

# **DERBYSHIRE AND DERBY MINERALS LOCAL PLAN**

## **Towards a Minerals Local Plan: Spring 2018 Consultation**

### **CHAPTER 14**

#### **Site Allocations (Hard Rock Sites)**

**14.1 Whitwell**

**14.2 Ashwood Dale**

**14.3 Aldwark/Brassington Moor**

**14.4 Mouselow**

**December 2017**

## **Introduction and Background**

- 14.1 Chapter 7 of this Consultation sets out that, for Industrial Limestone and Brick Clay, the proposed approach for planning their adequate and steady supply, throughout the Plan period, is through permitted reserves, a criteria policy and the allocation of specific sites for working. This Chapter sets out the way in which Industrial Limestone and Brick clay sites that have been promoted by mineral operators have been assessed to determine their suitability for allocation in the Plan.
- 14.2 In order to assess the suitability of promoted sites for inclusion in this Consultation as draft allocations, the MPAs prepared a Site Assessment Methodology. The original Methodology and brief details of the promoted sites were published for consultation in June 2016. The Methodology was refined and used to carry out an Initial Assessment of the promoted sites; these documents were published for consultation in December 2016. This consultation generated a significant number of representations on both the Methodology and some of the promoted sites.
- 14.3 Details of the previous Site Assessment Methodologies and the Initial Site Assessments can be found in the following Papers:

**Towards a Minerals Local Plan: Rolling Consultation 2015-2016:  
Site Assessment Methodology Hard Rock Quarries, April 2016.**

**Towards a Minerals Local Plan: Rolling Consultation 2016-2017:  
Site Assessment Methodology Hard Rock Quarries,  
December 2016.**

**Towards a Minerals Local Plan: Rolling Consultation 2016-2017:  
Initial Site Assessments & Maps, Ashwood Dale, Whitwell,  
Mouselow, Aldwark/Brassington Moor, new Parish Quarry,  
December 2016.**

- 14.4 Details of the representations made on these Papers, considerations and outcomes for this Consultation can be found in the following document:

**Towards a Minerals Local Plan: Spring 2018 Consultation  
Report of Representations, December 2017**

- 14.5 The Site Assessment Methodology has been refined in the light of these comments and published as a Background Paper to this Consultation for information. Further information can be found in the following document:

**Towards a Minerals Local Plan: Spring 2018 Consultation  
Background Paper: Revised Site Assessment Methodology -  
Hard Rock Quarries, December 2017**

- 14.6 The revised Methodology has been used to undertake a further Initial Assessment of the promoted hard rock sites. The purpose of this Assessment is intended to discover any positive factors that would support the allocation of the site and any negative factors that would constrain its allocation. This Assessment sets out that where potential negative impacts have been identified, the MPA will carry out further detailed work, in consultation with appropriate bodies, to ascertain if that impact could be mitigated or avoided to enable the site to progress forward for allocation.
- 14.7 Where sites are found to be acceptable they are proposed for allocation in this Chapter.
- 14.8 This Chapter sets out the Assessment findings and conclusions for the three promoted Industrial Limestone sites at Ashwood Dale, Whitwell and Aldwark/Brassington Moor Quarries and for the promoted Brick Clay site at Mouselow Quarry.

### **Duty to Cooperate**

- 14.9 Duty to Co-operate is a way of planning strategically for significant cross border issues and a legal requirement of Plan preparation. In preparing the Minerals Local Plan the Councils have identified strategic cross-boundary issues and the relevant stakeholders involved. These have been set out in the following Background Report which has been updated to add additional matters that have arisen since the Plan has progressed. Detailed issues affecting the sites promoted for working are set out below. Further information on all Duty to Co-operate Issues can be found in the following Report.

**Towards a Minerals Local Plan: Spring 2018 Consultation  
Duty to Cooperate Report: Background and Progress,  
December 2017**

## **Sustainability Appraisal**

14.10 The Sustainability Appraisal process is a way of promoting sustainable development through the better integration of sustainability considerations throughout the preparation of the Plan. The process involves testing the impact of the Plan against a series of Sustainability Objectives. Where the process recommends improvements to the Plan, these will be incorporated. A sustainability appraisal was undertaken on all the Papers that constituted the Towards a Minerals Local Plan Rolling consultation 2015-2017 and all of the sites that were promoted by operators. The findings of the SA relating to the individual promoted sites are set out below. The full appraisal can be found in the following document:

**Towards a Minerals Local Plan: Spring 2018 Consultation  
Interim Sustainability Appraisal (SA) Report, December 2017**

## **Potential Site Allocations**

### **14.1 Industrial Limestone: Whitwell Quarry**

#### **Consultation so far – what you have told us**

- 14.1.1 Tarmac, the operator of Whitwell Quarry, has indicated that additional reserves of industrial limestone will be required during the Plan period and therefore is promoting four small extensions to the existing quarry.
- 14.1.2 In order to assess the suitability of the promoted sites for inclusion in the Plan as allocated sites for future working, the MPA carried out an Initial Assessment. Details of this Assessment together with the Methodology used can be found in the documents referred to above at paragraph 14.3.
- 14.1.3 Several Duty to Co-operate issues have been identified relating to the expansion of the quarry. These involve its possible long-term expansion into Nottinghamshire; potential impacts on nearby Creswell Crags a Scheduled Monument, SSSI and potential world heritage site and potential impacts on a proposed strategic housing/industrial site resulting from the redevelopment of the former Whitwell Colliery site. The MPAs have and will continue to liaise with the relevant stakeholders to ensure that these matters are fully taken into account.
- 14.1.4 The Interim SA concluded that the Whitwell site performs well against most of the site assessment criteria. As an existing site, it has good access to markets, established infrastructure and transport links. However, the potential for sustainable transport modes is somewhat limited. Whilst there could be a small loss of best and most versatile agricultural land and the site lies over an aquifer, the effects on the environment are mostly limited. There are 'positive effects' recorded in relation to ecology due to the relatively insensitive nature of the site. The effects on landscape and heritage would also be mostly 'positive' as the character of the existing areas is already affected by previous workings and the site is also relatively well contained visually. There are some

potential noise and dust issues in parts of the sites that could affect sensitive receptors. However, it ought to be possible to implement appropriate mitigation.

### **Summary of Representations**

14.1.5 Representations received on the four extension sites are as follows. One respondent, the operator of the quarry, Tarmac, supported the allocation of the site and referred to the importance of continuing to protect nearby important heritage assets and their settings. Tarmac recognised and welcomed the continuing joint working between the County and City Councils and Nottinghamshire County Council in view of the proximity of the County boundary and the Company's possible interest in developing a new dolomitic limestone quarry in Nottinghamshire in future to replace Whitwell. Tarmac suggest, in assessing environmental impacts, that account should be taken of evidence submitted in support of the currently submitted planning application to work the four promoted extension areas.<sup>1</sup>

14.1.6 Concerns were raised particularly about impacts on the nearby important heritage assets and their settings; the existing quarry and proposed extensions are close to Creswell Crags which is a scheduled monument, forms part of the Welbeck Registered Park and Garden and a Conservation Area. The Crags are also on the UK tentative list for World Heritage Site designation. It is also a designated SSSI. The quarry is also in close proximity to the Holinhill and Markland Grips SSSI. Additional issues raised at the Drop-In Session included the use of Whitwell Colliery Tip for restoration purposes and the need to distinguish between impacts from Whitwell Works and impacts from the quarry.

14.1.7 In progressing the Assessment, updated information, co-operation on strategic cross border matters, recommendations from the Interim

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<sup>1</sup> Planning Application CM5/0416/4

Sustainability Report and representations received at earlier Consultation stages have been taken into account.

### **Revised Initial Assessment**

14.1.8 A revised Initial Assessment has been undertaken using the revised Methodology. The reassessment of the Whitwell Quarry sites reaches the same conclusions as the initial assessment. It identifies the following matters as key positive factors favouring allocation:

- Nationally and internationally important resource supplying the UK's only producer of steel refractory products, exported to many countries
- Quarry well located to serve aggregates market in the east of the Plan area
- Detailed borehole information available justifying quality of deposit
- Important local employer and provider of wealth to local economy in area previously decimated by coal mine and related industrial manufacturing closures and currently undergoing regeneration
- The extension areas are small and the eastern and south-eastern sites in particular are relatively isolated from sensitive receptors and would not impact on local amenity
- Whilst transport is road based the site has good transport and access arrangements and HGV's would not pass sensitive receptors to reach the strategic road network

14.1.9 It identifies the following matters as key negative factors that would constrain allocation:

- Working would extend the duration of the quarry to around 2040; the latter years would be for aggregate working only
- Working the northern and north-eastern extension would extend the quarry closer to the edge of Whitwell village and appropriate safeguards would need to be in place to protect local amenity



- The south-eastern extension would extend working towards Creswell Craggs, appropriate safeguards regarding blasting and vibration would need to continue
- The quarry lies on a principal aquifer and appropriate safeguards would need to continue to protect the water regime
- There are few landscape characteristics that can be employed in the satisfactory mitigation/restoration of the quarry; careful consideration needs to be given to achieve its acceptable restoration.

4.1.10 The revised Initial Assessment, together with accompanying Mapped Information and Background Evidence can be found in the following three Papers:

**Towards a Draft Minerals Local Plan: Spring 2018 Consultation  
Revised Initial Site Assessment, Maps and Background  
Information - Whitwell Quarry, December 2017**

### **Further Assessment**

14.1.11 The MPA has set out that where potential negative impacts have been identified it would carry out further detailed work, in consultation with appropriate bodies, to ascertain if that impact could be mitigated or avoided to enable the site to progress forward for allocation.

14.1.12 Whilst there are several key negative factors that have been identified in the initial assessment, a planning application has been submitted to the County Council for mineral extraction from the promoted sites. Following detailed consideration of all planning matters involved in working the sites the County Council's Regulatory Planning Committee on 9<sup>th</sup> October 2017 resolved to

approve the application subject to the completion of a Section 106 Agreement on detailed requirements.

### **Outcome for the Proposed Approach**

14.1.13 Planning permission has been granted in principle for the working of the four promoted sites at Whitwell Quarry and, therefore, they are considered acceptable for mineral extraction. Given that the planning permission has not yet been finalised, awaiting the section 106 agreement, or subsequently implemented, the promoted sites are not counted as permitted reserves in the Plan but will be put forward as allocations in the Proposed Approach.

14.1.14 Allocate the promoted extensions at Whitwell Quarry for mineral extraction to commence during the Plan period, as set out in Policy SA1 and shown on the Map below.

14.1.15 An allocation in the Plan is acceptance in principle that a site is suitable for working to commence during the Plan period, subject to satisfying detailed planning requirements. The Report<sup>2</sup> of the Strategic Director of Economy, Transport and Communities includes planning conditions to protect local amenity and environmental interests. The conditions, amongst other matters, cover the following aspects of the proposal:

- Commencement and Duration
- Site and Scope of Permission
- Extraction Limits
- Ancillary Development (Installation, Plant, Machinery and Stockpiles)
- Hours of Operation
- Hours of Blasting
- Transport and Highways
- Traffic routing
- Control of Noise

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<sup>2</sup> The Report of the Strategic Director of Economy, Transport and Communities to Derbyshire County Council, Regulatory Planning Committee 9<sup>th</sup> October 2017

- Dust Management
- Blasting and Blast Vibration
- External Lighting
- Water Quality, Surface Water Drainage and Pollution Control
- Soil Handling and Conservation
- Archaeology
- Ecology
- Conservation of Seed Resource
- Landscaping and Restoration
- Community Access Provision
- Aftercare of the Restored Land
- Premature Permanent Cessation

14.1.16 The Section 106 Agreement sets out requirements that are needed to make the development proposal acceptable in planning terms. They are set out below:

- The continued operation of the Whitwell Quarry Liaison committee
- The use of the stone resource.
- The eventual removal of the underpass to the eastern extension area.
- Traffic routing.
- Opportunities for rail freight from the site.
- Monitoring and protection of the Millash Overbridge (if it has not been removed during the redevelopment of the former Whitwell Colliery Tip) during works in the eastern extension area.
- Measures to protect Creswell Crags, including the appointment of an independent specialist.
- Measures to protect visitors to Creswell Crags.
- Measures to protect the railway tunnel, including appointment of an independent specialist for this purpose;
- A scheme and programme of monitoring of the impact of bat populations in Creswell Caves and Foraging Grounds and Mitigation.

- Whitwell Works Complex: Study for Decommission or Diversification.
- Whitwell Colliery Tip 11/091 – provision to accommodate into restoration at a later date.
- Monitoring of ground water levels.
- Monitoring of flow rates and water quality in the Millwood Brook and the Millash Brook.
- Restored site management.
- Restored nature conservation management.

**Do you agree with the Assessment of the promoted sites at Whitwell Quarry and the proposed Outcome for the Plan?**

## **Proposed Approach**

### **14.1.17 Policy SA1 Whitwell Site Allocations**

#### **Policy SA1 Whitwell Site Allocations**

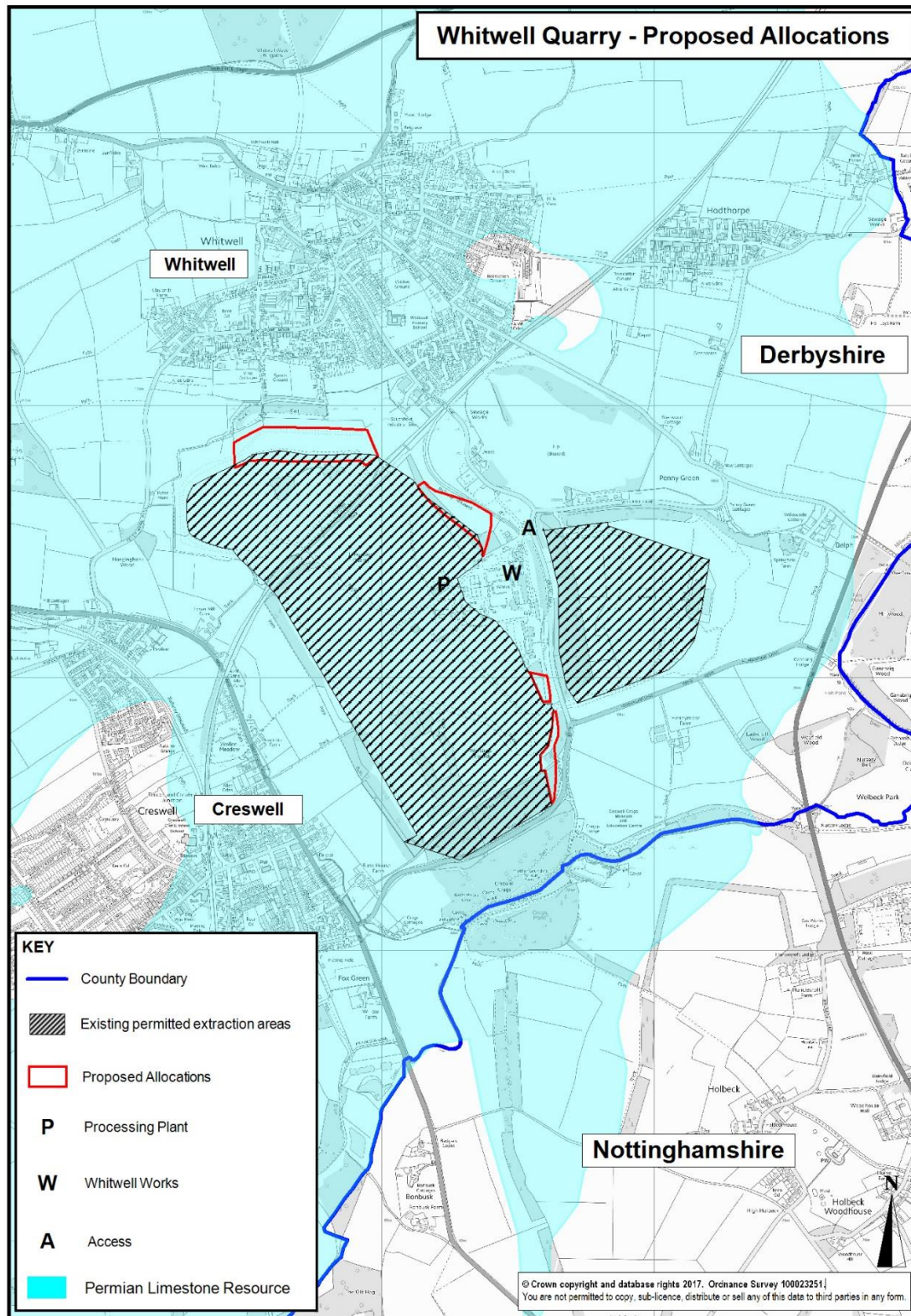
**Land is allocated for mineral extraction at Whitwell Quarry, shown on the Map below.**

**Proposals for the extraction of mineral from allocated sites will be permitted provided that:**

- 1) the processing and distribution of material produced at the site will be carried out via the established and permitted plant, access and transport arrangements unless there are significant benefits in alternative arrangements and**
- 2) the proposed extraction will follow on after the cessation of extraction from existing permitted areas unless there are significant benefits in alternative phasing.**

**Contributes towards achieving Proposed Objectives of Plan**

- Objective 1 – Ensuring a Steady and Adequate Supply of Minerals**
- Objective 2 - Delivering Sustainable Minerals Development**
- Objective 3 - Achieving the most Appropriate Spatial Distribution of Mineral Development**
- Objective 4 – Safeguarding Mineral Resources and Facilities**
- Objective 5 – Minimising Impacts on Communities**
- Objective 6 - Protecting the Natural and Built Environment**



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## **14.2 Industrial Limestone: Ashwood Dale Quarry**

### **Consultation so far – what you have told us**

14.2.1 Omya UK Ltd, the operator of Ashwood Dale Quarry has indicated that additional reserves of industrial limestone will be required during the Plan period and therefore is promoting an extension to the existing quarry.

### **Initial Assessment**

14.2.2 In order to assess the suitability of the promoted site for inclusion in the Plan as an allocated site for working, the MPA carried out an Initial Assessment. Details of this Assessment together with the Methodology used can be found in the documents referred to above at paragraph 14.3.

### **Duty to Co-operate**

14.2.3 A Duty to Co-operate issue has been identified regarding a potential conflict of interest between the expansion of the quarry and the development of a potential housing site. A statement of common ground was agreed between Omya, Derbyshire County Council (and on behalf of Derby City Council) and High Peak Borough Council which set out a mutually agreed solution to enable both developments to proceed. The agreement proposes a modest relinquishment of mineral resources, approximately 200,000 tonnes and a reduction in area and scale of the proposed housing allocation. Both requirements would need to be taken into account in their respective local plans.

### **Sustainability Appraisal**

14.2.4 The Interim SA concluded that Ashwood Dale as an existing site, has good access to markets, established infrastructure and transport links. However, the potential for sustainable transport modes is somewhat limited. Though the extension would not be on best and most versatile agricultural land it demonstrates historic pastoral field patterns which contribute to the wider landscape character. The extension would also be visually intrusive in some

locations and there could be dust and noise issues. On the other hand, the ecological impacts are likely to be limited.

## **Summary of Representations**

14.2.3 Representations received on the promoted site are as follows. One respondent, the operator of the quarry, supported the allocation of the site. Others raised concerns about heritage impacts, impacts on Peak District Dales SAC and Wye Valley SSSI, particularly when taking into account the proposed scale of housing as well in the vicinity and impacts on nearby Ancient Woodland. Additional matters raised at the Drop-In Session included questions about how the blasting 'buffer zone' would work in practice between the quarry extension site and the proposed housing on the edge of Buxton. Further details of the representations to the Rolling Consultations together with considerations and outcomes for this Consultation and comments made at the Drop-in Session can be found in the Report of Representations.

14.2.6 In progressing the Assessment, updated information, co-operation on strategic cross border matters, recommendations from the Interim Sustainability Report and representations received at earlier Consultation stages have been taken into account.

## **Revised Initial Assessment**

14.2.7 A revised Initial Assessment has been undertaken using the revised Methodology. The reassessment of the Ashwood Dale Quarry site reaches the same conclusions as the initial assessment. It identifies the following matters as key positive factors favouring allocation:

- Nationally important resource; the quarry principally supplies high quality fine industrial powders for a variety of applications
- The quarry serves national markets for industrial applications and local markets for aggregates. It is well located to serve markets in the Manchester conurbation to the north-east of the Plan area
- Detailed borehole information available confirming quality of deposit



- Important local employer and provider of wealth to local economy in a predominantly rural area where mining is a traditional important local employer
- Whilst transport is road based, HGV's would not pass sensitive receptors to reach the strategic road network
- The relinquishment of permitted reserves below the water table would potentially benefit the adjoining SAC

14.2.8 It identifies the following matters as key negative factors that would constrain allocation:

- Working would extend the duration of the quarry to around 2066 (taking account of only the light stone)
- There are some sensitive visual receptors (footpaths and dwellings) to the north and the south of the site that would be able to gain views of part of the extension area, including views from the Peak District National Park.
- The site lies outside of any designated sites of ecological value, but in between two dale systems, Ashwood Dale and Cuning Dale, the latter of which is designated as a SSSI and SAC, and the former is (in part) a Local Wildlife Site. The existing Ashwood Dale Quarry is the only working in the immediate vicinity, and has not directly impacted on the most important ecological features such as the Dale systems. It is important that any future working does not compromise the nearby ecological assets.
- Working the site will lead to the loss of an area that generally accords with the established landscape character and the loss of some historic landscape features.
- There are few landscape characteristics that can be employed in the satisfactory mitigation/restoration of the quarry; careful consideration would need to be given to achieve its acceptable restoration.
- The promoted site would extend mineral working towards existing and proposed housing on the edge of Buxton; appropriate safeguards would

need to be in place to protect local amenity from the impact of mineral working,

- The quarry lies on a principal aquifer; appropriate safeguards would need to continue to protect the water regime.

14.2.9 The revised Initial Assessment, together with accompanying Mapped Information and Background Evidence can be found in the following three Papers:

**Towards a Draft Minerals Local Plan: Spring 2018 Consultation  
Revised Initial Site Assessment, Maps and Background  
Information - Ashwood Dale Quarry, December 2017**

### **Further Assessment**

14.2.10 The MPA has set out that where potential negative impacts have been identified it would carry out further detailed work, in consultation with appropriate bodies, to ascertain if that impact could be mitigated or avoided to enable the site to progress forward for allocation.

14.2.11 Whilst there are several key negative factors that have been identified in the initial assessment, a planning application (CM1/0315/158) has been submitted to the County Council for mineral extraction from the promoted site, and a further application (CM1/0315/159) seeks to vary planning condition 3 of R1/0298/8 to extend time for the duration of working. Although the planning applications have not yet been determined it is at an advanced stage of consideration.

14.2.12 Key negative aspects requiring further assessment:

Duration of operation

14.2.13 Whilst working the promoted area would prolong the life of the site to over 30 years, the scale of the promoted area is relatively modest at 6 hectares containing 9.8mt of reserves. Annual production is not anticipated to increase and the proposal would involve the relinquishment of 10 mt of permitted reserves of dark stone.

#### Landscape and Visual impacts from sensitive visual receptors and PDNP

14.2.14 The Assessment noted, and representations were received on the fact that some receptors (footpaths and dwellings) to the north and the south of the site would be able to gain views of part of the extension area, including views from the National Park. Detailed consideration of these matters as part of the planning application process has resulted in the submission of a revised restoration scheme incorporating screening bunds, dry stone walling and tree planting appropriate to the local landscape to mitigate impacts to the satisfaction of the PDNPA and Natural England.

#### Impacts on adjoining ecological assets

14.2.15 The Assessment noted, and representations were received on the proximity of the site to designated sites of ecological value which would need adequately protecting, particularly from the impacts of dust. Detailed consideration of these matters as part of the planning application process indicates that these impacts can be adequately mitigated through the imposition of planning conditions to the satisfaction of Natural England.

#### Impacts on adjoining ancient woodland

14.2.16 The Woodland Trust is concerned about the impact of the promoted site on a section of ancient woodland in Ashwood Dale, as it considers that the site will be directly adjacent to the remainder of the ancient woodland that follows the railway line adjacent to the A6. Detailed consideration of this matter as part of the planning application process indicates that this impact can be adequately mitigated through the imposition of planning conditions.

#### Impact on the water regime

14.2.17 The site lies on a principal aquifer which usually provide a high level of water storage and may support water supply and/or river base flow on a strategic scale. Consequently they require the greatest protection from development that might be harmful to them. The new proposed limit on the depth of excavations would be above the level of groundwater. The Environment Agency has no objection in principle subject to detailed planning conditions to protect the 'water environment'.

#### Impact on proposed housing allocation

14.2.18 A potential conflict of interest was identified between the expansion of the quarry and the development of a potential housing allocation. A statement of common ground was agreed between Omya, Derbyshire County Council (and on behalf of Derby City Council) and High Peak Borough Council which set out a mutually agreed solution to enable both developments to proceed. The agreement required a 200 metre buffer between the extraction area and housing development resulting in a modest relinquishment of mineral resources, approximately 200,000 tonnes and a reduction in area and scale of the proposed housing allocation. Agreed changes to the proposed housing allocation have been incorporated in the adopted High Peak Local Plan and agreed changes to the proposed mineral extraction area have been incorporated in the planning application.

14.2.19 Following consideration of the key negative factors that would constrain the allocation of the site and with particular regard to detailed work undertaken as part of the process to consider the planning application it is considered that the site should be put forward for allocation in the Proposed Approach.

#### **Outcome for the Proposed Approach**

14.2.20 Allocate the promoted extension at Ashwood Dale Quarry for mineral extraction to commence during the Plan period, as set out in Policy SA2 and shown on the Map below.

14.4.21 An allocation in the Plan is acceptance in principle that a site is suitable for working to commence during the Plan period, subject to satisfying detailed

planning requirements. The requirements that would need to be addressed in any planning application to work the proposed allocated site are set out below; they are not a comprehensive set of matters. Proposals will need to satisfy all the policies and proposals of the Plan, where appropriate.

14.4.22 The MPA consider that mineral extraction from the proposed allocated site is likely to be acceptable in planning terms subject to the following issues having been addressed satisfactorily. This includes:

- an assessment of how the site would be developed and operated in such a way that the local community and environment are protected from significant adverse impacts;
- an ecological assessment of the designated sites, habitats, fauna and flora present on or adjacent to the site and/or potentially impacted by the site's development, and an evaluation of the impact of development upon species and habitats present on or adjacent to the site, and on the wider ecological network;
- an assessment of the effects on the historic environment, including designated sites and settings and archaeological remains
- an assessment of the effects of the development on the water environment;
- an assessment of the landscape and visual impact of the site, including the provision of suitable landscaping measures;
- a transport assessment including an assessment of the existing access arrangements and the potential impact upon the Strategic Road Network; and
- an account of the mitigation and compensation measures required to address environmental impacts, and of the biodiversity enhancement opportunities arising from the development, including its restoration and aftercare.

**Do you agree with the Assessment of the promoted site at  
Ashwood Dale Quarry and the proposed Outcome for the Plan?**

## **Updated Information December 2017**

- 4.2.23 The MPA has very recently been made aware that Omya UK Ltd, the current operator of the existing quarry and promoter of the extension, is reviewing its investment and operations at a number of sites. The operator has informed the MPA that Ashwood Dale will close in the short-term, in 2018, whilst Omya considers the long-term future and development of its sites. In view of this, the MPA consider there to be uncertainty as to whether additional reserves will be required to be worked at the quarry during the Plan period. Nevertheless, the MPA is proposing to allocate the promoted extension to Ashwood Dale at this stage but will continue to liaise with Omya about the long-term development of the quarry.

## **Proposed Approach**

### **14.2.24 Policy SA2 Ashwood Dale Site Allocation**

#### **Policy SA2 Ashwood Dale Site Allocation**

**Land is allocated for mineral extraction at Ashwood Dale Quarry, shown on the Map below.**

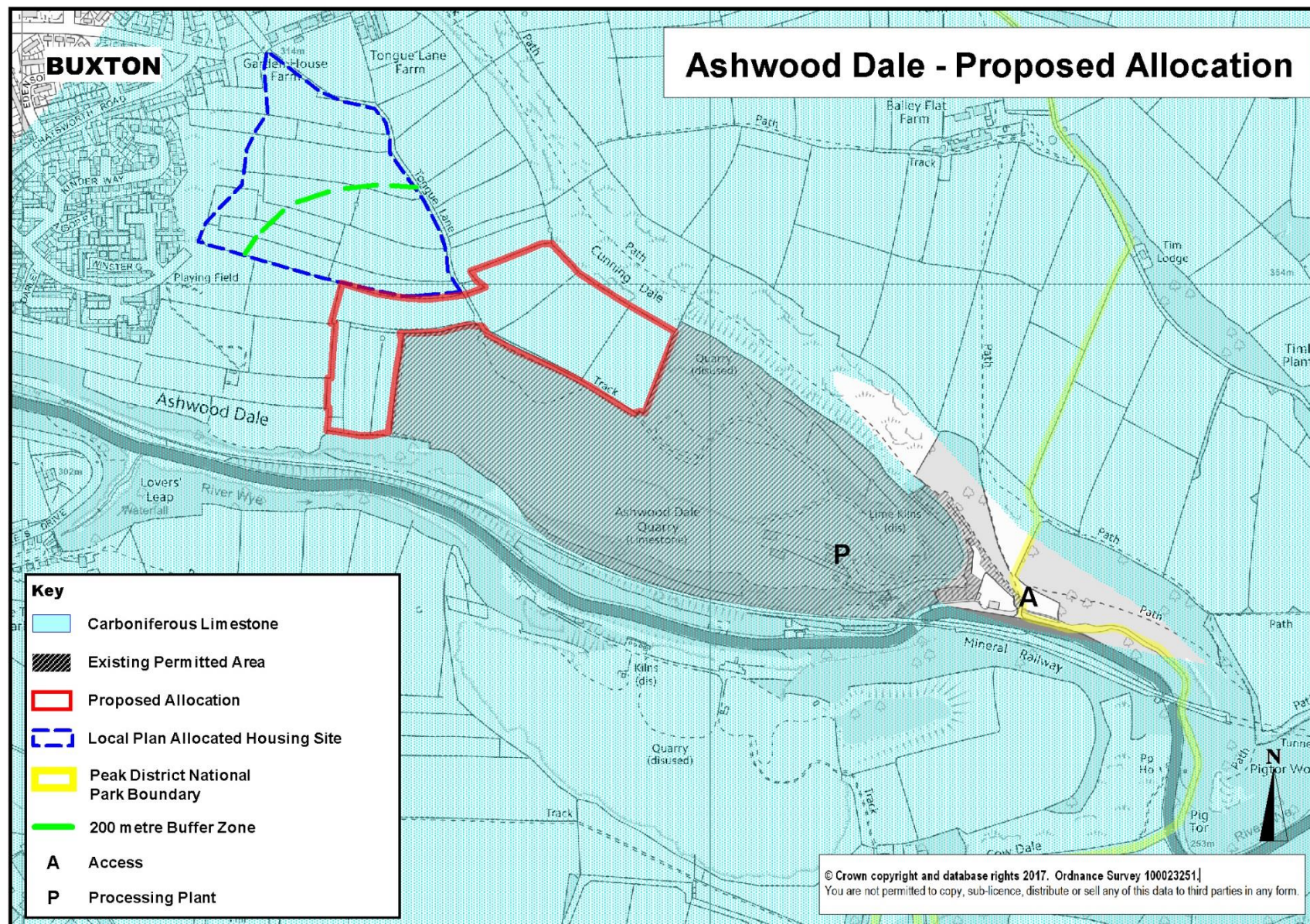
**Proposals for the extraction of mineral from allocated site will be permitted provided that:**

- 1) the processing and distribution of material produced at the site will be carried out via the established and permitted plant, access and transport arrangements unless there are significant benefits in alternative arrangements and**
- 2) the proposed extraction will follow on after the cessation of extraction from existing permitted areas unless there are significant benefits in alternative phasing.**

**Contributes towards achieving Proposed Objectives of Plan**

- Objective 1 – Ensuring a Steady and Adequate Supply of Minerals
- Objective 2 - Delivering Sustainable Minerals Development
- Objective 3 - Achieving the most Appropriate Spatial Distribution of Mineral Development
- Objective 4 – Safeguarding Mineral Resources and Facilities
- Objective 5 – Minimising Impacts on Communities
- Objective 6 - Protecting the Natural and Built Environment







## **Industrial Limestone: Aldwark/Brassington Moor Quarry**

### **Consultation so far – what you have told us**

14.3.1 Longcliffe Quarries Ltd, the operator of Aldwark/Brassington Moor Quarry has indicated that additional reserves of industrial limestone will be required during the Plan period and therefore is promoting an extension to the existing quarry.

### **Initial Assessment**

14.3.2 In order to assess the suitability of the promoted site for inclusion in the Plan as an allocated site for working, the MPA carried out an Initial Assessment of the Site. Details of this Assessment together with the Methodology used can be found in the documents referred to above at paragraph 14.3.

### **Duty to Co-operate**

14.3.3 A Duty to Co-operate issue has arisen regarding a potential conflict of interest between the expansion of the quarry and the protection of the interests of the Peak District National Park. The Councils have and will continue to liaise with the relevant stakeholders to ensure that the matter is fully taken into account.

### **Sustainability Appraisal**

14.3.4 The Interim SA concluded that the Aldwark/Brassington Moor site would have major positive effects with regards to the use of minerals and the efficiency of extraction. As an existing site, it has good access to markets, established infrastructure and transport links. However, the potential for sustainable transport modes is somewhat limited. The rural nature of the site means that potential dust and noise issues are less likely to affect sensitive receptors. However, there is potential for major negative impacts on landscape character, and visual intrusion, including in the Peak District National Park. Though the effects on ecology are not anticipated to be significant, there is potential for priority species to be affected nearby.

### **Summary of Representations**

14.3.5 Representations received that would constrain the allocation of the promoted site can be summarised as follows. There are concerns about the impact of the site on the wider landscape, including the Peak District National Park, the statutory purpose of which is to conserve and enhance the natural beauty, wildlife and cultural heritage of the Park. The site abuts the PDNP boundary forming part of its immediate setting and large parts of the site would be clearly visible from the Park generally and more specifically from recreational trails, including the High Peak Trail and Limestone Way. Other concerns include the impact of mineral working on tourism and the tranquillity of the area and impacts on the amenity of nearby Aldwark village. The operator of the quarry states that the impact of the site on the Park should be viewed in the context of the existing quarry and can be mitigated. Issues raised at the Drop-In Session are included in the above summary. Representations have been made by individuals, local and national interest groups, Natural England and the PDNPA.

14.3.6 In progressing the Assessment of promoted sites, updated information, co-operation of on strategic cross border matters, recommendations from the Interim Sustainability Report and representations received on earlier Consultation stages have been taken into account.

### **Revised Initial Assessment**

14.3.7 A revised Initial Assessment has been undertaken using the revised Methodology. The reassessment of the Aldwark/Brassington Moor Quarry site reaches the same conclusions as the initial assessment. It identifies the following matters as key positive factors favouring allocation:

- Nationally important resource - 85% of industrial grade limestone for animal feeds, glass, sealants and adhesives etc. are quarried in Derbyshire. Longcliffe supplies 30% of that output
- Important local employer and provider of wealth to local economy in a predominantly rural area where mining is a traditional important local employer

- Whilst transport is road based the site has good transport and access arrangements and HGV's would not pass sensitive receptors to reach the strategic road network
- The site lies in an area where it is predicted that agricultural land will be of poor quality

14.3.8 The following matters have been assessed as key negative factors that would constrain allocation:

- Working the site is a very long-term proposal which would see the life of the quarry extended by 30 plus years
- There is a concentration of mineral working in the area; the site lies adjacent to Grangemill Quarry operated by Ben Bennetts. Both the quarries have been in operation for a long period of time.
- The landscape character of this site is typical of the wider landscape of the area with features in good condition
- The site would be visible from a number of surrounding locations
- The site lies adjacent to the Peak District National Park from which large parts of the site would be visible.

14.3.9 The revised Initial Assessment, together with accompanying Mapped Information and Background Evidence can be found in the following three Papers:

**Towards a Minerals Local Plan: Spring 2018 Consultation  
Revised Initial Site Assessment, Maps and Background  
Information - Aldwark/Brassington Moor Quarry, December 2017**

### **Further Assessment**

14.3.10 The MPA has set out that where potential negative impacts have been identified it would carry out further detailed work, in consultation with appropriate bodies, to ascertain if that impact could be mitigated or avoided

to enable the site to progress forward for allocation. There are several key negative factors that have been identified in the initial Assessment which are considered below.

Key negative aspects requiring further assessment:

Duration of operation

14.3.11 Working the site is a very long-term proposal which would see the life of the quarry extended by 30 plus years. The current permitted area has sufficient reserves to last until the latter part of the Plan period (between 2025 and 2031). The promoted area contains 38mt of reserves which based on a simple calculation of 1mt per year output would extend the life of the quarry to (between 2063 and 2069). The site also lies adjacent to Grangemill Quarry, operated by Ben Bennetts which has permission to work to 2042. Both the quarries have already been in operation for a long period of time.

Landscape and Visual impacts on sensitive visual receptors and PDNP

14.3.12 Whilst there are no sensitive receptors close to the promoted extension area, it would be visible from a number of locations around the site that would allow for views of parts of the area. These include some properties in Aldwark and Ible, local footpaths, recreational trails including the High Peak Trail and the Limestone Way, Harboro Rocks and the local road network. These impacts would also be in the context of the existing quarry and the adjoining Grangemill quarry which already exert significant adverse visual effects on surrounding visual receptors.

14.3.13 In terms of the specific impact on the landscape the promoted site area comprises pastoral fields enclosed by limestone walls with boundaries generally in good condition typical of the established character of the wider landscape. The site abuts and seamlessly connects to the PDNP to the North West.

14.3.14 In terms of the specific impact on the PDNP, the site abuts the PDNP boundary forming part of its immediate setting and large parts of the site would be clearly visible from it. The statutory purposes of the National Park

are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. The assessment should take into account whether the proposed working of the site would have a significant impact on or harm those statutory purposes. There is also a duty on the MPA to 'have regard' to those statutory purposes in carrying out its functions; this duty also applies to proposals outside the designated area but impacting on its natural beauty. Concerns have also been expressed about effects on the tranquillity of the area and on its attractiveness to tourists.

- 14.3.15 Having regard to the above concerns, the scale of the promoted site but particularly its location adjoining the PDNP, very careful consideration is required to establish whether the site is likely to be acceptable in planning terms and therefore suitable for allocation. The MPA consider that in order to carry out such an assessment the level of information required would be more akin to that needed to support a planning application i.e. a detailed working scheme and mitigation proposals for the promoted site together with a detailed landscape and visual assessment.

#### Impact on the water regime

- 14.3.16 The site lies on a principal aquifer which usually provide a high level of water storage and may support water supply and/or river base flow on a strategic scale. Consequently they require the greatest protection from development that might be harmful to them. The site also lies within a Groundwater Source Protection Zone 1; protection zones are designated for important groundwater abstraction sources such as wells, boreholes and springs used for drinking water supply, and defined according to the groundwater travel time to an abstraction. It is important within these zones not to interrupt the flow or to pollute the groundwater. In principle, source protection zones 1 are the most important to protect from harmful development. Detailed planning conditions will be required to protect the 'water environment'.

#### Traffic Impacts

14.3.17 Although the criteria used to initially assess the traffic impacts of the development do not result in any negative scores, this assessment is based on a continuation of the operation as established under the 2007 permission when anticipated loaded vehicle daily movements was 100, with an average despatch load of 25 tonnes. Information submitted by the Company in support of the promoted extension site indicates that vehicle movements have doubled to 200 loads per day (400 in – out movements) although production has not and is not anticipated to increase. The Company do state that smaller lorries are in use although it is unclear as to whether this pattern of movements will be for a sustained period. The County Council as Highway Authority has concerns about the junction of the B5036 and A5012 in terms of emerging vehicle visibility. It also has concerns about the number of HGVs which travel west along the Via Gellia to join the A6 at Cromford causing congestion and negative impacts on the Conservation Area. These matters would be exacerbated if there was to be a significant increase in the number of HGVs. This matter will need to be addressed in a detailed Transport Assessment.

14.3.18 Following consideration of the key negative factors that would constrain the allocation of the site, the MPA is particularly concerned about matters relating to landscape and visual impacts, both on sensitive visual receptors and the PDNP. It considers that these matters have not been satisfactorily addressed in sufficient detail to enable the MPA to establish that the site is likely to be acceptable in planning terms and therefore, suitable to be put forward for allocation at this stage.

### **Outcome for the Proposed Approach**

14.3.19 In view of these unresolved negative constraints the MPA is proposing not to allocate the site at this stage of Plan preparation. The MPA will however liaise further with the operator on these outstanding matters. Notwithstanding this proposed outcome, Chapter 7 of the Proposed Approach includes a criteria based policy which allows for planning permission to be granted for additional reserves of industrial limestone to be worked over the Plan period

subject to meeting the detailed criteria and all other relevant policies of the Plan.

**Do you agree with the Assessment of the promoted site at Aldwark/Brassington Moor Quarry and the proposed Outcome for the Plan?**

## **14.4 Brick Clay: Mouselow Quarry**

### **Consultation so far – what you have told us**

- 14.4.1 The operator of Mouselow Quarry has indicated that additional reserves of high quality brick making shale will be required during the Plan period and is therefore promoting a small extension to the area of extraction within the site boundary of the existing quarry.

### **Initial Assessment**

- 14.4.2 In order to assess the suitability of the promoted site for inclusion in the Plan as an allocated site for working, the MPA carried out an Initial Assessment of the Site. Details of this Assessment together with the Methodology used can be found in the documents referred to above at paragraph 14.3.
- 14.4.3 A Duty to Co-operate issue has arisen regarding the continued supply of mineral from Mouselow to Denton brickworks which lies across the border in east Manchester; the quarry supplies over 50% of the raw material used at the works. The Councils will liaise with the relevant stakeholders to ensure that the matter is fully taken into account.
- 14.4.4 The Interim SA concluded that the Mouselow site would have major positive effects with regards to the use of minerals and the efficiency of extraction. As an existing site, it also has good access to markets, established infrastructure and transport links. However, the potential for sustainable transport modes is somewhat limited. The potential for effects on environmental factors is mostly limited in the context of the existing workings. However, the extension could affect areas with some value for landscape and ecology. These issues ought to be possible to mitigate though. In respect of amenity concerns, noise and dust could present minor issues, but the site should present safe and effective transport access.

### **Summary of Representations**



- 14.4.5 Representations received on the promoted site are as follows. Two respondents, including the operator of the quarry, support the allocation of the site at Mouselow. One response stated that account should be taken of any impact on the Peak District National Park which is located approximately 2km away. Additional matters raised at the Drop-In Session included concerns from a Higher Dinting resident about views, land instability and any increases in dust, noise or traffic on the surrounding area.
- 14.4.6 In progressing the Assessment, updated information, co-operation on strategic cross border matters, recommendations from the Interim Sustainability Report and representations received at earlier Consultation stages have been taken into account.

### **Revised Initial Assessment**

- 14.4.7 A revised Initial Assessment has been undertaken using the revised Methodology on the promoted smaller site. The reassessment of the Mouselow Quarry site reaches different conclusions, particularly in relation to the visual impact of the proposal on the landscape and the Peak District National Park. It identifies the following matters as key positive factors favouring allocation:
- Mouselow quarry clay and shale is essential for the continued operation of the brickworks at Denton. The quarry operator and brickworks owner Wienerberger is one of the leading brick manufacturers in the UK and markets are nationwide.
  - The quarry is also an important supplier of high quality building stone. Markets are nationwide, generally to high value projects in major cities.
  - Important local employer (both quarry and brickworks) and provider of wealth to local economy in a semi-rural area where mining is a traditional important local employer

14.4.8 The following matters were assessed as key negative factors which would constrain allocation:

- Working would extend the duration of the quarry to around 2049
- The greatest visual impact of the promoted allocation area would be on the higher ground receptors to the south and west within 3km of the site. This includes parts of the Peak District National Park but the views are part of a wider panorama. Whilst the existing quarry site is already visible the removal of some of the hillside to the south-west would only marginally increase the visual exposure of the existing quarry and this would be offset by the progressive restoration of the existing quarry void.
- The allocation of the promoted sites would remove a parcel of land that is currently down to pastoral farming and a small section of existing woodland. Although this land accords with the established landscape character of the wider area it is well contained by a low hill landform, woodland, and drystone walls. In the wider area the landscape is generally intact and in good condition in places but includes detracting areas of disturbed land associated with the urban fringe.

14.4.9 The revised Initial Assessment, together with accompanying Mapped Information and Background Evidence can be found in the following three Papers:

**Towards a Minerals Local Plan: Spring 2018 Consultation  
Revised Initial Site Assessment, Maps and Background  
Information – Mouselow Quarry, December 2017**

## **Further Assessment**

14.4.10 The MPA has established that where potential negative impacts have been identified it would carry out further detailed work, in consultation with appropriate bodies, to ascertain if that impact could be mitigated or avoided to enable the site to progress forward for allocation.

14.4.11 Whilst there are several key negative factors that have been identified in the initial assessment, the Company has submitted information in support of their pre-application enquiry (EM1/0617/16) for the promoted site and has had preliminary site visits with the MPA to discuss matters of concern.

14.4.12 Key negative aspects requiring further assessment:

#### Duration of operation

14.4.13 Whilst working the promoted area would prolong the life of the site to around 23 years, this timescale is in line with NPPF policy which requires landbanks for brick clay to be maintained at a minimum of 25 years to support investment in the maintenance and improvement of plant.

#### Landscape and Visual impacts on sensitive visual receptors and PDNP

14.4.14 At the 2016/2017 Consultation stage a larger area was promoted for allocation and this was assessed as having a major negative impact in terms of impacts on sensitive visual receptors, landscape and the PDNP. Of particular concern was the removal of the entire hillside which would expose large parts of the existing quarry to visual receptors on the higher ground to the south and west of the site. These receptors lie some distance away but includes parts of the PDNP. In response to this concern a reduced area is now being promoted which would see less of the hillside removed; it has reassessed as having a minor negative impact which would not constrain the site from going forward for allocation.

14.4.15 Following consideration of the key negative factors that would constrain the allocation of the site and having regard to more detailed pre-application discussions it is considered that the site should be put forward for allocation in the Proposed Approach.

## **Outcome for the Proposed Approach**

14.4.16 Allocate the promoted extension at Mouselow Quarry for mineral extraction to commence during the Plan period, as set out in Policy SA3 and shown on the Map below.

14.4.17 An allocation in the Plan is acceptance in principle that a site is suitable for working to commence during the Plan period, subject to satisfying detailed planning requirements. The requirements that would need to be addressed in any planning application to work the proposed allocated site are set out below; they are not a comprehensive set of matters. Proposals will need to satisfy all the policies and proposals of the Plan, where appropriate.

14.4.18 The MPA consider that mineral extraction from the proposed allocated site is likely to be acceptable in planning terms subject to the following issues having been addressed satisfactorily. This includes:

- an assessment of how the site would be developed and operated in such a way that the local community and environment are protected from significant adverse impacts;
- an ecological assessment of the designated sites, habitats, fauna and flora present on or adjacent to the site and/or potentially impacted by the site's development, and an evaluation of the impact of development upon species and habitats present on or adjacent to the site, and on the wider ecological network;
- an assessment of the effects on the historic environment including designated sites and settings and archaeological remains
- an assessment of the effects of the development on the water environment;
- an assessment of the landscape and visual impact of the site including the provision of suitable landscaping measures;
- a transport assessment including an assessment of the existing access arrangements and the potential impact upon the Strategic Road Network; and

- an account of the mitigation and compensation measures required to address environmental impacts, and of the biodiversity enhancement opportunities arising from the development, including its restoration and aftercare.

**Do you agree with the Assessment of the promoted site at Mouselow Quarry and the proposed Outcome for the Plan?**

## **Proposed Approach**

### **14.4.19 Policy SA3 Site Allocations Mouselow Quarry**

#### **Policy SA3 Mouselow**

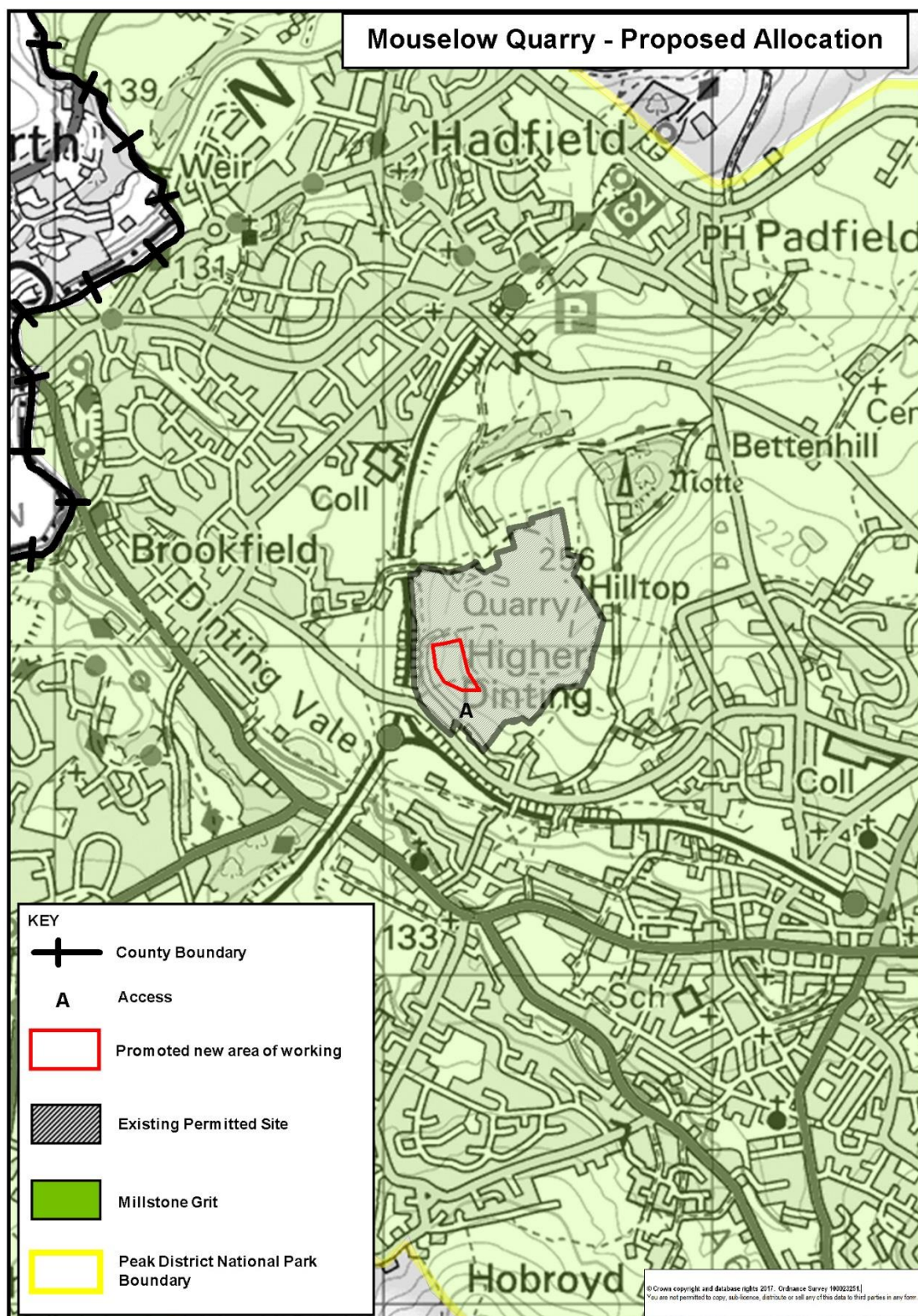
**Land is allocated for mineral extraction at Mouselow Quarry shown on Map below.**

**Proposals for the extraction of mineral from allocated sites will be permitted provided that:**

- 1) the distribution of material produced at the site will be carried out via the established and permitted access and transport arrangements unless there are significant benefits in alternative arrangements**
- 2) the proposed extraction will follow on after the cessation of extraction from existing permitted areas unless there are**

**Contributes towards achieving proposed approach Objectives**

- Objective 1 – Ensuring a Steady and Adequate Supply of Minerals
- Objective 2 - Delivering Sustainable Minerals Development
- Objective 3 - Achieving the most Appropriate Spatial Distribution of Mineral Development
- Objective 4 – Safeguarding Mineral Resources and Facilities
- Objective 5 – Minimising Impacts on Communities
- Objective 6 - Protecting the Natural and Built Environment



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