



## Standing Advice Note - Mineral Safeguarding

This standing advice note relates to **proposed development that is within or adjoins a Mineral Safeguarding Area (MSA) (Please see glossary for definition) and, if approved, has the potential to sterilise important mineral resources.**

The purpose of minerals safeguarding is to protect valuable mineral resources and minerals sites and infrastructure from other non-mineral development. Non-mineral development has the potential to sterilise the minerals or prejudice the operation of existing or proposed sites. Mineral resources can be sterilised and the operation of sites or infrastructure can be constrained either directly by new development or indirectly through the introduction of sensitive land uses in close proximity.

Early engagement in plan-making and considering relevant planning applications (in MSAs) between Local Planning Authorities (LPAs) and Mineral Planning Authorities (MPAs), as well as with developers is encouraged, so that safeguarding requirements can be identified and addressed alongside other development considerations.

Minerals Safeguarding is supported by the Surrey Minerals Plan 2011 Core Strategy, the NPPF, NPPG and applies to the following sites and areas:

- Mineral Safeguarding Areas (MSAs) cover known deposits of minerals.
- Existing or proposed mineral sites, aggregates rail depots, and aggregate recycling facilities.

Many minor developments will have no implications for mineral safeguarding and are thus not included in this Standing Advice Note. These will include: applications for small infill plots within existing settlements; one-for-one replacement of dwellings; householder development, changes of use, advertisement applications, minor extensions to buildings and details submitted as reserve matters. In acknowledgement of this, and to ensure the process is manageable, the county council will not wish to be consulted by district and borough councils unless the proposed development is 'significant'. 'Significant development' in this context is defined in the County Council's [Consultation Protocol](#) (please see Minerals and Waste Consultation Protocol November 2016 PDF).



Responsibilities for safeguarding:

Organisation/party	Role
Applicant/developer	Determine if the application site falls within (either wholly or partly) an MSA (See glossary). If within an MSA, seek advice at the pre-application stage from the LPA on the need to demonstrate compliance with any safeguarding policy. The LPA and/or the developer may need to seek advice from the MPA on scope.
Local Planning Authority (LPA)	<p><u>Local Plan and Site Allocations:</u></p> <p>Consult the MPA and MSA maps at the earliest opportunity in the plan-making and site allocation process. Assess effect of plan options on mineral resources as part of the SA/SEA process associated with the Plan. Where possible, avoid allocations in MSAs. Where an allocation is proposed within MSAs, identify minerals as an issues for development of the site and consider opportunities for mitigating the sterilisation of the resource. Require Minerals Resources Assessment in site allocation policy. Where possible, avoid allocations within close proximity to safeguarded infrastructure. Where an allocation is proposed within close proximity to safeguarded sites or infrastructure, consider sensitivity of development and potential constraining impact on minerals operations and require mitigations measures to avoid constraining operations in line with the ‘agent of change’ principle (NPPF para 204e). The Local Plan is encouraged to refer to the Minerals Local Plan and include mention of safeguarding requirements in site allocation policy.</p> <p><u>Development Management/Applications:</u></p> <p>Consult the MPA on applications in MSAs at the earliest opportunity. Alert applicants to minerals safeguarding policies and the need for Minerals Resource/Infrastructure Assessment as early as possible. Include the requirement for a Minerals Resource/Infrastructure Assessment in the Local Validation List.</p>
Mineral Planning Authority (MPA)	<p>Provide advice to LPAs and developers on:</p> <ol style="list-style-type: none"><li>1) Proposed Local Plan allocations for built development – on level of mineral resource assessments required from developers;</li><li>2) Pre-application discussions; and</li><li>3) Planning applications in MSAs.</li></ol>



## Prior working

In some circumstances the complete or partial prior working of an underlying mineral resource can enable a development to proceed without a safeguarding objection from Surrey County Council. Prior working will be at a number of levels. Even in circumstances where significant prior extraction is not practicable or viable there may still be scope for incidental extraction where the mineral is processed and used on site.

In order to ascertain the potential for the prior working of the underlying mineral within an MSA, the applicant should prepare a **mineral resource assessment** (see over).

It is for the developer or site proposer to demonstrate whether prior extraction is viable. The assessment may conclude that prior extraction is not practicable due to site constraints and location, delay to construction timetable, and effect on landform making the site not viable for the proposed development.

The MPA will consider the conclusions of the assessment, including on prior extraction, in forming its view on the proposed development and provide advice to the LPA.

For further information email: [planning.consultations@surreycc.gov.uk](mailto:planning.consultations@surreycc.gov.uk)

## Mineral Resource Assessments

The scope and level of detail in a mineral resource assessment will depend on the type and scale of development, and the circumstances of each case, and may contain the following information and analysis:

- Details of the proposed development.
- An estimate of the quality and quantity of mineral reserve impacted by the proposed development verified by evidence from bore hole investigations.
- Assessment of whether the proposal can be modified to avoid sterilisation.
- Assessment of the potential for the use of the mineral in the proposed development and whether it is feasible and viable to extract the mineral resource ahead of the development;
- Assessment of the commercial and practical considerations of prior extraction – such as environmental impacts, the location of processing facilities, method of transport and the interest from local mineral operators.
- Where prior working is proposed, an explanation of how this will be carried out as part of the overall development.
- The effect of prior extraction on the deliverability and/or viability of the proposed development.

The economic viability of mineral resources and the viability of extracting them may change over time as resource becomes more scarce and markets change. It is important therefore that mineral resource assessments are submitted at the time that a planning application is



submitted even in situations where the principle of development in a MSA has been accepted through a local plan site allocation.

### Minerals Infrastructure Assessments

Proposals for significant development (Please see glossary for definition) affecting safeguarded mineral infrastructure sites or within MSAs around these, including rail depots, should be supported by a Minerals Infrastructure Assessment. This should provide sufficient evidence to enable the MPA to assess whether the proposed development is likely to have an adverse effect on the facility including its capacity.

Minerals Infrastructure Assessments should identify the potential sensitivity of the proposed development and demonstrate that the proposed non-mineral development will not be sensitive to effects arising from the operation of the infrastructure. Early consultation with the MPA and operator(s) of the facilities in the MSA is encouraged to ensure that any sensitivity issues are considered at the beginning of the process and so can adequately be incorporated into planned development.

For further information email: [planning.consultations@surreycc.gov.uk](mailto:planning.consultations@surreycc.gov.uk)

### Glossary

**Mineral Safeguarding Areas (MSAs)** - MSAs are areas designated by the Mineral Planning Authority and cover known deposits of minerals. In Surrey the MSAs are coterminous with Mineral Consultation Areas. The location and extent of MSAs are shown on Surrey County Council's [online map viewer](#). MSAs include Preferred Areas and Areas of Search.

**Significant development** - Significant development is currently defined in the Consultation Protocol November 2016 PDF as any developments involving one dwelling or more, or any new building with the gross floor area to be created is over 500m<sup>2</sup>.