



**DERBY AND DERBYSHIRE MINERAL LOCAL PLAN**

**POLICY EXTRACT**

**POLICY MP17 : SAFEGUARDING MINERAL RESOURCES**

## **Mineral Resources**

### **Safeguarding Resources**

7.5 Mineral resources are finite and it is an aim of sustainable development to conserve minerals as far as possible and encourage the efficient use of materials. As MPG1 indicates, the planning system has an important role to play in safeguarding deposits which are, or may become, of economic importance from unnecessary sterilisation by surface development. The conflict between mineral working and other development interests for housing, industry, schools and roads, is greatest around the existing built up areas. Mineral resources may be sterilised directly, or indirectly where other forms of development are allowed to encroach so closely as to inhibit the working of adjoining areas. In addition, it will be important to ensure that mineral operations, including tipping, do not themselves prejudice the future working of important mineral resources e.g. opencast coal proposals should be designed so as to avoid the sterilisation of any important clay resources.

7.6 Where there is an overriding need for development to take place on land containing a workable mineral deposit, the mineral should, wherever possible, be extracted in advance of the development unless this would give rise to unacceptable impacts or lead to excessive delays for the development. This is most likely to apply to opencast coal where the relatively short-term nature of some schemes may permit advance extraction and restoration within a reasonable time-scale.

7.7 Whilst the Mineral Planning Authority is not normally the determining authority for non-mineral development proposals, it is consulted on applications which could have the effect of sterilising mineral deposits. In exceptional cases the Authority could request the Secretary of State to exercise a power under Article 14 of the Town & Country Planning (General Development Procedure) Order 1995 to direct the local planning authority to deal with an application in a particular manner.

### **Policy MP17 - Safeguarding Resources**

**The mineral planning authority will resist proposals for any development which would sterilise or prejudice the future working of important economically workable mineral deposits except where:**

**1) there is an overriding need for the development and**

**2) where prior extraction of the mineral cannot reasonably be undertaken, or is unlikely to be practicable or environmentally acceptable.**

**Where the development of land for non-mineral purposes is considered essential and proven mineral deposits would be permanently sterilised, planning permission for prior extraction will be granted provided this does not prejudice the timing and viability of the proposed development and does not lead to unacceptable environmental effects.**