

# Derbyshire and Derby Minerals Local Plan 2022 - 2038

## Report of Representations

January 2023



Derby City Council



**DERBYSHIRE**  
County Council

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## List of Abbreviations

Acronym	Description
BDC or Bolsover DC	Bolsover District Council
BGS	British Geological Survey
BNG	Biodiversity Net Gain
CBC or Chesterfield BC	Chesterfield Borough Council
CCC	Climate Change Committee
CPRE	Peak and South Yorkshire
DBEIS	Department for Business, Energy and Industrial Strategy (formerly Department for Energy and Climate Change (DECC))
DCC or Derbyshire CC or the County Council	Derbyshire County Council
DDDC	Derbyshire Dales District Council
DM	Development Management
DWT	Derbyshire Wildlife Trust
EA	Environment Agency
EIA	Environmental Impact Assessment
FRA	Flood Risk Assessment
GHG	Greenhouse Gas
HPBC	High Peak Borough Council
HE	Historic England
HGV	Heavy Goods Vehicle
IEA	International Energy Agency
IPCC	Intercontinental Panel on Climate Change
LAA	Local Aggregates Assessment
LVIA	Landscape Visual Impact Assessment
MLP	Minerals Local Plan
MPA	Mineral Planning Authority
MPrA	Mineral Products Association
MSA	Mineral Safeguarding Area
NbS	Nature Based Solutions
NFM	Natural Flood Management
NRN	Nature Recovery Network

NE	Natural England
NT	National Trust
NEDDC	NEDDC
NPPF	National Planning Policy Framework
PDNP	Peak District National Park
PDNPA	Peak District National Park Authority
PEDL	Petroleum Exploration and Development Licence
PPR	Principal Planning Requirements
SAC	Special Area of Conservation
SDDC or South Derbyshire DC	South Derbyshire District Council
SCC	Staffordshire County Council
SPZ	Source Protection Zone
SSSI	Site of Special Scientific Interest
UKOOG	United Kingdom Onshore Oil and Gas
WFD	Water Framework Directive
WMS	Written Ministerial Statement

# 1. Introduction & Purpose of Report

## Introduction

- 1.1 In preparing the Minerals Local Plan, the Councils are required to proactively consult and engage with people and organisations that may be interested in the development or content of the Plan to gain their views and take them into account.
- 1.2 The Councils have already carried out several stages of consultation to date. The details of these stages can be found in the following document:

*Derbyshire and Derby Minerals Local Plan : Spring 2023 Consultation – Pre-Submission Draft Plan, January 2023*

## Purpose of this Report

- 1.3 This report, at Section 2, sets out representations received on the Plan at the Winter 2021/2022 Consultation stage. It provides a response to those representations including the outcome for the Pre-Submission Draft Spring 2023 Consultation.
- 1.4 The document is set out in the following sections:
  1. Introduction and Purpose of Report
  2. Representations and Outcomes arising from the Winter 2021/2022 Consultation

## 2. Representations and Outcomes arising from the Winter 2021/2022 Consultation

### 2.1 Introduction

2.1.1 This section is split into chapter order corresponding with the Winter 2021/2022 main consultation document. The individual documents and papers that formed part of the Winter 2021/2022 Consultation are listed at Appendix A.

2.1.2 The first heading is the name of the individual document on which the representation was made followed by the chapter number.

2.1.3 A table of individuals/groups making representations on that chapter/document is listed at the beginning.

2.1.4 For each Representation made the layout of the document is as follows:

<b>Representations</b> <i>(Name of the Organisation/Individual if the representation is by a member of the public, Reference Number of organisation/individuals making the representation/Reference Number of the Representation)</i> <i>Representations made on the Winter 2021/2022 Consultation begin with 700/0001</i>
Representation
<b>Actions/Considerations</b>
relating to the Representation (reference to the MPA refers to both the County Council and the City Council)
<b>Outcomes for Pre-Submission Draft Plan</b>
Outcomes for the Pre-Submission Draft Plan, January 2023

2.1.5 Approximately 70% of representors submitted the same letter of objection relating to the Vision and Objectives, Climate Change and Energy Mineral Chapters. For ease of reporting, the individual names of representors submitting this letter have been recorded in the table at the beginning of each chapter (with an L next to their name) but only the individual representor number and representation number have been set out in the text.

## 2.1 General Comments

### Table of Representations

Name		Name Ref No	Representation Ref No
Roy	Booth	703	0003
Chris	Stait	727	0030, 0031, 0033, 0034
Catherine	Hughes	750	0086
Carol	Hutchinson	833	0185
Graham	Buckley	1148	0681
Eckington Against Fracking		1149	0687
Chesterfield BC		1154	0741, 0742, 0743, 0744, 0745
Natural England		1161	0967

### General Support

<b>Representations</b> ( <i>Roy Booth 703/0003, Natural England 1161/0967</i> )	
2.1.5	Support the Plan - Much more environmentally friendly than importing these vital minerals and will provide many jobs for skilled and unskilled British workers.
2.1.6	Natural England are generally supportive of the plan, and welcome the changes made in response to our comments on the previous consultation.
<b>Actions/Considerations</b>	
2.1.7	Noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.1.8	No change.

## General Transport

<b>Representations</b> (Chris Stait 727/0030)	
2.1.9	The Plan needs to highlight the need for a Bypass for Ashbourne in order to enable the sustainable transport of minerals.
<b>Actions/Considerations</b>	
2.1.10	The issue of a proposed By pass for Ashbourne has been included in the Strategic Transport Assessment that provides evidence to support the development of the Plan.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.1.11	No Change.

## General Transport

<b>Representations</b> (Chris Stait 727/0031)	
2.1.12	There is an existing railhead at Wirksworth which has been used for minerals. Explore the use of this.
<b>Actions/Considerations</b>	
2.1.13	The draft Plan includes Policy DM3 which requires proposals for mineral development to maximise sustainable modes of transport including rail.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.1.14	No change.

## Plan style

<b>Representations</b> (Chris Stait 727/0033)	
2.1.15	The maps showing mineral sites should be OS based to enable easier identification of quarries eg Bone Mill Quarry
<b>Actions/Considerations</b>	
2.1.16	Agree
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.1.17	The resource and site map within each Chapter should be OS based.



## Plan style

<b>Representations</b> ( <i>Chris Stait 727/0034</i> )	
2.1.18	Plan documents should be landscape not portrait to make them easier to read
<b>Actions/Considerations</b>	
2.1.19	The MPA consider that portrait is the best way to portray the Plan especially given the shape of the Plan area which lends itself to A4
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.1.20	No change

## Plan style

<b>Representations</b> ( <i>Catherine Hughes 750/0086, Carol Hutchinson 833/0185, Graham Buckley 1148/0681</i> )	
2.1.21	Apply plain English standard to the document.
<b>Actions/Considerations</b>	
2.1.22	The Minerals Local Plan is by nature a technical document however the MPA considers that the technical wording of the Plan is clearly explained so that it can be understood by members of the public.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.1.23	No change

## General Drop Ins

<b>Representations</b> ( <i>Eckington Against Fracking 1149/0687</i> )	
2.1.24	A Drop-In session should have been held close to March Lane, Eckington and Dronfield.
<b>Actions/Considerations</b>	
2.1.25	Due to limited resources Drop-In sessions were held at selected locations throughout the County. The MPA consider that the Drop In sessions at Chesterfield and Bolsover adequately served the north east Derbyshire area.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.1.26	Not Applicable.

## Plan Content

<b>Representations</b> (Chesterfield BC 1154/0741)
2.1.27 The Plan is presented in 2 parts on line - both should have a separate contents page
<b>Actions/Considerations</b>
2.1.28 Agree.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.1.29 Include a separate contents page for Part 2 online.

## Plan Content

<b>Representations</b> (Chesterfield BC 1154/0742)
2.1.30 There is no need to repeat National Policy in the Plan
<b>Actions/Considerations</b>
2.1.31 Given that local plans have to be in accordance with national policy to be found sound the MPS consider that it important to include national policy within the Plan to provide context for the policy approach.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.1.32 No change

## Plan Content

<b>Representations</b> (Chesterfield BC 1154/0743)
2.1.33 Plans within the document should contain District boundaries especially the safeguarding maps.
<b>Actions/Considerations</b>
2.1.34 Agree.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.1.35 District boundaries are included on the safeguarding maps.

## Plan Content

<b>Representations</b> (Chesterfield BC 1154/0744)
2.1.36 The plan period should be included in the title of the Plan.
<b>Actions/Considerations</b>
2.1.37 Agree.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.1.38 Plan period is included in title of Plan.

## Plan Content

<b>Representations</b> (Chesterfield BC 1154/0745)
2.1.39 We would welcome the opportunity to support the viability appraisal of the Plan, which will need to take into account commitments in existing adopted Local Plans
<b>Actions/Considerations</b>
2.1.40 The Mineral Local Plan has taken into account commitments in existing adopted Local Plans in its preparation. It includes Policy DM16 which enables planning obligations to be secured to deliver any relevant infrastructure requirements. Mineral Local Plans are not required to include a viability appraisal.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.1.41 No change

## 2.2 Chapter 1 - Introduction and Background

### Table of Representations

Name		Name Ref No	Representation Ref No
South Yorkshire for a New Green Deal		1157	0775
PDNPA		1159	0849, 0850

### Introduction Paragraph 1.1

<b>Representations</b> (PDNPA 1159/0849)	
2.2.1	Suggest for clarification define the abbreviation for Peak District National Park as “(PDNP)” at end of paragraph 1.1 to inform later mention of “PDNP”
<b>Actions/Considerations</b>	
2.2.2	Agree
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.2.3	Paragraph 1.1 amended accordingly

### Introduction Paragraph 1.14

<b>Representations</b> (PDNPA 1159/0850)	
2.2.4	Consider that it may be useful here as a point of clarification that the ‘duty to cooperate’ extends to, and the two authorities have interacted with, neighbouring Mineral Planning Authorities including the Peak District National Park Authority (PDNPA).
<b>Actions/Considerations</b>	
2.2.5	Disagree - this paragraph is principally about the decision to prepare a joint minerals local plan. However, consider that additional information about the duty to co-operate would be useful in this Chapter.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.2.6	Paragraph 1.15 amended to include additional information about the duty to cooperate requirements

## Introduction Paragraph 1.11

<b>Representations</b> ( <i>South Yorkshire for a Green New Deal 1157/0775</i> )	
2.2.7	We support and welcome the plan's commitment to sustainable development, defined as meeting the needs of present generations without compromising the needs of future generations.
<b>Actions/Considerations</b>	
2.2.8	The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.2.9	No change.

## 2.3 Chapter 2 – Spatial Overview

### Table of Representations

Name		Name Ref No	Representation Ref No
PDNPA		1159	0851, 0852, 0853, 0854, 0855, 0856, 0857, 0858, 0859, 0860
Tarmac		940	0337, 0338, 0339
Derbyshire Wildlife Trust		1145	0649
Bolsover District Council		1147	0674
Historic England		1158	0784

### Distribution of Mineral Resources Para. 2.12

<b>Representations</b> (PDNPA 1159/0851)	
2.3.1	Add the word commercial in front of 'Production in the northern area (Durham) ceased in 1999'.
<b>Actions/Considerations</b>	
2.3.2	Agree for clarification purposes.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.3	Paragraph 2.12 amended to include the word 'commercial'.

### Distribution of Mineral Resources Para. 2.12

<b>Representations</b> (PDNPA 1159/0852)	
2.3.4	Amend the text to reflect that barytes is no longer worked and that most vein mineral resources in the southern Pennines are depleted. Amend the text to clarify that the last sentence refers to the Plan area not the PDNP.
<b>Actions/Considerations</b>	
2.3.5	Agree.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.6	Paragraph 2.12 amended accordingly.

## Distribution of Mineral Resources Para. 2.14

<b>Representations</b> (PDNPA 1159/0853)	
2.3.7	The statement “There are substantial coal resources” may send out the wrong message and be construed to indicate further exploitation. This may give rise to strong public reaction.
<b>Actions/Considerations</b>	
2.3.8	The text is purely factual - there are substantial coal resources remaining in the Plan area.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.9	No change.

## Distribution of Mineral Resources Para. 2.15

<b>Representations</b> (PDNPA 1159/0854)	
2.3.10	It is stated that “There is some potential for exploiting conventional and unconventional gas deposits in Derbyshire...” this may give rise to strong public reaction, as indeed did the fracking proposals. Suggest cross referencing Climate Change and Oil and Gas policies.
<b>Actions/Considerations</b>	
2.3.11	The text is purely factual but agree to minor wording changes for clarification purposes.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.12	Paragraph 2.15 amended accordingly.

## Figure 2.2 Mineral Resources and Permitted Mineral Sites

<b>Representations</b> (Tarmac 940/0337)	
2.3.13	Middle Peak Quarry should be included on the Map.
<b>Actions/Considerations</b>	
2.3.14	Middle Peak Quarry is identified as a Strategic Housing Allocation in the adopted Derbyshire Dales Local Plan (2017) and therefore its contribution to the future supply of minerals is uncertain. Nevertheless, as a matter of factual correction Figure 2.2 should be amended.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.15	Figure 2.2 has been amended to include Middle Peak Quarry.

## Mineral Production General

<b>Representations</b> (PDNPA 1159/0856)	
2.3.16	The Plan should use the most up to date LAA figures.
<b>Actions/Considerations</b>	
2.3.17	Agree - the base date of the Plan has been updated to 2021.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.18	Figures updated to reflect new base date of the Plan 2021.

## Mineral Production Paragraph 2.16

<b>Representations</b> (Tarmac 940/0337)	
2.3.19	The last sentence of this paragraph states that the Plan area contains a large landbank of permitted crushed rock aggregate reserve estimated to be sufficient to last beyond the Plan period. It also refers to the amount of aggregate crushed rock used within and exported outside of the County. Whilst historic monitoring of aggregate movements reported within the Local Aggregate Assessment is a useful starting point, consideration needs to be given to likely future demands. Whilst numerically there may be 'sufficient' permitted reserves, noting also that a significant proportion of "aggregate" reserve will be used for industrial purposes and its extraction is ancillary to and required to facilitate industrial mineral supply, consideration needs to be given to the 'steady and adequate' supply as required by the NPPF to ensure there is sufficient productive capacity from active operations to meet anticipated demand. Greater emphasis/consideration is required to the contribution made by those sites that export by road and those by rail.
<b>Actions/Considerations</b>	
2.3.20	This section of the Plan is meant to be factual rather than providing a consideration of the adequacy of permitted reserves which are dealt with in Chapters 6.3 and 7.2 of the Plan in relation to crushed rock and industrial limestone.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.21	Last sentence of paragraph 2.16 deleted.



## Mineral Production Paragraph 2.18

<b>Representations</b> ( <i>Tarmac 940/0338</i> )	
2.3.22	There is an assumption from the text at Paragraph 2.18 (in regards to sand and gravel supply), ('most is used within 10-15 miles') that the majority of sand and gravel serves indigenous market. The LAA 2020 is indicating a significant proportion of import which may indicate a stress but also that the County is underproviding to meet indigenous demand.
<b>Actions/Considerations</b>	
2.3.23	This section of the Plan is meant to be factual rather than providing a consideration of the adequacy of permitted reserves which are dealt with in Chapters 6.2 of the Plan in relation to sand and gravel.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.24	Last sentence of paragraph 2.18 deleted. The issue of imports is considered in Chapter 6.2.

## Restoration and the Legacy of Mineral Working Paragraph 2.23

<b>Representations</b> ( <i>PDNPA 1159/0857</i> )	
2.3.25	Suggest add the words "or to new innovative landscapes" after "...the availability of fill material which dictates whether the site can be restored to its original levels..."
<b>Actions/Considerations</b>	
2.3.26	Agree
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.27	Paragraph 2.23 amended accordingly

## Restoration and the Legacy of Mineral Working Paragraph 2.24

<b>Representations</b> ( <i>PDNPA 1159/0857</i> )	
2.3.28	Suggest change the words "...or wildlife and natural history..." to read "...or wildlife, biodiversity and natural history ..."
<b>Actions/Considerations</b>	
2.3.29	Agree
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.30	Paragraph 2.24 amended accordingly

## Transport Paragraph 2.35

<b>Representations</b> (PDNPA 1159/0858)	
2.3.31	Paragraph 2.35 identifies that in 2019 50% of limestone aggregate was transported by rail from only three quarries. It is not considered that the Plan properly reflects the significance of these operations in overall aggregate supply.
<b>Actions/Considerations</b>	
2.3.32	The purpose of this section is factual but agree that that this paragraph could provide more detail on rail linked quarries. Chapter 6.3 addresses the issue of crushed rock supply.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.33	Paragraph 2.35 amended to provide greater detail on rail linked quarries.

## Transport Paragraph 2.35

<b>Representations</b> (PDNPA 1159/0859)	
2.3.34	Suggest insert after “mineral” the words “(including cement products)”.
<b>Actions/Considerations</b>	
2.3.35	Agree
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.36	Paragraph 2.35 amended accordingly.

## Natural, Built and Historic Environment Paragraph 2.38

<b>Representations</b> (Derbyshire Wildlife Trust 1145/0648)	
2.3.37	The final sentence does not appear to have been completed. We are aware that there is also Grade 2 agricultural land found across parts of Bolsover District
<b>Actions/Considerations</b>	
2.3.38	Agree
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.39	The final sentence of paragraph 2.38 has been amended to read, ‘Some grade 2 land is located to the south of Ashbourne and in the north east of the county to the east of Bolsover.

## Natural, Built and Historic Environment Paragraph 2.41

<b>Representations</b> ( <i>PDNPA 1159/0860</i> )	
2.3.40	Suggest insert after “Plan area” the words “(and the National Park)”.
<b>Actions/Considerations</b>	
2.3.41	Disagree - this paragraph is about the Plan area not the PDNP.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.42	No Change.

## Natural, Built and Historic Environment Figure 2.3 Environmental Assets

<b>Representations</b> ( <i>Derbyshire Wildlife Trust 1145/0649</i> )	
2.3.43	We recommend that the location of each Local Wildlife Site and Local Geological Site is represented on Figure 2.3. The spatial distribution and frequency of these sites would then be more clearly understood and visible
<b>Actions/Considerations</b>	
2.3.44	Disagree - the clarity of the map would be lost by adding further detail. Local plans prepared by the City/Borough /District and PDNPA tend to include these details and they all form part of the development plan for the County and City.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.45	No Change.

## Natural, Built and Historic Environment Figure 2.3 Environmental Assets

<b>Representations</b> ( <i>Derbyshire Wildlife Trust 1145/0649</i> )	
2.3.46	We note there are limited heritage assets referenced and the map would benefit from including additional heritage assets, especially those located in the vicinity of the proposed site allocations. ‘Principal historic parks and gardens’ should read as ‘Registered Park and Garden’
<b>Actions/Considerations</b>	
2.3.47	Disagree -. the clarity of the map would be lost by adding further detail. Local plans prepared by the City/Borough /District and PDNPA tend to include these details and they all form part of the development plan for

	the County and City. Agree that the word 'registered' should be included in the key
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.48	The key has been changed to read Registered Historic Parks and Gardens. The Map has been amended to show Grade 1 sites only in the interests of clarity.

## Natural, Built and Historic Environment Figure 2.3 Environmental Assets

<b>Representations</b> ( <i>Bolsover DC 1147/0674</i> )	
2.3.49	It is welcomed that the Draft Plan recognises Creswell Crags Candidate World Heritage Site, Bolsover Castle, Hardwick Hall and Welbeck Abbey (part) Historic Parks and Gardens as Key Environmental Assets within Bolsover We note the key environmental characteristics listed on the map and we welcome reference to heritage assets.
<b>Actions/Considerations</b>	
2.3.50	The support is noted - however in the interests of clarity the map has been changed to show Grade 1 registered historic parks and gardens only
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.3.51	The Map has been amended to show Grade 1 sites only

## 2.4 Chapter 3 – Vision and Objectives

**Table of Representations**

Name		Name Ref. No.	Representation Ref. No.
Steve	Martin	726	0027
Elaine	Nudd	738	0047
Mark	Watford	741L	1650,1961,2282
David	Haspel	761	0102
Anne	Thoday	764L	0984,0985,0986
Melanie	Flynn	766L	1651,1962,2283
Trevor	Back	767L	1652,1963,2284
Sheharyar	As'ad	768L	1653,1964,2285
Tony	Mott	769L	1654,1965,2286
Robert	Purcell	770L	1655,1966,2287
John	Millar	771L	1656,1967,2288
Simon	Hewood	772L	1657,1968,2289
Jennifer	Smith	773L	1658,1969,2290
Noam	Livne	774L	1659,1970,2291
Deborah	Hofman	775L	1660,1971,2292
Lisa	Mendum	776L	1661,1972,2293
Carol	Leak	777L	1662,1973,2294
Doug	Lennon	778L	1663,1974,2295
Valerie	Taylor	779L	1664,1975,2296
Elizabeth	Browes	780L	1665,1976,2297
Stefan	Majer	781L	1666,1977,2298
Christopher	Allen	782L	1667,1978,2299
Catherine	Petersen	783L	1668,1979,2300
Sarah	Foy	784L	1669,1980,2301
Joshua	Lane	785L	1670,1981,2302
Anne	Shimwell	786L	1671,1982,2303
Rachael	Hatchett	788L	1672,1983,2304
Lindsay	Price	789L	1673,1984,2305
Sue	Watmore	790L	1674,1985,2306
Sue	Bradford-	791L	1675,1986,2307
Sue	Cowdrey	792L	1676,1987,2308
Wendy	Bullar	793L	1677,1988,2309
Jane	Finney	794L	1678,1989,2310
Glenda	Howcroft	795L	1679,1990,2311
Milly	Holdsworth	796L	1680,1991,2312
Susan	Bamforth	797L	1681,1992,2313
Lindy	Stone	799L	1682,1993,2314
Roger	Holden	800L	1683,1994,2315
Kenneth	Duvall	801L	1684,1995,2316
Lynne	Irving	802L	1685,1996,2317
Brian	Lever	803L	1686,1997,2318
Jason	Fraser	804L	1687,1998,2319

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Marguerite	Broadley	805L	1688,1999,2320
Nadine	Peatfield	806L	1689,2000,2321
Angela	Hughes	807L	1690,2001,2322
Sue	Davies	808L	1691,2002,2323
John	Youatt	809L	1692,2003,2324
John	Cantellow	810L	1693,2004,2325
Joseph	Reynolds	811L	1694,2005,2326
Marlene	Shaw	812L	1695,2006,2327
Andrew	Taylor	815L	1696,2007,2328
Nicholas	Headley	816L	1697,2008,2329
Margaret	Roberts	817L	1698,2009,2330
John	Beardmore	818L	1699,2010,2331
Richard	Bull	819L	1700,2011,2332
Holly	Moloney	820L	1701,2012,2333
Martin	Stone	821L	1702,2013,2334
Dawn	Watson	822L	1703,2014,2335
Roger	Morton	823L	1704,2015,2336
Nigel	Presswood	824L	1705,2016,2337
Stephanie	Futcher	837L	1706,2017,2338
Anne	Jackman	838L	1707,2018,2339
Aubrey	Evans	839L	1708,2019,2340
Paul	King	840L	1709,2020,2341
Judith	Brunt	845L	1710,2021,2342
Ben	Lambert	846L	1711,2022,2343
Pauline	Fisher	847L	1712,2023,2344
James	Eaden	848L	1713,2024,2345
Helen	Steadman	849L	1714,2025,2346
Paul	Briggs	850L	1715,2026,2347
Keith	Fisher	851L	1716,2027,2348
Rebecca	Smith	852L	1717,2028,2349
Rachel	Bolton	853L	1718,2029,2350
Neil	Stuart	854L	1719,2030,2351
Heather	Bryant	855L	1720,2031,2352
Liz	Longden	856L	1721,2032,2353
Christine	Selden	857L	1722,2033,2354
Adam	Link	858L	1723,2034,2355
Janet	Ratcliffe	859L	1724,2035,2356
Alan	Baldwin	860L	1725,2036,2357
Valerie	Fenton	861L	1726,2037,2358
Neil	Tuner	862L	1727,2038,2359
Sheila	Maters	863L	1728,2039,2360
Amy	Hughes-	868L	1729,2040,2361
Jacky	Rounding	869L	1730,2041,2362
Nick	Clarke	870L	1731,2042,2363
David	Hassall	871L	1732,2043,2364

Name		Name Ref. No.	Representation Ref. No.
Rachel	Steele	872L	1733,2044,2365
Simon	Redding	873L	1734,2045,2366
Collette	Boden	874L	1735,2046,2367
Diana	Clarke	875L	1736,2047,2368
Rachael	Richardson	876L	1737,2048,2369
Vanessa	Fessey	877L	1738,2049,2370
Christine	Curwen	878L	1739,2050,2371
John	Curwen	879L	1740,2051,2372
Dawn	Walton	880L	1741,2052,2373
Lee	Housely	881L	1742,2053,2374
David	McGill	882L	1743,2054,2375
Lucy	Johnson	883L	1744,2055,2376
Alison	Storey	884L	1745,2056,2377
Susan	Groom	885L	1746,2057,2378
Mark	Knight	886L	1747,2058,2379
Susan	Brown	887L	1748,2059,2380
Julie	Davies	888L	1749,2060,2381
Mike	Wheeler	889L	1750,2061,2382
Linda	Walker	890L	1751,2062,2383
John	Hughes	891L	1752,2063,2384
Christopher	Mann	892L	1753,2064,2385
Nicola	Godridge	893L	1754,2065,2386
Anne	Burton	894L	1755,2066,2387
Sue	Wall	895L	1756,2067,2388
Giulia	Argyll	896L	1757,2068,2389
Paula	Browne	897L	1758,2069,2390
Andrew	Mottershaw	898L	1759,2070,2391
V	Wilkinson	899L	1760,2071,2392
Michael	Hirst	900L	1761,2072,2393
Lesley	Cooper	901L	1762,2073,2394
Maralyn	Dommett	907L	1763,2074,2395
Chris	Heard	908L	1764,2075,2396
Ann	Fox	909L	1765,2076,2397
Anne	Wood	910L	1766,2077,2398
Glynis	Horvath	911L	1767,2078,2399
Jenny	Gibbins	912L	1768,2079,2400
Poppy	Simon	913L	1769,2080,2401
Germaine	Bryant	914L	1770,2081,2402
Vicki	Booth	915L	1771,2082,2403
Barbara	Mackenney	916L	1772,2083,2404
Susan	Fear	917L	1773,2084,2405
Angela	Ostler	918L	1774,2085,2406
Sue	Cuthbert	919L	1775,2086,2407
Victoria	Noble	920L	1776,2087,2408
Kim	Evans	921L	1777,2088,2409
Patsy	McGill	922L	1778,2089,2410

Name		Name Ref. No.	Representation Ref. No.
Dianne	Banks	923L	1779,2090,2411
William	Hobbs	924L	1780,2091,2412
Carolanne	Mason	925L	1781,2092,2413
Elizabeth	Turk	926L	1782,2093,2414
Jacqueline	Meyer	927L	1783,2094,2415
Joy	Bates	928L	1784,2095,2416
Penny	Took	929L	1785,2096,2417
Karl	Barrow	930L	1786,2097,2418
Barbara	Hughes	932L	1787,2098,2419
Vikki	Watford	933L	1788,2099,2420
Julie	Barwick	934L	1789,2100,2421
Natalie	Rocca	935L	1790,2101,2422
Ursula	Watts	936L	1791,2102,2423
Kay	Watson	937L	1792,2103,2424
Mineral Prod Ass.		938	0311,0312,0313,0314,0315
Tarmac		940	0340,
Janet	Baldwin	943L	3541,3544,3545
Teresa	Glossop	945L	1793,2104,2425
Rae	Jones	946L	1794,2105,2426
Callum	Armstrong	947L	1795,2106,2427
Michael	Samash	948L	1796,2107,2428
Jane	Webb	949L	1797,2108,2429
Andrea	Watwood	950L	1798,2109,2430
Bruce	Levitan	951L	1799,2110,2431
Amanda	Johnson	952L	1800,2111,2432
Anna	Swieczak	953L	1801,2112,2433
Sharon	Craig	954L	1802,2113,2434
Keith	Hutchinson	955L	1803,2114,2435
Anne	Wilding	956L	1804,2115,2436
Laura	Stevens	957L	1805,2116,2437
Kelly	Rickard	958L	1806,2117,2438
Holly	Salmon	959L	1807,2118,2439
Lynne	Bruce	960L	1808,2119,2440
Trevor	Kirkwood	961L	1809,2120,2441
Chris	Hutchinson	962L	1810,2121,2442
Terry	Joiner	963L	1811,2122,2443
Yvonne	Payne	964L	1812,2123,2444
Logan	Sheppard-	965L	1813,2124,2445
Andy	Ashmore	969L	1814,2125,2446
Lesley	Burke	970L	1815,2126,2447
AMK	Wardroper	975L	1816,2127,2448
Adrian	Brown	976L	1817,2128,2449
Christine	Nudds	977L	1818,2129,2450
Toni	Burnley	978L	1819,2130,2451
Jane	Varley	979L	1820,2131,2452
Geraldine	Busutil	980L	1821,2132,2453



<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Cetra	Coverdale	981L	1822,2133,2454
Susan	Wiltshire	982L	1823,2134,2455
Stephanie	Carter	983L	1824,2135,2456
Hanna	Wade	984L	1825,2136,2457
Elaine	Nudd	985L	1826,2137,2458
Andy	Jamieson	986L	1827,2138,2459
Jill	Holley	987L	1828,2139,2460
Nicholas	Granville	988L	1829,2140,2461
Gary	Roper	989L	1830,2141,2462
Walt	Shaw	990L	1831,2142,2463
Tracy	Arnold	991L	1832,2143,2464
Peter	Coward	992L	1833,2144,2465
Canal & Rivers Trust		993	0420, 0421,
Martin	Hofman	994L	1834,2145,2466
Catherine	Hallsworth	995L	1835,2146,2467
Pat	Thompson	996L	1836,2147,2468
Lynne	Atkin	997L	1837,2148,2469
Emma	Bungay	998L	1838,2149,2470
Andrew	Murdoch	999L	1839,2150,2471
Rita	Allan	1000L	1840,2151,2472
Ben	Mitchell	1002L	1841,2152,2473
Alison	Brown	1003L	1842,2153,2474
Roger	Clarke	1004L	1843,2154,2475
Beth	Ashman	1005L	1844,2155,2476
Michael	Dowsett	1006L	1845,2156,2477
Leonardo	Wilson	1007L	1846,2157,2478
Patrick	Anderson	1008L	1847,2158,2479
Glynis	Spencer	1009L	1848,2159,2480
Stuart	Handley	1010L	1849,2160,2481
Clare	Wood	1011L	1850,2161,2482
Diana	Kerswell	1012L	1851,2162,2483
Lisa	Hopkinson	1013L	1852,2163,2484
Rachel	Horton	1014L	1853,2164,2485
Gwyneth	Francis	1015L	1854,2165,2486
Frances	Gower	1016L	1855,2166,2487
Dave	Smith	1017L	1856,2167,2488
Sally	Whitham	1018L	1857,2168,2489
Holly	Exley	1019L	1858,2169,2490
Jessica	Stephens	1020L	1859,2170,2491
Karen	Smith	1021L	1860,2171,2492
C	Shelton	1022L	1861,2172,2493
James	Currie	1023L	1862,2173,2494
Alexandra	Williams	1024L	1863,2174,2495
Judith	Cornwall	1025L	1864,2175,2496
John	De Carteret	1026L	1865,2176,2497

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Jane	Berry	1027L	1866,2177,2498
Steven	Noake	1028L	1867,2178,2499
Alison	Evans	1029L	1868,2179,2500
Delia	Wellard	1030L	1869,2180,2501
Kevin	Williams	1031L	1870,2181,2502
Joshua	Phillips	1032L	1871,2182,2503
Gillian	Von	1033L	1872,2183,2504
Chrystal	Wallage	1034L	1873,2184,2505
Deborah	Purhouse	1035L	1874,2185,2506
Sue	Tomlinson	1036L	1875,2186,2507
Susan	Foxon	1037L	1876,2187,2508
Susan	Heard	1038L	1877,2188,2509
David	Leicester	1039L	1878,2189,2510
Alison	Storer	1040L	1879,2190,2511
Mark	Brailsford	1041L	1880,2191,2512
Jane	Reynolds	1042L	1881,2192,2513
John	Sherratt	1043L	1882,2193,2514
Beatrice	Rajakaruna	1044L	1883,2194,2515
Alisob	Scothern	1045L	1884,2195,2516
Amanda	Chalk	1046L	1885,2196,2517
Jillian	Harrison	1047L	1886,2197,2518
Ian	Beever	1048L	1887,2198,2519
Stephen	Blakemore	1049L	1888,2199,2520
Maggie	Cook	1050L	1889,2200,2521
Paul	Senior	1051L	1890,2201,2522
Amina	Burslem	1052L	1891,2202,2523
Paul	Tooley	1053L	1892,2203,2524
John	LeGrove	1054L	1893,2204,2525
Lewis	Coupland	1055L	1894,2205,2526
Graham	Joiner	1056L	1895,2206,2527
Natalie	Smith	1057L	1896,2207,2528
Susan	Ashman	1058L	1897,2208,2529
Eric	Hart	1059L	1898,2209,2530
Andrew	Taylor	1060L	1899,2210,2532
Rhian	Harding	1061L	1890,2211,2533
James	Wyatt	1062L	1891,2212,2534
Fiona	Ibbotson	1063L	1892,2213,2535
Andy	Ward	1064L	1893,2214,2536
Karen	Undrell	1065L	1894,2215,2537
Natalie	Dawes	1066L	1895,2216,2538
Jonathan	Helliwell	1067L	1896,2217,2539
Joanna	Watson	1068L	1897,2218,2540
Stephen	Plant	1069L	1898,2219,2541
Daniel	Lloyd	1070L	1899,2220,2542
Isky	Gordon	1071	0506
Stephan	Ball	1072L	1901,2222,2544

Name		Name Ref. No.	Representation Ref. No.
Mark	Allcock	1073L	1902,2223,2545
Pauline	Bell	1074L	1903,2224,2546
Chris	Slater	1075L	1904,2225,2547
Sheila	Spinks	1076L	1905,2226,2548
Patricia	Tidmarsh	1077L	1906,2227,2549
Rachel	Young	1078L	1907,2228,2550
Christine	Nelson	1079L	1908,2229,2551
Jeremy	Wright	1080L	1909,2230,2552
Hazel	Thorpe	1081L	1910,2231,2553
Ruth	Foden	1082L	1911,2232,2554
Claire	Cooper	1083L	1912,2233,2555
Clare	Greenwood	1084L	1913,2234,2556
Garethe	Hughes	1085L	1914,2235,2557
Pauline	Inwood	1086L	1915,2236,2558
Caroline	Norbury	1087L	1916,2237,2559
Emily	Lynn	1088L	1917,2238,2560
Julia	Fell	1089L	1918,2239,2561
Margaret	Gallimore	1090L	1919,2240,2562
Becky	Turner	1091L	1920,2241,2563
Caroline	Phillips	1092L	1921,2242,2564
Matt	Drew	1093L	1922,2243,2565
Liz	Honeybell	1094L	1923,2244,2566
Keith	Gillespie	1095L	1924,2245,2567
Barry	Hodgson	1096L	1925,2246,2568
Carol	Wood	1097L	1926,2247,2569
Peter	Cashford	1098L	1927,2248,2570
I P	Smith	1099L	1928,2249,2571
Louise	Petherham	1100L	1929,2250,2572
Jean	Cashford	1101L	1930,2251,2573
Chris	James	1102L	1931,2252,2574
Ruth	Woods	1103L	1932,2253,2575
Deborah	Noone	1104L	1933,2254,2576
Norman	Rimmell	1105L	1934,2255,2577
Malcolm	Barrow	1106L	1935,2256,2578
Marian	Wall	1107L	1936,2257,2579
Steve	Cane	1108L	1937,2258,2580
Daniel	Wimberley	1109L	1938,2259,2581
Dolores	O'Reilly	1110L	1939,2260,2582
Imogen	Baines	1114L	1940,2261,2583
Theresa	Brooke	1115L	1941,2262,2584
Jenifer	Hyde	1116L	1942,2263,2585
Poppy	Marston	1117L	1943,2264,2586
Stephanie	Holmes	1118L	1944,2265,2587
Pamela	Bain	1119L	1945,2266,2588
Richard	Finnigan	1120L	1946,2267,2589
Chris	Brennan	1121L	1947,2268,2590

Name		Name Ref. No.	Representation Ref. No.
Diane	Kerry	1122L	1948,2269,2591
Neil	Lister	1123L	1949,2270,2592
Philip	Hutchinson	1124L	1950,2271,2593
Martin	Bennett	1125L	1951,2272,2594
Rod	Leach	1126L	1952,2273,2595
Steve	Taylor	1127L	1953,2274,2596
Denis	Robinson	1128L	1954,2275,2597
Jacqueline A	Box	1129L	1955,2276,2598
Liz	Elliot	1130L	1956,2277,2599
Mair	Bain	1131L	1957,2278,2600
Kevin	Elliot	1132L	1958,2279,2601
Nottinghamshire County Council		1135	0573,
Environment Agency		1137	0592,0593
Transition Chesterfield		1139	0618,0619,0620
Cllr Gez	Kinsella	1142L	1959,2280, 2602
Derbyshire Wildlife Trust		1145	0650
Bolsover DC		1147	0675
CPRE		1152	0713, 0714
Kathy	Mitchell	1156L	1960,2281,2603
S Yorks for a Green New Deal		1157	0776,0777, 0778,
Historic England		1158	0785
PDNPA		1159	0861,0862, 0863, 0864, 0865
National Trust		1160	0927, 0928, 0929, 0930, 0931, 0932

### Vision Paragraph 3.3

<b>Representations</b> ( <i>Transition Chesterfield 1164/0618</i> )	
2.4.1	The vision of the document and overall policies are still based on promoting the use of minerals and fossil fuels for economic growth. The plan is largely about minimising the impacts of these industries rather than preventing them where more sustainable alternatives exist.
<b>Representations</b> ( <i>David Haspel 761/0102</i> )	
2.4.2	The Plan should only allow the extraction of minerals where there is no viable alternative such as recycling.

**Representations** (Individuals 741/1650, 764/0986 1071/0506, 766/1651 to 937/1792, 943/3541, 945/1793 to 1132/1958, 1142/1959, 1156/11960)

2.4.3 All proposals for extraction of non-hydrocarbon minerals should have to meet the test that no viable alternatives exist with the onus on the applicant to prove that.'

**Representations** (Transition Chesterfield 1139/0619)

2.4.4 The vision is both weak on climate change and has a presumption that mineral and fossil fuel extraction should continue for economic growth reasons provided it can minimise the impacts of climate change. Instead, we think that the climate crisis should force a presumption that mineral extraction and fossil fuel extraction should only be permitted where no viable substitutes exist taking account of demand management measures such as insulation and provided that there is no net increase in greenhouse gas emissions from the operation and use of those minerals. We therefore suggest the following wording changes to the vision (additions in italics):

2.4.5 'Over the Plan period to 2038, the Plan will continue to deliver sustainable minerals development *where no viable substitutes exist taking account of demand management measures such as insulation*, ensuring that the supply of minerals from Derbyshire and Derby will continue to reflect the importance of the minerals industry in the Plan area and will continue to make a positive contribution to delivering sustainable economic growth, supporting the health, well-being, safety and amenity of local communities, protecting, conserving and enhancing the natural, built and historic environment and mitigating and adapting to the impacts of climate change by ensuring *there is no net increase in greenhouse gas emissions during operation and from subsequent use of those minerals with a reduction being a preferred target* as we move towards the national 'zero carbon emissions' target of 2050.'

**Actions/Considerations**

Viable Alternatives:

2.4.6 The NPPF at paragraph 210 a) requires that planning policies should provide for the extraction of mineral resources of national and local importance in order to maintain sufficient supply, as required by paragraph 209. In seeking to ensure the sufficiency of supply, the Vision, as set out at paragraph 3.3, adopts the principle of resource protection by seeking to maximise the contribution that substitute, or recycled/secondary materials

	and mineral waste will make to that supply in order to minimise the need for primary minerals and ensure their long-term conservation.
	Greenhouse gas emissions
2.4.7	The phrase ‘mitigating and adapting to the impacts of climate change’ is considered to be sufficient for the high-level vision. Policy SP2 Climate Change has been strengthened to include the need to reduce emissions in line with national and local carbon targets.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.8	No Change.

### Vision Paragraph 3.3

<b>Representations</b> ( <i>National Trust 1160/0927</i> )	
2.4.9	National Trust is supportive of the commitment to sustainable economic growth that protects, conserves and enhances the natural, built and historic environment, while mitigating and adapting to the impacts of climate change.
<b>Representations</b> ( <i>Bolsover DC 1147/0675</i> )	
2.4.10	It is welcomed that the Draft Plan recognises the balance required between ensuring supply of minerals to support the economy and societal requirements, with protecting local communities, the environment and contributing to the zero-carbon agenda to respond to the impacts of climate change and flood risk.
<b>Actions/Considerations</b>	
2.4.11	The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.12	No change

### Vision Paragraph 3.5 Minerals Supply General

<b>Representations</b> ( <i>Individuals 741,1961,764/0985,766/1962 to 937/2103, 943,3542, 945/2104 to 1132/2279, 1142/2280,1156/2281</i> )	
2.4.13	Forecasts of mineral requirements to 2038 especially for buildings and roads construction are likely to be greatly exaggerated. The construction industry is moving away from minerals to sustainable timber at all scales from modular housing to plyscrapers. Increases in home working/ local 15 min neighbourhoods, public transport use and active travel are likely to

	reduce the need to travel and subsequent demand for road construction and maintenance etc
<b>Actions/Considerations</b>	
2.4.14	The NPPF sets out different requirements for maintaining the supply of minerals depending on the type of mineral and their end use. For aggregate minerals used in building and construction, supply is maintained country-wide through the managed aggregates supply system and through the maintenance of landbanks of permitted reserves for crushed rock and sand and gravel. At the local level, MPAs are required to prepare annual Local Aggregates Assessments to assess the demand for and supply of aggregates to inform plan preparation. Demand and supply are monitored at the regional level, through the East Midlands Regional Aggregates Working Party, in Derbyshire's case, and a National Co-ordinating Group monitors the overall provision of aggregates in England. The MPA consider this to be a robust approach to assessing the forecast demand and supply of aggregates. Any future changes to demand and supply will be taken into account in future reviews of the Plan.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.15	No change

### Vision Paragraph 3.5 Minerals Supply PDNP

<b>Representations</b> ( <i>Mineral Products Association 983/0312</i> )	
2.4.16	We object to 'compensatory supply of minerals from the Plan area' to achieve a 'productive reduction of minerals supplied from sites within the Peak District National Park'. The NPPF seeks to 'where practicable' provide for landbanks of mineral reserves outside of National parks. There is no policy basis in national policy for the PDNP 'managed retreat' approach and is unsound and therefore the approach being taken in the draft Plan is unsound. How major development is dealt with, such as mineral extraction, is dealt with in NPPF
<b>Representations</b> ( <i>Tarmac 940/0340</i> )	
2.4.17	Tarmac do not support a 'compensatory supply of minerals from the Plan area' to achieve a 'productive reduction of minerals supplied from sites within the Peak District National Park'. There needs to be a greater distinction regarding the contribution these sites already make, whether there is compensatory resource available (of the same quality, meet the

	same markets and able to be produced at the same quantity), and the potential sustainability benefits in extending these operations as opposed to introducing new greenfield operations ‘where practicable’
<b>Representations</b> ( <i>National Trust 1160/0928</i> )	
2.4.18	We support the commitment to assist in achieving a progressive reduction in mineral extraction within the Peak District National Park, helping to protect the special quality and characteristics of the National Park.
<b>Representations</b> ( <i>PDNPA 1159/0861</i> )	
2.4.19	A progressive reduction in minerals supplied from sites within the National Park” – assume “supplied” not “suppled”.
<b>Actions/Considerations</b>	
2.4.20	The NPPF seeks to conserve and enhance the landscape and scenic beauty of National Parks. To help achieve this, it also seeks to maintain landbanks of non-energy minerals from outside designated areas, such as National Parks. The PDNPA has a policy in its adopted Core Strategy (2011) to not allow proposals for new quarries or extensions to existing quarries in the National Park (other than proposals for the small scale working of building and roofing stone) other than in exceptional circumstances, in order to help protect the special qualities of the landscape. Although having been adopted prior to NPPF, this policy is consistent with the NPPF in that it helps to achieve the aims of maintaining landbanks of minerals outside the National Park, thus helping to conserve and enhance the landscape and scenic beauty of the National Park.
2.4.21	The concept of the Derby and Derbyshire MLP assisting the PDNPA with its aim of reducing quarrying of aggregate has been included from the start of Plan preparation and has received public support at the various consultation stages. With the Plan area being adjacent to the PDNP and having plentiful supplies of limestone which is of similar geological type and composition as resources in the PDNP as well as having similar markets, it is considered to be a sound and sustainable approach which helps to achieve the aims of the NPPF in respect of conserving and enhancing the landscape and scenic beauty of National Parks.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.22	No change



### Vision Paragraph 3.6 Resource Protection

<b>Representations</b> ( <i>South Yorkshire for a Green new Deal 1157/0776</i> )	
2.4.23	We also support the plan's aim of maximising the recycling of previously used minerals in preference to extracting new ones.
<b>Representations</b> ( <i>National Trust 1160/0929</i> )	
2.4.24	We support the commitment to maximise use of recycled and re-used minerals to minimise the need for primary minerals and ensure their long-term conservation
<b>Actions/Considerations</b>	
2.4.25	The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.26	No change

### Vision Paragraph 3.7 Environmental Protection

<b>Representations</b> ( <i>Steve Martin 726/0027</i> )	
2.4.27	All minerals' policies need to be much more rigorously scrutinized and rather than a presumption that minerals can be extracted provided they minimize the environmental impacts to 'acceptable levels' which leaves the door open for unconstrained extraction, they should only be permitted where no viable alternatives exist.
<b>Representations</b> ( <i>Elaine Nudd 738/0047</i> )	
2.4.28	The proposed presumption that minerals can be extracted provided they minimise the environmental impacts to acceptable levels is vague and leaves the door open for unconstrained extraction. Restrictions should be specific. A more acceptable definition is if there is no viable alternative to minimise impacts to less damaging levels.
<b>Representations</b> ( <i>Individuals 741/2282,764/0984, 966/2283 to 937/2424, 943/3543, 945/2425 to 1132/2601, 1142/2602, 1156,2603</i> )	
2.4.29	The proposed presumption that minerals can be extracted provided they minimise the environmental impacts to 'acceptable levels' is vague and leaves the door open for unconstrained extraction. Extraction should only be permitted where no viable alternatives exist
<b>Representations</b> ( <i>CPRE 1152/0713</i> )	
2.4.30	The text '...will be mitigated to an acceptable level through...' is both unambitious and imprecise and is not consistent with the levels of

protection and enhancement stated as strategic priorities earlier (see para. 3.3). Replace text with ‘will be minimised through good design...’	
<b>Actions/Considerations</b>	
2.4.31	The MPA consider that reference should be included in the Plan to what is meant in terms of ‘acceptability’ of proposals.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.32	An additional paragraph has been added to Chapter 4 of the plan at 4.8:  ‘Mineral development and mineral related development can often have the potential to cause adverse impacts. A key objective of the Plan is to ensure that those impacts are mitigated and controlled to ‘acceptable levels’. This term is not defined in the Plan because ‘acceptability’ will be assessed on a case-by-case basis taking into account the scale, nature and location of the proposal, the characteristics of the various environmental effects likely to arise from the development and the opportunities for mitigation measures that may be applied.’

### Vision Paragraph 3.7 Environmental Protection

<b>Representations</b> (PDNPA 1159/0862)	
2.4.33	Suggest after “...taking into account aviation safety...” add the words “and climate mitigation including flood control”.
<b>Actions/Considerations</b>	
2.4.34	Agree that climate change objectives should be referenced here.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.35	Paragraph 3.7 has been amended to read,  Mineral development will support the high-quality restoration and aftercare of sites, at the earliest opportunity, to the most appropriate after use taking into account aviation safety, providing maximum local and strategic benefits to the area and local communities including benefits that will contribute towards emissions reduction and climate change adaptation and resilience

### Vision Paragraph 3.7 Environmental Protection

<b>Representations</b> ( <i>National Trust 1160/0930</i> )	
2.4.36	We support the commitment to ensuring that the adverse impacts of mineral working will be mitigated to an acceptable level through good design and the imposition of monitoring conditions, including in relation to the natural and historic environment. We also support the commitment to high quality restoration and aftercare
<b>Actions/Considerations</b>	
2.4.37	The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.38	No change

### Vision Paragraph 3.8 Transport/Climate Change

<b>Representations</b> ( <i>South Yorkshire for a Green New Deal 1157/0778</i> )	
2.4.39	Support minimizing carbon emissions by using rail or conveyor transport rather than road wherever possible.
<b>Actions/Considerations</b>	
2.4.40	The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.41	No change

### Vision Paragraph 3.8 Transport/Climate Change

<b>Representations</b> ( <i>National Trust 1160/0931</i> )	
2.4.42	We support the commitment to maximising use of sustainable modes of transport, reducing flood risk and utilising renewable and low carbon energy sources. The word 'maximise' is used in relation to renewable energy and we think that it would be better replaced with the word 'enable' because use of renewable energy infrastructure can only be maximised to an extent that is acceptable within a given context, taking account of landscape, ecology, heritage, local communities and existing grid connections etc.
<b>Actions/Considerations</b>	

2.4.43	The MPA consider that in principle development proposals should seek to maximise renewable energy but appreciate that all individual proposals will be subject to environmental acceptability.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.44	No change

## Objective 2 Ensure the prudent use of Primary Mineral and Other Natural Resources

<b>Representations</b> ( <i>Mineral Products Association 938/0311</i> )	
2.4.45	This objective while laudable is not in the MPAs gift and are a function of commercial decisions. However, the MPA can through this plan make positive planning policies to support the establishment of recycling sites to maximise the generation of recycled material. It is suggested that this objective is redrafted accordingly.
<b>Actions/Considerations</b>	
2.4.46	The MPA disagree and consider that as an objective the prudent use of primary minerals and other natural resources is appropriate. The objective will be achieved through the implementation of both the Plan's strategic and non-strategic policies.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.47	No change

## Objective 3 Safeguarding Mineral Resources and Minerals Related Infrastructure

<b>Representations</b> ( <i>Mineral Products Association 938/0313</i> )	
2.4.48	The principle of this objective is supported; however, it does not go far enough and should also explicitly protect existing operations. Furthermore, it needs rewording to properly reflect the NPPF in that all 'known' mineral resources should be protected (para 210 c). Suggested redraft.
2.4.49	To ensure that important <b>known</b> mineral resources, <b>existing quarry operations</b> , and the infrastructure that is used to process and transport extracted minerals are safeguarded from inappropriate development <b>on or in the proximity to such operations/resources</b> that would impair their availability and use for future generations

**Actions/Considerations**

2.4.50 The MPA agree that Objective 3 should be extended and reworded for completeness although the word ‘important’ has been retained for clarification purposes.

**Outcomes for Pre-Submission Draft Plan**

2.4.51 Paragraph 3.11 has been amended accordingly

**Objective 4 Ensuring the Sustainable Transport of Minerals**

**Representations** (*Canal and Rivers Trust 993/0420*)

2.4.52 Welcome this objective which encourages the movement of freight by water.

**Actions/Considerations**

2.4.53 The support is noted.

**Outcomes for Pre-Submission Draft Plan**

2.4.54 No Change.

**Objective 5 Protecting Local Communities**

**Representations** (*PDNPA 1159/0863*)

2.4.55 Suggest (underlined) “...visual impacts, noise, dust, processing emissions, pollutants, blast vibration, traffic impact, light pollution, land instability and ground contamination....”.

**Actions/Considerations**

2.4.56 The MPA agree that the objective should be reworded to take into account the impacts underlined.

**Outcomes for Pre-Submission Draft Plan**

2.4.57 Paragraph 3.13 has been reworded accordingly.

**Objective 6 Protecting, Conserving and Enhancing the Natural, and Built and Historic Environment**

**Representations** (*Canal and Rivers Trust 993/0421*)

2.4.58 The canals and associated infrastructure provide important heritage assets. Note that this mentions blue infrastructure but suggest for clarity that this objective should mention specifically canals and rivers.

<b>Actions/Considerations</b>	
2.4.59	The MPA consider that canals and rivers are covered by the phrase ‘blue infrastructure’.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.60	No change

## Objective 6 Protecting, Conserving and Enhancing the Natural, and Built and Historic Environment

<b>Representations</b> ( <i>Environment Agency 1137/0592</i> )	
2.4.61	We support the wording for strategic objective 6, with a particular focus on the natural environment elements within our remit.
<b>Actions/Considerations</b>	
2.4.62	The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.63	No change

## Objective 6 Protecting, Conserving and Enhancing the Natural, and Built and Historic Environment

<b>Representations</b> ( <i>Historic England 1158/0785</i> )	
2.4.64	We welcome objective 6 and the inclusion of an indicator for the historic environment. We would, however, request that there is a separate objective for the historic environment rather than a combined objective that seeks to address the natural and historic environment in one. It is possible that there will be benefits or consequences for one aspect rather than the other and therefore, it will be difficult for the assessment to provide appropriate mitigation strategies or to evaluate the success of the objective.
<b>Actions/Considerations</b>	
2.4.65	The MPA consider that having a combined objective for the natural and historic environment represents a comprehensive but streamlined approach and is replicated in Policy SP1 Sustainable Minerals Development. The Plan contains Development Management Policy DM7 Historic Environment which provides detailed criterion relating to the impact of minerals development on the historic environment and which can be effectively monitored.

<b>Outcomes for Pre-Submission Draft Plan</b>
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2.4.66 No change
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## Objective 7 Protecting the Peak District National Park

<b>Representations</b> ( <i>Mineral Products Association 0938/0314</i> )
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2.4.67 This objective is supporting an unsound and out of date policy in the PDNP Plan. This policy is in effect a 'managed retreat' for minerals within the PDNP which has absolutely no policy basis in the NPPF.
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<b>Actions/Considerations</b>
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2.4.68 The support is noted.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.4.69 No change
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## Objective 7 Protecting the Peak District National Park

<b>Representations</b> ( <i>PDNPA 1159/0864</i> )
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2.4.70 Assumed typographic error (underlined): "...to enable a progressive reduction of those minerals supplied from sites within the PDNP" – assume "supplied" not "suppled".
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<b>Actions/Considerations</b>
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2.4.71 Noted.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.4.72 Paragraph 3.15 changed accordingly.
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## Objective 8 Minimising the impacts on Climate Change and Flood Risk

<b>Representations</b> ( <i>Environment Agency 1137/0593</i> )
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2.4.73 We support this policy objective, in particular the requirements to protect and enhance water quality, optimise water efficiency and to reduce the risks of flooding on site and off site.
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<b>Actions/Considerations</b>
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2.4.74 The support is noted.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.4.75 Paragraph 3.15 changed accordingly.
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## Objective 8 Minimising the impacts on Climate Change and Flood Risk

<b>Representations</b> ( <i>Transition Chesterfield 1139/0620</i> )	
2.4.76	<p>Include wording in italics. To reduce the effect of mineral development on the causes of climate change and facilitate adaptation to the effects of climate change, including flood risk, mineral development <i>will only be permitted where no viable alternatives exist</i> be located, designed and operated in ways which; maximise the use of sustainable modes of transport including rail, water, pipeline and conveyor; minimise the use of machinery and processing emissions, maintain or enhance water quality; optimise on-site water and energy use; maximise energy provision from renewable and low-carbon sources and reduce the risk of flooding both on site and in the wider area. <i>There should be no net increase in greenhouse gas emissions during operation and from the subsequent use of those minerals with a reduction being a preferred target.</i></p> <p>The impacts on climate change should be estimated at the outset and before any application is approved through a thorough carbon audit.</p>
<b>Actions/Considerations</b>	
2.4.77	<p>The MPA consider that Objective 2 adequately reflects the need to ensure the prudent use of primary minerals and other natural resources by amongst other matters maximising levels of secondary and recycled aggregates and therefore no addition is needed to the climate change objective. In relation to the second suggested wording regarding the need for there to be no net increase in greenhouse gas emissions it is agreed that the objective should be reworded to include the need to reduce emissions in line with national and local carbon budgets as we move towards net zero</p>
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.78	<p>Paragraph 3.16 has been amended accordingly.</p>

## Objective 8 Minimising the impacts on Climate Change and Flood Risk

<b>Representations</b> ( <i>CPRE 1152/0714</i> )	
2.4.79	<p>Revise headline title to 'Minimising the impact on Climate Change and Flood Risk'; para. 3.16: add final sentence after 'wider area': 'All mineral development will need to clearly demonstrate progressive carbon (or other greenhouse gas emission) reductions consistent with meeting</p>



national and local carbon budgets.’ It will be helpful to develop an evidence base of those budgets (or percentage, equitable reductions) such that required ambition is explicit.	
<b>Actions/Considerations</b>	
2.4.80	Agree that the Objective should be amended to make reference to the need to reduce emissions in line with meeting national and local carbon targets.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.81	Not the specific wording change as suggested but Paragraph 3.16 has been amended to include the need to reduce emissions in line with meeting national and local carbon budgets.

## Objective 8 Minimising the impacts on Climate Change and Flood Risk

<b>Representations</b> ( <i>PDNPA 1159/0865</i> )	
2.4.82	Suggest insert after “....minimise the use of machinery and processing emissions... the words “ensure the regular maintenance of machinery,”. Suggest insert after “....optimise on-site water...” the words “(including recirculation),”
<b>Actions/Considerations</b>	
2.4.83	The inclusion of the suggested wording is too detailed for this objective but agree that Objective 8 is reworded to better reflect the need to minimise impacts on climate change and flood risk.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.4.84	No specific wording change as suggested but Paragraph 3.16 has been amended to better reflect the need to minimise impact on climate change and flood risk.

## Objective 8 Minimising the impacts on Climate Change and Flood Risk

<b>Representations</b> ( <i>National Trust 1145/650</i> )	
2.4.85	National Trust generally supports the plan objectives. In relation to objective 8 we would again suggest that the aim is to ‘enable’ renewable energy to be incorporated into a scheme, so far as is acceptable within the context.
<b>Actions/Considerations</b>	

2.4.86	Agree that reference to maximise energy provision from renewable and low carbon sources should be included in Objective 8.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.4.87	Paragraph 3.16 has been amended accordingly.
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## Objective 9 Ensuring the Sustainable Restoration of Mineral Sites

<b>Representations</b>	<i>(Derbyshire Wildlife Trust 1145/650)</i>
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2.4.88	We recommend amending the text to ‘including measures to address climate change and biodiversity loss’
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<b>Actions/Considerations</b>
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2.4.89	Agree that changes should be made to Objective 9 to include additional details on climate change.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.4.90	Paragraph 3.17 has been amended accordingly
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## Objective 9 Ensuring the Sustainable Restoration of Mineral Sites

<b>Representations</b>	<i>(Derbyshire Wildlife Trust 1145/650)</i>
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2.4.88	We recommend amending the text to ‘including measures to address climate change and biodiversity loss’
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<b>Actions/Considerations</b>
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2.4.89	Agree that changes should be made to Objective 9 to include additional details on climate change.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.4.90	Paragraph 3.17 has been amended accordingly
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## Objective 9 Ensuring the Sustainable Restoration of Mineral Sites

<b>Representations</b>	<i>(Nottinghamshire County Council 1135/0573)</i>
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2.4.91	The County Council supports Objective 9 of the Plan which seeks to ensure that the sustainable restoration of mineral sites takes place. The Council agrees that this can provide maximum local and strategic benefits to the wider area and local communities, noting the close relationship between communities in Derbyshire and Nottinghamshire and that these benefits are often shared between residents of each County.
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<b>Actions/Considerations</b>
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2.4.92 The support is noted.

**Outcomes for Pre-Submission Draft Plan**

2.4.93 No change

## Objective 9 Ensuring the Sustainable Restoration of Mineral Sites

**Representations** (*S Yorks for a Green New Deal 1157/0777*)

2.4.94 We also support the plan's commitment to limiting the carbon footprint of the mineral industries by protecting nature when restoring sites.

**Actions/Considerations**

2.4.95 The support is noted.

**Outcomes for Pre-Submission Draft Plan**

2.4.96 No change

## Objective 9 Ensuring the Sustainable Restoration of Mineral Sites

**Representations** (*PDNPA 1159/0862*)

2.4.97 Suggest after "...taking into account aviation safety..." add the words "and climate mitigation including flood control".

**Actions/Considerations**

2.4.98 Agree that the objective could be strengthened to address climate change

**Outcomes for Pre-Submission Draft Plan**

2.4.99 Objective 9 has been amended to read '...including benefits that will contribute to emissions reduction and climate change adaptation and resilience.'

## Objective 9 Ensuring the Sustainable Restoration of Mineral Sites

**Representations** (*National Trust 1160/0930*)

2.4.98 We support the commitment to ensuring that the adverse impacts of mineral working will be mitigated to an acceptable level through good design and the imposition of monitoring conditions, including in relation to the natural and historic environment. We also support the commitment to high quality restoration and aftercare

**Actions/Considerations**

2.4.99 The support is noted.

<b>Outcomes for Pre-Submission Draft Plan</b>
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2.4.100 No change.
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## 2.5 Chapter 4 – Sustainable Minerals Development

### Table of Representations

Name	Name Ref No	Representation Ref No
Mineral Products Association	938	0316
Tarmac	940	0336,0341
Canal and Rivers Trust	993	0422
Nottinghamshire County Council	1135	0574, 0575
Environment Agency	1137	0594
Transition Chesterfield	1139	0621
Bolsover District Council	1147	0676
CPRE	1152	0715, 0716, 0718,
Chesterfield Borough Council	1154	0746
Historic England	1158	0788
PDNPA	1159	0866, 0867, 0868, 0869, 0870, 0998, 0999, 1000
National Trust	1160	0933

### Introduction Paragraph 4.3

<b>Representations</b> (PDNPA 1159/0998)	
2.5.1	For the avoidance of doubt suggest clarify this by adding after “Plan” the words “, whilst each policy is capable of sustaining independently to achieve its outcomes.
<b>Actions/Considerations</b>	
2.5.2	Disagree - consider that the Plan is clear that it is the combined implementation of all the Plan’s policies that deliver sustainable minerals development.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.3	No change.

### Introduction Paragraph 4.3

<b>Representations</b> (PDNPA 1159/0999)	
2.5.4	Suggest insert the words (underlined) in the following: “The term ‘proposals for mineral development’ includes the exploration, <u>winning</u> and extraction of minerals both above and below ground ( <u>including the removal of tips</u> ), the <u>storage, treatment</u> , processing, <u>loading</u> and transportation of minerals and the restoration ( <u>including landscaping</u> ) and <u>aftercare</u> of mineral sites”.
<b>Actions/Considerations</b>	
2.5.5	The MPA consider that the existing definition of mineral development is sufficient, and that this wider definition allows for an interpretation of its meaning where relevant.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.6	No change.

### Introduction Paragraph 4.7

<b>Representations</b> (PDNPA 1159/1000)	
2.5.7	Suggest insert the words (underlined) in the following: <i>“The term ‘minerals related development’ refers to the <u>mining ancillary infrastructure, roadways, hardstandings, buildings, mobile and static process plant, conveyor plant, fuel, water and chemical tanks, machinery, weighbridges, washing plant and vehicles used to administer, extract, store, treat, process, load and transport minerals and to restore and provide aftercare to mineral sites</u>”.</i>
<b>Actions/Considerations</b>	
2.5.8	The MPA consider that the existing definition of mineral related development is sufficient, and that this wider definition allows for an interpretation of its meaning where relevant.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.9	No change.

## Introduction Paragraph 4.8

<b>Representations</b> ( <i>Historic England 1158/0786</i> )
2.5.10 Support the wording of this paragraph - that all policies of the Plan and their criteria apply where relevant.
<b>Actions/Considerations</b>
2.5.11 The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.5.12 No change.

## SP1 Sustainable Minerals Development Criterion 1

<b>Representations</b> ( <i>CPRE 1152/1002</i> )
2.5.13 Define sub national in the Glossary.
<b>Actions/Considerations</b>
2.5.14 Agree
<b>Outcomes for Pre-Submission Draft Plan</b>
2.5.15 The Glossary has been amended.

## SP1 Sustainable Minerals Development Criterion 1

<b>Representations</b> ( <i>Mineral Products Association 938/0316, Tarmac 940/0336</i> )
2.5.16 Reference to the compensatory supply of aggregates to support a progressive reduction of supply from the PDNP should be removed. The NPPF does not infer that minerals development is unacceptable within the PDNP it sets out how major development is dealt with and requires that exception criteria are applied including economic and public benefits. This policy does not recognise these criteria and is considered unsound.
<b>Representations</b> ( <i>PDNPA 1159/0867, CPRE 1152/0715</i> )
2.5.17 Support the compensatory supply of aggregate crushed rock from the Plan area to enable a progressive reduction of mineral from within the PDNP.
<b>Actions/Considerations</b>
2.5.18 The NPPF seeks to conserve and enhance the landscape and scenic beauty of National Parks. To help achieve this, it also seeks to maintain landbanks of non-energy minerals from outside designated areas, such

	<p>as National Parks. The PDNPA has a policy in its adopted Core Strategy (2011) to not allow proposals for new quarries or extensions to existing quarries in the National Park (other than proposals for the small scale working of building and roofing stone) other than in exceptional circumstances, in order to help protect the special qualities of the landscape. Although having been adopted prior to NPPF, this policy is consistent with the NPPF in that it helps to achieve the aims of maintaining landbanks of minerals outside the National Park, thus helping to conserve and enhance the landscape and scenic beauty of the National Park.</p>
2.5.19	<p>The concept of DCC assisting the PDNPA with its aim of reducing quarrying of aggregate has been included from the start of Plan preparation and has received public support at the various consultation stages. With the Plan area being adjacent to the PDNP and having plentiful supplies of limestone which is of similar geological type and composition as resources in the PDNP as well as having similar markets, it is considered to be a sound and sustainable approach which helps to achieve the aims of the NPPF in respect of conserving and enhancing the landscape and scenic beauty of National Parks.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>	
2.5.20	<p>No change</p>

## SP1 Sustainable Minerals Development Criterion 1

<p><b>Representations</b> (<i>Nottinghamshire County Council 1135/0574</i>)</p>	
2.5.21	<p>The County Council supports policy SP1 which supports proposals for mineral development in Derbyshire. Nottinghamshire is a leading producer of sand and gravel for aggregates but has no availability of crushed rock to meet aggregate supplies.</p>
<p><b>Actions/Considerations</b></p>	
2.5.22	<p>The support is noted.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>	
2.5.23	<p>No change</p>

## SP1 Sustainable Minerals Development Criterion 7

<p><b>Representations</b> (<i>CPRE 1152/1003</i>)</p>	
2.5.24	<p>Insert 'if appropriate' to the beginning of the criterion</p>



<b>Actions/Considerations</b>	
2.5.25	Disagree - the introductory paragraph includes the phrase 'where applicable' and policy SP17 Mineral Safeguarding Areas and Consultation Areas sets out the detailed application of this policy.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.26	No change

## SP1 Sustainable Minerals Development Criterion 9 and 12

<b>Representations</b> ( <i>Chesterfield Borough Council 1154/0746</i> )	
2.5.27	The borough council supports the overall approach to minerals development set out in policy SP1, particularly the specific reference to the amenity, health, well-being and safety of local communities, and biodiversity and ecological networks.
<b>Actions/Considerations</b>	
2.5.28	The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.29	No change

## SP1 Sustainable Minerals Development Criterion 11

<b>Representations</b> ( <i>Historic England 1158/0787</i> )	
2.5.30	We welcome reference to the historic environment within this clause but do not support the wording in its current form. We would request that there is a separate clause for the historic environment that seeks to protect and enhance the significance of the historic environment, heritage assets and their setting alongside seeking appropriate avoidance, mitigation and restoration principles.
<b>Actions/Considerations</b>	
2.5.31	Disagree - the MPA consider that this strategic high-level policy adequately protects the historic environment. Policy DM7 Historic Environment adds detail to this overarching policy.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.32	No change

## SP1 Sustainable Minerals Development Criterion 13

<b>Representations</b> ( <i>PDNPA 1159/0870</i> )
2.5.33 Policy SP1 criterion 13 is supported
<b>Actions/Considerations</b>
2.5.34 The support is noted
<b>Outcomes for Pre-Submission Draft Plan</b>
2.5.35 No change

## SP1 Sustainable Minerals Development Criterion 15

<b>Representations</b> ( <i>Canal and Rivers Trust 993/0422</i> )
2.5.36 The waterways are important recreation and wildlife assets. It is important that potentially harmful effects of mineral extraction are mitigated and that opportunities to secure enhancements as part of restoration schemes are taken wherever possible.
<b>Actions/Considerations</b>
2.5.37 The MPA agree with the comment but do not consider that the wording of this high-level policy on restoration needs amending. The detailed development management policies address the protection of waterways from the adverse impacts of mineral development and the restoration of mineral sites to after uses including water uses.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.5.38 No change

## SP1 Sustainable Minerals Development Criterion 15

<b>Representations</b> ( <i>Historic England 1158/0788</i> )
2.5.39 We would like to see evidence of, and policy wording that relates to an appropriate restoration plan for the Trent Valley corridor, that includes the historic environment and the need to respond to its historic landscape context and the heritage assets present in this area.
<b>Actions/Considerations</b>
2.5.40 This criterion sets out the principle of requiring proposals to contribute towards a strategic approach to restoration in the Trent Valley. Chapter 10 provides further detail on this matter. It also sets out that detailed policy will be include in a Supplementary Planning Document (SPD) to be

	prepared once the Plan is adopted. The SPD would be best placed to include details on the historic environment.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.41	No change

## SP1 Sustainable Minerals Development Criterion 16

<b>Representations</b> ( <i>Tarmac 940/336</i> )	
2.5.42	Reference is made to the 'strategic approach to restoration' within the Trent Valley. Whilst the wider objectives are supported in principle, the Mineral Planning Authority and the Plan has to recognise that it is the minerals development that provides the opportunity for implementation of restoration enhancements. However, it is not often the case that the mineral operator owns the land and overly onerous/unproductive land use restoration requirements are unlikely to be supported by landowners. There needs to be flexibility built in to support the objectives where practicable.
<b>Actions/Considerations</b>	
2.5.43	This criterion sets out the principle of requiring proposals to contribute towards a strategic approach to restoration in the Trent Valley. Chapter 10 provides further detail on this matter. It also sets out that detailed policy will be include in a Supplementary Planning Document (SPD) to be prepared once the Plan is adopted. The SPD would be best placed to consider detailed requirements regarding supporting strategic restoration objectives.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.44	No change

## SP1 Sustainable Minerals Development Criterion 16

<b>Representations</b> ( <i>Nottinghamshire County Council 1135/0575</i> )	
2.5.45	The County Council also agrees with SP1 which supports a strategic approach to restoration within the Trent Valley area. We strongly agree that the Trent Valley area is an area where a strategic approach to restoration is important. In Nottinghamshire also, planned sand and gravel extraction coincides with planned housing growth. We welcome the commitment of Derbyshire CC to adopt a co-ordinated approach to the restoration of sand and gravel sites in the context of the changing

landscape of this area and to consider the wider benefits that mineral restoration can contribute towards in terms of landscape character, biodiversity, recreation and public access.
<b>Actions/Considerations</b>
2.5.46 The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.5.47 No change

## SP1 Sustainable Minerals Development Criterion 17 and 18

<b>Representations</b> ( <i>Environment Agency 1137/0594</i> )
2.5.48 We support the ambitions in criteria 17) and 18) and would also highlight that within this policy, the opportunity to provide multifunctional environmental enhancements should also be considered within this section. Blue and Green infrastructure is highlighted throughout the draft Local Plan and future mineral developments should look at protecting, enhancing, and creating blue and green infrastructure that provides multifunctional environmental enhancements, from flood risk reductions, to water quality improvements.
<b>Actions/Considerations</b>
2.5.49 The MPA note the support for the ambitions of criterion 17 and 18. It considers that the inclusion of multifunctional environmental enhancements should be included in Criterion 11.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.5.50 Criterion 11 has been amended to include reference to multifunctional environmental enhancements.

## SP1 Sustainable Minerals Development Criterion 17

<b>Representations</b> ( <i>Transition Chesterfield 1139/0621</i> )
2.5.51 4.9) Proposals for mineral development and mineral related development will be supported where they contribute towards achieving the economic, social and environmental objectives of sustainable development and where applicable, they :17) reduce impacts on the causes of climate change <i>by ensuring there is no net increase in greenhouse gas emissions during operation and from subsequent use of those minerals with a reduction being a preferred target</i> including reducing carbon emissions,

	and facilitate adaptation to increase resilience to climate change including the risk of flooding; and
	<b>Representations</b> (CPRE 1152/0718)
2.5.52	We question the sense of the text 17), viz.:- ‘reduce impacts on the causes of climate change...’ as not being especially clear; suggest adding text after ‘reducing carbon emissions (consistent with national carbon targets and local carbon budgets) and facilitate adaptation...’.
	<b>Representations</b> (PDNPA 1159/868)
2.5.53	Suggest insert the words (underlined) in the following: “17) reduce impacts on the causes of climate change including reducing carbon <u>and other greenhouse gas and harmful emissions</u> , and facilitate adaptation to increase resilience to climate change including the risk of flooding <u>and the use of secondary (recycled) substitute low carbon or zero carbon waste derived fuels</u> ; and...”
	<b>Actions/Considerations</b>
2.5.54	The MPA agree that some changes are required to Criterion 17 for clarification purposes. However, this is a high-level policy on sustainable mineral development with Policy SP2 Climate Change providing further detail on the implementation of this Policy.
	<b>Outcomes for Pre-Submission Draft Plan</b>
2.5.55	Criterion 17 has been amended for clarification purposes.

## SP1 Sustainable Minerals Development Criterion 18

	<b>Representations</b> (National Trust 1160/933)
2.5.56	National Trust generally supports this policy. In line with our comments above we request a slight adjustment to part 18 as follows: 18) <del>maximise</del> ensure water and energy efficiency and enable the use of renewable and low-carbon energy sources as appropriate to the context.
	<b>Actions/Considerations</b>
2.5.57	The MPA agree that a change is needed for clarification purposes.
	<b>Outcomes for Pre-Submission Draft Plan</b>
2.5.58	Criterion 18 has been amended to better align with the detailed wording of policy SP2 Climate Change.

**SP1 Sustainable Minerals Development Reasoned Justification  
Paragraph 4.13 and 4.24**

<b>Representations</b> (PDNPA 1147/0870)	
2.5.59	Support the approach of the Plan re the progressive reduction of aggregate crushed rock supply from the PDNP and the protection of the setting of the PDNP from the adverse impacts of mineral working.
<b>Actions/Considerations</b>	
2.5.60	The support is noted
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.61	No change.

**SP1 Sustainable Minerals Development Reasoned Justification  
Paragraph 4.17**

<b>Representations</b> (PDNPA 1147/0869)	
2.5.62	Suggest add “(dry or conditioned ‘PFA’)” after “...coal derived fly ash...”
<b>Actions/Considerations</b>	
2.5.63	Agree.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.64	Paragraph 4.17 has been amended accordingly.

**SP1 Sustainable Minerals Development Reasoned Justification  
Paragraph 4.28**

<b>Representations</b> (CPRE 1152/0716)	
2.5.65	Amend second sentence to be as follows (again questioning the sense/likely understanding of the first part of the sentence): ‘The need to minimise impacts on the causes of climate change, reduce carbon emissions (consistent with national targets and local budgets), and facilitate adaptation...’. This then ensures that the final sentence (‘...will ensure that climate change and resource efficiency are fully taken into account when assessing proposals...’.
<b>Actions/Considerations</b>	

2.5.66	The MPA has made changes to Criterion 17 to add further detail and agree that the reasoned justification should be amended to reflect those changes.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.67	Paragraph 4.28 has been amended accordingly.

## Extension to existing mineral sites paragraph 4.32

<b>Representations</b> ( <i>Bolsover District Council 1147/0676</i> )	
2.5.68	It is noted that the Draft Plan states that extensions to existing mineral sites will be judged on their individual merits and the District Council would state that it is important that the Draft Plan protects the existing amenity, health, well-being and safety of existing communities and that its decisions do not result in an unacceptable level of cumulative impacts on existing communities.
<b>Actions/Considerations</b>	
2.5.69	Criterion 10 and 11 of Policy SP1 set out in principle the requirement to protect local communities from the impacts of mineral working including cumulative impacts. The Development management policies of the Plan add detail to these requirements.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.70	No change.

## Figure 4.1 Key Diagram

<b>Representations</b> ( <i>PDNPA 1147/0866</i> )	
2.5.71	It is possible to further update the Aggregates Exports distribution percentages on this map by reference to the now available Local Aggregate Assessment (LAA) 2021 (2020 data),
<b>Actions/Considerations</b>	
2.5.72	Agree to update Figure 4.1 Key Diagram to use the latest data available which is for 2019.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.5.73	Figure 4.1 has been updated

## 2.6 Chapter 5 – Climate Change

**Table of Representations**

Name		Name Ref. No.	Representation Ref. No.
Steve	Martin	726	0029
Elaine	Nudd	738	0048
Mark	Watford	741L	0051,1007,1325
Michael	Clarke	748	0082
Keith	Townsend	751	0087
Steve	Elliott	760	0100
David	Haspel	761	0103,0104
Anne	Thoday	764L	0112,0987,0988
Melanie	Flynn	766L	0114,1008,1326
Trevor	Back	767L	0115,1009,1327
Sheharyar	As'ad	768L	0116,1010,1328
Tony	Mott	769L	0117,1011,1329
Robert	Purcell	770L	0118,1012,1330
John	Millar	771L	0119,1013,1331
Simon	Hewood	772L	0120,1014,1332
Jennifer	Smith	773L	0121,1015,1333
Noam	Livne	774L	0122,1016,1334
Deborah	Hofman	775L	0123,1017,1335
Lisa	Mendum	776L	0124,1018,1336
Carol	Leak	777L	0125,1019,1337
Doug	Lennon	778L	0126,1020,1338
Valerie	Taylor	779L	0127,1021,1339
Elizabeth	Browes	780L	0128,1022,1340
Stefan	Majer	781L	0129,1023,1341
Christopher	Allen	782L	0130,1024,1342
Catherine	Petersen	783L	0131,1025,1343
Sarah	Foy	784L	0132,1026,1344
Joshua	Lane	785L	0133,1027,1345
Anne	Shimwell	786L	0134,1028,1346



<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Rachael	Hatchett	788L	0138,1029,1347
Lindsay	Price	789L	0139,1030,1348
Sue	Watmore	790L	0140,1031,1349
Sue	Bradford-Knox	791L	0141,1032,1350
Sue	Cowdrey	792L	0142,1033,1351
Wendy	Bullar	793L	0143,1034,1352
Jane	Finney	794L	0144,1035,1353
Glenda	Howcroft	795L	0145,1036,1354
Milly	Holdsworth	796L	0146,1037,1355
Susan	Bamforth	797L	0147,1038,1356
Judith	Cornwall	798	0148
Lindy	Stone	799L	0149,1039,1357
Roger	Holden	800L	0150,1040,1358
Kenneth	Duvall	801L	0151,1041,1359
Lynne	Irving	802L	0152,1042,1360
Brian	Lever	803L	0153,1043,1361
Jason	Fraser	804L	0154,1044,1362
Marguerite	Broadley	805L	0155,1045,1363
Nadine	Peatfield	806L	0156,1046,1364
Angela	Hughes	807L	0157,1047,1365
Sue	Davies	808L	0158,1048,1366
John	Youatt	809L	0159,1049,1367
John	Cantellow	810L	0160,1050,1368
Joseph	Reynolds	811L	0161,1051,1369
Marlene	Shaw	812L	0162,1052,1370
Andrew	Taylor	815L	0165,1053,1371
Nicholas	Headley	816L	0166,1054,1372
Margaret	Roberts	817L	0167,1055,1373
John	Beardmore	818L	0168,1056,1374
Richard	Bull	819L	0169,1057,1375
Holly	Moloney	820L	0170,1058,1376

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Martin	Stone	821L	0171,1059,1377
Dawn	Watson	822L	0172,1060,1378
Roger	Morton	823L	0173,1069,1379
Nigel	Presswood	824L	0174,1062,1380
Stephanie	Futcher	837L	0200,1063,1381
Anne	Jackman	838L	0201,1064,1382
Aubrey	Evans	839L	0202,1065,1383
Paul	King	840L	0203,1066,1384
Judith	Brunt	845L	0208,1067,1385
Ben	Lambert	846L	0209,1068,1386
Pauline	Fisher	847L	0210,1069,1387
James	Eaden	848L	0211,1070,1388
Helen	Steadman	849L	0212,1071,1389
Paul	Briggs	850L	0213,1072,1390
Keith	Fisher	851L	0214,1073,1391
Rebecca	Smith	852L	0215,1074,1392
Rachel	Bolton	853L	0216,1075,1393
Neil	Stuart	854L	0217,1076,1394
Heather	Bryant	855L	0218,1077,1395
Liz	Longden	856L	0219,1078,1396
Christine	Selden	857L	0220,1079,1397
Adam	Link	858L	0221,1080,1398
Janet	Ratcliffe	859L	0222,1081,1399
Alan	Baldwin	860L	0223,1082,1400
Valerie	Fenton	861L	0224,1083,1401
Neil	Tuner	862L	0225,1084,1402
Sheila	Maters	863L	0226,1085,1403
Amy	Hughes-Dennis	868L	0232,1086,1404
Jacky	Rounding	869L	0233,1087,1405
Nick	Clarke	870L	0234,1088,1406
David	Hassall	871L	0235,1089,1407

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Rachel	Steele	872L	0236,1090,1408
Simon	Redding	873L	0237,1091,1409
Collette	Boden	874L	0238,1092,1410
Diana	Clarke	875L	0239,1093,1411
Rachael	Richardson	876L	0240,1094,1412
Vanessa	Fessey	877L	0241,1095,1413
Christine	Curwen	878L	0242,0244,1096,1414
John	Curwen	879L	0245,1097,1415
Dawn	Walton	880L	0246,1098,1416
Lee	Housely	881L	0247,1099,1417
David	McGill	882L	0248,1100,1418
Lucy	Johnson	883L	0249,1101,1419
Alison	Storey	884L	0250,1102,1420
Susan	Groom	885L	0251,1103,1421
Mark	Knight	886L	0252,1104,1422
Susan	Brown	887L	0253,1105,1423
Julie	Davies	888L	0254,1106,1424
Mike	Wheeler	889L	0255,1107,1425
Linda	Walker	890L	0256,1108,1426
John	Hughes	891L	0257,1109,1427
Christopher	Mann	892L	0258,1110,1428
Nicola	Godridge	893L	0259,1111,1429
Anne	Burton	894L	0260,1112,1430
Sue	Wall	895L	0261,1113,1431
Giulia	Argyll Nicholson	896L	0262,1114,1432
Paula	Browne	897L	0263,1115,1433
Andrew	Mottershaw	898L	0264,1116,1434
V	Wilkinson	899L	0265,1117,1435
Michael	Hirst	900L	0266,1118,1436
Lesley	Cooper	901L	0267,1119,1437
Maralyn	Dommett	907L	0280,1120,1438

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Chris	Heard	908L	0281,1121,1439
Ann	Fox	909L	0282,1122,1440
Anne	Wood	910L	0283,1123,1441
Glynis	Horvath	911L	0284,1124,1442
Jenny	Gibbins	912L	0285,1125,1443
Poppy	Simon	913L	0286,1126,1444
Germaine	Bryant	914L	0287,1127,1445
Vicki	Booth	915L	0288,1128,1446
Barbara	Mackenney	916L	0289,1129,1447
Susan	Fear	917L	0290,1130,1448
Angela	Ostler	918L	0291,1131,1449
Sue	Cuthbert	919L	0292,1132,1450
Victoria	Noble	920L	0293,1133,1451
Kim	Evans	921L	0294,1134,1452
Patsy	McGill	922L	0295,1135,1453
Dianne	Banks	923L	0296,1136,1454
William	Hobbs	924L	0297,1137,1455
Carolanne	Mason	925L	0298,1138,1456
Elizabeth	Turk	926L	0299,1139,1457
Jacqueline	Meyer	927L	0300,1140,1458
Joy	Bates	928L	0301,1141,1459
Penny	Took	929L	0302,1142,1460
Karl	Barrow	930L	0303,1143,1461
Barbara	Hughes	932L	0305,1144,1462
Vikki	Watford	933L	0306,1145,1463
Julie	Barwick	934L	0307,1146,1464
Natalie	Rocca	935L	0308,1147,1465
Ursula	Watts	936L	0309,1148,1466
Kay	Watson	937L	0310,1149,1467
Janet	Baldwin	943L	0362, 3544,3545
Teresa	Glossop	945L	0346,1150,1468

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Rae	Jones	946L	0369,1151,1469
Callum	Armstrong	947L	0370,1152,1470
Michael	Samash	948L	0371,1153,1471
Jane	Webb	949L	0372,1645,1472
Andrea	Watwood	950L	0373,1154,1473
Bruce	Levitan	951L	0374,1155,1474
Amanda	Johnson	952L	0375,1156,1475
Anna	Swieczak	953L	0376,1157,1476
Sharon	Craig	954L	0377,1158,1477
Keith	Hutchinson Keith	955L	0378,1159,1478
Anne	Wilding	956L	0379,1160,1479
Laura	Stevens	957L	0380,1161,1480
Kelly	Rickard	958L	0381,1162,1481
Holly	Salmon	959L	0382,1163,1482
Lynne	Bruce	960L	0383,1164,1483
Trevor	Kirkwood	961L	0384,1165,1484
Chris	Hutchinson	962L	0385,1166,1485
Terry	Joiner	963L	0386,1167,1486
Yvonne	Payne	964L	0387,1168,1487
Logan	Sheppard-Scally	965L	0388,1169,1488
Andy	Ashmore	969L	0392,1170,1489
Lesley	Burke	970L	0393,1171,1490
AMK	Wardroper	975L	0402,1172,1491
Adrian	Brown	976L	0403,1173,1492
Christine	Nudds	977L	0404,1174,1493
Toni	Burnley	978L	0405,1175,1494
Jane	Varley	979L	0406,1176,1495
Geraldine	Busuttil	980L	0407,1177,1496
Cetra	Coverdale Pearson	981L	0408,1178,1497
Susan	Wiltshire	982L	0409,1179,1498
Stephanie	Carter	983L	0410,1180,1499

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Hanna	Wade	984L	0411,1181,1500
Elaine	Nudd	985L	0412,1182,1501
Andy	Jamieson	986L	0413,1183,1502
Jill	Holley	987L	0414,1184,1503
Nicholas	Granville	988L	0415,1185,1504
Gary	Roper	989L	0416,1186,1505
Walt	Shaw	990L	0417,1187,1506
Tracy	Arnold	991L	0418,1188,1507
Peter	Coward	992L	0419,1189,1508
Canal & Rivers Trust		993	0423
Martin	Hofman	994L	0426,1190,1509
Catherine	Hallsworth	995L	0427,1191,1510
Pat	Thompson	996L	0428,1192,1511
Lynne	Atkin	997L	0429,1193,1512
Emma	Bungay	998L	0430,1194,1513
Andrew	Murdoch	999L	0431,1195,1514
Rita	Allan	1000L	0432,1196,1515
Ben	Mitchell	1002L	0434,1197,1516
Alison	Brown	1003L	0435,1198,1517
Roger	Clarke	1004L	0436,1199,1518
Beth	Ashman	1005L	0437,1200,1519
Michael	Dowsett	1006L	0438,1201,1520
Leonardo	Wilson	1007L	0439,1202,1521
Patrick	Anderson	1008L	0440,1203,1522
Glynis	Spencer	1009L	0441,1204,1523
Stuart	Handley	1010L	0442,1205,1524
Clare	Wood	1011L	0443,1206,1525
Diana	Kerswell	1012L	0444,1207,1526
Lisa	Hopkinson	1013L	0445,1208,1527
Rachel	Horton	1014L	0446,1209,1528

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Gwyneth	Francis	1015L	0447,1210,1529
Frances	Gower	1016L	0448,1211,1531
Dave	Smith	1017L	0449,1212,1532
Sally	Whitham	1018L	0450,1213,1533
Holly	Exley	1019L	0451,1214,1534
Jessica	Stephens	1020L	0452,1215,1535
Karen	Smith	1021L	0453,1216,1536
C	Shelton	1022L	0454,1217,1537
James	Currie	1023L	0455,1218,1538
Alexandra	Williams	1024L	0456,1219,1539
Judith	Cornwall	1025L	0457,1220,1540
John	De Carteret	1026L	0458,1221,1541
Jane	Berry	1027L	0459,1222,1542
Steven	Noake	1028L	0460,1223,1543
Alison	Evans	1029L	0461,1224,1544
Delia	Wellard	1030L	0462,1225,1545
Kevin	Williams	1031L	0463,1226,1546
Joshua	Phillips	1032L	0464,1227,1547
Gillian	Von Fragstein	1033L	0465,1228,1548
Chrystal	Wallage	1034L	0466,1229,1549
Deborah	Purhouse	1035L	0467,1230,1550
Sue	Tomlinson	1036L	0468,1231,1551
Susan	Foxon	1037L	0469,1232,1552
Susan	Heard	1038L	0470,1233,1553
David	Leicester	1039L	0471,1234,1554
Alison	Storer	1040L	0472,1235,1555
Mark	Brailsford Mark	1041L	0473,1236,1556
Jane	Reynolds Jane	1042L	0474,1237,1557
John	Sherratt John	1043L	0475,1238,1558
Beatrice	Rajakaruna	1044L	0476,1239,1559
Alison	Scothern	1045L	0477,1240,1560

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Amanda	Chalk	1046L	0478,1241,1561
Jillian	Harrison	1047L	0479,1242,1562
Ian	Beever	1048L	0480,1243,1563
Stephen	Blakemore	1049L	0481,1244,1564
Maggie	Cook	1050L	0482,1245,1565
Paul	Senior	1051L	0483,1246,1566
Amina	Burslem	1052L	0484,1247,1567
Paul	Tooley	1053L	0485,1248,1568
John	LeGrove	1054L	0486,1249,1569
Lewis	Coupland	1055L	0487,1250,1570
Graham	Joiner	1056L	0488,1251,1571
Natalie	Smith	1057L	0489,1252,1572
Susan	Ashman	1058L	0490,1253,1573
Eric	Hart	1059L	0491,1254,1574
Andrew	Taylor	1060L	0492,1255,1575
Rhian	Harding	1061L	0493,1256,1576
James	Wyatt	1062L	0494,1257,1577
Fiona	Ibbotson	1063L	0495,1258,1578
Andy	Ward	1064L	0496,1259,1579
Karen	Undrell	1065L	0497,1260,1580
Natalie	Dawes	1066L	0498,1261,1581
Jonathan	Helliwell	1067L	0499,1262,1582
Joanna	Watson	1068L	0500,1263,1583
Stephen	Plant	1069L	0501,1264,1584
Daniel	Lloyd	1070L	0502,1265,1585
Isky	Gordon	1071	0503
Stephan	Ball	1072L	0507,1267,1587
Mark	Allcock	1073L	0508,1268,1588
Pauline	Bell	1074L	0510,1269,1589
Chris	Slater	1075L	0511,1270,1590
Sheila	Spinks	1076L	0512,1271,1591



<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Patricia	Tidmarsh	1077L	0513,1272,1592
Rachel	Young	1078L	0514,1273,1593
Christine	Nelson	1079L	0515,1274,1594
Jeremy	Wright	1080L	0516,1275,1595
Hazel	Thorpe	1081L	0517,1276,1596
Ruth	Foden	1082L	0518,1277,1597
Claire	Cooper	1083L	0519,1278,1598
Clare	Greenwood	1084L	0520,1279,1599
Gareth	Hughes	1085L	0521,1280,1600
Pauline	Inwood	1086L	0522,1281,1601
Caroline	Norbury	1087L	0523,1282,1602
Emily	Lynn	1088L	0524,1283,1603
Julia	Fell	1089L	0525,1284,1604
Margaret	Gallimore	1090L	0526,1285,1605
Becky	Turner	1091L	0527,1286,1606
Caroline	Phillips	1092L	0528,1287,1607
Matt	Drew	1093L	0529,1288,1608
Liz	Honeybell	1094L	0530,1289,1609
Keith	Gillespie	1095L	0531,1290,1610
Barry	Hodgson	1096L	0532,1291,1611
Carol	Wood	1097L	0533,1292,1612
Peter	Cashford	1098L	0534,1293,1613
I P	Smith	1099L	0535,1294,1614
Louise	Petherham	1100L	0536,1295,1615
Jean	Cashford	1101L	0537,1296,1616
Chris	James	1102L	0538,1297,1617
Ruth	Woods	1103L	0539,1298,1618
Deborah	Noone	1104L	0540,1299,1619
Norman	Rimmell	1105L	0541,1300,1620
Malcolm	Barrow	1106L	0542,1301,1621
Marian	Wall	1107L	0543,1302,1622

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Steve	Cane	1108L	0544,1303,1623
Daniel	Wimberley	1109L	0545,1304,1624
Dolores	O'Reilly	1110L	0546,1305,1625
Imogen	Baines	1114L	0550,1306,1626
Theresa	Brooke	1115L	0551,1307,1627
Jenifer	Hyde	1116L	0552,1308,1628
Poppy	Marston	1117L	0553,1309,1629
Stephanie	Holmes	1118L	0554,1310,1630
Pamela	Bain	1119L	0555,1311,1631
Richard	Finnigan	1120L	0556,1312,1632
Chris	Brennan	1121L	0557,1313,1633
Diane	Kerry	1122L	0558,1314,1634
Neil	Lister	1123L	0559,1315,1635
Philip	Hutchinson	1124L	0560,1316,1636
Martin	Bennett	1125L	0561,1317,1637
Rod	Leach	1126L	0562,1318,1638
Steve	Taylor	1127L	0563,1319,1639
Denis	Robinson	1128L	0564,1320,1640
Jacqueline A	Box	1129L	0565,1321,1641
Liz	Elliot	1130L	0566,1322,1642
Mair	Bain	1131L	0567,1323,1643
Kevin	Elliot	1132L	0568,1324,1644
Environment Agency		1137	0595
Transition Chesterfield		1139	0613,0615,0622
Dronfield TC		1141	0638
Cllr Gez	Kinsella	1142	0639,1646,1648
Derbyshire Wildlife Trust		1145	0653,0654
Eckington PC		1146	0665
Bolsover DC		1147	0677

Name		Name Ref. No.	Representation Ref. No.
Clay Cross Against Fracking		1151	0705,0706,0709,0710
CPRE		1152	0719, 0720, 0721, 0722, 0723
Sustainable Hayfield		1155	0764, 0768
Kathy	Mitchell	1156	0774,1647,1649
S Yorks for a Green New Deal		1157	0779,0780
Historic England		1158	0789
National Trust		1160	0934
Natural England		1161	0968
DCC Labour Group		1163	0982

## General Comments - Climate Change Emergency

<p><b>Representations</b> (<i>Individuals 741/0051,764/0112,766/0114 to 797/0147, 799/0149 to 937/0310, 943/0362, 945/0346 to 992/0419, 994/0426 to 1070/0502, 1071/503, 1072/0507 to 1132/0568</i>)</p>	
2.6.1	The Plan should specifically acknowledge that a Climate Emergency exists, and its' polices should reflect and address this.
<p><b>Representations</b> (<i>Clay Cross Against Fracking 1151/706</i>)</p>	
2.6.2	The plan should recognise and acknowledge the human cost of climate crisis and that millions of people will, and already are, facing famine, starvation, devastating temperature increases, floods and enforced migration as direct a result of fossil fuel extraction and use across the globe.
<p><b>Actions/Considerations</b></p>	
2.6.3	Agree that it is important that the Plan gives appropriate weight to the need to address Climate Change issues
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>	
2.6.4	The Plan has been updated to reflect the latest information on Climate Change and its polices have been strengthened to ensure that climate

change is given appropriate weight in considering proposals for mineral development.

## General Comments - Climate Change Evidence

### Representations *(Transition Chesterfield 1139/0613)*

- 2.6.5 The Plan should recognise key policy developments which point to the need for tighter policies on climate change:
- The Climate Change Committee's Net Zero Plan and Sixth Carbon Budget
  - Declaration of climate emergencies by many Local Authorities in Derby and Derbyshire
  - The IPCC Sixth Assessment Report which António Guterres, the UN secretary general, described as "an atlas of human suffering and a damning indictment of failed climate leadership"
  - The IPCC Mitigation of Climate Change report which spells out the huge cost reductions over the last decade in solar and wind power, and that that existing and currently planned fossil fuel projects are already more than the climate can handle. In other words we cannot extract more fossil fuels. António Guterres has said "Increasing fossil fuel production will only make matters worse. It is time to stop burning our planet and start investing in the abundant renewable energy all around us."
  - (IEA) in 2021 have said that exploitation and development of new oil and gas fields must stop now if the world is to stay within safe limits of global heating and meet the goal of net zero emissions by 2050.
  - The government's moratorium on fracking and more recently
  - Energy minister Kwasi Kwarteng has said that the energy crisis shows the importance of the UK's plan "to build a strong, home-grown renewable energy sector to further reduce our reliance on fossil fuels".

### Actions/Considerations

- 2.6.6 The MPA has taken into account up to date evidence on climate change, energy policy and planning policy in preparing the Plan. The Background Paper on Climate Change provides additional detailed information on the policy documents that have been taken into account in preparing the Plan.

## Outcomes for Pre-Submission Draft Plan

2.6.7 Updated evidence has been taken into account in preparing the Plan.

## General Comments - Climate Change Evidence

### Representations *(Clay Cross Against Fracking 1151/0705)*

2.6.8 The Plan should incorporate the following policy developments:

- In 2019 MPs approved a motion to declare an environment and climate emergency following which the government committed the UK in law to reduce our greenhouse gas emissions to net zero by 2050 in order to try and avoid catastrophic effects from climate change.
- In 2021 Derbyshire County Council voted in favour of a motion to declare a climate Crisis.
- In May 2021 Faith Birol, the International Energy Agency's executive director and one of the world's foremost energy economists said 'If governments are serious about the climate crisis, there can be no new investments in gas and coal from now – from this year.'
- In April 2022 the head of the IPCC Antonio Guterres releasing the last section of the 6th assessment report said 'Increasing fossil fuel production will only make matters worse. It is time to stop burning our planet and start investing in the abundant renewable energy all around us. Investing in new fossil fuels infrastructure is moral and economic madness.'
- In 2019 moratorium was put in place on fracking in England due to minor earthquakes at a test site in Lancashire. Fracking has been identified as one of the least popular forms of energy in country supported by just 14% of the population.
- The Government energy security strategy April 2022 says some 95% of countries electricity could come from low carbon sources by 2030 ahead of decarbonising the sector by 2035.
- The Climate Change Committee have backed limits on oil and gas production and a presumption against future oil and gas exploration in order to restrict global temperatures rises to below 1.5 degrees. – The Government should also consider the implications of fracking (being unpopular with the public) for public acceptance of the energy

	transition on the path to Net Zero, and the risk of lock-in to fossil fuel infrastructure.
<b>Actions/Considerations</b>	
2.6.9	The MPA has taken into account up to date evidence on climate change, energy policy and planning policy in preparing the Plan. The Background Paper on Climate Change provides additional detailed information on the policy documents that have been taken into account in preparing the Plan.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.6.10	Updated evidence has been taken into account in preparing the Plan.

## General Comments - Climate Change Evidence

<b>Representations</b> ( <i>Sustainable Hayfield 1153/0764</i> )	
2.6.11	The Plan should make specific reference to the climate change emergency and to the most recent scientific evidence on climate change including (IPCC, (AR6), 2022). (International Energy Agency, 'Net Zero by 2050: A Roadmap for the Global Energy Sector', 2021). (Committee on Climate Change, letter to Secretary of State, BEIS, February 2022).
<b>Actions/Considerations</b>	
2.6.12	The MPA has taken into account up to date evidence on climate change, energy policy and planning policy in preparing the Plan. The Background Paper on Climate Change provides additional detailed information on the policy documents that have been taken into account in preparing the Plan.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.6.13	Updated evidence has been taken into account in preparing the Plan.

## General Comments - No mineral extraction/costs v benefits

<b>Representations</b> ( <i>Michael Clarke 748/0082, Judith Cornwall 798/0148</i> )	
2.6.14	There should be no more mineral extraction in view of climate crisis.
<b>Representations</b> ( <i>Keith Townsend 751/0087</i> )	
2.6.15	Mineral extraction is highly controversial and contrary to the climate change agenda. The Plan should include a robust cost v benefit analysis report of mineral extraction and make such report available to the public.

<b>Actions/Considerations</b>	
2.6.16	The imposition of a blanket ban on mineral extraction would be contrary to the NPPF which requires the Plan to provide for a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs and to provide for the extraction of mineral resources of local and national importance.
2.6.17	The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. To deliver this the Plan has to deliver three overarching and interrelated economic, environmental and social objectives. These objectives are encompassed in the Plan's objectives which are delivered through the implementation of the Plan's policies. In this way the economic and environmental costs of mineral extraction are appropriately taken into account in the Plan.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.6.18	No change.

## **General Comments - No mineral extraction where viable alternatives exist**

<b>Representations</b> ( <i>Steve Martin 726/0029</i> )	
2.6.19	In order to address climate change issues there should be no mineral extraction where viable alternatives exist
<b>Representations</b> ( <i>Clay Cross Against Fracking 1151/0711</i> )	
2.6.20	The Climate Change policy needs to be strengthened. The proposed presumption that minerals can be extracted provided they minimise the environmental impacts to 'acceptable levels' is vague and leaves the door open for unconstrained extraction. Extraction should only be permitted where no viable alternatives exist, and the onus should be with the applicant to prove this is the case.
<b>Actions/Considerations</b>	
2.6.21	The NPPF requires the Plan, so far as practicable, take account of the contribution that substitute, or secondary and recycled materials and mineral waste would make to the supply of materials before considering the supply of primary materials. Objective 3 of the Plan seeks to minimise waste and maximise the use of recycled and secondary aggregates and Policies SP1 and specifically SP3 seeks to support the production of recycled and secondary aggregates where they will promote the

sustainable management of waste and facilitate a reduction in the need for primary aggregates. However, even with their maximum use there will still be a need for the extraction of primary minerals. Additionally industrial minerals which are often valued for their physical and/or chemical properties means that opportunities for their substitution and recycling are limited. Furthermore, the intrinsic properties of industrial minerals are often changed irreversibly in the manufacturing process making them difficult to be reused or recycled. Similarly fossil fuels when burned cannot be re-used although waste material such as pulverised fuel ash is used to make construction products.

**Outcomes for Pre-Submission Draft Plan**

2.6.22 No change.

**General Comment Moving to a low carbon economy**

**Representations** (*Eckington Parish Council 1146/0665*)

2.6.23 The draft plan does not fully support the NPPF requirement in 2.8c, which requires that development includes supporting "moving to a low carbon economy". The plan waters this down, by only referring to adapting to and mitigating the effects of climate change. There are several places in the plan that do not support the full NPPF objective, in particular policies SP1 and SP2 do not reflect the full NPPF requirement re moving to a low carbon economy.

**Actions/Considerations**

2.6.24 The Plan is committed to addressing climate change and implementing the NPPF requirement of 'moving towards a low carbon economy'. This commitment is set out in the Plan's Vision and Objectives but agree that the Climate Change Policy SP2 in particular needs to be strengthened to effectively require a reduction in carbon emissions.

**Outcomes for Pre-Submission Draft Plan**

2.6.25 Policy SP2 has been amended to require proposals to demonstrate a reduction in greenhouse gas emissions over the lifetime of the development in line with national and local greenhouse gas targets. Proposals for coal extraction will need to demonstrate net zero emissions from the outset.

Additionally, SP2 requires proposals to be accompanied by a climate change impact assessment setting out how measures to reduce



emissions and adapt to climate change have been considered, incorporated and will be monitored and reported.

The Assessment is also required to include an assessment of whether there is a causal connection between the proposal and any impact on the environment associated with any indirect emissions and, whether this constitutes a significant indirect effect of the proposed development. Where this is the case, the indirect emissions will need to be taken into account under Policy SP2.

## General Comments - Use of cement and concrete

### Representations *(Christine Curwen 878/0242)*

2.6.26 Derbyshire is in the top 10 polluting local authorities because of mineral production and particularly cement production. If cement production were a country, it would be the third largest carbon emitter in the world. Concrete uses contribute to surface run off and flooding, soil erosion, damage to soil fertility and water and air pollution. It is destroying our natural infrastructure without replacing the ecological functions that humanity depends on and is greatly contributing to the biodiversity crisis. We have to rapidly reduce our reliance on it and look to the alternatives which are rapidly coming on board.

### Actions/Considerations

2.6.27 The use of cement and concrete in the construction market is principally an economic matter and therefore outside of the scope of the Plan. However, the minerals industry is very aware of the need to address climate change issues and is actively pursuing the production of low carbon cement and concrete.

2.6.28 In terms of the Plan, it is required by the NPPF to make provision for a sufficient supply of minerals, including construction minerals, to provide the infrastructure, buildings, energy and goods that the country needs. Local plans are also required by law<sup>1</sup> to include policies designed to secure that the development and use of land in a local planning authority's area, contributes to the mitigation of, and adaptation to, climate change. The NPPF requires that local plans adopt a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications of flood risk, water supply, biodiversity

<sup>1</sup> Section 19(1A) of the Planning and Compulsory Purchase Act 2004 (as amended by section 182 of the Planning Act 2008)

and landscapes and the risk of overheating from rising temperatures, in line with the objectives and provisions of the Climate Change Act 2008 <sup>2</sup>. The MPA have strengthened the climate change policy, SP2, in the Plan and consider that the amended policy is sufficiently robust to ensure that the impacts of mineral extraction on climate change are appropriately addressed.

**Outcomes for Pre-Submission Draft Plan**

2.6.29 Policy SP2 Climate Change has been strengthened to ensure that climate change is given appropriate weight when considering proposals for mineral development and mineral related development.

**General Comments - Renewable Energy**

**Representations** (*Steve Elliott 760/0100*)

2.6.30 The Plan should include policies to promote Renewable Energy especially on shore wind

**Representations** (*South Yorkshire for a Green New Deal 1157/0779*)

2.6.31 The Plan should also promote the feasibility of using former mine and quarry areas as suitable sites for renewable energy technologies, such as wind turbines, solar panels and pumped storage for hydroelectric power.

**Actions/Considerations**

2.6.32 The Plan through Policy SP2 Criterion 1 encourages the use of decentralised renewable, or low carbon energy sources to power the plant/facility associated with mineral development. It falls within the remit of District/Unitary prepared local plans to include policies to encourage renewable energy in principle including where they are located on former mine and quarry areas.

**Outcomes for Pre-Submission Draft Plan**

2.6.33 No change

<sup>2</sup> The Climate Change Act 2008, as amended by the (2050 Target Amendment) Order 2019

## General Comments - Methane production

<b>Representations</b> ( <i>David Haspel 761/104</i> )	
2.6.34	As a society we need to tackle methane generation by animals/cattle we produce for human consumption in order to combat climate change.
<b>Actions/Considerations</b>	
2.6.35	Agree that the issue of food production and its impacts on climate change is one that Government needs to address however this matter lies outside of the scope of the Plan.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.6.36	No change

## General Comments - Passivhaus standards - built development

<b>Representations</b> ( <i>South Yorkshire for a Green New Deal 1157/0780</i> )	
2.6.37	While not strictly within the remit of the plan, it should set the context for reducing dependence on fossil fuels by referencing measures such as retrofitting the insulation of existing housing and building new housing to “passivhaus” standards
<b>Actions/Considerations</b>	
2.6.38	The Plan through Policy SP2 Criterion 1 encourages the use of energy efficient plant, buildings and operations and the Climate Change Impact Assessment required under SP2 will need to demonstrate how measures to mitigate and adapt to climate change have been considered, incorporated, and will be monitored and reported. The Climate Change Chapter at paragraph 5.13 sets out measures that can improve the energy efficiency of plant, buildings and operations.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.6.39	No change

## General Comment - Impacts of climate change on natural systems

<b>Representations</b> ( <i>Derbyshire Wildlife Trust 1145/0653</i> )	
2.6.40	Regarding chapter five on climate change (p57-64), we feel this section could be expanded to include further details both on the impacts on natural systems, but also localised to provide greater context.
<b>Actions/Considerations</b>	

2.6.41 The MPA consider that in the interests of streamlining the Plan as it moves towards submission to the Planning Inspectorate the level of detail provided on the impacts of climate change on natural systems in Chapter 5, Climate Change, is sufficient.

**Outcomes for Pre-Submission Draft Plan**

2.6.42 No change

## Introduction Paragraph 5.2

**Representations** (CPRE 0719)

2.6.43 Suggest that a reference to the Derbyshire Environment and Climate Change Framework (October 2019) is added to sentence 2 to illustrate the breakdown of the periodic carbon budgets for Derbyshire local authorities (see table on p.6 of the Framework) and that should then be enshrined as the local budgets against which mineral-related reductions are implemented and monitored.

**Actions/Considerations**

2.6.44 Agree that reference should be made to the Derbyshire County Council Climate Change Strategy. An updated Strategy covering the period 2021 - 2025 has been produced by the Council. Agree that reference should be made to both local and national carbon budgets.

**Outcomes for Pre-Submission Draft Plan**

2.6.45 The Plan has been amended to refer to the most recent Climate Change Strategy produced by the County Council. Additional information about the Strategy has also been included in the Climate Change Background Paper. Policy SP2 has been amended to require proposals to demonstrate a progressive reduction of greenhouse gas emissions consistent with meeting local and national carbon targets and achieving net zero by 2050. For coal extraction the policy requires 'net zero' emissions from the outset.

## Introduction Paragraph 5.7

**Representations** (CPRE 0720)

2.6.43 Amend a) to read: '...through the reductions of carbon emissions (including downstream or 'scope 3' emissions) and the carbon footprint...' so as to ensure a cradle-to-grave/whole life approach is taken to carbon emissions.

### **Actions/Considerations**

2.6.44 Agree that the Plan should take account of Scope 3 emissions where appropriate.

### **Outcomes for Pre-Submission Draft Plan**

2.6.45 Whilst the specific amendment suggested has not been taken forward Policy SP2 has been amended to take into account Scope 3 emissions where appropriate.

## **Policy SP2 Climate Change Emissions reduction**

**Representations** (*Individuals 741/1007, 764/0987, 766/1008 to 797/1038, 799/1039 to 937/1149, 943/3544, 945/1150 to 992/1189, 994/1190 to 1070/1265, 1072/1267 to 1132/1324*)

2.6.46 Policy SP2 is not strong enough in its requirements to address Climate Change. It states that proposals for minerals extraction will be supported if;  
*' they incorporate measures to minimise and offset greenhouse gas emissions (mitigation) and effectively assist in the reduction of vulnerability from and increase resilience to, the future impacts of climate change (adaptation)'.*

This is insufficient. The principle of 'extended producer responsibility' should be incorporated into the policy so that that extraction companies are obliged to ensure that emissions from all extraction operations are not merely reduced from their own operations but that the embodied carbon in their products is completely negated by actual equivalent simultaneous emissions reductions elsewhere.

**Representations** (*Clay Cross Against Fracking 1151/710*)

2.6.47 The principle of 'extended producer responsibility' should be incorporated in the plan so that extraction companies are obliged to ensure that emissions from all extraction operations are not merely reduced from their own operations but the embodied carbon in product is completely negated by actual equivalent simultaneous emission reductions elsewhere.

**Representations** (*Transition Chesterfield 1139/0615*)

2.6.48 The Plan is still very weak on climate change. Although a new policy on climate change has been added (SP2, pp47) it permits the development of new extractive industries provided they incorporate measures to

minimise and offset greenhouse gas emissions. It also only addresses the operational impacts of the industry and does not address the climate impacts from the use of that mineral/fossil fuel once it has been extracted.

2.6.49 Minimising emissions is not sufficient. There should be no net increase in greenhouse gas emissions (including methane and other greenhouse gases, not just carbon) and preferably a reduction. We consider the proposed wording from our 2018 submission is better aligned with the current policy on net zero. i.e “*Climate change impacts should, as far as possible, be avoided and schemes should demonstrate that there is no viable substitute for the mineral/energy and that there is no net increase in greenhouse gas emissions resulting from its extraction and use, taking into account the release of fugitive emissions, and preferably a reduction in emissions.*”

**Representations** (Steve Martin 726/0029)

2.6.50 The Climate Change Policy should be strengthened to ensure that there should be no net increase in greenhouse gas emissions resulting from its extraction use and embedded carbon.

**Representations** (Dronfield Town Council 1141/0638)

2.6.51 The Town Council also feels that the draft Minerals Plan does not give due consideration to climate change. The draft Plan states in section SP2 page 62 that proposals for extraction will be supported if “they incorporate measures to minimise and offset greenhouse gas emissions (mitigation) and effectively assist in the reduction of vulnerability from and increase resilience to, the future impacts of climate change (adaptation).” The Town Council feel strongly that offsetting should not be allowed. The extraction companies should be responsible for not only reducing emissions from their own operations but also reducing or nullifying the carbon dioxide or greenhouse gas emissions associated with their products. Any application for the extraction of shale gas should demonstrate net zero impact on climate change

**Actions/Considerations**

2.6.52 The MPA agree that in the light of more recent evidence on the need to urgently address climate change issues Policy SP2 Climate Change needs to be amended to strengthen the Plan’s commitment to address these issues. In amending the Policy, the MPA has been guided by recent climate change, energy and planning policy evidence. In relation to the need to require reductions in emissions this requirement is included in

Policy SP2 in line with national and local carbon targets. Due to the carbon rich nature of coal and the national policy presumption against its extraction the MPA consider that a stricter approach is needed requiring 'net zero' emissions from the outset of the development.

- 2.6.53 In relation to the issue of 'extended producer responsibility' and indirect Scope 3 emissions the MPA has taken into account the recent planning decision made by the Secretary of State (SoS) for Levelling Up, Housing and Communities on 7 December 2022 in respect of Planning Application 4/17/9007 by West Cumbria Mining Ltd at former Marchon Site, Whitehaven, Cumbria for a new underground coal mine etc although it is acknowledged that this decision is the subject of challenge in the High Court. The SoS set out in his Report that a key consideration was whether there is sufficient causal connection between the proposal and the impact on the environment associated with downstream GHG emissions as a consequence of the use of the coal in a blast furnace, and whether this constitutes a significant indirect effect of the proposed development. The MPA have sought to include this principle in Policy SP2.

#### **Outcomes for Pre-Submission Draft Plan**

- 2.6.54 Policy SP2 has been amended to require proposals to demonstrate a reduction in greenhouse gas emissions over the lifetime of the development in line with national and local greenhouse gas targets. Proposals for coal extraction will need to demonstrate net zero emissions from the outset.

Additionally, SP2 requires proposals to be accompanied by a climate change impact assessment setting out how measures to reduce emissions and adapt to climate change have been considered, incorporated and will be monitored and reported.

The Assessment is also required to include an assessment of whether there is a causal connection between the proposal and any impact on the environment associated with any indirect emissions and, whether this constitutes a significant indirect effect of the proposed development. Where this is the case, the indirect emissions will need to be taken into account under Policy SP2.

## Policy SP2 Climate Change Offsetting of Emissions

<b>Representations</b> ( <i>Individuals 741/1325,764/0988,766/1326 to 797/1356, 799/1357 to 937/1467, 943/3547, 945/1468 to 992/1508, 994/1509 to 1070/1585, 1072/1587 to 1132/1644</i> )	
2.6.55	Climate Change - Policy SP2 should not allow offsetting. This is especially so where it relies on uncertain future measures such as tree planting which may or may not sequester an equivalent amount, and then only in the distant future.
<b>Representations</b> ( <i>Sustainable Hayfield 1155/0768</i> )	
2.6.56	We find your preparedness to consider offsetting as a compensatory measure for extractive proposals worrying. There is much uncertainty about the scale, and effectiveness, of offsetting measures required, especially around tree-planting, a favourite of many companies, given attrition rates and length of time taken to sequester the required amounts of carbon.
<b>Representations</b> ( <i>DCC Labour Group1163/0982</i> )	
2.6.57	The Plan should not include policies which permit offsetting as a compensatory measure for extractive proposals.
<b>Representations</b> ( <i>Elaine Nudd 738/0048</i> )	
2.6.58	The inclusion of offsetting is not sustainable. You cannot offset the damage caused by fossil fuels.
<b>Representations</b> ( <i>Steve Martin 726/0029</i> )	
2.6.59	The use of offsetting should not be allowed.
<b>Representations</b> ( <i>Clay Cross Against Fracking 1151/709</i> )	
2.6.60	SP2 page 62 of the draft states that proposals for extraction will be supported if 'they incorporate measures to minimise and offset greenhouse gas emissions (mitigation) and effectively assist in the reduction of vulnerability from and increase resilience to, the future impacts of climate change (adaptation). Offsetting should not be included in the plan, especially where it relies on uncertain future measures such as tree planting which may or may not sequester an equivalent amount, and then only in the distant future.
<b>Representations</b> ( <i>Transition Chesterfield 1139/0622</i> )	
2.6.61	This policy is extremely weak and allows for mineral and fossil fuel extraction on climate grounds provided that measures are taken to



	‘minimise and offset greenhouse gas emissions.’ Offsetting should not be allowed, due to the poor monitoring of offset schemes.
	<b>Representations</b> (Dronfield Town Council 1141/0638)
2.6.62	The Town Council feel strongly that offsetting should not be allowed.
	<b>Actions/Considerations</b>
2.6.63	The MPA agree in principle that the offsetting of emissions should not be encouraged and has sought to clarify the limited circumstances where it considers that the ‘offsetting of emissions’ would be acceptable.
	<b>Outcomes for Pre-Submission Draft Plan</b>
2.6.64	The Plan has been amended accordingly, ‘ <i>The MPA will expect, in the first instance, that consideration is given to incorporating any measures to reduce and adapt to climate change, such as tree planting and increased biodiversity, on site rather than offset elsewhere. However, where this is not possible, measures for offsetting or capturing and storing emissions should be included in the Assessment. Where appropriate, the MPA will use planning conditions or enter into planning obligations to secure climate change mitigation and adaptation measures and to require data to be supplied to report and monitor the effectiveness of those measures.</i> ’

## Policy SP2 Climate Change Introductory Paragraph

	<b>Representations</b> (CPRE 1152/0721)
2.6.65	Amend introductory text to read (line 3) ‘...they incorporate measures to minimize, reduce and offset greenhouse gas emissions in line with national and local carbon budgets...’ otherwise it will not deliver the required reductions from the minerals sector so as to make it sustainable.
	<b>Actions/Considerations</b>
2.6.66	Agree that the policy should be strengthened to require a reduction in emissions in line with national and local carbon targets.
	<b>Outcomes for Pre-Submission Draft Plan</b>
2.6.67	The Introductory text of Policy SP2 has been amended as follows, <b>‘Policy SP2 Climate Change</b> <b><i>Proposals for mineral development and mineral related development will be supported where, taking into account the lifetime of the development (including restoration and aftercare), they include measures that clearly demonstrate:</i></b>

- a) *a progressive reduction of carbon dioxide (and other greenhouse gas) emissions including fugitive emissions consistent with meeting national and local carbon targets and achieving net zero emissions by 2050 unless the proposal involves the extraction of coal where emissions associated with the proposal should be 'net zero' from the outset; and*
- b) *an improvement in resource efficiency; and*
- c) *they effectively assist in the reduction of vulnerability of the built and natural environment from, and increase resilience to, the future impacts of climate change .'*

### **Policy SP2 Climate Change Reasoned Justification Paragraph 5.20**

<b>Representations</b> (CPRE 1152/0722)	
2.6.68	Amend sentence 2 to read: 'This includes reducing greenhouse gas emissions...'
<b>Actions/Considerations</b>	
2.6.69	Agree.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.6.70	Paragraph 5.20 (5.30 in the Pre-Submission Plan) has been amended accordingly.

### **Policy SP2 Climate Change Reasoned Justification Paragraph 5.21**

<b>Representations</b> (CPRE 1152/0723)	
2.6.71	Amend sentence 1 as follows: '...should demonstrate to the MPA how they will contribute towards reducing greenhouse gas emissions (consistent with national and local C budgets and targets) and provide...'
<b>Actions/Considerations</b>	
2.6.72	Agree.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.6.73	Paragraph 5.21 (5.32 in the Pre-Submission Plan) has been amended accordingly.

## SP2 Climate Change Criterion 1

<b>Representations</b> ( <i>David Haspel 761/103</i> )	
2.6.74	The Plan should only allow other mineral to be mined using electricity generated by renewables or green hydrogen.
<b>Actions/Considerations</b>	
2.6.75	The MPA consider that this approach would be too restrictive but agree that the Climate Change Policy SP2 should be strengthened.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.6.76	Policy SP2 requires proposals to demonstrate a reduction in greenhouse gas emissions over the lifetime of the development in line with national and local carbon targets. The Policy sets out that proposals will need to consider the use of decentralised renewable or low carbon energy sources and set out in a Climate Change Impact Assessment how measures to mitigate and adapt to climate change have been considered, incorporated, and will be monitored and reported.

## SP2 Climate Change Criterion 3

<b>Representations</b> ( <i>Canal and Rivers Trust 993/0423</i> )	
2.6.77	Welcome reference to sustainable transport modes. Policy should refer to the importance of early engagement with the relevant navigation authority where transport by water is being investigated.
<b>Actions/Considerations</b>	
2.6.78	The support for the reference to sustainable transport modes is noted. The MPA consider that reference to the early engagement with the relevant navigation authority is not appropriate in Chapter 4 on Climate Change. However, this reference has been included at paragraph 11.2.43 in the reasoned justification to Policy DM3 Transport in Chapter 11.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.6.79	No change

## SP2 Climate Change Criterion 4

<b>Representations</b> ( <i>Environment Agency 1137/0595</i> )	
2.6.80	We welcome that a climate change strategic policy is included within the draft Local Plan.

<p>We support the requirement for water efficiency measures to ensure no unnecessary wastage of water is allowed as detailed in criteria 4). We note criteria 5) which highlights that sites located in areas of flood risk should ensure suitable mitigation and does not increase flood risk to others. We support the inclusion of point 5) to avoid locations vulnerable to flood risk and climate change. We would recommend this policy is strengthened to include opportunity for development and restoration to reduce flood risk, where feasible, taking into account existing flood risk infrastructure.</p>	
<p><b>Actions/Considerations</b></p>	
2.6.81	<p>The support for the climate change strategic policy is noted. The MPA consider that Criteria 6 which requires proposals to consider the following measures <i>‘Incorporating restoration schemes which will contribute towards emissions reduction and climate change adaptation and resilience, including the creation of multifunctional green and blue infrastructure including tree planting, biodiversity and habitat creation, carbon sinks and flood resilience.’</i> adequately deals with opportunities to create flood resilience by way of restoration schemes.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>	
2.6.82	<p>No change</p>

## SP2 Climate Change Criterion 6

<p><b>Representations</b> (<i>Historic England 1158/0789</i>)</p>	
2.6.83	<p>We welcome a policy within the Minerals Plan on climate change and Historic England recognises the importance of responding effectively to the challenges of climate change. Within clause 6 we would welcome a reference to the need for the restoration principles to also reflect the importance of responding to the context of the historic environment including heritage assets and heritage landscapes.</p>
<p><b>Actions/Considerations</b></p>	
2.6.84	<p>The MPA consider that reference in detail to the historic environment including heritage assets and heritage landscapes is not appropriate in Criterion 6. All policies of the Plan apply where relevant and in particular the Development Management policies at Chapter 11 ensure that the historic environment is appropriately taken into account.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>	

2.6.85	No change
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## SP2 Climate Change Criterion 6

<b>Representations</b> ( <i>Natural England 1161/0968</i> )
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2.6.86	Natural England encourages the consideration of Nature based solutions (NbS). NbS's contribute to meeting net zero. The natural environment can play a vital role in tackling the climate crisis as healthy ecosystems take up and store a significant amount of carbon in soils, sediments and vegetation. Tree planting and peatland restoration are the biggest opportunities however, many habitats and ecosystems can contribute to carbon storage and sequestration. New woodland takes up carbon from the atmosphere via photosynthesis and peatland restoration stops GHG emissions from the oxidation of degraded peat. Tree planting is particularly important as one of the few proven ways to remove carbon dioxide from the atmosphere at large scale.
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<b>Actions/Considerations</b>
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2.6.87	The MPA notes the comments of Natural England and considers that Criterion 6 adequately recognises the benefits to climate change that restoring sites to nature-based solutions can bring.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.6.88	No change
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## SP2 Climate Change Criterion 6

<b>Representations</b> ( <i>Derbyshire Wildlife Trust 1145/0654</i> )
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2.6.89	In recognition of the significant impacts that burning fossil fuels have on the climate, the wording for SP2 Climate Change itself should include a target to reduce the extraction of hydrocarbons in the County in order to meet greenhouse gas reduction targets. Furthermore, we suggest changing the wording in paragraph 5.19 (6) to incorporating restoration schemes which will contribute towards carbon reduction, climate change adaptation, and the expansion of green infrastructure through habitat creation and enhancement, biodiversity restoration, carbon sinks and flood resilience.
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<b>Actions/Considerations</b>
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2.6.90	Agree that Policy SP2 should include a requirement to reduce greenhouse gas emission in line with national and local carbon budgets. Agree that Criterion 6 should be amended to include carbon reduction.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.6.91	Policy SP2 has been strengthened to include a requirement for proposals to demonstrate a reduction in greenhouse gas emissions in line with national and local carbon budgets. Criterion 6 has been amended as follows, ' <i>Incorporating restoration schemes which will contribute towards emissions reduction and climate change adaptation and resilience, including the creation of multifunctional green and blue infrastructure including tree planting, biodiversity and habitat creation, carbon sinks and flood resilience.</i> '

## SP2 Climate Change

<b>Representations</b> (National Trust 1160/0934)	
2.6.92	National Trust strongly supports the inclusion of a policy to ensure that proposals mitigate and adapt to climate change.
<b>Representations</b> (Bolsover District Council 1147/0677)	
2.6.93	It is welcome to see that the Draft Plan has a chapter dedicated to climate change and reducing carbon emissions. This is both important for the operation of individual mineral developments but also for the contribution of the minerals and energy sector to delivering the Government's net zero commitments
<b>Actions/Considerations</b>	
2.6.94	The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.6.95	No change

## 2.7 Chapter 6 – Supply of Aggregates

### 6.1 Secondary and Recycled Aggregates

#### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
Mineral Products Association	938	0317
Nottinghamshire County Council	1135	0576
Derbyshire Wildlife Trust	1145	0651
PDNPA	1159	0871,0872,0873,0874

#### Biodiversity

<b>Representations</b> ( <i>Derbyshire Wildlife Trust 1145/0651</i> )	
2.7.1	It is important to ensure that the biodiversity value of previously developed land is fully considered in the determination of applications.
<b>Actions/Considerations</b>	
2.7.2	It is agreed that biodiversity should be referred to in the chapter. Policy DM5 ensures that biodiversity is taken fully into account in the determination of planning applications for minerals development and minerals related development.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.7.3	A sentence will be added to recognise the importance of taking account of biodiversity.

#### Recycled and Secondary Aggregates

<b>Representations</b> ( <i>PDNPA 1159/0871,0872,0873,0874</i> )	
2.7.4	Suggest adding the words at para 6.1.3: “power station ash (pfa) - used as a cementitious addition with cement manufacture and ready mixed concrete.  Suggest adding the words at para 6.1.6: “...nowadays mineral operations are so sustainably managed that very little quantities of waste material not required for the restoration of the quarries are generated”,
2.7.5	At para 6.1.18 add, “It is important therefore that in such circumstances recycled/secondary aggregate production is limited to a temporary period

	where appropriate concomitant with the timescale of the primary site operations”.
2.7.6	At Policy SP3 add “Proposals for facilities/operations for the production of recycled and secondary aggregates will be supported where they are sited at/on the following locations and do not to an unacceptable degree add to the environmental effects of the principal operations being undertaken at those locations.”
<b>Actions/Considerations</b>	
2.7.7	Agree to amend the text to include these suggested changes.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.7.8	Amend text as suggested.

## General support

<b>Representations</b> ( <i>Mineral Products Association 938/0317, Nottinghamshire County Council 1135/0576</i> )	
2.7.9	Support the approach as set out.
<b>Actions/Considerations</b>	
2.7.10	Noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.7.11	No change



## 2.8 Chapter 6.2 - Sand & Gravel

**Table of Representations**

Name		Name Ref. No.	Representation Ref. No.
William	Hudson	701	0001
Richard	Chambers	704	0004
Philip	Stephenson	706	0006
Cemex		717	0017, 0018
Nigel	Lee	718	0019
Wendy	Sevier	719	0020
Paul	Leedham	720	0021
Trevor	Ball	722	0023
Bob	Stewart	723	0024
Frances	Flaherty	724	0025
Ben	Shepperd	729	0037
Sheralyn		730	0038
Elly		731	0039
Tom	Ford	732	0040
Rowan	Morgan	734	0042
Huw	Morgan	735	0043
Claire	Hattersley	736	0044
Lisa	Davis	737	0045
Jane	Ratcliffe	739	0049
Stacy	Yorke	743	0077
Graham	Edge	744	0078
Angela	Cobb	745	0079
Richard	Crutchley	746	0080
Heather	Moore	747	0081
Sue	Creeth	752	0088
AR	Creeth	753	0089
Audrey	Stubbs	757	0093
David	Lovie	765	0113
Nestle UK		787	0135, 0136, 0137

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Kim	Irons	825	0175
Brian	Knibb	826	0178
Steve	Clarke	827	0179
Catherine	Heap	828	0180
Alison	Kelly	829	0181
Tim	Webber	834	0191, 0192
Louise	Oates	835	0193
South Derbyshire DC		836	0194, 0195, 0196, 0197, 0198
Marchington Parish Council		841	0204
Sheran	Fernie	842	0205
Matt	Green	843	0206
Sudbury Gasworks Restoration Trust		844	0207
Gillian	Prew	865	0229
Jane	Wynn	866	0230
Foston and Scropton Parish Council		867	0231
Christine	Curwen	878	0243
Egginton Parish Council		902	0268
Hanson		903	0269, 0270, 0271, 0272, 0273, 0274, 0275, 0276
Helen	Curtis	904	0277
Sudbury Parish Council		905	0278
Brice	Bozier	906	0279
Susan	Venables	931	0304
Mineral Products Association		938	0318, 0319
National Grid		939	0334, 0335
Tarmac		940	0342, 0343, 0344

Name		Name Ref. No.	Representation Ref. No.
National Highways		966	0389
Draycott in the Clay PC		967	0390
Tony	Beresford	968	0391
Victoria	Blackshaw	974	0401
Staffordshire County Council		1133	0569, 0570
Environment Agency		1137	0606, 0607, 0608, 0609, 0610
Erewash Borough Council		1143	0640
Lorraine Webber		1144	0645, 0646
Derbyshire Wildlife Trust		1145	0652
CPRE		1152	0724
Historic England		1158	0790
National Trust		1160	0935,0936,0937
Natural England		1161	0966
Kate	Kniveton	1167	0997

## Sand and Gravel Provision

**Representations** (*Mineral Products Association 938/0318, Tarmac 940/0342 & 0343*)

2.8.1 Consider that the LAA 2020 is deficient in its forecast of demand and consequently the demand figures presented in the draft Plan are also at fault. We would consider that the County Council needs to give more consideration to reducing the levels of imports that originate far beyond the normal distance for inter-boundary transport of sand and gravel on the basis that NPPF requires mineral planning authorities to plan for the supply of minerals indigenously. Considering our concerns about the inadequate demand forecast the figures identified in SP4 should be considered minimum requirements to ensure a positive approach to planning. Policy should be reworded.

2.8.2	Welcome the flexibility of Policy SP6 to allow sites outside allocated areas to come forward.
<b>Actions/Considerations</b>	
2.8.3	The role of a LAA is not to prepare a forecast of future demand in the same manner that we do for waste, but to use locally available information to determine if future demand might vary from historical sales averages. However, we have considered the most recent data and other information in reviewing the LAA and have concluded that the 10-year average figure should be used. This figure is a realistic and achievable one that will continue to be reviewed on an annual basis to ensure that it remains so.
2.8.4	It is not the role of the planning authority to dictate where the mineral is used and therefore how much mineral is imported into, and exported from, the Plan area. That is a matter for the markets. There are no indications that the demand for sand and gravel from the Plan area is under any significant pressure. We have considered cross border demands for sand and gravel in the LAA and our assessments indicate that we are making sufficient sand and gravel available to maintain a steady and adequate supply to meet identified needs. This will be kept under review and if any significant changes arise in this position these will be addressed.
2.8.5	Agree that the requirements in Policy SP4 should be referred to as minimum.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.8.6	To continue to use the 10-year average for calculating the figures for future provision and continuing the annual review to ensure that they remain accurate.
2.8.7	Policy SP4 to refer to the provision figures as minimum requirements

## Sand and Gravel Provision

<b>Representations</b> ( <i>Nestle 787/0137</i> )	
2.8.8	The assessment carried out by South Derbyshire Council shows that there is no demonstrable need for all the sites proposed to be allocated. The exclusion of one of sites from the proposed allocations would not undermine the ability to supply sufficient sand and gravel in Derbyshire.
<b>Actions/Considerations</b>	

2.8.9 SDDC is not the Mineral Planning Authority. Our detailed analysis of all the relevant data and issues has shown that these sites will all be required to maintain a steady and continuous supply of sand and gravel over the whole course of the Plan period. Our forecast modelling has shown that if the proposed sites do not come forward, there will be a shortfall in annual supply towards the end of the Plan period. It is important to note in this respect that Swarkestone North, one of the larger sites, will only start to come on stream later in the Plan period, which means the majority of the reserves from this site will not count towards provision in this Plan period.

#### Outcomes for Pre-Submission Draft Plan

2.8.10 No changes required.

### Sand and Gravel Provision

#### Representations (SDDC 836/0194)

2.8.11 The use of out-of-date average annual sales data to calculate the requirement for sand and gravel and as a consequence significantly overstating the extent of need for these resources over the remainder of the plan period and therefore the allocation of more sites than are needed to meet the need for sand and gravel over the plan period based upon a forecast using the most recent annual average sales data in accordance with the National Planning Policy Framework (NPPF).

#### Actions/Considerations

2.8.12 The information will be updated in the Pre-Submission Draft Plan to include the data from 2021 collected as part of the 2022 Aggregates Survey. It is important to note that one of the larger sites, Swarkestone North, will only begin to provide sand and gravel towards the end of the Plan period so most of its reserves (around 3.5mt) will not count towards the total figure in this Plan period. We also have to make provision to ensure that the annual requirement is met. This is not an exact science as a result of factors such as the unpredictability of the market for sand and gravel and other factors such as flooding. It is estimated that some years production may be higher than the annual provision figure which means that overall provision for the whole Plan period is likely to be higher than is shown by the total provision figure in the policy. This is however proposed as a minimum figure to take account of such factors.

#### Outcomes for Pre-Submission Draft Plan

2.8.13	Include the most recent information from the 2022 Aggregates Survey to inform the Plan.
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## Sand and Gravel Provision

<b>Representations</b> <i>(Staffordshire County Council 1133/0569)</i>
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2.8.14	The level of provision for sand and gravel under Policy SP4 is consistent with national policy although it is recommended that the requirement to maintain a landbank of at least seven years is copied from the reasoned justification into the policy.
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<b>Actions/Considerations</b>
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2.8.15	Agree.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.8.16	Include the reference to the minimum 7-year landbank in the policy.
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## Sand and Gravel Provision Allocations - Foston

<b>Representations</b> <i>(Paul Leedham 720/0021, Trevor Ball 722/0023, Bob Stewart 723/0024, Audrey Stubbs 757/0093, Brian Knibb 826/0178)</i>
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2.8.17	Concerned about the impact of increased HGV and other quarry traffic on the area, particularly Leathersley Lane, which is not considered to be of a sufficient standard to accommodate such traffic. It would need to be upgraded.
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<b>Actions/Considerations</b>
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2.8.18	The Highways Authority does not envisage any significant issues arising regarding the impact of the working of the site on the local highway network. There will be a requirement set out in the Plan for the operator to provide a Transport Assessment to consider these issues in detail should a planning application be submitted for the site and the relevant experts will be involved in the consideration of this assessment. If planning permission is granted, appropriate conditions would be attached to ensure that any adverse impacts which are identified are minimised.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.8.19	No change.
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## Sand and Gravel Provision Allocations - Foston

<b>Representations</b> ( <i>Nestle 787/0135</i> )	
2.8.20	There is no evidence of rigorous flood risk modelling or of an assessment of the potential for damaging impacts on the dam. In advance of more detailed work (including an appraisal undertaken by a Reservoir Panel Engineer) the allocation of this site is not appropriate.
<b>Actions/Considerations</b>	
2.8.21	The boundary of the site was amended to take account of concerns raised previously regarding the potential impact on the flood defence scheme. The Environment Agency has confirmed that it now has no objection to the allocation as defined by the updated red line boundary plan, subject to the submission of an appropriate assessment at the planning application stage (which has been reviewed by a Reservoir panel engineer) which considers both the impact on the operation of the reservoir, and separately on fluvial flood risk, resulting from any proposed extraction area.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.8.22	No change.

## Sand and Gravel Provision Allocations - Foston

<b>Representations</b> ( <i>Nigel Lee 718/0019</i> )	
2.8.23	The potential for the use of more sustainable modes of transport of mineral does not seem to have been considered.
<b>Actions/Considerations</b>	
2.8.24	The potential for more sustainable modes of transport has been considered for each site as set out in the site assessments. Currently, however, there are no economically realistic alternatives available at the sand and gravel sites.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.8.25	No change.

## Sand and Gravel Provision Allocations - Sudbury

<b>Representations</b> ( <i>Environment Agency 1137/0607, SDDC 836/0195</i> )	
2.8.26	The land, like that at Foston, lies in Flood Zone 3 where there is the highest probability of flooding. A detailed flood risk assessment (FRA) will need to be produced to ensure the development does not increase flood risk to others by impacting on the Lower Dove Flood Storage Scheme and suggest wording to include in the PPRs.
<b>Actions/Considerations</b>	
2.8.27	Sand and gravel extraction is a compatible development for a functional flood plain and it meets the tests of the National Planning Policy Framework.
2.8.28	The operations are unlikely to increase flood risk elsewhere because voids will be created to increase floodwater storage capacity. Overburden and stockpiled mineral will be stored outside the areas which are at highest risk of flooding.
2.8.29	The existing Sudbury and Foston flood defences including the flood defence embankment within the site would be unaffected. The operator would not propose to disturb them, nor extract mineral from beneath them. Whilst the EA flood defence engineering works may be included in the wider site allocation boundary, it is not the intention to include them within the extraction areas. The extraction boundaries would be defined in consultation with key stakeholders prior to and during the planning process.
2.8.30	Mineral extraction will be a minimum of 25m – or other distance agreed with the Environment Agency - from the flood defence embankment and other flood defence infrastructure and the River Dove. This is greater than the minimum standoff of 16m specified in the EA's flood risk activities permit guidance.
2.8.31	A site-specific flood risk assessment, a hydrological and hydrogeological assessment, and, if required, an assessment undertaken by a Reservoir Panel Engineer would be undertaken in accordance with current guidance at such time as a planning application is submitted for the site. This requirement will be set out in the Principal Planning Requirements at Appendix A.
<b>Outcomes for Pre-Submission Draft Plan</b>	



2.8.32 Revise the Principal Planning Requirements to include the suggested additions regarding flood risk assessments.

## Sand and Gravel Provision Allocations - Sudbury

### Representations *(Hanson 903/0273)*

2.8.33 Hanson has been required to undertake a preliminary flood risk assessment for the Foston site and formally confirm to the satisfaction of the EA that any working would not impact on the Scropton flood defences which lie outside the proposed allocated area. The Sudbury site appears to have been proposed as a draft allocation area although it actually includes the Sudbury flood defence embankment without any such comment or assessment of the risks to the flood defences. As such we query why the different approach and concern for this same issue for the two sites.

### Actions/Considerations

2.8.34 The Environment Agency considered the revised proposals for the Foston site and advised that it would remove its objection '*subject to the submission of an appropriate assessment at the planning application stage (which has been reviewed by a Reservoir panel engineer) which considers both the impact on the operation of the reservoir, and separately on fluvial flood risk, resulting from any proposed extraction area*'. The EA has also expressed concern about the flood defences on the Sudbury site and has taken a similar stance as it has taken to the Foston site, requesting that detailed assessments of flood risk are undertaken at planning application stage and that suggested amendments and additions are made to the Principal Planning Requirements in the Plan.

### Outcomes for Pre-Submission Draft Plan

2.8.35 Revise the Principal Planning Requirements to include the suggested additions regarding flood risk assessments.

## Sand and Gravel Provision Allocations - Sudbury

**Representations** *(Jane Ratcliffe 739/0049, Richard Crutchley 746/0080, Tim Webber 834/0191, Marchington Parish Council 841/0204, Sudbury Gasworks Restoration Trust 844/0207, Gillian Prew 865/0229, Foston and Scropton Parish Council 867/0231, Helen Curtis 904/0277, Brice Bozier 906/0279, Draycott in the*

*Clay PC 967/0390, Lorraine Webber 1144/645, Kate Kniveton 1167/0997, Derbyshire Wildlife Trust 1145/0652)*

2.8.36 Object to the allocation of this site on the grounds of an increase in traffic along unsuitable local roads, the need for improvements to Leathersley Lane, concern about the routing of lorries through villages of Scropton and Sudbury, impact on congestion at Sudbury roundabout, impact on the historic Aston Bridge, impact on cyclists and other users of Leathersley Lane. A traffic management plan would be essential to control quarry traffic. Also concern about whether the extraction would exacerbate flooding in the area, the impact of noise and dust on residential amenity, health, quality of life, impact on wildlife, loss of productive agricultural land, visual impact, impact on property values and businesses, impact on the historic village of Sudbury, what the restored site would look like. The location of the processing plant should be as far from residential properties as possible. The local wildlife site should be retained and used as a core feature of subsequent restoration of the site. Hanson has been required to undertake a preliminary flood risk assessment for the Foston site and formally confirm to the satisfaction of the EA that any working would not impact on the Scropton flood defences which lie outside the proposed allocated area. The Sudbury site appears to have been proposed as a draft allocation area although it actually includes the Sudbury flood defence embankment without any such comment or assessment of the risks to the flood defences. As such we query why the different approach and concern for this same issue for the two sites.

#### **Actions/Considerations**

2.8.37 Detailed assessments of the issues raised would be undertaken as part of the Environmental Impact Assessment should a planning application be submitted for the site.

2.8.38 The Highways Authority and Highways England have not raised concerns regarding the impact of traffic as a result of the proposal at this stage subject to a detailed transport assessment being undertaken at the planning application stage. A traffic management plan would be required should a planning application be approved for the proposal.

2.8.39 The mineral operator has indicated that the majority of the site would be returned to agricultural land. Existing topsoil would be stored and re used in the restoration of the site. Once the site is restored after 7-8 years, the site will be very similar to how it appears today.

2.8.40	The relatively short-term working of the site may have a short-term impact on the historic village of Sudbury, but it is considered to be a sufficient distance from most of the properties in the village for any impact to be minimal. Initial assessments have been undertaken of the heritage features in the area which have not flagged up any issues that cannot be mitigated. More detailed assessments would be undertaken should a planning application be considered for the site.
2.8.41	Flooding issues are covered in the response to the previous representation above.
2.8.42	The proposed location of the processing plant has been chosen because of its proximity to the main road network, but this has not been finalised and is still a matter for discussion.  Loss of property value and compensation is not a matter which can be addressed through the planning process.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.8.43	No changes required.

## Sand and Gravel Provision Allocations – Sudbury and Foston

<b>Representations</b> ( <i>National Trust 1160/0937</i> )	
2.8.44	These two sites are effectively one large site and as such it would be more effective to plan for their development in an integrated way in terms of infrastructure, working and restoration of the sites. Opportunities to utilise a single site vehicular access point while also combining any required plant/machinery should be explored, as well as any potential for a rail head linking with the railway to the south, to minimise traffic and environmental impacts associated with haulage. The location of plant and infrastructure should also take account of the need to minimise landscape, visual, heritage and other impacts.
<b>Actions/Considerations</b>	
2.8.45	The two sites have been suggested and promoted by separate operators and it is beyond the Council's control to affect this. Through the Trent Valley Restoration Strategy however, operators are encouraged to consider the restoration of the sites taking account of the wider context of the valley.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.8.46	No change required.

## Sand and Gravel Provision Allocations – Sudbury and Foston

**Representations** (*William Hudson 701/0001, East Staffordshire BC 706/0006, Frances Flaherty 724/0025, Sue Creeth 752/0088, AR Creeth 753/0089, Kim Irons 825/0175, Sheran Fernie 842/0205, Christine Curwen 878/0243, Egginton Parish Council 902/0268, Tony Beresford 968/0391, Victoria Blackshaw 974/0401, Staffordshire County Council 1133/0570, CPRE 1152/0724*)

2.8.47 Concern is expressed about the overall scale of impact of the sites, impact on residential amenity, the unsuitability of local roads to cope with increased HGV traffic, junction capacity particularly the A50 roundabout and the access on to the A515. It is suggested that quarry traffic should use the A50 and then A38 rather than the A515, given that there are weight restricted traffic regulation orders on the A515. Further issues raised are the safety of cycle users on Leathersley Lane, noise, dust, lighting, visual impact, loss of productive agricultural land, impact on a tranquil landscape, local heritage and archaeology, impact on wildlife and biodiversity, restoration of the sites and impact on property values. An increase in flood risk as a result of the development of the sites is a significant concern and given the EA has objected, it is surprising that the sites are still proposed as allocations.

### **Actions/Considerations**

2.8.48 Our assessments have considered the issues raised and have shown that the sites named as Foston and Sudbury could, on balance, provide some sand and gravel. There are always likely to be some negative impacts as a result of quarrying, but a full and comprehensive assessment of all issues raised would be undertaken as part of an Environmental Impact Assessment should a planning application be submitted for the sites and planning conditions would be put in place to ensure that schemes are designed which help to mitigate any adverse impacts. Quarries are also monitored regularly by our enforcement officers to ensure these conditions are being complied with and if any issues are arising, action will be taken to deal with these.

2.8.49 The Environment Agency has stated that it would remove its objection to the sites provided a full flood risk assessment is undertaken at the planning application stage. Flood Risk Assessments are undertaken as a matter of course for such developments as part of an EIA when a planning application is submitted.

## Outcomes for Pre-Submission Draft Plan

2.8.50 Continue to propose the sites as allocations in the Plan.

## Sand and Gravel Provision Allocations – Elvaston

**Representations** *Representations (Richard Chambers 704/0004, Ben Shepperd 729/0037, Sheralyn 730/0038, Elly 731/0039, Tom Ford 732/0040, Rowan Morgan 734/0042, Huw Morgan 735/0043, Claire Hattersley 736/0044, Lisa Davis 737/0045, Stacy Yorke 743/0077, Graham Edge 744/0078, Angela Cobb 745/0079, Heather Moore 747/0081, Matt Green 843/0206, Jane Wynn 866/0230, Susan Venables 931/0304, Environment Agency 1137/0610)*

- 2.8.51 Object to the allocation of this site for the following reasons:
- 1) Noise, air pollution and dust from the workings and lorries.
  - 2) Visual impact.
  - 3) The effect of removing the natural sponge from the flood plain in an area that is historically prone to severe flooding.
  - 4) Impact on wildlife
  - 5) Increased congestion on roads in the area, unsuited to increased HGV traffic.
  - 6) Greatly increased danger for the very many cyclists and walkers who use the roads and paths in the area, many of whom start their trip at Elvaston Castle, a leisure facility.
  - 7) Detrimental impact on an attractive area which is used by many for cycling as well as for rambling, dog-walking, fishing, bird-watching and other natural benefits that residents and visitors currently enjoy.
  - 8) A loss of historic landscape features, in an area adjoining Elvaston Castle, that is composed, at least partly, of an attractive field pattern that has been largely unimproved since enclosure.
  - 9) The impact on Elvaston Castle which is due to be restored by the County Council and visitors' impression of it.
  - 10) An adverse effect on local businesses and property prices.
  - 11) Cumulative impact of quarrying in the area.

## Actions/Considerations

2.8.52 The Councils appreciate these concerns regarding the site. This site was assessed along with all others that were put forward, using the agreed

site assessment methodology. It was found, on balance, to have potential to be worked for mineral extraction. There will always be some negative impacts of mineral extraction, but it is considered that any adverse impacts of the extraction at this site could be mitigated to a satisfactory level. The Principal Planning Requirements set out for this site stipulate that stand-off areas, where mineral working will not be permitted, will be required to help ensure the protection of the setting of Elvaston Castle. The issues raised would also be considered as part of an Environmental Impact Assessment should a planning application be submitted for the site and this may raise issues which may require mitigation.

**Outcomes for Pre-Submission Draft Plan**

2.8.53 Continue to propose this site as an allocation in the Plan. Amend Principal Planning Requirements to ensure greater recognition of historic assets and issues regarding flooding.

**Sand and Gravel Provision Allocations – Elvaston**

**Representations** (*Environment Agency 1137/0610*)

2.8.54 Request that the following wording is also included within the principal planning requirements for the site:

A detailed flood risk assessment (FRA) to be provided showing how, through all development phases (Construction, Operation and Restoration), that there will be no increase in flood risk to the site and to others. Opportunities to provide betterment in flood risk, and other environmental enhancements at the restoration stage, should be explored.

**Actions/Considerations**

2.8.55 This wording will be included in the re-drafted Principal Planning Requirements for the site.

**Outcomes for Pre-Submission Draft Plan**

2.8.56 Amend PPRs to include this wording.

## Sand and Gravel Provision Allocations – Swarkestone South

<b>Representations</b> ( <i>National Grid 939/0335</i> )	
2.8.57	Without appropriate acknowledgement of the National Grid assets present within the site, these policies should not be considered effective as they cannot be delivered as proposed; unencumbered by the constraints posed by the presence of National Grid infrastructure.
<b>Actions/Considerations</b>	
2.8.58	The Principal Planning Requirements for this site will include reference to the National Grid infrastructure and the need for the applicant to discuss this with them.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.8.59	Include a new paragraph in the PPRs to refer to National Grid assets on this proposed site.

## Sand and Gravel Provision Allocations – Swarkestone South

<b>Representations</b> ( <i>Environment Agency 1137/0609</i> )	
2.8.60	Request that the following wording is also included within the principal planning requirements for the site:  A detailed flood risk assessment (FRA) to be provided showing how, through all development phases (Construction, Operation and Restoration), that there will be no increase in flood risk to the site and to others. Opportunities to provide betterment in flood risk, and other environmental enhancements at the restoration stage, should be explored.
<b>Actions/Considerations</b>	
2.8.61	This wording will be included in the re-drafted Principal Planning Requirements for the site.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.8.62	Amend PPRs to include this wording.

## Sand and Gravel Provision Allocations – Swarkestone North

<b>Representations</b> ( <i>David Lovie 765/0113, Catherine Heap 828/0180</i> )	
2.8.63	The proposal has the extraction line a matter of yards away from our homes. This is unacceptable. Had been assured that a stand-off would

be provided to protect the amenity of properties and the ancient monument. The noise and dust would be totally unacceptable. Would homeowners be compensated for loss of value? This piece of land floods regularly and the situation is unlikely to improve with the new proposal. We accept there is going to be some level of gravel extraction in this area, but to attempt to sneak changes through without a full and proper consultation and discussion on compensation is totally unacceptable.

**Actions/Considerations**

2.8.64 The boundary of this site is the same as was negotiated with the mineral operator in 2011 as a result of concerns expressed by local people at that time. It is likely that the operator would provide a stand-off between the working area and residential properties to protect residential amenity further and soil bunds would be put in place to help reduce noise and visual impact. Operators of sand and gravel workings are used to working in areas that flood because sand and gravel exists naturally most often in flood plains. They take advice from the Environment Agency in this respect and conditions would be attached to a planning consent to help ensure that the issue of flooding is managed properly and that the impacts of flooding are at least not increased by the extraction of sand and gravel. Impact of development on property values is not a planning consideration.

**Outcomes for Pre-Submission Draft Plan**

2.8.65 Continue to propose the site for allocation in the MLP

**Sand and Gravel Provision Allocations – Swarkestone North**

**Representations** *(Steve Clarke 827/0179, Alison Kelly 829/0181)*

2.8.66 The development of a sand and gravel quarry may increase the risk of flooding. Are there plans for a full flood risk assessment? Are there plans for reconstruction and reinforcing of the water courses to move the water quickly and efficiently from the onto the agricultural flood plain. With the apparent lack of infill material, are we to live surrounded by water following the cessation of workings? Impact of HGVs on properties and the amenity in general. Many of the HGVs travel in a westerly direction towards Willington. The noise and dust would also be unacceptable. The loss of countryside and wildlife would be unacceptable. Assume that the excavation of gravel will reduce the values of all properties in the area significantly.



### **Actions/Considerations**

2.8.67 These issues have been considered in our assessment of the site. No issues have been identified which would rule the site out of being considered as a potential allocation for sand and gravel extraction. All issues raised would again be considered in detail as part of an Environmental Impact Assessment, which would be prepared in the event of a planning application being submitted for the site. Should any issues be identified that may cause an unacceptable adverse impact, mitigation measures, enforced through planning conditions, would be proposed to minimise these impacts. The impact of development on property values is not a planning consideration.

### **Outcomes for Pre-Submission Draft Plan**

2.8.68 Continue to propose the site for allocation in the MLP

## **Sand and Gravel Provision Allocations – Swarkestone North**

### **Representations** (*National Grid 939/0334*)

2.8.69 Without appropriate acknowledgement of the National Grid assets present within the site, these policies should not be considered effective as they cannot be delivered as proposed; unencumbered by the constraints posed by the presence of National Grid infrastructure.

### **Actions/Considerations**

2.8.70 The Principal Planning Requirements for this site will include reference to the National Grid infrastructure and the need for the applicant to discuss this with them.

### **Outcomes for Pre-Submission Draft Plan**

2.8.71 Include a new paragraph in the PPRs to refer to National Grid assets on this proposed site.

## **Sand and Gravel Provision Allocations – Swarkestone North**

### **Representations** (*Environment Agency 1137/0608*)

2.8.72 Request that the following wording is also included within the principal planning requirements for the site:  
  
A detailed flood risk assessment (FRA) to be provided showing how, through all development phases (Construction, Operation and Restoration), that there will be no increase in flood risk to the site and to

	others. Opportunities to provide betterment in flood risk, and other environmental enhancements at the restoration stage, should be explored.
<b>Actions/Considerations</b>	
2.8.73	This wording will be included in the re-drafted Principal Planning Requirements for the site.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.8.74	Amend PPRs to include this wording.

## Sand and Gravel Provision Allocations – Twyford

<b>Representations</b> ( <i>Cemex 717/0017</i> )	
2.8.75	Whilst Cemex is disappointed that the Twyford site is not included within the emerging Minerals Local Plan for future working, we would welcome further discussions with the Council should other sites not materialise as anticipated and/or there is evidence to suggest that there is an expected shortfall in the supply of sand and gravel over the Plan period.
<b>Actions/Considerations</b>	
2.8.76	Noted. The Council's assessment of the site concluded that there are a number of negative environmental and social factors which meant that the site did not score as highly as other sites. These other sites were, therefore, found to have greater potential for working at the current time. Policy SP6 provides some flexibility should allocated sites not come forward as expected or for whatever other reason, a shortfall arises in the supply of sand and gravel over the Plan period.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.8.77	No changes required.

## Sand and Gravel Site Assessments

<b>Representations</b> ( <i>Lorraine Webber 1144/0646</i> )	
2.8.78	The document suggests that the proposed site of extraction and processing plant are on a site screened by trees. This is factually incorrect as, on the Northern and Western borders (Leathersley Lane and the A515), there are only low hedges separating the site from the surrounding area. This means that the visual impact of the extraction site and, in particular, the processing plant will be considerable for both

visitors to Sudbury Hall and the residents in the village of Sudbury, with those living at Dovebank the worst affected.
<b>Actions/Considerations</b>
2.8.79 Agree. The assessment has been amended to reflect this comment.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.8.80 Amend the site assessment for Sudbury.

## Sand and Gravel Site Assessments Methodology

<b>Representations</b> ( <i>Hanson 903/0270</i> )
2.8.81 Our misgivings on aspects of the site assessment methodology remain e.g., we reiterate our previous comments that working in the flood plain is incorrectly considered prejudicial, assumptions are made about what development schemes may include and the effects therefrom, and the value of restored habitats is underplayed.
<b>Actions/Considerations</b>
2.8.82 The methodology has been agreed through a number of consultations and the criteria used are consistent for all sites.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.8.83 No change.

## 2.9 Chapter 6.3 - Aggregate Crushed Rock

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
Central Bedfordshire Council	707	0007
Cemex	864	0227, 0228
Mineral Products Association	938	0320, 0321
Tarmac	940	0345, 0346, 0347
Historic England	1158	0791
Peak District National Park Authority	1159	0875, 0876

### The Supply of Aggregate Crushed Rock

<b>Representations</b> ( <i>Cemex 864/0227, 0228</i> )	
2.9.1	Cemex has acquired land to the east of Dove Holes Quarry and will be investigating the possibility of this being integrated into the quarry in the next 5 years for 30mt of aggregate crushed rock. To this end, we request that reference to sustainability is included in the accompanying policy to the supporting text reference SP7. Support the wording contained in paragraph 6.3.14 but would also request an expansion of the wording to include reference to sustainability.
<b>Actions/Considerations</b>	
2.9.2	Agree to include reference to sustainability in these parts of the Plan.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.9.3	Amend text to include reference to sustainability in the policy and supporting text.

### The Supply of Aggregate Crushed Rock

<b>Representations</b> ( <i>Mineral Products Association 938/0320</i> )	
2.9.4	Consider that the approach referred to in paragraph 6.3.12 to support an unsound approach from the PDNP is itself unsound. With the PDNP Plan being considerably out of date, little if any weight should be given to it. In default of that the NPPF has no such policy of 'managed retreat' of

	aggregate production with areas of designation. There are policies with NPPF to deal with major development within such areas.
<b>Actions/Considerations</b>	
2.9.5	This issue is considered in detail in Section 6.4 below.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.9.6	No changes required to the crushed rock chapter but Chapter 6.4 on reducing quarrying in the PDNP will be altered to reflect the position explained above.

## The Supply of Aggregate Crushed Rock

<b>Representations</b> ( <i>Tarmac 940/ 0345</i> )	
2.9.7	The supply section should identify the quantity of permitted reserves which are contained within the 13 active operations and how that reflects the operational/available landbank. Reference is made (para 6.3.11) to the LAA, ‘setting an annual provision figure’. This isn’t the role of the LAA.
<b>Actions/Considerations</b>	
2.9.8	Paragraph 6.3.11 will be altered to address this comment. Amend to “proposing an annual provision figure”.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.9.9	Alter text to address the comment.

## The Supply of Aggregate Crushed Rock

<b>Representations</b> ( <i>Tarmac 940/ 0346</i> )	
2.9.10	The Plan should make reference to now dated legislation restricting the end date of permissions to 2042 and the need for an update to provide assurances to operators that existing permitted reserves are secured beyond that date.
<b>Actions/Considerations</b>	
2.9.11	The Introduction to the Plan will address this issue.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.9.12	Include new text in the Introduction.

## The Supply of Aggregate Crushed Rock

<b>Representations</b> ( <i>Tarmac 940/ 0347</i> )	
2.9.13	Policy SP7 should be amended to increase flexibility as per the approach to sand and gravel reserves. The tonnages expressed should be minimum figures and there should be flexibility built in to allow applications to sustain or increase available reserves or those production figures to maintain supply.
<b>Actions/Considerations</b>	
2.9.14	Given the scale of the landbank for aggregate crushed rock, the issues are quite different to those for sand and gravel. The policy already includes flexibility by setting out that new proposals would be supported where certain criteria are met. Agree that the figures can be referred to as minimum tonnages.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.9.15	Alter Policy SP7 to refer to minimum tonnages.

## The Supply of Aggregate Crushed Rock

<b>Representations</b> ( <i>Historic England 1158/0791</i> )	
2.9.16	What benefits is the Policy SP7 text referring to in clause 2? How will a planning application be judged against this criteria?
<b>Actions/Considerations</b>	
2.9.17	The benefits are explained in the reasoned justification at Paragraph 6.3.15. The applicant will have to set out what benefits would arise from a proposal and they will be considered along with all other issues should a planning application be submitted to the Council
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.9.18	No changes required.

## The Supply of Aggregate Crushed Rock

<b>Representations</b> ( <i>Peak District National Park Authority 1159/0875, 0876</i> )	
2.9.19	The figures should be updated to be in accordance with those in the most recent LAA.
<b>Actions/Considerations</b>	

2.9.20 The figures will be updated with the most recent 2021 data, as included in the 2022 LAA.

**Outcomes for Pre-Submission Draft Plan**

2.9.21 Update figures with 2021 data.

## 2.10 Chapter 6.4 - Helping to Reduce the Supply of Aggregates from the Peak District National Park

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
Mineral Products Association	938	0332,0323
Tarmac	940	0348
Peak District National Park Authority	1159	0878,0879
National Trust	1160	0938

### Helping to Reduce the Supply of Aggregates from the Peak District National Park

<b>Representations</b> ( <i>Mineral Products Association 938/0322,0323; Tarmac 940/0348</i> )	
2.10.1	<p>Policy SP8 is unsound and should be deleted in full. The assertion that Minerals Policy 1 of the PDNP Core Strategy is in accordance with the NPPF is wrong. It is out of date and little if any weight should be given to it. Nowhere in NPPF is there a policy of 'managed retreat' for aggregate minerals within areas of designation which in effect Minerals Policy 1 is. Ultimately minerals can only be worked they exist. The mineral planning authority cannot explicitly support an unsound approach from another authority.</p> <p>There are numerous circumstances, and policy exceptions criteria where development may be acceptable, and this is not clearly reflected in policy. There should be added emphasis/recognition on the fact minerals can only be worked where they are found.</p>
<b>Actions/Considerations</b>	
2.10.2	<p>The mineral planning authority recognises that the NPPF does not advocate a managed retreat of mineral production from designated areas such as National Parks. We are supporting an approach by the PDNP to help protect the important qualities of the National Park, by which it will only permit new proposals for mineral extraction in exceptional circumstances. The Councils agree that the approach needs to be explained more clearly in the supporting text than it is currently and framed more in the context of the protection of the important landscape of</p>



the National Park and the maintenance of landbanks outside National Parks as set out in the NPPF.

An approach (as set out in the PDNP Core Strategy) which does not permit new mineral development other than in exceptional circumstances, is considered to be in accordance with the NPPF as it is helping to achieve a fundamental aim of the NPPF of protecting the nationally protected landscape. Also, by DCC helping to meet the displaced mineral production in areas outside the National Park, this is helping to meet the aspect of the NPPF specific to minerals in this respect i.e., to maintain landbanks of non-energy minerals outside National Parks.

It is acknowledged that this does require the supporting text of Chapter 6.4 to be reworded as it currently gives the incorrect impression that the NPPF seeks explicitly to reduce quarrying in the National Parks. The text will therefore be amended in the context of the NPPF giving great weight to conserving and enhancing the landscape and beauty of National Parks and helping to achieve this through maintaining landbanks of non-energy mineral landbanks as far as practical outside National Parks. The Plan supports this approach by compensating for a continued planned reduction in quarrying in the PDNP through a progressive increase in the provision figure for aggregate crushed rock in Derbyshire, as set out in the joint LAA. This does not mean that there will be a complete cessation of quarrying in the Peak Park, with the PDNP Core Strategy setting out that proposals for new or extended quarries for crushed rock will be considered in exceptional circumstances.

**Outcomes for Pre-Submission Draft Plan**

2.10.3 Alter the text to clarify the issue as set out above.

**Helping to Reduce the Supply of Aggregates from the Peak District National Park**

**Representations** (*Peak District National Park Authority 1159/0878, National Trust 1160/0938*)

2.10.4 Support this approach.

**Actions/Considerations**

2.10.5 Noted.

**Outcomes for Pre-Submission Draft Plan**

2.10.6 No change

## Helping to Reduce the Supply of Aggregates from the Peak District National Park

<b>Representations</b> ( <i>Peak District National Park Authority 1159/0879</i> )
2.10.7 Remove reference to Fluorspar.
<b>Actions/Considerations</b>
2.10.8 Agree to remove.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.10.9 Remove reference to Fluorspar.

## 2.11 Chapter 7.1 - Supply of Building Stone

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
Darley Hillside Residents Association	721	0022
Mineral Products Association	938	0324
North East Derbyshire DC	972	0395
CPRE	1152	0725,0726
Historic England	1158	0792,0793,0794,0795
Peak District National Park	1159	0880
National Trust	1160	0939

### The Supply of Building Stone

<b>Representations</b> ( <i>Darley Hillside Residents Association 721/0022</i> )	
2.11.1	<p>Criterion 3 needs to be strengthened to protect the landscape and the national park. Mitigation in this criterion needs to be defined. Criteria 2 should include the additional wording of “and there is a quantifiable economic benefit to the residents of Derbyshire”. A criterion should be added that building stone should only be for building developments in Derbyshire or for the repair and restoration of historic buildings elsewhere in the UK. It is highly recommended that a criterion is added that any proposals meet all the current UK health standards. The criteria need to include that the local infrastructure can support any proposals. There is nothing at all in the Building Stone chapter or in the Building Stone Background paper about the control of building stone processing.</p>
<b>Actions/Considerations</b>	
2.11.2	<p>Most of the suggestions are addressed by the development management (DM) policies. All policies in the Plan which are relevant to a particular proposal will be used in the determination of a planning application for the proposal. The NPPF requires Local Plans to be succinct and to avoid unnecessary duplication of information. Criteria from the DM policies should therefore not be duplicated in the specific mineral provision policies.</p>

A new criterion 2 has been added to Policy SP9, which reflects the suggested wording about where the stone should be used.	
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.11.3	Amend Policy SP9 to address the suggestions as appropriate, with the remainder being addressed by Development Management policies

## The Supply of Building Stone

<b>Representations</b> ( <i>Mineral Products Association 938/0324</i> )	
2.11.4	Parts 2 and 3 of this policy are unnecessary and too restrictive and should be deleted.
<b>Actions/Considerations</b>	
2.11.5	Agree. These two criteria have been replaced with more appropriate less restrictive criteria, which more closely reflect NPPF policy
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.11.6	Reword/replace Criteria 2 and 3.

## The Supply of Building Stone

<b>Representations</b> ( <i>CPRE 1152/0725</i> )	
2.11.7	Suggest further amendment to this policy and its justification as follows: '1) extraction will be restricted to building stone, rather than for aggregate (unless strongly justified); and '3) The scale of the proposal is such that any adverse social and environmental impacts will be minimised.'
<b>Actions/Considerations</b>	
2.11.8	Consider that the suggested wording for criteria 1 is unduly restrictive and would not reflect the overall approach of NPPF. The suggested rewording of Criteria 3 would be inappropriate as it would duplicate criteria in development management policies.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.11.9	No changes in respect of the suggestions.

## The Supply of Building Stone

<b>Representations</b> ( <i>CPRE 1152/0726</i> )
2.11.10 Amend sentence 1 of para 7.10 as follows: ‘there will be a certain amount of by-product stone which is not suitable for this purpose and which, if justified, may be sold for aggregate or is deemed...’.
<b>Actions/Considerations</b>
2.11.11 Agree that this wording would be more suitable and more concise.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.11.12 Alter wording of what is now paragraph 7.1.8 in accordance with the suggested change.

## The Supply of Building Stone

<b>Representations</b> ( <i>Historic England 1158/0793</i> )
2.11.13 We are unclear as to the context of paragraph 7.1.5 and how this relates to the provision of building stone within the Plan period.
<b>Actions/Considerations</b>
2.11.14 Agree that the context of this paragraph could be made clearer. The text has been amended so that it relates to the provision of building stone.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.11.15 Amend what is now paragraph 7.1.7 to address comment.

## The Supply of Building Stone

<b>Representations</b> ( <i>Peak District National Park Authority 1159/0880</i> )
2.11.16 Strongly recommend some additional criteria along the lines of:  “4) The building stone would predominantly and demonstrably meet a local need to preserve the special vernacular characteristics, cultural heritage and distinctness of the built environment and/or to preserve nationally important buildings and structures”.
<b>Actions/Considerations</b>
2.11.17 Agree that a criteria similar to this should be included. A new criteria 2 has therefore been added to Policy SP9 which reflects the suggested criteria.
<b>Outcomes for Pre-Submission Draft Plan</b>

2.11.18 Include a new criteria 2 for Policy SP9.

### Supporting comments

**Representations** (*North East Derbyshire DC 972/0395, Historic England 1158/793,0794, 0795, National Trust 1160/0939*)

2.11.19 Support Policy SP9 which will help to support the sourcing of appropriate stone for repairs to historic buildings

### Actions/Considerations

2.11.20 Noted

## 2.12 Chapter 7.2 - Industrial Limestone and Cement

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
L'Anson Bros Ltd	705	0005
Lloyds Animal Feeds	708	0008
F H Nash Ltd	709	0009
Trouw Nutrition GB	710	0010
Fridays Ltd	711	0011
The Millboard Company Ltd	712	0012
Mars Horsecare UK Ltd	713	0013
2 Sisters Food Group	714	0014
Mineral Products Association	938	0325
Tarmac	940	0349, 0350, 0351, 0352
Longcliffe Quarries Ltd	973	0399, 0400
Guardian Industries UK Ltd	1111	0547
Staffordshire County Council	1133	0571
Nottinghamshire County Council	1135	0577
Environment Agency	1137	0596
Steetley Dolomite Ltd (Lhoist)	1138	0612
Transition Chesterfield	1139	0623
CPRE	1152	0727,0728, 0729
Sustainable Hayfield	1155	0773
Historic England	1158	0796, 0797, 0798
PDNPA	1159	0881, 0882, 0883, 0884, 0885, 0886
L'Anson Bros Ltd	705	0005
Lloyds Animal Feeds	708	0008
F H Nash Ltd	709	0009
Trouw Nutrition GB	710	0010
Fridays Ltd	711	0011
The Millboard Company Ltd	712	0012
Mars Horsecare UK Ltd	713	0013

Name	Name Ref. No.	Representation Ref. No.
2 Sisters Food Group	714	0014
Mineral Products Association	938	0325
Tarmac	940	0349, 0350, 0351, 0352
Longcliffe Quarries Ltd	973	0399, 0400
Guardian Industries UK Ltd	1111	0547
Staffordshire County Council	1133	0571
Nottinghamshire County Council	1135	0577
Environment Agency	1137	0596
Steetley Dolomite Ltd (Lhoist)	1138	0612
Transition Chesterfield	1139	0623
CPRE	1152	0727,0728, 0729
Sustainable Hayfield	1155	0773
Historic England	1158	0796, 0797, 0798
PDNPA	1159	0881, 0882, 0883, 0884, 0885, 0886
L'Anson Bros Ltd	705	0005
Lloyds Animal Feeds	708	0008
F H Nash Ltd	709	0009
Trouw Nutrition GB	710	0010
Fridays Ltd	711	0011

## Industrial Limestone Reserves

### Representations *(Tarmac 940/0349)*

2.12.1 Whilst it is accepted there are commercial confidentiality issues with identifying a site by site split, consideration of industrial limestone supply and the potential need to calculate and maintain separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market should be given consideration (NPPF para 213 including footnotes). This also applies to distinction between Carboniferous and Permian limestone reserves. Derbyshire is recognised as being one of only a few areas containing reserves that contributes to national supply (paragraph 7.2.4). Total permitted reserves of 174 million tonnes of industrial limestone (from both operational and non-operational



sites), numerically is significant but that doesn't reflect those active sites that contribute on larger scale to industrial markets. Nor is emphasis placed on the significance of the quantity of industrial grade limestone situated in the PDNP (4.1mt of the total 6.7mt of permitted industrial limestone reserves).

**Actions/Considerations**

2.12.2 Paragraph 7.2.6 provides an indication of the total permitted reserves of industrial limestone in the Plan area and paragraph 7.2.13 gives an indication of the theoretical landbank. Confidentially issues prevent separate reserve figures from being provided for the Carboniferous and Permian Limestone which contains only one site. The theoretical landbank is provided for information purposes only. The Plan recognises the importance of Derbyshire in supplying a national need for industrial limestone and this is reflected in Policy SP10 which enables the supply of industrial limestone to be maintained to meet its use in industrial and manufacturing processes subject to meeting the detailed criterion which are specific to the mineral proposed for extraction.

**Outcomes for Pre-Submission Draft Plan**

2.12.3 No change.

**Industrial Limestone Reserves – Whitwell Quarry**

**Representations** (*Steetley Dolomite Ltd (Lhoist) 1138/0612*)

2.12.4 It would be helpful if the Plan indicated that permitted industrial reserves at Whitwell Quarry will not be sufficient to last until the end of the Plan period and that Steetley Dolomite Ltd ( Lhoist) is actively seeking additional reserves to maintain the supply of material to Whitwell Works. Whitwell Quarry was established in the 1950s and has received a number of planning permissions for extensions over the years. The most recent permission, granted in 2018, is expected to be the last extension. Although the permission allows operations (including restoration) to continue until 2043, reserves of kiln grade mineral are limited. Steetley Dolomite estimates that, assuming current levels of demand continue, existing kiln grade reserves are sufficient for only a further 6.8 years. On this basis the supplies to the kiln would run out in late 2028.

**Actions/Considerations**

2.12.5 Agree.

### Outcomes for Pre-Submission Draft Plan

2.12.6 Paragraph 7.2.1.4 has been amended accordingly.

## Future Requirements

### Representations *(Tarmac 940/0350)*

2.12.7 There is an assumption at paragraph 7.2.12 of the Draft Plan that national trends are indicating that production is not expected to increase. Whilst there are reserves available to go beyond the end of the Plan period, Tunstead, Hillhead and Hindlow like the majority of crushed rock sites within Derbyshire are time limited and effectively sterilized by their 2042 permission end date. Appendix B (mineral sites in the Plan area) should provide some commentary to indicate that it is likely that the principle of working these permitted reserves will continue to be acceptable beyond these permission end dates. Paragraph 7.2.12 of the Draft Plan identifies that in some circumstances it is important to consider individual sites and how they will continue to contribute to supply. An extension is allocated at Aldwark/Brassington Moor to maintain supply over the Plan period. It is considered that reference to the principle of working for other sites with significant reserves beyond the end of the Plan period would provide some clarity and assurance to operators to ensure sites come forward to maintain supply.

### Actions/Considerations

2.12.8 Agree that the Plan should include reference to the 2042 end date for mineral permissions.

### Outcomes for Pre-Submission Draft Plan

2.12.9 Chapter 11 at paragraphs 11.2.6 and 11.2.7 includes a section on transitioning to 2042 and beyond. The chapter explains that the 2042 end date presents a number of challenges for the MPA and mineral operators, in terms of certainty of continuity of supply as well as managing long-term working and restoration requirements through the ROMP process. At the current time no guidance has been produced by government about how to approach the 2042 deadline or regarding any potential legislative changes. It is therefore proposed that this issue will be annually reviewed post-adoption of the Plan with the potential for further guidance to be produced at that time. In the meantime, operators are encouraged to enter into discussions with the MPA regarding the long-term plans for their sites at the earliest opportunity

## Policy SP10 Supply of Industrial Limestone

### Representations (PDNPA 1159/0881)

2.12.10 This policy appears to be openly worded in terms of and with no reference to locational acceptability and constraints in relation to where proposals for industrial limestone will be supported. This Authority would be concerned at any proposals that directly adversely impacts the setting of the National Park. Anything that mitigates against the visual integrity of a National Park or its setting should be avoided or mitigated. Also, in terms of being openly worded, it is plausible that the policy as written will be used to justify new or extended sites to meet the operational and economic interests of individual site operators, irrespective of any existing availability and maintenance of an appropriate regional landbank of industrial stone (per the NPPF) to ensure adequate provision to support its likely use in industrial and manufacturing processes, resulting in unnecessary land-take and surplus supplies to the detriment of the natural environment and amenity.

### Representations (PDNPA 1159/0882)

2.12.11 Should the policy be adopted I would suggest delete the words “Where appropriate” in relation to Section 106 Agreements which must surely in every case be appropriate and essential to control the use of industrial limestone for industrial purposes.

### Actions/Considerations

2.12.12 Paragraph 4.8 of the Plan sets out that ALL POLICES OF THE PLAN AND THEIR CRITERIA WILL APPLY WHERE RELEVANT and therefore the Plan should be read as a whole, taking into account the scale, nature location and type of development proposed. Policy SP10 is purely about the supply of industrial limestone, other polices of the Plan but particularly Policy SP1 Sustainable Minerals Development and the Development Management Polices at Chapter 11 will ensure the protection of the PDNP and its setting.

The NPPF requires the supply of aggregate minerals not industrial minerals to be maintained through the provision of landbanks because on the whole aggregate minerals supply similar markets which is not the case with industrial minerals. The NPPF requires their provision to be maintained having regard to the particular properties of the mineral and the stocks of permitted reserves required to support investment in new or existing plant as required by Policy SP10. Additionally, Policy SP1 which

applies to all minerals requires that they are justified in that location taking into account the need for the specific mineral. Co-operation with adjoining authorities, as required by the NPPF, to enable the supply of industrial minerals is particularly important where there are cross border issues relating to their supply, for example, the possibility of a new quarry to supply Whitwell Works in Derbyshire being located in Nottinghamshire.

The need to use planning obligations to require the use of industrial mineral for industrial purposes is not required in principle because in general industrial minerals are of greater economic value than aggregate minerals and will be used for that purpose accordingly. There are particular circumstances where the MPA consider it is important to control the use of the mineral for example in the case of Whitwell Quarry where the industrial mineral is legally bound for use in the adjoining Whitwell Works. The MPA will consider the need for planning obligations to be used to control the use of the industrial mineral on a case-by-case basis.

**Outcomes for Pre-Submission Draft Plan**

2.12.13 No change

**Policy SP10 Industrial Limestone**

**Representations** (CPRE 1152/0727)

2.12.14 We have concerns here that the policy could result in oversupply of stone and that individual sites could cause unnecessary amenity and environmental effects when supply could be more sustainably met from elsewhere. To combat this, we propose the following amendments: '2) the stock of overall permitted reserves ('landbank') can be shown to have fallen below...'. This protects against individual sites demonstrating scarcity/exhaustion of particular grade/purity stone as a sole justification for further working, when alternative supply exists locally, albeit from a different operator.

Also amend the final sentence to 'Normally the MPA will seek to enter into Section 106...'; if a site is justified for extraction on the grounds of being a 'very important 'industrial' mineral' (para. 7.2.3) then its use for ubiquitous ends should be curtailed, especially given the huge landbank of (limestone) aggregate across the County.

**Actions/Considerations**

2.12.15 The NPPF requires the supply of aggregate minerals not industrial minerals to be maintained through the provision of landbanks because on

the whole aggregate minerals supply similar markets. This is not the case with industrial minerals where their differences in geology, physical and chemical properties result in the requirement for different specifications of mineral for particular markets. The NPPF requires their provision to be maintained having regard to the particular properties of the mineral and the stocks of permitted reserves required to support investment in new or existing plant as set out in Policy SP10. Additionally, Policy SP1 which applies to all minerals requires that they are justified in that location taking into account the need for the specific mineral.

The need to use planning obligations to require the use of industrial mineral for industrial purposes is not required in principle because in general industrial minerals are of greater economic value than aggregate minerals and will be used for that purpose accordingly. There are particular circumstances where the MPA consider it is important to control the use of the mineral for example in the case of Whitwell Quarry where the industrial mineral is legally bound for use in the adjoining Whitwell Works. The MPA will consider the need for planning obligations to be used to control the use of the industrial mineral on a case-by-case basis.

#### Outcomes for Pre-Submission Draft Plan

2.12.16 No change

### Policy SP10 Industrial Limestone

#### Representations *(Mineral Products Association 938/325)*

2.12.17 The last part of this policy that proposes to restrict the use of limestone is considered unsound as it is not effective, not positive planning, and has no basis in national policy and should be deleted.

#### Representations *(Tarmac 940/0351)*

2.12.18 The sub text to Policy SP10 identifies that in a number of circumstances to release industrial grade limestone, general purpose construction grade aggregate is a by-product. The complexities of working industrial limestone both operationally and the chemical compositions and subtle differences in deposits meaning some areas may be of a lower quality not suitable for industrial purpose which means that controlling industrial limestone extraction solely for industrial purposes would be difficult and is not justified/effective. The use of S106 Agreement to control the use of industrial limestone for industrial purpose is not supported.

**Representations** (Longcliffe Quarries Ltd 973/0399)

2.12.19 Generally support the policy , however, express reservations over the use of S106 Agreements to control the end use of industrial limestone products. Whilst we recognise the need to ensure that this valuable resource is used appropriately for industrial purposes, the circumstances in which section 106 agreements would be used are clearly set out in government guidance. *Planning obligations in the form of Section 106 agreements should only be used where it is not possible to address unacceptable impacts through a planning condition.* We believe that policy SP10 does not conform with this guidance.

**Actions/Considerations**

2.12.20 Policy SP10 does not require the use planning obligations to secure the use of industrial mineral for industrial purposes in principle. It is caveated by the words ‘where appropriate’. The MPA consider that there might be circumstances where the use of the industrial mineral should be controlled for example in the case of Whitwell Quarry where the industrial mineral is legally bound for use in the adjoining Whitwell Works. The MPA will consider the need for planning obligations to be used to control the use of the industrial mineral on a case-by-case basis.

**Outcomes for Pre-Submission Draft Plan**

2.12.21 No change

## Policy SP10 Policy SP10 Supply of Industrial Limestone

**Representations** (Nottinghamshire CC 1135/0577)

2.12.22 Nottinghamshire CC is content with the policy approach of SP10 which is consistent with its own policy for quarrying of this resource.

**Actions/Considerations**

2.12.23 The support is noted.

**Outcomes for Pre-Submission Draft Plan**

2.12.24 No change

## Policy SP11 Aldwark South

<b>Representations</b> ( <i>Historic England 1158/0797</i> )	
2.12.25	Any planning requirements that are needed in order to make an allocation sound should be incorporated within the Plan. We would anticipate that the Councils would incorporate a site-specific policy for the proposed allocation detailing what principal planning requirements the developer/ applicant would need to conform to. The principal planning requirements set out for the historic environment in paragraph A35, clause 3, page 294 are welcomed but are not detailed enough to overcome the potential harm to the historic environment and should be informed by appropriate heritage impact assessment. An understanding of what heritage assets exist within a locality is not sufficient at this stage.
<b>Actions/Considerations</b>	
2.12.26	Agree that the principal planning requirements should be incorporated into the Policy.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.12.27	The need to address the principal planning requirements is included in Policy SP11.

## Policy SP11 Aldwark South

<b>Representations</b> ( <i>Historic England 1158/0796</i> )	
2.12.28	We would request proportionate heritage impact assessment to be undertaken on this site to understand what impacts and harm there may be for the historic environment. There appears to be a limekiln associated with an earlier quarry as earthworks on the site and potential for above and below ground archaeology relating to early lead mining activities/ the legacy of lead mining. We would request some additional assessment before we can make a judgement about the proposed allocation, as well as an understanding of the cumulative impacts of extending development within this landscape and appropriate restoration principles
<b>Actions/Considerations</b>	
2.12.29	Agree that the allocation should be informed by a heritage impact assessment.
<b>Outcomes for Pre-Submission Draft Plan</b>	

2.12.30 A heritage impact assessment has been undertaken to inform plan preparation and its findings taken into account in preparing the pre-submission plan.

## Policy SP11 Aldwark South

### Representations (PDNPA 1159/0883)

2.12.31 This policy appears to be openly worded in terms of and with no reference to locational acceptability and constraints in relation to where proposals for industrial limestone will be supported. I would strongly advise building on some of the text (as a pre-condition) from paragraph 7.2.21 for incorporation into the policy itself, for example: “*Planning proposals to undertake quarry and related activities within the allocated site will need to provide sufficient evidence and environmental mitigation to satisfy all relevant policies of the development plan, including those related to the protection of the designated interests of the Peak District National Park.*”

### Actions/Considerations

2.12.32 Paragraph 4.8 of the Plan sets out that ALL POLICES OF THE PLAN AND THEIR CRITERIA WILL APPLY WHERE RELEVANT and therefore the Plan should be read as a whole, taking into account the scale, nature location and type of development proposed. Policy SP10 is purely about the supply of industrial limestone, other polices of the Plan but particularly Policy SP1 Sustainable Minerals Development and the Development Management Polices at Chapter 11 will ensure the protection of the PDNP and its setting.

Policy SP11 has been amended to incorporate the requirement to satisfactorily address the principal planning requirements set out at Appendix A. The impact of the proposed allocation on the PDNP and its setting has been extensively considered by the Councils in liaison with the PDNPA and the operator as reflected in the detailed principal planning requirements. Notwithstanding the impact of the proposed allocation on the PDNPA and its setting will be considered in further detail as part of any planning application to work the site.

### Outcomes for Pre-Submission Draft Plan

2.12.33 No specific change although the need to satisfactorily address the Principal Planning Requirements has been incorporated within Policy SP11 Aldwark South.



## Policy SP11 Aldwark South

<b>Representations</b> (CPRE 1152/0728)	
2.12.34	Object to this allocation on the grounds of need as we suggest that the purity sought ('low cadmium, iron and lead') can be sourced from other local sites that already have permitted reserves. It is also the case that the site and proposed extension is sensitive in landscape terms, being adjacent to, and in the setting of, the Peak District National Park and close to popular rights of way.
<b>Actions/Considerations</b>	
2.12.35	<p>Paragraph 4.8 of the Plan sets out that ALL POLICES OF THE PLAN AND THEIR CRITERIA WILL APPLY WHERE RELEVANT and therefore the Plan should be read as a whole, taking into account the scale, nature location and type of development proposed. Policy SP10 is purely about the supply of industrial limestone, other polices of the Plan but particularly Policy SP1 Sustainable Minerals Development and the Development Management Polices at Chapter 11 will ensure the protection of the PDNP and its setting.</p> <p>Policy SP11 has been amended to incorporate the requirement to satisfactorily address the principal planning requirements set out at Appendix A. The impact of the proposed allocation on the PDNP and its setting has been extensively considered by the Councils in liaison with the PDNPA and the operator as reflected in the detailed principal planning requirements. Notwithstanding the impact of the proposed allocation on the PDNPA and its setting will be considered in further detail as part of any planning application to work the site.</p>
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.12.36	No change

## Policy SP11 Aldwark South

<b>Representations</b> (Environment Agency 1137/0596)	
2.12.37	The site is located on a principal aquifer, and within Source Protection Zone 1 for a public water supply. It is an extremely sensitive location from a groundwater protection point of view. Further investigations and assessments will need to demonstrate that the proposal does not pose an unacceptable risk to the environment.
<b>Actions/Considerations</b>	

2.12.38 Agree that this issue needs to be included in the Principal Planning Requirements at Appendix A. Any planning application to work the site will need to address this issue comprehensively.

**Outcomes for Pre-Submission Draft Plan**

2.12.39 The Principal Planning Requirements have been amended accordingly and the need to satisfy those requirements has been incorporated into Policy SP11.

## Policy SP11 Aldwark South

**Representations** (*L'anson Bros Ltd 705/0005, Lloyds Animal Feeds 708/0008, F H Nash Ltd 709/0009, Trouw Nutrition GB 710/0010, Fridays Ltd 711/0011, The Millboard Company Ltd 712/0012, Mars Horsecare UK Ltd 713/0013, 2 Sisters Food Group 714/0014, Guardian Industries Ltd 1111/0547*)

2.12.40 Support the allocation of Aldwark South. The supply of low cadmium/low iron/ low lead limestone is essential for our businesses.

**Representations** (*Longcliffe Quarries Ltd 973/400*)

2.12.41 Support the allocation of Aldwark South.

**Actions/Considerations**

2.12.42 The support is noted.

**Outcomes for Pre-Submission Draft Plan**

2.12.42 Not Applicable.

## Cement Supply – General Comment

**Representations** (*Sustainable Hayfield 1155/0773*)

2.12.43 In relation to cement works, we would hope that relevant planning and enforcement authorities will, in the light of the 'climate emergency', step up discussions with the operators on continuing to drive down the energy-intensity of their operations, given their enormous carbon budgets.

**Actions/Considerations**

2.12.44 The MPA has strengthened the Climate Change Policy SP2 in the Plan to address climate change issues more rigorously including the need to improve energy efficiency and reduce carbon emissions in line national and local carbon targets

### Outcomes for Pre-Submission Draft Plan

2.12.45 No Change to Chapter 7.2 but substantial changes have been made to Policy SP2 Climate Change

## Cement Supply – Tunstead Paragraph 7.2.27

### Representations *(Staffordshire County Council 1133/0571)*

2.12.46 The Plan sets out that Tunstead Cement Works in Derbyshire is dependent on imports of Shale from Kingsley Quarry, and Marl from Keele Quarry, both in Staffordshire, and it is anticipated that the pattern of supply will continue. Staffordshire CC has no objection, in principle, to this supply, but notes that a second kiln K2 is not anticipated to be commissioned until beyond 2038, the end of the Plan period. The new kiln is anticipated to increase cement production from 1 million to 2.15 million tonnes per year, with a proportionate (115%) rise in demand for raw materials. This is a substantial increase in demand for an increasingly scarce resource, and we do not have sufficient data to comment on whether it can be met. We note that planning permissions at Keele and Kingsley quarries are currently due to expire in 2043 and 2042 respectively, and that provision of clay from Keele Quarry should be used for clay product manufacture should the appropriate quality of clay be eventually extracted

### Actions/Considerations

2.12.47 The MPA note the concerns about the anticipated increase in the supply of materials from Keele and Kingsley quarries to support cement manufacture at Tunstead. In view of the uncertainty about the commissioning date for the additional cement kiln, K2, which may be beyond the Plan period the MPA consider that the supply issues for K2 should be considered as part of future reviews of the Plan.

### Outcomes for Pre-Submission Draft Plan

2.12.48 No Change but continue to liaise with Staffordshire CC under the Duty to Cooperate regime to monitor the availability of mineral from Keele and Kingsley Quarries.

## Cement Supply – Tunstead Paragraph 7.2.27

<b>Representations</b> (CPRE 1152/0729)	
2.12.49	Unsure as to the purpose of the inclusion of text in respect of a (permitted?) second kiln at Tunstead, expected to be commissioned beyond the period of the draft Plan.
<b>Actions/Considerations</b>	
2.12.50	The MPA has included reference to the permitted second cement kiln at Tunstead for information and completeness.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.12.51	No change.

## The Supply of Cement Making Materials - Tunstead Quarry

<b>Representations</b> (Tarmac 940/0352)	
2.12.52	The Draft Plan should recognise that there are reserves that will last beyond the 2042 permission end date. Tarmac requires assurance/confidence in support for a landbank of permitted reserves in excess of the minimum 15/25 years to secure the level of investment required to improve existing plant, particularly considering potential carbon reduction agendas and to facilitate commission of K2. The Plan should provide a positive policy framework to support retention of permitted reserve beyond 2042 and secure confidence to support future investment requirements.
<b>Actions/Considerations</b>	
2.12.53	Agree that the Plan should include reference to the 2042 end date for mineral permissions. However, the Plan cannot positively provide for the retention of permitted reserves beyond their expiry date. Changes have been made to Chapter 11 in recognition of the issue of transitioning to 2042 and beyond.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.12.54	Chapter 11 explains that the 2042 end date presents a number of challenges for the MPA and mineral operators, in terms of certainty of continuity of supply as well as managing long-term working and restoration requirements through the ROMP process. At the current time no guidance has been produced by government about how to approach the 2042 deadline or regarding any potential legislative changes. It is therefore proposed that this issue will be annually reviewed post-adoption

of the Plan with the potential for further guidance to be produced at that time. In the meantime, operators are encouraged to enter into discussions with the MPA regarding the long-term plans for their sites at the earliest opportunity.

## The Supply of Cement Making Materials - Hope

### Representations (PDNPA 1159/0884)

2.12.55 Additional wording ‘This criterion is reflected in the PDNPA Policy MIN1’ should be added after... planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

### Actions/Considerations

2.12.56 Given that the adopted PDNP plan is currently being reviewed the MPA consider that it would be inappropriate to include the additional wording related to the adopted PDNP Local Plan.

### Outcomes for Pre-Submission Draft Plan

2.12.57 No change.

## The Supply of Cement Making Materials

### Representations (PDNPA 1159/0885)

2.12.58 The Plan proposes to supply any unforeseen needs through a policy which allows for the working of additional reserves...” Is this feasible? Are there any opportunities for additional reserves from direct extensions from the current consented area which do not lie within the Old Moor area of the National Park and which would be constrained by PDNPA Policy MIN1 which states that, ‘*Proposals for new mineral extraction or extensions to existing mineral operations (other than fluorspar proposals and local small-scale building and roofing stone which are covered by MIN2 and MIN3 respectively) will not be permitted other than in exceptional circumstances in accordance with the criteria set out in National Planning Policy in MPS1.*’

### Actions/Considerations

2.12.59 The Policy does not simply apply to Tunstead Quarry where existing permitted reserves are anticipated to be sufficient for the duration of the Plan period. The policy equally applies to any proposals for a new cement works and quarry should unforeseen demands occur during the Plan

period. The acceptability of individual proposals will be determined on a case by case basis.

**Outcomes for Pre-Submission Draft Plan**

2.12.60 No change.

## Policy SP12 Supply of Cement Making Materials

**Representations** (*Historic England 1158/0798*)

2.12.61 Any new sites should also be considered against the potential for harm to the significance of the historic environment, heritage assets, including their setting. Setting a clause that considers the primary importance to be the location of the quarry works to the location the material will be used, could potentially have implications for the other environmental issues such as the historic environment.

**Actions/Considerations**

2.12.62 Paragraph 4.8 of the Plan sets out that ALL POLICES OF THE PLAN AND THEIR CRITERIA WILL APPLY WHERE RELEVANT and therefore the Plan should be read as a whole, taking into account the scale, nature location and type of development proposed. Policy SP11 is purely about the supply of cement making materials, other polices of the Plan but particularly Policy SP1 Sustainable Minerals Development and the Development Management Polices at Chapter 11 will ensure the protection of the historic environment. Although criterion 2) requires that in principle new quarries should be located as near as possible to the cement works where the material will be used the environmental requirements set out in the Plan's policies also apply.

**Outcomes for Pre-Submission Draft Plan**

2.12.63 No change.

## Policy SP12 Supply of Cement Making Materials

**Representations** (*Transition Chesterfield 1139/0623*)

2.12.64 This policy is based on assumptions that demand for cement will continue at the same rate for the next 25 years. UK concrete and cement currently account for around 1.5% of UK carbon dioxide emissions, and an even higher proportion of Derbyshire's emissions. The increasing use of more sustainable building materials and modular construction will reduce the demand for cement, as will innovative techniques and recycling. Large

property developers are already exploring ways to cut carbon which would also significantly cut cement/concrete use. The plan should include evidence that shows there is a prospect of falling demand and whether it is necessary to have such large reserves.

#### **Actions/Considerations**

2.12.65 The policy approach is based on the NPPF which requires the Plan to make provision for the supply of industrial minerals such as cement making materials. Whilst increases in alternative building materials may occur in the future mineral companies are also investing in carbon capture technologies which may lead to net zero carbon cement but would not reduce the need for raw materials.

#### **Outcomes for Pre-Submission Draft Plan**

2.12.66 No change.

### **Policy SP12 Supply of Cement Making Materials**

#### **Representations** (PDNPA 1159/0886)

2.12.67 In relation to the Policy SP12 it is important to ensure that the quality of stone used in cement making is appropriate for that purpose and that higher grade stone is used for high grade industrial uses and not used to make cement. Suggest amending SP12 to include this requirement.

#### **Actions/Considerations**

2.12.68 Due to the nature of limestone working which inevitably involves the working of minerals for aggregate and industrial purposes any proposals to extract mineral for cement making will have to satisfy all relevant policies of the Plan including SP10 which includes a requirement relating to the use of Planning Obligations to control the end use of the mineral. In general market forces will lead to industrial minerals being used for their greatest economic value. However, there are particular circumstances where the MPA consider it is important to control the use of the mineral and the MPA will consider the use of planning obligations for such purposes on a case-by-case basis.

#### **Outcomes for Pre-Submission Draft Plan**

2.12.69 No change.

## 2.13 Chapter 7.3 - Brick Clay and Fireclay

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
Greater Manchester Combined Authorities	971	0394
Leicestershire County Council	1150	0704
Historic England	1158	0799, 0800,
PDNPA	1159	0887

### Introduction and Background

<b>Representations</b> ( <i>PDNPA 1159/0887</i> )	
2.13.1	Proposals for the extraction of coal (including the supply of fireclay as a by-product) should not be encouraged due to climate change implications.
<b>Actions/Considerations</b>	
2.13.2	This issue of supporting the extraction of coal (including the supply of fireclay as a by-product) is considered under section 8.1 Coal and Colliery Spoil.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.13.3	No change.

### Existing Quarries

<b>Representations</b> ( <i>Greater Manchester Combined Authority 971/0394</i> )	
2.13.4	Support the recognition and continued extraction of brick clay in Derbyshire to supply Denton Brickworks in Greater Manchester
<b>Representations</b> ( <i>Leicestershire County Council 1150/0704</i> )	
2.13.5	Support the acknowledgement of the supply of brick clay to Desford brick works in Leicestershire from Waingroves Quarry.
<b>Actions/Considerations</b>	
2.13.6	The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.13.7	No change.



## Policy SP13: Supply of Brick Clay

<b>Representations</b> ( <i>Historic England 1158/0799</i> )	
2.13.8	Any new sites should also be considered against the potential for harm to the significance of the historic environment, heritage assets, including their setting. Setting a clause that considers the primary importance to be the location of the quarry works to the location the material will be used, could potentially have implications for the other environmental issues such as the historic environment.
<b>Actions/Considerations</b>	
2.13.9	In assessing planning applications all policies of the plan apply, where relevant, including those that address environmental considerations such as impacts on the Historic Environment. In seeking, in principle, to locate new sites as near as possible to the site where the clay is to be used the environmental considerations set out in the Plan's policies will also apply and particularly Policy DM7 in the case of protecting the Historic Environment.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.13.10	No change.

## Policy SP14: Stockpiling Brick Clay

<b>Representations</b> ( <i>Historic England 1158/0800</i> )	
2.13.11	Additional detail regarding restoration principles would be welcomed, in order to ensure, that after extraction, sites are restored to an appropriate context and have a beneficial impact on the landscape and environment within which they are located.
<b>Actions/Considerations</b>	
2.13.12	In assessing planning applications all policies of the plan apply, where relevant. Policy DM15 Restoration, Aftercare and After-use requires proposals to seek to provide benefits to the local and wider community including amongst other benefits enhanced landscape character.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.13.13	No change.

## 2.14 Chapter 7.4 - Vein Minerals

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
Historic England	1158	0801
PDNPA	1159	0888,0889,0890

### Vein Minerals Introduction Paragraph 7.4.5

<b>Representations</b> ( <i>Historic England 1158/0800</i> )	
2.14.1	The reference to 1,800,000 tonnes for Slinter Quarry would appear to be erroneous. It should be 100,000 of permitted reserves. There is no differentiation of emphasis in proportion to the quoted figure between limestone and associated vein minerals resource. As written the sentence may be read to imply substantial reserves of both limestone and vein mineral. Historically the vein mineral reserves from this quarry have been minimal compared relative to the limestone reserves. Also, the reference to 2021 would appear to be incorrect. Suggest that this should be clarified e.g. "A planning application submitted in 2017 proposes to extend the working of limestone and associated vein minerals to 2031".
<b>Actions/Considerations</b>	
2.14.2	Agree that the paragraph should be updated and amended for clarification purposes.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.14.3	Paragraph 7.4.5 has been amended for clarification and updating purposes.

### Vein Minerals Introduction Paragraph 7.4.5

<b>Representations</b> ( <i>PDNPA 1159/0889</i> )	
2.14.4	The second sentence referring to Ball Eye Quarry makes the emphasis on limestone v vein mineral proportionality which is missing from the reference to Slinter Top Quarry. Nevertheless, it is a relatively uninformative reference, and I would suggest that it be expanded a little to put Ball Eye Quarry in its context in terms of its previous limestone working with some vein mineral extraction, its date or year of mothballing, the remaining life of extant permission, and the likelihood of operations resuming. Also, it should read Ball Eye.

<b>Actions/Considerations</b>	
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2.14.5	Agree that further information should be included with regard to Ball Eye quarry.
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<b>Outcomes for Pre-Submission Draft Plan</b>	
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2.14.6	Paragraph 7.4.5 (now 7.4.7) has been amended accordingly
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## Vein Minerals Introduction Paragraph 7.4.5

<b>Representations</b> ( <i>PDNPA 1159/0890</i> )	
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2.14.7	Add the sentence as follows: However, for new proposals it is possible to identify the presence of ore bearing structures within the ground to enable a reasonable estimation of potential reserves within a particular site using geophysical techniques.
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<b>Actions/Considerations</b>	
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2.14.8	Agree
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<b>Outcomes for Pre-Submission Draft Plan</b>	
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2.14.9	Paragraph 7.4.11 (now 7.4.14) has been amended accordingly.
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## Policy SP15 The supply of Vein Minerals Criterion 2

<b>Representations</b> ( <i>Historic England 1158/0801</i> )	
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2.14.10	Additional detail is required in clause 2 in a reasoned justification attached to this policy to understand what the potential impacts will be and how they will be overcome; having consideration to the impact to the historic environment, for example.
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<b>Actions/Considerations</b>	
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2.14.11	The MPA has updated the Plan to remove this criterion reflecting that the impacts of processing vein mineral are likely to take place outside of the Plan area. Any other impacts of vein mineral working on the historic environment will be covered by the Plan's other strategic and development management policies.
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<b>Outcomes for Pre-Submission Draft Plan</b>	
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2.14.12	No Change.
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## 2.15 Chapter 8 - Energy Minerals

### Table of Representations

Name		Name Ref. No.	Representation Ref. No.
Steve	Martin	726	0028
John	Levis	728	0035,
Elaine	Nudd	738	0046,
Michael	Conway	740	0050,
Mark	Watford	741L	2605,2929
Sarah	Marsh	742	0070,
Mary	Reape	749	0083,
Catherine	Hughes	750	0085,
Hayfield Parish Council		754	0090,
Jagdeep	Dosanijh-Badwal	755	0091,
Kate	Gard Cooke	756	0092,
Parminder	Singh Bola	758	0094,
Steve	Elliot	760	0096,
David	Haspel	761	0101,
Anne	Thoday	764L	0989,0990
Melanie	Flynn	766L	2606,2930
Trevor	Back	767L	2607,2931
Sheharyar	As'ad	768L	2608,2932
Tony	Mott	769L	2609,2933
Robert	Purcell	770L	2610,2934
John	Millar	771L	2611,2935
Simon	Hewood	772L	2612,2936
Jennifer	Smith	773L	2613,2937
Noam	Livne	774L	2614,2938
Deborah	Hofman	775L	2615,2939
Lisa	Mendum	776L	2616,2940
Carol	Leak	777L	2617,2941
Doug	Lennon	778L	2618,2942

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Valerie	Taylor	779L	2619,2943
Elizabeth	Browes	780L	2620,2944
Stefan	Majer	781L	2621,2945
Christopher	Allen	782L	2622,2946
Catherine	Petersen	783L	2623,2947
Sarah	Foy	784L	2624,2948
Joshua	Lane	785L	2625,2949
Anne	Shimwell	786L	2626,2950
Rachael	Hatchett	788L	2627,2951
Lindsay	Price	789L	2628,2952
Sue	Watmore	790L	2629,2953
Sue	Bradford-Knox	791L	2630,2954
Sue	Cowdrey	792L	2631,2955
Wendy	Bullar	793L	2632,2956
Jane	Finney	794L	2633,2957
Glenda	Howcroft	795L	2634,2958
Milly	Holdsworth	796L	2635,2959
Susan	Bamforth	797L	2636,2960
Lindy	Stone	799L	2637,2961
Roger	Holden	800L	2638,2962
Kenneth	Duvall	801L	2639,2963
Lynne	Irving	802L	2640,2964
Brian	Lever	803L	2641,2965
Jason	Fraser	804L	2642,2966
Marguerite	Broadley	805L	2643,2967
Nadine	Peatfield	806L	2644,2968
Angela	Hughes	807L	2645,2969
Sue	Davies	808L	2646,2970
John	Youatt	809L	2647,2971
John	Cantellow	810L	2648,2972
Joseph	Reynolds	811L	2649,2973

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Marlene	Shaw	812L	2650,2974
Ingrid	Abercrombie	813	0163
Graham	McCulloch	814	0164
Andrew	Taylor	815L	2653,2977
Nicholas	Headley	816L	2654,2978
Margaret	Roberts	817L	2655,2979
John	Beardmore	818L	2656,2980
Richard	Bull	819L	2657,2981
Holly	Moloney	820L	2658,2982
Martin	Stone	821L	2659,2983
Dawn	Watson	822L	2660,2984
Roger	Morton	823L	2661,2985
Nigel	Presswood	824L	2662,2986
Stephanie	Futcher	837L	2663,2987
Anne	Jackman	838L	2664,2988
Aubrey	Evans	839L	2665,2989
Paul	King	840L	2666,2990
Judith	Brunt	845L	2667,2991
Ben	Lambert	846L	2668,2992
Pauline	Fisher	847L	2669,2993
James	Eaden	848L	2670,2994
Helen	Steadman	849L	2671,2995
Paul	Briggs	850L	2672,2996
Keith	Fisher	851L	2673,2997
Rebecca	Smith	852L	2674,2998
Rachel	Bolton	853L	2675,2999
Neil	Stuart	854L	2676,3000
Heather	Bryant	855L	2677,3001
Liz	Longden	856L	2678,3002
Christine	Selden	857L	2679,3003
Adam	Link	858L	2680,3004

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Janet	Ratcliffe	859L	2681,3005
Alan	Baldwin	860L	2682,3006
Valerie	Fenton	861L	2683,3007
Neil	Tuner	862L	2684,3008
Sheila	Maters	863L	2685,3009
Amy	Hughes-Dennis	868L	2686,3010
Jacky	Rounding	869L	2687,3011
Nick	Clarke	870L	2688,3012
David	Hassall	871L	2689,3013
Rachel	Steele	872L	2690,3014
Simon	Redding	873L	2691,3015
Collette	Boden	874L	2692,3016
Diana	Clarke	875L	2693,3017
Rachael	Richardson	876L	2694,3018
Vanessa	Fessey	877L	2695,3019
Christine	Curwen	878L	0242,0244,2696,3020
John	Curwen	879L	2697,3021
Dawn	Walton	880L	2698,3022
Lee	Housely	881L	2699,3023
David	McGill	882L	2700,3024
Lucy	Johnson	883L	2701,3025
Alison	Storey	884L	2702,3026
Susan	Groom	885L	2703,3027
Mark	Knight	886L	2704,3028
Susan	Brown	887L	2705,3029
Julie	Davies	888L	2706,3030
Mike	Wheeler	889L	2707,3031
Linda	Walker	890L	2708,3032
John	Hughes	891L	2709,3033
Christopher	Mann	892L	2710,3034
Nicola	Godridge	893L	2711,3035

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Anne	Burton	894L	2712,3036
Sue	Wall	895L	2713,3037
Giulia	Argyll Nicholson	896L	2714,3038
Paula	Browne	897L	2715,3039
Andrew	Mottershaw	898L	2716,3040
V	Wilkinson	899L	2717,3041
Michael	Hirst	900L	2718,3042
Lesley	Cooper	901L	2719,3043
Maralyn	Dommett	907L	2720,3044
Chris	Heard	908L	2721,3045
Ann	Fox	909L	2722,3046
Anne	Wood	910L	2723,3047
Glynis	Horvath	911L	2724,3048
Jenny	Gibbins	912L	2725,3049
Poppy	Simon	913L	2726,3050
Germaine	Bryant	914L	2727,3051
Vicki	Booth	915L	2728,3052
Barbara	Mackenney	916L	2729,3053
Susan	Fear	917L	2730,3054
Angela	Ostler	918L	2731,3055
Sue	Cuthbert	919L	2732,3056
Victoria	Noble	920L	2733,3057
Kim	Evans	921L	2734,3058
Patsy	McGill	922L	2735,3059
Dianne	Banks	923L	2736,3060
William	Hobbs	924L	2737,3061
Carolanne	Mason	925L	2738,3062
Elizabeth	Turk	926L	2739,3063
Jacqueline	Meyer	927L	2740,3064
Joy	Bates	928L	2741,3065
Penny	Took	929L	2742,3066



<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Karl	Barrow	930L	2743,3067
Barbara	Hughes	932L	2744,3068
Vikki	Watford	933L	2745,3069
Julie	Barwick	934L	2746,3070
Natalie	Rocca	935L	2747,3071
Ursula	Watts	936L	2748,3072
Kay	Watson	937L	2749,3073
Janet	Baldwin	943L	3546,3547
Teresa	Glossop	945L	2750,3074
Rae	Jones	946L	2751,3075
Callum	Armstrong	947L	2752,3076
Michael	Samash	948L	2753,3077
Jane	Webb	949L	2754,3078
Andrea	Watwood	950L	2755,3079
Bruce	Levitan	951L	2756,3080
Amanda	Johnson	952L	2757,3081
Anna	Swieczak	953L	2758,3082
Sharon	Craig	954L	2759,3083
Keith	Hutchinson Keith	955L	2760,3084
Anne	Wilding	956L	2761,3085
Laura	Stevens	957L	2762,3086
Kelly	Rickard	958L	2763,3087
Holly	Salmon	959L	2764,3088
Lynne	Bruce	960L	2765,3089
Trevor	Kirkwood	961L	2766,3090
Chris	Hutchinson	962L	2767,3091
Terry	Joiner	963L	2768,3092
Yvonne	Payne	964L	2769,3093
Logan	Sheppard-Scally	965L	2770,3094
Andy	Ashmore	969L	2771,3095
Lesley	Burke	970L	2772,3096

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
AMK	Wardroper	975L	2773,3097
Adrian	Brown	976L	2774,3098
Christine	Nudds	977L	2775,3099
Toni	Burnley	978L	2776,3100
Jane	Varley	979L	2777,3101
Geraldine	Busuttill	980L	2778,3102
Cetra	Coverdale Pearson	981L	2779,3103
Susan	Wiltshire	982L	2780,3104
Stephanie	Carter	983L	2781,3105
Hanna	Wade	984L	2782,3106
Elaine	Nudd	985L	2783,3107
Andy	Jamieson	986L	2784,3108
Jill	Holley	987L	2785,3109
Nicholas	Granville	988L	2786,3110
Gary	Roper	989L	2787,3111
Walt	Shaw	990L	2788,3112
Tracy	Arnold	991L	2789,3113
Peter	Coward	992L	2790,3114
Martin	Hofman	994L	2791,3115
Catherine	Hallsworth	995L	2792,3116
Pat	Thompson	996L	2793,3117
Lynne	Atkin	997L	2794,3118
Emma	Bungay	998L	2795,3119
Andrew	Murdoch	999L	2796,3120
Rita	Allan	1000L	2797,3121
Ben	Mitchell	1002L	2798,3122
Alison	Brown	1003L	2799,3123
Roger	Clarke	1004L	2800,3124
Beth	Ashman	1005L	2801,3125
Michael	Dowsett	1006L	2802,3126
Leonardo	Wilson	1007L	2803,3127

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Patrick	Anderson	1008L	2804,3128
Glynis	Spencer	1009L	2805,3129
Stuart	Handley	1010L	2806,3130
Clare	Wood	1011L	2807,3131
Diana	Kerswell	1012L	2808,3132
Lisa	Hopkinson	1013L	2809,3133
Rachel	Horton	1014L	2810,3134
Gwyneth	Francis	1015L	2811,3135
Frances	Gower	1016L	2812,3136
Dave	Smith	1017L	2813,3137
Sally	Whitham	1018L	2814,3138
Holly	Exley	1019L	2815,3139
Jessica	Stephens	1020L	2816,3140
Karen	Smith	1021L	2817,3141
C	Shelton	1022L	2818,3142
James	Currie	1023L	2819,3143
Alexandra	Williams	1024L	2820,3144
Judith	Cornwall	1025L	2821,3145
John	De Carteret	1026L	2822,3146
Jane	Berry	1027L	2823,3147
Steven	Noake	1028L	2824,3148
Alison	Evans	1029L	2825,3149
Delia	Wellard	1030L	2826,3150
Kevin	Williams	1031L	2827,3151
Joshua	Phillips	1032L	2828,3152
Gillian	Von Fragstein	1033L	2829,3153
Chrystal	Wallage	1034L	2830,3154
Deborah	Purhouse	1035L	2831,3155
Sue	Tomlinson	1036L	2832,3156
Susan	Foxon	1037L	2833,3157
Susan	Heard	1038L	2834,3158

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
David	Leicester	1039L	2835,3159
Alison	Storer	1040L	2836,3160
Mark	Brailsford Mark	1041L	2837,3161
Jane	Reynolds Jane	1042L	2838,3162
John	Sherratt John	1043L	2839,3163
Beatrice	Rajakaruna	1044L	2840,3164
Alisob	Scothern	1045L	2841,3165
Amanda	Chalk	1046L	2842,3166
Jillian	Harrison	1047L	2843,3167
Ian	Beever	1048L	2844,3168
Stephen	Blakemore	1049L	2845,3169
Maggie	Cook	1050L	2846,3170
Paul	Senior	1051L	2847,3171
Amina	Burslem	1052L	2848,3172
Paul	Tooley	1053L	2849,3173
John	LeGrove	1054L	2850,3174
Lewis	Coupland	1055L	2851,3175
Graham	Joiner	1056L	2852,3176
Natalie	Smith	1057L	2853,3177
Susan	Ashman	1058L	2854,3178
Eric	Hart	1059L	2855,3179
Andrew	Taylor	1060L	2856,3180
Rhian	Harding	1061L	2857,3181
James	Wyatt	1062L	2858,3182
Fiona	Ibbotson	1063L	2859,3183
Andy	Ward	1064L	2860,3184
Karen	Undrell	1065L	2861,3185
Natalie	Dawes	1066L	2862,3186
Jonathan	Helliwell	1067L	2863,3187
Joanna	Watson	1068L	2864,3188
Stephen	Plant	1069L	2865,3189

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Daniel	Lloyd	1070L	2866,3190
Isky	Gordon	1071	0504
Stephan	Ball	1072L	2868,3192
Mark	Allcock	1073L	2869,3193
Pauline	Bell	1074L	2870,3194
Chris	Slater	1075L	2871,3195
Sheila	Spinks	1076L	2872,3196
Patricia	Tidmarsh	1077L	2873,3197
Rachel	Young	1078L	2875,3198
Christine	Nelson	1079L	2876,3199
Jeremy	Wright	1080L	2877,3200
Hazel	Thorpe	1081L	2878,3201
Ruth	Foden	1082L	2879,3202
Claire	Cooper	1083L	2880,3203
Clare	Greenwood	1084L	2881,3204
Gareth	Hughes	1085L	2882,3205
Pauline	Inwood	1086L	2883,3206
Caroline	Norbury	1087L	2884,3207
Emily	Lynn	1088L	2885,3208
Julia	Fell	1089L	2886,3209
Margaret	Gallimore	1090L	2887,3210
Becky	Turner	1091L	2888,3211
Caroline	Phillips	1092L	2889,3212
Matt	Drew	1093L	2890,3213
Liz	Honeybell	1094L	2891,3214
Keith	Gillespie	1095L	2892,3215
Barry	Hodgson	1096L	2893,3216
Carol	Wood	1097L	2894,3217
Peter	Cashford	1098L	2895,3218
I P	Smith	1099L	2896,3219
Louise	Petherham	1100L	2897,3220

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Jean	Cashford	1101L	2898,3221
Chris	James	1102L	2899,3222
Ruth	Woods	1103L	2900,3223
Deborah	Noone	1104L	2901,3224
Norman	Rimmell	1105L	2902,3225
Malcolm	Barrow	1106L	2903,3226
Marian	Wall	1107L	2904,3227
Steve	Cane	1108L	2905,3228
Daniel	Wimberley	1109L	2906,3229
Dolores	O'Reilly	1110L	2907,3230
Imogen	Baines	1114L	2908,3231
Theresa	Brooke	1115L	2909,3232
Jenifer	Hyde	1116L	2910,3233
Poppy	Marston	1117L	2911,3234
Stephanie	Holmes	1118L	2912,3235
Pamela	Bain	1119L	2913,3236
Richard	Finnigan	1120L	2914,3237
Chris	Brennan	1121L	2915,3238
Diane	Kerry	1122L	2916,3239
Neil	Lister	1123L	2917,3240
Philip	Hutchinson	1124L	2918,3241
Martin	Bennett	1125L	2919,3242
Rod	Leach	1126L	2920,3243
Steve	Taylor	1127L	2921,3244
Denis	Robinson	1128L	2922,3245
Jacqueline A	Box	1129L	2923,3246
Liz	Elliot	1130L	2924,3247
Mair	Bain	1131L	2925,3248
Kevin	Elliot	1132L	2926,3249
Cllr Anne	Clarke	1134	0572
Cllr Gez	Kinsella	1142L	2927,3250

Name		Name Ref. No.	Representation Ref. No.
Eckington Against Fracking		1149	0690
Clay Cross Against Fracking		1151	0707
CPRE		1152	0730
Kathy	Mitchell	1156L	2928,3251
Phil	Ormerod	1164	0993
Ros	Griffith	1165	0994

## Fossil Fuel Extraction

**Representations** (*Individuals 741/2605, 764/0989, 766/2606 to 797/2636, 799/2637 to 812/2650, 815/2653 to 1070/2866, 1072/2868 to 1132/2926, 1142/2927, 1156/2928*)

- 2.15.1 The Plan should not include policies which allow the extraction of fossil fuels for the following reasons:
- a) the Plan should reflect the statement of the International Energy Agency Executive Director Faith Birol in May 2021 who said “If governments are serious about the climate crisis, there can be no new investments in oil, gas and coal, from now – from this year.”
  - b) the Plan should reflect the statement of Antonio Guterres head of the Intercontinental Panel on Climate Change who said on releasing the latest Sixth Assessment Report in February 2022 stated “Increasing fossil fuel production will only make matters worse. It is time to stop burning our planet and start investing in the abundant renewable energy all around us. Investing in new fossil fuels infrastructure is moral and economic madness. Such investments will soon be stranded assets — a blot on the landscape and blight on investment portfolios’.
  - c) There is no cost-effective mature technology currently available that can effectively capture carbon dioxide from coal burning and other fossil fuel combustion.
  - d) The threat from fugitive emissions (escape) of methane in natural gas and hydraulic fracturing operations is recognised as a serious threat to climate stability because of its high warming potential. Scaling down

coal and reducing methane emissions were key priorities at Global Climate Summit Conference of the Parties Glasgow 26 Nov 2021.

**Representations** (Steve Martin 726/0028)

2.15.2 The Plan should make it clear that there should be no new fossil fuel extraction in Derbyshire. The recent Intergovernmental Panel on Climate Change report makes clear that existing and current planned fossil fuel projects are already more than the climate can handle. We are facing NOW a climate change emergency. Invest in renewable energy not fossil fuels.

**Representations** (John Levis 728/0035)

2.15.3 In the light of the recent IPCC Sixth Assessment Report and quote from Antonio Guterres, the UN Secretary general which states that “Increasing fossil fuel production will only make matters worse. It is time to stop burning our planet and start investing in the abundant renewable energy all around us.” the Plan should not include policies which allow fossil fuel extraction.

**Representations** (Elaine Nudd 738/0046 (Michael Conway 740/0050) (Sarah Marsh 742/0070 (Hayfield Parish Council 754/0090) (Jagdeep Dosanjh-Badwal 755/0091) (Kate Gard Cooke 756/0092) (Parminder Singh Bola 758/0094) (Steve Elliott 760/0096) (David Haspel 761/0101) (Ingrid Abercrombie 813/0163) (Graham McCulloch 814/0164) (Gordon Isky 1071/0504) (Eckington Against Fracking 1149/690)) Phil Ormerod 1164/0993) (Ros Griffith 1165/0994)

2.15.4 The Plan should not include polices that allow for fossil fuel extraction. It is contrary to the climate change agenda.

**Representations** (Mary Reape 749/0083)

2.15.5 The Plan should not include policies which allow for the extraction of fossil fuels. It is contrary to climate change agenda .The Plan should reflect the statement of the International Energy Agency Executive Director Faith Birol in May 2021 who said, “*If governments are serious about the climate crisis, there can be no new investments in oil, gas and coal, from now – from this year.*” Our own Committee for Climate Change states “*We would support a tighter limit on production, with stringent test and a presumption against exploration*”. Entertaining new fossil fuel extraction is in direct contravention of ‘a tighter limit on production’. Fossil



	Fuel extraction is not sustainable in line with NPPF because it will compromise the ability of future generations to survive.
	<b>Representations</b> (Catherine Hughes 750/0085)
2.15.6	The Plan should not allow fossil fuel extraction. The latest IPCC Sixth Report states we have sufficient reserves to last 8 years more than enough time to develop renewable alternatives. The Plan should reflect the statement of Antonio Guterres head of the Intercontinental Panel on Climate Change who said on releasing the latest Sixth Assessment Report in February 2022 stated “Increasing fossil fuel production will only make matters worse. It is time to stop burning our planet and start investing in the abundant renewable energy all around us. Keep fossil fuels in the ground in line with evidence of over 1000 climate scientists that we will pass climate tipping points in the next 2-3 years if we fail to do so.
	<b>Representations</b> (Cllr Anne Clarke 1134/0572)
2.15.7	Although the County Council has not declared a Climate Change Emergency it is aware that there is a climate crisis and the policies of the Plan need to reflect this. In particular the polices of the Plan should not allow for fossil fuel extraction including coal, oil and gas extraction (and especially no hydraulic fracturing).
	<b>Representations</b> (CPRE 1152/730)
2.15.8	We believe the whole section of the draft Plan addressing coal, conventional and unconventional hydrocarbons and gas from coal should be removed due to inconsistency with Derby and Derbyshire’s declared climate emergencies and associated policies and strategies. The following text is proposed, <i>’Coal, conventional and unconventional hydrocarbons and gas from coal are present across Derbyshire but the Climate Emergency, combined with both Derby and Derbyshire’s net zero carbon ambitions and the shift away from fossil fuels, means that the extraction of fossil fuels will not be permitted across the County.’</i>
	<b>Representations</b> (Clay Cross Against Fracking 1151/0707)
2.15.9	The plan should acknowledge that there can be no new fossil fuel exploration and development in Derbyshire in order to keep in line with national and internationally agreed attempts to keep global heating to within 1.5 degrees increase above preindustrial temperatures.
	<b>Actions/Considerations</b>

- 2.15.10 The MPA recognises the importance of addressing climate change. However, the imposition of a blanket ban on fossil fuel extraction would be contrary to the NPPF which requires the Plan to make provision for a sufficient supply of minerals to provide the energy, infrastructure, buildings, and goods that the country needs and to provide for the extraction of mineral resources of local and national importance. The NPPF includes coal (shallow and deep-mined) and oil and gas (conventional and unconventional) in its definition of such resources.
- 2.15.11 In relation to climate change the MPA agree that, in the light of more recent evidence on the need to urgently address climate change issues, Policy SP2 Climate Change needs to be amended to strengthen the Plan’s commitment to address these issues. The MPA also agree that the policies for the extraction of coal SP15 and hydrocarbons SP16 need to be strengthened in relation to climate change and other environmental safeguards.

**Outcomes for Pre-Submission Draft Plan**

- 2.15.12 No Change in relation to a blanket ban on fossil fuels but changes have been made to SP2 Climate Change, SP15 Coal Extraction and Colliery Spoil Disposal and SP16 Hydrocarbons to address climate change and other environmental issues.

**Fossil Fuel Resources**

**Representations** (*Individuals 741/2929, 764/0990, 766/2930 to 797/2960, 799/2961 to 812/2974, 815/2977 to 1070/3190, 1072/3192 to 1132/3249, 1142/3250, 1156/3251*)

- 2.15.13 The Plan should not include reference to recoverable fossil fuel resources in the Plan area which could be economically recovered between now and 2038.

**Actions/Considerations**

- 2.15.14 In accordance with the NPPF the Plan is required to make provision for a sufficient supply of minerals to provide the energy, infrastructure, buildings, and goods that the country needs and to provide for the extraction of mineral resources of local and national importance. The NPPF includes coal (shallow and deep-mined) and oil and gas (conventional and unconventional) in its definition of such resources. It is appropriate therefore that where such resources are present in the Plan area they are identified.

**Outcomes for Pre-Submission Draft Plan**

2.15.15 No change.

## 2.16 Chapter 8.1 - Coal and Colliery Spoil Disposal

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
North East Derbyshire District Council	972	3561
Transition Chesterfield	1139	0624
Erewash Borough Council	1143	0641
Derbyshire Wildlife Trust	1145	0655
Bolsover District Council	1147	3560
CPRE	1152	0731
Chesterfield Borough Council	1154	0747
Sustainable Hayfield	1155	0765
Historic England	1158	0802
Peak District National Park Authority	1159	0891

### Issue – General approach to the supply of coal

<b>Representations</b> ( <i>CPRE, 1152/0731; Derbyshire Wildlife Trust, 1145/0655; Sustainable Hayfield, 1155/0765</i> )	
2.16.1	<p>Several respondents repeated their opposition in principle to the extraction of all energy minerals, including coal, in the Plan area. Reasons cited included:</p> <ul style="list-style-type: none"> <li>• inconsistency with Derby City / Derbyshire County Council declared climate emergencies and associated policies and strategies.</li> <li>• the MLP should clearly state that that the future extraction of coal in Derbyshire is inconsistent with both Government policy and law with regard to carbon targets The Climate Change Act 2008 (2050 Target Amendment) Order 2019.</li> <li>• The accumulated global evidence of the impacts of fossil fuel extraction and use on the release of greenhouse gases leading to climate change.</li> <li>• the UK Government’s Advisory Committee on Climate Change advice to government that <i>‘the evidence against any new consents</i></li> </ul>

*for coal exploration or production is overwhelming' (letter to Secretary of State, BEIS, February 2022)*

2.16.2 One respondent suggested that the entire section relating to energy mineral (e.g. coal, conventional and unconventional hydrocarbons and gas from coal) should be removed due to these inconsistencies, suggesting the following supporting text and policy wording as an alternative.

*'8.1 Coal, conventional and unconventional hydrocarbons and gas from coal are present across Derbyshire but the Climate Emergency, combined with both Derby and Derbyshire's net zero carbon ambitions and the shift away from fossil fuels, means that the extraction of fossil fuels will not be permitted across the County.*

***Policy SP16: The exploration, appraisal and production of fossil fuels***

*The exploration, appraisal and production of fossil fuel resources will not be permitted.*

*(CPRE 1152/0731)*

2.16.3 The Peak District National Park Authority highlighted the need for an urgent review of the NPPF in respect of its advice and policy in respect of coal. It further commented that the potential for new planning permissions for coal extraction (and therefore burning and carbon generation) would appear to be contrary to the principles of statements made in Chapter 5 of the Proposed Draft Plan.

*(PDNPA 1159/0891)*

**Actions/Considerations**

2.16.4 In accordance with the NPPF the Plan is required to make provision for a sufficient supply of minerals to provide the energy, infrastructure, buildings, and goods that the country needs and to provide for the extraction of mineral resources of local and national importance. The NPPF includes coal (shallow and deep-mined) and oil and gas (conventional and unconventional) in its definition of such resources. It is appropriate therefore that where such resources are present in the Plan area they are identified.

**Outcomes for Pre-Submission Draft Plan**

2.16.5 Retain policy SP16 but reword text to ensure it better reflects government energy policy in respect of phasing out unabated coal in energy generation and insert an additional criterion to require the proposal to

demonstrate that it would not contribute to climate change or prejudice the achievement of UK climate change objectives and national and local carbon reduction targets and budgets.

## Issue: Use of Criteria-based approach to coal development

**Representations** (*Chesterfield Borough Council, 1154/0747; Erewash Borough Council, 1143/0641; North East Derbyshire District Council 972/3561; Bolsover District Council 1147/3560*)

- 2.16.6 Chesterfield Borough Council commented that the Proposed Draft Plan conflicts with paragraph 215 (c) of the NPPF because it adopts a criteria-based policy approach to coal development rather than indicating any areas where coal extraction and the disposal of colliery spoil may be acceptable. The Borough stated that it did not agree with the reasoning given for this approach e.g., that it would be more flexible and prevent 'blight'. Because the entire Borough is identified as having Coal Bearing Strata at the surface, the net result would be to create uncertainty. The Borough went on to observe that no justification was provided within the plan as to why this approach is more appropriate in Derbyshire, despite an indication that it is known where seams are substantial enough to be worked commercially and requested that the Plan should seek to positively identify sites where Coal extraction and the disposal of colliery spoil may be acceptable.
- 2.16.7 Erewash Borough Council noted the presence of coal bearing strata at surface in the north-east of the Borough – largely around the town of Ilkeston. It drew attention to the proposed allocation of three strategic housing sites as part of its Core Strategy review within the shallow coal resource area (at Cotmanhay, Kirk Hallam and Stanton) and expressed concern about any efforts to embark upon the extraction of shallow coal reserves at any of these locations. The Borough recognised that the general framework provided by Policy SP16 offered clarity around situations in which extraction may be justified.
- 2.16.8 North East Derbyshire District Council acknowledged the extent of the North Derbyshire Coalfield within its administrative area and that it is identified as a resource for surface coal. The Council notes the draft criteria based Strategic Policy SP16 and the Development Management type policies in relation to coal, and appreciates that there are no specific site allocations for coal extractions in North East Derbyshire.

16.2.9 Bolsover District Council noted that it formed a key part of the former North Derbyshire / Nottinghamshire Coalfield, with a number of coal and colliery spoil tips and features. The Council commented that These are often in close proximity to local communities and therefore any attempts to extract energy minerals from these would be likely to generate unacceptable environmental impacts.

#### **Actions/Considerations**

2.16.10 The MPA notes consultee comments with regard to the proposed criteria-based policy approach to coal. The MPA has been consistent in this approach, which was identified following the Issues and Options consultation and consulted upon during the 2018 'Proposed Approach' consultation. Responses received in respect of that consultation exercise favoured the identification, on a map, the general extent of the shallow coal resource and also identification the main constraints. The MPA maintains that this would represent a flexible approach where all the remaining coal resources (in effect one large area of search) could be subject to appropriate, detailed consideration and would avoid imposing any targets or limits on the amount of coal that could be extracted. Whilst it would not automatically exclude any of the resource from future consideration, it would also avoid the potential for planning blight arising from the identification of specific sites or areas for future coal working. In accordance with the advice in the NPPF, the responsibility for developing individual proposals would be placed in the hands of the mining industry.

2.16.11 In the absence of any specific sites being promoted for coal extraction by operators, the MPA only has access to very general information in respect of the location of commercially viable coal seams within the Plan Area. Whilst the identification of specific sites for future coal extraction would be of benefit to the industry, the detailed geotechnical information that would be required to do so is not available to the mineral planning authorities.

#### **Outcomes for Pre-Submission Draft Plan**

2.16.12 No amendments to the criteria-based approach towards coal development proposed in the plan. But plan to be amended to provide a map showing coal resource with main constraints.

## Issue – Policy SP16: Coal Extraction and Colliery Spoil Disposal

**Representations** (*Transition Chesterfield 1139/0624, DWT 1145/0655; CPRE 1152/0731; Sustainable Hayfield 1155/0765*)

- 2.16.13 The policy is weak as it permits extraction of coal where it can demonstrate that it is environmentally acceptable or can be made so by planning conditions and/or obligations etc. Based on evidence from the International Monetary Fund, the Committee on Climate Change and others, coal extraction is not environmentally acceptable, and the policy should be amended to make it clear that there should be no new coal extraction.
- 2.16.14 The policy is unsound because it lags behind the national recognition of the climate emergency and the need to reduce the use of fossil fuels, the policy of allowing further coal extraction where need can be demonstrated is inconsistent with the Government's most recent target to reduce climate changing gas emissions by 2050 to 100% below 1990 levels as stated in The Climate Change Act 2008 (2050 Target Amendment) Order 2019. This Plan period encompasses the 4th and 5th Carbon Budget periods, with Government targets for cuts in CO2 emissions of 51% by 2025 and 57% by 2030, so there should be no new coal extraction from the County to meet Derbyshire's contribution to meeting those targets.
- 2.16.15 If the MPA chooses to continue with proposed inclusion of policy allowing for the extraction of coal, SP16 (at criterion 16.1) should be amended so as to include the following additional criteria: 1) *'...that the development satisfies the following requirements:*
- *that emissions from the development (including indirect/downstream emissions) would not contribute to climate change or prejudice the achievement of UK climate change objectives and be consistent with national and local carbon budgets and targets; or that it is environmentally acceptable'.*
- 2.16.16 The policy should be reworded to have a presumption against coal (and other hydrocarbon resources) unless *'a proposal can demonstrate it has a net zero impact on carbon emissions'*. This, we understand, is the approach taken in the equivalent plan produced in Kirklees, suggesting this is possible, if the will is there.

### **Actions/Considerations**

- 2.16.17 The MPA acknowledges the inherent conflict between the UK's commitment to reduce carbon emissions to Net Zero and the inclusion of



a policy for a carbon rich mineral such as coal. The NPPF clearly sets out a requirement in respect of coal development and it is important that the Plan takes account of this to ensure it is legally sound. However, in acknowledgement of the carbon intensive nature of coal as a mineral, which is far in excess of any other type of mineral, including oil and gas, the MPA considers it appropriate to require all schemes to demonstrate that they will be 'net zero' for the lifetime of the development.

#### Outcomes for Pre-Submission Draft Plan

2.16.18 Reword policy SP15 so it is negatively framed; better reflects government energy policy in respect of phasing out unabated coal in energy generation and insert an additional criterion to require the proposal to demonstrate that it would not contribute to climate change or prejudice the achievement of UK climate change objectives (net zero) and national and local carbon reduction targets and budgets.

### Issue – Missing policy text

**Representations** (*Erewash Borough Council 1143/0641, North East Derbyshire District Council 972/3561*)

2.16.19 A number of consultees identified that there were typographical errors in the text of criterion 2 to Policy SP15. As identified in the erratum, criterion 2) of policy SP15 needs replacing as it is a repetition of the opening of part 1).

#### Actions/Considerations

2.16.20 The MPA acknowledges that text was missing from sub-paragraph 2 of policy SP15. Notice of erratum with the Proposed Draft Plan were published during the consultation with the correct text for Criterion 2. The missing text is as follows:

**'2. Where development proposals are unable to demonstrate the requirements of 1) above, planning permission will only be granted where proposals can be demonstrated to provide national, local or community benefits of a scale which clearly outweigh the likely impacts (taking all relevant matters into account, including any residual environmental impacts).**

**In the assessment of benefits of coal mining development against adverse impacts the mineral planning authority will have regard to the requirements of sub-paragraphs 2 and 3 of Policy DM2: Criteria**

<b>for Assessing the Benefits of Minerals Development Proposals; and...'</b>
<b>Outcomes for Pre-Submission Draft Plan</b>
2.16.21 The policy wording under criterion 15.2 will be retained as it reflects the requirements of the NPPF regarding the approach an MPA should take when assessing proposals for coal extraction.

## **Issue – Policy doesn't define 'environmental acceptability' and how it will be assessed**

<b>Representations</b> ( <i>Historic England 1158/0802; Transition Chesterfield 1139/0624</i> )
2.16.22 A number of consultees made comments on the assessment of environmental impacts and how they would be assessed against the benefits of proposals for coal extraction. They also expressed concern that there was no definition of 'environmentally acceptable'
2.16.23 Historic England commented that the policy was unclear as to how 'environmental acceptability' would be assessed and stated that it was unclear as to what the impacts could be for the historic environment and how the scale of benefits versus the likely impacts will be considered. Reference within policy SP15 to sub paragraph 2 of Policy DM 2 was noted but additional explanation within the reasoned justification for this policy about the process and approach was requested.
<b>Actions/Considerations</b>
2.16.24 The NPPF sets out a broad requirement that mineral local plans should set out criteria-based policies to assess and determine all mineral development proposals. National policy and guidance statements provide further clarification as to the range of criteria that fall within the planning system. This range of criteria could be relevant to all forms of mineral development and, in each case, only those issues and criteria that are relevant to a particular proposal would be taken into consideration in the determination of an application. Whilst the comment regarding lack of specific reference to the historic environment within policy SP15 is noted, the MPA does not consider it necessary to include it as an additional criterion within the policy.
2.16.56 The phrase environmental acceptability is a commonly used one in national and local planning policy and is a requirement of all the strategic policies within the Plan. It is not specific to proposals for coal

development. The MPA acknowledges, however, that a further, general, statement or definition of 'environmental acceptability' would be beneficial for users of the Plan.

#### **Outcomes for Pre-Submission Draft Plan**

2.16.26 The Plan includes a plan wide criteria-based policy SP15 together with general development management policies at Chapter 11 which allow for constraints to working, including impacts to the historic environment, to be considered on a case-by-case basis in the assessment of development proposals. No changes to policy SP15 proposed in terms of additional criteria in this respect. The MPA will revise the reasoned justification to make it clearer that all proposals will be assessed against the policies contained within Chapter 11. The plan will also be amended to include a general statement at the front of the plan as to 'environmental' acceptability.

## 2.17 Chapter 8.2 - Hydrocarbons

**Table of Representations**

Name		Name Ref. No.	Representation Ref. No.
Jonathon	Williams	702	0002
Janice	Beech	715	0015
Liz	Hawkins	716	0016
Pamela	Lewis	725	0026
Chris	Stait	727	0032
John	Levis	728	0036
Sue K	Connelly	733	0041
Elaine	Nudd	738	0047
Mark	Watford	741L	3252 Additional Comments 0052,0053,0054,0055
Sarah	Marsh	742	0056,0057,0058,0059, 0060,0061,0062,0063,006 4,0065,0066,0067,0068, 0069,0071,0072,0073, 0074, 0075
Mary	Reape	749	0084
Judy	Heap	759	0095
Steve	Elliott	760	0097,0098,0099
Anne	Thoday	764L	0991
Melanie	Flynn	766L	3253
Trevor	Back	767L	3254
Sheharyar	As'ad	768L	3255
Tony	Mott	769L	3256
Robert	Purcell	770L	3257
John	Millar	771L	3258
Simon	Hewood	772L	3259
Jennifer	Smith	773L	3260
Noam	Livne	774L	3261
Deborah	Hofman	775L	3262

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Lisa	Mendum	776L	3263
Carol	Leak	777L	3264
Doug	Lennon	778L	3265
Valerie	Taylor	779L	3266
Elizabeth	Browes	780L	3267
Stefan	Majer	781L	3268
Christopher	Allen	782L	3269
Catherine	Petersen	783L	3270
Sarah	Foy	784L	3271
Joshua	Lane	785L	3272
Anne	Shimwell	786L	3273
Rachael	Hatchett	788L	3274
Lindsay	Price	789L	3275
Sue	Watmore	790L	3276
Sue	Bradford-Knox	791L	3277
Sue	Cowdrey	792L	3278
Wendy	Bullar	793L	3279
Jane	Finney	794L	3280
Glenda	Howcroft	795L	3281
Milly	Holdsworth	796L	3282
Susan	Bamforth	797L	3283
Lindy	Stone	799L	3284
Roger	Holden	800L	3285
Kenneth	Duvall	801L	3286
Lynne	Irving	802L	3287
Brian	Lever	803L	3288
Jason	Fraser	804L	3289
Marguerite	Broadley	805L	3290
Nadine	Peatfield	806L	3291
Angela	Hughes	807L	3292
Sue	Davies	808L	3293

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
John	Youatt	809L	3294
John	Cantellow	810L	3295
Joseph	Reynolds	811L	3296
Marlene	Shaw	812L	3297
Andrew	Taylor	815L	3298
Nicholas	Headley	816L	3299
Margaret	Roberts	817L	3300
John	Beardmore	818L	3301
Richard	Bull	819L	3302
Holly	Moloney	820L	3303
Martin	Stone	821L	3304
Dawn	Watson	822L	3305
Roger	Morton	823L	3275
Nigel	Presswood	824L	3276
Susan	Killeen	830	0182
Derbyshire MLP Communities Action Group		831	0183
Dennis	Hutchinson	832	0184
Carol	Hutchinson	833	0186,0187,0188,0189, 0190
Stephanie	Futcher	837L	3277
Anne	Jackman	838L	3278
Aubrey	Evans	839L	3279
Paul	King	840L	3280
Judith	Brunt	845L	3281
Ben	Lambert	846L	3282
Pauline	Fisher	847L	3283
James	Eaden	848L	3284
Helen	Steadman	849L	3285
Paul	Briggs	850L	3286
Keith	Fisher	851L	3287

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Rebecca	Smith	852L	3288
Rachel	Bolton	853L	3289
Neil	Stuart	854L	3290
Heather	Bryant	855L	3291
Liz	Longden	856L	3292
Christine	Selden	857L	3293
Adam	Link	858L	3294
Janet	Ratcliffe	859L	3295
Alan	Baldwin	860L	3296
Valerie	Fenton	861L	3297
Neil	Tuner	862L	3298
Sheila	Maters	863L	3299
Amy	Hughes-Dennis	868L	3300
Jacky	Rounding	869L	3301
Nick	Clarke	870L	3302
David	Hassall	871L	3303
Rachel	Steele	872L	3304
Simon	Redding	873L	3305
Collette	Boden	874L	3306
Diana	Clarke	875L	3307
Rachael	Richardson	876L	3308
Vanessa	Fessey	877L	3309
Christine	Curwen	878L	3310
John	Curwen	879L	3311
Dawn	Walton	880L	3312
Lee	Housely	881L	3313
David	McGill	882L	3314
Lucy	Johnson	883L	3315
Alison	Storey	884L	3316
Susan	Groom	885L	3317
Mark	Knight	886L	3318

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Susan	Brown	887L	3319
Julie	Davies	888L	3320
Mike	Wheeler	889L	3321
Linda	Walker	890L	3322
John	Hughes	891L	3323
Christopher	Mann	892L	3324
Nicola	Godridge	893L	3325
Anne	Burton	894L	3326
Sue	Wall	895L	3327
Giulia	Argyll Nicholson	896L	3328
Paula	Browne	897L	3329
Andrew	Mottershaw	898L	3330
V	Wilkinson	899L	3331
Michael	Hirst	900L	3332
Lesley	Cooper	901L	3333
Maralyn	Dommett	907L	3334
Chris	Heard	908L	3335
Ann	Fox	909L	3336
Anne	Wood	910L	3337
Glynis	Horvath	911L	3338
Jenny	Gibbins	912L	3339
Poppy	Simon	913L	3340
Germaine	Bryant	914L	3341
Vicki	Booth	915L	3342
Barbara	Mackenney	916L	3343
Susan	Fear	917L	3344
Angela	Ostler	918L	3345
Sue	Cuthbert	919L	3346
Victoria	Noble	920L	3347
Kim	Evans	921L	3348
Patsy	McGill	922L	3349



<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Dianne	Banks	923L	3350
William	Hobbs	924L	3351
Carolanne	Mason	925L	3352
Elizabeth	Turk	926L	3353
Jacqueline	Meyer	927L	3354
Joy	Bates	928L	3355
Penny	Took	929L	3356
Karl	Barrow	930L	3357
Barbara	Hughes	932L	3358
Vikki	Watford	933L	3359
Julie	Barwick	934L	3360
Natalie	Rocca	935L	3361
Ursula	Watts	936L	3362
Kay	Watson	937L	3363
Andrew	Watson	941	0359
Sue	Cook	942	0360,0361
Janet	Baldwin	943	3548
Janice	Felderman	944	0363,0364,0365,0366, 0367
Teresa	Glossop	945L	3364
Rae	Jones	946L	3365
Callum	Armstrong	947L	3366
Michael	Samash	948L	3367
Jane	Webb	949L	3368
Andrea	Watwood	950L	3369
Bruce	Levitan	951L	3370
Amanda	Johnson	952L	3371
Anna	Swieczak	953L	3372
Sharon	Craig	954L	3373
Keith	Hutchinson	955L	3374
Anne	Wilding	956L	3375

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Laura	Stevens	957L	3376
Kelly	Rickard	958L	3377
Holly	Salmon	959L	3378
Lynne	Bruce	960L	3379
Trevor	Kirkwood	961L	3380
Chris	Hutchinson	962L	3381
Terry	Joiner	963L	3382
Yvonne	Payne	964L	3383
Logan	Sheppard-Scally	965L	3384
Andy	Ashmore	969L	3385
Lesley	Burke	970L	3386
North East Derbyshire DC		972	0396
AMK	Wardroper	975L	3387
Adrian	Brown	976L	3388
Christine	Nudds	977L	3389
Toni	Burnley	978L	3390
Jane	Varley	979L	3391
Geraldine	Busuttil	980L	3392
Cetra	Coverdale Pearson	981L	3393
Susan	Wiltshire	982L	3394
Stephanie	Carter	983L	3395
Hanna	Wade	984L	3396
Elaine	Nudd	985L	3397
Andy	Jamieson	986L	3398
Jill	Holley	987L	3399
Nicholas	Granville	988L	3400
Gary	Roper	989L	3401
Walt	Shaw	990L	3402
Tracy	Arnold	991L	3403
Peter	Coward	992L	3404

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Martin	Hofman	994L	3405
Catherine	Hallsworth	995L	3406
Pat	Thompson	996L	3407
Lynne	Atkin	997L	3408
Emma	Bungay	998L	3409
Andrew	Murdoch	999L	3410
Rita	Allan	1000L	3411
Trevor	Bates	1001	0433
Ben	Mitchell	1002L	3412
Alison	Brown	1003L	3413
Roger	Clarke	1004L	3414
Beth	Ashman	1005L	3415
Michael	Dowsett	1006L	3416
Leonardo	Wilson	1007L	3417
Patrick	Anderson	1008L	3418
Glynis	Spencer	1009L	3419
Stuart	Handley	1010L	3420
Clare	Wood	1011L	3421
Diana	Kerswell	1012L	3422
Lisa	Hopkinson	1013L	3423
Rachel	Horton	1014L	3424
Gwyneth	Francis	1015L	3425
Frances	Gower	1016L	3426
Dave	Smith	1017L	3427
Sally	Whitham	1018L	3428
Holly	Exley	1019L	3429
Jessica	Stephens	1020L	3430
Karen	Smith	1021L	3431
C	Shelton	1022L	3432
James	Currie	1023L	3433
Alexandra	Williams	1024L	3434

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Judith	Cornwall	1025L	3435
John	De Carteret	1026L	3436
Jane	Berry	1027L	3437
Steven	Noake	1028L	3438
Alison	Evans	1029L	3439
Delia	Wellard	1030L	3440
Kevin	Williams	1031L	3441
Joshua	Phillips	1032L	3442
Gillian	Von Fragstein	1033L	3443
Chrystal	Wallage	1034L	3444
Deborah	Purhouse	1035L	3445
Sue	Tomlinson	1036L	3446
Susan	Foxon	1037L	3447
Susan	Heard	1038L	3448
David	Leicester	1039L	3449
Alison	Storer	1040L	3450
Mark	Brailsford Mark	1041L	3451
Jane	Reynolds Jane	1042L	3452
John	Sherratt John	1043L	3453
Beatrice	Rajakaruna	1044L	3454
Alisob	Scothern	1045L	3455
Amanda	Chalk	1046L	3456
Jillian	Harrison	1047L	3457
Ian	Beever	1048L	3458
Stephen	Blakemore	1049L	3459
Maggie	Cook	1050L	3460
Paul	Senior	1051L	3461
Amina	Burslem	1052L	3462
Paul	Tooley	1053L	3463
John	LeGrove	1054L	3464
Lewis	Coupland	1055L	3465

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Graham	Joiner	1056L	3466
Natalie	Smith	1057L	3467
Susan	Ashman	1058L	3468
Eric	Hart	1059L	3469
Andrew	Taylor	1060L	3470
Rhian	Harding	1061L	3471
James	Wyatt	1062L	3472
Fiona	Ibbotson	1063L	3473
Andy	Ward	1064L	3474
Karen	Undrell	1065L	3475
Natalie	Dawes	1066L	3476
Jonathan	Helliwell	1067L	3477
Joanna	Watson	1068L	3478
Stephen	Plant	1069L	3479
Daniel	Lloyd	1070L	3480
Isky	Gordon	1071	0505
Stephan	Ball	1072L	3481
Mark	Allcock	1073L	3482,0509 additional to letter
Pauline	Bell	1074L	3483
Chris	Slater	1075L	3484
Sheila	Spinks	1076L	3485
Patricia	Tidmarsh	1077L	3486
Rachel	Young	1078L	3487
Christine	Nelson	1079L	3488
Jeremy	Wright	1080L	3489
Hazel	Thorpe	1081L	3490
Ruth	Foden	1082L	3491
Claire	Cooper	1083L	3492
Clare	Greenwood	1084L	3493
Gareth	Hughes	1085L	3494
Pauline	Inwood	1086L	3495

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Caroline	Norbury	1087L	3496
Emily	Lynn	1088L	3497
Julia	Fell	1089L	3498
Margaret	Gallimore	1090L	3499
Becky	Turner	1091L	3500
Caroline	Phillips	1092L	3501
Matt	Drew	1093L	3502
Liz	Honeybell	1094L	3503
Keith	Gillespie	1095L	3504
Barry	Hodgson	1096L	3505
Carol	Wood	1097L	3506
Peter	Cashford	1098L	3507
I P	Smith	1099L	3508
Louise	Petherham	1100L	3509
Jean	Cashford	1101L	3510
Chris	James	1102L	3511
Ruth	Woods	1103L	3512
Deborah	Noone	1104L	3513
Norman	Rimmell	1105L	3514
Malcolm	Barrow	1106L	3515
Marian	Wall	1107L	3516
Steve	Cane	1108L	3517
Daniel	Wimberley	1109L	3518
Dolores	O'Reilly	1110L	3519
Barlborough PC		1112	
Imogen	Baines	1114L	3520
Theresa	Brooke	1115L	3521
Jenifer	Hyde	1116L	3522
Poppy	Marston	1117L	3523
Stephanie	Holmes	1118L	3524
Pamela	Bain	1119L	3525

<b>Name</b>		<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Richard	Finnigan	1120L	3526
Chris	Brennan	1121L	3527
Diane	Kerry	1122L	3528
Neil	Lister	1123L	3529
Philip	Hutchinson	1124L	3530
Martin	Bennett	1125L	3531
Rod	Leach	1126L	3532
Steve	Taylor	1127L	3533
Denis	Robinson	1128L	3534
Jacqueline A	Box	1129L	3535
Liz	Elliot	1130L	3536
Mair	Bain	1131L	3537
Kevin	Elliot	1132L	3538
MP Lee	Rowley	1135	0580,0581,0582,0583, 0584,0585
Environment Agency		1136	0597
Transition Chesterfield		1139	0614,0617,0625,0626, 0627
UKOOG		1140	0628,0629,0630,0631, 0632,0633,0635
Dronfield Town Council		1141	0636,0637
Cllr Gez	Kinsella	1142L	3539
Derbyshire Wildlife Trust		1145	0656
Eckington Parish Council		1146	0666,0667,0668,0669, 0670,0671, 0672,0673
Bolsover District Council		1147	0678
Graham	Buckley	1148	0682,0683,0684,0685, 0686
Eckington Against			

Name		Name Ref. No.	Representation Ref. No.
Fracking		1149	0688,0689,0691,0692,0693,0694,0695,0696,0697,0698,0699,0700, 0701
Clay Cross Against Fracking		1151	0708,0712
CPRE		1152	0732, 0733,0734
Elmton with Creswell Parish Council		1153	0740
Sustainable Hayfield		1155	0766,0767,0769
Kathy	Mitchell	1156L	3540
S Yorks for a Green New Deal		1157	0781,0782, 0783,
Historic England		1158	0803,0804,0805,0806, 0807,0808,0809,0810
PDNPA		1159	0892
Creswell Against Fracking		1162	0971,0972,0973,0974, 0975,0976, 0977,0978, 0979,0980
DCC Labour Group		1163	0981
Ros	Griffith	1165	0995
MP Mark	Fletcher	1166	0996

## General Comments

### Premature Consultation - British Geological Survey Report

<b>Representations</b> <i>(Sarah Marsh 742/0058)</i>	
2.17.1	Consultation on the Plan is premature. The Councils should have waited until after the findings of the British Geological Survey report on whether there has been new scientific evidence to warrant lifting the moratorium on issuing Hydraulic Fracturing Consents.
<b>Actions/Considerations</b>	
2.17.2	The MPA cannot base the timetable of local plan preparation on the publication of government documents, it would be impractical.
<b>Outcomes for Pre-Submission Draft Plan</b>	



2.17.3	Not applicable.
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## British Geological Survey Report

<b>Representations</b> ( <i>UKOOG 1140/635</i> )
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2.17.4	The plan should take account of the announcement from BEIS that the science which led to the moratorium is being reviewed by the BGS.
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<b>Actions/Considerations</b>
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2.17.5	The MPA has taken into account the publication of the BEIS BGS Report on Hydraulic Fracturing. It was published after the draft plan consultation but before the pre-submission consultation stage.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.17.6	No change.
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## Issues and Options Report 2011 Unconventional Hydrocarbons

<b>Representations</b> ( <i>Sarah Marsh 742/0060</i> )
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2.17.7	The issues and Options stage in 2011 did not include reference to Unconventional Oil and Gas.
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<b>Actions/Considerations</b>
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2.17.8	The Issues and Options Report included as Issue 11 'Managing how we can make provision for New Coal Exploitation Technologies'. It did not include reference to Shale Gas which emerged as a potential oil and gas resource post 2011.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.17.9	Not applicable.
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## General Comment - use of mine gas

<b>Representations</b> ( <i>South Yorkshire for a Green New Deal 1157/0783</i> )
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2.17.10	The plan should, however, promote the feasibility of using heat from mine water, as is being done in other authorities such as Barnsley and the north east of England.
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<b>Actions/Considerations</b>
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2.17.11	The use of energy from mine water is a matter for the District/Borough/Unitary Authorities to include in the local plans that they prepare.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.17.12	Not applicable.

## The Regulatory System Environment Agency

<b>Representations</b> ( <i>Environment Agency 11370597</i> )	
2.17.13	We would highlight that a mining waste permit will be required for onshore oil and gas activities. The Environment Agency will not approve an application to drill for oil and gas through an area designated as Source Protection Zone (SPZ) 1.
<b>Actions/Considerations</b>	
2.17.14	The comment is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.17.15	No change.

## General comment - environmental safeguards

<b>Representations</b> ( <i>Eckington Against Fracking 1149/689</i> )	
2.17.16	The focus of the 'Minerals Plan' seems to be based on a presumption of allowed development with conditions and mitigation factored into applications, that are designed to allay fears, but ultimately are unmanageable and provide no proven safeguard on environmental impacts once a scheme is underway.
<b>Actions/Considerations</b>	
2.17.17	An important approach of the Plan as set out at paragraph 4.8 is that, <b>All policies of the Plan and their criterion apply where relevant.</b> The MPA considers that the proposed changes to the Plan will ensure that appropriate environmental safeguards are in place to protect people and the environment from impacts from all mineral development not only hydrocarbon development. The MPA will use monitoring and enforcement procedures to ensure compliance with that any planning conditions.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.17.18	No change.

## Need

### Hydrocarbons Need Paragraph 8.2.32

<b>Representations</b> (CPRE 1152/0732)	
2.17.19	Amend last sentence to ‘...and the Plan therefore needs to include policies to control such development’ as the text is currently too permissive.
<b>Actions/Considerations</b>	
2.17.20	This sentence has been amended and encompasses the concerns raised.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.17.21	Paragraph 8.2.43 reads..... <i>‘The scale of all resources available in the Plan area and the commercial viability of those resources are very uncertain and appear to be limited in some cases. However, it is possible that the oil and gas industry will seek to examine and extract these resources, if commercial viability is proven, and the Plan therefore needs to include policies to consider such development proposals should they come forward. In view of the lack of knowledge about the location and scale of economically viable oil and gas resources the Plan adopts a plan wide policy approach which allows for their exploitation subject to meeting a detailed set of criteria.’</i>

### Need for Oil and Gas and Hydraulic Fracturing

<b>Representations</b> (Sue Cook 942/361)	
2.17.22	The time taken to bring shale gas into production would not be a quick fix to solve the energy crisis and the amount of gas produced is insignificant compared to the demand.
<b>Representations</b> (Transition Chesterfield 1139/614)	
2.17.23	The Plan should recognise the advice of experts who have warned against policies to start fracking or to maximise extraction of UK oil and gas: <ul style="list-style-type: none"><li>• The former head of the United Nations, Ban Ki-Moon has urged the UK not to lift its fracking ban in an effort to bolster energy resilience in the wake of Russia’s invasion of Ukraine, saying it would not be in the “long-term interest of humanity”.</li></ul>

- Adam Vaughan in the New Scientist suggested the only real long-term fix is to cut the UK's reliance on gas by backing renewables and low-carbon alternatives to gas boilers, such as heat pumps.
- The CCC have argued that best way to ease consumers' pain from high energy prices is to stop using fossil fuels rather than drill for more of them and any UK-produced gas would be sold internationally and barely reduce the consumer price. They said wind and solar power, as well as home insulation, is a better route.
- A number of scientific experts also note that fracking is not a good solution to the current energy crisis or for energy security.
- Independent analysis by Carbon Brief shows that if the 649 wind and solar projects already cleared for development in the UK were actually built they would, collectively, more than offset the gas that is currently imported from Russia.

**Representations** (*Transition Chesterfield 1139/0617*)

2.17.24 The document's rationale for continued extraction of natural gas and fracking that "continued good access to natural gas from both domestic and international markets is seen as critical." Is factually wrong, misguided and not aligned with net zero targets nor more recent pronouncements to reduce reliance on oil and gas.

**Representations** (*Transition Chesterfield 1139/0617*)

2.17.25 The Plan adopts the approach that there is an assumed need for oil and gas, including shale gas. While the NPPF states that "It is important therefore that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs." However, it does not follow that having sufficient supply of energy means the continued supply of fossil fuels since the deployment of renewable energy offers cost-effective alternatives to oil and gas. The Plan should use the updated evidence from the CCC's Sixth Carbon Budget which predict a 76% reduction in gas consumption in the period 2020-2050, i.e. under our net zero target we will be consuming 24% of the gas we consumed in 2020 (consumption of gas will reduce from 920 TWh in 2020 to 217 Twh in 2050). The Plan should adopt a presumption against more gas extraction.

**Representations** (*UKOOG 1139/0630*)

2.17.26 UKOOG welcome the fact that the Plan recognises the need for oil and gas out to 2050. It would also draw attention to the comments made by

the Inspector on Egdon Resources’ appeal for the Wressle development regarding national energy policy: ‘National energy policy, most succinctly set out in NPS EN-1 and the Framework, is aimed at reducing demand by end users, and in that way reducing both demand and consumption. It is no part of national policy to attempt to reduce emissions by restricting the production of hydrocarbons in the UK, as was implied or stated by some objectors. Nor was such an approach suggested by the Committee on Climate Change when dealing with the net zero 2050 position – and there is no policy which provides that a net zero carbon economy in 2050 would be hydrocarbon-free.’

**Representations** (*Chris Stait 727/0032, Trevor Bates 1001/433*)

2.17.27 Support the extraction of oil and gas including hydraulic fracturing in order to enable security of supply and reduce energy costs.

**Actions/Considerations**

2.17.28 The NPPF requires the Plan to make provision for a sufficient supply of minerals to provide the energy, infrastructure, buildings, and goods that the country needs and to provide for the extraction of mineral resources of local and national importance. The NPPF includes oil and gas (conventional and unconventional) in its definition of such resources. Therefore, the imposition of a blanket ban on hydrocarbon extraction would be contrary to the NPPF.

2.17.29 Then Plan has been updated to incorporate national policy guidance on planning, energy provision and climate change. In relation to the extraction of oil and gas by underground coal gasification the Plan adopts a restrictive approach in the light of national policy. In relation to hydraulic fracturing the Plan adopts a precautionary approach in the light of the continued moratorium on issuing hydraulic fracturing consents.

2.17.30 In terms of energy provision the Government published its Energy Security Strategy in April 2022<sup>3</sup>, setting out targets for renewables, nuclear and low carbon energy sources whilst stressing the importance of ‘home grown’ sources of energy to reduce our reliance on imports. Oil and gas is recognised as essential transition fuel to reaching ‘Net Zero’ and an increase in domestic production is supported. The Plan therefore is required to include policies to enable the exploration, appraisal and production of oil and gas proposals should they come forward.

<sup>3</sup> DBEIS and PM Office Policy Paper British Energy Security Strategy 7 April 2022

2.17.31 In relation to climate change the MPA agree that, in the light of more recent evidence<sup>4</sup> on the need to urgently address climate change issues, the Plan needs to be strengthened to ensure that these issues are robustly addressed when determining proposals for mineral extraction.

#### **Outcomes for Pre-Submission Draft Plan**

2.17.32 No change in principle in relation to the need for oil and gas but changes have been made to SP2 Climate Change and SP16 Hydrocarbons to address climate change and other environmental issues particularly those relating to hydraulic fracturing.

## **Policy Development General**

### **Unconventional and Conventional Separate Policies**

#### **Representations** (*Sarah Marsh 742/0059*)

2.17.33 The Plan should contain separate policies for the extraction of conventional and unconventional hydrocarbons

#### **Actions/Considerations**

2.17.34 The MPA consider that in general the characteristics of extracting conventional and unconventional hydrocarbons are similar and can be dealt with under one policy. Where particular differences occur, for instance the use of hydraulic fracturing, then separate sections have been included within the policy.

#### **Outcomes for Pre-Submission Draft Plan**

2.17.35 No change.

### **Unconventional and Conventional Resources**

#### **Representations** (*UKOOG 1140/0629*)

2.17.36 For clarity, the term 'unconventional' and 'conventional' refers to the formation, not the process used.

#### **Actions/Considerations**

2.17.37 Agree

<sup>4</sup> United Nation's Intergovernmental Panel on Climate Change (IPCC) 6th Assessment Report ,9 August 2021 and Impacts, Adaptation and Vulnerability Report, March 2022 and United Nations Environment Programme Emissions Gap Report – Closing the Window, October 2022.

## Outcomes for Pre-Submission Draft Plan

2.17.38 The Plan at paragraph 8.2.2 has been amended accordingly.

## Unconventional and Conventional and Hydraulic Fracturing Definitions

**Representations** (*Mark Watford 741/0055, Dennis Hutchinson 832/0184, Carol Hutchinson 833/0187, Janice Feldermann 944/364, Graham Buckley 1148/683*)

2.17.39 The Plan should include clear definitions for unconventional and conventional hydrocarbons and hydraulic fracturing.

**Representations** (*UKOOG 1140/0628*)

2.17.40 The Plan uses the PPG definition of Hydraulic Fracturing. It should use the Infrastructure Act 2015 definition Section 4A: supplementary provision 1 (1)“Associated hydraulic fracturing” means hydraulic fracturing of shale or strata encased in shale which— (a) is carried out in connection with the use of the relevant well to search or bore for or get petroleum, and (b) involves, or is expected to involve, the injection of— (i) more than 1,000 cubic metres of fluid at each stage, or expected stage, of the hydraulic fracturing, or (ii) more than 10,000 cubic metres of fluid in total.

**Representations** (*Eckington Against Fracking 1149/0693*)

2.17.41 Provide a more robust definition for fracking and/or any other unconventional onshore gas/oil extraction method that uses stimulation techniques to liberate the gas/oil from the rock matrix.

**Representations** (*Creswell Against Fracking 1162/0974*)

2.17.42 The lack of a clear and unambiguous statement giving a “realistic definition of Unconventional Gas Extraction that is clear and differentiated from Conventional gas extraction adopted into the Plan” in what will ultimately become a legal document is an inexcusable omission.

### Actions/Considerations

2.17.43 Agree that it would be helpful if the Plan included clearer definitions of conventional, unconventional resources and hydraulic fracturing. In relation to the latter for the purposes of the Plan the MPA has adopted the PPG definition ‘*Hydraulic fracturing is the process of opening and/or extending existing narrow fractures or creating new ones in gas or oil-bearing rock, which allows gas or oil to flow into wellbores to be*

*captured*<sup>5</sup>.’ which does not differentiate between the volume or pressure of hydraulic fracturing fluid. In adopting the wider PPG definition, rather than the 2015 Infrastructure Act definition (linked to volume) which applies specifically to the PEDL and hydraulic fracturing consent regimes the MPA appreciates that hydraulic fracturing using lesser volumes and pressures of fracturing fluid may result in a more limited scale of impacts and therefore it proposes to consider the overall scale of those impacts on a site-by-site basis.

#### **Outcomes for Pre-Submission Draft Plan**

2.17.44 The Plan has been amended at paragraphs 8.2.2 and 8.2.3 and 8.2.67 accordingly.

## **Hydraulic Fracturing**

### **Hydraulic Fracturing Opposition in Principle**

**Representations** (*Janice Beech 715/0015, Liz Hawkins 716/0016, Pamela Lewis 725/0026, John Levis 728/0036, Barlborough Parish Council 1112/0548, Elmton with Creswell Parish Council 1153/740, Ros Griffith 1165/0995, Mark Fletcher MP 1166/0996*)

2.17.45 The Plan generated many objections to the inclusion of policies that allow hydraulic fracturing. The reasoning for those objections has been summarised in the list below.

- 1) In view of the current moratorium on hydraulic fracturing, as set out in the Government’s Written Ministerial Statement November 2019, the Plan should not include policies which allow hydraulic fracturing to take place;
- 2) Renewables can provide for our energy needs so gas is not required;
- 3) Hydraulic Fracturing extends the use of fossil fuels which is not compatible with climate change objectives;
- 4) The time taken to bring shale gas into production would not be a quick fix to solve the energy crisis and the amount of gas produced is insignificant compared to the demand.

<sup>5</sup> PPG Paragraph: 129 Reference ID: 27-129-20140306 Revision date: 06 03 2014



- 5) The strength of public opposition against hydraulic fracturing in Derbyshire and elsewhere in the Country.

Hydraulic Fracturing causes adverse impacts on the environment and human health from:

- 6) HGVs especially on local unsuitable roads;
- 7) Impacts of pipelines used to transport the gas;
- 8) Impacts re volume of water required and treatment of wastewater and ground water contamination from fracturing fluid;
- 9) Vibrations and noise from drilling (24 hours a day) compressors, pumps etc;
- 10) Light Pollution from night-time working affecting people and wildlife;
- 11) Air pollution from ozone, dust and escaped/venting/flaring methane adding to poor air quality and climate change impacts;
- 12) impacts on nature conservation and trees including impacts on water courses/drainage affecting on people and wildlife;
- 13) impacts on landscape character from rural/farming to industrial;
- 14) contrary to openness required by green belt policy;
- 15) impacts of hydraulic fracturing taking place underneath or below properties;
- 16) associated risks of induced seismicity in relation to brick-built buildings and historic environment;
- 17) impacts on previously worked coal mining areas with respect to land stability and release of Radon gas;
- 18) Cumulative impacts of multiple well sites plus additional cumulative impacts in North East Derbyshire which has experienced coal mining in the past and where coal seams are present.
- 19) Inability of regulators to protect local residents.

2.17.46 Where objectors have submitted detailed comments in objection to hydraulic fracturing, they are set out below:

**Representations** (*Jonathon Williams 702/0002*)

2.17.47 Object to the inclusion of policies in the Plan to enable the extraction of conventional and unconventional oil and gas including by hydraulic fracturing for the following reasons:

- 1) In view of the current moratorium on hydraulic fracturing, as set out in the Government's Written Ministerial Statement November 2019, the Plan should not include policies which allow hydraulic fracturing to take place;
- 2) Renewables can provide for our energy needs so gas is not required;
- 3) Fracking extends the use of fossil fuels and is not compatible with climate change objectives;
- 4) Adverse impact on the environment;
- 5) Adverse impact on human health;
- 6) Contribution to climate change;
- 7) Additional adverse impacts in North East Derbyshire which has experienced coal mining in the past and where coal seams remain;
- 8) Additional adverse impacts of fracking taking place underneath or near properties.

**Representations** (*Sue K Connelly 733/0041*)

- 2.17.48 With reference to my local area of Coal Aston and Dronfield and the permitted proposal to explore for shale gas at Bramley Moor (now lapsed). I object to hydraulic fracturing for shale gas taking place in Derbyshire for the following reasons:
- 1) induced seismicity with reference to the Preston New Road site which had a 2.9 magnitude quake causing the present moratorium on fracking
  - 2) HGVs associated with shale gas extraction/fracking would cause impacts on unsuitable narrow/small countryside roads,
  - 3) Impacts on landscape changing predominantly farming land into industrialised land
  - 4) Impacts from vibrations and noise from drilling (24 hours a day) compressors, pumps and additional HGVs
  - 5) Light Pollution from night-time working affecting people and wildlife
  - 6) Air pollution from ozone, dust and escaped/venting/flaring methane adding to poor air quality
  - 7) contrary to green belt policy
  - 8) impacts on conservation areas

- 9) impacts on previously worked coal mining areas with respect to land stability and release of Radon
- 10) impacts on nature conservation and trees including impacts on water courses/drainage and effects on people and wildlife
- 11) there should be a focus on renewable energy not continuing to extract fossil fuels.

**Representations** (*Judy Heap 759/0095*)

- 2.17.49 Object to the plan allowing hydraulic fracturing to take place for the following reasons:
- 1) induced seismicity
  - 2) volume of water required and impacts re climate change and reduced rainfall levels
  - 3) impacts of HGVs in the area
  - 4) impacts on old coal workings. Renewable energy generation more appropriate.

**Representations** (*Sue Cook 733/0041*)

- 2.17.50 There should be no hydraulic fracturing in Derbyshire because the area is littered with unmarked mine shafts and has a history of subsidence making it unsuitable and dangerous for fracking.

**Representations** (*Dronfield Town Council 1141/0636*)

- 2.17.51 The Council object to hydraulic fracturing for the following reasons:
- 1) damage to people's health and the environment;
  - 2) fracking is not appropriate in densely populated areas such as Dronfield and would damage the landscape and have a detrimental effect on the green belt;
  - 3) the risk of groundwater contamination from hazardous substances used in the fracking fluid;
  - 4) Fracking involves transfer of gas over long distance underground, without homeowner's approval;
  - 5) The process requires large volumes of water which will need to be transported to the site, and then away from the site for recycling if there are no facilities on site;
  - 6) We believe that regulation in the UK is not rigorous enough to guarantee safety for our residents.

**Representations** (*Derbyshire Wildlife Trust 1145/0656*)

2.17.52	DWT opposes fracking in Derbyshire until further evidence proves the safety case. To improve the existing wording, amendments that follow those made to the adopted North Yorkshire Minerals & Waste Local Plan (NYMWP) should be adopted
<b>Representations</b> ( <i>Transition Chesterfield 1139/0627</i> )	
2.17.53	While there is some political pressure for fracking, mainly from the fracking industry and its supporters, this should be strongly resisted on the basis that there is no need for the gas, the impacts on climate change and the strength of public opposition against fracking in Derbyshire and elsewhere.
<b>Representations</b> ( <i>Eckington Against Fracking 1149/688</i> )	
2.17.54	The Plan should not be promoting the extraction of unconventional hydrocarbons (particularly shale gas and coal gas) because their extraction is contrary to climate change net zero targets.
<b>Representations</b> ( <i>Creswell Against Fracking 1162/0797</i> )	
2.17.55	The moratorium on fracking should be at the forefront of the policy approach.
<b>Representations</b> ( <i>Creswell Against Fracking 1162/0973</i> )	
2.17.56	Any planning permission that allows fracking to go ahead in Derbyshire contravenes the Paris Agreement adopted at the COP 21 conference on December 2015 (and came in to force in November 2016) to keep global temperature increases below 1.5C, reduce emissions by 45% by 2030 and reach net zero by 2050. The process of fracking emits the methane gas trapped in shale rock into the atmosphere. There is irrefutable scientific evidence that methane is a major contributor to global warming and speeds up the warming process 80 times faster than carbon dioxide. Accordingly, the impacts of fracking run contrary to the Paris Agreement.
<b>Representations</b> ( <i>Creswell Against Fracking 1162/0975</i> )	
2.17.57	We also find it inexplicable that the known serious human health and climate implications associated with fracking have not been sufficiently (if at all) addressed in the document.
<b>Representations</b> ( <i>Creswell Against Fracking 1162/0980</i> )	
2.17.58	Concerned that Bolsover will be a hot spot for fracking.
<b>Representations</b> ( <i>Sustainable Hayfield 1155/0766</i> )	
2.17.59	At para 8.2.46 (Policy SP17), the Plan appears to promote or support, subject to conditions, proposals for exploitation and/or appraisal of

onshore conventional and unconventional oil and gas, such as by hydraulic fracturing ('fracking'). This too is wholly unacceptable to us and is:

- inconsistent with the stark messages being conveyed to us all by the IEA and IPCC, and;
- appears contrary to your own assertions, at para 5.2, that local authority-based carbon budgets set by the UK government are 'very challenging and will require immediate and rapid programmes of decarbonisation across all sectors if they are to be met'.  
Similarly, at para 8.2.46 (Policy SP17), the Plan appears to promote or support, subject to conditions, proposals for exploitation and/or appraisal of onshore conventional and unconventional oil and gas, such as by hydraulic fracturing ('fracking'). This too is wholly unacceptable to us and is:
  - inconsistent with the stark messages being conveyed to us all by the IEA and IPCC, and;
  - appears contrary to your own assertions, at para 5.2, that local authority-based carbon budgets set by the UK government are 'very challenging and will require immediate and rapid programmes of decarbonisation across all sectors if they are to be met'.

**Representations** (*South Yorkshire for a Green New Deal 1157/0781*)

2.17.60 No Fracking - The plan notes the problems associated with "fracking" for shale oil and gas and its potential to exacerbate subsidence and land instability. Fracking in the northern part of the plan's area could extend these effects to parts of South Yorkshire. In the light of this, we believe the plan should take a stronger line and categorically rule out fracking.

**Actions/Considerations**

2.17.61 In terms of the principle of including policies in the Plan which allow hydraulic fracturing to take place the MPA is guided by the need to be consistent with the policies of the NPPF. The NPPF identifies oil and gas (both conventional and unconventional) as important minerals and requires the MPA to plan for their steady supply which the Plan will do through the inclusion of a policy supporting proposals to exploit oil and gas subject to them meeting detailed criteria to ensure that any adverse impacts of the development are effectively controlled and mitigated.

2.17.62 The policy will need to allow for the possibility of proposals coming forward for the exploitation of oil and gas through a variety of techniques,

including hydraulic fracturing, because the NPPF does not preclude any techniques from being used to access oil and gas resources. (although see paragraph relating to underground coal gasification).

2.17.63 For hydraulic fracturing it has only issued a moratorium which could be lifted in the future should compelling new scientific evidence present itself which would allow hydraulic fracturing to take place with appropriate environmental safeguards. Whilst this appears to be unlikely, especially having regard to the British Geological Survey report<sup>6</sup>, it is important that the Plan includes polices to assess proposals for the exploitation of oil and gas by hydraulic fracturing should they come forward. Given that the Written Ministerial Statement<sup>7</sup> advises shale gas developers to take the moratorium into account when considering new developments, it seems unlikely that such proposals will come forward because they could not be implemented without a hydraulic fracturing consent.

#### **Outcomes for Pre-Submission Draft Plan**

2.17.64 No change to the principle of including polices in the Plan which allow for hydraulic fracturing to take place but Policy SP17 (now SP16) has been amended to adopt a precautionary approach to proposals which include hydraulic fracturing.

## **Hydraulic Fracturing Methane Emissions**

### **Representations** (*Sarah Marsh 742/0068*)

2.17.65 Hydraulic Fracturing releases methane which is contrary to Government targets on Climate Change. (<https://www.nationalgeographic.com> Methane facts and information – National Geographic 23 Jan 2019). Methane speeds up global warming 80 times faster than carbon dioxide . A study in US estimated Barnett Shale region leaked 544,000 tonnes of methane into the atmosphere annually (<https://uh.edu> Barnett Shale Research Raises new concerns about Methane Emissions by Jeannie Keever 713-743-0778 July 7, 2015)

### **Representations** (*Sarah Marsh 742/0068*)

2.17.66 Written into Derbyshire and Derby's Mineral Plan Local is a local responsibility to not adversely affect climate change; in that if any mineral extraction in the county causes climate change, the council's policies

<sup>6</sup> BGS Recent Scientific advances in the understanding of induced seismicity from hydraulic fracturing of shales OR/22/050 ,2022

<sup>7</sup> BEIS WMS HCWS346 Shale Gas Exploration 27 October 2022

have to offset it. As written in my original objection, fracking causes methane trapped in the shale rock to be expelled into the atmosphere, which has been shown to severely effect on climate change.

There is nothing in the plan, to say how you would offset this. Presumably, the council would also have to monitor, independently the amount of methane and carbon dioxide expelled from the fracking process. It's not in my remit to offer solutions to this; but the plan lacks the necessary detail, would this be done solely by flaring (turning methane into carbon dioxide – which is still shown to cause climate change, or would it be investing in biofuels). Biofuels is the process by which manure is turned into green energy. All the above would have to be considered to offset the damage fracking causes to the climate and would come at a cost to yourselves.

**Representations** (*Eckington Against Fracking 1149/692*)

2.17.67 The Plan should not allow shale gas extraction re concerns about fugitive methane emissions and impacts on climate change

**Representations** (*Sustainable Hayfield 1155/0769*)

2.17.68 The Plan rightly identifies methane as a significant and powerful greenhouse gas. It also recognises methane's place in a variety of extractive processes, and its potential as a fuel source. But the Plan appears, without qualification, to accept continuing reliance on venting or 'flaring' of methane as part of such processes. No account appears to have been taken of the UK Government's sign-up, at COP26, to the Global Methane Pledge, requiring signatories to cut methane emissions by 30%, from 2020 levels, by 2030.

We know, from the IEA Methane Tracker report of 2021, that global methane emissions from the oil and gas industries were 70 million tonnes in 2020, roughly equivalent to all the EU's annual CO2 emissions. This fact alone justifies a greater focus, in the Plan, on the 'methane dimension' of any extractive processes covered by the Plan. Reference to such a national commitment, and consideration of what that might mean for the operation of extractive companies operating under the provisions of this Plan, is warranted and would be most welcome.

**Actions/Considerations**

2.17.69 The MPA recognise the importance of the need to urgently address the issue of all greenhouse gas emissions including methane emissions from mineral working. It is proposing to amend Policy SP2 Climate Change

which applies to all proposals for mineral development to strengthen the Plan's commitment to address climate change issues and particularly the issue of the need to reduce emissions.

#### **Outcomes for Pre-Submission Draft Plan**

- 2.17.70 Policy SP2 Climate Change has been amended to require proposals to demonstrate a reduction in greenhouse gas emissions, including fugitive emissions over the lifetime of the development in line with national and local greenhouse gas targets.
- 2.17.71 Additionally, SP2 requires proposals to be accompanied by a climate change impact assessment setting out how measures to reduce emissions and adapt to climate change have been considered, incorporated and will be monitored and reported.
- 2.17.72 The Assessment is also required to include an assessment of whether there is a causal connection between the proposal and any impact on the environment associated with any indirect emissions and, whether this constitutes a significant indirect effect of the proposed development. Where this is the case, the indirect emissions will need to be taken into account under Policy SP2.

## **Hydraulic Fracturing Policy Development**

### **Hydraulic Fracturing Buffer Zone**

**Representations** (*Mark Watford 741/0052, Sarah Marsh 742/0071, Dennis Hutchinson 832/0184, Carol Hutchinson 833/0188, Andrew Watson 941/0359, Janice Feldermann 944/365, Mark Allcock 1073/0509, Lee Rowley MP 1136/0585, Dronfield Town Council 1141/0637, Eckington Parish Council 1146/667, Graham Buckley 1148/684*)

2.17.73 There should be at least a 500-metre buffer zone between sensitive receptors and hydrocarbon sites. A precedent for this has been set in the adopted North Yorkshire Minerals and Waste Local Plan

**Representations** (*Sarah Marsh 742/0056*)

2.17.74 The notion of a buffer zone for fracking exists in the US. In California set back distances have been recommended at 975 metres. North Yorkshire have included 500 metres in their local plan. No evidence particularly to support 500 metres - it just is a nice round number that feels safe should there be an explosion, fire, gas leak or other major incident.



**Representations** (*Mary Reape 749/0084*)

2.17.75 The policy should include reference to distances from household dwellings, noise pollution, transport etc.

**Representations** (*Eckington Against Fracking 1149/0696*)

2.17.76 Well pads and drilling rigs set back a minimum distance of 750m from homes, residential areas, schools and other public amenities.

**Representations** (*Creswell Against Fracking 1162/0976*)

2.17.77 The Plan should include a 500 m distance between homes and well pads the precedent for this has been set in the adopted North Yorkshire Minerals and Waste Local Plan in order to mitigate unacceptable environmental and social impacts of unconventional extraction.

**Actions/Considerations**

2.17.78 Since the last consultation on the Minerals Local Plan there has been updated evidence in relation to the issue of buffer zones and hydraulic fracturing. The issue of a '500 metre separation zone' between sensitive receptors, such as residences, and well sites was comprehensively debated at the North Yorkshire Minerals and Waste Local Plan Examination in Public. The Inspectors Report published in February 2022 supported the principle of a '500 metre separation zone'. The Plan which was subject to modifications was adopted in April 2022 and includes under Policy M17 reference to a 500-metre separation zone.

2.17.79 Since the last consultation on the Minerals Local Plan there have been two Written Ministerial Statements, one lifting the moratorium on hydraulic fracturing consents and the latter reinstating it. The most recent WMS in October 2022, stated that, The Government is reverting to a precautionary approach to hydraulic fracturing and will only support shale gas exploration if it can be done in a way that is sustainable and protects local communities. It will be led by the evidence on whether this form of exploration can be done in a way which acceptably manages the risk to local communities. The WMS made reference to the British Geological Survey report on 'the scientific advances in hydraulic fracturing since 2019' which concludes that forecasting the occurrence of large earthquakes and their expected magnitude owing to shale gas extraction remains a challenge with significant uncertainty.

2.17.80 In the light of this new evidence the MPA has adopted a precautionary approach in the Plan towards the exploitation of hydrocarbons using

	hydraulic fracturing and introduced the principle of a 500-metre separation distance between sensitive receptors and well sites.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.17.81	Policy SP17 (now SP16) has been amended to explicitly requires proposals involving hydraulic fracturing to include separation distances. <i>‘Where the distance proposed from a well site and associated infrastructure to sensitive receptors is 500 metres or less, proposals will not be supported unless, following a robust assessment of the adequacy of the proposed separation distances and taking account of any proposed mitigation measures, it can be demonstrated that there would be no unacceptable impacts on the local amenity, health, well-being and safety of the sensitive receptors.’</i>

## Hydraulic Fracturing Buffer Zone to protect PDNP

	<b>Representations</b> (Mark Watford 741/0053, Dennis Hutchinson 832/0184, Carol Hutchinson 833/190, Janice Feldermann 944/0367, Graham Buckley 1148/686, Creswell Against Fracking 1162/0977)
2.17.82	There should be a 3.5 km zone to protect the PDNP from hydrocarbon extraction as set out in the adopted North Yorkshire Minerals and Waste Local Plan.
	<b>Representations</b> (Eckington Against Fracking 1149/0697)
2.17.83	Buffer zones of at least 4.5km from the edge of National Parks, SSSI and Areas of Natural Beauty.
	<b>Representations</b> (PDNPA 1159/0892)
2.17.84	Whilst surface development for hydraulic fracturing is prohibited within the National Park we remain concerned that any progression of underground fracking from adjoining administrative areas to beneath the Park, albeit no shallower than 1,200 metres, may have the potential to adversely affect through ground fracturing or contamination deep aquifers, phreatic zones and subterranean conduit flows that may eventually surface within the Park to affect water dependent ecology in rivers and streams including within the designated SACs and SSSIs.
<b>Actions/Considerations</b>	
2.17.85	The MPA consider that it is inappropriate to have specific policies in the Plan relating to hydrocarbon development and the protection of the PDNP. The PDNP and other environmental assets are protected from all

inappropriate mineral development by the relevant strategic and detailed development management policies of the Plan. In Derbyshire the PDNP lies outside of the Plan area unlike North Yorkshire where the North Yorkshire Moors National Park lies within the Plan area. In drawing up the PDNP boundary areas with planning permission for mineral extraction were excluded but this has resulted in many large limestone quarries lying close or adjacent to the National Park. Many of the quarries extract industrial limestone which involves substantial plant and infrastructure to process the mineral that are as equally intrusive as structures to exploit hydrocarbons. The MPA consider therefore that the general policies of the Plan which apply to all mineral development are appropriate to protect the PDNP and other environmental assets. Additionally, the PDNPA is producing a local plan for its area which will include policies to control the exploitation of minerals.

#### Outcomes for Pre-Submission Draft Plan

2.17.86 No change.

### Hydraulic Fracturing Well Pad Density

**Representations** (*Mark Watford 741/0054*)

2.17.87 There should a limit on well pad density.

**Representations** (*Sarah Marsh 742/0073*)

2.17.88 The Plan should clearly set out how many well pads/sites would be allowed in an area. Rural areas could become heavily industrialised.

**Representations** (*Dennis Hutchinson 832/0184, Carol Hutchinson 833/0189, Janice Feldermann 944/0366, Eckington Parish Council 1146/670, Graham Buckley 1148/685*)

2.17.89 That Cumulative Impacts are set out separately for unconventional extraction along with mitigating standards. This should include set limits on the density of well pads.

**Representations** (*Lee Rowley MP 1136/584*)

2.17.90 That there should be a clearer framework within the draft policy of what would (and wouldn't) be considered justifiable in terms of numbers of wells in any future production phase.

**Representations** (*Eckington Against Fracking 1149/0694*)

2.17.91 Unconventional gas fields require multiple well pads and well heads, oil and gas prospectors should give an honest appraisal of the expected

	growth from a single well application and be clear about how the amount of oil/gas potentially available correlates with number of well pads and bore holes actually needed to obtain it.
<b>Representations</b> ( <i>Creswell Against Fracking 1162/0978</i> )	
2.17.92	The Plan should include limits on the density of well pads to counter unacceptable environmental and social impacts of unconventional hydrocarbon extraction. There is a precedent in the adopted North Yorkshire Minerals and Waste Local Plan.
<b>Actions/Considerations</b>	
2.17.93	The MPA agree that it is important to control any increasing impacts of hydrocarbon exploitation especially at the production stage of development. It is important that consideration is given to how any proposal fits into a framework for the development of the wider oil and gas reservoir within a PEDL area to ensure that it is developed in an environmentally acceptable way. The framework should include justification for the number, location and time frame for the well sites. Associated processing, dispatch and transport facilities should be sited, designed and operated to minimise environmental and local amenity impacts.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.17.94	No specific change in relation to limits on the density of well pads but Policy SP17 (now SP16) requires that,  <i>Criterion 8) 'Results from any earlier exploration/appraisal of the target oil and gas reservoir within the PEDL area are provided including an indication of how the proposal is intended to fit within an overall framework for the development of the reservoir;'</i>  <i>Criterion 9) 'The number of well sites and associated infrastructure required for hydrocarbon production sit within the development framework, are justified in terms of their number and extent and are progressively installed, wherever possible;'</i>

## Hydraulic Fracturing Policy Development - Detailed

<b>Representations</b> ( <i>Sarah Marsh 742/0067</i> )	
2.17.95	The Plan needs to clearly state that hydraulic fracturing can be used at the exploration stage not just for appraisal and production.
<b>Actions/Considerations</b>	

2.17.93	Agree
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.17.94	The amended policy SP17 (now SP16) states that, ' <i>Where proposals for the exploration, appraisal or production of oil and gas resources involve hydraulic fracturing they will need to include...</i> '

## Hydraulic Fracturing Policy Development - Detailed

<b>Representations</b> (Sarah Marsh 742/0073)	
2.17.96	The Plan should include a policy which does not permit a listening well before planning permission has already been granted for other wells which it relates to.
<b>Actions/Considerations</b>	
2.17.97	The MPA is required to consider each proposal on its merits however it recognises that it is important that consideration is given to how any proposal fits into a framework for the development of the wider oil and gas reservoir within a PEDL area to ensure that it is developed in an environmentally acceptable way.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.17.98	Policy SP17 (now SP16) requires that, <p>Criterion 8) '<i>Results from any earlier exploration/appraisal of the target oil and gas reservoir within the PEDL area are provided including an indication of how the proposal is intended to fit within an overall framework for the development of the reservoir;</i>'</p> <p>Criterion 9) '<i>The number of well sites and associated infrastructure required for hydrocarbon production sit within the development framework, are justified in terms of their number and extent and are progressively installed, wherever possible;</i>'</p>

## Hydraulic Fracturing Policy Development - Detailed

<b>Representations</b> (Sarah Marsh 742/0075)	
2.17.96	If the Plan allows hydraulic fracturing the following issues need to be covered impact of HGVs on existing road network.
<b>Actions/Considerations</b>	
2.17.97	An important approach of the Plan as set out at paragraph 4.8 is that, <b>All policies of the Plan and their criterion apply where relevant.</b> The Plan

includes detailed Development Management Policy DM3 relating to transport associated with mineral development which would apply to proposals involving hydraulic fracturing. Additionally, Policy SP17 (now SP16) includes criterion 10 which requires, ‘*The development includes the use of non-road modes of transport such as pipelines or rail for the transport of the oil or gas unless it can be demonstrated that this is not practicable or environmentally preferable;*’

**Outcomes for Pre-Submission Draft Plan**

2.17.98 No change

**Hydraulic Fracturing Policy Development - Detailed**

**Representations** (*Eckington Against Fracking 1149/0695*)

2.17.99 Safeguard public water supplies especially during drought periods

**Actions/Considerations**

2.17.100 An important approach of the Plan as set out at paragraph 4.8 is that ‘**All policies of the Plan and their criterion apply where relevant.**’ The Plan includes detailed Development Management Policy DM8 relating to water management and flood risk. Proposals will need to demonstrate that they would not result in unacceptable impacts on surface water quality, quantity and flows.

**Outcomes for Pre-Submission Draft Plan**

2.17.101 No change

**Hydraulic Fracturing Policy Development - Detailed**

**Representations** (*Eckington Parish Council 1146/672*)

2.17.102 That the effect of fracking on buildings in highly populated areas is considered and well understood. This is particularly important because UK housing and other buildings are built on the assumption that we have a very low earthquake risk, so unlike say in the USA, they do not have the protective measures and more flexible construction often used in the USA, which renders direct risk comparisons to the USA meaningless. This is particularly important for our historic buildings, as well as the large number of brick-built buildings in the UK.

**Actions/Considerations**

2.17.103 The MPA appreciate the need to protect people and property from the impacts of hydraulic fracturing. The recent WMS in October 2022, stated that, The Government is reverting to a precautionary approach to hydraulic fracturing and will only support shale gas exploration if it can be done in a way that is sustainable and protects local communities. It will be led by the evidence on whether this form of exploration can be done in a way which acceptably manages the risk to local communities. The WMS made reference to the British Geological Survey report on ‘the scientific advances in hydraulic fracturing since 2019’ which concludes that forecasting the occurrence of large earthquakes and their expected magnitude owing to shale gas extraction remains a challenge with significant uncertainty. In the light of this evidence the MPA is proposing to adopt a precautionary approach in the Plan towards the exploitation of hydrocarbons using hydraulic fracturing by introducing the principle of a 500-metre separation distance between sensitive receptors and well sites.

#### **Outcomes for Pre-Submission Draft Plan**

2.17.104 Policy SP17 (now SP16) has been amended to explicitly requires proposals involving hydraulic fracturing to include separation distances. *‘Where the distance proposed from a well site and associated infrastructure to sensitive receptors is 500 metres or less, proposals will not be supported unless, following a robust assessment of the adequacy of the proposed separation distances and taking account of any proposed mitigation measures, it can be demonstrated that there would be no unacceptable impacts on the local amenity, health, well-being and safety of the sensitive receptors.’*

## **Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas**

### **Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Kirklees Metropolitan Council Net Zero Approach**

**Representations** (Sarah Marsh 742/0069, Steve Elliott 760/0098, Carol Hutchinson 883/0186, Janice Feldermann 944/363, Gordon Isky 1071/0505, Transition Chesterfield 1139/0626, Eckington Parish Council 1146/0666, Graham Buckley 1148/0682, Clay Cross Against Fracking 1151/0708, Creswell Against Fracking 1162/0971)

(Individuals 741/3252, 764/0991, 766/3253 to 786/3273, 788/3274 to 797/3283, 799/3284 to 812/3297, 815/3298 to 824/3276, 837/3277 to 937/3363, 945/3364 to 970/3386, 975/3387 to 1000/3411, 1002/3412 to 1070/3480, 1072/3481 to 1110/3519, 1114/3520 to 1132/3538, 1142/3539, 1156/3540)

2.17.105 The Plan should adopt the commitment contained within the Kirklees Local Plan adopted February 2019 which states at Policy LP42 that, ‘Proposals for the production of hydrocarbons will be considered against the following criteria: h ) Where a proposal demonstrates that it will have a net zero impact on climate change.’

**Representations** (Derbyshire County Council Labour Group 1163/0981)

2.17.106 The Plan should include a presumption against conventional and unconventional gas and oil extraction unless a proposal can demonstrate it has net zero impact on carbon emissions.

**Representations** (Derbyshire County Council Labour Group 1163/0981)

2.17.107 We consider that the most effective way of addressing such matters re prospective exploitation of hydrocarbon resources in the area of Derbyshire and Derby City is by way of an explicit and unambiguous presumption within the Plan against such schemes unless ‘a proposal can demonstrate it has a net zero impact on carbon emissions.’ This, we understand, is the approach taken in the equivalent plan produced in Kirklees, suggesting this is possible, if the will is there. This does not divert the MPA from delivering on its statutory responsibility, under the NPPF, to delineate Mineral Safeguarding Areas. It merely largely requires that such hydrocarbons ‘stay in the ground’.

2.17.108 Such an approach would require extraction companies to ensure emissions from their extractive operations are not merely reduced but that embedded carbon in products made are balanced by equivalent simultaneous emission reductions elsewhere. There would need to be rigorous monitoring of this, lest extraction companies use the opportunity to interpret this loosely, and undermine the commitment made.

**Actions/Considerations**

2.17.109 The MPA recognise the importance of the need to urgently address the issue of climate change and particularly the need to reduce greenhouse gas emissions from mineral development. The MPA considers that mineral development should reduce emissions in line with national and local carbon targets with the goal of achieving net zero emissions by



2050. The MPA consider that it is important that emissions from all mineral development not just hydrocarbon development is effectively addressed. It is proposing a strengthening of Policy SP2 Climate Change to achieve these outcomes. The MPA also consider that it is important to address indirect (Scope 3) emissions from mineral development where appropriate and is proposing to amend Policy SP2 Climate Change to take such emissions into account.

#### **Outcomes for Pre-Submission Draft Plan**

2.17.110 No change to SP17 (now SP16) Hydrocarbon Policy but Policy SP2 Climate Change has been amended to require proposals to demonstrate a reduction in greenhouse gas emissions, including fugitive emissions over the lifetime of the development in line with national and local greenhouse gas targets.

2.17.111 Additionally, SP2 requires proposals to be accompanied by a climate change impact assessment setting out how measures to reduce emissions and adapt to climate change have been considered, incorporated and will be monitored and reported.

2.17.112 The Assessment is also required to include an assessment of whether there is a causal connection between the proposal and any impact on the environment associated with any indirect emissions and, whether this constitutes a significant indirect effect of the proposed development. Where this is the case, the indirect emissions will need to be taken into account under Policy SP2.

### **Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Detailed Comments**

#### **Representations** *(Susan Killeen 0830/182)*

2.17.113 Object to this policy for the following reasons

- 1) lack of measurable safeguards especially in relation to hydraulic fracturing
- 2) include 500 metre buffer zone between homes and well pads
- 3) include 3.5km zone around edge of National Park and AONB
- 4) Impose limits on density of well pads
- 5) Realistic definition of fracking as it relates to conventional and unconventional hydrocarbons.

Precedents have been set in terms of MLP policies re Kirklees net zero impact on climate change re hydrocarbon production and North Yorkshire re buffer zone.

**Representations** (*Derbyshire MLP Communities Action Group 0831/183*)

2.17.114 Object to this policy for the following reasons

- 1) lack of measurable safeguards especially in relation to hydraulic fracturing
- 2) include 500 metre buffer zone between homes and well pads
- 3) include 3.5km zone around edge of National Park and AONB
- 4) Impose limits on density of well pads
- 5) Realistic definition of fracking as it relates to conventional and unconventional hydrocarbons.

Precedents have been set in terms of MLP policies re Kirklees net zero impact on climate change re hydrocarbon production and North Yorkshire re buffer zone.

The statement under Strategic Policy para 3.7 where 'adverse impacts will be mitigated to an acceptable level' leaves the door open for fracking companies to set their own rules, setting dangerous precedents. We would point out that other Mineral Planning Authorities (MPA) have gone further and been clear that adverse impacts would be 'minimised' and have followed through setting measurable safeguards.

The Group represents local communities in NE Derbyshire where there is concern that only rigorous local plan policies will prevent companies from seeking to frack for gas in this area.

**Representations** (*Creswell Against Fracking 1162/0972*)

2.17.115 The statement under Strategic Policy para 3.7 where 'adverse impacts will be mitigated to an acceptable level' leaves the door open for fracking companies to set their own rules, setting dangerous precedents. Other Mineral Planning Authorities (MPAs) have gone further and set measurable safeguards in their Plans in order to 'minimise' these adverse impacts.

**Actions/Considerations**

2.17.116 The points raised under 2) to 5) have been considered and dealt with earlier in this schedule - please see above. In relation to point 1) the MPA considers that the proposed changes to the Plan will ensure that appropriate environmental safeguards are in place to protect both people

and the environment from all mineral development not only hydrocarbon development. Changes are proposed to Chapter 4 Sustainable Minerals Development to explain the use of the term 'acceptable levels. Whilst mineral development and mineral related development can often have the potential to cause adverse impacts, a key objective of the Plan is to ensure that those impacts are mitigated and controlled to 'acceptable levels'. This term is not defined in the Plan because 'acceptability' will be assessed on a case-by-case basis taking into account the scale, nature and location of the proposal, the characteristics of the various environmental effects likely to arise from the development and the opportunities for mitigation measures that may be applied.

**Outcomes for Pre-Submission Draft Plan**

2.17.117 Changes have been made throughout the Plan to strengthen the effectiveness of policies in safeguarding the environment and people. A significant change to SP17 (now 16) Supply of Conventional and Unconventional oil and gas is the precautionary approach adopted towards proposals involving hydraulic fracturing.

**Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Hydraulic Fracturing**

**Representations** (*Sarah Marsh 742/0059, 0060, 0061,0062,0063,0064,0065,0066*)

2.17.118 If the Plan allows hydraulic fracturing the policy should cover the following matters:

- 1) Earth tremors
- 2) Disposal of radioactive waste
- 3) Silica in the environment and associated health risks
- 4) Accidental contamination of the water table
- 5) Subsidence and its effects on nearby properties
- 6) Former coal mining shafts/tunnels

**Actions/Considerations**

2.17.119 The MPA consider that the issues raised will be adequately covered in the proposed changes to Policy SP17 (now SP16) and in the detailed Development Management policies of the Plan.

**Outcomes for Pre-Submission Draft Plan**

2.17.120 Policy SP17 (now SP16) has been amended to include a specific clause on hydraulic fracturing.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Noise Limits

### Representations *(Sarah Marsh 742/0072)*

2.17.121 There should be a similar policy to North Yorkshire Local Plan which restricts drilling between 23:00 and 7:00 due to noise impacts.

### Actions/Considerations

2.17.122 The MPA consider it inappropriate to include policies to control noise impacts specifically relating to hydrocarbon development. Many of the limestone quarries particularly those processing industrial minerals have 24-hour operations. The MPA consider that the Development Management Policy DM1 adequately deals with noise impacts from all mineral development.

### Outcomes for Pre-Submission Draft Plan

2.17.123 No change.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Viable Alternatives

### Representations *(Steve Elliott 760/0097)*

2.17.124 The policy should be amended to include the requirement that there is no viable alternative.

### Actions/Considerations

2.17.125 The NPPF requires the Plan, so far as practicable, take account of the contribution that substitute, or secondary and recycled materials and mineral waste would make to the supply of materials before considering the supply of primary materials. Objective 3 of the Plan seeks to minimise waste and maximise the use of recycled and secondary aggregates and Policies SP1 and specifically SP3 seeks to support the production of recycled and secondary aggregates where they will promote the sustainable management of waste and facilitate a reduction in the need for primary aggregates. However, even with their maximum use there will still be a need for the extraction of primary minerals. Additionally industrial minerals which are often valued for their physical and/or chemical

properties means that opportunities for their substitution and recycling are limited. Furthermore, the intrinsic properties of industrial minerals are often changed irreversibly in the manufacturing process making them difficult to be reused or recycled. Similarly fossil fuels when burned cannot be re-used although waste material such as pulverised fuel ash is used to make construction products.

**Outcomes for Pre-Submission Draft Plan**

2.17.126 No change.

**Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Carbon Offsetting**

**Representations** (Steve Elliott 760/0099)

2.17.127 The policy should be amended to include the requirement that there is no offsetting of carbon emissions allowed.

**Actions/Considerations**

2.17.128 The MPA agree in principle that the offsetting of emissions should not be encouraged and has sought to clarify the limited circumstances where it considers that the 'offsetting of emissions' would be acceptable.

**Outcomes for Pre-Submission Draft Plan**

2.17.129 The issue of offsetting is dealt with in Chapter 5 on Climate Change. The Plan has been amended accordingly, *'The MPA will expect, in the first instance, that consideration is given to incorporating any measures to reduce and adapt to climate change, such as tree planting and increased biodiversity, on site rather than offset elsewhere. However, where this is not possible, measures for offsetting or capturing and storing emissions should be included in the Assessment. Where appropriate, the MPA will use planning conditions or enter into planning obligations to secure climate change mitigation and adaptation measures and to require data to be supplied to report and monitor the effectiveness of those measures.'*

2.17.130 No Change in respect of Policy SP17 (now SP16).

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Least Sensitive Location

<b>Representations</b> <i>(Lee Rowley MP 1136/0581)</i>
2.17.131 Support the inclusion of the following points in the Policy: <ol style="list-style-type: none"> <li>1) The requirement for the well sites to be located in the 'least sensitive location' should also apply to proposals for production.</li> </ol>
<b>Actions/Considerations</b>
2.17.132 Proposals for the production of hydrocarbons have to satisfy criterion 2 - 6 of Policy SP17 (now SP16) which includes the criterion relating to the 'least sensitive proposal'.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.133 No change

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - General Support

<b>Representations</b> <i>(Lee Rowley MP 1136/0580)</i>
2.17.134 Support the inclusion of the following points in the Policy: <ol style="list-style-type: none"> <li>1) The requirement that exploration sites and associated infrastructure are sites in the 'least sensitive location';</li> <li>2) That applicants must demonstrate no adverse impact on the underlying geological structure;</li> <li>3) That any activity must be temporary;</li> <li>4) That all sites must be restored, and</li> <li>5) That any applications for production must be "justified" in terms of volume.</li> </ol>
<b>Actions/Considerations</b>
2.17.135 The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.136 No change requested but Policy SP17 (now SP16) relating to hydraulic fracturing safeguards has been strengthened.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Non-Core Activities

<b>Representations</b> ( <i>Lee Rowley MP 1136/0582</i> )
2.17.137 That non-core activities (such as processing) should be assumed to not automatically need to be done on site, particularly if that site would not normally be used for industrial activity of any other kind.
<b>Actions/Considerations</b>
2.17.138 The MPA consider that in principle the processing of minerals should take place at the extraction site in so far that impacts are likely to be concentrated at one site and this avoids the additional transport of minerals which is often a major impact of mineral working. Nevertheless, there may be circumstances such as a green belt location where visually intrusive infrastructure would not be encouraged. The detailed development management policies at Chapter 11 will ensure that any impacts from mineral related development are effectively minimised, managed and controlled.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.139 No change.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Introductory text and criterion 3)

<b>Representations</b> ( <i>CPRE 1152/0733</i> )
2.17.140 Amend introductory text to 'Proposals for the exploration... oil and gas will only be permitted where they:...'; amend criterion 3) replacing 'avoid' with 'prevent'.
<b>Actions/Considerations</b>
2.17.141 The MPA consider that the policy should be positively worded.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.142 No change.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Criterion

<b>Representations</b> (UKOOG 1139/0631)
2.17.143 Point 2 The term 'least sensitive' is not defined and is a subjective term. UKOOG suggest the following amendment 'ensure that well sites and associated infrastructure are sited in the most appropriate location from which the target reservoir can be accessed and extracted economically'
<b>Representations</b> (Historic England 1158/805)
2.17.144 What is meant by the least sensitive location?
<b>Actions/Considerations</b>
2.17.145 The MPA consider that the 'least sensitive' location does not need to be defined because environmental sensitivity will be assessed on a case-by-case basis taking into account the scale, nature and location of the proposal, the characteristics of the various environmental effects likely to arise from the development and the opportunities for mitigation measures that may be applied.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.146 No change.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Criterion 3

<b>Representations</b> (UKOOG 1139/0632)
2.17.147 Point 3 Firstly, the deep underlying geological structure is not a material planning consideration. The language used in the plan should reflect that. UKOOG agree that disturbance to shafts and seams associated with former coal mining should be considered as part of the plan, however. The inclusion of the matter of seismicity suggests that the MPA does not believe that the OGA can adequately address the matter. UKOOG believe the latter part of this point (and that measures are included to avoid induced seismicity) should be removed. The inspector's decision in the Wressle appeal also stated, ' <i>In line with the NPPG on Minerals I am entitled to assume that other regulatory regimes will operate effectively and that it is not necessary for me to carry out my own assessment because I can rely on the assessment of the other regulatory bodies. There is no evidence that other regimes are incapable of operating effectively and adequately regulating the development.</i> '



### **Actions/Considerations**

2.17.148 The planning and other regulatory regimes are separate but complementary. The planning system controls the development and use of the land in the public interest and, this includes ensuring that new development is appropriate for the location taking account of the effects, including cumulative effects, of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.<sup>8</sup> The focus is on whether the development is an acceptable use of the land, and the impacts of those uses, rather than the control of the processes involved and health and safety. The MPA consider that the impacts of induced seismicity and its potential impacts on land stability is a land use planning matter.

### **Outcomes for Pre-Submission Draft Plan**

2.17.149 Policy SP17 (now SP16) has been amended to include reference to land instability.

## **Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Criterion 3**

### **Representations** (*Historic England 1158/806*)

2.17.150 What level is an unacceptable adverse impact?

### **Actions/Considerations**

2.17.151 Changes are proposed to Chapter 4 Sustainable Minerals Development to explain the use of the term 'acceptable levels. Whilst mineral development and mineral related development can often have the potential to cause adverse impacts, a key objective of the Plan is to ensure that those impacts are mitigated and controlled to 'acceptable levels'. This term is not defined in the Plan because 'acceptability' will be assessed on a case-by-case basis taking into account the scale, nature and location of the proposal, the characteristics of the various environmental effects likely to arise from the development and the opportunities for mitigation measures that may be applied.

### **Outcomes for Pre-Submission Draft Plan**

<sup>8</sup> NPPF July 2021 Paragraph 185

2.17.152 No change to Policy SP17 (now SP16) but changes have been made to Chapter 4 to explain the use of the term 'acceptable levels'.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Criterion 5

### Representations (Historic England 1158/807)

2.17.153 What are the restoration principles and how will they ensure that the historic environment is protected and enhanced?

### Actions/Considerations

2.17.154 Detailed restoration principles are set out in Policy DM15 Restoration, Aftercare and After-use. It is not necessary to include this detail in Policy SP17 (now SP16).

### Outcomes for Pre-Submission Draft Plan

2.17.155 No change

## Hydrocarbons SP17 The Supply of Conventional and Unconventional Oil and Gas Criteria 6

### Representations (CPRE 1152/0734)

2.17.156 Amend the introductory text to read proposals...oil and gas will only be permitted where and include criteria 6) *it can be demonstrated that emissions from the development would not contribute to climate change or prejudice the achievement of UK climate change objectives and be consistent with national and local carbon budgets and targets; and...* and re-number criterion 6-10 thereafter as 7-11.

### Actions/Considerations

2.17.157 The MPA recognise the importance of the need to urgently address the issue of all greenhouse gas emissions from mineral working. The MPA consider that all climate change issues should be dealt by a single climate change policy that will apply to all proposals for mineral development. It is proposing to amend Policy SP2 Climate Change which applies to all proposals for mineral development to strengthen the Plan's commitment to address climate change issues and particularly the issue of the need to reduce emissions in line with national and local carbon budgets.

### Outcomes for Pre-Submission Draft Plan

- 2.17.158 No change to Policy SP17 (now SP16) but Policy SP2 Climate Change has been amended to require proposals to demonstrate a reduction in greenhouse gas emissions, including fugitive emissions over the lifetime of the development in line with national and local greenhouse gas targets.
- 2.17.159 Additionally, SP2 requires proposals to be accompanied by a climate change impact assessment setting out how measures to reduce emissions and adapt to climate change have been considered, incorporated and will be monitored and reported.
- 2.17.160 The Assessment is also required to include an assessment of whether there is a causal connection between the proposal and any impact on the environment associated with any indirect emissions and, whether this constitutes a significant indirect effect of the proposed development. Where this is the case, the indirect emissions will need to be taken into account under Policy SP2.

## **Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Criterion 10 Transport**

### **Representations** (UKOOG 1139/0633)

2.17.161 The Plan states 'The development includes the use of non-road modes of transport such as pipelines or rail for the transport of the oil or gas unless it can be demonstrated that this is not practicable or environmentally preferable.'

UKOOG suggest a modification in the language so it now states:

The development includes the use of non-road modes of transport such as pipelines or rail for the transport of the oil or gas unless it can be demonstrated that this is not practicable, economically, or environmentally preferable

### **Actions/Considerations**

2.17.162 The MPA consider that the term practicable includes being able to be carried out within available means which would include economic feasibility.

### **Outcomes for Pre-Submission Draft Plan**

2.17.163 No change.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Criterion 10 Transport

<b>Representations</b> (Eckington Parish Council 1146/0668)
2.17.164 Proper consideration of the impact of large numbers of HGV on the road network. For example, the Marsh Lane application impacted on Snowdon Lane, Marsh Lane, which was the preferred route, was incorrectly assessed - the width of road required for oncoming traffic to pass each other was assessed based on a straight road, but in practice Snowdon Lane is twisty, and long vehicles require considerably more width. The upshot is that oncoming traffic, on a 50mp road, would regularly meet large, long HGV pushed into the middle of the road around bends, and that would be dangerous.
<b>Actions/Considerations</b>
2.17.165 Policy SP17 (now SP16) seeks to encourage the use of non-road transport in that it sets out that proposals for the production of oil and gas will be supported where, '10) <i>The development includes the use of non-road modes of transport such as pipelines or rail for the transport of the oil or gas unless it can be demonstrated that this is not practicable or environmentally preferable;</i> ' Additionally Development Management Policy DM3 which applies to all mineral development proposals contains detailed criteria which seek to ensure the sustainable transport of minerals.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.166 No change.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Criterion 10 Transport - Pipelines

<b>Representations</b> (Eckington Parish Council 1146/0669)
2.17.167 That any necessary pipelines that would be required to remove extracted gas are considered BEFORE work starts on a fracking site. The impact of a pipeline could easily be more substantial than the actual drill pad and should be considered at the beginning of the process.
<b>Actions/Considerations</b>
2.17.168 Any proposals to produce oil and gas would need to include from the outset how gas would be transported from the site.

#### Outcomes for Pre-Submission Draft Plan

2.17.169 No change.

### Paragraph 8.2.53 Policy SP17 (now SP16) Reasoned Justification

#### Representations *(Lee Rowley 942/853)*

2.17.170 That the point identified in paragraph 8.2.53 regarding the potential impact of vehicle movements (and which requires locations to be where there is good access to suitable road networks) should be upgraded to a formal requirement within the draft policy itself.

#### Actions/Considerations

2.17.171 An important approach of the Plan as set out at paragraph 4.8 is that, **All policies of the Plan and their criterion apply where relevant.** The Plan includes detailed Development Management Policy DM3 relating to transport associated with mineral development which would apply to proposals involving hydrocarbon development. Policy DM3 includes detailed requirements regarding satisfactory access arrangements.

#### Outcomes for Pre-Submission Draft Plan

2.17.172 No change.

### Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Criterion 11

#### Representations *(Historic England 1158/808)*

2.17.173 As well as a beneficial state for future re-use; the restoration principles should be appropriate to the environmental context they are sited within and protect and where possible, enhance the historic environment, where relevant.

#### Actions/Considerations

2.17.174 Detailed restoration principles are set out in Policy DM15 Restoration, Aftercare and After-use. The MPA consider it unnecessary to include this detail in Policy SP17 (now SP16).

#### Outcomes for Pre-Submission Draft Plan

2.17.175 No change.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Criterion 11

<b>Representations</b> ( <i>Eckington Parish Council 1146/673</i> )
2.17.176 That sufficient indemnity insurance is taken out by any company engaging in fracking, so that when those companies are long gone, any long-term adverse effects would at least have a realistic chance of being mitigated.
<b>Actions/Considerations</b>
2.17.177 Policy SP17 (now SP16) through Criteria 11 can require the provision of a restoration bond, where a novel technique such as hydraulic fracturing, is used to ensure that the site is restored and left in a conditions suitable for a beneficial after use.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.178 No change.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - General Support

<b>Representations</b> ( <i>North East Derbyshire District Council 972/0396</i> )
2.17.179 North East Derbyshire District Council (NEDDC) passed a resolution opposing hydraulic fracturing within the district, in 2016. NEDDC acknowledges the draft Plan's approach to include hydraulic fracturing within the criteria-based policy for all hydrocarbon developments at draft Policy SP17 and agrees that the inclusion of a policy is appropriate to cover a potential situation of the Government's moratorium being lifted.
<b>Actions/Considerations</b>
2.17.180 The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.181 No change requested but the environmental safeguards in Policy SP17 (SP16 in the Pre-Submission Draft Plan) relating to hydraulic fracturing have been strengthened.

## Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - General Support

<b>Representations</b> ( <i>Bolsover District Council 1147/0678</i> )
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2.17.182 In relation to Conventional and Unconventional Hydrocarbons and Gas from Coal, it is noted that parts of Bolsover District are within areas prospective for shale gas in the Lower Bowland unit. The District Council has concerns about the potential impacts of the exploration and exploitation of conventional and unconventional hydrocarbons in Bolsover District and welcome the inclusion on the criteria-based policy SP17: Supply of Conventional and Unconventional Oil and Gas. It is also our firm view that this policy requirement should include consideration of the end use of the hydrocarbons as well as their transportation alongside the operational aspects of the development itself.

2.17.183 However, the District Council would seek stronger policies in the next iteration of the Minerals Plan in relation to the supply of energy minerals and would welcome the insertion of requirements to contributing to the zero-carbon agenda in a similar manner to that in the Kirklees Local Plan adopted in 2019.

#### **Actions/Considerations**

2.17.184 The support for a criteria-based policy is noted. The MPA recognise the importance of the need to urgently address the issue of climate change and particularly the need to reduce greenhouse gas emissions from mineral development. The MPA considers that mineral development should reduce emissions in line with national and local carbon targets with the goal of achieving net zero emissions by 2050. The MPA consider that it is important that emissions from all mineral development not just hydrocarbon development is effectively addressed. It is proposing a strengthening of Policy SP2 Climate Change to achieve these outcomes. The MPA also consider that it is important to address indirect (Scope 3) emissions from mineral development where appropriate and is proposing to amend Policy SP2 Climate Change to take such emissions into account.

2.17.185 In relation to transportation seeks to encourage the use of non-road transport in that it sets out that proposals for the production of oil and gas will be supported where, *'10) The development includes the use of non-road modes of transport such as pipelines or rail for the transport of the oil or gas unless it can be demonstrated that this is not practicable or environmentally preferable;* Additionally Development Management Policy DM3 which applies to all mineral development proposals contains

detailed criteria which seek to ensure the sustainable transport of minerals.

#### Outcomes for Pre-Submission Draft Plan

- 2.17.186 No change to SP17 (now SP16) Hydrocarbon Policy but Policy SP2 Climate Change has been amended to require proposals to demonstrate a reduction in greenhouse gas emissions, including fugitive emissions over the lifetime of the development in line with national and local greenhouse gas targets.
- 2.17.187 Additionally, SP2 requires proposals to be accompanied by a climate change impact assessment setting out how measures to reduce emissions and adapt to climate change have been considered, incorporated and will be monitored and reported.
- 2.17.188 The Assessment is also required to include an assessment of whether there is a causal connection between the proposal and any impact on the environment associated with any indirect emissions and, whether this constitutes a significant indirect effect of the proposed development. Where this is the case, the indirect emissions will need to be taken into account under Policy SP2.

### Hydrocarbons Environmental and Social Impacts Paragraph 8.2.40 now Reasoned Justification Paragraph 8.2.52

#### Representations *(Historic England 1158/0803)*

- 2.17.189 We welcome the reference to the historic environment within this paragraph, though we do remain concerned about the overall approach to this mineral development. As referenced throughout the earlier chapter there is a great deal of uncertainty over the mining of hydrocarbons and the particular impacts are not yet known. Whilst we consider that referring to the wider Development Management policies is a sensible approach, we consider that it is possible that there will be unknown and/or further reaching impacts as a result of this mineral development and as such the Minerals Plan should look to ensure that the appropriate protection is in place, if a planning application were to be received within the Plan period.

#### Actions/Considerations

- 2.17.190 An important approach of the Plan as set out at paragraph 4.8 is that, **All policies of the Plan and their criterion apply where relevant.** The MPA considers that the proposed changes to the Plan will ensure that appropriate environmental safeguards are in place to protect the historic



environment from impacts from all mineral development not only hydrocarbon development.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.191 No change.

### Hydrocarbons Protected Areas Paragraph 8.2.43

<b>Representations</b> ( <i>Historic England 1158/0804</i> )
2.17.192 We support this paragraph.
<b>Actions/Considerations</b>
2.17.193 The support is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.194 No change.

### Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Reasoned Justification Paragraph 8.2.51

<b>Representations</b> ( <i>Historic England 1158/0809</i> )
2.17.195 It would be beneficial to include what an appropriate level of detail may be and what type of information may be required; to provide clarity to the developer/ applicant.
<b>Actions/Considerations</b>
2.17.196 The Plan at Chapter 11.3 sets out information that is required to support a planning application.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.197 No change.

### Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Reasoned Justification Paragraph 8.2.53

<b>Representations</b> ( <i>Historic England 1158/0810</i> )
2.17.198 With respect to this paragraph it is also important to recognise that these issues such as heavy vehicular movements can have an impact on the significance of heritage assets including their setting and that there are wider issues than the specific development of the site, that will need to be

considered when impacts are assessed, and mitigation strategies applied.
<b>Actions/Considerations</b>
2.17.199 The Plan deals with the impact of all proposals on heritage assets through the Development Management policies and particularly at Policy DM7 Historic Environment.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.200 No change.

## **Policy SP17 (now SP16) Supply of Conventional and Unconventional Oil and Gas - Underground Coal Gasification**

<b>Representations</b> <i>(South Yorkshire for a Green New Deal 1157/0782)</i>
2.17.198 The plan considers various possibilities of extracting energy from disused coal workings, such as methane extraction and underground coal gasification, and concludes that they are not viable. We therefore believe that the plan should categorically rule these methods out.
<b>Actions/Considerations</b>
2.17.199 Agree.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.17.200 Policy SP17 (now SP16) has been amended to read, <b>Proposals for the exploration, appraisal or production of unconventional oil and gas resources involving underground coal gasification will not be supported.</b>

## 2.18 Chapter 9.1 – Safeguarding Mineral Resources

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
Mineral Products Association	938	0326,0327
North East Derbyshire DC	972	0397,0398
UKOOG	1140	0634
Erewash Borough Council	1143	0642
Bolsover District Council	1147	0679
Chesterfield Borough Council	1154	0748,0749,0750,0751
Historic England	1158	0811,0812
Peak District National Park Authority	1159	0893,0894,0895,0896,0897,0898,0899
Tarmac	940	0992

### Policy SP18 - Safeguarding Mineral Resources

<p><b>Representations</b> (<i>Mineral Products Association 938/0326 &amp; 0327, Tarmac 940/0992</i>)</p>	
2.18.1	<p>Additional wording is required in this policy and supporting text to make it properly reflect national policy and make it effective and therefore sound. NPPF requires ‘known locations’ of mineral resources to be safeguarded and this needs reflecting in the policy. The PPG references the BGS document Mineral Safeguarding in England: good practice advice when guiding local authorities on what steps to take in respect of safeguarding mineral resources. It is identified as best practice to include buffers within MSAs to guard against proximal development potentially affecting the mineral resource. The term qualified person also needs inserting as previously identified. Should also refer to the agent of change principle.</p>
<p><b>Actions/Considerations</b></p>	
2.18.2	<p>Agree. The suggestions have been incorporated into a revised policy.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>	
2.18.3	<p>Revise Policy SP18 accordingly.</p>

## Exempt Developments

<b>Representations</b> <i>(North East Derbyshire DC. 972/0397)</i>	
2.18.4	The Council requests the inclusion of further clarification of the fifth exemption “Development which is in accordance with the District/Borough Local Plan which took account of mineral sterilisation and determined that prior extraction would not be practicable”. It is currently unclear what this includes, in particular for development in built up areas which are not covered by the other exemptions, and in a situation where a District/Borough Local Plan has not taken account of mineral sterilisation yet.
<b>Actions/Considerations</b>	
2.18.5	It is agreed that the sentence as written is not as clear as it should be and is open to interpretation. It will be reworded as follows to ensure greater clarity. “Development which is in accordance with adopted Local Plan allocations”
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.18.6	Alter sentence in the list of exemptions as proposed above to address the comment.

## Surface Coal Mineral Safeguarding Area and Consultation Area

<b>Representations</b> <i>(North East Derbyshire DC. 972/0398)</i>	
2.18.7	The Council questions whether the identification of the Surface Coal Mineral Safeguarding Area and Consultation Area is necessary overall, due to the significant reduction of demand for coal as a result of government policies to address climate change and reduce greenhouse gas emissions and that in this context it is unlikely that coal will be extensively worked again over the plan period. Even with the exempt developments, the requirement for Mineral Resource Assessments and consultation of the Mineral Planning Authority will place a further burden upon applicants, the District Planning Authority and the Mineral Planning Authority.
<b>Actions/Considerations</b>	
2.18.8	The designation of MSAs does not convey any presumption that mineral extraction will be acceptable in these areas. There is a general presumption against coal extraction in the NPPF and this is reflected in the MLP, but for whatever reason, although it is acknowledged that it seems

<p>unlikely, this may change in the future, so it is important that the resource is still acknowledged in respect of safeguarding. There has been no guidance issued which would suggest that surface coal should not be safeguarded. Given the exemptions listed in the Plan, it is considered that there will only be very few developments which will require assessment in this respect.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>
<p>2.18.9 No changes required.</p>

## Safeguarding Mineral Resources

<p><b>Representations</b> (<i>Bolsover District Council 1147/0679</i>)</p>
<p>2.18.10 In particular for Permian Limestone, we do not wish to see policies relating to these safeguarding areas which will neutralise land values unnecessarily or unduly burden potential applicants who would need to supply a mineral resources assessment in situations where there is no realistic possibility of quarrying being feasible or acceptable by virtue of DM policies elsewhere in the Local Plan.</p>
<p><b>Actions/Considerations</b></p>
<p>2.18.11 The NPPF requires that all mineral planning authorities define Mineral Safeguarding Areas (MSA) so that known locations of specific mineral resources of local and national importance are not sterilised by non-mineral development, such as housing, retail or industry. This will help to ensure that the minerals remain available for possible use by future generations. Permian Limestone is identified as a mineral of local and national importance and is therefore required to be safeguarded. When the District Council consults the Mineral Planning Authority on a proposal in a MSA, we will consider the proposal and inform them if we consider that quarrying of the mineral will not be feasible. The applicant will not then have to provide an assessment of the mineral resources. The majority of proposals on the Permian Limestone will be exempt from these consultation procedures, as set out in the Plan.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>
<p>2.18.12 No changes required.</p>

## Coal Safeguarding Plan

<p><b>Representations</b> <i>(Chesterfield Borough Council 1154/0748,0749)</i></p>
<p>2.18.13 Request that the Coal Safeguarding Plan at Figure 9.1.3 be amended to exclude existing urban areas and site allocations (with the exception of allocation SS5) in the absence of any evidence that their inclusion is necessary. The Safeguarding Plans should also be made available at a larger scale to assist with identifying whether they affect specific sites.</p>
<p><b>Actions/Considerations</b></p>
<p>2.18.14 PPG requires mineral resources to be safeguarded in designated areas and urban areas where necessary to do so. The British Geological Survey (BGS) document “Minerals Safeguarding in England: Good Practice Advice” advises that in most cases MSAs should cover the full extent of mineral resources considered to be of economic importance and that they should also cover urban areas under which mineral resources lie, in order to highlight the potential for extracting significant quantities of mineral which can exist beneath large urban regeneration projects and brownfield sites, and which may otherwise be overlooked. The list of developments exempt from the mineral consultation procedure includes development which is in accordance with adopted Local Plan allocations. Explanation of this will be provided in the revised chapter. The Councils will endeavour to produce larger scale plans of the safeguarding areas as requested.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>
<p>2.18.15 Include explanation of reason for MSAs covering urban areas. Provide more detailed larger scale maps of the safeguarding areas.</p>

## Policy SP18 Mineral Safeguarding Areas and Consultation Areas

<p><b>Representations</b> <i>(Chesterfield Borough Council 1154/0750 &amp; 0751)</i></p>
<p>2.18.16 Policy SP18 should be amended to make specific reference to the exemptions to the requirement to submit a Mineral Resource Assessment, either by including the wording of the exemptions in the body of the policy or by including specific reference to a paragraph or table number, so that there is no ambiguity. We suggest that the list of exemptions should be amended as follows:</p> <ol style="list-style-type: none"> <li>1) Applications that do not constitute major development as described in The Town and Country Planning (Development Management Procedure) (England) Order 2010.</li> </ol>

<p>2) Applications for alterations and extensions to existing buildings and for change of use of existing development. [it is not clear why intensifying an existing use would further sterilise mineral resources, or how prior extraction would be practical in the circumstances]</p> <p>3) Applications for reserved matters, [the second part of the criteria is superfluous as all reserved matters applications will be after an outline consent has been granted]</p> <p>4) Development which is in accordance with an adopted Local Plan.</p> <p>Also, Policy SP18 should refer to the Minerals Safeguarding areas ‘as shown on the policies map’ (if one is to be produced) or by specific reference to named map extracts or plans.</p>
<p><b>Actions/Considerations</b></p>
<p>2.18.17 Agree. The suggested amendments have been incorporated into the revised text.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>
<p>2.18.18 Alter the text as suggested.</p>

## Safeguarded Resources and Policy 18

<p><b>Representations</b> (<i>Peak District National Park Authority 1159/0893, 0894, 0895, 0896, 0897, 0898, 0899</i>)</p>
<p>2.18.19 A number of wording changes and requests for clarification have been suggested, as follows: Paragraph 9.1.6. Suggest “Fluorspar” reads “Fluorspar and associated vein minerals”.</p>
<p>2.18.20 Suggest the following text requires some clarification. “Coal derived fly ash has been used in the past to restore glaciofluvial sand and gravel workings and will be safeguarded by virtue of the glaciofluvial sand and gravel resource being safeguarded.” If there is no sand and gravel left to safeguard how can the pfa be safeguarded?</p>
<p>2.18.21 Include at the end; consult the MPA for that purpose.” Suggest include in the list “Applications for variation of conditions”.</p>
<p>2.18.22 Include in the list: “Any results of mineral survey or exploration undertaken”.</p>
<p>2.18.23 Suggested wording: "and post-development fire and gas hazards associated with the spontaneous combustion of shallow coal”.</p>

SP18. Proposals for non-mineral development in mineral safeguarding areas will be required to demonstrate, through a mineral resource assessment, that the mineral resource would not be sterilised as a result of the development, or that there are other sustainable overriding reasons why the mineral resource should not be extracted prior to that development taking place”. Also suggest in the policy include the words (underlined): “Applications for non-mineral development in Mineral Consultation Areas must include an assessment of the effect of the proposed development on the mineral resource; and where the non-mineral development is proposed in close proximity to an existing mineral operation, practicable measures to mitigate adverse impact on that operation.”

**Actions/Considerations**

2.18.24 Agree to suggested changes. Clarification has also been provided where requested.

**Outcomes for Pre-Submission Draft Plan**

2.18.25 Amend the text as suggested.



## 2.19 Chapter 9.2 - Safeguarding Minerals Related Infrastructure

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
Mineral Products Association	938	0328
Tarmac	940	0353,0354
Chesterfield Borough Council	1154	0752,0753,0754
Historic England	1158	0813
Peak District National Park Authority	1159	0900,0901,0902

### Policy 19 – Safeguarding Mineral Related Infrastructure

<b>Representations</b> ( <i>Mineral Products Association 938/0328</i> )	
2.19.1	As the mineral and waste lead Authority, the County Council has a responsibility in providing clear guidance to District and Borough Councils on the importance of safeguarding when allocating land and determining planning applications. As such the proposed policy is unsound, as it fails to do this. In addition, the ‘agent of change’ principle should also be applied. Policy should be amended.
<b>Actions/Considerations</b>	
2.19.2	The policy has been reworded to address the comments
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.19.3	Amend Policy SP19.

### Policy 19 – Safeguarding Mineral Related Infrastructure

<b>Representations</b> ( <i>Tarmac 940/0353,0354</i> )	
2.19.4	Whilst active mineral operations tend to be in areas at further distance from sensitive receptors, rail heads, concrete/asphalt plant operations and some aggregate recycling operations may fall within more built areas where sensitive uses in proximity to operations may cause conflict. Paragraph 9.2.18 states that ‘facilities within the control of the County Council will be safeguarded and it isn’t necessary to add another layer of safeguarding as facilities are protected by being located within an active

<p>mineral working’. This is disputed and is contrary to the NPPF. Although some applications for mineral related infrastructure may be determined by a district authority, the Development Plan is taken as a whole and in two tier Authority areas, this includes the County/Minerals and Waste Plans and the District/Borough Plan. As the mineral and waste lead Authority, the County Council has a responsibility in providing clear guidance to District and Borough Councils on the importance of safeguarding when allocating land and determining planning applications. The NPPF does not advocate that only mineral related infrastructure situated, within quarries are safeguarded</p>
<p><b>Actions/Considerations</b></p>
<p>2.19.5 Agree. The policy and justification have been amended to address these comments.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>
<p>2.19.6 Amend Policy SP19.</p>

## Policy 19 – Safeguarding Mineral Related Infrastructure

<p><b>Representations</b> (<i>Chesterfield Borough Council 1154/0752,0753,0754</i>)</p>
<p>2.19.7 Policy SP19 should include specific reference to sites safeguarded on a policies plan or map extract. Clear criteria should be included for how it may be demonstrated that a safeguarded facility is no longer required, and how development in the vicinity of the facility should be identified and any policy considerations that should apply to such developments. Also, reference in Appendix B to ‘Brimington Road’ should be altered to read ‘Brimington Road North’.</p>
<p><b>Actions/Considerations</b></p>
<p>2.19.8 The reasoned justification has been amended to help address the issues raised. Appendix B has been amended as requested.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>
<p>2.19.9 Amend text to help address the comments. Amend Appendix B.</p>

## Appendix 9.2B

<b>Representations</b> ( <i>Historic England 1158/0813</i> )
2.19.10 Require clarification as to what the table at Appendix 9.2B is setting out. Unclear as to what the information is specifically relating to.
<b>Actions/Considerations</b>
2.19.11 The table sets out the minerals related infrastructure facilities within the districts, which will be safeguarded by the relevant District/Borough Authorities. Reference is made to this table in the reasoned justification.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.19.12 Provide clearer cross reference to this table at the relevant paragraph.

## Policy 19 – Safeguarding Mineral Related Infrastructure

<b>Representations</b> ( <i>Peak District National Park Authority 1159/0900,0901,0902</i> )
2.19.10 In Policy SP19, include the words (underlined): “sites for concrete batching and processing and distribution of recycled and secondary aggregate within quarries <u>and on former mineral waste tips</u> are safeguarded...” or similar clarification.
<b>Actions/Considerations</b>
2.19.11 Agree that the suggested addition to the policy could be included.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.19.12 Amend Policy SP19 as suggested.

## Appendix 9.2A and 9.2B

<b>Representations</b> ( <i>Peak District National Park Authority 1159/0901,0902</i> )
2.19.10 Should the reference in the table at Appendix 9.2A to the railhead at Hindlow Quarry be stated as operational as caveated by the comment in the last column. Albeit it is “Active for imports from Tunstead Quarry only” that is still active and operational as a railhead. At Appendix 9.2B, for Chestnut House, it is assumed that DCC are satisfied that the answer “No” to “Part of Existing Mineral Site” is correct having regard to the processes undertaken at the site of the quarry. Possibly a comment in relation to the quarry may be useful for clarification
<b>Actions/Considerations</b>

2.19.11 Agree that the suggested amendments to the appendices should be made for greater clarification.

**Outcomes for Pre-Submission Draft Plan**

2.19.12 Amend Appendices as suggested

## 2.20 Chapter 10 – Restoration of Sites in the River Valleys

### Table of Representations

Name		Name Ref. No.	Representation Ref. No.
Derby and Derbyshire Local Access Forum		763	0106
Kim	Irons	825	0176,0177
South Derbyshire District Council		836	0199
Tarmac		940	0355
Nottinghamshire County Council		1135	0578
Environment Agency		1137	0598
Erewash Borough Council		1143	0643
Derbyshire Wildlife Trust		1145	0657
Leicestershire County Council		1150	0703
Historic England		1158	0814,0815
National Trust		1160	0940
Natural England		1161	0969

### Restoration of Sites in the River Valleys

#### **Representations** (*Derby and Derbyshire Local Access Forum 763/0106*)

2.20.1 Supportive of the strategic/co-ordinated approach being proposed for the high quality, sustainable restoration of sand and gravel sites within the Trent Valley area. However, proposals for mineral development must be stringently assessed to ensure they will contribute positively to the wider area. The planning conditions/ safeguards which are put in place must also be capable of being enforced should mineral extraction or the proposed restoration, aftercare and after-use of a site fall below the high-quality standards which are necessary to deliver this new and attractive landscape and its associated benefits for local residents, visitors, the economy and the area's heritage and wildlife.

<b>Actions/Considerations</b>	
2.20.2	Noted. Development management policies and enforcement procedures will help to ensure that the restoration schemes are implemented and managed as necessary.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.20.3	No changes required to the Plan

## Restoration of Sites in the River Valleys

<b>Representations</b> ( <i>Kim Irons 825,0176,0177</i> )	
2.20.4	It is not all about creating endless pools of water and people walking round them 30 years later. There will be so many holes filled with water that no one will be interested. The area near Sudbury is productive farmland, and removing endless amounts of this endangers the UK's food security. Whoever suggested that this hole filled with water has the potential to attract visitors and bring in businesses has clearly never been to Sudbury/Scropton.
<b>Actions/Considerations</b>	
2.20.5	<p>The Councils have a requirement to identify land which can be worked for sand and gravel to help meet the national and local need for the resource. Sand and gravel can only be quarried where it is found naturally. The policies in the MLP try to help ensure that any extraction will be undertaken in a manner which causes least disruption, and that restoration will be sympathetic to the local area. Policy SP20 seeks to ensure that a more coordinated approach is taken to restoration considering the wider context of the site in the valley as a whole.</p> <p>The operator that has suggested the site at Sudbury has proposed that the majority of the site would be restored to farmland, as the owner wishes to carry on farming it once the mineral has been removed.</p>
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.20.6	No changes required.

## Restoration of Sites in the River Valleys Plan

<b>Representations</b> ( <i>South Derbyshire District Council 836/0199</i> )	
2.20.7	The plan of the Trent Valley Restoration Study Area included in the Draft MLP (page 181) excludes the proposed Foston and Sudbury allocations

and should be amended. to fully accord with the comment on the principal planning requirement referred to above.
<b>Actions/Considerations</b>
2.20.8 The amended plan will be included in the Pre-Submission Draft Plan.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.20.9 Amend plan as suggested.

## Restoration of Sites in the River Valleys Plan

<b>Representations</b> ( <i>Tarmac 940/0355</i> )
2.20.10 The objectives for restoration in the river valleys need to be cautious in placing undue and overly onerous restrictions on operators for restoration of mineral workings. There may be opportunities for the wider objectives to be addressed but they should be caveated with 'where practicable'. A contribution towards the vision and the wider objectives is more justified.
<b>Actions/Considerations</b>
2.20.11 It is important that a more robust and strategic approach is taken to the restoration of mineral workings to ensure that they reflect and complement more closely the surrounding landscape and that the restored workings are seen more positively by local communities as places that they can visit and feel pride in. It is important therefore to maintain the approach in this policy, but it is considered that the phrase 'where practicable' could be inserted without adversely affecting this approach.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.20.12 Amend Policy SP20 to include the phrase 'where practicable'

## Restoration of Sites in the River Valleys

<b>Representations</b> ( <i>Environment Agency 1137/0598</i> )
2.20.13 Welcome that there is a chapter and relevant policy looking at the opportunities available when restoration takes place at mineral sites to providing environmental benefits such as biodiversity net gain and flood risk mitigation and enhancement. Climate change should be taken into account during restoration proposals and included within the policy.
<b>Actions/Considerations</b>
2.20.14 It is considered unnecessary to include reference to climate change in this policy. It is referenced in the reasoned justification. Also, Policy DM15

Restoration After Care and After use covers this issue comprehensively so to duplicate the information would be contrary to the principles of the NPPF.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.20.15 No changes considered necessary.

## Restoration of Sites in the River Valleys

<b>Representations</b> ( <i>Historic England 1158/0814</i> )
2.20.16 Would welcome the inclusion of the term 'historic environment' or 'heritage assets' in the list set out in paragraph 10.5.
<b>Actions/Considerations</b>
2.20.17 Agree that this sentence should also make reference to the historic environment.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.20.18 Add 'historic environment' to the paragraph.

## Restoration of Sites in the River Valleys

<b>Representations</b> ( <i>Historic England 1158/0815,0816</i> )
2.20.19 Would welcome additional detail in this policy about what the aim is for the river valleys and how has this been influenced by appropriate evidence base such as historic landscape characterisation. We support the ethos of the policy to have a coordinated approach with other sand and gravel sites, yet we also want to ensure that the restoration principles applied are appropriate in the context of the historic environment and within each specific locality. We consider that the Minerals Plan needs to include more detail than at present; though we accept that an SPD may be appropriate to contain additional detail and case studies etc..
<b>Actions/Considerations</b>
2.20.20 The policy is not the place for this information. The reasoned justification has been rewritten to include more information in this respect. The SPD will include greater detail which will also help to address concerns raised in this comment.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.20.21 Amend reasoned justification to help address this comment.



## Restoration of Sites in the River Valleys

<b>Representations</b> <i>(National Trust 1160/0940)</i>	
2.20.22	National Trust supports Policy SP20 which aims to ensure that a co-ordinated approach is taken to restoration schemes in the Trent, Derwent and Dove Valleys taking account of the wider context for each site. We believe that the policy should specifically refer to the Trent Valley Vision that is being developed by the County Council (and Supplementary Planning Document to follow) to ensure that this will guide future schemes.
<b>Actions/Considerations</b>	
2.20.23	Noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.20.24	No change

## Restoration of Sites in the River Valleys

<b>Representations</b> <i>(National Trust 1160/0940)</i>	
2.20.22	National Trust supports Policy SP20 which aims to ensure that a co-ordinated approach is taken to restoration schemes in the Trent, Derwent and Dove Valleys taking account of the wider context for each site. We believe that the policy should specifically refer to the Trent Valley Vision that is being developed by the County Council (and Supplementary Planning Document to follow) to ensure that this will guide future schemes.
<b>Actions/Considerations</b>	
2.20.23	Noted.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.20.24	No change

## Nature Recovery Network

<b>Representations</b> ( <i>Natural England 1161/0969</i> )
2.20.25 Natural England encourages the consideration of Nature Recovery Networks (NRN). The NRN is a major commitment in the government's 25 Year Environment Plan. Defra and Natural England are bringing together partners, legislation, and funding to create the Nature Recovery Network. The NRN will be a national network of wildlife-rich places
<b>Actions/Considerations</b>
2.20.26 A paragraph will be added to the reasoned justification to address this.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.20.27 Add a new paragraph.

## Nature Recovery Network

<b>Representations</b> ( <i>Nottinghamshire County Council 1135/0578, Erewash Borough Council 1143/0643, Derbyshire Wildlife Trust 1145/0657</i> )
2.20.28 Support and endorse this policy
<b>Actions/Considerations</b>
2.20.29 Noted.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.20.30 No change

## 2.21 Chapter 11 – Development Management Policies

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
Canals & River Trust	993	0424
Chesterfield Borough Council	1154	0756
Chesterfield Borough Council	1154	0757
Chesterfield Borough Council	1154	0758
Chesterfield Borough Council	1154	0759
Chesterfield Borough Council	1154	0760
Chesterfield Borough Council	1154	0761
CPRE		
CPRE	1152	0736
CPRE	1152	0737
CPRE	1152	0738
Derby and Derbyshire Local Access Forum	763	0107
Derby and Derbyshire Local Access Forum	763	0108
Derby and Derbyshire Local Access Forum	763	0109
Derby and Derbyshire Local Access Forum	763	0110
Derby and Derbyshire Local Access Forum	763	0111
Derbyshire County Council Labour Group	1163	0983
Derbyshire Wildlife Trust	1145	0658
Derbyshire Wildlife Trust	1145	0658
Derbyshire Wildlife Trust	1145	0658
Derbyshire Wildlife Trust	1145	0658
Eckington Against Fracking	1149	0702
Environment Agency	1137	0599
Environment Agency	1137	0600

<b>Name</b>	<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Environment Agency	1137	0601
Environment Agency	1137	0602
Environment Agency	1137	0603
Environment Agency	1137	0605
Environment Agency	1137	0605
Environment Agency	1137	1004
Environment Agency	1137	1005
Environment Agency	1137	1006
Environment Agency	1137	3541
Environment Agency	1137	3542
Environment Agency	1137	3543
Environment Agency	1137	3544
Environment Agency	1137	3545
Environment Agency	1137	3546
Environment Agency	1137	3547
Environment Agency	1137	3548
Historic England	1158	0817
Historic England	1158	0818
Historic England	1158	0819
Historic England	1158	0820
Historic England	1158	0821
Historic England	1158	0822
Historic England	1158	0823
Historic England	1158	0824
Historic England	1158	0825
Historic England	1158	0826
Historic England	1158	0827
Historic England	1158	0828
Historic England	1158	0829
Historic England	1158	0830
Historic England	1158	0831

<b>Name</b>	<b>Name Ref. No.</b>	<b>Representation Ref. No.</b>
Historic England	1158	0832
Member of Parliament	1136	0587
Member of Parliament	1136	0588
Member of Parliament	1136	0590
Member of Parliament	1136	0591
Mineral Products Association	938	0330
Mineral Products Association	938	0331
Mineral Products Association	938	0332
National Forest Company	1113	0549
National Trust	1160	0941
National Trust	1160	0943
National Trust	1160	0944
National Trust	1160	0945
National Trust	1160	0946
National Trust	1160	0947
National Trust	1160	0948
National Trust	1160	0949
National Trust	1160	0950
National Trust	1160	0951
National Trust	1160	0952
National Trust	1160	0953
National Trust	1160	0954
Natural England	1161	0970
PDNPA	1159	0903
PDNPA	1159	0904
PDNPA	1159	0906
PDNPA	1159	0908
PDNPA	1159	0910
PDNPA	1159	0912
PDNPA	1159	0913
PDNPA	1159	0914

Name	Name Ref. No.	Representation Ref. No.
PDNPA	1159	0915
PDNPA	1159	0916
PDNPA	1159	0919
PDNPA	1159	0920
PDNPA	1159	0922
PDNPA	1159	0924
Sustainable Hayfield	1155	0770
Tarmac	940	0356
Tarmac	940	0357
Tarmac	940	0358
Sarah Marsh	742	0076
Claire Marple	762	0105

## Policy DM1: Protecting Local Amenity, Health and Wellbeing and Safety

### Issue: Amendments to scope of policy criteria: Water quality

<b>Representations</b> ( <i>Environment Agency 1137/0599; PDNPA 1159/0903</i> )	
2.21.1	One consultee welcomed the inclusion of ground contamination within the criteria but also commented that the plan should ensure that there is no negative impact to water quality and requested the inclusion of a further criterion relating to water contamination.
2.21.2	Another consultee also suggested the inclusion of an additional criterion relating to 'Water Contamination and Quality' due to its importance both in terms of water supply and the purity of water in local springs, brooks and rivers. It would also be consistent with the reference to water contamination in paragraph 11.19
<b>Actions/Considerations</b>	
2.21.3	The MPA notes the comments of consultees in respect of the need to make further reference to water quality/contamination in the policy and supporting text.
<b>Outcomes for Pre-Submission Draft Plan</b>	

2.21.4	Policy text amended to include additional criteria covering water contamination and reduction water levels and flows.
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### **Issue: Amendments to scope of policy criteria: Dust impacts to heritage assets and historic collections**

<b>Representations</b> (National Trust 1160/0941)
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2.21.5	One consultee suggested that the requirement for dust monitoring should be applied to heritage assets and historic collections in addition to residential communities and other neighbouring sensitive receptors.
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<b>Actions/Considerations</b>
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2.21.6	The MPA acknowledges that this issue is not clear from the text of the plan and that there is the potential for dust emissions from minerals development and minerals related development to impact on the conservation of heritage assets and historic collections, particularly where they are sited in close proximity to those assets.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.21.7	Supporting text at renumbered paragraph 11.2.16 amended to make it clear that the nature and type of dust sensitive properties need to be identified on a case-by-case basis. Footnote also include to expand on this to refer to museums or heritage assets with historic collections
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### **Issue: Amendments to scope of policy criteria: Vibration**

<b>Representations</b> (National Trust 1160/0941)
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2.21.8	One consultee expressed its general support for policy DM1 but wished to ensure that the criteria are as broad as possible so that all relevant impacts are included in the assessments. With regard to vibration, it was suggested that the wording of the policy and accompanying support text be amended to read ' <i>Vibration, including blast vibration, and air over pressure</i> ' to take into account vibration impacts associated with HGV/heavy plant movements.
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<b>Actions/Considerations</b>
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2.21.9	Renumbered paragraphs 11.2.7 and 11.2.8 of the supporting text cover this issue. The MPA acknowledges, however, that the wording of the policy did not and that the criterion could be expanded to be less specific rather than focusing on just 'blast vibration etc'.
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### Outcomes for Pre-Submission Draft Plan

2.21.10 Relevant criterion of DM1 has been amended to now make reference to 'Vibration, blast vibration and air over pressure'.

## Issue: Amendments to scope of policy criteria: Air quality

### Representations (National Trust 1160/0941)

2.21.11 One consultee requested that the criterion relating to 'emissions to air' be broadened to refer to '*Emissions and air quality*'

### Actions/Considerations

2.21.12 The MPA acknowledges that there can be a difference between emissions to air and air quality, although one is affected by the other and accepts that 'air quality' may not be sufficient to encapsulate impacts arising from minerals operations including dust emissions or carbon emissions associated with the use of heavy plant and machinery.

### Outcomes for Pre-Submission Draft Plan

2.21.13 The text of policy DM1 has been amended to refer to 'Emissions to air and air quality'.

## Issue: Amendments to scope of policy criteria: Visual impacts

### Representations (National Trust 1160/0941)

2.21.14 One consultee requested that the criterion relating to '*visual intrusion to adjoining land uses and users*' be amended to say '*Visual impacts and intrusion*' without limiting this to 'adjoining' land and users'.

### Actions/Considerations

2.21.15 The MPA accepts that visual impacts can affect a far wider range of receptors than adjoining land and agrees that the wording of DM1 should be amended.

### Outcomes for Pre-Submission Draft Plan

2.21.16 The text of policy DM1 has been amended to refer to '*Visual impacts and intrusion*'.



## Issue: Amendments to scope of policy criteria: Induced seismicity

<b>Representations</b> (CPRE 1152/0735)	
2.21.17	One consultee requested that the policy criteria relating to land instability be amended to 'Land instability, including induced seismicity'; alternatively, the same text could be included in the third bullet which also relates to pressure waves/ seismicity.
<b>Actions/Considerations</b>	
2.21.18	The responsibilities of the MPA and other regulators in assessing the impacts of hydrocarbon development are clearly set out in Chapter 8.2, from paragraph 8.2.18 onwards. Seismicity and induced seismicity are the responsibility of the North Sea Transition Authority. Supporting paragraphs 11.2.20 and 11.2.21 set out those circumstances where induced seismicity can be a concern, particularly in former coal mining areas. Policy SP16 also covers this issue at sub-paragraph (3) in respect of all proposed for conventional and unconventional oil and gas extraction as well as specifically in respect of proposals for the extraction of shale gas.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.21.19	No amendment to the wording of the policy.

## Issue: Amendments to scope of policy criteria: Flooding

<b>Representations</b> (Environment Agency 1137/0599)	
2.21.20	One consultee requested that flooding and flood risk be added to the list of criteria in policy DM1.
<b>Actions/Considerations</b>	
2.21.21	The MPA acknowledges that flooding was excluded from the list of criterion in policy DM1. The reason for the exclusion was the content of policy DM8: Water Management and Flood Risk, which has specific requirements for each development in respect of preventing and, increasing resilience towards, flood risk on the site and elsewhere. However, the MPA notes that, whilst very specific, policy DM8 does not cover the issue of impacts to local amenity and safety in respect of flood risk and agrees that it should also be included in policy DM1.
<b>Outcomes for Pre-Submission Draft Plan</b>	

2.21.22 An additional criterion has been added to the text of policy DM1. An accompanying paragraph 11.2.23 has also been inserted into the Reasoned Justification.

## Issue: Amendments to Reasoned Justification

### Representations *(Environment Agency 1137/0599)*

2.21.23 One consultee noted the reference at paragraph 11.18 that in certain situations an Environmental Permit may be required. We would recommend that where an environmental permit is required, the developer should engage with the Environment Agency at the earliest opportunity. Twin tracking of the permit and planning application is encouraged to ensure all regulatory regimes are being assessed at the same time. Pre application advice for permitting is also available and developers should look into this for further advice.

### Actions/Considerations

2.21.24 The MPA notes this comment and acknowledges firstly, the interrelationship between the planning and environmental permitting processes, and secondly, that twin tracking of planning applications and Environmental Permits can be beneficial, avoiding duplication or delays to the commencement of the development.

### Outcomes for Pre-Submission Draft Plan

2.21.25 Additional text added to renumbered paragraph 11.2.19 (formerly paragraph 11.18) regarding twin tracking environmental permit applications.

## Policy DM2: Criteria for Assessing the Benefits of Minerals Development Proposals

### Issue: Inclusion of public access as a benefit of mineral development

#### Representations *(Derby and Derbyshire Local Access Forum 763/0107)*

2.21.26 One respondent welcomed the inclusion of enhanced public access as a benefit within Policy DM2 (d), but highlighted that, in addition, appropriate restoration of mineral sites could deliver a broader range of benefits including landscape character, biodiversity, tourism and outdoor recreational opportunities which should be maximised wherever possible.

#### Actions/Considerations

2.21.27 Support for the inclusion of a criterion relating to enhanced public access is welcomed. The MPA acknowledges the broader benefits that appropriate, well-designed restoration schemes can deliver. This theme is picked up in a number of the other policies of the Pre-submission Draft Plan.

**Outcomes for Pre-Submission Draft Plan**

2.21.28 No amendments to policy text.

**Issue: Inclusion of remediation of contaminated land as a benefit of minerals development**

**Representations** (*Environment Agency 1137/0600*)

2.21.29 One respondent expressed their support of the wording in 2 f) to highlight the requirements and opportunities to clean up contaminated land where development is proposed.

**Actions/Considerations**

2.21.30 Support for the inclusion of a criterion relating to the reclamation of derelict/contaminated land is welcomed. Parts of the Plan Area are still subject to the after-effects of former mineral working or heavy industry. Where possible, the MPA will seeks to maximise opportunities to deliver the reclamation of derelict land as part of proposals for minerals development.

**Outcomes for Pre-Submission Draft Plan**

2.21.31 No changes to text of policy DM2.

**Issue: Amendments to criteria listed in policy - Relinquishment of reserves in sensitive areas**

**Representations** (*Mineral Products Association 938/0330; Tarmac 940/0356*)

2.21.32 Two respondents consider that sub-paragraph 2(b) of policy DM should be deleted as the NPPF does not seek to remove all mineral operations from within 'sensitive areas' but recognises that minerals can only be worked where they are found and that existing operations may justify further working.

**Actions/Considerations**

2.21.33 The MPA acknowledges that the NPPF does not seek to removal all mineral operations from sensitive areas and concurs that minerals can

only be worked where they are found. However, circumstances can exist where historic mineral planning permissions are located on land which has subsequently either been designated for the quality of its heritage assets or nature conservation status or is of equivalent quality. The MPA considers that it is appropriate, where operators come forward with new proposals for minerals development, to seek to secure a commitment from operators to relinquish these planning permissions, particularly where they have not been worked since the early 1980s and are considered 'dormant'.

#### Outcomes for Pre-Submission Draft Plan

2.21.34 No change to policy wording. Reasoned justification will be amended to better articulate the justification for this part of policy DM2.

### Issue: Amendments to criteria listed in policy – Biodiversity Net Gain

**Representations** (*Environment Agency 1137/0600; Chesterfield Borough Council 1154/0756*)

2.21.35 Two respondents supported the inclusion of a criterion requiring environmental enhancements, including biodiversity net gain, through site restoration. However, one respondent also considered that the use of the phrase 'consideration will be given' in sub-paragraph 2 should be stronger when applied to matters such as biodiversity net gain, wider multifunctional enhancements as well as the opportunities to tie into the wider strategies along the river corridors as part of the restoration process of mineral development.

#### Actions/Considerations

2.21.36 Support for the inclusion of a criterion relating to environmental enhancements including biodiversity net gain (BNG) as part of site restoration is welcomed. The MPA acknowledges the importance of this and that BNG in particular will shortly become mandatory for all development proposals. The suggested strengthening of the phrase 'consideration will be given' is noted but not considered to be necessary as the policy is intended to act as a high-level assessment of the planning balance. The Proposed pre-submission Draft also includes other development management policies dealing with issues such a BNG where the wording is much stronger.

#### Outcomes for Pre-Submission Draft Plan

2.21.37 No amendment to the wording of policy DM2.

## Issue: Remediation/reclamation of sites as benefit of mineral development

<b>Representations</b> <i>(Chesterfield Borough Council 1154/0756)</i>	
2.21.38	One respondent noted that, in some cases, prior extraction of minerals as part of the remediation and reclamation of sites (covered by DM2 2(f)) may be resolved by the district or borough LPA, where it is purely ancillary to another planning application and stated that the importance of consultation and close working with the MPA in such cases.
<b>Actions/Considerations</b>	
2.21.39	The MPA acknowledges that there may be circumstances where prior extraction of minerals for remediation/reclamation purposes may be resolved by the LPA. The recognition of the need for close working and consultation with the MPA in these cases is noted and welcomed
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.21.40	No amendment to the wording of Policy DM2.

## Issue: Amendments to criteria listed in policy - Flood Risk

<b>Representations</b> <i>(Environment Agency 1137/0600)</i>	
2.21.41	One respondent supported the inclusion, at 2(h) of the opportunities to reduce flood risk or assist with flood alleviation measures as a benefit of mineral development but requested stronger wording to ensure restoration proposals require improvements in the flood risk situation, where it is suitable and does not impact upon any existing flood risk infrastructure.
<b>Actions/Considerations</b>	
2.21.42	Support for the policy approach is welcomed. The MPA acknowledges that opportunities to secure improvements to existing flood alleviation measures and to reduce the impacts of flood risk should be applied to all stages of the development, including restoration. However, this policy is intended to act as a high-level assessment of the planning balance. The Proposed pre-submission Draft also includes other development management policies dealing with flood risk and restoration where the requirements for assessing, mitigating and adapting to flood risk is much stronger.
<b>Outcomes for Pre-Submission Draft Plan</b>	

2.21.43 No amendments to the wording of the policy.

## Issue: Amendments to criteria listed in policy - Climate change/carbon emissions

### Representations (CPRE 1152/0736)

2.21.44 One respondent suggested amending the wording of sub-paragraph 2(g) from 'the extent to which the proposal assists in reducing greenhouse gas emissions through the use of...' to 'The extent to which the proposal is consistent with meeting carbon reduction targets specified in national and local carbon budgets and targets through the use of...'

### Actions/Considerations

2.21.45 The MPA welcomes the suggested amendment and agrees that the proposed alternative wording would represent a more accurate and measurable approach to ensuring that the Net Zero target is met in the Plan Area.

### Outcomes for Pre-Submission Draft Plan

2.21.46 Text of paragraph 2(g) of policy DM2 amended

## Issue: Amendments to criteria listed in policy – Historic Environment

### Representations (Historic England 1158/0817)

2.21.47 One respondent suggested that an additional criterion relating to the historic environment should be added to Policy DM2.

### Actions/Considerations

2.21.48 The MPA welcomes the suggested amendment, acknowledges that this is an omission and agrees that the suggested insertion of measures in respect of the historic environment would be appropriate.

### Outcomes for Pre-Submission Draft Plan

2.21.49 Text of sub-paragraph 2(d) amended to make reference to historic environment/heritage assets

## Issue: Exceptions to attributing great weight to minerals development

<b>Representations</b> ( <i>Sustainable Hayfield 1155/0770; Derbyshire County Council Labour Group 1163/0983</i> )	
2.21.50	Two respondents requested that oil and gas proposals should be included with coal as a form of mineral extraction that should not be given great weight in the planning balance due to the serious impact of these extractive sectors and activities on our march towards irreversible climate change.
<b>Actions/Considerations</b>	
2.21.51	The wording of policy DM2 replicates that of the NPPF (at paragraphs 211 and 217 and also footnote 71) in respect of the weight to be given to minerals extraction. The MPA acknowledges the reasoning behind the request to include oil and gas but considers that amended Policies SP2: Climate Change and SP16 (formerly policy SP17 in the Proposed Draft Plan) would be sufficient to deal with those concerns.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.21.52	No change to the wording of policy DM2.

## Issue: Carbon offsetting as a benefit

<b>Representations</b> ( <i>Derbyshire Labour Group 1163/0984</i> )	
2.21.53	One respondent requested that carbon offsetting should not be included as a benefit when considering minerals development proposals.
<b>Actions/Considerations</b>	
2.21.54	Carbon off-setting is included in sub-paragraph 2(g) as one of a suite of possible measures to assist development to meet the carbon reduction targets specified in national and local carbon budgets. The MPA does not prioritise any approach over another but would expect all proposals to include sufficient assessment of likely impacts to climate change arising from emissions as well as appropriate reduction, mitigation and adaptation measures in line with the requirements of SP2: Climate Change.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.21.55	No change to the text of policy DM2(g).

## Policy DM3: Transport of Minerals

### Issue: General comments

<b>Representations</b> ( <i>Derby and Derbyshire Local Access Forum 763/0108</i> )
2.21.56 We also welcome Policy DM3 which deals with transportation of minerals by sustainable modes of transport including rail, barge, conveyor or pipeline. This policy is important in terms of helping to improve the safety of other vulnerable road users by reducing the number of heavy good vehicles on the roads, especially where there is no footway for pedestrians or those which horse riders and cyclists need to use in order to reach the off-road bridleway network. It is also significant in terms of helping to protect and increasingly fragile road network and its associated verges which are susceptible to damage by HGVs.
<b>Actions/Considerations</b>
2.21.57 The support of Policy DM3 is noted and welcomed.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.58 No amendments to the wording of Policy DM3.

### Issue: Navigable Waterways

<b>Representations</b> ( <i>Canal and Rivers Trust 993/0424</i> )
2.21.59 One respondent considered references to barges as an alternative to road transport as appropriate and highlighted the need for early discussions with the Canal and Rivers Trust if any waterways are considered as a potential option for any new minerals development. It was requested that additional text be included to highlight this point. The response also noted an erroneous reference to British Waterways.
<b>Actions/Considerations</b>
2.21.60 Support for the policy and inclusion of alternative modes of transport is welcomed. The MPA agrees that early engagement with stakeholders is important. The erroneous reference to British Waterways is noted.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.61 The text of former paragraph 11.41 (now renumbered as 11.2.43) has been amended to correctly refer to the Canal & River Trust.



## Issue: Transport of Minerals via Pipeline

<b>Representations</b> (Lee Rowley MP, 1136/0588)	
2.21.62	One respondent expressed broad support for the policy including the transport of minerals by pipeline but requested greater clarity regarding procedures for proposals involving long distance pipelines with multiple landowners. It was also considered that proposals should clearly outline the long-term future transportation plans for a site at the time of the application rather than via subsequent planning applications. This would ensure that all likely impacts of a proposal, including cumulative impacts, would be considered from the outset. It was also considered that the policy should include a presumption against future variation of transport modes without a clear identified need.
<b>Actions/Considerations</b>	
2.21.63	Mineral planning applications can frequently cover large areas of land, cross administrative boundaries and involve multiple landowners. Existing planning legislation allows for notification of multiple landowners to take account of this issue. In some circumstances where they are very long or are above a certain pressure, pipelines may be considered to be Nationally Significant Infrastructure Projects for which the relevant determining authority would be the Planning Inspectorate. With regard to the need to consider all aspects of a proposal from the outset, the MPA agrees that this.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.21.64	Supporting text to DM3 amended at paragraph 11.43 (now renumbered as 11.2.44).

## Issue: Transport related carbon emissions

<b>Representations</b> (CPRE 1152/0737)	
2.21.65	One representation suggested the following wording be added to the policy and supporting text: <i>'Where proposals.... reduce or offset carbon emissions generated by traffic movements associated with the proposal, consistent with national and local carbon budgets and targets'</i>
<b>Actions/Considerations</b>	
2.21.66	The MPA agrees that this is a more precise form of wording.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.21.67	Policy wording amended.

## Issue: Historic Environment

<b>Representations</b> ( <i>Historic England 1158/0818</i> )
2.21.68 One response requested the inclusion of an additional clause relating to the impact on the historic environment resulting from the transport of minerals which required the assessment of this as well as appropriate mitigation measures.
<b>Actions/Considerations</b>
2.21.69 The MPA notes the request but considers that it would not be appropriate in the context of this policy which primarily seeks to reduce the reliance on road transport. The MPA considers that there is sufficient protection for the historic environment provided by the other policies of the plan.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.70 No changes required.

## Issue: Transport of Minerals through the Peak District National Park

<b>Representations</b> ( <i>PDNPA 1159/0904</i> )
2.21.71 It was requested that an additional criterion be added to policy DM3 requiring ‘...an assessment of the environmental impact of that traffic on the special qualities of the National Park, including the frequency, numbers, carbon footprint and routes to be taken, determines that the impact is acceptable having regard to National Park purposes’. It was also requested that the supporting text (at paragraph 11.39 be amended to the following: “Where road traffic is unavoidable every effort should be undertaken to avoid residential and minor roads and where possible trafficking through the Peak District National Park”.
<b>Actions/Considerations</b>
2.21.72 The MPA acknowledges that the PDNP is a sensitive area and that special regard should be had to its special qualities. However, it is considered that the other policies of the plan would be sufficient to control impacts on the PDNP, including the environmental effects of the transport of minerals. Many of the long-established quarries are located close to or immediately adjacent to the PDNP boundary. Whilst many of these sites do export to market using rail freight, not all do. Due to their location, export to market via road often has no option other than to use the main routes (A525 and A6) which run through the PDNP. The MPA has no

control over the strategic road network, including that which runs through the PDNP, as this is a matter for the police and the highway authority.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.73 No changes required.

## Issue: Transport Assessment

<b>Representations</b> ( <i>PDNPA 1159/0904; National Trust 1160/0943</i> )
2.21.74 Two respondents suggested that the policy should make direct reference to the need for a Transport Assessment as per the statements in paragraph 11.40 (now renumbered as 11.2.41).
<b>Actions/Considerations</b>
2.21.75 The MPA agrees that Policy DM3 should make it clear that a transport assessment will be required.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.76 Policy wording amended.

## Policy DM4: Landscape

### Issue: General comments

<b>Representations</b> ( <i>Derby and Derbyshire Local Access Forum 763/0109; National Trust 1160/0944</i> )
2.21.77 Two respondents expressed general support for policy DM4. One considered that it will help create attractive places to visit and have a positive impact on people's enjoyment of the outdoors, as well as their mental health, sense of well-being and connection with nature.
<b>Actions/Considerations</b>
2.21.78 The support is noted and welcomed.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.79 No changes to the policy.

### Issue: Impacts to Heritage and Landscape Designations

<b>Representations</b> ( <i>Lee Rowley 1136/0590</i> )
2.21.80 One respondent suggested that the requirement to sensitively design and locate any proposals close to the PDNP be extended to also cover sites

close to conservation areas, the Green belt, international and national statutory nature conservation designations and Areas of Natural Beauty (AONB).
<b>Actions/Considerations</b>
2.21.81 The wording used in respect of development close to the PDNP reflects the requirements of paragraph 176 of the NPPF. The MPA acknowledges that development proposals should be sited sensitively to avoid adverse impacts to built heritage and nature conservation sites but considers that Policies DM5: Biodiversity and Geodiversity, DM7: Historic Environment and Archaeology and DM11: Green Belt give sufficient protection for each respective issue. There are no AONB located close to or within the Plan area.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.82 No amendments to policy.

## Issue: Visual Sensitivity Zone

<b>Representations</b> ( <i>Lee Rowley 1136/0591</i> )
2.21.83 The Plan should include a 3.5km visual sensitivity zone around National Parks or Areas of Outstanding National Beauty, as included within policy M16 of the North Yorkshire Minerals Plan.
<b>Actions/Considerations</b>
2.21.84 In line with national planning policy, policies SP1 and DM4 require development located close to/within the setting of the PDNP to be sensitively designed and located. The MPA also notes that many existing hard rock quarries (many of which also incorporate large structures such as cement kilns etc) are located immediately adjacent or cross into the PDNP. A 3.5km visual sensitivity zone would therefore not be considered practicable. There are no AONBs within the Plan area
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.85 No amendments to policy.

## Issue: Policy not positively worded

<b>Representations</b> ( <i>Historic England 1158/0819</i> )	
2.21.86	The policy should be positively worded, seeking to 'protect and enhance' landscapes, instead of the current wording that states 'not result in significant harm'.
<b>Actions/Considerations</b>	
2.21.87	The MPA agrees that the suggested wording would be more positively worded and in line with the NPPF.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.21.88	Policy text amended to require development to seek to ' <i>protect and enhance landscapes</i> '.

## Issue: Historic Landscapes

<b>Representations</b> ( <i>Historic England 1158/0820</i> )	
2.21.89	The Plan should make reference to historic landscapes and how they have been shaped by human development and interaction throughout history. Reference to the appropriate evidence base such as historic landscape character assessment, National Park Management Plan, any other relevant studies that the Councils may have and information held on the Historic Environment Record (HER) should also be made.
<b>Actions/Considerations</b>	
2.21.90	The MPA agrees that the policy should also require an assessment of historic landscape and make use of the relevant evidence base.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.21.91	Policy text amended to refer to historic landscape character, historic landscape characterisation and the Historic Environment Record (HER).

## Issue: Landscape and Visual Impact Assessment

<b>Representations</b> ( <i>Historic England 1158/0821; PDNPA 1159/0906</i> )	
2.21.92	Two respondents considered that the Plan should specify the need for a Landscape and Visual Impact Assessment (LVIA), with one also requesting additional information about what information may be suitable how this needs to be submitted as a part of a planning application and the need for appropriate professionals.

### **Actions/Considerations**

2.21.93 The MPA agrees that the policy should specify the need for a LVIA.

### **Outcomes for Pre-Submission Draft Plan**

2.21.94 Policy DM4 has been amended to make direct reference to the need for LVIA.

## **Issue: Landscape impacts to River valleys**

### **Representations** (*Historic England 1158/0822*)

2.21.95 Historic England supported the need to have a coordinated approach to the restoration of sand and gravel sites but expressed the view that restoration principles are appropriate, taking into account historic landscape characterisation as well as any potential cumulative impacts arising from multiple sites in the same locality.

### **Actions/Considerations**

2.21.96 The MPA agrees that the need to identify and assess cumulative impacts is an important one. Continued sand and gravel working in the river valleys, including the Trent Valley have resulted in change at the landscape scale, including impacts to historic landscapes. The need to coordinate an appropriate landscape response to continued mineral working is set out in Policy SP19: restoration of Sites in the River Valleys (formerly SP20). Proposals will be assessed on a case-by-case basis against all relevant policies of the Plan including, where relevant cumulative impacts associated with development proposals. Policy DM14: Cumulative Impacts deals specifically with the need to assess cumulative impacts associated with proposals for minerals development, including those instances where multiple sites are located in close proximity.

### **Outcomes for Pre-Submission Draft Plan**

2.21.97 No amendments to policy DM4.

## **Issue: Amendments to Policy wording – landscape strategies etc**

### **Representations** (*Historic England 1158/0823*)

2.21.98 The policy wording should be amended to ensure that the documents referred to in the supporting text were appropriately utilised and planning applications sufficiently detailed to aid the decision-making process.

### **Actions/Considerations**

2.21.99 Policy DM4 requires development proposals to have regard to ‘the content of the relevant local landscape character assessment, historic landscape characterisation (where available) and supporting technical documents’, it also refers to relevant landscape strategies in respect of the proposals located close to the PDNP. The MPA considers that is sufficient to highlight the relevant documents and studies that would need to be utilised when putting together and LVIA. The MPA does not consider it appropriate to specifically refer to the documents by name as these may be replaced or become outdated.

### **Outcomes for Pre-Submission Draft Plan**

2.21.100 No change to policy.

## **Issue: Use of Landscape strategies in assessing site**

### **Representations** (*Historic England 1158/0824*)

2.21.101 Historic England asked for more information as to how local landscape character assessments/historic landscape characterisation and other strategies had been utilised to assess to the acceptability, or otherwise of the proposed site allocations set out under policies SP5 and SP? Of the Plan.

### **Actions/Considerations**

2.21.102 All sites that were put forward for inclusion in the plan, including those that have not been brought forward for allocation, have been assessed against the Site Assessment Methodology and were also considered against the Areas of Multiple Sensitivity (AMES) and Tranquility technical documents. Responses received in respect of previous consultation exercises, including the Sand and Gravel Sites Consultation (2018) have also been taken into account. This work is now incorporated into the Site Allocation Principal Planning Requirements set out at Appendix A of the Plan. Further assessment work has also been undertaken in 2022, through the completion of a heritage Impact Assessment for each of the proposed allocations

### **Outcomes for Pre-Submission Draft Plan**

2.21.103 No change.

## Issue: Landscape impacts to PDNP

<b>Representations</b> ( <i>PDNPA 1159/0906</i> )
2.21.104 The PDNPA requested that amendments be made to Policy DM4 and its supporting text to make clear the need to avoid or minimise adverse impacts to the special landscape qualities of the PDNP or any other feature or attribute which makes up its special qualities and sense of place..
<b>Actions/Considerations</b>
2.21.105 The MPA notes the comments and agrees that decision makers should have regard to those features or attributes that make up the special qualities of the PDNP. The MPA considers, however, that the wording of Policy DM4 is sufficient to take account of the potential impacts to the PDNP.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.106 No amendments to Policy DM4 or its supporting text.

## Issue: General Comments

<b>Representations</b> ( <i>Derby and Derbyshire Local Access Forum 763/0109; Environment Agency 1137/0601; National Trust 1160/0945; Chesterfield Borough Council 1154/0757</i> )
2.21.107 Four respondents expressed their support for Policy DM5: Biodiversity and Geodiversity.
<b>Actions/Considerations</b>
2.21.108 The MPA notes and welcomes the support for Policy DM5.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.109 No changes required

## Issue: Non-compliance with NPPF/policy lacks clarity

<b>Representations</b> ( <i>Mineral Products Association 938/0331; Tarmac 940/0357; National Trust 1160/0945</i> )
2.21.110 Two respondents considered the policy to be unsound as it was not compliant with national policy, not effective and not positive planning and requested that it be redrafted. With regard to designated sites, the policy was considered to lack clarity and was contrary to the requirement within the NPPF where there is a clear hierarchy to significance of asset and the



<p>consideration of impact. There does not appear to be any consideration of the ability to 'avoid, mitigate and compensate' any impacts as advised by NPPF paragraph 180a. The policy needs to be redrafted.</p> <p>2.21.111 One respondent also suggested changes to the text to avoid any confusion regarding the protection of international and national sites</p>
<p><b>Actions/Considerations</b></p>
<p>2.21.112 The MPA accepts that the policy lacked clarity and was not in accordance with the requirements of the NPPF.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>
<p>2.21.113 Policy DM5 has been comprehensively revised.</p>

### Issue: Assessing the planning balance

<p><b>Representations</b> (<i>Derbyshire Wildlife Trust 1145/0658</i>)</p>
<p>2.21.114 Another respondent noted the inherent difficulties that can arise in relation to the weight given to the benefits of development as opposed to the importance of a site and any losses to that site. They further commented that there was a lack of clarity regarding proposed approach towards statutory and non-statutory designated sites and that the Council need to be able to make this judgement based on an objective framework that quantifies and weighs the values on both sides as there is a danger that some biodiversity sites are undervalued and too easily seen as replaceable. Judgements have to be fair and balanced, based on up to date and accurate data, accord with national guidance and best practice and be fully transparent.</p>
<p><b>Actions/Considerations</b></p>
<p>2.21.115 Policy DM5 has been comprehensively rewritten and the MPA considers that it now has greater clarity regarding the protection afforded to designated and non-designated sites and how this is to be assessed when weighing the planning balance.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>
<p>2.21.116 No changes to the Plan</p>

### Issue: Biodiversity Net gain (BNG)

<p><b>Representations</b> (<i>Environment Agency 1137/0601, Chesterfield Borough Council 1154/0757</i>)</p>
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2.21.117 One respondent noted the reference to BNG and suggested that the policy should highlight that BNG of a minimum of 10% will be required for all proposals. The response also recognises the council's support for proposals that deliver significant and measurable BNG and suggests the following amendments to the wording of the policy: 'Proposals will be supported where they deliver significant net gains above the minimum requirement of 10%, for biodiversity, based on the....'.

2.21.118 One respondent suggested that the policy may wish to consider setting out whether the MPA expects BNG to be achieved during the life of development or upon restoration, and the circumstances in which financial contributions to off-site BNG provision will be considered and the mechanisms by which this will be secured and calculated.

### **Actions/Considerations**

2.21.119 The MPA notes the comment regarding the minimum for 10% BNG for all development proposals and the need to set out what is meant by 'significant and measurable' BNG in the policy and agrees that further clarification is required.

2.21.120 The MPA agrees that this would be a useful inclusion in the plan. However, the mandatory implementation of BNG will not take place until November 2023 and, at the time of writing, the MPA is awaiting the publication of national guidance setting out how BNG is to be applied to phased development and mineral development. It is therefore not possible at this time to state clearly the point of the development when the MPA expects BNG to be secured. It is proposed that BNG supplementary guidance note will be prepared by the MPA and it is anticipated that this issue will be covered in that document.

### **Outcomes for Pre-Submission Draft Plan**

2.21.121 No changes to the wording of the policy. The wording of paragraph 11.2.67 has been amended to make clear that, for the purposes of the plan, 'significant and measurable BNG' means more than the mandatory 10%.

## **Issue: Multifunctional opportunities of biodiversity enhancements**

### **Representations** (*Environment Agency 1137/0601*)

2.21.122 The policy could be used to highlight the multifunctional opportunities that biodiversity enhancements can produce e.g. water quality and flood risk improvements or natural flood management.

### **Actions/Considerations**

2.21.123 The MPA acknowledges the wider multifunctional opportunities that biodiversity enhancements can deliver. However, Policy DM5 is intended to operate as a high-level policy requiring applicants to undertake appropriate, and site-specific, ecological / geological surveys and assessment work in order to protect and enhance biodiversity and geodiversity in the Plan area. Proposals for development will be assessed against all relevant policies of the Plan. In this context and following the Winter 2021/2022 consultation, the text of policies DM8: Water Management and Flood Risk, DM12: Green and Blue Infrastructure and DM15: Restoration, Aftercare and Afteruse have all been revised to take account of potential multifunctional enhancements.

### **Outcomes for Pre-Submission Draft Plan**

2.21.124 No changes to the plan.

## **Issue: Impact of Allocated Sites on nearby Local Wildlife Sites (LWS)**

### **Representations** (*Environment Agency 1137/0601*)

2.21.125 Where applicable an assessment on the potential of the proposal allocated sites to impact a designated/ non designated site needs to be completed and the relevant party consulted accordingly to ensure that any impact is mitigated appropriately.

### **Actions/Considerations**

2.21.126 The MPA notes the comment regarding proximity of LWS to the proposed site allocations and the need for assessments to take account of any likely impact on these resulting from development proposals. The MPA will expect ecological assessment to identify fully assess the likely impacts of a development proposal on all statutory and non-statutory designated sites as part of the planning application process. Following the Winter 2021/2022 consultation, the content of Policy DM5 has been comprehensively revised.

### **Outcomes for Pre-Submission Draft Plan**

2.21.127 Policy DM5 revised

## **Issue: Ecological Impact Assessment**

### **Representations** (*Derbyshire Wildlife Trust 1145/0658; PDNPA 1159/0908*)

2.21.128 The policy should explicitly require the submission of an ecological impact assessment.
<b>Actions/Considerations</b>
2.21.129 The MPA agrees that the policy should be revised to explicitly refer to the need for an Ecological Impact Assessment.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.130 Policy revised and amended.

### Issue: Development near River corridors

<b>Representations</b> ( <i>Environment Agency 1137/1004</i> )
2.21.131 The Environment Agency requested the inclusion of additional wording relating to development proposals near river corridors.
<b>Actions/Considerations</b>
2.21.132 The MPA acknowledges the importance of ensuring that proposals located in river corridors should indicate how these habitats should be protected and enhanced and, as a result of the consultation, has revised the text of policies DM4: Landscape, DM8: Water Management and Flood Risk and DM15: restoration, Aftercare and Afteruse to take account of these issues. The MPA considers that, amongst other things, Policy DM5 is intended to operate as a high-level policy requiring applicants to undertake appropriate, and site-specific, ecological surveys and assessment work. It is not considered appropriate to highlight specific habitat types in the policy to the exclusion of others.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.133 No changes to plan.

### Issue: Non-statutory designated wildlife sites

<b>Representations</b> ( <i>Derbyshire Wildlife Trust 1145/0658</i> )
2.21.134 Derbyshire Wildlife Trust requested that the following additional text be inserted into the reasoned justification: <i>'There are over 1400 non-statutory sites including 1196 Local Wildlife Sites (LWS), 52 Local Nature Reserves (LNR) and 198 Regionally Important Geological Sites (RIGS) in Derbyshire. These sites support and protect habitats, populations of species or geological formations of at least local/County importance or</i>

<i>greater. They play a key role in maintaining the ecological networks and corridors found across the County’.</i>
<b>Actions/Considerations</b>
2.21.135 The MPA agrees that the supporting text could be expanded in respect of non-statutory sites in line with the consultation response.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.136 A new paragraph (11.2.63) has been inserted into the supported text.

## Issue: Amendments to Reasoned Justification

<b>Representations</b> ( <i>Derbyshire Wildlife Trust 1145/0658</i> )
2.21.137 Derbyshire Wildlife Trust request that paragraph 11.64 of the reasoned Justification to Policy DM5 be amended to the following:  <i>‘not lead to any net loss of habitat, provide the same <b>or better</b> type of ecological features as those which will be affected with equivalent <b>or enhanced</b> levels of ecological ‘functionality’.</i>
<b>Actions/Considerations</b>
2.21.138 Agree with the suggested amendments.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.139 Text of paragraph 11.64 (now renumbered as 11.2.66) amended as requested.

## Issue: Description of European Sites

<b>Representations</b> ( <i>PDNPA 1159/0908</i> )
2.21.140 One respondent requested that the text of paragraph 11.58 (now renumbered as 11.2.60) to make it clear that the European designated sites are located in the PDNP as well as in the wider Plan Area.
<b>Actions/Considerations</b>
2.21.141 The purpose of paragraph 11.2.60 is intended to clearly set out those European designated sites that are located in the Plan Area, as well as other that are located close by. The Spatial Portrait provided in Chapter 2 of the Plan sets out further information regarding the interrelationships between the Plan Area and the PDNP
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.142 No amendments to the plan.

## Policy DM6: Trees, Woodland and Hedgerows

### Issue: General Comments

<b>Representations</b> ( <i>National Trust 1160/0946; Derby and Derbyshire Local Access Forum 763/0109</i> )
2.21.143 Two responses expressed support for the policy.
<b>Actions/Considerations</b>
2.21.144 The MPA notes and welcomes the support for Policy DM6.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.145 No changes required.

### Issue: Policy provides insufficient protection for ancient woodland

<b>Representations</b> ( <i>Derbyshire Wildlife Trust 1145/0661</i> )
2.21.146 Derbyshire Wildlife Trust stated that it was unacceptable to allow any development that would impact on ancient woodland when so few fragments remain and urged the County Council to strengthen the policy in this regard.
<b>Actions/Considerations</b>
2.21.147 The MPA considers that the policy is clear that proposals that would result in the loss or deterioration of ancient woodland will not be supported except in wholly exceptional circumstances. This approach is considered sufficiently robust to ensure the protection of ancient woodland in the Plan area.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.148 No amendments to the plan

### Issue: Hedgerow protection

<b>Representations</b> ( <i>Derbyshire Wildlife Trust 1145/0661</i> )
2.21.149 One response highlighted that only 20% of hedgerows are likely to be covered by the Hedgerow Regulations 1997 and that in many cases, hedgerows which are of considerable value for wildlife fall just short of the relevant criteria threshold. Of these, a high proportion do qualify as Habitats of Principal Importance where the definition and ecological characteristics are less exacting. The response also noted that hedgerows are probably the habitat most frequently impacted by minerals

development. the response stated that every effort must be made to retain hedgerows in situ and where this cannot be achieved, hedgerow replacement should aim to not only replace the trees and shrubs, but also establish associated woodland flora as part of the hedgerow habitat.
<b>Actions/Considerations</b>
2.21.150 The MPA acknowledges that the supporting text was not precise enough in respect of protection for hedgerows.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.151 Supporting text amended at paragraph 11.27 (now renumbered as 11.2.73) to reflect this issue.

## Policy DM7: Historic Environment

### Issue: General Comments

<b>Representations</b> ( <i>Derby and Derbyshire Local Access Forum; National Trust 1160/0947; Historic England 1158/0825; Historic England 1158/0826</i> )
2.21.152 Three respondents expressed their support for Policy DM7, with one welcoming the positive approach and the need to protect and enhance the significance of designated and non-designated heritage assets and their settings.
<b>Actions/Considerations</b>
2.21.153 The MPA notes and welcomes the support for Policy DM7.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.154 No changes to the plan.

### Issue: Use of Planning Obligations

<b>Representations</b> ( <i>Mineral Products Association 938/0332; Tarmac 940/0358</i> )
2.21.155 The use of planning obligations to secure appropriate programs for archaeological investigation works is unjustified and should be removed and replaced with planning condition. The use of planning obligations should be a last resort.
<b>Actions/Considerations</b>
2.21.156 The MPA agrees that this part of the policy needs amending.
<b>Outcomes for Pre-Submission Draft Plan</b>

2.21.157 Policy DM7 has been comprehensively revised and rewritten including a revised section setting out how appropriate archaeological investigation and recording will be secured.

**Issue: Policy lacks clarity/non NPPF compliant and does not distinguish between substantial and less than substantial harm.**

**Representations** (*Historic England 1158/0827; National Trust 1160/0947*)

2.21.158 A number of respondents expressed concern that the policy did not distinguish between substantial harm and less than substantial harm in the same way as the NPPF, or the public benefit test that must be met in respect of each. It was suggested that the policy be revised to ensure NPPF compliance.

**Actions/Considerations**

2.21.159 The MPA agrees that the policy needs revising to improve clarity and ensure compliance with the NPPF.

**Outcomes for Pre-Submission Draft Plan**

2.21.160 The text of policy DM7 has been comprehensively revised.

**Issue: Opportunities for Enhancement of Historic Environment**

**Representations** (*Historic England 1158/0830*)

2.21.161 Historic England suggested that there may be opportunities for enhancement of the historic environment/ heritage assets as a result of mitigation measures or as part of site restoration, stating that it is important to include how restoration principles for a site had been guided by an understanding of the significance of heritage assets. The inclusion of a specific section addressing restoration principles for the historic environment within the policy specifically dealing with restoration principles was requested.

**Actions/Considerations**

2.21.162 The MPA notes the comments and agrees that opportunities to enhance the historic environment should be sought as part of site restoration etc

**Outcomes for Pre-Submission Draft Plan**

2.21.163 Policy DM7 has been amended to include a clause requiring development proposals to demonstrate that they would:



*‘...provide for the enhancement of specific features of the historic environment, including individual heritage assets or historic landscapes, as part of their approved restoration scheme or as part of a wider package of mitigation measures associated with the proposal’.*

## Issue: Archaeology

### **Representations** (Historic England 1158/0829; PDNPA 1159/0910)

2.21.164 Historic England commented that archaeology, including the potential for non-designated archaeology of national importance, unknown and undesignated archaeology, should be specifically addressed in Policy DM7. Historic England also referred to ‘Historic England Advice Note 13: Minerals Development and Archaeology’ and recommended additional wording regarding assessments for archaeology and minerals development. It was also suggested that the policy be amended to ensure that appropriate archaeological investigation is undertaken at the appropriate time. Historic England also stated that it supported the recording of information, where the loss of heritage is unavoidable, and consider that this should be updated on the Historic Environment Record (HER) as the minimum requirement.

2.21.165 Another respondent suggested that the policy should be amended to include reference to a Written Scheme of Investigation.

### **Actions/Considerations**

2.21.166 The MPA acknowledges that the policy didn’t give sufficient consideration to archaeology, particularly non designated archaeology of national significance.

### **Outcomes for Pre-Submission Draft Plan**

2.21.167 Policy DM7 has been comprehensively revised to better reflect national policy requirements and also give appropriate consideration to archaeology.

## Issue: Creswell Crags

### **Representations** (PDNP 1159/0910)

2.21.168 One response highlighted the other built heritage designations at Creswell Crags.

### **Actions/Considerations**

2.21.169 The existing status of Creswell Crags is noted, however, reference to Creswell Crags in this instance was in the context of it being on the UK Government's tentative list for inscription as a World Heritage Site.

**Outcomes for Pre-Submission Draft Plan**

2.21.170 No change to Plan.

**Issue: Heritage Impact Assessment**

**Representations** (*PDNPA 1159/0910; Historic England 1158/0828*)

2.21.171 Two respondents commented that the policy should be amended to explicitly require a heritage impact assessment setting out how the significance of heritage assets, including their setting, may be impacted as a result of the proposed development.

**Actions/Considerations**

2.21.172 Agree.

**Outcomes for Pre-Submission Draft Plan**

2.21.173 Policy DM7 has been revised to expressly require a heritage impact assessment.

**Issue: Environmental impacts of mineral development of historic environment**

**Representations** (*National Trust 1160/0947*)

2.21.174 An additional sentence should be incorporated to ensure that heritage impact assessments consider matters such as noise/vibration (e.g. impacts on perception and experience of an asset), dust and air quality (e.g. impacts on historic building fabric and collections). Assessments of these types of impacts are often inadequate as they focus on human health and neglect to consider the quality or experience of the historic environment.

**Actions/Considerations**

2.21.175 The MPA acknowledges that noise, vibration, dust and air quality can all result in impacts to the historic environment and/or historic collections. However, Policy DM7 is intended to act as a high-level policy relating to the historic environment. Policy DM1: Local Amenity, Health, well-being and Safety covers environmental impacts such as noise and dust. The reasoned justification has been amended to make it clear that, where

relevant, such assessments will need to take into account heritage assets and/historic collections.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.176 No changes to Policy DM7. References to environmental impacts to historic environment/historic collections added into the supporting text of Policy DM1.

## Policy DM8: Water management and Flood Risk

### Issue: General Comments

<b>Representations</b> ( <i>National Trust 1160/0948; Environment Agency 1137/0602</i> )
2.21.177 Two respondents expressed their support for policy DM8.
<b>Actions/Considerations</b>
2.21.178 The MPA notes and welcomes the support for policy DM8.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.179 No changes to policy.

### Issue: Flood Risk (Easements)

<b>Representations</b> ( <i>Environment Agency 1137/3541</i> )
2.21.180 The policy should be amended to include an additional bullet point requiring appropriate easements from excavation works safeguarding the physical integrity of watercourses such as <b><i>‘the physical integrity of watercourses through suitable easements between a river bank and the proposed excavation area’</i></b> .
<b>Actions/Considerations</b>
2.21.181 The MPA agrees that an additional criterion designed to safeguard the physical integrity of watercourses would strengthen the policy.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.182 Policy DM8 amended as requested.

### Issue: Flood Risk (Geomorphology assessment)

<b>Representations</b> ( <i>Environment Agency 1137/3542</i> )
2.21.183 We would recommend the inclusion of the following paragraph within the policy – <b><i>‘As part of any application, a site specific geomorphology</i></b>

<b><i>assessment must be undertaken to determine the minimum stand-off required from any watercourse.'</i></b>
<b>Actions/Considerations</b>
2.21.184 The MPA agrees that an additional criterion requiring a geomorphological assessment to determine the minimum stand-off required from any watercourse would strengthen the policy.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.185 Policy DM8 amended as requested.

## Issue: Flood Risk (General)

<b>Representations</b> ( <i>Environment Agency 1137/3543</i> )
2.21.186 We would suggest the following amendment is included within the policy wording 'All proposals will be expected to incorporate flood risk protection, flood resilience measures appropriate to the character and biodiversity of the area and the specific requirements of the site <b>and ensure development does not increase flood risk to the site, or to others</b> '.
2.21.187 The Environment Agency requested that paragraph 11.96 be revised in respect of the effects of mineral extraction in floodplains and the effects that it can have on flood storage capacity, impede flows and therefore increase the risk of flooding elsewhere. They also raised concerns regarding the description of river and surface water flooding and how sustainable drainage systems can only be used to mitigate the effects of surface water flooding and suggested a separate paragraph for surface water flooding.
<b>Actions/Considerations</b>
2.21.188 The MPA agrees that the insertion of the additional wording would ensure that the Plan was NPPF compliant. With regard to the content of paragraph 11.96, the MPA considers that this is a misreading of the paragraph which was intended to convey that mineral extraction operations within the floodplain have the potential to reduce storage capacity and increase the risk of flooding elsewhere. Notwithstanding this, the MPA has amended to the wording of the paragraph to provide greater clarity and created a new paragraph (11.2.96) relating to surface water flooding.
<b>Outcomes for Pre-Submission Draft Plan</b>

2.21.189 Policy DM8 amended as requested and paragraph 11.96 (now renumbered as 11.2.95) has been amended accordingly.

### Issue: Water Quality (Water Framework Directive)

#### Representations (Environment Agency 1137/3544)

2.21.190 Proposed mineral developments must ensure compliance with the Water Framework Directive (WFD), which includes maintaining water quality, maintaining the natural geomorphology and ecological value of the water environment and supporting the progress to 'good' or higher of the relevant watercourse or waterbody. We would ask that the following is included within the policy:

*'Water quality, both surface and groundwater, should be managed to ensure no deterioration, and where possible enhancement at the time of restoration, to help support and meet the wider requirements of the Water Framework Directive'*

#### Actions/Considerations

2.21.191 Agree. The MPA will amend the policy accordingly.

#### Outcomes for Pre-Submission Draft Plan

2.21.192 Policy DM8 amended as requested

### Issue: Water supply and disposal of sewage

#### Representations (Environment Agency 1137/3545)

2.21.193 Water supply and the disposal of sewage and foul water from any site should be discussed with the relevant water company and the Environment Agency to ensure no deterioration of surface water or groundwater quality.

#### Actions/Considerations

2.21.194 Noted. The MPA considered this to be a detailed issue for consideration during the determination of a planning application.

#### Outcomes for Pre-Submission Draft Plan

2.21.195 No changes to the plan.

## Issue: Water Resources

<b>Representations</b> ( <i>Environment Agency 1137/3546</i> )
2.21.196 The Environment Agency also provided comments relating to water resources which should not be impacted by development proposals. The response highlighted that some areas of Derbyshire have tight restrictions, or no water is available for consumptive abstraction. Where water abstraction is required as part of the proposed working scheme, applicants are advised to consult the Environment Agency and refer to the Environment Agency's Abstraction Licencing Strategy for that particular area. The response also covered the issue of dewatering activities at quarry sites. Existing dewatering activities are being licensed through the current new authorisations project, which will see all previously exempt abstractions licensed by 31st December 2022. All new quarry dewatering abstractions will need to apply for a full abstraction or transfer licence. In all instances applicants were recommended to contact the Environment Agency to discuss the abstraction requirements for the proposed development to understand what would and wouldn't be acceptable from an abstraction licencing perspective.
<b>Actions/Considerations</b>
2.21.197 Noted. The MPA agrees that matters relating to dewatering are important but considers this to be a detailed issue for consideration during the determination of a planning application.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.198 No changes to the plan.

## Issue: Groundwater

<b>Representations</b> ( <i>Environment Agency 1137/3547</i> )
2.21.199 The Environment Agency requested that the wording of DM8 relating to groundwater be amended as follows to include the requirement for groundwater resources (quantity) and impacts upon groundwater flows to be assessed: -'groundwater quality, <b>quantity, levels and flows</b> '.
<b>Actions/Considerations</b>
2.21.200 The MPA agrees that the policy should be amended.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.201 Policy DM8 revised accordingly.

## Issue: Amendment to Policy to refer to Flood Risk Assessment and Hydrological and Hydrogeological Assessments

<b>Representations</b> (PDNPA 1159/0912)
2.21.202 The PDNP commented to say that the policy should make specific reference to the need for flood risk assessment, hydrological and hydrogeological assessments.
<b>Actions/Considerations</b>
2.21.203 The MPA agrees that the policy should be amended.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.204 Policy DM8 revised accordingly.

## Issue: Restoration of Mineral Sites

<b>Representations</b> National Trust 1160/0948; Environment Agency 1137/3548)
2.21.204 Two respondents suggested additional text in the policy requiring the design of restoration schemes to consider opportunities for flood storage/alleviation schemes once mineral workings have ceased.
<b>Actions/Considerations</b>
2.21.206 The MPA agrees that the policy should be amended to take account of opportunities for flood storage/alleviation schemes once mineral workings have ceased
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.207 Policy DM8 amended to include the following text: <i>‘Where practicable, provide for the incorporation of flood risk reduction measures e.g. flood plain storage and reconnection, flood defence structures, and land management practices to benefit local communities, as part of their approved restoration scheme or as part of a wider package of mitigation measures associated with the proposal’.</i>

## Policy DM9: Soil Quality and Agricultural Land

### Issue: General comments

<b>Representations</b> (National Trust 1160/0949)
2.21.208 One respondent expressed their support for the policy.
<b>Actions/Considerations</b>

2.21.209 The support for the policy is noted and welcomed.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.21.210 No changes required.
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## Issue: Suggested amendments to policy wording

<b>Representations</b> (PDNPA 1159/0949)
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2.21.211 One respondent suggested the following additional text for inclusion within the policy:
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*‘Proposals should prioritise the **managed recovery**, retention, **storage, conservation and treatment** of soil including soil making resources for **beneficial and where appropriate selective reuse** within the site.’*

<b>Actions/Considerations</b>
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2.21.212 The MPA acknowledges that the suggested additional text is more precise than set out in the Proposed Draft Plan.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.21.213 The policy has been amended
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## Policy DM10: Aviation safety

### Issue: Suggested amendments to policy wording

<b>Representations</b>
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2.21.214 No comments were received.
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<b>Actions/Considerations</b>
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2.21.215 N/A
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.21.216 N/A
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## Policy DM11: Green belt

### Issue: General Comments

<b>Representations</b> (National Trust 1160/0950)
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2.21.217 One respondent expressed their support for Policy DM11.
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<b>Actions/Considerations</b>
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2.21.218 The support for the policy is noted and welcomed.
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### Outcomes for Pre-Submission Draft Plan

2.21.219 No changes required.

## Policy DM12: Green Infrastructure

### Issue: General Comments

**Representations** (*Derby and Derbyshire Local Access Forum; Chesterfield Borough Council 1154/0758; National Trust 1160/0951*)

2.21.220 Three respondents expressed support for the policy.

### Actions/Considerations

2.21.221 The MPA notes and welcomes the support for Policy DM12.

### Outcomes for Pre-Submission Draft Plan

2.21.222 No changes required.

### Issue: Inclusion of blue infrastructure

**Representations** (*Environment Agency 1137/0604*)

2.21.223 One respondent requested that the policy be amended to include blue infrastructure and seek to enhance the water environment.

### Actions/Considerations

2.21.224 The supporting statement to policy DM12 does provide a definition of Green infrastructure which includes waterbodies. However, the MPA accepts that this may not be explicit in the policy text. The MPA agrees that the restoration of minerals sites should explore opportunities to look at multifunctional environmental enhancements including water quality improvements and/or opportunities to incorporate natural flood management (NFM).

### Outcomes for Pre-Submission Draft Plan

2.21.225 The policy has been amended to refer to blue and green infrastructure and make reference to opportunities to maximise the delivery of multi-functionality and ecosystem services, incorporate water quality improvements and opportunities to improve the water environment

## Issue: Setting of the PDNP

<b>Representations</b> ( <i>PDNPA 1159/0914</i> )
2.21.226 The Plan should provide for a Green Infrastructure Network Strategy to address the locations within the setting of the PDNP that are affected by historic and current mineral operations.
<b>Actions/Considerations</b>
2.21.227 The MPA notes the suggestion regarding a future Green Infrastructure Network strategy and agrees that it would be useful tool. The MPA is aware that work is currently ongoing to produce Natural Capital and Local Nature Recovery strategies both of which would potentially overlap with/align with the principles of a Green Infrastructure Strategy. It is considered that further work will be required in this area.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.228 No changes to plan.

## Issue: Green Infrastructure Framework

<b>Representations</b> ( <i>Natural England 1161/0970</i> )
2.21.229 Natural England highlighted the recent launch of a set of national Green Infrastructure standards for local planning authorities to utilise alongside the accompanying GI mapping resource.
<b>Actions/Considerations</b>
2.21.230 the MPA notes the launch of the Green Infrastructure strategy and considers that it will be a useful tool for applicants and decision makers.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.231 Amend supporting statement to make reference to the Green Infrastructure Principles and Standards as a useful resource for applicants.

## Policy DM13: Public Access

### Issue: General Comments

<b>Representations</b> ( <i>Derby and Derbyshire Local Access Forum 763/0109; National Trust 1160/0952</i> )
2.21.232 Two respondents expressed support for the policy, particularly its aim to improve and enhance the rights of way network wherever possible.

<b>Actions/Considerations</b>
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2.21.233 The MPA notes and welcomes the support for Policy DM13.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.21.234 No changes required.
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## Issue: Sustainable Travel

<b>Representations</b> ( <i>Derby and Derbyshire Local Access Forum 763/0109</i> )
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2.21.235 One respondent commented that opportunities to upgrade/create new routes associated with PROW affected by minerals development should be considered at the outset rather than at restoration stage. It was also advised that the requirements of Derbyshire County Council's Cycling Plan and Greenway Strategies/Cycle Networks be taken into account as well as the Rights of Way Improvement Plans (ROWIP) as these all support the increased provision of traffic free multi-user routes catering for pedestrians, cyclists, horse riders and those with mobility problems.
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<b>Actions/Considerations</b>
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2.21.236 The MPA acknowledges the importance of engaging with the ROWIP as well as any relevant Greenway and Cycleway strategies in the Plan area at the earliest opportunity, in order to secure any likely improvements and enhancements to the rights of way network.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.21.237 No changes to the Plan.
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## Issue: Recreational Access

<b>Representations</b> ( <i>CPRE 1152/0738</i> )
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2.21.238 One respondent requested that the policy wording be revised to the following: ' <i>...and, where possible, recreational access to restored mineral workings...</i> ' to allow for multi-purpose use e.g. walking, cycling and climbing
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<b>Actions/Considerations</b>
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2.21.239 The MPA agrees that the suggested revised wording would have the potential to result in broader improvements in terms of recreational access, rather than just the rights of way network.
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<b>Outcomes for Pre-Submission Draft Plan</b>
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2.21.240 Policy DM13 has been amended to reflect the suggested alternative wording.

## Issue: Rights of Way in PDNP

### Representations (PDNPA 1159/0915)

2.21.241 One respondent requested that the Plan make clearer the important inter-relationship / linkages between the recreational routes (e.g. trails, footpaths, bridleways, cycleways, trails, greenways) and open access land within the Plan Area and those within the National Park; and opportunities that may be presented by minerals and minerals related development to enhance, further connect and extend those inter-connected routes, including along the corridor settings to the Park.

### Actions/Considerations

2.21.242 The MPA notes the comments made regarding the interlinkages between recreational routes and open access land in the Plan area and the PDNP and agrees that proposals for minerals development may present opportunities to enhance and extend those linkages. As stated in paragraph 2.21.218 above, the wording of the policy has been amended to refer to recreational access rather than 'rights of way network' in the second paragraph which should cover this issue. The Plan also includes a further policy, Policy DM12: Green and Blue Infrastructure which seeks to improve and enhance green and blue infrastructure provision in the Plan area beyond the rights of way/multiuser routes which would also be of relevance.

### Outcomes for Pre-Submission Draft Plan

2.21.243 No amendments to plan.

## Policy DM14: Cumulative Impacts

### Issue: Impacts to PDNP

### Representations (PDNPA 1159/0916)

2.21.244 One respondent commented that the policy and its supporting statement should have regard to potential cumulative impacts on the setting and special qualities of the PDNP.

### Actions/Considerations

2.21.245 The MPA notes the request for the policy to have regard to the setting and special qualities of the PDNP. However, development proposals will

be assessed against all relevant policies of the Plan. Policy DM4: Landscape covers the issue of impacts to the PDNP where they are located within its setting. The MPA considers that this, in combination with the requirements of Policy DM14: Cumulative Impacts as currently written, would be sufficient to cover the issue

#### **Outcomes for Pre-Submission Draft Plan**

2.21.246 No amendments to the Plan.

### **Issue: EIA and Cumulative Impacts**

#### **Representations** (*Sarah Marsh 742/0076; Lee Rowley 1136/0587*)

2.21.247 Two comments were made relating specifically to the potential cumulative impacts of hydraulic fracturing. One respondent stated that the Plan only asks for an Environmental Impact Assessment, if the site exceeds 25 hectares. Both respondents highlighted the potential for multiple well sites/increased well pad density to be consented without a full assessment of likely cumulative impacts having taken place. One respondent also stated that they would support clear statements within the plan regarding the need for 'appropriate balance' and assessing well pad density against 'unacceptable cumulative impacts' as per the North Yorkshire Minerals Plan.

#### **Actions/Considerations**

2.21.248 Paragraphs 11.2.8 – 11.2.9 of the Plan provide an explanation of the EIA process but do not set out those circumstances when EIA is required. All proposals are required to be screened for EIA and each proposal will be assessed on a case-by-case basis. Where a proposal for minerals development has a site area in excess of 25 hectares, then Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 state that this would automatically be EIA development. Where development falls under this threshold, then Schedule 2 of the EIA regulations require proposals to be screened against the criteria set out in Schedule 3. Irrespective of the need for EIA, proposals for mineral development and minerals related development will be assessed against all relevant policies of the plan, including, where necessary, policy DM14: Cumulative Impacts. Policy SP16: Supply of Conventional and Unconventional Oil and Gas deals specifically with proposals relating to hydraulic fracturing. Sub-paragraphs 8) and 9) of Policy SP16 require information to be provided in respect of the overall framework of sites

likely to be associated with the oil and gas reservoir specifically to enable the assessment of any likely cumulative impacts.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.249 No changes to the policy required.

### Issue: Cumulative Impacts Associated with Site Allocations

<b>Representations</b> ( <i>Sarah Marsh 742/0076; Lee Rowley 1136/0587</i> )
2.21.250 One response welcomed the policy and considered that it could be applied to the proposed site allocations set out in Chapter 6 of the Plan and to any planning applications where a number are located in a similar geographical area. The response also stated that it would be useful to understand what the threshold would be for determining that cumulative impacts were such to warrant refusal.
<b>Actions/Considerations</b>
2.21.251 The MPA notes and welcomes the support for the policy. Each proposal is assessed on a case-by-case basis and the threshold for likely cumulative impacts, whether associated with a single project or in respect of several simultaneous developments in the same area, is likely to be different in every instance.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.252 No changes to the plan.

### Issue: Cumulative Impacts of new mineral development in former mining areas

<b>Representations</b> ( <i>Claire Marple 762/0105; Eckington Against Fracking 1149/0702</i> )
2.21.253 Two respondents expressed concern regarding the potential cumulative impacts of new mineral development (including hydraulic fracturing) in areas that had previously been subject to extensive mining activity. One respondent referred to the settlement of Marsh Lane and its surrounding areas. One respondent referred to potential contamination issues associated with former coal mines.
<b>Actions/Considerations</b>
2.21.254 The MPA notes the concerns regarding cumulative impacts associated with new mineral development in areas historically subject to large

amounts of mineral activity and acknowledges. Such impacts could relate to the socio-economic impacts associated with long term mining activity in a particular area. They could also result in environmental impacts such as land instability (where new development exacerbates existing stability issues) or ground pollution. Policy DM14 is intended to ensure that, where relevant, such impacts are taken into account

**Outcomes for Pre-Submission Draft Plan**

2.21.255 No changes to the plan.

**Policy DM15: Restoration, Aftercare, and Afteruse**

**Issue: Restoration scheme to include flood alleviation/natural flood storage**

**Representations** (*National Trust 1160/0953; Environment Agency 1137/0605*)

2.21.256 Two respondents expressed concern that opportunities to consider or alleviate flood risk through restoration schemes had not been included in policy or supporting text. One respondent suggested that the policy could be further improved through the addition of a further criterion requiring the inclusion of natural flood storage and alleviation in proposals for restoration schemes. It was also suggested that restoration schemes should provide every opportunity to reduce flood risk and incorporate possible flood alleviation measures in accordance with the local environment and taking into account flood defence assets and their effective operation.

**Actions/Considerations**

2.21.257 The MPA acknowledges that flood alleviation schemes and natural flood storage is an appropriate consideration for restoration schemes and will amend the policy

**Outcomes for Pre-Submission Draft Plan**

2.21.258 Policy text has been amended to include additional criteria

**Issue: Restoration of sites near rivers**

**Representations** (*Environment Agency 1137/0605*)

2.21.259 One respondent highlighted the potential issues of restoration schemes for mineral sites located in close proximity to river corridors where there was no interaction between the river, its floodplain and the new

waterbodies. In some instances, this can lead to problems and may result in the physical modification of the river. This can result in damage to riverine habitats as well as ongoing natural processes. It was suggested that the Plan should require restoration schemes to enable natural processes and river-flood plain interaction to recover following the cessation of operations. It was also suggested that the applicant should investigate and model the benefits of connecting the former works ponds with the neighbouring water body in order to show that there is no impact on any existing flood defences, operation of schemes, or high erosion banks, impacts of flood risk is in line with the requirements of the NPPF, as well as highlighting multifunctional benefits including environmental net gain and opportunities to provide reductions in flood risk. The justification for this investigation and flood modelling is that returning lateral connectivity between rivers and their natural floodplain is vital to ensure operators and developers maximise the multiple benefits from their operations (Net Gain).

#### **Actions/Considerations**

2.21.260 The MPA notes the comments and agrees that the Plan should be amended to take account of natural processes and river-floodplain interaction following site restoration. Policies DM8: Water Management and Flood Risk and DM12: Green and Blue Infrastructure have also been amended to cover this issue.

#### **Outcomes for Pre-Submission Draft Plan**

2.21.261 Policy DM15 has been amended through the insertion of a new clause (8) and the supporting text has been amended (paragraph 11.2.149) in order to justify the new requirement.

### **Issue: Restoration of sites Located in National Forest**

#### **Representations** (*National Forest Company 1113/0549*)

2.21.262 One response requested that insertion of a further criterion specifying that native deciduous woodland will be sought within the National Forest.

#### **Actions/Considerations**

2.21.263 The MPA acknowledges that reference to the National Forest should be made in the policy.

#### **Outcomes for Pre-Submission Draft Plan**

2.21.264 Policy text amended to include additional criterion for National Forest



## Issue: Restoration scheme to include Historic Environment

<b>Representations</b> ( <i>Historic England 1158/0840</i> )
2.21.265 An additional clause should be inserted into the policy relating to restoration principles relevant to the historic environment. .
<b>Actions/Considerations</b>
2.21.266 The MPA agrees that, where relevant, restoration schemes should take account of the historic environment. Policy DM15 requires at sub-paragraph (1) that proposals demonstrate how they have had regard to the character and distinctiveness of, amongst other things, the historic environment. Enhancing the historic environment as part of restoration schemes is also a requirement of Policy DM7: Historic Environment.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.267 Supporting text amended to include a new paragraph (11.2.148) to cover the historic environment.

## Issue: PDNPA

<b>Representations</b> ( <i>Historic England 1158/0840</i> )
2.21.268 The PDNPA expressed support for the policy but requested the insertion of additional text in the supporting text to make reference to the PDNPA Landscape Strategy and Action Plan where the site is in the setting of the PDNP.
<b>Actions/Considerations</b>
2.21.269 The MPA notes the comments of the PDNPA. This issue is catered for in the wording of Policies SP1: Sustainable Minerals development and DM4: Landscape. The MPA does not consider it necessary to repeat in the context of Policy DM15. Notwithstanding the above, the policy does regard all proposals to demonstrate that that have had regard to the character and distinctiveness of the surrounding landscape.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.270 No alteration to plan.

## Issue: Aftercare: BNG and requirement of long-term aftercare periods

**Representations** (Derbyshire Wildlife Trust 1145/0663); Environment Agency 1137/0605)

2.21.271 It will be important to ensure that management and aftercare of restored and created habitats are secured for sufficient lengths of time such that they are meaningful and effective. A period of five years may be suitable for small-scale restoration such as tree planting, but to secure biodiversity gains longer term management is usually required. In cases where net gain is applied as per the Environment Act 2021 the adoption of 30-year plans will become the norm. We recommend that the policy takes into account the need and benefits of longer periods of management that are often required to ensure restoration for biodiversity is successful. We suggest adding the following wording to *where the creation of new priority habitats is being used as part of the case for the acceptability of the scheme, it is essential that an extended aftercare and management period of at least 30 years must be secured, otherwise the justification for the scheme cannot be accepted.*

2.21.272 One respondent welcomed that significant biodiversity net gain will be expected to be provided as part of any restoration plan but suggested highlighting that 'significant' will be above the minimum requirement of 10% to ensure developers and mineral operators are aware of the higher requirements.

### **Actions/Considerations**

2.21.273 The additional policy wording relating to an extended aftercare and management period of 30 years where the creation of new priority habitats is proposed is noted. Whilst it is possible to do this (Schedule 5 (7) of the Town and Country Planning Act 1990 allows for an aftercare period of five years or other maximum period) at present, and in the absence of any national guidance in respect of BNG the MPA does not feel it appropriate to include such provision in policy DM15. However, the MPA proposes to produce a BNG supplementary guidance note which will set out its requirements for the delivery of BNG including appropriate aftercare and management.

2.21.274 The MPA agrees that the Plan should clarify what it means by the term 'significant BNG'.

### **Outcomes for Pre-Submission Draft Plan**

2.21.275 No changes to the policy in respect of aftercare period. Supporting text amended at paragraph to clarify what the MPA means by 'significant' BNG.

## Issue: After uses of mineral sites

**Representations** (*Derby and Derbyshire Local Access Forum 763/0111; Chesterfield Borough Council 1154/0759*)

2.21.276 One respondent expressed the view that the needs of local communities, tourism, leisure, housing, industry and agriculture should not be overlooked when considering appropriate after-uses for mineral sites. Whilst restoration to outdoor recreation would be preferable, the response also noted that mixed-use sites which include areas for recreation are more likely to generate landowner support unless the recreational use in itself can provide a reliable source of income. The respondent also considered that the final restoration of mineral sites can be very long term and what is intended at the outset is not always achieved as part of the end result and suggested that it may therefore be necessary to have funding in reserve to ensure the restoration plan can be fully implemented, including the satisfactory construction of any new paths/ multi-user trails.

2.21.277 Another respondent considered that the policy should include a recognition that after uses of sites could include built development and that, the need to identify the most appropriate end use that informs the proposals for restoration and after care. An example would be the extraction of material at Hartington in Chesterfield Borough. In that case, the restoration plan included the creation of development platforms for subsequent employment development.

## Actions/Considerations

2.21.278 The MPA notes the comments regarding the restoration of mineral sites to alternative/mixed land uses but considers that there are inherent difficulties in doing so. Many of the land uses referred to do not fall within the remit of the MPA and would be for the relevant LPA to determine. Schedule 5 of the Town and Country Planning Act 1990, as amended allows MPAs to impose aftercare conditions on mineral planning permissions to bring land to the required standard for agriculture, forestry or amenity but does not grant planning permission for those uses. Whilst the MPA agrees that in some circumstances it might be desirable to allow a site to be restored to an appropriate development platform for future

redevelopment, the risk of doing so without a committed future development could result in the site not being restored appropriately. Where proposals for minerals development seeks to incorporate a restoration for a development platform suitable for future redevelopment of a site for commercial/residential use, the MPA will expect a corresponding application to be submitted to the relevant Local Planning Authority at the same time.

2.21.279 The MPA also notes the comments regarding the issues surrounding the long-term delivery of approved restoration schemes and subsequent changes to the scheme. Changes to schemes can be for a number of reasons including onsite conditions, a response to the failure of elements of the scheme (e.g. drainage or tree planting) or a lack of infill materials. Often the restoration of mineral sites also relies on the cooperation of other stakeholders (often outside the control of the MPA) to ensure full delivery. The request for financial bonds is noted, however Paragraph 211(e) of the NPPF states that these should only be sought in exceptional circumstances. Their use is unlikely to be appropriate in most instances.

#### **Outcomes for Pre-Submission Draft Plan**

2.21.280 No change to the policy wording. Supporting text amended to explain the point around alternative afteruses.

### **Issue: Restoration using waste materials / Environmental permitting**

#### **Representations** (*Environment Agency 1137/0605*)

2.21.281 One respondent commented on the use of waste material as part of the restoration of mineral sites and highlighted that whilst mineral extraction may be considered appropriate in a particular location, the use of waste material as a restoration/infill material may not be e.g. a site in the Green belt or the proximity of local communities. The response also highlighted that national policy seeks to ensure that recyclable materials are put to beneficial use (waste recovery) rather than being disposed (waste disposal) and that operators should keep the use of waste material to a minimum when designing their restoration schemes. This would ensure the restoration is the optimum solution for the site and that no more material than necessary would be used to achieve the required landform. It was also stated that where an operator proposes to import waste material for infilling purposes, an Environmental Permit from the Environment Agency will be required. Further information was provided about Recovery Permits and Exemptions and the CL:AIRE Code of

Practice which allows the reuse of excavated materials on-site or their transfer between sites, without being classified as waste and which can be used as an alternative to the Use of Environmental Permit or exemptions.
<b>Actions/Considerations</b>
2.21.282 The MPA notes and welcomes the information in respect of Environmental Permitting and CL:AIRE. The need for an Environmental Permit and or the issues surrounding the use of waste as a restoration medium are set out on paragraph 11.2.155. With regard to sustainable use of waste materials, the Plan includes a policy SP3: The Supply of Recycled and Secondary Aggregates which seeks to prioritise these over the need to extract virgin mineral.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.283 No changes to the Plan.

## Policy DM16: Planning Obligations

### Issue: General Comments

<b>Representations</b> ( <i>PDNPA 1159/0919; National Trust 1160/0954</i> )
2.21.284 Two respondents expressed their support for policy DM16 and its supporting text.
<b>Actions/Considerations</b>
2.21.285 Support for the policy is noted and welcomed.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.286 No changes to the Plan.

### Issue: Policy Lacks Clarity

<b>Representations</b> ( <i>Chesterfield Borough Council, 1154/0760</i> )
2.21.287 The policy is unclear as it is not specific about what planning obligations will be used to secure. An alternative approach would be to make clear reference to the purpose and use of obligations in relevant policies and delete Policy DM16.
<b>Actions/Considerations</b>
2.21.288 The MPA notes the comment regarding lack of clarity and accepts that the policy should be amended. It should be noted that, where relevant the strategic policies and other development policies of the Plan do also

indicate those circumstances where Planning Obligations may be required.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.289 The policy has been amended to state that obligations will only be used where it is not possible to address impacts via planning condition and to ensure that otherwise unacceptable development can be made acceptable.

## Policy DM17 Borrow Pits (now renumbered as Policy OM1)

<b>Representations</b>
2.21.290 No comments were received.
<b>Actions/Considerations</b>
2.21.291 N/A
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.292 N/A

## Policy DM18: Reworking of Former Colliery and Other Spoil Tips (now renumbered/renamed as Policy OM2: Reworking of Former Spoil Tips)

### Issue: Natural Regeneration of Former Spoil Tips

<b>Representations</b> (Derbyshire Wildlife Trust 1145/0664)
2.21.293 One respondent highlighted that former colliery and spoil tips which have naturally revegetated over time can become important biodiversity and landscape assets and requested the following amendments to the policy: <i>‘They would not adversely affect any previous <b>benefits from either</b> restoration that has been carried out on the site <b>or natural regeneration</b>, or, if so, they would result in further, significant improvements to the previous restoration scheme’.</i>
<b>Actions/Considerations</b>
2.21.294 The MPA acknowledges that disused former tips can be important for biodiversity, although notes that such natural regeneration can often be unsightly and not characteristic of the surrounding area. All proposals will be assessed on a case-by-case basis against all policies of the Plan including policies SP1: Sustainable Mineral Development and DM5:

Biodiversity and Geodiversity both of which seek to protect the nature conservation interest.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.295 No amendments made to the policy in respect of natural regeneration.

### Issue: Quarry Tips located in setting of PDNP

<b>Representations</b> ( <i>PDNPA 1159/0920</i> )
2.21.296 One respondent highlighted the need to give careful consideration to the reworking of tips located in the setting of the PDNP and its special qualities.
<b>Actions/Considerations</b>
2.21.297 The MPA notes that former quarry tips located close to the PDNP need to be given specific consideration. Proposals for the reworking of former tips will be assessed on a case-by-case basis against all policies of the Plan including policies SP1: Sustainable Mineral Development and DM4: Landscape, both of which seek to protect the special qualities of the PDNP.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.298 No amendments to the policy

### Issue: Removal of former tips in flood plains

<b>Representations</b> ( <i>Environment Agency 1137/0603</i> )
2.21.299 One respondent welcomed opportunities to create new areas of reconnected floodplain through the reworking of spoil material previously added to the floodplain but also requested that consideration should be given (through hydraulic modelling) as to whether lowered ground levels and altered flood flows would then affect properties and third-party land which had previously benefited from a degree of protection from the raised ground.
<b>Actions/Considerations</b>
2.21.300 The MPA acknowledges that the removal of spoil material from floodplains, whilst beneficial in reconnecting the floodplain, could potentially also result in unforeseen impacts to third parties. All proposals are assessed on a case-by-case basis against all relevant policies of the Plan. In this instance, it is considered that policies SP1: Sustainable

Mineral Development, DM1: Local Amenity, health, Well-being and safety and DM8: Water Management and Flood Risk would cover the issue raised.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.301 No amendments to the policy

## Policy 19: The Incidental and prior Working of Clay (now renumbered as Policy OM3)

### Issue: General Comments

<b>Representations</b> ( <i>PDNPA 1159/0920</i> )
2.21.302 One respondent expressed their support for the policy and its supporting text.
<b>Actions/Considerations</b>
2.21.303 The support for the policy is noted and welcomed.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.304 No changes to the policy

## Policy DM20: Mineral Related Development (now renumbered as Policy OM4)

### Issue: Transport Assessment and Travel Plans

<b>Representations</b> ( <i>Chesterfield Borough Council 1154/0761</i> )
2.21.305 The policy does not consider how employees on a development will access it or how this can be done in a way that encourages active travel.
<b>Actions/Considerations</b>
2.21.306 The MPA acknowledges that in some circumstances mineral related development can result in significant increases in vehicle movements to and from a site and that proposals should be required to provide a transport assessment and travel plan.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.307 Policy OM4 amended to include requirement for a transport statement/assessment and a travel plan to demonstrate how impacts will be mitigated.



## Issue: Impacts on PDNP

<b>Representations</b> (PDNPA 1159/0922)
2.21.308 One respondent requested that the following additional wording be added to the policy and its supporting text:  <i>‘Where such development is located within the setting of the Peak District National Park it will need to satisfy Objective 7 by being sensitively located and designed to avoid adverse impacts on the designated landscape of the adjoining National Park...’</i>
<b>Actions/Considerations</b>
2.21.309 The MPA notes the request and agrees that proposals for mineral related development should be sensitively sited and located. It is considered that Policies SP1: Sustainable Minerals Development and DM4: Landscape provide sufficient protection for the PDNP.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.310 No amendments to policy or supporting text.

## Issue: Significant Environmental Adverse Impact

<b>Representations</b> (Historic England 1158/0841)
2.21.311 The supporting text should be expanded to clarify what may constitute a significant adverse environmental impact.
<b>Actions/Considerations</b>
2.21.312 The MPA notes the comment but does not consider it appropriate to define what this may mean. As set out in paragraph 4.8 of the Plan, whether or not a proposal results in a significant adverse environmental impact will be assessed on a case-by-case basis taking into account the scale, nature and location of a particular proposal, the characteristics of various environment effects likely to arise from the development and the opportunities for mitigation that may be applied.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.313 No changes to the policy

## Issue: Flood Risk

<b>Representations</b> ( <i>Environment Agency 1137/3549</i> )
2.21.314 One respondent highlighted the need for proposals for mineral related development to be sited in the area of lowest flood risk on a site, or a nearby off-site location at lower flood risk, ideally out of the floodplain.
<b>Actions/Considerations</b>
2.21.315 The MPA notes the request and agrees that proposals for mineral related development should be located and designed to minimise impacts associated with flood risk. It is considered that Policy DM8: Water Management and Flood Risk provided sufficient protection in this respect.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.316 No amendments to the policy.

## Policy DM21: Mineral exploration (now renumbered as Policy OM5)

### Issue: General Comments

<b>Representations</b> ( <i>PDNPA 1159/0924</i> )
2.21.317 One respondent expressed support for the policy and supporting text.
<b>Actions/Considerations</b>
2.21.318 The support for the policy is noted and welcomed.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.21.319 No amendments required.

### Issue: Significant environmental impact

<b>Representations</b> ( <i>Historic England 1158/0842</i> )
2.21.320 The supporting text should be expanded to clarify what may constitute a significant adverse environmental impact.
<b>Actions/Considerations</b>
2.21.321 The MPA notes the comment but does not consider it appropriate to define what this may mean. Whether or not a proposal results in a significant adverse environmental impact will be assessed on a case-by-case basis taking into account the scale, nature and location of a particular proposal, the characteristics of various environment effects likely to arise from the development and the opportunities for mitigation that may be applied.

<b>Outcomes for Pre-Submission Draft Plan</b>
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2.21.322 No changes to the policy
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## 2.22 Chapter 15 - Monitoring and Implementation

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
CPRE		1152
Historic England		1158

### Monitoring Indicator 2 SP2 Climate Change

<b>Representations</b> (CPRE 1152/0739)	
2.22.1	As indicated above, measures and indicators in relation to compliance with local carbon budgets and targets will need to be calculated and these would be substituted for the current indicator and target shown for SP2 Climate Change. Similarly, the indicators for SP16/SP17 will need to be re-worked based on the presumption/target of no fossil fuel exploration, appraisal or extraction with a target of 'No approvals'.
<b>Actions/Considerations</b>	
2.22.2	The MPA consider that the monitoring indicators in place are sufficient to monitor the impact of the Plan's policies. The Plan cannot include a presumption against fossil fuel extraction.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.22.3	No change

### Monitoring Indicator 2 SP2 Climate Change

<b>Representations</b> (CPRE 1152/0739)	
2.22.4	As the objective for the historic environment, is also the same objective for the natural environment; it is not clear from the monitoring framework which element of the objective is being met by the policies. As mentioned previously we would recommend that there is a separate objective for the historic environment and then this can be re-worked into the monitoring framework to assess how the policies meet this specific objective and what indicators can be used to assess its effectiveness.
<b>Actions/Considerations</b>	
2.22.5	The MPA consider that having a combined objective for the natural and historic environment represents a comprehensive but streamlined

approach and is replicated in Policy SP1 Sustainable Minerals Development. The Plan contains Development Management Policy DM7 Historic Environment which provides detailed criterion relating to the impact of minerals development on the historic environment and which can be effectively monitored through Monitoring Indicator 37.

**Outcomes for Pre-Submission Draft Plan**

2.22.6 No change

## 2.23 Policies Maps

### Table of Representations

Name	Name Ref. No.	Representation Ref. No.
Chesterfield Borough Council	1154	0762
Chesterfield Borough Council	1154	0763

### Policies Map Safeguarded Areas

<b>Representations</b> <i>(Chesterfield Borough Council 1154/0762)</i>	
2.23.1	The Policies Map provided is too small a scale to be useful in respect of the safeguarded areas. As referred to above, these should be made available at a larger scale to make it possible to identify whether it affects individual sites.
<b>Actions/Considerations</b>	
2.23.2	Agree
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.22.3	The Policies Map has been amended. It should be noted that the Policies Map has been produced as a separate document to the Plan for the purposes of this consultation.

### Policies Map Safeguarded Infrastructure

<b>Representations</b> <i>(Chesterfield Borough Council 1154/0763)</i>	
2.23.4	The safeguarded minerals infrastructure should be shown on the Policies Map.
<b>Actions/Considerations</b>	
2.23.5	The MPA consider that the most appropriate place to show the safeguarded minerals infrastructure is in the Minerals Local Plan Annual Monitoring Report. In this way there will be an up to date map and list of facilities annually reviewed.
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.22.6	No change to the Plan but the safeguarded infrastructure will be listed and mapped in the Minerals Local Plan Annual Monitoring Report. It should be noted that the Policies Map has been produced as a separate document to the Plan for the purposes of this consultation.

## 2.24 Appendices

### Appendix A: Site Allocations Principal Planning Requirements

#### Appendix A - Principal Planning Requirements

##### All Sand and Gravel Allocations

<b>Representations</b> ( <i>South Derbyshire District Council 836/0197</i> )	
2.23.1	<p>The wording of the principal planning requirement in respect of each of the proposed new sand and gravel sites stating (at point 8 in each case) that restoration should take account of the Restoration Strategy for the Trent Valley should be strengthened as follows:</p> <p>“The Mineral Planning Authority will establish formal arrangements to work with communities and mineral operators and other stakeholders well in advance of the submission of any planning applications to help ensure that proposals for mineral working in the Trent, Derwent and Lower Dove Valleys show how the mitigation, restoration and aftercare of sand and gravel sites will fit in with this long-term restoration strategy for sand and gravel sites in the river valleys.”</p>
<b>Actions/Considerations</b>	
2.23.2	<p>Agree that this PPR could be strengthened to some extent but the first part of the suggested sentence is considered to be too onerous at this stage. The SPD will cover this issue in more detail and stakeholders will play an important role in its development</p>
<b>Outcomes for Pre-Submission Draft Plan</b>	
2.23.3	<p>Amend the PPR.</p>

##### All Sand and Gravel Allocations

<b>Representations</b> ( <i>Historic England 1158/0844,0845,0846,0847,0848</i> )	
2.23.4	<p>Historic England has concerns about the proposed sand and gravel sites. Note the principal planning requirements in Paragraph A6, clause 3 on page 278, and we welcome the inclusion of what heritage assets are likely to be within or near to the site. However, prior to the allocation of a site for mineral development we would need to see additional heritage impact assessment work that considers what the impact is to the significance of those heritage assets that have been noted in this paragraph; what the potential avoidance or mitigation strategies may be,</p>

<p>what level of harm is there likely to be and what alternative site options there are for this type of mineral development, which may have a lesser impact for the historic environment.</p>
<p><b>Actions/Considerations</b></p>
<p>2.23.5 Additional heritage impact assessments have been undertaken for all the suggested sites. These have suggested mitigation strategies for the sites to help reduce the impact on heritage assets. These have been incorporated into the revised principal planning requirements for the proposed allocations, which will now form part of Plan policy.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>
<p>2.23.6 Add a PPR to address this comment.</p>

## All Allocations

<p><b>Representations</b> (<i>National Trust 1160/0955</i>)</p>
<p>2.23.7 National Trust welcomes the inclusion of additional information to guide applications at site allocations, including those for Sand and Gravel Extraction of which two are located close to Sudbury Hall and village. However, we consider that these requirements should preferably be part of the related policies SP5 and SP11, or at least directly referenced within them, to ensure that applicants adhere to them.</p>
<p><b>Actions/Considerations</b></p>
<p>2.23.8 Agree. The requirements will be referenced within the relevant policies so that they form part of the policy.</p>
<p><b>Outcomes for Pre-Submission Draft Plan</b></p>
<p>2.23.9 Amend policies SP5 and SP11 to include cross reference to the principal planning requirements.</p>

## Foston and Sudbury

<p><b>Representations</b> (<i>National Trust 1160/0956,0957</i>)</p>
<p>2.23.10 In relation to the two sites at Foston and Sudbury – as these are contiguous and effectively represent one very large site, we are concerned to ensure that any planning for the infrastructure, workings and restoration of these sites is integrated as far as possible. Is there an opportunity for these sites to share a single vehicular access point,</p>



combined plant/machinery and potentially a rail head in order to minimise environmental impacts?
<b>Actions/Considerations</b>
2.23.11 The locations for the processing plant and access have not been agreed yet. They may change once planning applications are submitted. The two sites have been suggested and promoted by separate operators and it is beyond the Council's control to affect whether they are worked either individually or together. Through the Trent Valley Restoration Strategy however, operators are expected to consider the restoration of the sites taking account of the wider context of the valley.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.23.12 No changes proposed.

## Foston and Sudbury

<b>Representations</b> ( <i>National Trust 1160/0959</i> )
2.23.13 Part (3) of the Foston PPRs requires an assessment of effects on the historic environment which we support. We request that further guidance is included to ensure that this includes an assessment of visual impact (including light pollution), noise and vibration, dust and air quality. These factors may impact on the experience, perception and fabric (buildings and collections) of Sudbury Hall, Park, Conservation Area and their settings. We also request that the applicant is required to assess the need for dust monitoring at Sudbury Hall during operation.
<b>Actions/Considerations</b>
2.23.14 Agree to add this request to the list of requirements.
<b>Outcomes for Pre-Submission Draft Plan</b>
2.23.15 Amend the PPRs for Foston.

## Foston and Sudbury

<b>Representations</b> ( <i>National Trust 1160/0960</i> )
2.23.16 Part (6) requires a Transport Assessment and refers to restrictions to vehicle movements on Leathersley Lane. We request that the requirements also clearly state that restrictions will need to be put in place to ensure that site traffic does not use Main Road through Sudbury village and Conservation Area.

### **Actions/Considerations**

2.23.17 Agree.

### **Outcomes for Pre-Submission Draft Plan**

2.23.18 A sentence has been added to the PPR to set out that quarry traffic should not use the road through Sudbury village.

## **Aldwark South**

### **Representations** (*Environment Agency 1137/0611*)

2.23.19 We ask that the planning requirements also include some reference to ensure that restoration of the site provide multifunctional environmental enhancements, including, but not limited to, reducing the impacts of flood risk to others, providing significant biodiversity net gain, providing water quality improvements etc.

We would also recommend that similar wording to the following is also included to ensure where an abstraction licence is required, this is sorted out before the planning application stage, 'Prior to making a planning application, applicants should discuss water abstraction issues with the Environment Agency'.

The site is located on a principal aquifer, and within Source Protection Zone 1 for a public water supply. It is an extremely sensitive location from a groundwater protection point of view. Further investigations and assessments will need to demonstrate that the proposal does not pose an unacceptable risk to the environment. We would ask that the following wording is added in to the planning requirements 'Suitable investigations and assessments will be required to ensure the protection of controlled waters'.

### **Actions/Considerations**

2.23.20 A1 - agree reference to the need to explore opportunities to provide multifunctional environmental enhancements should be included at point 7) which covers restoration.

A2 - agree include reference to the need to discuss water abstraction license issues prior to submitting a planning application.

A3 - agree reference should be made to the need for suitable investigations and assessments to be submitted to ensure the protection of 'controlled' waters.

### **Outcomes for Pre-Submission Draft Plan**

2.23.21 A1 - Paragraph A35 point 7) has been amended accordingly.  
A2 - Paragraph A35 point 4) has been amended accordingly.  
A3 - Paragraph A35 point 4) has been amended accordingly.

# Appendix A - Documents that formed part of the Winter 2021/2022 Consultation.

## Consultation Documents

### Proposed Draft Plan

Towards a Minerals Local Plan: Winter 2021/2022 Consultation - Main Consultation Document, December 2021

Foreword

Chapter 1 - Introduction and Background to the Plan

Chapter 2 – Spatial Context

Chapter 3 – Vision and Objectives

Chapter 4 – Sustainable Minerals Development

Chapter 5 - Climate Change

Chapter 6 - Supply of Aggregates

6.1 - Secondary & Recycled Aggregates

6.2 - Sand & Gravel

6.3 - Crushed Rock

6.4 - Helping to Reduce the Supply of Aggregates from the Peak District National Park

Chapter 7 - Supply of Non-Aggregates

7.1 - Building & Roofing Stone

7.2 - Industrial Limestone and Cement Making Materials

7.3 - Brick Clay and Fireclay

7.4 - Vein Minerals

Chapter 8 - Supply of Energy Minerals

8.1 - Coal and Colliery Spoil

8.2 - Hydrocarbons: Conventional (Oil and Gas), Unconventional Gas (Shale Gas) and Gas from Coal

Chapter 9 - Minerals Safeguarding

9.1 - Mineral Resources

9.2 - Mineral Related Infrastructure

Chapter 10 – Restoration of Sites in the River Valleys

Chapter 11 - Development Management Policies

Chapter 12 - Monitoring and Implementation

Policies Map

Appendices (A-D)

Glossary

## **Background Papers**

(The preceding number is the Proposed Draft Plan Chapter to which the Paper relates to)

- 2.0 Spatial Overview
- 5.0 Climate Change
- 6.1 Secondary and Recycled Aggregates
- 6.2 Sand and gravel
- 6.3 Crushed Rock
- 6.4 Reducing Quarrying in the PDNP
- 7.1 Building Stone
- 7.2 Industrial Limestone
- 7.2 Industrial Limestone Cement
- 7.3 Brick Clay and Fireclay
- 7.4 Vein Minerals
- 8.1 Coal and Colliery Spoil
- 8.2 Oil and Gas Conventional
- 8.2 Oil and Gas Unconventional
- 8.2 Gas from Coal
- 9.1 Safeguarding Mineral Resources
- 9.2 Safeguarding Minerals Infrastructure
- 11 Cumulative Impacts

## **Development Papers**

(The preceding number is the Proposed Draft Plan Chapter to which the Paper relates to)

- 3 Strategic Priorities - Vision and Objectives
- 4 Sustainable Minerals Development
- 5 Climate Change
- 6.1 Secondary and Recycled Aggregates
- 6.2 Sand and gravel
- 6.3 Crushed Rock
- 6.4 Reducing the supply of aggregates from the PDNP
- 7.1 Building Stone
- 7.2 Industrial Limestone
- 7.3 Brick Clay and Fireclay
- 7.4 Vein Minerals
- 8.1 Coal and Colliery Spoil
- 8.2 Hydrocarbons
- 9.1 Safeguarding Mineral Resources
- 9.2 Safeguarding Minerals Infrastructure
- 10 Restoration of sand and gravel sites in the Trent Valley
- 11 Development Management incorporating mineral related issues and restoration of carboniferous limestone sites

## **Duty to Cooperate (DtOC)**

DtOC Introduction and Overview

DtOC Statement of Common Ground

## **Assessments**

3rd Interim Sustainability Appraisal (Assesses 2018 Consultation and Sand and Gravel Sites that formed part of the Sand and Gravel Consultation 2020)

4th Interim Sustainability Appraisal

Strategic Transport Assessment Stages 1 and 2

Habitats Regulations Assessment Screening Report

Strategic Flood Risk Assessment Level 1

Sand and Gravel Sites Assessments

Sand and Gravel Sites Assessment Methodology (for information only)

Mapping Environmentally Sensitive Areas Methodology (for information only)