

# Derby and Derbyshire Minerals Local Plan Authority Monitoring Report 2022



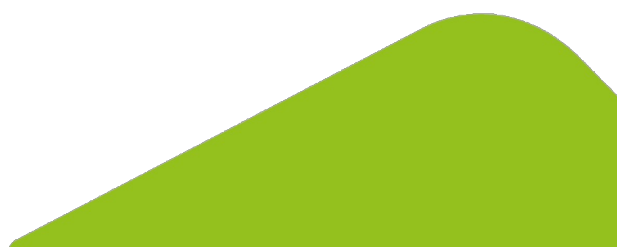
Derby City Council



**DERBYSHIRE**  
County Council

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# 1. Introduction

- 1.1 Monitoring and review are essential in ensuring that the minerals local plan remains up to date and is effectively delivering the vision and objectives. Section 35 of the Planning and Compulsory Purchase Act 2004 requires each local planning authority to publish an annual Authority Monitoring Report (AMR), with the reporting requirements outlined in Regulation 34 of The Town & Country Planning (Local Planning) (England) Regulations 2012. Local planning authorities must therefore publish information at least annually that shows:
- The timetable for preparation and stage reached for each local plan or supplementary planning guidance specified in the authority's local development scheme;
  - Reasons as to why any document preparation is behind the timetable;
  - How effectively the policies in the local plan are being implemented and - if policies are not being implemented - the reasons why and what steps the authority will take to ensure they are implemented;
  - Details of any actions taken by the authority during the reporting period under the Duty to Cooperate.
- 1.2 Derbyshire County Council is responsible for minerals planning policies within Derbyshire outside the Peak District National Park. Derby City Council as a unitary authority is responsible for minerals planning within its boundary. Following Local Government re-organisation in 1997 and the establishment of Derby City as a separate Unitary Authority with responsibility for minerals planning, the City and County Councils decided to continue the preparation of the Plan on a joint basis.
- 1.3 This AMR relates specifically to the Minerals Local Plan area only and reports on the calendar year 1 January to 31 December 2022.
- 1.4 As the Derby and Derbyshire Waste Plan (2005) is a separate document, a stand alone Waste Plan AMR has been produced to sit alongside the Minerals Plan AMR.

## 2. What does this report monitor?

- 2.1 The main purpose of the report is to review the performance of the Minerals Plan over the period 1 January 2022 to 31 December 2022, with regard to:
- The progress in preparing the new Minerals Local Plan for Derbyshire and Derby;
  - How well existing mineral planning policies are working;
  - New national and other relevant policy guidance that needs to be taken in to account;
  - The social, economic and environmental indicators that may influence existing and future mineral policies.
- 2.2 Chapter 3 of this AMR considers the saved policies of the Derby and Derbyshire Minerals Local Plan and the progress being made on the emerging Derbyshire and Derby Minerals Local Plan. Chapter 4 considers Duty to Cooperate activity.
- 2.3 Chapters 5, 6 and 7 consider the local plan aggregate and non-aggregate including information on the amount of aggregate produced and the landbank available where required by the National Planning Policy Framework. This is vital to ensure the steady and adequate supply of aggregate minerals in Derby and Derbyshire. To ensure this is achieved, the status of existing, permitted and allocated minerals sites is provided in Appendices B and C to help ensure the demand for aggregates can be met. Appendix D provides an assessment of the saved Minerals Local Plan policies against the National Planning Policy Framework.

## 3. Minerals Plan Development Plan Documents

### Adopted Minerals Plan

- 3.1. The following documents form the current adopted Minerals Plan Development Plan Documents (DPDs)
  - The [Derby and Derbyshire Minerals Local Plan](#) was adopted in 2000 with a first alteration adopted in 2002. Decisions on applications for planning permission for minerals development are currently made in accordance with the policies contained within the National Planning Policy Framework, and the saved policies of the Derby and Derbyshire Minerals Local Plan. All policies are saved except MP8, MP9, MP14, MP20, MP26, MP30 and MP31 which have expired.
- 3.2 Supplementary planning guidance was adopted in 2004 for the '[After-use of Sand and Gravel Sites](#)' and although not part of the development plan it is a material consideration in assessing planning applications.
- 3.3 Monitoring reports for more recently adopted local plans look to assess the performance of individual policies to see how effective they are in practice and are still relevant. The Derby and Derbyshire Minerals Local Plan was adopted in 2000, and as such the saved policies do not have any specific monitoring indicators attached to them. However, as part of the emerging Minerals Local Plan, a monitoring and implementation framework has been developed to enable its effective and targeted monitoring.
- 3.4 Where monitoring evidence suggests that policies are ineffective or no longer relevant, this can trigger a review of the Minerals Local Plan, however, as can be seen below, the new local plan process is already underway.

### Emerging Minerals Plan

- 3.5 Derbyshire County Council and Derby City Council are currently working together to prepare a new joint minerals local plan which will cover the period to 2038. The Plan will cover the geographic county of Derbyshire excluding that part which falls within the Peak District National Park (PDNP).
- 3.6 Working together, the councils have decided to prepare a separate local plan respectively for waste and minerals, to enable them to progress on different timetables and make optimal use of staff resources.
- 3.7 The most recently published Local Development Scheme is dated February 2009. This shows an indicative timescale for the adoption of both the Derby and Derbyshire Minerals Core Strategy and the Derby and Derbyshire Minerals implementation SPD by September 2013. This timetable has been exceeded significantly as the introduction of both the Localism Act in 2011 and the National

Planning Framework in 2012 resulted in work on a two-part local plan being abandoned, and a single document local plan being commenced.

- 3.8 The production of the new Derbyshire and Derby Minerals Local Plan is progressing although no consultations were undertaken in 2022.
- 3.9 The AMR is also required to report where the local planning authority has prepared a report pursuant to Regulation 121A of the Community Infrastructure Levy (CIL) Regulations which came into effect on 1 September 2019. The County Council publishes its [annual Infrastructure Funding Statements](#) in line with the CIL Regulations.

## 4. Duty to Cooperate

- 4.1 Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires Local Planning Authorities to report any co-operative actions with other LPAs, county councils or other 'duty to co-operate body' during the monitoring period.
- 4.2 The Minerals Local Plan covers a wide range of topics, many of which raise strategic cross-boundary planning issues that have potential implications for local authorities, prescribed bodies and other organisations. As the preparation of a new local plan is ongoing, Duty to Cooperate activities have likewise been ongoing with the County Council and City Council ensuring the eight district/borough councils and the town and parish councils within the Plan area are informed on the emerging local plan progress and engaging with them through stakeholder groups and other meetings, including addressing and responding to specific duty to co-operate issues.
- 4.3 The Minerals Plan area has important markets for its minerals which are exported to other areas within the East Midlands, the North West, the Yorkshire/Humber region, West Midlands, the South East and London/Home Counties.
- 4.4 Co-operation, as part of the 'Managed Aggregates Supply System' is required to ensure that the Plan area makes an appropriate contribution towards maintaining the supply of aggregates, and to meeting the need for other minerals.
- 4.5 Where specific issues require engagement and discussion with other mineral planning authorities this is being undertaken, in some cases through the established inter authority forums on minerals such as the East Midlands Aggregates Working Party, through other individual and joint meetings and through correspondence and informal consultation.
- 4.6 It is also important to safeguard mineral reserves from other development that would sterilise the mineral resource. Consequently, there is a requirement to co-operate with district and unitary planning authorities, particularly where there is pressure for built development. A wider-than-local scale approach to restoration is also beneficial and co-operation with environmental organisations and other local authorities is important to ensure that a co-ordinated and compatible approach is taken.

## 5. Minerals Policy: Assessment of performance and impacts

- 5.1 This section examines how far the aims/objectives of the saved policies of the Minerals Local Plan are being met and thus how effectively the policies of this Plan are working.
- 5.2 The tables below set out the policies and objectives to be monitored, the indicators used, the targets set and the performance. The timescale for measurement of the indicators (i.e. the target period) is the twelve months from 1 January 2022 to 31 December 2022 to coincide with the Local Aggregates Assessment period, unless otherwise indicated.

### Core Indicators

- 5.3 There are two core output indicators for minerals the outcomes being summarised in Table 2. Core Indicator M1 monitors the production of primary land won aggregates by mineral planning authority.
- 5.4 With respect to Core Indicator M2, information on the production of secondary/ recycled aggregates is not collected at County level. While there is no longer a requirement to report to Central Government on indicators M1 and M2 it would be our intention to continue to monitor and report on subsequent AMRs on primary aggregate production as this is helpful evidence of when assessing planning policy success.
- 5.5 In minerals terms, aggregates are the pieces of crushed stone and gravel used in making concrete or the bulk fill material used in the construction industry. Aggregates can be split into three categories:
- i. Primary aggregates: obtained directly from limestone and sand and gravel quarries and reported as ‘crushed rock’;
  - ii. Secondary aggregates are alternative forms of aggregate materials, derived from sources other than the direct excavation of primary mineral resources. Secondary aggregates are produced as a by-product of other activities. The main source, utilising left-over materials from mineral and quarrying activities which would otherwise be regarded as waste. Another source is from discarded ‘waste’; for example, materials extracted from former colliery spoil tips, or from other industrial processes such as blast furnace slag, incinerator ash or ash from the pulverised fuel ash from coal-fired power stations;
  - iii. Recycled aggregates are produced from materials sourced from the recycling of construction and demolition waste. The waste streams can include concrete, bricks, glass, and material from road surfaces removed during roadworks.

- 5.6 Aggregate minerals are important nationally and locally and are subject to particular policies to help maintain continuity of supply. In particular, there is a requirement to maintain 'landbanks' of permitted reserves of at least 7 years for sand and gravel and at least 10 years for crushed rock.
- 5.7 The Derbyshire Local Aggregates Assessment (LAA) has been used as a basis for the position summary provided below with regard to production and landbanks. Further details about aggregate sales, production, reserves and landbanks are available in the LAA, which is updated annually. Please note, Derby City does not produce any crushed rock or sand and gravel, but it is an important consumer of these minerals. Unless otherwise stated, data on Derbyshire, including sales and movements of aggregate, incorporates information on Derby City.

Table 1: Core Indicators M1 and M2

Indicator	Target 2013/14	2022
<b>M1</b> - Production of primary land won aggregates by mineral planning authority	8.36 million tonnes/year (mtpa) Comprising: <ul style="list-style-type: none"> <li>• 7.27 mtpa Limestone/ Dolomite</li> <li>• 0 mtpa Sandstone</li> <li>• 1.09 mtpa Sand and Gravel</li> </ul>	15.17 mtpa. Comprising: <ul style="list-style-type: none"> <li>13.98 mtpa Crushed Rock</li> <li>0 mtpa Sandstone</li> <li>1.19 mtpa Sand and Gravel</li> </ul>
<b>M2</b> - Production of secondary and recycled aggregates by mineral planning authority	No target	This information is not collected at county level.

- 5.8 The local plan also contains policies with regard to materials including industrial limestone, cement, clay, building stone and vein minerals, along with energy minerals, namely coal and oil and gas.

## Primary Aggregates: Production and Landbanks

### **Sand and Gravel**

- 5.9 Sand and gravel: Sand and gravel resources of glacio-fluvial origin are concentrated along the river valleys in the south of the county. There are no resources of sand and gravel in the Peak District National Park (PDNP). In 2021, there were four operational sites producing sand and gravel; three along the Trent Valley (Glacio-fluvial deposits) and one at Mercaston (Sherwood Sandstone). One site (Elvaston) remains non-operational. These sites are listed at Appendix B.

5.10 At the end of 2022, estimated permitted reserves of sand and gravel in Derby and Derbyshire from the above quarries amounted to circa 6.84 million tonnes providing a landbank period of 7.05 years based on a 0.97m/t provision rate.

*Table 2: Sales of Sand and Gravel in Derby and Derbyshire 2013-2022 (million tonnes)*

2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Av
0.82	0.95	1.13	1.29	0.94	1.05	0.78	0.57	0.99	1.19	0.97

### **Crushed Rock**

5.11 The NPPF seeks, as far as is practical, to provide for the maintenance of landbanks for non-energy minerals outside areas such as National Parks. To continue to reflect the initiative to help to reduce quarrying of crushed rock in the PDNP, the PDNP element of the provision figure will be reduced by 10% and this will be applied to the DCC provision figure.

5.12 Derbyshire and the PDNP is one of the largest producers of aggregate grade crushed rock in the UK. Crushed rock for aggregate is supplied from Derbyshire and the PDNP predominantly from the Carboniferous limestone. Quarries within the area covered by the two authorities supplied 15.28 million tonnes of aggregate grade crushed rock in 2022. Relatively small amounts of gritstone aggregate are quarried from Mouselow Quarry in the north west of Derbyshire.

*Table 3 Sales of Primary Aggregates for Derby, Derbyshire and the Peak District National Park 2013-2022 (million tonnes)*

2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Av
8.30	6.89	8.60	12.42	12.18	12.80	12.55	9.83	13.07	13.98	11.06

5.13 In 2022, there were a total of nineteen quarries producing aggregate from crushed rock in the Local Plan area, fourteen of these exploiting the Carboniferous Limestone resource, one working the Permian Limestone resource and four sandstone/gritstone quarries. These sites are listed at Appendix C. Appendix C also provides information on permitted hard rock quarries currently not in production.

5.14 Production of aggregate in the PDNP increased progressively from 2014 to 2016 but declined to 2020 before picking up again in 2021 and dropping in 2022. The average annual sales for the ten-year period is 11.06 million tonnes per annum (mtpa) with 7.93 mtpa for Derbyshire and 3.13 mtpa for the PDNP. For the most recent three years (2020-2022) production of crushed rock in Derbyshire and the Peak District has averaged 12.29 mtpa (9.27 mtpa for Derbyshire and 3.02 mtpa for the PDNP).

5.15 At the end of 2022 the landbank of crushed rock shows an estimated reserve of rock for aggregate use at these active and inactive sites of around 767.2 million tonnes (678.5mt limestone in Derbyshire and 88.7mt in PDNP). This would be sufficient for around 62-year provision based on the proposed provision rate of 12.29mtpa. Reserves of crushed rock for aggregate at active sites within Derbyshire are 459.2mt and 55.7mt within the PDNP. This would be a sufficient landbank (excluding dormant sites) for around 42 years provision based on the proposed provision rate of 12.29 mtpa.

### ***Primary Aggregate Planning Permissions 2022***

5.16 Details of all decisions made on planning applications for primary aggregates during 2022 are set out in Appendix A.

### **Secondary/Recycled Aggregates**

5.17 Nationally, it is estimated that recycled aggregates currently make up around 25% of aggregate use. Extensive and detailed work was undertaken to produce the National and Sub National aggregate apportionment figures for the period 2005-2020 which took account of the capacity of facilities to provide recycled and secondary aggregates. These figures proposed that the East Midlands region should provide 110 million tonnes of alternative aggregate materials between 2005 and 2020. There is, however, no allocation to individual Mineral Planning Authorities in the region.

5.18 By applying the growth rate from the East Midlands Regional Waste Strategy 2006, it is estimated that from 2020 to 2038, Derby and Derbyshire will produce around 3 million tonnes of aggregate on an annual basis. Future Local Aggregate Assessments will provide more detail on the production and use of recycled and secondary aggregates in Derby and Derbyshire.

### **Non aggregate materials**

#### ***Industrial limestone***

5.19 The supply of "industrial" limestone depends primarily on its chemical properties. These properties make it a valuable mineral for a very wide range of uses, including the agricultural and steel industries, cement manufacturing, sugar refining and glass making and it is used as a filler in a range of manufactured products such as paints, plastics, rubber, sealants, and toothpaste.

5.20 Industrial limestone is produced at eight quarries within Derbyshire and the PDNP as indicated in Appendix C.

#### ***Clay***

5.21 Brick clay occurs widely in Derbyshire and is supplied to a small number of brick manufacturers. It is also used for a range of other purposes including in the construction and waste disposal industries.

5.22 There are currently two active brick clay permissions in the Plan area: Waingroves Quarry, Ripley supplying brickworks in Kirkton, Nottinghamshire and Desford, Leicestershire; and Mouselow Quarry, Glossop which supplies the operator's brickworks in Denton, East Manchester.

### ***Vein Minerals***

5.23 Vein minerals such as fluorspar and barytes are high value specialist minerals often found in narrow bands within limestone. In the Plan area, deposits lie within the areas bordering the PDNP, around Matlock, Wirksworth and Brassington.

5.24 There are two permissions for vein minerals to be quarried alongside limestone aggregates within the Plan area. Ball Eye Quarry, Cromford is non operational, and mineral extraction is permitted at Slinter Top until December 2021. A planning application at Slinter Top, which is under consideration, was submitted in 2017 to extend working until 2031.

### ***Building Stone***

5.25 The main source of building and roofing stone in the Plan area is the sandstone/gritstone of carboniferous origin. Small amounts of limestone is also produced for this purpose as a by-product of some of the limestone producing quarries. Quality Building Stone resources are scarce and are used mainly for the repair of historic buildings, new builds and the extension of existing properties.

5.26 There are five permissions for building stone extraction in the Plan area. Four are operational, namely Dukes Quarry at Whatstandwell, Mouselow Quarry, Glossop and Moorhay Farm, Old Brampton. Hayfield Quarry at New Mills and Halldale Quarry at Darley Dale are non operational.

### ***Coal***

5.27 There are two coalfield areas within Derbyshire. The North Derbyshire Coalfield part of the much wider Yorkshire/Nottinghamshire/Derbyshire Coalfield stretching from Southern Leeds in the north to the Nottingham area in the south. The South Derbyshire coalfield is part of the Midlands Coalfield, which extends from Staffordshire through southern Derbyshire into Leicestershire. Demand for coal as an energy source has declined significantly in recent years, with the planned closure of coal fired power stations. Hartington Reclamation (planning permission ref. CM2/0911/81) ceased coal extraction in December 2022. There is currently no active coal mining in Derbyshire.

### ***Oil and Gas***

5.28 The production of oil and gas is subject to the same planning controls applicable to any other mineral. However, because the ownership of petroleum

underground is vested in the Crown, companies must obtain a licence from the Department of Trade and Industry to exploit oil and gas resources. The Minerals Local Plan (2000) covers Electricity generation fuelled by natural gas.

5.29 No applications were received or granted in 2022.

### Local Indicator targets

5.30 In addition to the core indicators, a number of local indicators were developed. There were two relevant minerals planning applications determined in Derbyshire between 1 January 2022 and 31 December 2022.

5.31 The principal aim of the adopted Minerals Local Plan is as follows:  
*“To strike the best balance between the need for minerals and the need to protect the environment and safeguard resources and, as far as possible, to put into practice the principles of sustainable development” – Derby and Derbyshire Minerals Local Plan, paragraph 1.1.*

5.32 There are three main elements to this principal aim that are considered to be measurable in terms of the effectiveness of the policies in the plan:

- Aim 1: To make sufficient contribution to the demand for minerals
- Aim 2: To protect the environment and local communities from the adverse effects of the working and transporting of minerals
- Aim 3: To conserve and safeguard mineral resources.

*Table 4: AIM 1 - To make sufficient contribution to the demand for minerals*

<b>AIM 1 - To make sufficient contribution to the demand for minerals</b>	<b>Target</b>	<b>2022</b>
<b>Indicator 1</b> - The percentage of applications for mineral development which were permitted because they conformed with the local plan policies, or parts of policies, that seek to make sufficient provision for mineral extraction.	100%	None of the applications approved in 2022 sought additional minerals extraction. See Appendix A.
<b>Indicator 2</b> - The difference between the actual annual production of land-won sand and gravel over the plan period and the annualised local provision.	No annual target – provision is required to be sufficient over the whole plan period.	2022 = 1.19 mtpa  Annualised local provision (10 year average) 0.97 mtpa
<b>Indicator 3</b> - The current landbank requirement compared to the actual landbank for sand and gravel.	> or = 7 years	Actual = 7 years

These are permitted reserves at year 2013/14 at current rates of production.		
<b>Indicator 4</b> - The difference between the production of land-won crushed rock for aggregates and the annualised local apportionment.	No annual target – provision is required to be sufficient over the whole plan period.	2022 = 11.45 mtpa 10 year average =7.94 mtpa Proposed provision rate for Derbyshire: 9.27 mtpa based on 3 year average sales.
<b>Indicator 5</b> The current landbank requirement compared to the actual landbank for crushed rock aggregates.	> or = 15 years	Actual = 92.5 years (based on proposed provision rate for Derbyshire)  The required landbank for aggregate crushed rock is at least 10 years

5.33 Production levels are expected to fluctuate significantly from year to year depending on the nature of the market and the operating strategies of the aggregates companies. The figures indicate a gradual but intermittent recovery in production after the recession of 2008-2013 affected production levels. This pattern mirrors broadly that of the whole East Midlands Region. More recent production levels have been affected by the Covid 19 pandemic of 2020 and flooding along the Trent Valley. However, production in 2021 recovered to pre-pandemic levels and the indicators show that the plan is making sufficient contribution to the demand for minerals.

*Table 5: AIM 2 - To protect the environment and local communities from the adverse effects of the working and transporting of minerals*

<b>AIM 2: To protect the environment and local communities from the adverse effects of the working and transporting of minerals</b>	<b>Target</b>	<b>2022</b>
Indicator 1 - The percentage of applications for mineral development which were permitted because they conformed with the saved local plan policies that seek to protect the environment and communities	100%	Two applications were approved in 2022. The following policies were used where relevant: MP1: The Environmental Impact of Mineral Development MP2: The Need for Mineral Development

		MP3: Measures to Reduce Environmental Impact MP4: Interests of Acknowledged Environmental Importance MP5: Transport MP10: Reclamation and After-Use MP12: Mineral Related Development MP23: Crushed Rock for Aggregates MP24: Secondary and Recycled Materials MP25: Industrial limestone
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5.34 The indicator shows that the Local Plan policies are working effectively in seeking to protect people and the environment from the adverse effects of mineral development. All applications that were approved within the reporting period conformed to the relevant policies of the Plan whenever they were applicable.

*Table 6: AIM 3 - To Conserve and Safeguard Minerals as Far as Possible*

<b>AIM 3: To Conserve and Safeguard Minerals as Far as Possible</b>	<b>Target</b>	<b>2022</b>
Indicator 1 - The percentage of applications for mineral development which were permitted because they conformed with the local plan policies or parts of policies that seek to safeguard resources.	100%	Two applications were approved in 2022. The following policies were used where relevant: MP2: The Need for Mineral Development
<b>Indicator 2</b> - The percentage of proposals for non-mineral development within Mineral Consultation Areas that were determined in accordance with the Mineral Planning Authority's advice	100%	District Council applications – a monitoring system is yet to be established
<b>Indicator 3</b> The difference between the production of secondary and recycled aggregates and the annualised local apportionment	Zero is the presumed target	This information is not collected at county level.

5.35 The indicators show that the Local Plan policies are working to safeguard minerals resources. All applications approved during 2022 conformed to the relevant policies of the Plan whenever they were applicable. Where relevant, the

applications permitted were justified on the basis that they satisfied an identified need for the mineral development. Of the 28 saved policies contained within the MLP, ten were used during 2022. Details of mineral policies used in 2022 can be found in Appendix A. Further information at Appendix D provides an assessment of the extent to which each policy remains in line with the aims of the National Planning Policy Framework as of its revision date of 20<sup>th</sup> July 2021.

## Appendix A

### Minerals Planning Permissions granted in 2022

Site/location	Application number	Decision date	Mineral	Description of proposal	DDWLP Saved Policies used in determination
Waingroves Quarry, Whiteley Road, Ripley, DE5 3QL	<a href="#">CM6/0522/5</a>	2 November 2022	Pulverised Fuel Ash	Importation and stockpiling of 50,000 tonnes of PFA within the existing clay stockpiling area of Waingroves Quarry	MP1: The Environmental Impact of Mineral Development. MP3: Measures to Reduce Environmental Impact. MP4: Interests of Acknowledged Environmental Importance. MP5: Transport. MP10: Reclamation and After-Use. MP12: Mineral Related Development. MP24: Secondary and Recycled Materials.
Brassington Moor Quarry, Longcliffe, Brassington, DE4 4BZ	<a href="#">CM3/0721/15</a>	11 October 2022	Limestone	Application not to comply with Condition 8 of Planning Permission CM3/0718/32 to update the area where permitted development rights apply, to better reflect the extent of processing operations.	MP1: The Environmental Impact of Mineral Development. MP2: The Need for Mineral Development. MP3: Measures to Reduce Environmental Impact. MP4: Interests of Acknowledged Environmental Importance. MP12: Mineral Related Development. MP23: Crushed Rock for Aggregates. MP25: Industrial limestone

## Appendix B

### Permitted Sand and Gravel Quarries in Derby and Derbyshire

Quarry	Operator	Status/end date
Swarkestone	Tarmac	Operational. Estimated lifespan 6 years to 2028
Shardlow	Hanson	Operational. Estimated lifespan is 7 years to 2029
Willington	Cemex	Operational. Estimated lifespan, 1 year reserves to 2023
Mercaston	Hanson	Operational. Estimated lifespan, 4 years
Elvaston	Tarmac	Not currently being worked. Permission granted in 2013 for extension

## Appendix C

### Operational Hard Rock Quarries currently producing Aggregate in Derby, Derbyshire and the Peak District National Park

Quarry	Location	Operator	Aggregate	End date
Ashwood Dale, Buxton (i)	Derbyshire	Breedon Southern Ltd	Limestone	2042
Hindlow Quarry, Buxton	Derbyshire	Tarmac	Limestone	2042
Brierlow Quarry, Buxton (i)	Derbyshire	Lhoist	Limestone	2042
*Dove Holes Quarry, Buxton (Beelow Quarry)	Derbyshire	Cemex	Limestone	2042
Dowlow Quarry, Buxton (i)	Derbyshire	Breedon Southern Ltd	Limestone	2042
Dene Quarry, Cromford	Derbyshire	Tarmac	Limestone	2042
*Tunstead Quarry, Buxton (i) (Old Moor Quarry)	Derbyshire	Tarmac	Limestone	2042
Slinter Top Quarry, Cromford	Derbyshire	Slinter Mining Co.	Limestone	
Bone Mill Quarry, Cromford	Derbyshire	Longcliffe Quarries	Limestone	2042
Grange Mill Quarry, Cromford (i)	Derbyshire	Ben Bennett Jnr.	Limestone	2042
Longcliffe Quarry, Longcliffe (i)	Derbyshire	Longcliffe Quarries	Limestone	2042
Whitwell Quarry, Bolsover (i)	Derbyshire	Tarmac	Limestone	2025
Glossop Quarry (Mouselow)	Derbyshire	Wienerberger	Sandstone	2042
Ballidon Quarry, Parwich	PDNP	Tarmac	Limestone	31/12/2035
*Old Moor Quarry, Buxton (i)	PDNP	Tarmac	Limestone	31/1/2040
Topley Pike Quarry, Buxton	PDNP	Aggregate Industries	Limestone	21/2/2025
Stoke Hall Quarry, Grindleford	PDNP	Stoke Stoneworks Ltd	Gritstone	21/02/2042
Wimberry Moss Quarry, Rainow, Cheshire	PDNP	AM & D Earl	Gritstone	21/02/2042
Shire Hill Quarry, Glossop	PDNP	Marchington Stone	Gritstone	21/02/2042

\*Cross boundary quarry

Those marked with a (i) above, extract limestone for the industrial market as their principal product but also produce significant quantities of limestone for use as aggregate.

Permitted Hard Rock Aggregate Quarries in Derby, Derbyshire and the Peak District National Park currently not in production

Quarry	Location	Operator	Aggregate	End date
Ball Eye Quarry, Cromford	Derbyshire	Deepwood Mining	Limestone	2042
Hayfield Quarry	Derbyshire		Sandstone	2042
Middle Peak Quarry, Wirksworth	Derbyshire	Tarmac	Limestone	2042
*Hillhead Quarry, Buxton	Derbyshire	Tarmac	Limestone	2042
Bolsover Moor, Bolsover	Derbyshire	Tarmac	Limestone	2023
Hall Dale Quarry	Derbyshire	Marshalls Stone	Sandstone	
*Beelow Quarry, Buxton (Dove Holes)	PDNP	Cemex	Limestone	2042

\*Cross boundary quarry

# Appendix D

## Assessment of Saved Minerals Local Plan Policies against National Policy

Saved Policy	Title	Policy Wording	Compliance with National Policy NPPF (July 2021)
MP1	The Environmental Impact of Mineral Development	<p>Proposals for mineral development will be permitted provided that their impact on the environment is acceptable having regard to:</p> <ol style="list-style-type: none"> <li>1) the effect on local communities and neighbouring land uses by reason of noise, dust, vibration or other pollution or disturbance</li> <li>2) the effect on agricultural interests including the extent and quality of agricultural land loss and the feasibility of achieving a high standard of restoration</li> <li>3) the visual effect of the proposals</li> <li>4) the effect on the character and quality of the landscape including the effects on trees, hedgerows woodland and topographical features</li> <li>5) the effect on sites and features of wildlife or geological/geomorphological importance</li> <li>6) the effect on sites of archaeological importance and their settings</li> <li>7) the effect on the built environment and especially features of architectural, historical or heritage importance, and their settings</li> <li>8) the transport implications, and in particular the scale and nature of traffic likely to be generated, and its implications for site access, highway capacity, road safety, and the environment generally</li> <li>9) the effect on public rights of way and areas of importance for formal or informal recreation and</li> <li>10) the effect on the quality and quantity of water resources including the ecology of water courses and wetlands, and on water supply and flood protection interests.</li> </ol>	<p>Complies with national policy:</p> <p>This policy is in line with the need to set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including noise (NPPF Para 210(f) and (g)).</p> <p>The policy also recognises the ecosystem services provided by valued landscapes and agricultural land, the value of trees and hedgerows, and water quality in line with NPPF para 174 a) and b) and para 183. This MLP policy also recognises the value of heritage assets as per NPPF Chapter 16, and transport and public rights of way, para 104 and 106.</p>

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MP2	The Need for Mineral Development	<p>Proposals for mineral development will be permitted provided that, where there is an adverse environmental impact, there is sufficient need for the development, taking into account, where appropriate:</p> <ol style="list-style-type: none"> <li>1) the local, regional and national demand for the mineral</li> <li>2) the scale and nature of existing permitted reserves</li> <li>3) the availability of alternative sources of supply or alternative materials</li> <li>4) the nature and extent of the mineral deposit, and the necessity for the mineral to be worked in that location, and</li> <li>5) the implications for employment, investment and the economy, and for providing other relevant benefits to the community.</li> </ol>	<p>Complies with national policy:</p> <p>This policy reflects the current NPPF Chapter 17 in that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.</p>
MP3	Measures to Reduce Environmental Impact	<p>Proposals for mineral development will be permitted provided that any adverse effects on the environment can be eliminated or reduced to an acceptable level, with particular regard to:</p> <ol style="list-style-type: none"> <li>1) the measures which are proposed to minimise the environmental impact of proposals</li> <li>2) the duration of the proposed operations</li> <li>3) the extent to which proposals maximise the efficient use of materials and minimise the production of waste</li> <li>4) the proposals for reclamation and after-use</li> <li>5) the potential for reinstating or making alternative provision for features which are affected and</li> <li>6) any wider environmental benefits resulting from the proposal which would help to offset adverse environmental impacts.</li> </ol>	<p>Complies with national policy:</p> <p>This policy reflects the current NPPF Chapter 17 although the policy does not explicitly consider NPPF para 179 b) 'identify and pursue opportunities for securing measurable net gains for biodiversity', it does consider wider environmental benefits from the proposals would help to offset adverse environmental impacts, and opportunities are also provided through reclamation and after use to enable new habitat creation or improve public access to the countryside</p>
MP4	Interests of Acknowledged Environmental Importance	<p>Proposals for mineral development will not be permitted where irreparable or unacceptable damage would result to interests of acknowledged environmental importance, and in particular where:</p>	<p>Partially complies with national policy:</p> <p>This policy reflects the NPPF para 174 protecting and enhancing valued <b>landscapes</b>, sites of biodiversity or geological</p>

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		<p><b>Agriculture</b> 1) development would result in the irreversible loss of the best and most versatile agricultural land (grades 1, 2 and 3a)</p> <p><b>Landscape</b> 2(i) development would be materially damaging to the inherent qualities of a special landscape area, or to areas prominent from within the Peak National Park, unless there is an overriding need for the mineral which cannot reasonably be met from alternative sources in less environmentally important areas 2(ii) development would cause unacceptable damage to an area of local landscape importance</p> <p><b>Nature Conservation</b> 3(i) development would adversely affect nature conservation interests of international or national importance including special protection areas, special areas of conservation, sites of special scientific interest, national nature reserves and the habitats of protected species 3(ii) development would cause significant disturbance to other sites of importance for nature conservation including local nature reserves, county wildlife sites, regionally important geological sites and the habitats of locally rare or endangered species</p> <p><b>Heritage</b> 4(i) development would adversely affect sites and features of national heritage importance or particular archaeological importance, including scheduled ancient monuments, unscheduled features of national importance, listed buildings, and nationally important historic parks and gardens, and their settings 4(ii) development would cause significant disturbance to other sites and features of heritage importance</p>	<p>value and soils, and specifically para 174 b) where the wider benefits from natural capital and ecosystem services are recognised, including the economic and other benefits of the best and most versatile <b>agricultural</b> land, and footnote 58 which states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.</p> <p>NPPF Chapter 15 considers the conserving and enhancing of the natural environment. This MLP policy however only seeks to protect rather than enhance <b>nature conservation</b>. Further requirements are provided for in MP6.</p> <p>Chapter 16 of the NPPF seeks to conserve and enhance the historic environment. This MLP policy however only seeks to protect rather than enhance <b>heritage</b> assets.</p> <p>NPPF Chapter 15 requires that development should, wherever possible, help to improve local environmental conditions such as air and <b>water</b> quality, taking into account relevant information such as river basin management plans. This MLP policy however only seeks to protect rather than improve water quality.</p> <p>Para 85 of NPPF states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to</p>

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		<p>including conservation areas, archaeological remains, and historic parks and gardens, and their settings</p> <p><b>Water Resources</b></p> <p>5) development would adversely affect the quality and quantity of water resources, water supply, land drainage or flood protection interests, or create water pollution problems</p> <p><b>Transport</b></p> <p>6) the transportation of materials in connection with the development would have an unacceptable effect on the environment or would create unacceptable road traffic problems with regard to highway capacity or road safety, which could not be satisfactorily resolved by improvement schemes or mitigation measures</p> <p><b>Cumulative Impact</b></p> <p>7) development would result in an unacceptable cumulative impact on the environment of an area either in relation to an individual proposal having regard to the collective effect of different impacts, or in relation to the effects of a number of mineral developments occurring either concurrently or successively.</p>	<p>or beyond existing settlements, and in locations that are not well served by public <b>transport</b> and at para 81 that ‘planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths...’ It is important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. Para 104 considers the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains. This MLP policy addresses the unacceptable effects on the environment and current roads. Further consideration of transport is provided in MP5.</p> <p>This MLP policy addresses both the cumulative environmental impacts as well as the <b>cumulative impact</b> of the number of sites within an area. This approach reflects NPPF para 180 and 204 f).</p>
MP5	Transport	Proposals for mineral development involving the transport of minerals by road will be permitted provided:	Complies with national policy:

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		<p>1) there is no feasible alternative to road transport which would be environmentally preferable</p> <p>2) the proposed access arrangements would be satisfactory and the highway network is adequate to accommodate the traffic that would be generated and</p> <p>3) the impact of the traffic generated would not be detrimental to road safety nor have an unacceptable impact on the environment.</p> <p>The mineral planning authority will seek to prevent heavy lorries associated with mineral operations from using unsuitable roads by means of traffic management or, where appropriate, other measures which may be secured under Section 106 of the Town and Country Planning Act 1990.</p>	<p>Para 85 of NPPF states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. It is important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. Para 104 considers the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains. This MLP policy addresses the unacceptable effects of development on the environment and current roads.</p>
MP6	Nature Conservation - Mitigation Measures	<p>Where proposals for mineral development would affect areas of known or potential importance for nature conservation, the mineral planning authority will require the submission of a field evaluation and impact assessment and, where appropriate, mitigation proposals, prior to determining the application. Where such development is permitted, the mineral planning authority will impose conditions or seek planning obligations as appropriate, to minimise the impact of development, and to preserve features in situ as far as practicable, or secure the translocation of habitats or the creation of new habitats prior to, or during, development.</p>	<p>Partially complies with national policy:</p> <p>NPPF Chapter 15 considers the conserving and enhancing of the natural environment. This MLP policy seeks in the first instance to evaluate, protect and mitigate rather than enhance <b>nature conservation</b>. The MLP policy does not include for net gains to biodiversity, the policy however does provide for the need for the creation of new habitat where necessary and Policy MP10 requires measures designed to enhance the natural</p>

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			environment as part of reclamation and after-use.
MP7	Archaeology - Mitigation Measures	Where proposals for mineral development would affect areas of known or potential archaeological importance, the mineral planning authority will require the submission of an archaeological evaluation and impact assessment and, where appropriate, mitigation proposals, prior to determining the application. Where such mineral development is permitted the authority will impose conditions or seek planning obligations to preserve features in situ where this is appropriate, and to secure appropriate archaeological investigation and recording prior to, and during, development.	Partially complies with national policy:  Chapter 16 of the NPPF seeks to conserve and enhance the historic environment. This MLP policy however only seeks to evaluate, protect and mitigate rather than enhance <b>heritage</b> assets.
MP10	Reclamation and After-Use	Proposals for mineral development will be permitted only where satisfactory provision has been made for the reclamation and after-use of the site as soon as practicable. In granting planning permission for mineral development conditions will be imposed, as appropriate, in respect of the following matters: 1) the submission and adherence to a practicable reclamation scheme 2) the progressive reclamation of the site, where possible 3) the submission of details of phasing, filling and landforms, drainage, management of soils and landscaping prior to the commencement of the working of the site or, in the case of longer-term workings, before the commencement of a particular phase or phases 4) the after-care of sites 5) the removal of all plant, buildings, structures, machinery, roads and hard standings 6) the reclamation of areas of the best and most versatile agricultural land to a high standard for agricultural use in order to return land to a state at, or as near as	Complies with national policy:  Policy MP10 is in line with NPPF 210 h) which requires policies to ensure that worked land is reclaimed at the earliest opportunity and to be carried out to high environmental standards, through the application of appropriate conditions. This MLP policy also addresses NPPF para 174 regarding the best and most versatile agricultural land and minimising impacts on and providing net gains for biodiversity.

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		<p>possible to, its original quality and the restoration of other areas to a condition suitable for their acceptable after-use and</p> <p>7) measures designed to enhance the natural environment such as the provision of additional trees and woodland cover, the creation of new wildlife habitats and geological exposures, the improvement of water courses, and the improvement of public access</p>	
MP11	Borrow Pits	<p>Proposals for temporary mineral workings related to specific construction projects (borrow pits) will be permitted only where there are net environmental benefits compared with supplying the project from established sources, and, in particular, where:</p> <ol style="list-style-type: none"> <li>1) there is a need for the development to supply major construction works, which cannot reasonably be met from established sources, or the supply of material from such sources would be seriously detrimental to local amenities because of the scale, location and timing of the operations</li> <li>2) the site is adjacent to the proposed construction project so that use of the public highway for the transport of materials is minimised</li> <li>3) the proposal would not cause irreparable or unacceptable damage to interests of acknowledged environmental importance and</li> <li>4) satisfactory provision is made to reclaim the site, as far as possible without the use of imported materials.</li> </ol> <p>Where permission is granted a condition will be imposed to ensure that the mineral operation and all material removed is limited solely to that necessary for the related construction project.</p>	<p>Complies with national policy:</p> <p>Borrow pits are not explicitly referenced in the NPPF. The MLP policy seeks to provide for a temporary sustainable extraction adjacent to a construction project. This policy allows for proposals to be examined in the same way as other mineral development, to determine the balance between the need for the mineral to be worked and the environmental and other interests which may be affected, and will only be accepted where they offer net environmental gains over alternative sources of supply</p> <p>In determining planning applications, Paragraph 211 of the NPPF states that great weight should be given to the benefits of mineral extraction, including to the economy, with para 209 requiring that with regard to minerals ‘best use needs to be made of them to secure their long-term conservation.’ Paragraph 210 b) goes on to state that ‘Planning policies should...so far as practicable, take account of the contribution that substitute or secondary and recycled</p>

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			materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously...'. It is therefore considered that this policy is largely in line with the relevant elements of the NPPF.
MP12	Mineral Related Development	<p>Proposals for mineral related development which require planning permission will be permitted where there are net environmental benefits in a close link between the industrial and the mineral developments, and provided that:</p> <ol style="list-style-type: none"> <li>1) the development is located, designed and landscaped to minimise any adverse effect on the environment and</li> <li>2) the development will not create unacceptable traffic problems.</li> </ol> <p>Where permission is granted, conditions will be imposed to ensure that:</p> <ol style="list-style-type: none"> <li>1) the mineral to be used is produced mainly on site and</li> <li>2) on completion of mineral working, all plant and machinery is removed, and the site is satisfactorily reclaimed.</li> </ol>	<p>Complies with national policy:</p> <p>This policy's purpose is to ensure only ancillary and related uses are permitted and that the proposal has minimal adverse effect on the environment and traffic and is in line with NPPF para 210 b) 'Planning policies should...so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials: 210 e) 'safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material;</p> <p>The MLP policy is also in line with NPPF 210 h) that worked land is reclaimed at the earliest opportunity, and that high quality restoration and aftercare of mineral sites takes place.</p>
MP13	Mineral Exploration	Proposals for mineral exploration which require planning permission will be permitted provided that their impact on the environment is acceptable and they would not cause	Complies with national policy: MP13 seeks to enable the exploration for minerals and seeks to cover explorations not

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		<p>irreparable or unacceptable damage to interests of acknowledged environmental importance. Where permission is granted it will be for a temporary period only, and conditions will be imposed to ensure that:</p> <ol style="list-style-type: none"> <li>1) operations are regulated to minimise the effect of the development on the environment and</li> <li>2) any land disturbed as a result of the operations is satisfactorily reclaimed to an acceptable after-use.</li> </ol>	<p>permitted by the GPDO. NPPF para 209 identifies that 'it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs'. The NPPF however has no reference to exploration other than with regard to oil, gas and coal.</p> <p>Policy MP13 would also cover the exploration for oil and gas which usually involving substantial operations including deep drilling. This general policy will apply to such proposals along with policy MP35.</p>
MP15	Working Of Former Tips (For Purposes Other Than Secondary Aggregate Production)	Proposals for the working of former tips, which require planning permission, where the land concerned has been satisfactorily reclaimed or has naturally re-generated to an acceptable after use will be considered as a new proposal on a greenfield site.	<p>Complies with national policy:</p> <p>This policy addresses proposals for the removal of material from old tips such as coal and vein and other minerals which, although they might have been discarded when they were originally worked, have sufficient value to be economically recoverable. The GDPO permits the removal of material from any stockpile and, subject to the 'article 6' procedure, from tips up to a certain size and age. Otherwise the reworking of tips will always require a specific planning permission and in considering proposals for the reworking of tips the general policies for controlling mineral development, as set out in the local plan, will apply. This policy conforms with NPPF para 210 b) which requires that planning policy, so far as practicable, should take account of the contribution that substitute or secondary and recycled materials and</p>

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			minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously;
MP16	Maintenance Of Landbanks	A landbank of permitted reserves for the county's non-energy minerals will be maintained at appropriate levels throughout and at the end of the plan period. For sand and gravel the landbank will be sufficient for at least 7 years production. For crushed rock the landbank will be sufficient for at least 15 years production.	Complies with national policy:  Policy MP16 accords with NPPF Para 213 which requires that planning authorities should plan for a steady and adequate supply of aggregates and maintain landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock.
MP17	Safeguarding Resources	The mineral planning authority will resist proposals for any development which would sterilise or prejudice the future working of important economically workable mineral deposits except where: 1) there is an overriding need for the development and 2) where prior extraction of the mineral cannot reasonably be undertaken, or is unlikely to be practicable or environmentally acceptable.  Where the development of land for non-mineral purposes is considered essential and proven mineral deposits would be permanently sterilised, planning permission for prior extraction will be granted provided this does not prejudice the timing and viability of the proposed development and does not lead to unacceptable environmental effects.	Complies with national policy:  Policy MP17 is in conformity with NPPF para 210 c) which requires that a local plan safeguards mineral resources by defining Mineral Safeguarding Areas; and adopts appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development where this should be avoided (whilst not creating a presumption that the resources defined will be worked)
MP18	Extensions To Sites	Proposals for extensions to established mineral working sites will be permitted in preference to new sites provided they can be accommodated in an environmentally acceptable manner	Partially complies with national policy:  Policy MP18 founded on Minerals Planning Guidance 6 which has now been superseded by the NPPF. Although the extension to an existing minerals site (other than peat) is not addressed in the NPPF, the NPPG requires that the suitability of each proposed site must

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			be considered on its individual merits, whether it is a new site or an extension.
MP19	Additional Sites	<p>Proposals for the working of aggregates or industrial limestone outside permitted and allocated sites will not be permitted, except where:</p> <ol style="list-style-type: none"> <li>1) they are required to meet a proven need which would not otherwise be met and their impact on the environment is acceptable, or</li> <li>2) they involve amending the boundaries of existing operations, and would result in significant net environmental benefits without significantly increasing the level of permitted reserves.</li> </ol>	<p>Partially complies with national policy:</p> <p>Although MP19 is considered to be out of date in respect of its reference to sites which were allocated using what is now historical information, the issue of need remains entirely relevant but in an updated context namely that the mechanism by which to determine future aggregate requirements is set out in a LAA.</p> <p>This policy reflects various sections of the NPPF including para 209 which states that ‘It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs’; para 210 a) Planning policies should provide for the extraction of mineral resources of local and national importance...; para 213 Mineral planning authorities should plan for a steady and adequate supply of aggregates and para 213 c) making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans ... provision should take the form of specific sites, preferred areas and/ or areas of search and locational criteria as appropriate.</p>
MP21	Sand and Gravel Sites	<p>Land is allocated for sand and gravel extraction as shown on the proposals map, at: Attenborough Pit, Long Eaton Elvaston Quarry Shardlow Pit Egginton Pit Hemington Quarry</p>	<p>Partially complies with national policy:</p> <p>The allocation of sand and gravel sites in MP21 conforms with and delivers NPPF 20 b) Strategic policies should set out an overall strategy for the pattern, scale and quality of</p>

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		<p>Proposals for sand and gravel working at these sites will be permitted provided:</p> <ol style="list-style-type: none"> <li>1) the processing and distribution of the material produced at the site will be carried out via the established and permitted plant areas and access arrangements, unless there are significant environmental benefits in alternative arrangements and</li> <li>2) the proposed extraction will follow on after the cessation of sand and gravel extraction from the existing permitted areas, unless there are significant environmental benefits in alternative phasing.</li> <li>3) the processing and distribution of the material produced at the site will be carried out via the established and permitted plant areas and access arrangements, unless there are significant environmental benefits in alternative arrangements and</li> <li>4) the proposed extraction will follow on after the cessation of sand and gravel extraction from the existing permitted areas, unless there are significant environmental benefits in alternative phasing.</li> </ol>	<p>development for ...minerals; para 210 a) provide for the extraction of mineral resources of local and national importance; 213 plan for a steady and adequate supply of aggregates; 213 c) making provision for the land-won and other elements of their LAA in their mineral plans,....Such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate and 2013 f) maintaining landbanks of at least 7 years for sand and gravel.</p> <p>Policy MP21 lists the sites which are allocated for sand and gravel extraction over the period of the MLP. However, the provision period for the adopted MLP was from 1991-2006, using sales and reserve data from 1996, and was based on aggregate apportionment figures which were superseded several times and which have now been replaced with the Local Aggregate Assessment (LAA) system. This indicates that the MLP does not now provide the necessary means to identify sufficient sites to satisfy the current need for aggregates. This policy is, therefore, now considered to be partially out of date and is considered to no longer be relevant and not wholly in accordance with the NPPF.</p>
MP22	Sherwood Sandstones	<p>Having regard to national and regional guidance on aggregates and the level and availability of permitted reserves, proposals for the extraction of sand and gravel in the Sherwood Sandstones from new sites will not be permitted except where they are required to meet a proven need which would not otherwise be met and their impact on</p>	<p>Partially complies with national policy:</p> <p>MP22 is consistent with NPPF para 213 c) making provision for the land-won and other elements of their LAA and taking account of the advice of the Aggregate Working Parties</p>

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		<p>the environment is acceptable. Proposals for extensions or variations to boundaries of existing operations will be permitted only where they would result in significant net environmental benefits without significantly increasing the level of permitted reserves.</p>	<p>and the National Aggregate Co-ordinating Group as appropriate; and 213 f) maintaining landbanks of at least 7 years for sand and gravel.</p> <p>The specific policy on Sherwood Sandstones is due to the level of permitted reserves until 2006, however this part of the policy is based on outdated calculations. With regard to that part of Policy MP22 which considers extensions and boundary variations, this reflects the NPPG which requires 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: need for the specific mineral; economic considerations (such being able to continue to extract the resource, retaining jobs, being able to utilise existing plant and other infrastructure), and; positive and negative environmental impacts (including the feasibility of a strategic approach to restoration) and the cumulative impact of proposals in an area.</p>
MP23	Crushed Rock For Aggregates	<p>Having regard to national and regional guidance on aggregates and the level and availability of permitted reserves, proposals for the extraction of crushed rock for aggregates from new sites will not be permitted except where they are required to meet a proven need which would not otherwise be met and their impact on the environment is acceptable. Proposals for extensions or variations to the boundaries of existing operations will be permitted only where they would result in significant net environmental</p>	<p>Partially complies with national policy:</p> <p>MP23 is consistent with NPPF para 213 c) making provision for the land-won and other elements of their LAA and taking account of the advice of the Aggregate Working Parties and the National Aggregate Co-ordinating Group as appropriate; and 213 f) maintaining landbanks of at least 10 years for crushed rock. However this policy reflects the situation</p>

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		benefits without significantly increasing the level of permitted reserves.	<p>regarding need and supply at the time the Plan was intended to cover.</p> <p>Policy MP23 reflects the NPPG which requires 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: need for the specific mineral; economic considerations (such being able to continue to extract the resource, retaining jobs, being able to utilise existing plant and other infrastructure), and; positive and negative environmental impacts (including the feasibility of a strategic approach to restoration) and the cumulative impact of proposals in an area.</p>
MP24	Secondary And Recycled Materials	<p>Proposals for the production of secondary aggregates from mineral wastes and other low-grade resources, where the materials to be produced will be used as substitutes for primary aggregates, will be permitted provided:</p> <ol style="list-style-type: none"> <li>1) they can be carried out without unacceptable damage to the environment and</li> <li>2) they do not involve the re-working of tips where the land has been satisfactorily reclaimed, or has naturally regenerated, to an acceptable after-use.</li> </ol>	<p>Complies with national policy:</p> <p>This policy complies with NPPF 204 b) 'so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials....'; 210 e) safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material;</p> <p>The LAA should also in line with 213 f) include an assessment of all supply options (including</p>

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			marine dredged, secondary and recycled sources).
MP25	Industrial Limestone	<p>Proposals to extract "industrial" limestone will not be permitted unless:</p> <ol style="list-style-type: none"> <li>1) they are required to meet a proven need for materials with particular specifications which would not otherwise be met, and the development is designed to maximise the recovery of the particular materials required to supply that need, or</li> <li>2) they involve extensions or variations to the boundaries of existing operations which would result in significant net environmental benefits without significantly increasing the level of permitted reserves.</li> </ol>	<p>Complies with national policy:</p> <p>Industrial limestone is an important industrial mineral where its chemical properties make it a valuable mineral for a wide range of industrial and manufacturing processes.</p> <p>Policy MP25 is consistent with NPPF para 210 a) provide for the extraction of mineral resources of local and national importance; para 214 'plan for a steady and adequate supply of aggregates including 213 c) making provision for the land-won and other elements of their LAA in their mineral plans,....Such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate and para 214 Minerals planning authorities should plan for a steady and adequate supply of industrial minerals.</p>
MP27	Coal Extraction and Colliery Spoil Disposal	<p>A. Proposals for coal extraction, and for the disposal of colliery waste, including extensions to existing sites either in area or depth, will not be permitted unless the impact on the environment:-</p> <ol style="list-style-type: none"> <li>1) is acceptable, or capable of being made acceptable by planning conditions or obligations, or</li> <li>2) if not, the impact is clearly outweighed by local or community benefits that the development would provide.</li> </ol> <p>B. When considering whether a proposal is environmentally acceptable or capable of being made</p>	<p>Complies with national policy:</p> <p>NPPF para 215 – 217 considers oil, gas and coal exploration and extraction. Section A of MP27 is in conformity with NPPF para 215.</p> <p>Section B of MP27 is consistent with NPPF para 150 a) which states that amongst other forms of development, mineral extraction is not inappropriate in the Green Belt provided its openness is preserved and do not conflict with the purposes of including land within it</p>

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		<p>so, the following will be taken into account, where relevant:-</p> <ol style="list-style-type: none"> <li>1) the need to ensure that, where the proposal lies within the Green Belt, it can be developed, operated and restored to the highest standards</li> <li>2) the extent to which the proposal would adversely affect efforts to attract or retain investment in an area</li> <li>3) the need to ensure that where the proposal involves the disposal of colliery spoil:- <ol style="list-style-type: none"> <li>i) an evaluation of all feasible alternative sites and methods of disposal has been carried out; and</li> <li>ii) the proposal represents the most acceptable solution having regard to environmental, economic and technical considerations</li> </ol> </li> <li>4) the extent and degree of potential subsidence or land instability.</li> </ol> <p>C. When considering whether the unacceptable adverse environmental impact of a proposal is outweighed by the benefits that the development would provide, importance will be given to those benefits that would be unlikely to be achieved by any other means. In particular, the following will be taken into account, where relevant, either separately or cumulatively:</p> <ol style="list-style-type: none"> <li>1) the extent to which the environment or communities of the area will benefit from the proposed working and subsequent reclamation, for example; by the restoration of previously despoiled areas; by the stabilisation of unstable ground; by enhancing the landscape, or by contributing to biodiversity. Particular importance will be given to proposals involving the reclamation of despoiled land, especially those that would enable former colliery sites to be released quickly for beneficial new uses</li> </ol>	<p>and para 215 c) requiring that MPAs should indicate any areas where coal extraction and the disposal of colliery spoil may be acceptable;</p> <p>Section C of MP27 is in conformity with NPPF para 215 regarding national, local or community benefits which clearly outweigh the likely impacts, and para 210 c) regarding sterilisation of resources.</p>

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		<p>2) whether the proposed extraction is necessary in advance of other approved permanent development in order to avoid the sterilisation of reserves of minerals, or to provide sites for development which would provide local or community benefits, provided that:</p> <ul style="list-style-type: none"> <li>i) any additional adverse effects caused by the mineral working will be kept to an acceptable level; and</li> <li>ii) the extraction will be completed and the land reclaimed in time, and to a standard, to allow the subsequent development to take place as planned without unreasonable delay</li> </ul> <p>3) whether it is necessary to remove the coal to facilitate the efficient and economic working of other minerals in an environmentally acceptable way</p> <p>4) the extent to which the proposal would provide employment opportunities or other economic benefits.</p>	
MP28	Opencast Constraint Areas	Within areas defined as "opencast constraint areas" on the proposals map, proposals for opencast coal extraction will not be permitted, unless the proposal would not cause any material damage to the area's conservation interests.	Does not comply with national policy:  There is no explicit reference to open cast coal in the NPPF. Policy MP28 is predicated on MPG3.
MP29	Coal Stocking	<p>Proposals for the use of land for the stocking of coal will not be permitted unless:</p> <ul style="list-style-type: none"> <li>1) the location of the site is well-related to the supplying operations and where feasible, and environmentally preferable, alternative means of transporting the coal other than the use of public roads are maximised, and</li> <li>2) the operations can be accommodated in an environmentally acceptable way.</li> </ul> <p>Where permission is granted, conditions will be imposed to limit the extent and duration of the development.</p>	Partially complies with national policy:  The NPPF is not explicit with regard to coal stocking. Para 214 which encourages safeguarding or stockpiling so that important minerals remain available for use is only targeted at industrial minerals. The NPPF however contains a general presumption against the extraction of coal with footnote 71 making clear that the great weight normally applied to the benefits of mineral extraction

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			<p>should not be applied to coal, and para 217 clarifies that planning permission for development proposals involving coal should only be granted in certain limited circumstances. However MP29 does not advocate the extraction of coal, merely caters for dealing with the extracted product.</p>
MP32	Clay	<p>Proposals for the working of clay will be permitted provided:</p> <ol style="list-style-type: none"> <li>1) the mineral is needed to enable the continuation of production and employment in the clay products industries, or as a raw material in the construction of waste disposal facilities, and</li> <li>2) the proposal would not have an unacceptable impact on the environment and is designed to secure the rapid working and reclamation of the site.</li> </ol> <p>Planning permission will not be granted where the stocking of clay on the mineral site would significantly delay the reclamation of the site.</p>	<p>Complies with national policy:</p> <p>This policy is in line with 214 d) which Minerals planning authorities should plan for a steady and adequate supply of industrial minerals by: taking account of the need for provision of brick clay from a number of different sources to enable appropriate blends to be made.</p> <p>Policy MP32 seeks to encourage the rapid working and reclamation of sites and, in particular, to resisting proposals in which the stocking of clays would lead to delays in the reclamation of the site which accords with NPPF para 210 h). There is a preference for clay to be stocked at the industrial site rather than the mineral site.</p> <p>The NPPF provides for coal producers to extract fireclay separately, and if necessary stockpile fireclay so that it remains available for use. NPPF 214 c) also provides for maintaining a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant, and the maintenance and improvement of existing plant and equipment, which appears</p>

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			to accord with the MLP preference for stockpiling at the industrial site rather than the mineral site.
MP33	Vein Minerals	<p>Proposals for the working and processing of vein minerals will be permitted only where:</p> <ol style="list-style-type: none"> <li>1) the duration and scale of operations is limited to the minimum necessary to meet a proven need for the vein mineral</li> <li>2) the development can be carried out in an environmentally acceptable way and the least damaging means of production are employed</li> <li>3) the proposals are designed to avoid damage in the form of subsidence or landslips and</li> <li>4) the waste disposal arrangements are acceptable particularly in relation to slurry from processing plants.</li> </ol>	<p>Complies with national policy:</p> <p>The NPPF para 204 a) requires that planning policies should provide for the extraction of mineral resources of local and national importance and the NPPG requires that the MPA should plan for industrial minerals. Policy MP33 is in line with NPPF para 204 a); 204 h) which ensures that worked land is reclaimed at the earliest opportunity, and NPPF 204 f) which sets out criteria/requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality.</p>
MP34	Building Stone	<p>Proposals for the extraction of rock for use as building stone will be permitted provided that:</p> <ol style="list-style-type: none"> <li>1) there is a need for mineral of a specific character to be worked in that location and</li> <li>2) the scale of the proposal is such that its impact on the environment can be kept to an acceptable minimum.</li> </ol>	<p>Complies with national policy:</p> <p>NPPG requires that Mineral Planning Authorities should recognise that, compared to other types of mineral extraction, most building stone quarries are small-scale and have a far lower rate of extraction when compared to other quarries. This means that their local environmental impacts may be significantly less. Such quarries often continue in operation for a very long period and may be worked intermittently but</p>

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			intensively involving stockpiling of stone. Policy MP34 accords with NPPF para 210 a) that planning policies should provide for the extraction of mineral resources of local and national importance. The 'need' in MP34 also echoes NPPF para 211 f) and g) with regard to the repair of heritage assets and the small scale and intermittent nature of extraction of building stone taking account of the need to protect designated sites.
MP35	Oil and Gas	<p>Proposals for the development of oil and gas, including facilities associated with the production, processing or transporting of oil or natural gas will be permitted only where they can be carried out in an environmentally acceptable way, and provided that:</p> <ol style="list-style-type: none"> <li>1) any irreparable damage to interests of acknowledged environmental importance is outweighed by a proven need for the development in its proposed location</li> <li>2) the proposal is consistent with an approved overall scheme for the appraisal of, or production from, the area</li> <li>3) the proposed location of the development is the best having regard to geological, technical and environmental considerations</li> <li>4) satisfactory arrangements have been made for the avoidance of seepage pollution, the off-site disposal of drilling mud and other drilling residues and the flaring and disposal of unwanted gas.</li> </ol>	<p>Partially complies with national policy:</p> <p>Following a legal judgment, a Written Ministerial Statement removed the explicit support for fracking that was previously in the NPPF. A moratorium on fracking was effectively introduced in 2019, with Government ruling it could only go ahead if proven not to cause tremors.</p> <p>The NPPF advises that when planning for on-shore oil and gas development, mineral planning authorities should clearly distinguish between the three phases of development (exploration, appraisal and production).</p> <p>It is considered that while the NPPF and PPG require all three phases to be identified in the plan, they do not expressly require this to be done in separate policies. Policy MP35 therefore in conjunction with Policy MP13 on Mineral Exploration which addresses proposals for mineral exploration which require planning permission, appear to be in</p>

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			<p>conformity with the NPPF. Although the MLP does not specifically include unconventional hydrocarbons it is considered that the policies are sufficiently robust to address this type of development.</p> <p>The NPPF para 209 a) seeks to ensure appropriate monitoring and site restoration is provided for when planning for the 3 phases of onshore oil and gas development. Although not enshrined in policy, the MLP Chapter 15, para 15.9 advises that the Mineral Planning Authority will monitor operations on a regular basis and will take action as appropriate to secure compliance with planning conditions or legal agreements, and to bring unauthorised minerals development under control. The MLP states that to give a complete picture of the policies and proposals affecting any one area or type of operation, the plan must be read as a whole, because all policies will apply so far as they are relevant. As such it is considered that in conjunction with Policy 10 Restoration and Aftercare, the plan provides sufficient robustness and compliance with regard to monitoring and restoration.</p> <p>The NPPG however goes further and states in paragraph 106 (2014) that where mineral planning authorities consider it is necessary to update their local plan and they are in a Petroleum Licence Area, they are expected to include Petroleum Licence Areas on their policies maps; and criteria-based policies for</p>

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			<p>each of the exploration, appraisal and production phases of hydrocarbon extraction. These policies should set clear guidance and criteria for the location and assessment of hydrocarbon extraction within the Petroleum Licence Areas.</p> <p>The MLP does not include the licence areas on policy maps, nor guidance and criteria specifically associated with the licence areas. However this appears to be required when the MLP is updated. As this process is underway, it is considered that Policy MP35 when read alongside other policies in the plan is largely in compliance with the NPPF.</p>