

# **DERBYSHIRE AND DERBY MINERALS LOCAL PLAN**

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

### **CHAPTER 4**

#### **Strategic Sustainability Principles**

##### **4.1 General Principles**

##### **4.2 Principles distinctive to Derbyshire**

##### **4.3 Climate Change**

##### **4.4 Transport**

**December 2017**

## **4.1 General Principles**

### **Introduction**

- 4.1.1 All proposals for minerals development should be in accordance with the overarching national principle for sustainable development. This is encompassed in national planning policy and has also been identified as a key issue for the Minerals Local Plan (MLP) through discussions with all stakeholders and through local consultation responses.

### **Vision and Objectives**

- 4.1.2 The Vision will help to define the direction of the Plan by stating where we want to be in terms of mineral development by the end of the Plan period. It will set out what the Plan area will be like in terms of mineral development in 2030 if the policies and proposals of the Plan have been delivered successfully over the Plan period. The Objectives will set out how the Vision will be delivered and implemented. Further information on the Vision and Objectives can be found in Chapter 3.
- 4.1.3 The policies in this chapter will seek to help deliver the following objectives of the 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  
Objective 8 – Minimising Flood Risk and Climate Change

### **Evidence Base**

#### **National Planning Policy Framework**

4.1.4 The National Planning Policy Framework (NPPF) promotes a presumption in favour of sustainable development, without defining precisely the concept for local areas. It highlights the combination of an economic, environmental and social role for planning policy in delivering sustainable development, adhering to the basic principle that we should meet the needs of the present generation without compromising the needs of future generations. It goes on to state that sustainable development involves seeking improvements to the quality of the built, natural and historic environment, as well as to people's quality of life. How this is interpreted for our area will be an important part of the MLP.

4.1.5 The NPPF gives a steer on what sustainable development means in terms of minerals issues. It sets out that minerals are essential to support sustainable economic growth and the importance, therefore, of ensuring that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country and its economy needs. It also sets out in this context that since minerals are a finite resource it is important to make best use of them to secure their long term conservation.

### **National Planning Practice Guidance**

4.1.6 The National Planning Practice Guidance (NPPG) contains planning policy and practice guidance on a wide range of planning issues, including planning for the extraction of minerals. It acknowledges that minerals are a finite resource with restricted availability, such that locations where they are economically viable and where extraction would be environmentally acceptable may be limited. It also repeats the statement in the NPPF that minerals make an essential contribution to the country's prosperity and quality of life.

### **Consultations Undertaken and Comments Received**

4.1.7 The development of the new Minerals Local Plan has included a series of consultations to ascertain the views of relevant local authorities, organisations and bodies with an interest in mineral development and the potential

implications of mineral development and the people of Derbyshire and their representatives.

### **Stakeholder Workshops 2009**

- 4.1.8 From the initial stages in the preparation of the MLP, people have consistently highlighted sustainability as being a key issue which should underpin all policies and proposals in the MLP. The need to support economic growth in the Plan area, whilst minimising the impact of mineral development on the environment and on local communities was a fundamental part of discussions at the first stakeholder workshop held in 2009.

### **Issues and Options 2010**

- 4.1.9 Although there was not a specific section of this document which covered sustainability principles, the comments referred to above were reinforced through general responses received to the issues and options paper, as well as at subsequent engagement events, discussions with stakeholders and drop-ins.

### **Towards a Minerals Local Plan – Rolling Consultation 2015/2016**

- 4.1.10 The Issues and Options Paper was prepared prior to the introduction of significant changes in international and national planning policy, notably the publication of the National Planning Policy Framework. The documents in the “Towards a Minerals Local Plan” consultation took account of this, as well as other emerging local policies and strategies and new evidence in the formulation of the strategic sustainability principles for the new Plan.
- 4.1.11 33 comments were made on this part of the Plan at this stage. Overall support has continued to be shown through this consultation for an emerging approach in Derbyshire and Derby, whereby the Councils, when considering proposals for minerals development, will take a positive approach that reflects the national policy presumption in favour of sustainable economic development.

- 4.1.12 There were also comments to improve the wording of the text. Amendments have been made to take account of these comments where appropriate. Further information on the representations made and responses to them can be found in the following document:

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

### **Assessment of Comments and Outcomes for the Plan**

- 4.1.13 Since there has been overall support for the inclusion of this element of the Plan, subject to the above suggested amendments, it is proposed that the MLP will include an overarching sustainability policy, which will guide all proposals for mineral development, to deliver what is considered to be sustainable minerals development for Derbyshire and Derby. This will mean making provision for a steady and adequate supply of minerals in Derbyshire and Derby to meet identified needs throughout the Plan period, ensuring the efficient and prudent use of these resources and the minimisation and re-use of waste from mineral operations. This approach will support proposals for mineral extraction that facilitate economic development, maintaining and enhancing Derbyshire's position as a nationally important producer of minerals, including the creation of jobs, whilst at the same time seeking to improve the social conditions of the Plan area and minimising any damage to the environment. Social and environmental benefits will also be sought through the restoration of mineral workings.

### **Duty to Cooperate**

- 4.1.14 In order to obtain as much relevant information as possible about this part of the Plan, Derbyshire County Council and Derby City Council engaged in meetings and discussions with relevant organisations. This has helped to develop the evidence base for the approach set out below.

## **Sustainability Appraisal**

4.1.15 The Sustainability Appraisal process is a way of 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 has been undertaken on all the papers which constituted the Towards a Minerals Local Plan Rolling Consultation 2015-2017. These recommendations have been used in the development of this approach.

**Policy SMP1 reiterates national policy, so is unlikely to have any effect on the majority of sustainability factors. Notwithstanding this, the strong emphasis placed upon ensuring developments come forward ought to be positive with regards to minerals and the economy.**

4.1.16 The full appraisal is set out in the following document:

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

## **The Proposed Approach**

### **Policy SMP1: General Principles**

**When considering proposals for mineral development, the Councils will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Councils will always work proactively with applicants to find solutions, which mean that proposals can be approved wherever possible and appropriate, and to secure well-designed schemes and development that improves the economic, social and environmental conditions in the Plan area. The Plan will also ensure that economic resources of mineral are not sterilised needlessly. Planning applications that accord with the relevant policies in this Minerals Local Plan will be approved, unless material considerations indicate otherwise.**

**If there is an issue that is not addressed in this Plan, it will be judged in accordance with the policies in the National Planning Policy Framework.**

## **4.2 Other Sustainability Principles More Locally Distinctive to Derbyshire and Derby**

### **Introduction**

4.2.1 Through discussions with stakeholders during the preparation of the MLP and from comments received through on-going consultation events, people have raised a number of more locally distinctive sustainability issues, which they consider to be of particular significance and importance to Derbyshire and Derby. These are:

- Derbyshire's status as a national leader in the production of minerals, providing significant materials to maintain the national economy, and requiring the specific skills that are needed to maintain this production.
- The built and natural environment of the Plan area, including its rich heritage, biodiversity and varied landscapes, particularly those areas which people consider to be the most sensitive, in the north of the county, related closely to the adjoining Peak District National Park.
- That, generally, people recognise that winning and working of minerals is necessary in the Plan area, and that some social and environmental damage is unavoidable. In this respect, they have told us that we should continue to strive to promote high standards of working, restoration and aftercare of mineral workings, which bring real and positive benefits to the local communities and which help to offset any adverse impacts that may result from mineral working, including the transportation of minerals.
- That the most efficient use should be made of the mineral resources in the Plan area, avoiding wastage and making the best use of recycled materials, in order to reduce the amount of primary material that is quarried, therefore reducing the amount of land that is lost to mineral extraction in the Plan area.
- Cumulative impact from successive mineral workings and other commercial and industrial development in an area over a number of years has been raised by local people as being of particular relevance to their communities.

### **Vision and Objectives**



- 4.2.2 The Vision will help to define the direction of the Plan by stating where we want to be in terms of mineral development by the end of the Plan period. It will set out what the Plan area will be like in terms of mineral development in 2030 if the policies and proposals of the Plan have been delivered successfully over the Plan Period. The Objectives will set out how the Vision will be delivered and implemented. Further information is set out at Chapter 3.
- 4.2.3 The policies in this chapter will seek to help deliver the following objectives of the 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  
Objective 8 – Minimising Flood Risk and Climate Change

### **Consultations Undertaken and Comments Received**

- 4.2.4 The development of the new Minerals Local Plan has included a series of consultations to ascertain the views of relevant local authorities, organisations and bodies with an interest in mineral development and the potential implications of mineral development and the people of Derbyshire and their representatives.

### **Stakeholder Workshops 2009**

- 4.2.5 From the initial stages in the preparation of the MLP, people have consistently highlighted sustainability as being a key issue, both nationally and locally. The need to support economic growth in the Plan area, whilst minimising the impact

of mineral development on the environment and on local communities was a fundamental part of discussions at the first stakeholder workshop held in 2009.

### **Issues and Options 2010**

- 4.2.6 Although there was not a specific section of this document which covered key local issues and principles, the comments referred to above were reinforced through general responses received to the issues and options paper, as well as at subsequent engagement events, discussions with stakeholders and drop-ins.

### **Towards a Minerals Local Plan – Rolling Consultation 2015/2016**

- 4.2.7 The Issues and Options Paper was prepared prior to the introduction of significant changes in international and national planning policy, notably the publication of the National Planning Policy Framework. The documents in the “Towards a Minerals Local Plan” consultation took account of this, as well as other emerging local policies and strategies and new evidence in the formulation of this part of the Plan.
- 4.2.8 Four representations were received to this policy at this stage. One states that the policy should not refer to efficiency of use of minerals, which is a misinterpretation of policy in NPPF, which refers to the best use being made of minerals to secure their long term conservation. Another requests that the policy should refer to recycled aggregates.
- 4.2.9 Another sets out that the proposed policy relating to the environmental designations is very broad brush and does not distinguish between the different levels of nature conservation designation ranging from international to national to local. It goes on that it is unclear what the term special circumstances will actually mean in practice. It recommends that the policy needs to distinguish between different levels of designation and the weight placed upon each needs to reflect legislation, the NPPF and best practice guidelines.
- 4.2.10 Another sets out that the wording of Policies SMP3 and SMP4 is slightly at odds with SMP1 (Overarching Sustainability Options) which sets out a presumption

in favour of sustainable development and seeks to secure well designed schemes and development that make the most efficient use of resources and improves the economic, social and environmental conditions in the plan area. Whilst the inconsistencies of these policies are not likely to affect the overall soundness of the Plan it may be beneficial for the MPA to refine the policies.

### **Assessment of Comments and Outcomes for the Plan**

4.2.11 The policy is intended to be broad brush and strategic in nature, setting the scene for a more detailed development management policy later in the Plan. Some more detailed comments have been used to inform the elements of the more specific chapters later in the Plan. It is accepted, however, that the text should refer to varying levels of protection according to the status of environmental designations. Changes have also been made to refer to the “best use” of minerals rather than “efficient” use and a criteria is included to promote the use of secondary recycled aggregates. The inconsistency with Policy SMP1 has also been addressed. Details of the representations received and responses to them can be found in the following document.

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

### **Sustainability Appraisal**

4.2.12 The Sustainability Appraisal process is a way of 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 has been undertaken on all the papers, which constituted the Towards a Minerals Local Plan Rolling Consultation 2015-2017. This reported as follows:

**It sets out that Policy SMP2 (SMP3 in the Rolling Consultation 2015/2016) is likely to have a positive effect on minerals development as it is generally supportive of development if reasonable requirements are met. The policy seeks to protect communities as well as heritage and landscape character. The effect on biodiversity is potentially negative as it allows for harm in special circumstances.**

4.2.13 These recommendations have been addressed in the revised policy below.  
The full appraisal is set out in the following document:

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

4.2.14 In order to reflect these issues which are particularly important to local people in dealing with proposals for minerals development in the Plan area, a strategic approach has been developed in the following policy.

## **The Proposed Approach**

4.2.15 Having taken all evidence into consideration, the following approach is proposed.

### **Policy SMP2: Economic, Social and Environmental Principles for Minerals Development in Derbyshire and Derby**

**Proposals for minerals development will be supported:**

- **Where they maintain the continued and sustained production of minerals from the Plan area over the Plan period to support the economy of Derbyshire and Derby, as well as the national economy.**
- **Where the best use is made of mineral resources and the contribution that secondary recycled materials as alternatives to primary minerals has been taken into account.**
- **Where alternatives to road transport have been considered.**
- **Which ensure that any minerals development and the transportation of minerals does not harm the special environmental qualities of the area (including the adjoining Peak District National Park) and does not cause harm to local communities, including to human health, either individually or cumulatively.**
- **Where international, national and local environmental designations (heritage, biodiversity and landscapes) as well as non-designated areas would be afforded appropriate protection commensurate with their status.**
- **Where measures are put in place to mitigate any adverse impacts of mineral development.**
- **Where high standards of working, restoration and aftercare of mineral workings will be promoted.**

## **4.3 Climate Change**

### **Introduction**

- 4.3.1 The Minerals Local Plan will include policies to show how mineral development in Derbyshire can provide opportunities to help reduce the impacts of, and strengthen resilience to, climate change.

### **National Policy Considerations**

- 4.3.2 The National Planning Policy Framework (NPPF) sets out that Local Plans should take account of climate change over the longer-term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. It states that new development should be planned to avoid increased vulnerability to the range of impacts from climate change and where development is deemed necessary, it should be made safe without increasing flood risk elsewhere. It also sets out that where new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure. It also sets out that Local Plans should apply a sequential risk based approach to the location of development to avoid flood risk to people and property and manage any residual risk.
- 4.3.3 National Planning Practice Guidance (NPPG) sets out that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. Planning can also help increase resilience to climate change impact through the location, mix and design of development.

### **Vision and Objectives**

- 4.3.4 The Vision will help to define the direction of the Plan by stating where we want to be in terms of mineral development by the end of the Plan period. It will set out what the Plan area will be like in terms of mineral development in 2030 if

the policies and proposals of the Plan have been delivered successfully over the Plan period. The Objectives will set out how the Vision will be delivered and implemented.

- 4.3.5 The policies in this chapter will seek to help to deliver the following objectives of the Plan:

**Objective 2 - Delivering Sustainable Minerals Development**

**Objective 5 – Minimising Impacts on Communities**

**Objective 6 - Protecting the Natural and Built Environment**

**Objective 8 – Minimising Flood Risk and Climate Change**

### **Duty to Cooperate**

- 4.3.6 National Planning Practice Guidance sets out that in planning for minerals extraction, mineral planning authorities are expected to co-operate with other authorities on strategic matters. Climate change by its very nature is an overarching strategic issue, which the Plan must address. It will be important, therefore, that the climate change policy of this MLP is consistent with those of other local authorities in the Plan area. In order to obtain as much relevant information as possible about this part of the Plan, Derbyshire County Council and Derby City Council engaged in meetings and discussions with relevant organisations. This has helped to develop the evidence base for the approach set out below.

### **Progress So Far – What you have said and how we have responded**

- 4.3.7 Climate change has been identified as a key issue from the initial stages in the preparation of the MLP. It was raised as an issue that should be addressed in the MLP at the Stakeholder Workshop in 2009. There was continued support shown for the inclusion of the reference to climate change in the vision and objectives of the Issues and Options paper. This ensured that it was taken into account as a principle when developing the issues further.

4.3.8 The vision, objectives and issues have evolved since the Issues and Options Report was published, taking account of new national policy in the NPPF, the NPPG and comments received through on-going engagement with communities and stakeholders until 2017. In all these engagement exercises and responses, climate change has continued to be highlighted as an important consideration in the Plan. Views expressed have supported consistently the view that the MLP should tackle this as a key issue.

4.3.9 As a result of national policy and views expressed on this issue, the emerging approach is to include a separate policy for climate change in the MLP.

### **Climate Change and Minerals Planning**

4.3.10 There are two key aspects of climate change that are identified consistently as being of particular relevance to minerals planning. These are:

- Reducing carbon emissions and the carbon footprint of the minerals industry
- Preparing for, and adapting to, the effects of climate change

### **Reducing Carbon Emissions**

4.3.11 Some aspects of mineral development, particularly mineral processing, can produce significant greenhouse gas emissions. These will vary depending on the minerals involved and the ways in which they are processed. It is likely also that vehicular emissions, both on site in the extraction process and off site, as a result of transportation of the mineral to markets, will be a significant factor.

4.3.12 In preparing the MLP, the potential to reduce harmful emissions will be considered. Developments can help to reduce greenhouse gas emissions by the careful design, construction and operation of facilities, enabling energy efficient, low carbon schemes for the winning and working of minerals. Measures could include use of sustainable transport or low carbon emission vehicles and the use of renewable sources to power the facility.



4.3.13 Greater use of recycled aggregates helps to reduce carbon emissions. If minerals are not re-used or recycled, then more primary mineral resources have to be extracted and new products manufactured, resulting in the use of additional energy. Also, recycling and re-use of construction and demolition material on site reduces transportation, an important consideration given that they are bulky and therefore costly to transport.

### **Adapting to Climate Change**

- 4.3.14 There are also opportunities to increase resilience to climate change through the restoration of mineral operations. Restoration schemes, for example, could be tailored to contribute towards reducing the risk and scale of flooding through, for example, river braiding.
- 4.3.15 Other measures include providing opportunities for the provision of winter water storage in reclaimed quarries and ensuring that reclamation schemes take into account the effect of climate change and, where appropriate, provide opportunities for the creation of habitats for species affected by climate change. This includes the provision of wildlife corridors and making links to the wider green infrastructure network to improve the resistance of the natural environment to climate change.
- 4.3.16 From a wildlife perspective, ensuring that water is managed so that water bodies, water courses and wetlands are receiving and storing water will be essential. Creating space for flood waters can also provide new habitats for wildlife, whilst the management of habitats should try to maintain a variety of micro-habitats to include shady, cooler areas as well as more open, hotter habitats.
- 4.3.17 The potential role of the MLP in climate change adaptation will depend on the nature of the changes to climate that are likely to be experienced in Derbyshire and Derby and the areas where mineral working is likely to take place. This will also need to be balanced against other objectives of the Plan. Further information can be found in the following document:

## **Sustainability Appraisal**

- 4.3.18 The Sustainability Appraisal process is a way of 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 has been undertaken on all the papers which constituted the Towards a Minerals Local Plan Rolling Consultation 2015-2017. The full appraisal is set out in the following document:

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

**It sets out that the draft Climate Change Policy is likely to have a positive effect on a number of sustainability factors. Primarily, the requirement for developments to minimise greenhouse gas emissions should have a positive effect on energy and climate change. Encouraging re-use and recycling of materials as well as smarter transportation of materials should also have positive effects on air quality. In some instances, it may be possible to contribute to increased resilience to climate change. An uncertain effect is predicted at this stage as such opportunities will depend on location and details of development. However, in principle the policy is positive in this respect. No change required.**

## **The Proposed Approach**

- 4.3.19 Following engagement and discussions, the following policy has emerged, which incorporates the comments and issues that have been put forward and discussed as the Plan has developed.

### **Policy SMP3: Climate Change**

Planning permission will be granted for proposals for minerals development that take account of climate change for the lifetime of the development, from construction through to operation, decommissioning and restoration.

Adverse climate change impacts should, as far as possible, be avoided and schemes resulting in greenhouse emissions that are unreasonably high or are disproportionate to the public benefits of the scheme are likely to be refused.

Proposals should, where appropriate, incorporate measures to minimise greenhouse gas emissions (mitigation) and to allow flexibility for future adaptation to the impacts of climate change (adaptation) or demonstrate that they have been addressed in other ways, which are proportionate to the scale and type of development and which may include some or all of the following:

- Using renewable, decentralised, or low carbon energy sources to power the facility.
- Locating and designing the facility, and designing transport related to the development, in ways that seek to minimise greenhouse gas emissions.
- Incorporating carbon off-setting measures.
- Incorporating measures to make the development safe without increasing flood risk elsewhere.

Incorporating measures to respond to the predicted effects of climate change, such as ensuring that new development in the floodplain is made safe without increasing flood risk elsewhere, and providing for enhanced water storage during droughts.

- Incorporating landscaping and planting around the scheme during operation and as a key feature of restoration and after-use.
- Ensuring that development does not affect the integrity or continuity of existing flood defences.
- Provision of wildlife corridors and making links to the wider green infrastructure network to improve the resistance of the natural environment to climate change.

## 4.4 Transport

### Introduction and Background

- 4.4.1 The efficient transport and delivery of minerals is vital to support national and local economic activity and facilitate growth and jobs. The majority of minerals produced within the Plan area are delivered to the market by road in heavy goods vehicles; the wider impact of this traffic includes increased congestion on both the local and strategic highway network within and beyond the Plan area, and increased greenhouse gas emissions.
- 4.4.2 Locally, the transportation of minerals and associated traffic is one of the most significant impacts relating to minerals development and is often a major issue for local communities. The movement of minerals and the importation of fill material to restore mineral workings can generate large volumes of traffic which mainly results in heavy goods vehicles travelling on roads. Such traffic can have a considerable impact on local communities causing problems such as public safety, noise and vibration, air pollution and visual intrusion. These problems are most severe where heavy good vehicles use roads unsuited to their weight and size, where they pass through sensitive areas and at the access to the site from the public highway.
- 4.4.3 The Plan area has a wide range of mineral resources, which include limestone, sand and gravel, coal, vein minerals and brick clay. Minerals within the Plan area supply not only local markets but also regional, national and, in some cases, international markets. In terms of quantity, by far the most significant mineral extracted is limestone, around 9 million tonnes in recent years (average annual production 2009-2016)<sup>1</sup> accounting for over 80% of all minerals produced (by weight) within the Plan area. Other minerals produced within the Plan area include sand and gravel (9%), coal (5%) and small quantities of vein minerals (mainly fluorspar & barytes), gas, sandstone, silica sand and clay and shale (each less than 1%).

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<sup>1</sup> Annual Mineral Survey Derbyshire (2009-2016)

- 4.4.4 Detailed information on the transport of minerals within the Plan area is limited; the last East Midlands Regional Aggregate Working Party survey on transport occurred in 2009 when, of the total limestone produced for use as aggregates, i.e. 7.2mt, approximately 71% was transported by road and 30% by rail.<sup>2</sup> Of the limestone aggregate that was exported, i.e. 4.9mt, 58% was transported by road and 42% by rail.<sup>3</sup> Additionally, we know that a small amount of the 3mt of limestone produced for industrial uses is also transported by rail. All of the other minerals are reliant on road transport and this is likely to be the case in the future. Historically, there has also been the very small scale transport of minerals by barge along the River Trent.
- 4.4.5 In general terms, the overall scale of mineral working from within the Plan area is not expected to rise significantly over the Plan period to 2030 and consequently any increase in mineral transportation should be minimal. It is anticipated that there will be a small increase in the production of crushed rock aggregate as production in the Peak District National Park is decreased over time and replaced from quarries within the Plan area. It should be noted, however, that the demand for minerals and particularly, those used in the construction sector, such as aggregates, fluctuates widely in line with the performance of the economy, which will impact on production and hence mineral transportation levels.
- 4.4.6 The principal transport network in the Plan area is shown on the Map below. The Plan area has a good strategic road network, which provides excellent links to other regions, particularly to the north and the south via the M1, the A38 and the A61. The A50 provides an important east-west route in the south of the county linking the M1 to the M6 to the west of the Plan area. It is therefore easily accessible to and from a number of large neighbouring conurbations, including Manchester, Sheffield, Leeds and Nottingham which greatly influence transport movements. There are frequent relatively short-distance movements of minerals across these boundaries, which are likely to continue in the future.

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<sup>2</sup> East Midlands Regional Aggregates Working Party Report 2009

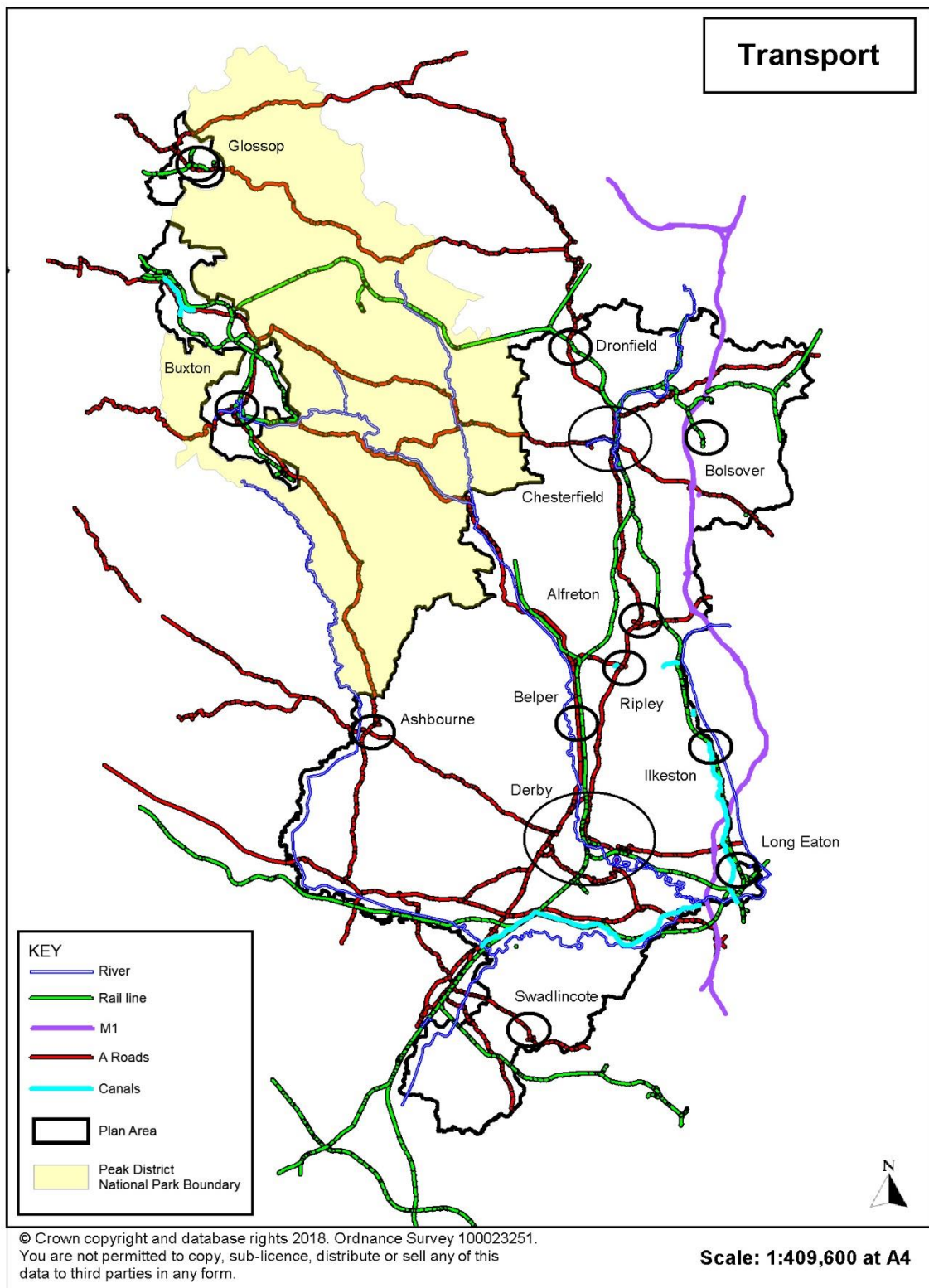
<sup>3</sup> East Midlands Regional Aggregates Working Party Report 2009

4.4.7 The Plan area has good rail links to major cities including Nottingham, Leicester, London, Birmingham, Sheffield, Manchester and Leeds, however, there are few rail lines solely dedicated to rail freight. Generally, rail transport is only viable at high volume, long-life quarries where the significant capital costs can be recovered, although smaller operations can sometimes access the rail network when opportunities arise. Within the Plan area, rail transport is currently only possible at the large scale limestone quarries and this is unlikely to change in the foreseeable future. In 2016, there were three active rail facilities in the Plan area, at Tunstead Quarry, Dowlow Quarry and Doveholes Quarry.

4.4.8 There may be some potential for the transportation of minerals on inland waterways i.e. rivers and canals, but this form of transport is likely to be very limited. More detailed information can be found in the following background paper:

**Towards a Minerals Local Plan: Spring 2018 Consultation**  
**Transport Background Paper – December 2017**

## The Principal Transport Network within the Plan Area





## **National and Local Policy**

- 4.4.8 The following section explains the policy context for considering transport issues as part of the development plan process.

### **Department of Transport - National Policy Statement for National Networks, January 2015**

- 4.4.9 The NNNPS (paragraph 2.1) recognises that national road and rail networks that connect our cities, regions and international gateways play a significant part in supporting economic growth, as well as existing economic activity and productivity. Well-connected and high performing road and rail networks with sufficient capacity are vital to meet the country's long-term needs and support a prosperous economy.

### **National Planning Policy Framework (NPPF)**

- 4.4.10 The National Planning Policy Framework <sup>4</sup> (NPPF) sets out the Government's planning policies and how these are expected to be applied. Further guidance is provided in the National Planning Practice Guidance (NPPG). Promoting sustainable transport is one of the twelve core principles set out in the NPPF which should underpin both plan making and decision taking. Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.
- 4.4.11 Local Plans, therefore, are required to support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport. Encouragement should also be given to solutions which support reductions in greenhouse gas emissions and reduce congestion<sup>5</sup>.
- 4.4.12 Transport routes don't stop at local authority boundaries. It is important therefore, that LPAs should work together to develop strategies for the provision of viable infrastructure necessary to support sustainable development including large scale facilities such as rail freight interchanges.<sup>6</sup>

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<sup>4</sup> National Planning Policy Framework (NPPF), DCLG, 2012

<sup>5</sup> National Planning Policy Framework (NPPF), DCLG, 2012, Paragraph 30

<sup>6</sup> National Planning Policy Framework (NPPF), DCLG, 2012, Paragraph 31

4.4.13 Where developments will generate significant levels of vehicular movement they are required to be supported by a Transport Statement or Transport Assessment. Local Plans and decision making should take account of whether:

- 'The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'<sup>7</sup>

4.4.14 Section 13 of the NPPF sets out the Government's policy approach towards achieving the sustainable use of minerals. It<sup>8</sup> recognises that the safeguarding of transport infrastructure is an important means of encouraging and enabling sustainable minerals transport and therefore Local Plans are required to safeguard: existing, planned and potential rail heads, rail links to quarries, wharfrage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled and secondary materials; and existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute recycled and secondary aggregate material.

4.4.15 Additionally, Local Plans will need to set out environmental criteria, in line with the NPPF, against which planning applications for mineral development will be assessed to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health,

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<sup>7</sup> National Planning Policy Framework (NPPF), DCLG, 2012, Paragraph 32

<sup>8</sup> National Planning Policy Framework (NPPF), DCLG, 2012, Paragraph 143

including traffic impacts, and take into account the cumulative effects of multiple impacts from individual sites/and/or a number of sites in the locality.

### **National Planning Practice Guidance (NPPG)**

- 4.4.16 National Planning Practice Guidance (NPPG) provides additional advice on how LPAs should plan for sustainable transport and sets out key issues that should be considered in developing a transport evidence base to support the Plan. Evidence will be needed to develop, both an overarching strategy for minerals transportation and more detailed development management policies to address the transport impacts of site specific development proposals. It will also be needed to assess potential mineral sites that have been promoted by operators to determine their suitability for allocation in the Plan.

### **Current Local Plan Policy**

- 4.4.17 Policy MP5 of the adopted Derby and Derbyshire Minerals Local Plan (2002) states that, 'proposals for mineral development involving the transport of minerals by road will be permitted provided that there is no environmentally preferable feasible alternative to road transport, the access and capacity of the highway network are acceptable and the traffic generated would not be detrimental to road safety nor have an unacceptable impact on the environment.'

## **Consultation so far – what you have told us and how we have responded**

### **Issues and Options Consultation 2010**

- 4.4.18 The impact of transporting minerals on communities was raised as a major concern at the Stakeholder Workshop held in 2009 to scope the issues to be addressed in the Plan. The Issues and Options Paper, published in 2010 included the following draft Vision setting out what the transportation of minerals will be like in 2030.

4.4.19 'Minerals will be transported more sustainably, the adverse environmental effects of their transportation will have been be minimised, including the effects of moving minerals long distances and the effects on communities, and opportunities will have been taken to achieve a modal shift in their transportation.'

4.4.20 The Paper also included strategic Objectives for minerals development which would deliver the vision and be translated into a spatial strategy and policies. The specific objective for minerals transportation was 'to make the best use of existing infrastructure and ensure that new infrastructure provision encourages opportunities for sustainable means of transporting minerals.'

4.4.21 The Paper identifies that the sustainable transport of minerals is regarded as an issue where the policy approach is clear and therefore could be addressed in the future through the development of generic transport policies, without the need to develop alternative strategies. Respondents to the Paper, at this stage, supported the need to transport minerals more sustainably and cited not only the environmental and community benefits that alternatives to road transport would provide but also the economic benefits, in that rail transport could open up wider markets for minerals extracted in the Plan area. More detailed evidence can be found in the following Papers:

**Derby and Derbyshire Minerals Plan: Issues and Options**

**Consultation Paper, 2010**

**Responses to Derby and Derbyshire Minerals Plan Issues and**

**Options Consultation Paper, 2011**

**Sustainability Appraisal (SA) of the Issues and Options Paper 2010**

4.4.22 Details of the purpose of the SA process is set at section 5. A sustainability appraisal was carried out on the Issues and Options Paper. It identified transport as a key topic that needs to be considered in addressing the likely

significant effects of the Plan. The sustainability objective identified for transport that the Plan's policies will be tested against, is to minimise traffic levels, journey lengths, the number of road traffic related accidents, and to encourage sustainable forms of transport in the Plan area. The full appraisal is set out in

**Towards a Minerals Local Plan: Rolling Consultation 2015-2017**  
**Interim Sustainability Appraisal (SA) Report, November 2013**

the following document:

**Towards a Minerals Local Plan: Rolling Consultation 2015-2017**

4.4.23 Since the Issues and Options Consultation, the NPPF and NPPG have been published; the MPAs, therefore, have revisited the issues and options surrounding planning for the sustainable transportation of minerals, in the light of this new policy and guidance. The MPAs have looked at the extent to which the Issues and Options Consultation and the responses to it remain helpful to developing a strategy and taken on board the findings of the Sustainability Appraisal and additional evidence collected since 2010. The next stage in preparing the Plan was the 'Towards a Minerals Local Plan: Rolling Consultation' which commenced in 2015 and consisted of a series of individual Papers.

**Towards a Minerals Local Plan - Rolling Consultation 2015-2016: Towards a Strategy for transporting Minerals**

4.4.24 The 'Towards a Strategy for transporting Minerals' Paper, April 2016 identified several issues that would need to be considered in developing a strategy for transporting minerals sustainably and included an emerging policy approach. It was accompanied by a background supporting Paper. Further information can be found in the following documents.

**Towards a Minerals Local Plan: Rolling Consultation 2015-2016:**

**Towards a Strategy for transporting Minerals, April 2016**

**Towards a Minerals Local Plan: Rolling Consultation 2015-2016**

**Transport Supporting Paper, April 2016**

4.4.25 The key issues identified were:

- The need to maximise the use of alternatives to road transport;
- The need to safeguard existing operational and non-operational rail and water infrastructure to promote more sustainable modes of transport;
- The need to minimise the impact of mineral transport on climate change through reducing greenhouse gas emissions and reducing congestion;
- The need to ensure that access to the strategic highway network and that impacts on road safety and congestion are acceptable;
- The need to minimise any adverse impacts of transporting minerals on the environment and communities;
- The need to consider whether developer contributions are required for highway improvements;

4.4.26 The emerging policy approach was as follows:

The Proposals for minerals development, including restoration proposals, should seek to minimise the impact of transport movements on the environment and local communities and maximise the use of alternatives to road transport. Proposals for minerals development should demonstrate:

- how transport movements relate to mineral resources and markets;
- how opportunities for alternative methods of transport have been evaluated;
- how access to the strategic highway network is suitable and how impacts on road safety and congestion have been addressed; and

- what measures have been incorporated, including mitigation, to avoid unacceptable harm to the environment and local communities.

4.4.27 Where appropriate, developer contributions will be sought for transport/highway improvements to mitigate the impacts of mineral development.

4.4.28 This Consultation generated one response which considered the proposed policy approach towards sustainable transport to be appropriate in principle but suggested that the plan should be more explicit about the type and level of 'transport' information that would be required to support a planning application in relation to the scale and destination of movements.

4.4.29 Details of the representation and response, and the outcome for the Preferred Approach is set out in the following document.

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

### **Duty to Cooperate**

4.4.30 NPPG sets out that, in planning for minerals extraction, mineral planning authorities and other bodies are expected to co-operate on strategic cross-border matters. The main issue that has been identified in terms of transport is the need to safeguard transport routes and distribution facilities in District and Unitary prepared Local Plans from other development. There may also be other duty to co-operate issues relating to the provision of strategic infrastructure, for example, the HS2 rail line and strategic rail freight facilities.

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

## **Sustainability Appraisal**

4.4.31 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.

4.4.32 The emerging policy approach for the transportation of minerals has been appraised. The SA acknowledged that the dominant mode of transport is road and likely to remain so and therefore impacts on environmental factors are likely to remain neutral as existing transport routes are likely to be used. The policy approach is positive however, which should ensure that alternative methods of transport are used where feasible; this would have positive impacts on air quality and transport, climatic factors and communities and health. The greatest potential for reducing the transport of minerals is to reduce the demand for primary minerals; the need for minerals and the use of alternatives is considered in the individual mineral Chapters of the Plan. The full appraisal is set out in the following document:

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

## **Outcomes for the Proposed Approach: Transport**

4.4.33 The MPAs have developed a draft approach to planning for the sustainable transport of minerals, taking into account representations to previous Consultations, the Interim Sustainability Report 2017, NPPF and NPPG, Duty



to Co-operate considerations and additional evidence collected since the Rolling Consultations in 2015/16. The MPAs have particularly noted that transport issues cut across several different Chapter areas of the Plan; the proposed approach, therefore, is to include a Strategic Management Policy set out in this Chapter whilst more detailed transport policies can be found in other relevant chapters of the Plan.

## **Vision and Objectives**

4.4.34 Chapter 3 of this consultation contains the Plan's preferred Vision and Objectives. The Vision is about what the Plan area will be like in terms of mineral development in 2030 if the policies and proposals of the Plan have been delivered successfully over the Plan period. The Objectives set out the key goals that will need to be attained to make the Vision a reality. The contribution that the individual draft transport policy set out in this Chapter will make towards achieving the overall draft Vision and Objectives of the Plan, is set out at paragraph 4.4.48.

## **Sustainability Principles**

4.4.35 This Chapter of the Proposed Approach sets out at Policy SMP2 the sustainability principles that will deliver what is considered to be sustainable minerals development for the Plan area including the sustainable transport of minerals. The principles include the need to ensure that alternatives to road transport have been considered and that transport impacts do not harm the environment or local communities.

## **Transport Issues**

### **Issue: Sustainable Transport Modes**

4.4.36 The key aim of the NPPF is for the planning system to deliver sustainable development; the NPPF recognises that transport policies not only have an important role to play in facilitating this, but also in contributing to wider sustainability and health objectives. The NPPF requires that, where reasonable, the Plan supports a pattern of development that facilitates the use of sustainable transport options to reduce the environmental and amenity

impacts of transporting minerals, particularly in relation to greenhouse gas emissions and congestion.

4.4.37 A key constraint to developing this approach for mineral development is that due to geological conditions, minerals can only be worked where they are found and, therefore, are not necessarily well located to take advantage of more sustainable modes of transport. Furthermore, the cost of transporting the mineral to the market is a huge consideration in the overall viability of mineral working and therefore the cost of developing rail or water infrastructure tends to restrict such opportunities to those minerals where larger volumes of material, over long time periods, encompassing more broader and distant markets, make them economically viable.

4.4.38 The transportation of minerals over long distances would be more sustainable by alternative modes of transport such as rail, however, realistically the scope for this within the Plan area remains limited and is more suitable for some minerals than others. Currently, rail transport is only used at large scale, high volume, long-life, limestone quarries, where the significant capital costs can be recovered. The existing and potential transport movements of the principal minerals within the Plan area are set out in the Background Paper.

4.4.39 The Government recognises<sup>9</sup> that well-connected and high performing road and rail networks with sufficient capacity are vital to meet the country's long-term needs and support a prosperous economy and, in the mid to longer-term, the Government is seeking to expand transport infrastructure to facilitate more sustainable modes of transport. Within the Plan area key investment areas for roads are to increase capacity and reduce congestion on the M1 and A38 and Trans-Pennine Routes. For rail, capacity for freight will be increased through electrification and the development of HS2 and through the development of Strategic Freight Interchanges. There is very little potential for using water to transport minerals within the Plan area and often and the use of water to

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<sup>9</sup> The Eddington Transport Study: The Case for Action 2006, NN NPS 2014, Paragraph 2.1

transport minerals is not always compatible with the ecological and recreational value of the rivers and canals.

- 4.4.40 The vast majority of movements to and from mineral sites are by road. Realistically, heavy goods vehicles are likely to remain the most effective and economic means of transporting minerals and fill material over the Plan period; they provide relatively low costs and flexibility to serve a wide range of local and varied markets. Nevertheless, other more sustainable methods of transport should be encouraged and supported, wherever feasible, in order to minimise the environmental and amenity impacts of transporting minerals by road.
- 4.4.41 Pipelines and conveyors can be used to import waste short distances on to quarries, such as colliery spoil or power station ash, or to export minerals short distances to processing plants and factories, both on and off site; these alternatives to heavy goods vehicles should be encouraged, in principle, as they minimise road transport movements. Similarly, in some cases, rail can be used to transport the mineral to the processing plant. The use of extensive haul roads internal to the site can also be used to minimise impacts on the local road network.
- 4.4.42 Taking account of the above considerations a preferred policy approach is included at 4.4.48 to promote sustainable transport modes for the movement of minerals.

### **Issue: Safeguarding Transport Infrastructure**

- 4.4.43 To support alternative modes of transporting minerals such as rail and water, existing rail head facilities and rail links to quarries will be safeguarded along with wharfage and associated storage, handling and processing facilities for the bulk transport of minerals by rail, sea or inland waterways. Safeguarding will encourage the long distance haulage of minerals by rail to continue and to protect non-operational rail heads and links for possible use in the future. Further details can be found in Chapter 10 of this Consultation.

## **Issue: Transport and Climate Change**

- 4.4.44 Vehicle emissions have been identified as a significant source of greenhouse gas emissions which impact greatly on climate change. The encouragement of alternatives to road transport for the movement of minerals is an important measure to reduce greenhouse gas emissions and reduce congestion which exacerbates the pollution. Policy SMP3 Climate Change in this Chapter includes further details on this matter.

## **Issue: Transport Impacts on the Environment and Communities**

- 4.4.45 Transport impacts are an important factor to take into account in considering the overall acceptability of minerals development. The NPPF, therefore, requires that where new development is likely to have significant transport implications, as is usually the case for minerals development, a Transport Assessment should be submitted with a planning application.
- 4.4.46 The Assessment will need to show that the proposed method of transport is the most efficient and sustainable means of moving the material. It will need to identify anticipated transport impacts and set out what measures will be taken to deal with them and to improve accessibility and safety for all modes of travel. It should include matters such as proximity and suitability of routes to the principle highway network, the capacity of the existing highway network, highway safety for all modes of transport and access arrangements. Where new transport/highway improvements are required to mitigate impacts, developer contributions may be sought through Section 106 agreements.
- 4.4.47 Traffic associated with minerals can have a considerable impact on the environment and local communities, causing problems such as public safety, noise and vibration, air pollution and visual intrusion. These problems are most severe where heavy goods vehicles use roads unsuited to their weight and size, where they pass through sensitive areas and at the access to the site from the public highway. Minerals development proposals will need to ensure that any adverse impacts on the environment and local communities are acceptable or

can be mitigated. A detailed development management policy is included in Chapter 13 which sets out the detailed matters that will need to be addressed.

- 4.4.48 Taking account of national planning policy and the nature of mineral working the following preferred policy approach is put forward to enable the sustainable transportation of minerals.

### **Proposed Approach: Policy for Sustainable Transport Modes**

#### **Policy SMP4: Sustainable Transport Modes**

**Proposals for minerals development, including restoration proposals, should seek to minimise transport movements and maximise the use of alternatives to road transport.**

**Where practicable mineral development should be located, designed and operated to enable transport by rail, water, pipeline or conveyor.**

#### **Contributes towards achieving Objectives:**

- **Objective 2 - Delivering Sustainable Minerals Development**
- **Objective 3 - Achieving the most Appropriate Spatial Distribution of Mineral Development**

### **Monitoring**

- 4.4.49 The Plan, as set out at in Chapter 3, will contain a number of objectives to be achieved over the Plan period, in order to achieve the Plan's overall Vision. The effectiveness of the Plan's policies and proposals, put in place to meet those

objectives, will be monitored so that, if necessary, issues can be identified and addressed through a revision of the Plan, either in whole or part.

Policy SMP4 of this document requires the use of alternatives to road transport to be maximised. Planning proposals will be monitored to calculate the percentage of mineral transported by modes other than road.

**Do you have any comments on the Sustainability Principles?**