

AN INTRODUCTION TO MINERAL PLANNING

□ Why do we need mineral planning?

Minerals underpin our modern economy. They are essential for manufacturing and energy supply. They also provide the materials to build the homes, schools, hospitals and infrastructure needed by sustainable communities. Minerals extraction is one of many pressures on land-use in the UK, and it is the purpose of the planning system to address these competing demands. Mineral working is different from other forms of development, such as housing, industry or retail, as it can only take place where the mineral occurs. Mineral planning determines when and where minerals are extracted by providing a framework integrating protection of the environment with the need for the minerals necessary to maintain our economy and way of life. The planning system addresses national, regional and local issues, and encourages public involvement throughout. It has an important role to play in contributing to the Government's strategy for promoting sustainable development. This document introduces mineral planning in England. Scotland, Wales and Northern Ireland have devolved responsibility for mineral planning and all operate slightly different systems.



© Libraryphotos.com



© Digital Vision



□ **Government policies**

The key policy objectives for mineral planning are:

- to conserve and safeguard minerals as far as possible while maintaining sufficient supply to meet the anticipated need;
- to protect areas of designated landscape or nature conservation value;
- to minimise the production of waste and to encourage efficient use of materials, including appropriate use of high-quality materials, and the use of substitute or recycled materials in place of primary minerals;
- to encourage sensitive working practices during minerals extraction and to ensure high-quality restoration and aftercare after extraction has ceased.

In England the policies and rules within which the mineral planning system operates are set out in a series of 'Mineral Planning Guidance' notes (MPGs). The process is also informed by data on resources, production and consumption which helps to determine what mineral is needed where. MPGs are gradually being replaced by a smaller number of more concise documents known as Minerals Policy Statements (MPS). These will deal with topics such as 'Key Policies and Principles' (MPS1), 'Environmental Effects of Mineral Working' (MPS2) and 'Reclamation of Mineral Workings' (MPS3). Remaining MPGs will be consolidated into a single guide concerning best practice and procedures for the implementation of the planning policies.

□ **Who is responsible for mineral planning?**

In England national planning policy is the responsibility of the Office of the Deputy Prime Minister. This department is also responsible for guidance, including that for mineral development, within which regional and local authorities operate.

In England and Wales regional government is responsible for the establishment of a regional planning policy framework, known as a Regional Spatial Strategy (RSS), which provides a long-term strategy for the sustainable development of the region addressing broad issues including housing, environment, healthcare, transport, waste management, and minerals supply. The RSSs, which are reviewed annually, provide a baseline with which local developments have to conform. They also encourage public participation at all stages. RSSs are required to include a Sustainability Appraisal (SA) that is designed to ensure that implementation of the plan will achieve the social, environmental, economic and resource management objectives that contribute to sustainable development.

The regional mineral planning policy for the supply of aggregates (sand, gravel and crushed rock) is informed by technical bodies called Regional Aggregate Working Parties (RAWPs). These provide data and technical advice related to the supply and demand for construction aggregates to ODPM and the Regional Assemblies. They also consider potential substitution by secondary and recycled materials, and the contributions that could be made by one region to meet demand in another.

Tier of Government	Body	Responsibilities	Published documents
National	Office of the Deputy Prime Minister (ODPM)	National planning policy	Minerals Policy Statements (MPS)
Regional	Regional Assembly	Regional planning policy	Regional Spatial Strategies (RSS)
Local	Mineral Planning Authority (MPA): — County Council, National Park Authority, Unitary Authority	Development of local planning policy and plans (Development Planning) Decisions on applications; monitoring and enforcement (Development Control)	Minerals and Waste Development Framework/Local Development Framework (MWDF and LDF) Planning decisions

Key roles and responsibilities in mineral planning in England



BGS/NERC



BGS/NERC

□ **Putting it into practice**

Local government plays a key role in the planning system. A local authority with responsibility for planning control for mineral working is called a Mineral Planning Authority (MPA). In some parts of England, the responsibility for mineral planning resides with single tier 'unitary' authorities, which deal with all planning issues within their areas. In those parts of England with two tiers of local government (counties and districts), MPAs are the County Councils and National Park authorities. The planning responsibilities of MPAs fall in two main areas:

- formulation of policies and plans to guide future development ('development planning')
- regulation of individual developments through deciding planning applications and enforcing planning consents ('development control').

The MPA develops a plan (Minerals and Waste Development Framework, MWDF, in two tier areas, Local Development Framework, LDF, in unitary areas) that sets out policies and guidelines to help determine planning applications. MWDFs and LDFs build on national and regional policies and take into account local needs and variations, including specifying areas where extraction should take place and others which should be protected. These documents must look at least 10 years ahead and take account of the strategy set out by the regional planning body.

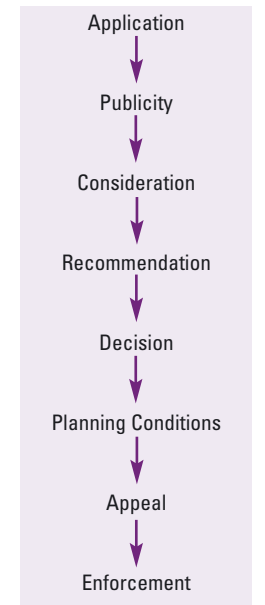
Mineral extraction and processing requires planning permission from the MPA. Planning applications are assessed using the development control system which evaluates them against the policies and guidelines set out in the MWDF/LDF. Planning applications comprise forms, plans and drawings, and include a detailed scheme of working, restoration and aftercare. Applications which are likely to have a significant affect on the environment require preparation of an Environmental Statement (ES). The ES is based upon an Environmental Impact Assessment (EIA) that is designed to predict, prevent and/or manage potential environmental impacts of the proposed development. MPAs are obliged to consult bodies such as local parish councils, the Environment Agency, the Highways Agency, and to publicise the application locally.

Thereafter, each application is considered by the authority's planning committee which examines all aspects of the proposed development including environmental, economic and social impacts and any representations which have been made on it. Planning committees may permit the development subject to a number of conditions, or may refuse it. Planning conditions are generally designed to mitigate the environmental impact of the operations, as well as to ensure sound working practices and appropriate restoration. These will include the control of traffic, noise, dust and vibrations; other operational factors

BGS/NERC



BGS/NERC



The decision-making process in mineral planning

Modified from www.quarry.leeds.ac.uk/goodquarry

such as working hours, the scale of production and the scheme of working may also be covered. Under exceptional circumstances, where the proposed development is very large or contentious, the Secretary of State may 'call-in' a planning application for his/her determination. Applicants may appeal to the Secretary of State against planning applications refused by the MPA or where the MPA has not issued a decision within a certain time or where the conditions attached to the permission are considered too onerous. Appeals can be handled by written representations, public inquiry or an informal hearing before a planning inspector.

Once a quarry is working, it is the responsibility of the MPA to monitor operations to ensure the conditions of the planning permission are being adhered to and that environmental impacts are minimised.



BGS©NERC



©Libraryphotos.com

□ **Planning for the future**

The introduction of new legislation in 2004, together with the ongoing extensive revision of planning guidance and regulations, aims to provide a simpler, fairer and more transparent process for the provision of land for minerals supply. The new system places increased emphasis on sustainability through a broad approach that aims to ensure the best use of land by assessing competing demands of social, environmental and economic factors. Active participation by local communities is a key element of the new planning process.

For further information on 'Minerals Matters' in Britain contact:

The Manager
ODPM-BGS Joint Minerals Programme
British Geological Survey
Keyworth, Nottingham, NG12 5GG
Tel: 0115 936 3494
Fax: 0115 936 3520
Email: minerals@bgs.ac.uk
Web: www.mineralsuk.com

Minerals and Waste Planning Division
Office of the Deputy Prime Minister
Zone 4/A2 Eland House
Bressenden Place, London SW1E 4DU
Tel: 020 7944 3852
Fax: 020 7944 3859
Email: mineralswaste@odpm.gsi.gov.uk
Web: www.odpm.gov.uk



British Geological Survey
NATURAL ENVIRONMENT RESEARCH COUNCIL



Office of the Deputy Prime Minister
Creating sustainable communities

Published by the Office of the Deputy Prime Minister © Crown Copyright 2005