

# **DERBYSHIRE AND DERBY MINERALS LOCAL PLAN**

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

### **CHAPTER 6**

#### **6.3 Aggregate Crushed Rock**

**December 2017**

## **Introduction**

- 6.3.1 Crushed rock is produced from hard rock formations, particularly limestone and sandstone, by mechanical crushing. Crushed rock resources vary greatly and the many markets for its use can be divided into two main types, depending mainly upon the physical or chemical properties of the mineral. Limestone which is valued for its specific chemical properties is used primarily in the chemical and manufacturing industries and is commonly referred to as ‘industrial’ limestone. This is discussed in chapter 7.2 of the Plan. This chapter 6.3, (is concerned with the limestone), which (together with a small amount of sandstone) is valued mainly for its physical properties and is used as an aggregate for construction purposes, mainly as fill material, roadstone and in the manufacture of concrete.
- 6.3.2 Derbyshire is one of the main producers of aggregate crushed rock in the country. Aggregate crushed rock from the limestone resource of Derbyshire is a resource of national importance because it is used throughout the United Kingdom. The Local Aggregate Assessment 2017<sup>1</sup>, concludes that there are sufficient permitted reserves of this resource to last well beyond the end of the Plan period. In overall numerical terms, therefore, there will be no requirement for the Plan to identify further reserves. There may, however, be exceptional circumstances where permission may be granted for further reserves.

## **Vision and Objectives**

- 6.3.3 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 can be found in Chapter 3 of the Preferred Approach.

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<sup>1</sup> Derbyshire, Derby and Peak District National Park Authority Local Aggregate Assessment, 2017

6.3.4 The policies in this chapter will seek to help deliver the following draft 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 5 – Minimising Impacts on Communities

Objective 6 - Protecting the Natural and Built Environment

Objective 7 – Protecting the Peak District National Park

### **Evidence Base**

6.3.5 Derbyshire County Council and Derby City Council obtained information on aggregate crushed rock from a variety of sources as a foundation for preparing the new Minerals Local Plan as a replacement for the adopted Derby and Derbyshire Minerals Local Plan, 2000. A summary of the information obtained is presented below.

### **Demand and Production**

6.3.6 Production figures give a good indication of demand. Nationally, demand for aggregate crushed rock declined significantly between 2009 and 2014 as a result of the economic recession and this affected production in Derbyshire, with sales falling from around 7mt in 2009 to around 4mt in 2014 as a result of the global recession causing a downturn in construction activity. There are indications that production is now recovering, with 2016 figures showing a significant improvement closer to 9mt.

## **Crushed Rock in Derbyshire**

- 6.3.7 The area of Derbyshire covered by the Plan (i.e. excluding the Peak District National Park), produces the second highest annual output of limestone in England.<sup>2</sup> It has long been one of the most important producers of crushed rock from limestone in the country. Limestone is the name given to the group of sedimentary rocks in which the calcium carbonate content exceeds 50%.
- 6.3.8 Carboniferous limestones were laid down in shallow tropical seas in the Carboniferous Period around 350 million years ago. Many of the sandstones and gritstones quarried in Derbyshire were also laid down during this period. The principal sources of Carboniferous Limestones within Derbyshire are found outcropping mainly around Buxton (Woo Dale and Chee Tor Limestones) and also in the area around Matlock and Wirksworth/Cromford (Bee Low and Monsal Dale Limestones).
- 6.3.9 Sometimes, there is a significant content of calcium magnesium carbonate within the limestone. Where this occurs and where it is accompanied by a significant quantity of magnesium carbonate, the mineral is known as Dolomite. This is characteristic of the Permian Limestone which was formed slightly more recently, around 250 million years ago. This is found outcropping in the north east of the county around Bolsover and Whitwell.
- 6.3.10 Whilst total resources of sandstone and gritstone within Derbyshire are large, deposits of acceptable quality for use as aggregates are much scarcer and this restricts substantially the demand for their exploitation. Relatively small amounts of this material are quarried in the north west of the county around New Mills and Hayfield.

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<sup>2</sup> Collation of the Results of the 2014 Aggregate Minerals survey for England and Wales, British Geological Survey 2016

## **Current Permissions and Potential Future Developments**

- 6.3.11 In 2016, there were a total of 20 quarries which had permission for the extraction of crushed rock for aggregate in Derbyshire. Thirteen of these were producing aggregate and the other seven were inactive. These sites are listed in the relevant Background Paper.

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#### **Crushed Rock for Aggregate Background Paper, December 2017**

- 6.3.12 In determining whether any additional sites will need to be allocated for aggregate grade crushed rock in this Plan, we have considered the current supply situation and the level of permitted reserves (i.e. those with valid planning permissions to extract mineral). This is called the landbank. It is clear that sufficient reserves of aggregate crushed rock are already permitted to satisfy the local provision level for the plan period to 2030 and beyond. As a result, there should be no overall requirement for any additional provision to be made for the extraction of crushed rock for aggregates in this plan period. Having regard to current national policy, however, there may be cases where proposals come forward for new aggregate crushed rock quarries or extensions to existing quarries, which offer significant economic and/or social benefits to the local community and/or the environment, but which would not lead to a significant increase in the overall landbank of aggregate crushed rock. The emerging policy has been developed to address this issue.

## **National Planning Policy Framework**

- 6.3.13 In general terms, the NPPF states that, 'Minerals are essential to support sustainable economic growth and our quality of life. It is important, therefore, that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation'.

- 6.3.14 NPPF policy states that when preparing local plans, local planning authorities should identify and include policies for the extraction of mineral resources of local and national importance in their area. Aggregate Crushed Rock is a resource of national importance. It also states that local plans should set out environmental criteria, in line with policies in the Framework, against which planning applications will be assessed, so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment and other aspects.
- 6.3.15 With regard to the determination of planning applications, the NPPF states that local planning authorities should give great weight to the benefits of mineral extraction, including benefits to the economy, and, as far as practical, provide for the maintenance of landbanks of non-energy minerals from outside areas of particular merit such as National Parks and to ensure that mineral extraction does not have unacceptable adverse effects on communities and the environment and high standards of restoration and aftercare of mineral sites are promoted.
- 6.3.16 It sets out that, through the preparation of a Local Aggregate Assessment, mineral planning authorities (MPAs) should plan for a steady and adequate supply of aggregate in order to assist in sustainable economic growth and improving our quality of life and to maintain a landbank of aggregate crushed rock sufficient to provide at least 10 years supply.
- 6.3.17 At paragraphs 109, 115 and 116, it also sets out that the planning system should contribute to 'protecting and enhancing valued landscapes', while 'great weight should be given to conserving landscape and scenic beauty in National Parks'. This is particularly important for this Plan in terms of protecting the setting of the PDNP.

### **National Planning Practice Guidance**

- 6.3.18 NPPG explains that the Managed Aggregate Supply System seeks to ensure a steady and adequate supply of aggregate mineral, to handle the significant geographical imbalances in the occurrence of suitable natural aggregate

resources, and the areas where they are most needed. It requires MPAs, which have adequate resources of aggregates, to make an appropriate contribution to national as well as to local supply.

- 6.3.19 It sets out that at the local level, MPAs should prepare local aggregate assessments (LAAs) which should include a forecast of the demand for aggregates based on both the rolling average of 10-years sales data and other relevant local information and an analysis of all aggregate supply options. It should also look at average sales over the last three years to identify the general trend of demand as part of the consideration of whether it might be appropriate to increase supply. LAAs will be monitored on a sub-national and national level.
- 6.3.20 It also sets out that aggregate landbanks (resources of minerals which have the benefit of planning permission for extraction) should be used as a trigger for a mineral planning authority to review the current provision of aggregates in its area and consider whether to conduct a review of the allocation of sites in the relevant Local Plan.
- 6.3.21 It also states that the suitability of each proposed site, whether an extension to an existing site or a new site, must be considered on its individual merits, taking into account issues such as:
- the need for the specific mineral
  - the economic considerations (such being able to continue to extract the resource, retaining jobs, being able to utilise existing plant and other infrastructure)
  - the positive and negative environmental impacts (including the feasibility of a strategic approach to restoration)
  - the cumulative impact of proposals in an area.

## **Consultations Undertaken and Comments Received**

### **Stakeholder Workshop 2009**

- 6.3.22 In July 2009, Derbyshire County and Derby City Councils held a workshop for key stakeholders. This helped to identify the key issues and themes that people thought the new Minerals Plan should address and sought the input of stakeholders in developing the vision and objectives for the Plan. The outcomes of the workshop were published on the Council's website and in a newsletter that was circulated to stakeholders.
- 6.3.23 These comments were taken into account in the preparation of the Issues and Options Report. The issues of relevance to aggregate crushed rock were those concerning how to make adequate and proper provision for the future extraction of aggregate crushed rock and the role of the Plan in helping the objective of the Peak District National Park Authority to reduce aggregate crushed rock extraction from within the Peak District National Park area.

### **Issues and Options 2010**

- 6.3.24 National policy at this time in Minerals Policy Statement 1 encouraged the minerals industry to consider the relinquishment of sites where landbanks were considered to be excessive. Taking account of this, the Issues and Options report considered the possible reduction in the landbank of crushed rock in Derbyshire (Option 1) or in both Derbyshire and the Peak District (Option 2), by proposing an approach whereby applications for new reserves of crushed rock would only be permitted by encouraging mineral operators to relinquish greater amount of reserves elsewhere if the new reserves are more acceptable in overall sustainability terms (Issue 17 of the Issues and Options Report).
- 6.3.25 There was little public support for such an approach which sought to reduce the landbank just in Derbyshire at that stage; the majority of people saying that we should develop a policy which would help also in enabling the Peak District National Park Authority to achieve its objective of reducing quarrying in the Peak District National Park.



## **Responses to Derby and Derbyshire Minerals Local Plan**

### **Issues and Options Consultation, January 2011**

#### **Period of Ongoing Engagement 2012-2014**

- 6.3.26 There was a period of ongoing engagement regarding the development of the Plan from 2012 to 2014 to take account of, and discuss with stakeholders the implications of, the new national policy guidelines. Government policy changed with the publication of the NPPF in 2012 and the NPPG in 2014, and the reconsideration of excessive landbanks is not referred to in these policy documents. As a result, it is not considered that a specific policy could be included to cover this matter. However, given public support expressed for this approach in Derbyshire, it was considered that we may seek to negotiate with mineral operators, as part of the consideration of proposed developments, the relinquishment of reserves which are unlikely to be worked again in exchange for new reserves which offer greater overall benefits in sustainability terms and that this could be included as one of a number of criteria within a policy for the consideration of new sites.

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

- 6.3.27 New national planning policy, as well as other emerging local policies and strategies were taken into account in the formulation of the vision, objectives and policies for the new Plan at this stage, including the approach of the Plan to the provision of aggregate crushed rock.
- 6.3.28 Sixteen comments were received from ten respondents regarding aggregate crushed rock.
- These are the main issues that were raised:

- Opinion is divided as to whether operators should be asked to relinquish reserves in return for new proposals.
- One comment expresses concern that the landbank of over 100 years is misleading since end dates of most permissions are around 2042, so the certain landbank is only considered to be 27 years.
- Concern is expressed that the text is weighted too much towards economic need rather than giving full consideration to the range of sustainability principles and that greater emphasis should be placed on protection of the environment, both natural and historic.
- One operator argues that any policy should be flexible enough to allow for extensions to existing sites and disagrees that, because of the large landbank, these should only be modest sites that do not increase the landbank significantly. Others argue that, because of the large landbank, extensions or new sites should only be permitted in exceptional circumstances.
- One operator objects to a policy requirement that local benefits should be provided in order to make a proposal acceptable, stating that there are environmental benefits from extensions in any case.
- One comment calls for increased transport of aggregate by rail rather than road. Revised and/or additional wording is offered or suggested to address these concerns.
- Three MPAs support the approach of Derbyshire maintaining supplies to other parts of the country.

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

- National policy no longer includes a requirement to reduce excessive landbanks, however, because of previous public support shown for this objective, the Plan proposes to include the possibility for the relinquishment of reserves as one of a number of criteria, which will be taken into account in assessing proposals for a new or extended hard rock quarry. It could be something that might be offered by the operator as a social/environmental benefit of a proposal for new reserves and would only stem from discussions with the operator.

- It is agreed that, for clarity, the Plan should make reference to the end dates of the quarries, as is set out in our LAA. We do not agree, however, that the landbank should be recalculated. We have followed the agreed approach to calculating aggregate landbanks as set out in the NPPG. It is clear from the scale of the landbank that there is no requirement to make additional provision for hard rock quarries over the plan period. As set out in NPPG, this will of course continue to be monitored annually over the Plan period. Notwithstanding this, as a result of comments made throughout the consultation process, there will be a policy in the Plan to permit extensions or new quarries for aggregate crushed rock, but this will only be in cases where there are shown to be clear sustainability benefits and where the landbank would not be increased significantly.
- Policies in the Plan will follow the principles of sustainable development and this will ensure that a range of economic, social and environmental criteria are taken into account in the assessment of proposals for minerals development. All considerations will be carefully balanced in reaching a decision.
- The Councils accept that there may be sustainability benefits for allowing some modest extensions e.g. in return for not working a more sensitive part of the site and the policy is worded to set out this approach. We consider also that the significant permitted land bank for aggregate crushed rock is a material consideration for the plan making process and, should be taken into account in determining the level of new resources that are permitted. This approach has received overall support through the consultation process.
- It will be important to ensure that the local community receives some benefit from an activity which can often be long term and have a significant impact on the area. This issue will be discussed with operators from the outset of a proposal being submitted.
- Although the Plan can encourage the increased transport of aggregate by rail, it is beyond its remit to ensure that this happens. This is the responsibility of mineral and rail operators.
- Noted

- 6.3.29 All comments received have been taken into account in developing the proposed approach set out below. Details of the representations received can be found in the following Report:

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

### **Duty to Cooperate**

- 6.3.30 In order to obtain as much relevant information as possible about the scale, nature and location of crushed rock resources, Derbyshire County Council and Derby City Council have engaged in meetings and discussions with relevant authorities and organisations. We also corresponded with organisations and individuals with relevant knowledge and experience of crushed rock to develop our evidence base and for developing the emerging approach set out below.
- To ensure that Derbyshire continues to provide a steady and adequate supply of aggregate crushed rock thus providing its share of the national provision.**
- 6.3.31 This has involved determining how much of Derbyshire's crushed rock other MPAs will require. The NPPF requires MPAs to make provision in their local plans for a stock (landbank) of permitted reserves of aggregate crushed rock of at least 10 years. We identified those areas where significant amounts of Derbyshire's crushed rock is consumed and contacted the relevant authorities to determine whether they could foresee any significant changes in their demand for the product during the Plan period. A number of responses were received and the majority estimated that there would be no significant changes in the amount of aggregate crushed rock they would require from Derbyshire over this Plan period. A small number suggested that there may be some increase in demand as a result of planned infrastructure projects over the Plan period.

- 6.3.32 A full breakdown of the correspondence and meeting notes is available in the following document.

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

### **Sustainability Appraisal**

- 6.3.33 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 that constituted the Towards a Minerals Local Plan Rolling consultation 2014-2017, including those concerning aggregate crushed rock.

**For aggregate crushed rock, it sets out that provision for a higher rate than the 10 year average will help to facilitate reduced quarrying in the Peak District. Whilst this falls outside the Plan area, there are clearly benefits for the environment and landscapes in the Peak Park. It is difficult to restore crushed rock quarries to their former uses which can have significant environmental effects. However, the provision over the Plan period is already committed and there will be no need for allocation of new sites. Therefore, the effects on the environment should already be understood. As such, a neutral effect is predicted for environmental factors.**

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

### **The Proposed Approach Provision Figures**

- 6.3.34 There is an estimated reserve of around 639 million tonnes of rock for aggregate use in Derbyshire with annual average sales from 2007 to 2016 being 6.68 million

tonnes. These reserves provide a landbank of around 90 years, which extends well beyond the timescale of this Plan. This landbank is capable of providing for an upturn in crushed rock demand provided that sufficient productive capacity is available at the existing quarries and that existing reserves remain capable of being worked.

- 6.3.35 In accordance with the 2017 LAA, this Plan will continue to provide a greater amount of aggregate crushed rock than suggested by these average figures, in order to compensate for the continued and progressive reduction of quarrying in the Peak District National Park and to provide flexibility to cater for potential increases in demand from other areas that are reliant on supplies of aggregate crushed rock from Derbyshire. Currently, it has been agreed that Derbyshire will increase its annual provision figure by 10% to compensate for a reduction in the Peak Park figure of the same amount. This will be kept under review. The 2017 LAA sets out, therefore, that the area covered by the Councils will seek to provide 6.95mtpa of aggregate crushed rock to 2030.

#### **Policy MS4: The Provision of Aggregate Crushed Rock**

**Derbyshire and Derby will maintain provision for the production of land won aggregate crushed rock throughout the Plan period at a rate in accordance with the most recent Local Aggregate Assessment.**

**The MPAs will maintain a landbank of at least 10 years of planning permissions for the extraction of aggregate grade crushed rock.**

#### **The Provision of Sites**

- 6.3.36 The scale of the landbank for aggregate crushed rock in Derbyshire of around 90 years means that there should be no overall requirement in numerical terms to permit additional reserves over the Plan period. In general terms, it is likely to be

more sustainable to use the existing landbank than to grant permissions for further sites. There may be cases, however, where proposals come forward for new aggregate crushed rock quarries or extensions to existing quarries, which offer significant economic and/or social benefits to the local community and/or the environment, but which would not lead to a *significant increase* in the overall landbank of aggregate crushed rock.

- 6.3.37 Benefits will be sought to offset any harm that may be caused by a mineral development. A demonstrable local benefit from new proposals for quarrying could include continued local benefit through employment or a reduction of quarrying impact, for example through improvements to access, relocation of plant, better control of working methods, reduction in road transport or an improved restoration scheme.
- 6.3.38 Where a clear benefit to the local community or environment cannot be identified within the proposal itself, additional benefits might include contributions to local environmental projects or the maintenance of public footpaths through operator owned land. It could also involve the relinquishment of reserves elsewhere in the Plan area or the PDNP, which are considered unlikely to be worked in the future, in exchange for reserves if this would deliver better outcomes in overall sustainability terms.
- 6.3.39 The issues for industrial limestone are different; provision being highly dependent on the specific chemical composition of the mineral. Additional working may be required for this mineral in order to continue to meet these requirements. This is covered in Chapter 7 of the Plan.

**Policy MS5: The Provision of Sites for Aggregate Crushed Rock**  
Planning permission will only be granted for new reserves of aggregate grade crushed rock either as extensions to existing quarries or new quarries if the operator demonstrates that, without significantly increasing the level of permitted reserves, the proposal will deliver significant material planning benefits to the local community and/or local environment and the proposal includes adequate measures to mitigate any adverse impacts on the environment and local community.

**Material planning benefits could include proposals that:**

- **Provide formal or informal recreation facilities,**
- **Provide new or improved community facilities, wildlife areas, areas for education,**
- **Secure significant benefits from co-ordinated and comprehensive working and restoration;**
- **involve operators agreeing to relinquish mineral permissions where the reserves are unlikely to be worked again, in exchange for reserves which deliver better sustainability outcomes in overall terms.**
- **are required as part of a major infrastructure project.**

## **Monitoring**

- 6.3.40 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.
- 6.3.41 Policy MS5 of the Plan requires an adequate and steady supply of aggregate crushed rock to be maintained throughout the Plan period. The maintenance of



stocks of permitted reserves (landbanks) is a way of ensuring supply. A minimum 10 year landbank of aggregate crushed rock should be maintained. Through the Local Aggregate Assessment, the MPA will monitor the supply of aggregate crushed rock and liaise with the relevant adjoining MPAs to ensure that supply is maintained. Further information on this issue can be found in the updated Duty to Cooperate Paper and Chapter 15 of the Plan.

**Do you have any comments on the approach to ensuring the supply of aggregate crushed rock, as set out in this Chapter?**