



Appendix 1 - Mineral Consultation Areas

A1.1 Definition

A1.1.1 Local Government, Planning and Land Act 1980 allows Mineral Planning Authorities (MPAs) to define Mineral Consultation Areas (MCAs). These are areas which are notified to the District Planning Authorities (DPAs) as areas in which development is likely to affect or be affected by the winning and working of minerals. DPAs must notify the MPA of all planning applications in MCAs, unless the development is of a type included on the Exceptions List below. The MPA may advise that the application should be refused or that various steps should be taken to avoid the sterilisation of the mineral resource. The DPA will take these comments into account when making their decision.

A1.1.2 The purpose of the legislation is therefore to prevent the unnecessary sterilisation of valuable and finite mineral resources and to prevent as far as is reasonable, new development which could be affected by permitted working or possible future working.

A1.1.3 **It should be noted that MCAs do not indicate quarry extension areas. They are only identified to minimise conflict between mineral extraction and competing land-uses.**

A1.1.4 The new MCA boundaries have been drawn taking into account:-

- i. the presumed extent of the mineral deposit based on interpretation of the BGS sheets and more detailed geological data such as the results of borehole drilling;
- ii. existing mineral working permissions;
- iii. the projected duration of the working;
- iv. topographical features such as rivers, roads and field boundaries;
- v. the type of working, i.e. aggregate or building stone extraction;
- vi. the proximity of groups of dwellings/built-up areas.

A1.1.5 Specifically, the following minimum distances around permitted sites have been used:-

- i. around building stone quarries - 100m;
- ii. around low-output aggregate quarries - 200m;
- iii. around higher output aggregate quarries - 400m;
- iv. around peat sites - 100m.

A1.1.6 As far as possible, physical features have been used in plotting the boundaries of MCAs. This will help the DPAs to transfer the information to their plotting sheets. Consequently, the size and shape of MCAs is not necessarily regular.

A1.1.7 The original consultation procedure between MPAs and DPAs was set out in a Code of Practice published in March 1981. This has been refined and can be found below.

A1.2 Procedure

A1.2.1 When a planning application is received by a DPA which falls within an MCA and outside the National Park, the DPA will consult the MPA on the proposal except in those cases listed below.

A1.2.2 Within 28 days of consultation, the MPA will respond to the DPA detailing how a proposal may affect the underlying mineral resource or whether the siting of a development is in such close proximity to a mineral working as to be mutually incompatible. The DPA shall take these comments into account in determining the application.

A1.2.3 Where the DPA is minded to approve an application to which the MPA has objected, the DPA will notify the MPA of its intentions and will not determine the application for a period of 21 days from their notification. This period will allow the MPA to ask the Secretary of State to call in the application where this is felt necessary.

A1.3 Exception List

- Development in accordance with the allocations of an adopted or deposited local plan.
- Householder applications such as extensions to houses.
- Reserved Matter applications unless the MPA specifically requested consultation at the Outline stage.
- Minor developments such as fences, walls, bus shelters.
- Applications for Listed Building Consent unless specifically requested.
- Advertisement applications.
- Extensions or alterations to an existing use/building which do not fundamentally change the scale and character of the use/building, but sub-division of a dwelling will require consultation.
- Development requiring permission by virtue of a Direction under Article 4 of the Town and Country Planning General Permitted Development Order 1995.