Please see Annex AP1 for supporting information, and the “Introduction” for Health and Safety considerations and advice on the use of the guidance.

1. Has there been a pre-application discussion relating to the application area

2. Is the submitted application complete, or are further ancillary applications to be submitted at a later date

3. What are the areas (in hectares) of the site, application and working areas

4. What is the operator’s capacity to restore

5. Are there likely to be future applications which could change the proposed landform

6. What is the life (working and post-working) of the proposed waste scheme

7. Will mineral extraction, landfilling and restoration be undertaken by the same or different operators. If different, have the detailed proposals been agreed by both the mineral and waste operators

8. Have all details been submitted or are there details which will be submitted only when a waste licence is applied for

9. Are there likely to be further applications for MRFs and/or composting facilities
## COMMENTS

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)

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1. Has there been a pre-application discussion relating to the application area

Prior to the planning application being submitted, have there been discussions between the operator, MAFF and/or the MPA? If so, is there a record available of the discussion(s) and was a scoping report produced, detailing what information would be submitted in the detailed planning application and accompanying environmental statement? Pre-application discussion is encouraged in order to identify the key agricultural issues, impacts and possible remedial measures. This can save considerable time and effort for all the parties involved. (For further details see MPG2 Applications, Permissions and Conditions (DoE 1998) Paragraphs 10-13).

2. Is the submitted application complete, or are further ancillary applications to be submitted at a later date

It is common practice for all details to be submitted with the application. However, it is worth checking to see if the submitted application is complete. If this is not the case, it is important to establish whether the additional details may impact further on agricultural land and interests and, if necessary, seek information from the applicant or agent. On occasions, there may be some details referred to in text, which are missing from the accompanying statement.

3. What are the areas (in hectares) of the site, application and working areas

What is the total site area and how much agricultural land is involved? Similarly what are the application and working areas? It is essential to establish at an early stage what impact the proposals will have on the national and local agricultural interests. Clearly, site and working areas will be a major factor in assessing likely impacts. Allied to this assessment will be the area of BMV agricultural land which will be affected by the proposals (see AP6).

4. What is the operator’s capacity to restore

The operator’s past record in achieving what was originally proposed may be a factor to be taken into consideration in some cases. In particular, on proposed sites where significant areas of BMV land are involved, a decision has to be made not only as to whether such land can be restored following extraction but also the likelihood of it being restored.

5. Are there likely to be future applications which could change the proposed landform

Final landform is very important for an agricultural after-use or where the land’s long-term agricultural potential is to be safeguarded. Landform will dictate, along with other
factors such as soil and climate, not only the type of agricultural use to which the land may be put, but also its ALC. Whilst it is clearly a subjective assessment, some consideration needs to be made on the likelihood of further applications which may alter the proposed final landform.

6. What is the life (working and post working) of the proposed waste scheme

In examining any application for a waste disposal scheme, it is important to establish the expected life of the scheme including the likely time periods for:
- mineral extraction (if applicable)
- landfilling
- restoration and aftercare
- monitoring of the site for gas and leachate emissions

Having established the total lifespan of the site, an assessment has to be made on how realistic it is for agricultural land to be restored at a future date. This assessment is particularly important if there are significant areas of BMV agricultural land involved.

7. Will mineral extraction, landfilling and restoration be undertaken by the same or different operators. If different, have the detailed proposals been agreed by both the mineral and waste operators

On many waste disposal sites there may be different operators responsible for separate phases during the life of the site. For example, there may be different firms responsible for mineral extraction (if applicable), landfilling and restoration. Are all the parties concerned with the site aware of what has been proposed in the planning application and agreed upon the proposals? If not, other operators not party to the planning application details may consider the proposals unworkable and seek to radically alter the scheme, which in turn could greatly alter the impact on agricultural interests.

8. Have all details been submitted or are there details which will be submitted only when a waste licence is applied for

Under current arrangements, many details of proposed waste disposal operations are not included in the planning application, but will be provided in a later application to the EA for a Waste Management Licence (see Paragraphs 19 - 23 of PPG10 - Planning & Waste Management for more detail). These may include details such as the exact quantities of each waste type to be disposed of and the design of infrastructure to control gas and leachate. Such omissions can make it difficult to make an informed assessment of all the impacts the proposals will have on agricultural interests, both within and without the site boundary. MPAs should encourage applicants to think holistically at the planning application stage and where practical, seek such details in order to make a more informed decision. Detailed guidance can be found in “Landfill Gas & Leachate Control Applied to Arable After-use” (MAFF 1998 PR4869) Page 16.
9. Are there likely to be further applications for MRFs and/or composting facilities

Normally, such facilities occupy fairly small areas in relation to the rest of the site and are usually located on the periphery. Therefore, their impact on the long-term restoration and aftercare of the site is usually minimal. However, with targets for recycling and composting there is likely to be an increase in applications for such facilities. If such applications are likely, the MPA needs to establish whether they may impact on the future agricultural use of the land.