Please see Annex AP2 for supporting information, and the “Introduction” for Health and Safety considerations and advice on the use of the guidance.

1. **Is the site in the development plan**
   Is the proposed site in the adopted development plan (or earlier versions if not yet adopted), either as a specific site or within a wider area of interest?

2. **Are there other policy constraints**
   When appraising a minerals planning application, it is essential to establish at an early stage whether there are other significant policy constraints which will impact on the proposals. These may include:
   - National Planning Policy Guidance
   - Statutory environmental designations (e.g. AONB, National Park, SSSI, SAC etc.)
   - Other statutory development plan designations (e.g. land use allocations, non-statutory designations - SNCI, AHLV etc.)

3. **What are the views of other consultees**
   It is often very useful to establish at an early stage the views of other consultees to gauge the level of support or objection to the proposals. Whilst such views should not influence the agricultural position, it is beneficial to be aware of the other issues relevant to the proposals.

4. **Are there alternative sites**
   Are there suitable alternative sites (regardless of operator) which would be less damaging to the national agricultural interest? Have other alternatives been examined by the operator in the environmental assessment and why were they dismissed?
For more detailed information see:
- **PPS7 Sustainable Development in Rural Areas** (ODPM 2004) (Paragraphs 14 – 16, 28 & 29)
- **MPG2 Applications, Permissions and Conditions** (DoE 1998)
- **MPG7 The Reclamation of Mineral Workings** (DoE 1996) (Paragraphs 12-15 and Annex A Box 2)
- Guidance on Good Practice for the Reclamation of Mineral Workings to Agriculture (DoE 1996) Page 8
- **PPG10 Planning & Waste Management** (DETR 1999)
- ‘Landfill Gas & Leachate Control Applied to Arable After-use’ (MAFF 1998 PR4869)

Cross references:
- AP 1, 3
1. Is the site in the development plan

Is the proposed site in the adopted development plan (or earlier versions if not yet adopted), part of a wider area of interest, or a departure from the adopted plan? If the site has been included in an adopted plan, it is likely that Defra will have already made an assessment of the site’s likely impact on agriculture. This may be a useful source of information on agricultural interests for the MPA and operator alike. It will be important to understand on what basis the Defra assessment was made. Was the assessment made on the basis of a desk exercise or were detailed ALC survey and farm visits undertaken? The level of detail available will dictate what further investigation may be required.

If the site is only within a defined area of search or interest, it is unlikely that a detailed assessment will have been made of agricultural interests, both national and local. If the site contains significant areas of BMV agricultural land and is not allocated in the adopted plan, as part of the assessment of whether planning permission should be granted, a decision should be made as to whether any irreversible loss of BMV agricultural land runs contrary to any policies in the plan, and Government policy protecting such land.

2. Are there other policy constraints

When Defra appraises a mineral planning application to gauge the impact on national and local agricultural interests, it is common practice to establish early on what the other significant planning issues are. This helps to put into context the agricultural impacts and the weight that should be given to them in the decision making process. For example, if there is a significant area of BMV agricultural land within the application area which may be irreversibly lost, a judgement has to be made as to whether there is an ‘overriding need’ outweighing the agricultural considerations.

3. What are the views of other consultees

The reasons for establishing the views of other consultees at an early stage are very similar to those given in 2. above. Whilst the views of others should not directly influence any decision taken based on the agricultural impact of the proposals, it is nevertheless useful to establish all of the issues relevant to the proposals.

4. Are there alternative sites

For proposed mineral sites that have already been allocated in an adopted development plan, it is likely that Defra will have already commented upon alternative sites and their relative agricultural land quality. However, if a site is proposed which has not been allocated in an adopted plan and it involves a significant area of BMV agricultural land, evidence should be sought as to whether there are suitable and viable alternative sites less damaging to the national agricultural interest.