on the area of your application site and details will be included with the forms. You must include any land on which extraction, processing and any other works (including tipping of waste, storage of overburden, and drainage) is to occur and any other land that will be used during the normal course of operations. It must also include the area used for the access from the public road. This is easy to forget and may make a significant difference to the fee if your site is a long way from the public road. You should mark a single red boundary line around the site on your plan, making sure you include everything you need to, but no more.

Planning application fees are set nationally and revised from time to time. Check what they are and what the correct fee for your application should be. Once the fee is paid and the application registered, you cannot get your money back even if you later withdraw the application or planning permission is refused.

The MPA will usually require more than one copy of your application documents. The number of copies needed should be stated on the application form.

Your application will be screened by the MPA to see if an environmental assessment or statement is required. If one is necessary, you are likely to need a specialist consultant to produce this. For details of what is involved see Appendix 4. The MPA will need enough copies of the Statement to be able to send one to each statutory consultee.

Before submitting your application, you may apply to

the MPA to have your proposal screened in advance on the need for an environmental statement. This is free and requires only basic information. Ask your MPA about how to do this. It can help speed up the process of obtaining planning permission.

Once you have submitted your planning application, the MPA will acknowledge its receipt as soon as is practicable. In some areas where the county council is the MPA, this can take a little time as they may have to send on your application to be registered by the district or borough council.

An application is not valid until the correct fee, the appropriate certificates, and all the necessary information required has been submitted. If you do not submit all the information required, your application will not be registered. Instead, it will either be returned to you or you will be asked to submit additional information before registration can go ahead.

Preparing a geo-technical report

To establish the viability of a site and the quality of its stone, a geo-technical report will probably have to be submitted with your application.

This should provide details of any investigations undertaken on the site, including information on the number and size of any trial pits, boreholes or trenches and an assessment of the material found in these.

To satisfy the MPA about the quality and quantity of material within the application site, the report

should summarise the results of investigations. This should be undertaken by a suitably qualified person and assess the material in terms of its geology, shape, dimensions, composition and suitability for use in stone slate production. Your MPA may be able to advise on someone suitable in your area. If not, the SRA may be able to help you.

Preparing a market report

You may also have to submit a market report with your application.

If a market report is needed, find out the MPA's concerns and make sure you address these. This may involve quite a lot of work, so start looking into it at an early stage in the preparation of your application. The report may have to provide an assessment of the suitability and viability of your material for building and historic-building conservation purposes and demonstrate a demand not adequately supplied from existing sources, or that existing sources are not of a suitable quality. Again you may need a specialist

consultant to do this for you and the SRA can advise you on someone suitable.

In some areas of the country (such as the Cotswolds), the stone slate industry is established enough for the MPA to want to control quarry numbers and restrict sources of supply. In other areas, there may be little or no stone slate industry left but the MPA may be concerned about the viability of a proposed delph.



Most stone slate delphs also make a variety of other products including walling, flagging and setts. (Photo: Ian Thomas)

Your report should highlight the potential size and spread of the market for your stone. It may be very local or cover a much wider area. Some types of stone slate have been used in different parts of the country but are no longer produced anywhere. If this is the case for the type of slate you propose to extract, then your potential market may be more than local. This is a factor that you should make clear in your submission to the MPA.

Another point to consider is that although other quarries nearby may be producing stone it may not be good enough quality to make stone slates. This can be important as the MPA may grant planning permission for a relatively specialist material such as stone slate but refuse it for the production of materials which can be had from existing local quarries.

Consider also whether you wish to make any other products in addition to stone slate. Most quarries do make more than one type of product and this is also true for most stone slate delphs. Sites with fissile material suitable for slates often include other stone which is inappropriate for slate production but good for such things as paving, landscaping, building or even dimension stone. Slate production may not be economically viable unless undertaken together with other materials, thus making the best use of the resource and minimising waste. The amount of these other materials may be important to the success of your application (and your delph).

Try to assess the need to produce other materials, but be careful not to undermine your justification for stone slate production. It may be a good idea to raise this with the MPA during pre-application discussions. They might feel it is a significant factor or have no concerns about it at all. If you intend to produce substantial quantities of other materials that could come from existing sources, they may feel there is insufficient justification to grant you planning permission. If they do grant you permission, they may seek to restrict your production of other materials. For example, it is common for there to be restrictions on the crushing of waste stone from building-stone quarries to produce aggregate.

The MPA will also have an interest in the economic benefits the delph may bring to the area. It is not uncommon to have planning policies that restrict industrial and commercial developments in the open countryside, unless they specifically need to be located there and will bring economic benefits. The creation of new employment can be an important factor, even if this is only likely to involve your own immediate family. So provide some information on this.

Assessing all these factors will help you justify your proposal to the MPA as well as letting you know the likely size and location of your market. The response from contacts with other agencies and organisations - as outlined in Section 11 - may be particularly helpful in this respect.

Buildings, plant and machinery

Although stone slate production is very low-tech and labour intensive, the buildings, machinery and processes involved are important.

The plan in action. Delving is progressing from left to right. Access is from the top left to the working bench. At the bottom left overburden is stacked ready to reinstate the floor of the delph and more is temporarily stored at the top right. Bottom right is the access ramp for further development.

(Photo: Terry Hughes)



It is important to explain the production process clearly. Those who have never seen stone slate delving before are often surprised that it is sometimes carried out by hand using little more than a pick-axe! Many MPA officers have little awareness of what is involved and may not have dealt with an application for stone slate production.

The public perception of quarries usually relates to large aggregate quarries or gravel pits. Using the words delph and delving instead of quarry and quarrying will avoid misconceptions about the scale of the proposed operation. In reality, most stone slate delphs involve the use of no more than a mechanical digger or excavator to occasionally strip and move top-soil and overburden, and a fork attachment to lift large pieces of stone out of the ground. No drilling, blasting or other mechanical means of extraction is involved with most slates being removed from the ground manually and dressed by hand. The only other vehicles necessary are those taking slates away from the site. If you haven't seen a stone slate delph in operation, try to visit one.

When making your application, stress that stone slate production, unless undertaken in association

with the delving of other products, and often even then, is essentially a small-scale, labour-intensive manual process. The environmental impact of noise and dust from plant and machinery is insignificant compared with almost all other types of mineral extraction.



Although much of the work will be carried out in the open, a workshop will be needed for processing and for security. It should be positioned where it will be accessible during all phases of work and where it minimises disturbance to neighbours, footpaths and bridle ways. An existing farm building or shed could be ideal.

(Photo: Terry Hughes)

Restoration and aftercare proposals

Among the most important parts of your application are details of how and when the site is to be restored once it has been worked and what aftercare measures will be taken.



■ *The final phase. Every planning application must describe how the land is to be re-instated. This is a temporary delph in Shropshire three months after work finished.*
(Photo: Chris Wood)

In practice, this usually involves backfilling with the waste material from extraction, which will bulk-up to replace the stone that has been removed.

Although relatively simple, this is the part of minerals planning applications that most commonly causes problems, usually because it has not been taken seriously enough by applicants. The quality of reinstatement proposals is often either not well enough thought out, or poorly presented, or both. Make sure you get it right and demonstrate that you are taking it seriously. It can be a deciding factor in whether or not you get planning permission.

The information required is likely to involve the submission of plans, probably on the same scale as your main site plan. They should show contours and sections of how the site will be restored during and following the completion of extraction, and include details of gradients, replacement depths and sources of soils, the position of any permanent watercourses and other features such as drainage, trees, shrubs and final landscaping. You will also need to provide written details of the proposed after-use.

If you have any pre-application consultation with agencies such as English Nature, the Farming and Rural Conservation Agency (FRCA), the Countryside Agency, the Countryside Council for Wales or Scottish Natural Heritage, try to get their advice on how they would like to see the site restored. Then make it clear in your application to the MPA that you have consulted with such bodies in drawing up your reinstatement and aftercare plans.

On some agricultural sites, the delving and re-grading of an area may allow improvements to be undertaken. For example, removing outcrops of rock and reducing the gradient of steep slopes may improve long-term agricultural viability. Such benefits should be built into your working plan and can be used to help justify your proposal.

In many cases restoration may be an opportunity for your proposals to bring about a further benefit for the environment. In addition to the stone that will be used in the conservation of buildings, you may be able to make a real contribution to nature conservation or landscape character, or improve access to and the enjoyment of the countryside by the public. Restoration to agriculture will not always be the best option so you could consider a scheme that created new wildlife habitats such as semi-natural woodlands or grasslands or wetlands that may be encouraged in local biodiversity action plans (usually available from the planning authority). In some cases the delph itself might become of interest to geological conservation, as an exposure of a particular type of rock or source of stone that has contributed to the character and history of the area. Providing a path so the site can be seen and a board with information about the delph and the reasons it was made can add to the natural and cultural heritage of the area. This kind of positive restoration may help to offset any adverse effects of the development, and also be less expensive to establish and manage. This may help to persuade the planning authority that you have looked at wider sustainable development issues so increasing the prospects of obtaining planning permission.

How long does it take to get planning permission?

Once your application is submitted, the process may become a bit of a waiting game.

Because of the number of issues involved, applications for quarries tend to take longer than most other types of planning application. The amount of time it takes the MPA to come to a decision will depend on the completeness of the information submitted and the complexity of the issues.

The MPA is required by law to take all material factors into account. This means that it has to advertise the application, notify any neighbours (in England and Wales) and await any objections. It also has to consult with a number of other agencies and authorities from whom it must obtain views and opinions on your proposal. This process can often lead to more questions and the need for further information. This all takes time.

The MPA can only consider granting permission once it is fully satisfied that it has investigated all the issues involved and questions raised. It may first need to ask you to alter or improve some aspect of your proposal. Where a problem seems likely to be resolvable, the MPA will always work through it with you or include conditions in your permission to cover the issue concerned.

Your application will either be decided by an MPA's planning committee or delegated to planning officers. The Committee or planning officer dealing with your application will need to come and see the site before making a decision. This visit may be carried out with you or be unaccompanied – if the latter leave them to it unless they ask you to attend.

If the application does go to the Planning Committee for a decision, then a report and recommendation will be produced by the planning officer. You should be able to obtain a copy of this before the date of the meeting. You may attend the Committee to listen to any debate on your application, but most MPAs will not normally allow you to speak or address members.

Even for a small delph, a decision is not likely to be made in less than two to three months and it may take a lot longer. Be patient and build an appropriate period of time into your planning. Ask the MPA how long they envisage the application taking to go through.

Dealing with public objections to your application

When the MPA has received your application, it has to give people the opportunity to comment on, support or object to your proposal.

Notices will be put up on or near the site, noting your application's submission and inviting comments. Similar advertisements will usually appear in the local newspaper.

It is uncommon for there to be no objections at all to planning applications for quarrying. So do not be alarmed; instead, go into the process expecting them. Remember that to be valid, objections must be based on sound planning reasons. Objections of any substance will almost certainly involve issues already considered by the MPA's planning officers.

Many public objections are based on assumptions, and sometimes on misunderstandings about the future impact of granting permission. Where necessary, it's best to keep the public informed of exactly what is proposed and the scale of any likely impacts. To some extent, you will need to play this by ear. There is little point in raising issues unnecessarily, but if people are not informed they may assume you have something to hide!

A public meeting, or one with the Parish or Community Council, may be worth considering. This can give you the opportunity to explain your application and to deal with concerns, real or imagined. If there are worries about traffic deal with them sympathetically. Give the facts about the number and type of vehicle movements involved. Parish or Community Councils are normally statutory consultees, so they are likely to consider your application and make comments to the MPA at some point.

If you want to carry out any advance publicity, English Heritage has an exhibition that can be borrowed free of charge to put up in the local library, or in your village or town hall. Be wary of the press and local television and radio. They will often try to create controversy. On the other hand, local newspapers may welcome a well written article on the history of stone roofing in your area and building conservation objectives.

When you receive planning permission

Eventually, you will, hopefully, receive a planning permission! This will arrive as a formal decision notice. You must not start work until you receive this. Even then, there may be requirements with which you must comply before you can start.

The notice will say that the MPA has granted permission and include a number of conditions. These will relate to the time within which work must begin, the length of the permission, any further information needed before you begin or before particular aspects of your proposal may commence, operational conditions, and a list of reasons for each condition. Read through these very carefully and make sure you understand and comply with them.

If you do not and you breach any of the conditions, you may find yourself facing enforcement action by the MPA.

If you are unhappy about any of the conditions on the permission, you may appeal against them. Details of how to do this should be included with the decision notice.

If you are refused planning permission

If you are refused Planning Permission, you may not start development but may appeal against the decision. Details of how to do this will be included with your decision notice.

Conclusion

Hopefully, this Guide has given you an idea of what is involved in applying for planning permission for stone slate delving and production.

It has attempted to go into sufficient detail to be useful if you are seriously interested. It may seem daunting but don't be put off; many inexperienced people have been successful by taking a careful and methodical approach to each step.

If having read this Guide, you think there is too much involved in applying for planning permission yourself but you do have a good source of fissile stone, consider getting someone else to do the work. There are specialist companies who will do everything, including applying for and obtaining

planning permission and doing the delving, production and marketing. With this kind of arrangement, you lease the mineral rights to your stone in exchange for a royalty. This minimises the work you have to do but can still provide you with an income from the stone on your land.

Whichever route you choose, if you succeed it may allow you to develop a new business and source of income. It means you will also be playing a vital role in helping to conserve an important part of the country's architectural heritage.

Appendix 1 – Agriculture permitted development

Mineral extraction under agricultural permitted development rights are defined –

in ENGLAND and WALES by the:

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995

PART 6 – AGRICULTURAL BUILDINGS AND OPERATIONS, CLASS C MINERAL WORKING FOR AGRICULTURAL PURPOSES

Permitted Development:

- C** The winning and working on land held or occupied with land used for the purposes of agriculture of any minerals reasonably necessary for agricultural purposes within the agricultural unit of which it forms part.

Development not permitted:

- C1** Development is not permitted by Class C if any excavation would be made within 25 metres of a metalled part of a trunk road or classified road.

Condition:

- C2** Development is permitted by Class C subject to the condition that no mineral extracted during the course of the operation shall be moved to any place outside the land from which it is extracted, except to land which is held or occupied with that land and is used for the purposes of agriculture.

Implementation of Part 6

- D7** In Class C ‘for the purposes of agriculture’ includes fertilising land used for the purposes of agriculture and the maintenance, improvement or alteration of any buildings, structures or works occupied or used for such purposes on land so used.

In this case a planning application is not required because planning permission has been granted generally in advance by the Secretary of State (Welsh Assembly Government or Scottish Ministers) by means of the Town and Country Planning (General Permitted Development) Order 1995 (in Scotland a similar Order is dated 1992) (see Appendix 1 below). However, as will be seen in Appendix 1, the general permission granted by the Secretary

of State (Welsh Assembly Government or Scottish Ministers) is subject to conditions that must be adhered to. These include restrictions on permitted development that would be likely to have a significant effect on a European site of importance (a Special Protection Area for birds or a candidate or designated Special Area of Conservation for habitats and other animals) designated by the government under European Directives. This is the case even where the development would not be located within such a site. English Nature will be pleased to advise if your proposal would be likely to effect a designated site. English Nature would also advise you if your permitted development would be on a Site of Special Scientific Interest (SSSI), in which case it will need their consent under the Wildlife and Countryside Act 1981 even if no planning application is required.

and in SCOTLAND by the:

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (SCOTLAND) ORDER 1992

PART 6 – AGRICULTURAL BUILDINGS AND OPERATIONS CLASS 19

- 1** The winning and working on land held or occupied with land used for the purposes of agriculture of any minerals reasonably necessary for agricultural purposes within the agricultural unit of which it forms part.
- 2** Development is not permitted by this class if any excavation would be made within 25 metres of a metalled portion of a trunk or classified road or a railway line.
- 3** Development is permitted by this class subject to the condition that no mineral extracted during the course of the operation shall be moved to any place outside the land from which it is extracted, except to land which is held or occupied with that land and is used for the purposes of agriculture.

Interpretation of Part 6

For the purposes of Part 6 ‘the purposes of agriculture’ includes fertilising land used for the purposes of agriculture and the maintenance, improvement or alteration of any buildings, structures or works occupied or used for such purposes on land so used. See also paragraph D7 above.

Appendix 2 – Authorities, agencies and organisations to consult

AUTHORITIES AND AGENCIES TO CONTACT AS STATUTORY CONSULTEES

These are authorities that the MPA are likely to consult about your application and from whom they may seek views. You should consider contacting them before submitting your application so that you can take account of any comments. Your MPA may be willing to give the names and addresses for the local contacts in each of these. For addresses, telephone numbers and web sites see Appendix 5:

- Environment Agency (in England and Wales only)
- Scottish Environment Protection Agency (in Scotland only)
- Highways Authority (the Unitary Authority or County Council in your area)
- English Nature (in England only)
- Countryside Agency (in England only)
- Countryside Council for Wales (in Wales only)
- Scottish Natural Heritage (in Scotland only)
- County Archaeologist (check with your County Council or Unitary Authority for details of whom to contact)
- County Landscape Officer (check with your County Council or Unitary Authority for details of whom to contact)
- English Heritage (in England only)
- Historic Scotland (in Scotland only)
- Cadw: Welsh Historic Monuments, Executive Agency (in Wales only)
- Farming and Rural Conservation Agency (in England and Wales only)
- National Park Authorities
- County Wildlife Trust

NB November 2003. The management of rural and environmental affairs is under review. Consequently the names and roles of some of these organisations may change.

AUTHORITIES, AGENCIES ORGANISATIONS FROM WHOM TO SEEK SUPPORT FOR YOUR APPLICATION

These are organisations that you may wish to contact in order to establish interest in your application. Some may also be statutory consultees to your MPA but still be willing to support your application. For address and telephone numbers see Appendix 5:

- Ancient Monuments Society
- Architectural Heritage Society of Scotland
- Civic Trust
- Scottish Civic Trust

- National Park Authorities
- Local Council Building Conservation Officers (in areas where your stone is used)
- Stone Roofing Association
- Society for the Protection of Ancient Buildings
- English Heritage
- Historic Scotland
- Cadw: Welsh Historic Monuments, Executive Agency
- National Trust - local building conservation officer or building surveyor
- National Trust for Scotland
- Local Diocesan Authority
- Local Historic Buildings Preservation Trust(s)
- Council for the Protection of Rural England (Campaign to Protect Rural England)
- Council for the Protection of Rural Wales (Campaign to Protect Rural Wales)

When you contact these organisations, ask if they can give you a letter of support for your proposal. If they have a need for the type of stone you intend to supply, ask them if they can quantify this. If this is not possible, ask for something along the lines of:

"[organisation] has [number] listed buildings roofed in stone slate in its area. For many years, renovation and repair has had to be carried out using materials salvaged from other buildings. This inevitably reduces the number of stone roofs and also because the available stock of suitable donor buildings has effectively dried up, an alternative source of [slate type] stone slates must be found. Under the guidelines of PPG 15, new stone slates should be used to make up any shortfall when roofing work is carried out and [organisation] is fully supportive of this policy. We are therefore keen to see a new source of [slate type] stone slates being quarried."*

Although not specific to your particular application, this type of letter may be important in convincing the planners, the planning committee and local residents that there is a need for what you are proposing to do. The more of this type of letter you can get, the better.

** Planning Policy Guidance Note 15 'Planning and the Historic Environment' is applicable in England. In Wales Quote Welsh Office Circular 61/96 on Planning and the Historic Environment: Historic Buildings and Conservation Areas. This states that 'Local Planning Authorities should encourage the retention and development of sources of traditional roofing materials. The cannibalising of other buildings for traditional materials should be discouraged...'*

Appendix 3–Detailed information to submit with your application

The precise nature and extent of the information that must be submitted with your application is in part defined in law. However, it will also depend on what your proposal consists of, where it is and the specific requirements of your MPA.

FORMS

Your application will need to be made on a form obtained from the MPA. This will either be a special form for quarry applications or a shorter, more basic form with an additional minerals questionnaire attached.

All forms include standard questions about you, your agent and a description of what your application is for. In addition, they require some or all of the following information as it applies to stone slate quarries.

PLANS, SECTIONS AND DRAWINGS

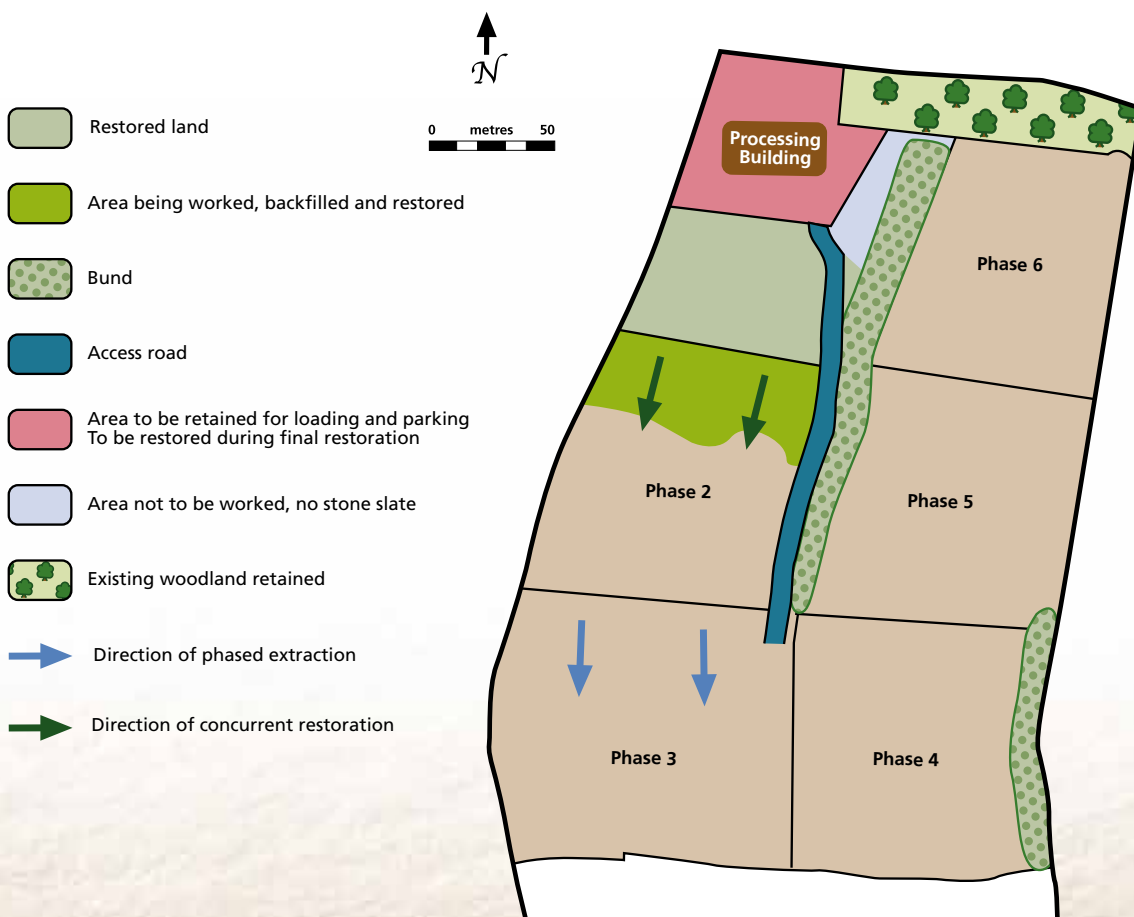
Full details on what is required by way of plans, sections and drawings should be included with the

application forms you obtain from the MPA. Read these carefully. You will also need to supply several copies, so make sure you know how many the MPA want and supply that number.

In most cases, applications involving mineral extraction require the following plans, sections and drawings. All plans should ideally be on an Ordnance Survey base and clearly titled, numbered and dated:

- 1 **LOCATION PLAN:-** Normally on a scale of 1:50,000, but no larger than 1:10,000.
- 2 **SITE PLANS:-** Normally on a scale not smaller than 1:2500. These may need to show the following information:

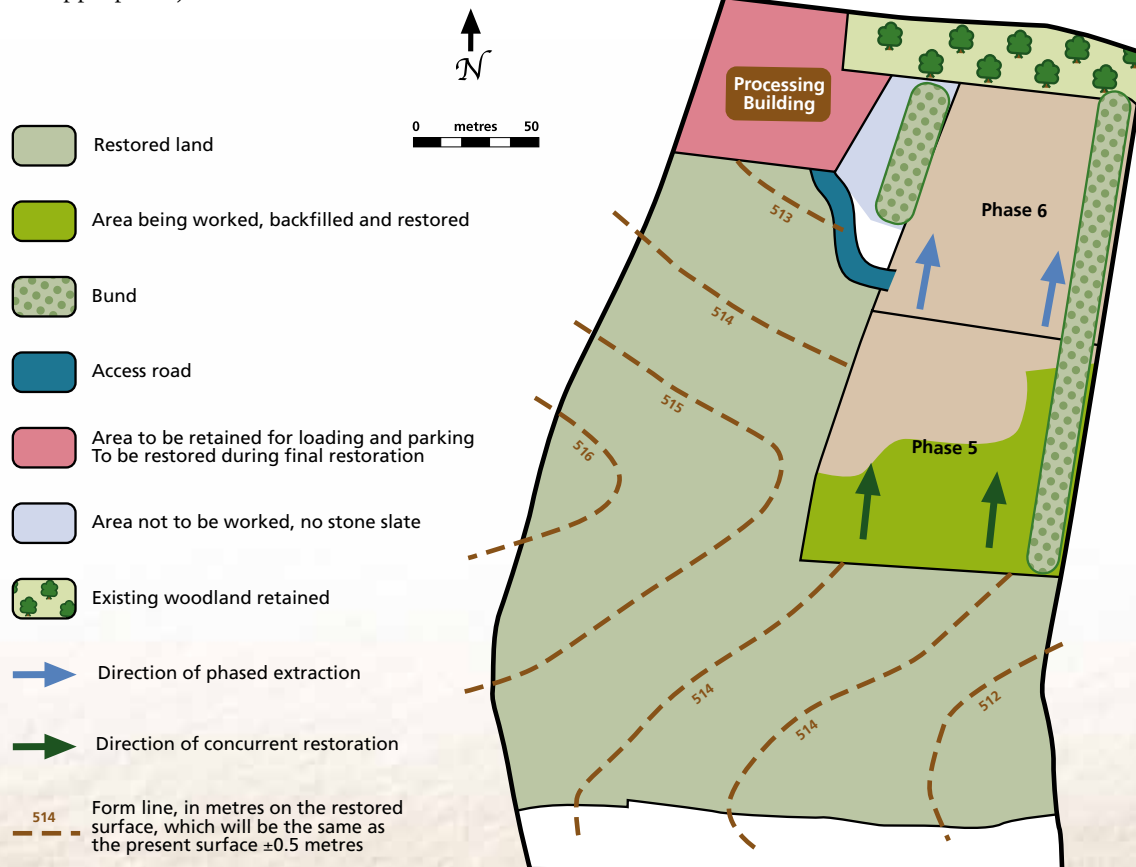
A plan suitable for submission showing an early stage of working. Topsoil and overburden have been removed and placed in bunds. Phase 1 has been restored and phase 2 is being worked hidden by the bund.
(Plan: David Jefferson)



- The land to which the application relates should be edged in red. The access route from the public road, any landscaping works and any other works to be undertaken must be included within the area;
- Any adjoining land under your control not included in the application should also be shown. This should usually be edged in blue;
- Any existing buildings, roads, structures, underground services, overhead power or telephone lines and public rights of way on or adjacent to the site;
- The positions of any existing walls, hedges and trees within and adjacent to the site;
- Existing contours at appropriate intervals, within and normally for a short distance beyond the boundaries of the area of extraction, to illustrate the relationship of the site to the surrounding topography; and,
- The position of any watercourses, culverts, drainage ditches or ponds within or bounding the site, showing the direction of flow (where appropriate).

3 WORKING PLANS:- These should be at the same scale as the site plan(s) and include the following information:

- Any areas of land to be excavated and any areas to be filled. These may be shown by use of a coloured edge or hatching. The boundaries to these areas should allow a sufficient safety margin to protect public rights of way, railway lines, water courses, services, buildings and trees etc. which are to remain undisturbed;
- Proposals for the storage of topsoil, subsoil and overburden (other than bunds (earth mounds or banks) built to screen the site);
- Proposals for screening and landscaping the operations, including details of screening bunds and tree planting;
- The location of any processing plant or equipment, buildings, offices etc;
- The method, direction and phasing of working/landfilling;



■ The proposal plan showing the final stages of the delph. Phases 1 to 4 have been re-instated and contoured. The bund has been moved to screen work in Phase 5. (Plan: David Jefferson)

- The position of any diverted watercourses, lagoons, sources of water, means of drainage and the position of any water discharges going to existing watercourses;
- The vehicular access route from the site to the public road. The detailed design of the access junction with the public road (if works to this are required). This should be submitted on a separate plan at a much smaller scale, e.g. 1:100. It should show the width of the road, its means of construction, the turning radius and sightlines in each direction;
- If required, details of proposed measures to divert, remove or avoid overhead lines and other services or stop up, remove or divert public rights of way.

4 RESTORATION, AFTERCARE AND AFTER-USE PLANS: - These should be at the same scale as the site plan(s) and show how the site will be restored during and/or following the completion of extraction. They should include the following:

- The final contours of land (with typical gradients indicated). The contours should normally be extended for a distance beyond the boundaries of the area of extraction to illustrate the relationship of the restored land to the surrounding topography;
- The replacement depths of soils and their sources;
- Proposals for the drainage of the land, if known, including the position of any field drains, ditches and watercourses;
- The position of existing trees, shrubs and hedges to be retained on site following the completion of extraction and details of trees etc. to be planted.

5 SECTIONS AND PROFILES: - These should include the following:

- Representative sections showing existing and final restoration surface levels, and the maximum depth of excavation in areas of extraction;

- Representative sections which differentiate between topsoil, subsoil overburden, the stone to be extracted and any interbedded waste materials which need to be removed, the underlying geology and if necessary the position of the water table. This should include a description of characteristics and thickness of each.

6 PLANS FOR BUILDINGS PLANT AND EQUIPMENT. Although small stone slate quarries are unlikely to require substantial buildings, plant and equipment, detailed plans of any these must be included. These should be at a scale of 1:100 and include ground plans, elevations, and the type and colour of external materials to be used on any new buildings.

PLANNING HISTORY

You may be asked to provide details of any existing or previous planning permissions which have been granted for the site. If so, give reference numbers, details and dates.

OWNERSHIP

Details of anyone else who is an owner or who has an interest in the land or mineral rights must be submitted.

GEOLOGICAL, GEO-TECHNICAL AND HYDROLOGICAL INFORMATION

including details of:

- The geology;
- The total quantity of saleable material to be extracted (in metric tonnes);
- The type of products to be produced - it may be that you intend to produce more than just stone slate in which case you should state what other products there will be;
- The area of excavation (in hectares);
 - The duration of operations, including start and end dates (if extraction is not going to be continuous, state this);
- The end use of the site;
- The geographical area within which the extracted material will be used;

- The wastes arising, including quantities;
- The proportion of wastes to be retained on site;
- The depth of the workings;
- Details of the position of the local water table;
- The quantities of top soil, sub-soil and other overburden that are to be excavated;
- The agricultural land classification of the site.

PROCESSING

Details will be required of any processing to be undertaken on and off the site, including details of the type and quantities of material to be processed, the working capacity of the plant, annual figures for the production of processed products, and the type, quantity and methods of disposal of any processed wastes (such as water).

ANCILLIARY STRUCTURES

Details of any ancillary buildings, plant or other structures to be erected on the site in association with the development will be needed. If you intend to process your excavated material on site, you will almost certainly require some kind of building within which to cut, dress, store and pallet finished slates. You may also need an office and additional workshop space. If you intend to use an existing building, this should be included in your application. If the building is remote from the delph, you may need to make a separate application for its use.

TRANSPORT AND ACCESS ARRANGEMENTS

You will need to include details of the access to the site, the method of transporting slates and any other products or materials from the site and the number, size of vehicles and the frequency of journeys. The MPA must be satisfied that the access proposed, whether new or existing, is adequate for the purpose and that junctions with the public road are safe. The MPA will also need to assess whether the local public road network is capable of handling the volumes of traffic and the size of vehicles involved. Fissile

rock suitable for stone slate production is often found in rural areas where the road network comprises small lanes and single track roads. If this is the case in your area, the MPA must be sure that the size of vehicles and volume of traffic does not create unacceptable danger, disturbance or damage to the roads.

ENVIRONMENTAL EFFECTS

The MPA will need to assess the environmental affects of your proposal. Large parts of the country are covered by statutorily designated landscape and nature conservation areas, archaeological sites, and conservation areas. Public rights of way, tree preservation orders and the proximity of listed buildings or other houses may also be important considerations. More generally, the effect of noise, dust, traffic movements, hours of working, visual considerations, and the impact on any nearby water courses and land stability may also be relevant. These are concerns even in areas not covered by statutory designations. In practice, most of these are unlikely to be major issues for very small stone slate delphs, but the MPA will still have to assess them and you will need to provide all the necessary information. So when assessing a site, you should investigate any statutory designations in the area and potential environmental problems. Such matters are worth raising in initial pre-application discussions: this will demonstrate that you take such issues seriously and want the MPA's advice on them. In some cases, these may need to be considered by submitting an Environmental Statement, although this is unusual for very small quarries.

Appendix 4 – Environmental Assessment

In some areas, MPA planning policies will only permit proposals for mineral workings if the likely environmental impact is acceptable regarding local communities, agriculture, water supplies, landscape, topography, wildlife, geology, the built environment, rights of way, recreation, visual effect and transport. Although formidable, this list does not require special pleading on behalf of stone slate production.

Applications to develop a delph must usually be accompanied by an environmental assessment (EA) to ensure that the likely effects on the environment are fully understood and taken into account, although one may not be required for a small stone slate delph. The full details are set out in the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI 1999 No. 293) and the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 1999 (SSI 1999 No. 1) - (available from the HMSO). These implement European Council Directives 85/337/EEC and 97/11/EC. General guidance on preparing environmental statements can be found in the HMSO publication Preparation of Environmental Statements for Planning Projects that require Environmental Impact Assessment: A Good Practice Guide [ISBN 0-11-753207-X]. It should be read in conjunction with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI 1999 No. 293) and the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 1999 (SSI 1999 No. 1), since the guidance predates these revised requirements. It is also important to read the associated Circulars which are DETR Circular 1/99 Environmental Impact Assessment and Scottish Executive Circular 15/1999 Environmental Impact Assessment together with Scottish Executive Planning Advice Note (PAN 58) Environmental Impact Assessment. These documents will change over time but your planning department will be able to help on these issues and how they will apply to you. Make a point of bringing up the subject in your initial meeting with them.

The regulations apply to two separate lists of projects: Schedule 1, for which an EA is required in every case, and Schedule 2 for which an EA is required only if the particular project is judged likely to give rise to significant environmental effects. The delving of stone slates falls within Schedule 2.

For Schedule 2, the significance of a development will essentially be assessed on the following criteria;

- (i) whether the project is of more than local significance, principally in terms of physical scale;
- (ii) whether the project is intended for a particularly sensitive location, for example, a national park or a site of special scientific interest (SSSI), and for that reason may have significant effects on the area's environment even though the project is not on a major scale;
- (iii) whether the project is thought likely to give rise to particularly complex or adverse effects, for example, in terms of the discharge of pollutants.

For a stone slate delph, criteria 1 and 3 are unlikely to be significant but criterion 2 may well apply, given the location of many old quarries.

For Schedule 2 projects in the extractive industry, specific reference is made to "extracting minerals . . . such as marble". These will require an EA if they are likely to have significant effects on the environment by virtue of factors such as their nature, size or location.

If you do need to undertake an environmental assessment, this will need to be presented in the form of an environmental statement. It must include a description of the likely effects (direct and indirect) on the development's environment, explained by reference to its possible impact on human beings, flora, fauna, soil, water, air, climate, the landscape, the inter-action between any of the foregoing, material assets and the cultural heritage.

Recent changes in the law mean that the MPA must now screen or assess your application on the need for an EA. Even if it is only a small-scale proposal, they may require you to submit an EA. If you are required to do so, then you are likely to have to employ a specialist consultant to undertake this for you.

If you do not agree with the MPA that an EA should be submitted, you may apply to the Secretary of State for a direction to consider the matter. Whether or not you think you are likely to need an EA, you should try to establish at an early stage, in your pre-application discussions with the MPA, whether they are likely to require one.

Appendix 5 – Addresses and further information

The following list gives details of the national offices of each authority, agency or organisation. Many have local offices that may be more appropriate for you to contact, depending on where you are. If this is the case, particularly for organisations that are statutory consultees, your MPA should be able to supply you with details of the local office or contact name. Most now also have websites giving details of local offices.

- **ANCIENT MONUMENTS SOCIETY**
St Ann's Vestry Hall, 2 Church Entry, London
EC4V 5HB - Tel: 020 7236 3934 -
Fax: 020 7329 3677
Website: www.ancientmonumentsociety.org.uk
- **ARCHITECTURAL HERITAGE SOCIETY OF SCOTLAND**
The Glasite Meeting House, 33 Barony Street,
Edinburgh, EH3 6NX - Tel: 0131 557 0019 -
Fax: 0131 557 0047 - E-mail: glasite@ahss.org.uk
Website: www.ahss.org.uk/
- **BRITISH GEOLOGICAL SURVEY**
Keyworth, Nottingham, NG12 5GG.
Tel: 0115 936 3241 - Fax: 0115 936 3488
E-mail: sales@bgs.ac.uk
Website: www.bgs.co.uk/
- **CADW**
PO Box 353, Cardiff, CF1 5XA Tel: 029 2050
0200 - Email cadw@wales.gsi.gov.uk
Website: www.cadw.wales.gov.uk/
- **CAMPAIGN FOR THE PROTECTION OF RURAL WALES (CPRW)/YMGYRCH DIOGELU CYMRU WLEDIG (YDCW)**
Ty Gwyn, 31 High Street, Welshpool, Powys
SY21 7YD - Tel/Ffôn: 01938 552525/556212 -
Fax/Ffacs: 01938 552741
Website: www.cprw.org.uk/
Email/ Eboost: cyfarwyddwr@cprw.org.uk
- **CIVIC TRUST**
The Civic Trust, 17 Carlton House Terrace,
London SW1Y 5AW - Tel: 020 7930 0914
Fax: 020 7321 0180
Website: www.civictrust.org.uk/
- **COUNCIL FOR THE PROTECTION OF RURAL ENGLAND**
Warwick House, 25 Buckingham Palace Road,
London, SW1W 0PP - Tel: 020 7976 6433 -
Fax: 020 7976 6373
Website: www.cpre.org.uk/
- **COUNTRYSIDE AGENCY** (In England)
John Dower House, Crescent Place, Cheltenham,
Gloucestershire, GL50 3RA
Tel: 01242 521381 - Fax: 01242 584270 -
Website: www.countryside.gov.uk/
For details of the regional office in your
area ask your MPA.
- **COUNTRYSIDE COUNCIL FOR WALES**
Plas Penrhos, Ffordd Penrhos, Bangor,
Gwynedd, LL57 2LQ - Tel: 01248 385500 -
Website: www.ccw.gov.uk
- **DISTRICT LAND REGISTRY FOR WALES**
Ty Cwm Tawe, Phoenix Way, Llansamlet,
Swansea, SA7 9FQ - Tel: 01792 355000
E-mail: hmlr@dial.pipex.com
Website: www.landreg.gov.uk
- **ENGLISH HERITAGE**
23 Saville Row, London, W1S 2ET
Tel: 020 7973 3000 - Fax: 020 7973 3001
Website: www.english-heritage.org.uk/
- **ENGLISH NATURE**
Northminster House, Peterborough, PE1 1UA
Tel: 01733 455000 - Fax: 01733 568834
Website: www.english-nature.org.uk/
Ask your MPA for details of the local
office in your area.
- **ENVIRONMENT AGENCY**
Website: www.environment-agency.gov.uk/
Ask your MPA for details of the local
office in your area.
- **FARMING AND RURAL CONSERVATION AGENCY**
Ask your MPA for details of the local office
in your area.
- **FORESTRY COMMISSION**
Country Services, 231 Corstorphine Road,
Edinburgh EH12 7AT
Website: www.forestry.gov.uk

■ **HIGHWAYS AUTHORITY**

Ask your MPA for details of the local contact in your area.

Website: www.highways.gov.uk

■ **HISTORIC SCOTLAND**

Longmore House, Salisbury Place, Edinburgh, EH9 1SH Tel: 0131 668 8600 -

Website: www.historic-scotland.gov.uk/

■ **HM LAND REGISTRY**

For details of local offices contact HM Land Registry, 32 Lincoln's Inn Fields, London, WC2A 3PH. - Tel: 020 7917 8888 - Fax: 020 7955 0110 - GTN: 3504 - DX No: 1098 London/Chancery Lane WC2
Email: hmlr@dial.pipex.com
Website: www.landreg.gov.uk

■ **NATIONAL TRUST**

36 Queen Anne's Gate, London, SW1H 9AS - Tel: 020 7222 9251 - Fax: 020 7222 5097 - E-mail: enquiries@ntrust.org.uk
Website: www.nationaltrust.org.uk/

■ **NATIONAL TRUST FOR SCOTLAND:**

5 Charlotte Square, Edinburgh, EH2 4DU
Tel: 0131 226 5922 - Fax: 0131 243 9501
E-mail: information@nts.org.uk
Website: www.nts.org.uk/

■ **REGISTERS OF SCOTLAND EXECUTIVE AGENCY (FOR THE LAND REGISTER AND THE REGISTER OF SASSINESS)**

Meadow bank House, 153 London Road, Edinburgh, EH8 7AU
Tel: 0131 659 6111 - Fax: 0131 459 1221
DX ED 555300 Edinburgh OR 150 St Vincent Street, Glasgow, G2 5UU - Tel: 0141 306 4400 - Fax: 0141 306 4424 - DX 501750 Glasgow (Counties of Renfrew, Dumbarton and Glasgow)

■ **SCOTTISH CIVIC TRUST**

The Tobacco Merchants House, 42 Miller Street, Glasgow G1 1DT - Tel: 0141 221 1466
Fax: 0141 248 6952

Website: www.scottishcivictrust.org.uk

■ **SCOTTISH ENVIRONMENT PROTECTION AGENCY (SEPA)**

Ask MPA for details of the local office in your area.

Website: www.sepa.org.uk

■ **SCOTTISH NATURAL HERITAGE**

12 Hope Terrace, Edinburgh EH9 2AS
Tel: 0131 447 4784 - Fax: 0131 446 2277 - Website: www.snh.org.uk/ - Ask your MPA for details of the local office in your area.

■ **SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS**

37 Spital Square, London, E1 6DY
Tel: 020 7377 1644 - Fax: 020 7247 5296
Website: www.spab.org.uk

■ **STONE ROOFING ASSOCIATION**

Ceunant, Caernarfon, Gwynedd, LL55 4SA.
Tel: 01286 650402.
Website: www.stoneroof.org.uk



STONE SLATE DELPHS

A GUIDE TO MAKING A MINERAL PLANNING APPLICATION FOR A STONE SLATE QUARRY OR DELPH

Britain is fortunate in having a wide variety of roofing sandstones and limestones that have contributed to the regional distinctiveness of our towns and countryside. Unfortunately, many of these are no longer manufactured with the result that we are losing historic roofs at an alarming rate. In an effort to stem this loss, English Heritage's Roofs of England campaign is encouraging the re-opening of small, stone slate quarries or 'delphs' to supply local markets.

Before you can open a quarry or delph you must obtain planning permission from the council.

This can appear to be a more difficult process than it really is, so don't be put off. Help and support are available from many organisations and if the various steps are approached methodically with a clear plan of action in mind you will find that the process is straightforward. This guide sets out the stages in preparing an application and where to go for help and advice.

Every council will have a development plan that is intended to ensure that the market for stone products can be satisfied without unacceptable consequences. So, if there is a demand for the slates then the mineral planning process will normally support its supply. A planning application should:

- Demonstrate the demand for the stone slates and the size of the market
- Explain how the rock will be quarried and the slates manufactured and
- Explain how any impacts on the environment or neighbours will be controlled or eliminated and how the delph will eventually be restored

If your proposals are sensible, and realistic and provide sufficient detail, you'll have every chance of succeeding.