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1. Introduction

- 1.1. The adopted Worcestershire Minerals Local Plan (2018-2036) includes Policy MLP 41 to ensure the safeguarding of locally and nationally important mineral resources. This policy states that, where non-exempt development¹ is proposed within or partially within Mineral Consultation Areas (MCAs), *of technical assessment appropriate to the proposed development and its potential impact on sterilising mineral resources, both within and beyond the* . The MCAs can be seen on the Minerals Local Plan Interactive Minerals Mapping Tool².
- 1.2. The assessment required under policy MLP 41 is commonly known as a ³. The MRA must be sufficient to establish the economic value of the resource in terms of its type, depth, quality, and extent, and its potential for use in relation to standard specifications. It must consider the resource both within the proposed non-mineral development boundary and to a distance of 250m beyond the red-line boundary, to assess the extent of sterilisation which would result from the proposed development both within and beyond the site boundary if the development were to go ahead with no measures to avoid or minimise sterilisation.
- 1.3. Having identified how much of the mineral resource the proposed development would sterilise, and identified the potential economic value of the mineral resource, the MRA must set out how the proposal will avoid sterilisation or, where some degree of sterilisation cannot be avoided, how sterilisation will be minimised.

¹ Table 7.1 and Table 7.2 in the Minerals Local Plan set out where applications are, or may be, exempt development.

² The MCAs can be seen at <https://gis.worcestershire.gov.uk/Website/MineralsLocalPlan/>, by

³ For brevity, the term MRA is used throughout this document.

- 1.4. This guidance document should be read alongside policy MLP 41 and its supporting Reasoned Justification. It sets out more detail on what an MRA should include, and highlights some content commonly provided in MRAs that Worcestershire County Council (WCC) does not require to be included. We strongly recommend that this guidance is followed when producing an MRA to accompany development proposals in Worcestershire.
- 1.5. Providing the information described in this document (and collated in the checklist at Appendix 1) should ensure that all required evidence is available to allow WCC (as the Mineral Planning Authority) to advise the Local Planning Authority on whether policy MLP 41 has been sufficiently addressed. It will allow WCC to advise on whether the extraction and/or mitigation measures proposed are sufficient to avoid or minimise the sterilisation of safeguarded mineral resources.
- 1.6. Following this guidance will help to ensure that WCC does not find the MRA inadequate. Where WCC considers an MRA to be inadequate, this can lead to time-consuming exchanges and revisions to the MRA, during which time WCC is likely to need to maintain an objection to the proposed development.
- 1.7. Mineral safeguarding should be considered at an early stage, and before a proposed scheme design is finalised, because the presence of safeguarded minerals could affect whether a proposal is acceptable and how it should be designed. WCC would welcome pre-application discussion with applicants or their agents on the need for, and content of, an MRA for their proposed development.
- 1.8. Where the proposed development could potentially sterilise more than one type of safeguarded mineral resource, the information set out in Section 2 below must be provided for each type of safeguarded mineral that could be sterilised.

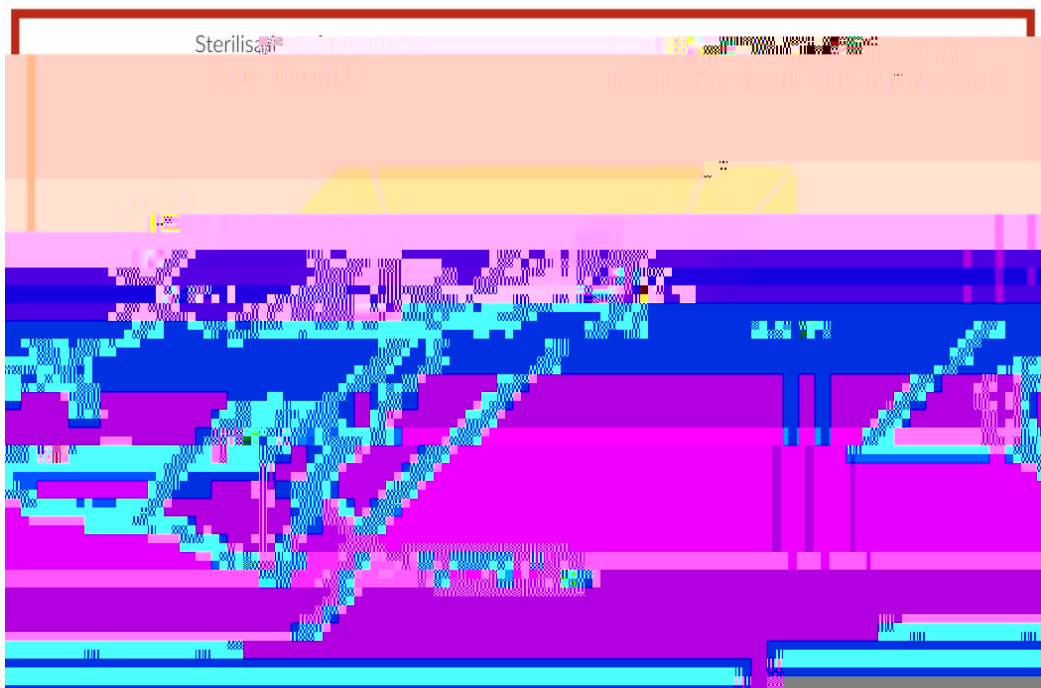
2. Information that **must** be included in the MRA

2.1. How much of the mineral resource the proposed development would sterilise (in the absence of any measures to avoid or minimise sterilisation)

2.1.1. The MRA must provide a tonnage figure of the amount of resource that would be sterilised by the proposed development. This should be based

2.1.2. The area must include both the mineral within the directly affected area within the red-line boundary and any mineral within the indirectly affected area up to 250m beyond the red-line boundary. The dotted line in Figure 1 below illustrates how indirect sterilisation can occur by introducing sensitive receptors that are not directly on top of the resource, but are proximate to it.

Figure 1 Direct and indirect sterilisation of mineral resources



Adapted from British Geological Survey and The Coal Authority (2011) Mineral safeguarding in England: good practice advice, Figure 2.

2.1.3. A blue line should also be provided, to indicate the extent of wider land

2.1.4. If it is demonstrably clear that existing sensitive receptors would constrain all the safeguarded mineral resource within the application site and within 250m of the site, this should be stated. The presence of built development/infrastructure or sensitive receptors at any arbitrary distance does not necessarily mean that mineral development could never go ahead; this will depend on how much of the resource is already sterilised and the location of the sterilising features.

2.1.5. The figure used for the depth of the mineral resource should be evidence-

appendices that cover each area of the county in more detail.⁴ The MRA should identify the area within which the proposed development is located by consulting Figure 9 in the Analysis document. The relevant appendix

area(s) should be stated in the MRA. Additional local or site-specific geological data is welcomed and should be accompanied by analysis of how this has informed the figure used for the depth of the mineral resource in the particular location of the proposed development.

2.1.6. In all cases, the full depth of the resource should be used, to provide an

within the Wildmoor Sandstone Formation and Kidderminster Formation may be particularly deep, the practicalities of extracting the full resource at

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f)

2.2. The potential economic value of the mineral resource

2.2.1.

- 2.2.7. Where published data is not available, or there are uncertainties over the quality of the resource, it is likely to be necessary to obtain site-specific borehole data to enable the MRA to reach robust conclusions on the

2.3. How sterilisation would be avoided or minimised

2.3.1. If sterilisation of some, or all, of an economically valuable mineral resource could occur, the applicant will be required to demonstrate how opportunities for extraction of the resource will be optimised either in advance of development taking place, or in phases alongside the development, applying the sequential approach in part (c) of policy MLP 41:

- (i) *extracting all of the resource within the proposed development site and in the area which would potentially be sterilised by the development either in advance of development taking place or in phases alongside the development; or*
- (ii) *where extracting all of the resource is not possible or would prevent*

during development of the non-mineral site will need to be identified. Depending on the scale and nature of the prior extraction required, it may be appropriate to consider whether a minerals planning application will also be required, with clear links between the two proposals.

- 2.3.4. If it is not possible to achieve full extraction, either because it is not possible following the considerations above, or because it would prevent a suitable landform for subsequent development, the applicant should provide sufficient evidence to explain why this is the case, and should then go on to consider whether it is possible to extract a proportion of the resource which would potentially be sterilised by the development.
- 2.3.5. The extraction of minerals will necessarily result in a temporary or permanent lowering of land in that location. This is not, in itself, justification for failing to adequately safeguard finite minerals of local and national importance. The presence of safeguarded minerals should have informed the design of the proposed development from the outset. The fact that it may not be possible to extract all of the safeguarded resource will not be sufficient justification for extracting none of the safeguarded resource.
- 2.3.6. Where extracting all of the resource is not possible, evidence must be provided on the likely amount of extraction that could take place whilst still enabling a suitable landform to allow non-mineral development to proceed.
- 2.3.7. Consideration during the development of the design and phasing of the development could result in opportunities to deliver high-quality design through appropriate landscaping and the integration of physical features and green infrastructure into site design. Where there are particular differences in the localised distribution of minerals within the site, this could also inform the design of the proposal. As an example, if mineral resources were deeper and/or better quality in one specific part of the site, this could

2.3.12. The identification of Mineral Safeguarding Areas does not create a presumption that the resources defined will be worked⁶, but long-term safeguarding means that the potential for the resources to be worked in the future needs to be considered. Any future mineral development in the vicinity of the proposal would need to comply with all relevant development plan policies, including policies to protect people, places and the environment from potential negative impacts. However, this does not negate the need for non-

understand how the sterilisation of mineral resources has been avoided or minimised:

- n) Information on how the development would extract all of the resource within the proposed development site and in the area which would potentially be sterilised by the development either in advance of development taking place or in phases alongside the development. If extracting all of the resource is not possible, the reasons for this should be given.**
- o) Where extracting all of the resource is not possible or would prevent a suitable landform for subsequent development, provide information on how a proportion of the resource which would potentially be sterilised by the development would be extracted either in advance of development taking place or in phases alongside the**

3. Next steps

3.1.

- 3.1.1. Whilst the applicant/agent may have engaged with WCC in pre-application discussions on the content of an MRA, the final MRA should not be submitted solely to WCC. The completed MRA should be submitted to the LPA alongside all other documents required as part of the planning application.
- 3.1.2. WCC will review the submitted MRA and check that it includes all the necessary information. Where any information is missing and no satisfactory explanation is provided, WCC will request that the MRA is revised accordingly, but may need to submit a holding objection to the LPA until such time as the necessary information is provided.
- 3.1.3. Where all the necessary information is provided, but there are issues in the MRA that require discussion between WCC and the applicant/agent, WCC will raise these issues as early as possible. WCC will aim to work proactively with the applicant/agent to resolve any issues within the relevant planning application decision-making period, but may need to submit a holding objection to the LPA until such time as the issues are

the Mineral Planning Authority) will advise the Local Planning Authority on whether it considers the proposals for prior extraction to be acceptable. Where WCC considers the proposals are not acceptable, it will advise the Local Planning Authority that the importance of the resource means that it should be retained in-situ, and the non-mineral development refused, to ensure the future extraction of the mineral resource(s) of local and/or national importance is not prevented. The LPA will be expected to take this advice into account when determining the application.

Appendix 1: Checklist of MRA requirements

The checklist below brings together in one place all of the requirements set out above. It can be used to help ensure that the submitted MRA is fit for purpose. If any of the requirements have not been met, please explain why this is the case.

Quantity of resource

- a) **A map showing the red-line boundary of the proposed development and a further line 250 beyond the red-line boundary, and showing the location of safeguarded mineral resources.**
- b) **The surface area (in square metres) of affected minerals within the red-line boundary.**
- c) **The surface area (in square metres) of affected minerals within 250m of the red-line boundary.**
- d) **The surface area (in square metres) of any existing sterilisation within the red-line boundary and within 250m of the red-line boundary.**
- e) **A blue-**
- f) **The areas above should be shown on an OS**

Potential economic value of resource

- j) Confirm the type(s) of mineral resource(s) that are at risk of sterilisation, with**

p) As a last resort, if neither (n) nor (o) above is possible, provide information on how incidental recovery would be undertaken to utilise a portion of the mineral resource as an