

DERBYSHIRE AND DERBY MINERALS LOCAL PLAN

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

REPORT OF REPRESENTATIONS

December 2017

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1. Introduction & Purpose of Report

Introduction

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

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

Purpose of this Report

- 1.3 This Report sets out Representations received on the Plan at the Consultation Stages undertaken so far, post Issues and Options stage, and provides a response to those representations including the outcome for the Proposed Approach. It also provides a note of the issues raised at the Drop-In Sessions which the Councils held in areas where operators are promoting sites for working.
- 1.4 The document is set out in the following sections:
 2. Sand and Gravel Sites Consultation and Drop-In Sessions
 3. 2015/2016 Rolling Consultation
 4. 2016/2017 Rolling Consultation: Hard Rock Sites
 5. 2017 Hard Rock Sites Drop-In Sessions

Within those sections it is further split into Chapter order (corresponding with our current consultation). This is to enable respondents to view how their comment as been taken into account in the preparation of the Spring 2018 Consultation. The individual Papers that form part of the Consultations are listed at the Appendix.

- 1.5 Representations made to the Supporting Papers are also split into Chapter Order as above and incorporated in with representations made to the Strategy Papers.
- 1.6 The first heading is the name of the individual Strategy/Supporting Paper on which the representation was made.
- 1.7 For each Representation made the layout of the document is as follows:

Representation

(Name of the Organisation or 'Individual' if the representation is by a member of the public, Reference Number of organisation/individual making the representation/Reference Number of the Representation)

Representations made on the Rolling Consultation 2015/2016 begin with 001/0001

Representations made on the Rolling Consultation: Hard Rock Sites 2016/2017 begin with 201/2000

Actions/Considerations relating to the Representation

Outcome for the Towards a Minerals Local Plan: Spring 2018 Consultation
Proposed Approach

2. A Strategy for Sand and Gravel

- 2.1 From September 2012 to December 2012, we held a series of nine informal drop-in sessions in the south of the county in communities where sites have been put forward for inclusion in the Minerals Local Plan for future sand and gravel extraction. In order to publicise the events, we delivered leaflets to households in each of the communities a week before each event was due to take place.
- 2.2 Events were held at the following locations (numbers attending in brackets):
- Foston & Scropton Village Hall (41)
- Barrow on Trent Village Hall (17)
- Weston on Trent Parish Hall (39)
- Repton Village Hall (150)
- Elvaston Village Hall (25)
- Egginton Village Hall (52)
- Long Eaton Library (19)
- Shardlow Village Hall (42)
- Sudbury Parish Rooms (17)
- 2.3 Broadly, the sessions were designed to explain to people what the Minerals Local Plan is and how it may affect them, in terms of the Strategy for future sand and gravel working in Derbyshire and Derby, and for people to tell us what they thought. This took place in the form of informal discussions with members of staff. We provided background information and a structured questionnaire to aid the discussions.
- 2.4 Specifically, we asked people:
- 1) If they agreed with the amount of sand and gravel that should be provided from Derbyshire to 2030. If not, how much they thought should be provided.
 - 2) Where, in broad terms, future extraction should take place.
 - 3) Whether they had any further sites to put forward.
 - 4) If they agreed with our draft criteria for assessing the sites and if they could think of any further criteria.
 - 5) What community benefits/opportunities they thought could arise from sand and gravel working.
 - 6) Whether they agreed with the strategic long term Vision for the restoration of sites in the Trent Valley.
- 2.5 We made note of what people said and a summary of these is provided below. We also encouraged people (particularly those who were unable to

attend) to write to us or complete an online form with their comments. Many also provided contact details so that they could be added to our database and kept informed of, and involved in, the progression of the Minerals Plan.

Foston & Scropton Parish Hall, 24 September 2012

41 people attended.

- 2.6 People in general were concerned about the impact of a new quarry on the area, which has so far experienced no significant mineral extraction. There was, as expected, a degree of concern amongst local residents, but this was reduced to some extent once the details of the plan and the long term nature of the strategy had been explained.
- 2.7 The issue of how a new quarry would affect flooding in an area already highly susceptible to flooding was a major concern. The EA are soon to begin a major flood defence scheme in the area and the southern field suggested for extraction is proposed in the EA scheme as a floodwater holding area. It was considered by residents that the two proposals would be incompatible.
- 2.8 People were also concerned about where the access to the quarry would be and whether HGVs would go through the villages. Noise was also raised as a concern.
- 2.9 The cumulative impact of another industry operating in a rural area already the focus of major employers, such as Cranberry Foods and the proposed pig farm

was raised as an issue. It was suggested that increasingly there seems to be more employment than people living in the area. Again, the issue of traffic passing through the village was raised in this respect.

- 2.10 In general, people supported the development of a longer term strategy for the restoration of the valleys.

17 people attended.

- 2.11 The issue of cumulative impact of Swarkestone Quarry on the area was raised by a small number of people but most people living in Barrow, in general, accept the quarry, which seems to be operated with respect to the community and have expected that it will extend towards Twyford in time. The fact that this suggested extension means that it is moving gradually away from Barrow also helps to reduce concern.
- 2.12 People who are most concerned are those living in the properties along Twyford Road to the north of the suggested site. Loss of views, impact on property values, increased risk of flooding (Barrow has no new flood defences), traffic impact on unsuitable local roads and effect on the abundant wildlife were all issues that were raised by these residents. Some people raised the issue of cumulative impact on the area, and thought that after the current permitted area is worked, it should then be allowed to recover without further working taking place.
- 2.13 The main issue raised by residents of Barrow village was the impact that continued quarry traffic, together with that from the redeveloped power station, will have on the junction of the A5132 with the A514. People considered that a major community benefit from the continued operation of the quarry would be the improvement of this junction.
- 2.14 The environmental sensitivity mapping project being undertaken by the council's Landscape Team was well received and helped people to understand the proposed long term restoration strategy for the Trent Valley.

Weston on Trent Village Hall, 28 September 2012

39 people attended.

- 2.15 Given the fact that there is a planning application on the site, people were a lot more focused on details of the proposal rather than the longer term strategy for sand and gravel extraction in the valley as a whole. Again, most people accepted the need for sand and gravel and that it can only be extracted where it is found and had to some degree expected Shardlow Quarry to eventually extend in this direction. However, the fact it will be much closer to the village than the existing quarry was a concern.
- 2.16 Again, it became clear that, in general, the operator works well with the community and responds to their concerns. It seems that Donington Park and the Airport produce a lot more noise and disturbance than the quarry.
- 2.17 Most expressed concern about where the access would be and whether lorries would travel through Weston. Impact on views, flooding, loss of wildlife and informal recreation were also concerns. People asked for screening on the north side of the site.

- 2.18 The potential impact on Kings Mill Lane was also raised by a significant number of people. It was considered generally that the provision of a bridge across the river from Kings Mill Lane would be a good community benefit resulting from the working of the quarry. The improvement of the canal towpath in the area was also raised in this respect, as were improved community facilities such as buses and shops.
- 2.19 There was overall support for the proposed strategy for the restoration of the Trent Valley area.

Repton Village Hall, 4 October 2012

Over 150 people attended.

- 2.20 There was general concern expressed by the majority of local people over the potential impact that the development of this site could have. The size of the site surprised many.
- 2.21 Most thought that the area of the valley between Repton and Willington is totally unsuitable for aggregate extraction. It was considered that it would have a

number of adverse impacts, including increased noise, increased traffic on already unsuitable roads, increased risk of flooding, dust, loss of views across the valley, loss of important historic artefacts and environment and the potential impact on the setting of Repton and Willington and its proximity to built up areas.

- 2.22 Many people asked where the access is proposed, and were to some extent relieved that Hansons planned to access the site from Twyford Road with a new river bridge. There was still concern then that lorries would travel through already congested Willington.
- 2.23 Overall, it was felt that the site was too sensitive in a number of respects and that other sites that have been suggested which are further from communities offer greater potential for mineral extraction.
- 2.24 The main benefit that local people would like to see arise from any future extraction would be a new bridge connecting Repton and Willington to help relieve traffic congestion in the area.
- 2.25 No specific comments were raised about the suggested extension to the Willington Quarry.
- 2.26 People were keen to learn about the longer term strategy for the restoration of the Trent Valley area.

Elvaston Village Hall, 5 October 2012

25 people attended.

- 2.27 The main concerns raised included the potential impact of access arrangements and additional traffic on the local roads, the impacts of noise and dust on local villages and whether the proposal would increase flood risk. The proximity of the site to Elvaston Castle was also raised.
- 2.28 People also commented on the extent to which this area has suffered from the effects of quarrying in the past, some people thought it would be better if the resource was removed so that they could then be left alone, whilst others thought that it should now be the turn of other areas to bear the burden of mineral extraction.
- 2.29 Several people mentioned the poor quality of the deposits in this area and suggested that if sand and gravel extraction was necessary, it should be in an area where the yield would be greater for the amount of land lost.
- 2.30 In terms of restoration, people questioned whether it should be returned to an agricultural end use, or left as an open body of water.

Egginton Village Hall, 18 October 2012

52 people attended.

- 2.31 Main concerns raised included the potential impact that extraction may have on flooding in the area, particularly the impact on the water table during extraction.

- 2.32 Local people also discussed with us a long awaited flood alleviation scheme, which is due to start next year and includes the land suggested for extraction. Locals do not want this important scheme to be compromised by sand and gravel extraction.
- 2.33 People were also concerned that quarry traffic would go through the village. It is likely however that access would be to the north through the Airfield. Hansons own the track.
- 2.34 The cumulative impact on the area was also raised by a number of people in terms of the recent development in the area (A50, Nestle, the proposed rail interchange, housing) and yet another proposal would be unwelcome.
- 2.35 People were concerned about the loss of the footpaths through the site and the impact on important historic landforms (ox bow lakes and ridge and furrow) and on wildlife.
- 2.36 The proximity of Derby Airfield is also of major concern. The threat of bird strike is already a concern but it is considered that an increase in water bodies would increase this risk to unacceptable levels.
- 2.37 The construction of the new gas pipeline through part of the site was raised. Concern was expressed over how this would be protected.
- 2.38 The proposed restoration strategy was well received and people hoped it would be developed further.

Long Eaton Library, 8 November 2012

19 people attended.

- 2.39 People were concerned about the proximity of the extension of the Attenborough Quarry to housing and the potential effect that dust, noise and traffic would have on them. Fears were somewhat allayed when they were told that the material would be transported through the site to the existing processing plant at Attenborough.
- 2.40 The impact on house prices and insurance premiums was also raised; some insurance companies consider that sand and gravel quarries increase the risk of flooding.
- 2.41 Residents were worried that the workings could increase the risk of flooding by disrupting the water table.
- 2.42 Generally, people who had lived in the area for a while accepted the workings but newer residents were more concerned.
- 2.43 Some people supported the proposal and put forward benefits they hoped the development may bring to the area, such as more informal recreation opportunities and improvements to highway maintenance.
- 2.44 Most people were more concerned about the specific impacts of the site than the overall strategy, which they said should be left to us to develop.

- 2.45 Generally people would prefer to see the site restored to agriculture rather than another area of water. They were assured to learn that only inert fill could be used and it would not become a landfill site.

Shardlow Village Hall, 22 November 2012

42 people attended.

- 2.46 Many people were not aware that the Chapel Farm site is allocated in the current Minerals Plan and that there is a planning application on it. Those who are were concerned that this latest consultation process means that the extraction is now more likely to proceed.

- 2.47 People were concerned about whether there would be increased heavy quarry traffic passing through the villages, but were relieved to learn that the mineral is proposed to be moved by barge to the former Hemington Quarry.
- 2.48 There was also concern about the increased risk of flooding. People imagine a void full of water and see this as posing an increased flood risk.
- 2.49 Many people were concerned that the existing rights of way through the site, which local people consider a real community asset, will be destroyed and not replaced if extraction goes ahead.
- 2.50 Generally, people could not see any community benefits arising from extraction here. It seems that most have had enough with extraction taking place close by in recent years at Hemington, Shardlow and Elvaston quarries. They think that other communities should now take their share.
- 2.51 Most people thought that the apportionment figure in the Local Aggregate Assessment should be revised downwards to take greater account of the economic conditions.
- 2.52 People were more concerned about the proposals for the site rather so the proposed restoration strategy was not considered to any great extent here.

Sudbury Parish Room, 13 December 2012

17 people attended.

- 2.53 People were concerned about the impact of the sites, particularly the eastern site, on the character of the village, particularly given that it is a conservation area.
- 2.54 Heavy traffic passing through the village was a major concern, as was the potential for bottlenecks forming at the A50 roundabout if the eastern site near Sudbury was worked. Related to this was the question of where the access to each site would be located.
- 2.55 People also asked where the processing plants would be located and how much noise these would be likely to generate and whether this would be monitored by the Council.
- 2.56 Many asked how much sand and gravel there was in the sites and long extraction would last.
- 2.57 The potential for noise, dust and mud on the road were all discussed.
- 2.58 People asked whether Leathersley Lane would remain open or if this was to be removed as part of the scheme.
- 2.59 People generally wanted the site restored back to agricultural use and could see the benefits of the proposed restoration strategy for the river valleys.

- 2.60 A number of people questioned whether it was likely that the site could be delivered in the plan period to 2030, given that production at existing sites has slowed down.
- 2.61 There was no overall consensus on the question in the overall strategy as to whether extraction should take place in this area of the Dove Valley or whether it should continue in the Trent Valley. Some accepted that sand and gravel is a resource that has to be used and expected extraction to take place at some point, while others thought the area should be protected from extraction, given the conservation value of the area.

3. Representations and outcomes arising from the Towards a Minerals Local Plan Rolling Consultation 2015/2016

General Comments on the 2015 2016 Rolling Consultation

Table of Representations

Name	Name Reference Number	Representation Reference Number
Durham County Council	008	0067
Historic England	011	0089
Historic England	011	0090
Historic England	011	0091
Historic England	011	0092
Historic England	011	0093
Historic England	011	0354
National Forest Company	014	0116
Lowland Derbyshire LNP	031	0230

Mineral Safeguarding Consultation

Representation

- 3.1 Durham County Council would be most grateful if we could be added to the Minerals Plan consultation database. In particular, we would be interested in being afforded the opportunity to consider and comment upon all future consultation documentation relating to:

1. mineral safeguarding, specifically the approach taken to Permian Limestone for industrial uses and also Fluorspar;
2. the approach to be taken to High Grade Dolomitic limestone for use in the steel and refractory industries.

Durham CC (008/0067)

Actions/Considerations

- 3.2 Agreed

Outcomes for the Proposed Approach

3.3 N/A

Historic Environment

Representation

3.4 There are a number of important considerations relating to the historic environment which require addressing as part of the new Minerals Plan. The National Planning Policy Framework (NPPF), sets out clear requirements for Local Plans with regards to the historic environment. This includes Paragraph 126 which states that: “local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment”, while local plans should include strategic policies to deliver the protection and enhancement of the historic environment (paragraph 156) and should identify land where development is inappropriate because of its environmental or historic significance (paragraph 157). The Local Plan as a whole should be able to demonstrate that it sets out a positive strategy for the historic environment. Our recently published Historic Environment Good Practice Advice Note 1: The Historic Environment in Local Plans sets out further information. This can be accessed via the following link: <https://www.historicengland.org.uk/advice/planning/planning-system/>

(Historic England 011/0089)

Actions/Considerations

3.5 The comments are noted. It should be borne in mind however that the development plan for the area will include the District prepared local plans and a Unitary Plan for Derby City which will ensure that the historic environment is adequately considered. Nevertheless we will ensure that the Mineral Local Plan's strategic policies adequately refer to the historic environment. Furthermore the Plan's development management policies will provide detail regarding how the historic environment will be considered in the determination of planning applications.

Outcomes for the Proposed Approach

- 3.6 Ensure that the strategic policies adequately refer to the historic environment and that the development management policies provide more detail regarding how the historic environment will be considered in the determination of planning applications.

Historic Environment

Representation

- 3.7 With specific regard to minerals, the historic environment is of considerable relevance to minerals planning for a number of reasons. Ensuring that the impacts of current and future extraction avoid harming heritage assets wherever possible is a key aim, along with opportunities to enhance the historic environment through appropriate restoration. Maintaining a supply of building and roofing stone for conservation purposes is another key aim, along with the objective to safeguard the industrial heritage of mineral exploitation. Our 2008 guidance document on Mineral Extraction and the Historic Environment sets out Historic England's position on minerals planning. We also have produced a number of other documents related to minerals which may be of use. All of these documents can be downloaded from our Minerals Planning pages: <https://historicengland.org.uk/advice/planning/mineral-extraction/>

(Historic England 011/0090)

Actions/Considerations

- 3.8 Agreed

Outcomes for the Proposed Approach

- 3.9 The Plan will contain policies which will ensure that the historic environment continues to be given due consideration in the determination of planning applications for mineral development.

Historic Environment

Representation

- 3.10 In relation to minerals plans, Paragraph 143 of the NPPF states that local planning authorities should set out environmental criteria against which planning applications will be assessed to ensure that developments do not have unacceptable adverse impacts on the historic environment (6th bullet point). Reclamation policies should consider the historic environment (8th bullet point), while specific minerals resources of local and national importance should be safeguarded (3rd bullet point). The need to consider to meeting demand for building stone is mentioned in paragraph 144.

(Historic England 011/0091)

Actions/Considerations

- 3.11 Noted.

Outcomes for the Proposed Approach

- 3.12 These considerations have been taken account in the preparation of the Proposed Approach.

Historic Environment

Representation

- 3.13 We also note that many of the consultation documents relate to the allocation of sites for various minerals development. For your information, Historic England have recently publish a draft Advice Note entitled “The Historic Environment and Site Allocations in Local Plans” This document sets out broad principles for the consideration of the historic environment within plans to ensure soundness and promotes a site selection methodology. This can be accessed via the following link:

<https://content.historicengland.org.uk/content/docs/guidance/site-allocations-local-plans-consultation-draft.pdf>

(Historic England 011/0092)

Actions/Considerations

- 3.14 Noted.

Outcomes for the Proposed Approach

- 3.15 The historic environment has been taken fully into account in the site assessments.

Historic Environment

Representation

- 3.16 In the assessment of sites, we also consider that our Historic Environment Good Practice Advice Note 3: The Setting of Heritage Assets may be of particular interest to you and may provide additional information. These can be accessed via the following link:
<https://www.historicengland.org.uk/advice/planning/planning-system/>

(Historic England 011/0093)

Actions/Considerations

- 3.17 Noted.

Outcomes for the Proposed Approach

- 3.18 The historic environment has been taken fully into account in the site assessments.

Historic Environment

Representation

- 3.19 We hope that, as per the advice given in our last letter in August 2015 that the historic environment continues to be recognised as part of the development of the minerals local plan. In relation to the allocation of sites for minerals extraction, we refer you to our new guidance on the historic environment and the allocation of sites within local plans, which is relevant.

(Historic England 011/0354)

Actions/Considerations

- 3.20 Noted.

Outcomes for the Proposed Approach

- 3.21 The historic environment has been taken fully into account in the development of the Plan's policies and in the site assessments.

National Forest

Representation

- 3.22 The National Forest covers 200 square miles of the East and West Midlands. The National Forest Company leads the creation of the Forest and is a Non-Departmental Public Body sponsored by Defra. To date in excess of 8.5 million trees have been planted taking the amount of woodland cover from 6% of the area to 20%. The Forest covers the southern half of South Derbyshire District.
- 3.23 The National Forest Company supports the County Council's intention to create a plan-led system for minerals development. The emerging documents suggest that there are no existing or proposed mineral extraction sites within the Forest.

(National Forest Company 014/0116)

Actions/Considerations

- 3.24 The comments are noted.

Outcomes for the Proposed Approach

- 3.25 None

Local Nature Partnership

Representation

- 3.26 The LNP has sought advice from the Councils about how to discharge the Duty to Co-operate and incorporate its strategic objectives into local planning. Their advice was for the LNP to set clear spatial priorities and targets which would facilitate the process of inclusion into Local Plans. We hope that the rolling nature of your Minerals Local Plan consultation will mean it will be feasible for you to incorporate the LNP's objectives and targets, when they are available, into the Minerals Local Plan.
- 3.27 Alternatively, we would welcome ongoing discussions with you as further natural capital data and our strategy both emerge. This should help ensure that reviews of MLP during its lifetime takes account of the LNP's work and that you are aware of our work when you start the process of updating the MLP.

(Lowland Derbyshire and Nottinghamshire Local Nature Partnership 031/0230)

Actions/Considerations

- 3.28 Noted.

Outcomes for the Proposed Approach

- 3.29 The Local Nature Partnerships spatial objectives and targets will be incorporated into the Plan where appropriate.

Chapter 2 – Spatial Context

Spatial Portrait Background Paper, January 2015

Table of Representations

Name	Name Reference Number	Representation Reference Number
Mineral Products Association	013	0096
Mineral Products Association	013	0097
National Forest Company	014	0117
Sport England	050	0312

Representation

- 3.30 In section 1.1 it would be useful to mention that in large part the ‘stunning and diverse landscapes’ of Derbyshire coincide with the minerals for which the county is a ‘national leader’.

(Mineral Products Association 013/0096)

Actions/Considerations

- 3.31 Agreed

Outcomes for the Proposed Approach

- 3.32 A sentence has been added to this effect.

Representation

- 3.33 "2. In section 2.4 it might also be useful to elaborate on the economic importance of the mineral products sector. The following is some suggested text, in 2012 the Mineral Products Association (MPA) commissioned a study of the economic contribution of the mineral products industry to the national economy. This document is called The Foundation for a Strong Economy and was undertaken by Capital Economics. It may be found here:

http://www.mineralproducts.org/documents/The_foundation_for_a_strong_economy.pdf

3.34 The Report's main findings are that

- Mineral products are part of the unseen and unloved part of the economy, but which employs the bulk of the workforce and generates much of the country's prosperity. It isn't high profile or glamorous but nevertheless without it, much of what is high profile would simply not be possible.
- The mineral products industry generates over £4 Billion of Gross Value Added (GVA) and employs between 33,000 and 39,000 people directly. A similar number is supported indirectly.
- Using GVA per worker as a measure the sector's productivity employees are over 2½ times more productive than the average for the UK generating over £110,000 of GVA per worker each year.
- The industry contributes similar levels of GVA to the economy as creative industries such as architecture, television or radio or some high-tech manufacturing activities. It is not significantly smaller than the motor vehicle manufacturing and aerospace industries.
- The industry is also a major tax payer contributing over £1 Billion of taxes to the exchequer each year.
- The industry spends over £5 Billion on suppliers each year which benefits many other sectors and unlike some of the more glamorous sectors it increases economic activity in every region of the UK.
- The biggest customer of the industry is the construction sector, which is crucial to providing the infrastructure that the country will depend on to supply the economic growth that it needs to renew the economy. In total this sector comprises 6% of total economic output.
- In total the construction sector spends over £6 Billion on mineral products (over 5% of construction turnover) which are vital to almost every type of building project.

- Every £1 invested in construction delivers almost £3 of benefit to the total economy.
- The total value of mineral products in construction is £6.4 Billion. Of this over £2 Billion of product flows into infrastructure products. Repair and maintenance and private commercial property construction accounts for another £2.2 Billion and non-infrastructure public work accounts for £800 Million.
- The total turnover of the industries which are dependent on mineral products for their raw materials is over £400 Billion, and they provide jobs for 1.3 Million people.
- About 250 Million tonnes of mineral products are extracted in the UK each year or just over 4 tonnes per person, or 1 Million tonnes every working day. This represents the largest materials movements in the economy although much of it is unseen by the public.

3.35 This record of importance is in line with the government's own assessment of the industry published in 2015. The construction sector is highly diverse with a range of discrete sub-sectors. It delivered around £92 billion GVA to the UK economy in 2014 (2011 prices) employing around 2.1 million workers, and as such is a key contributor to UK growth. The government's Plan for Growth, published alongside the Budget in March 2011, set out how Coalition Government policy would aim to encourage growth in a number of industries, including construction. The document stressed the importance of investment in infrastructure projects and house building for the UK economy.

3.36 It is also critical to the achievement of UK climate change targets. The UK has a comparative advantage in certain construction services, primarily engineering, architecture and activities associated with low-carbon built environment solutions. This advantage will be important in benefiting from opportunities driven by technological change, increasing environmental awareness and emerging economies. Construction is heavily influenced by direct and indirect levers from the public sector, which procures around 40%

of the industry's output, and commitments to renew and expand national infrastructure are therefore significant to the sector.

- 3.37 The use of mineral products makes a major contribution to wider national targets for carbon reduction. For example, 90% of the energy and emissions related to buildings are due to the lifetime use or operation of the building. The use of well-designed concrete construction can significantly reduce “in use” energy because the thermal mass effect of concrete creates more even temperatures within buildings, therefore reducing the need for additional heating and cooling. The use of mineral products is also essential for the construction and operation of lower carbon energy generation capacity, including electricity from nuclear and renewable plants (source: MPA Sustainable Development Report 2014).
- 3.38 Construction is identified as an important component of the UK economy in the years ahead. With energy it is labelled an enabling industry which will have a major impact on other sectors, and whose growth is likely to be heavily influenced by societal challenges such as tighter environmental standards for low carbon construction. These sectors are heavily influenced by regulation. One other advantage of the construction sector is that growth will be felt across the entire country and not concentrated in specific locations.
- 3.39 The importance of the mineral industry to the economy has been recognised by the government in national planning policy which says, “Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs.” (paragraph 142). And, “When determining planning applications, local planning authorities should...give great weight to the benefits of the mineral extraction, including to the economy.” (paragraph 144). The weight accorded to the benefits of mineral extraction is on the same level as that that should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty.

(Mineral Products Association 013/0097)

Actions/Considerations

3.40 Agreed

Outcomes for the Proposed Approach

3.41 A paragraph has been added to this section to highlight the importance of the minerals sector.

Representation/s

3.42 The National Forest Company (NFC) considers that The National Forest should be referred to within the Spatial Portrait. The boundary of the Forest could be shown on Diagram 2 with a paragraph added to the Natural and Historic Environment section. The NFC can provide a GIS layer of the boundary and text for the paragraph if that would be of assistance

(National Forest Company 014/0117)

Actions/Considerations

3.43 Agreed

Outcomes for the Proposed Approach

3.44 Agreed. A sentence has been added and also a layer to Diagram 2

Representation/s

3.45 Please note additional comments re: criteria based policy and draft Spatial Portrait which are linked to this heading and for which a direct question/response box does not appear to have been provided (apologies if this is not the case and please assign comments as appropriate):

3.46 Within the draft Spatial Portrait, the continued reference to leisure use (which is taken to include sport and other physical activity based schemes) as all or part of a restoration solution is supported, as is the approach of taking account site specific circumstances, physical characteristics, opportunities, needs and community benefits when considering the optimum solution. For the avoidance of doubt, it would be helpful to specifically reference sport and

physical activity based resources / uses as valuable potential components of restoration programmes.

(Sport England, 050/0312)

Actions/Considerations

3.47 Agreed

Outcomes for the Proposed Approach

3.48 Agreed that the Plan should specifically reference sport and physical based resources/uses as valuable potential components of restoration programmes. This detail will be included in Chapter 12 Restoration.

Chapter 3 – Vision and Objectives

Table of Representations

Name	Name Reference Number	Representation Reference Number
Natural England	016	0328
RSPB	021	0244
RSPB	021	0245
RSPB	021	0246
RSPB	021	0247
RSPB	021	0248
RSPB	021	0249
RSPB	021	0250
RSPB	021	0251
RSPB	021	0252
RSPB	021	0253
South Derbyshire DC	022	0240
Harworth Estates	033	0232

Towards a Vision and Objectives Strategy and Supporting Papers

- 3.49 The consultation on the draft vision and objectives of the Plan was presented as a single set of statements and did not put forward a range of options as in the other consultation papers on specific issues and individual minerals. The representations set out below were, in some cases, quite detailed and lengthy. Some of the representations put forward suggestions that conflicted with those made by others. Some suggested changes to the use of individual words, whilst others suggested substantial additions or alterations. Accordingly it is not possible to set out in detail why some were considered appropriate and not others but all were taken into account in developing the Proposed Approach.

Representations

- 3.50 The emerging local plan should recognise the critical importance of feasibility and economic viability to the working or use of any safeguarded resource, and the range of benefits which can be reaped from the restoration and

development of sites where mineral workings have permanently ceased are not feasible or viable. It is therefore suggested that additions are made to the draft vision as follows.

- 3.51 Add the heading '**Restoration of Unviable Sites**' to paragraph 7.2 – Emerging Draft Vision, with supporting text as follows: ***Where there is no reasonable prospect of minerals working taking place, the opportunity for the viable restoration of minerals sites should be taken, and the opportunity to contribute towards local development goals will be explored. Opportunities will be taken to provide benefits to local communities, the natural and built environment, reducing flood risk and climate change, through the viable restoration of minerals sites where the working of economic mineral reserves has been exhausted or is no longer feasible or viable.***
- 3.52 Under the existing heading, **Safeguarding of Mineral Resources and Facilities**: *Mineral resources and the facilities which enable the sustainable processing and transport of extracted minerals will be safeguarded from inappropriate development, **where there is a feasible and economically viable prospect of minerals extraction taking place, and facilities being required and operational.***
- 3.53 Accordingly, the following additions are suggested to the draft objectives.

Objective 4 – Safeguarding Mineral Resources and Facilities: *Mineral resources and the facilities which are used to process and transport extracted minerals will be protected from inappropriate development that would impair their availability and use for future generations, **unless it can be demonstrated that the working of resources and use of facilities is no longer feasible or economically viable.** This will include the identification and safeguarding of surface and underground mineral resources of local and national importance, important aggregates supply and transport infrastructure such as rail heads, coating and concrete plants and effective co-operation with the district and borough councils in the area.*

- 3.54 **Objective 5 – Minimising Impacts on Communities:** *The Plan will minimise the potential adverse impacts of minerals development on local communities in the area by protecting their existing amenity, quality of life, social fabric and health. Particular emphasis will be given to the need to prevent further cumulative impacts. This will include developing locational policy to ensure the appropriate separation between minerals sites and the places where people live and work, policies which promote the highest standards of design and operation and setting out criteria to ensure that only acceptable development proposals are allowed. **Where minerals operations are no longer feasible or economically viable, opportunities will be taken to restore and develop sites for uses which are beneficial to local communities.***
- 3.55 **Objective 6 – Protecting the Natural and Built Environment:** *The Plan will conserve and enhance the area's natural and built environment, including its distinctive landscapes, habitats, wildlife and other important features by avoiding, minimising and mitigating potential adverse impacts of minerals developments, **and will help to facilitate opportunities to restore minerals sites which are no longer economically viable.***

Vision and Objectives Supporting Paper

- 3.56 This supporting paper sets out a series of 'key issues' to inform the formulation of the Minerals Local Plan vision and objectives. It is suggested that an additional key issue is added as follows:

Opportunities to restore minerals sites where minerals workings are no longer economically viable.

- 3.57 Within the section on 'Safeguarding', amend paragraph 10 as follows:

*Safeguarding important minerals to ensure they are not sterilised by other development and therefore are protected for longer term supply for future generations, **unless it can be demonstrated that extraction is not feasible or economically viable.***

- 3.58 It is considered that the paper should make reference to NPPF policy relating to the effective use of previously developed land, with a view to ensuring that

the goals of the Minerals Local Plan relates to wider objectives in relation to communities, minimising impact upon the natural and built environment, minimising flood risk, and minimising climate change. Although many minerals sites benefit from restoration clauses and therefore may not classify as 'brownfield land', opportunities for the restoration of sites should be considered in light of wider development goals such as those of Local Plans within the Derbyshire County. Accordingly, it is requested that the following NPPF reference be added:

3.59 ***The NPPF sets out a series of 'core planning principles', one being that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value (paragraph 17).***

3.60 The acknowledgement of this NPPF paragraph will help to ensure that the Minerals Plan integrated with local development policies effectively, in seeking to utilise appropriate sites for development.

(Harworth Estates 033, 0232)

Representations

3.61 The Vision and Objectives for the minerals plan substantially address the issues of concern within South Derbyshire and can be supported, although it is considered the Council should make a number of points in responding to the consultation. These are explained below and, for clarity, marked as proposed changes at Annexe A.

3.62 Objective 1 could be clarified by indicating that rather than providing an "adequate number of sites", the plan will seek to provide "adequate overall site capacity", since potential output is not just a function of site numbers, but a variety of factors, including the size of the sites and the rates at which they can be worked within the limits imposed by the minerals planning authority.

3.63 It is considered that Objective 2 should be strengthened by indicating that the plan will seek to "maximise", rather than "increase", levels of secondary and recycled aggregates and the reuse of other materials.

- 3.64 Objective 3 is about the spatial distribution of minerals development. In the interests of clarity, it is considered that the reference to using the “highest standard of transport links” should be replaced by “the most sustainable transport links”, to ensure that the three dimensions of sustainable development: environmental, social and economic, are properly addressed.
- 3.66 Objective 5 is concerned with minimising impacts on communities. It is considered that the policy should be strengthened by making clear that any adverse impacts will be mitigated.
- 3.67 In regard to Objective 6, the County Council’s previously published Climate Change supporting paper emphasises the importance to wildlife of ensuring that water is managed so that water bodies, water courses and wetlands are receiving and retaining water for the benefit of wildlife and highlights that creating space for flood waters can also provide new habitats for wildlife. It is therefore considered that Objective 6 should be amended to indicate that as well as avoiding, minimising and mitigating potential adverse impacts on wildlife, minerals development should seek to maximise the potential ecological benefits.
- 3.68 It is considered that Objective 8 is insufficiently robust in seeking to minimise and mitigate flood risk. The National Planning Policy Framework requires that where development in the floodplain is necessary it must be made safe without increasing flood risk elsewhere. Furthermore, sand and gravel workings sometimes create potential for additional water storage capacity, thus helping to reduce the risk of downstream flooding. In light of this it is considered that Objective 8 should be amended to indicate that development will not lead to increased flood risk and will, where possible, reduce flood risk.

(South Derbyshire DC 022, 0240)

Vision and Objectives Q1. Do you agree that these are the key issues and elements which will help to formulate the vision and objectives to be included in the new minerals local plan?

- 3.69 Natural England broadly supports the key issues and elements identified to formulate the vision and objectives. It recommends that overall landscape

impacts be considered, in particular taking a landscape scale approach to mineral restoration which means considering the whole landscape of an area in order to make it ecologically coherent. Natural England are supporting this approach in the Trent & Tame Valleys where there is a co-ordinated approach to encouraging wetland habitat at a strategic scale.

(Natural England 016, 0328)

- 3.70 Although the RSPB acknowledges that the consultation document has identified and addressed some important and relevant issues, we believe that there is significant scope for improvement, as outlined below.

4 Key Issues and Elements of the Vision and Objectives

4.4 Where Minerals are Located

- 3.71 The consultation identifies that *‘the issue which is of relevance to the Vision and Objectives is that the extraction of these resources is not confined to a small part of the Plan area’*. Whilst this may present a significant challenge, for example, where minerals are located in sensitive areas, it also presents a significant opportunity. The widespread nature of the mineral resource provides the Mineral Planning Authority with the opportunity to pro-actively drive minerals development to locations – and at a scale – that will provide the greatest opportunities for delivering strategic restoration benefits.
- 3.72 For example, there may be particular locations where mineral development and restoration could provide the most significant opportunities for delivering flood risk management, Water Framework Directive objectives, recreational opportunities and/or creating coherent and resilient ecological networks. In the context of ecological networks, preference should be given to locations where mineral development would help to make existing wildlife sites even bigger (as long as there are no adverse effects on the existing wildlife resource) and/or locations that would provide a ‘stepping-stone’ between wildlife sites that are further apart.
- 3.73 Where mineral sites are located close together, any development and restoration proposals should consider these sites as a cluster, such that they

collectively deliver more strategic restoration benefits than they would individually (i.e. the whole is greater than the sum of its parts). For example, habitat creation across the cluster should be complementary, rather than each site cramming in lots of habitat at too small a scale.

- 3.74 The developing Worcestershire Minerals Local Plan (MLP) provides a good example of a MLP which is seeking to pro-actively drive the location of minerals development to locations where strategic restoration benefits can be delivered. The Grensmaas project, in the Netherlands, demonstrates what can be achieved when this approach is delivered on-the-ground. In this project, sand and gravel is being extracted along the River Maas/Meuse in a strategically planned way, primarily as a means to significantly reduce the risk of flooding for tens of thousands of families, at no cost to the taxpayer.

(RSPB 021, 0244)

4.7 Environmental Impacts of Mineral Extraction

- 3.75 Whilst the RSPB acknowledges *'the need to balance the provision of an adequate supply of minerals whilst preventing unacceptable environmental impacts'*, we are concerned by the narrow focus of the consultation document on adverse environmental impacts. We believe that it is also important to identify the potential for environmental enhancements, particularly through the opportunities provided by mineral site restoration.
- 3.76 As indicated in the 'National Planning Policy and Legislation' page of this consultation, the National Planning Policy Framework (NPPF) *'requires authorities to set out the strategic priorities for their area in the local plan'*, with these priorities *'usually expressed as part of the Vision and Objectives'*. The NPPF (para. 156) states that *'this should include strategic policies to deliver... climate change...adaptation, conservation and enhancement of the natural...environment'*. The NPPF (para. 157) goes on to state that, crucially, Local Plans should *'contain a clear strategy for enhancing the natural...environment'*. In other words, the Plan should be much more visionary

and aspirational than simply aiming to minimise and mitigate adverse environmental impacts.

- 3.77 The document *'Bigger and Better: How Minerals Local Plans can help give nature a home on a landscape scale in the Trent and Tame River Valleys'* already provides a clear vision and strategy for enhancing the natural environment in the Trent Valley section of the Plan Area. It also shows how MPAs could start to address the NPPF (para. 117) requirement to *'plan for biodiversity at a landscape-scale across local authority boundaries'* by considering how the mineral sites within this section of the Plan Area complement the ecological network of the entire river valley corridor from source to sea.
- 3.78 As well as addressing biodiversity issues, 'Bigger and Better' also identifies how other environmental, social and economic objectives could be delivered. This document was developed in partnership with a wide range of stakeholders across six counties, including Derbyshire County Council, and is endorsed by organisations such as Derbyshire Wildlife Trust and Trent Rivers Trust.

(RSPB 021, 0245)

4.11 Restoration, Aftercare and After-use

- 3.79 The RSPB is pleased to see that a major priority for the new Plan will be *'the need to ensure that sites are properly restored and managed after mineral extraction has ceased'*. Whilst mineral sites can be restored to a variety of after-uses, the Plan should acknowledge that mineral site restoration provides nationally significant opportunities for enhancing biodiversity, in particular. For example, mineral site restoration has the potential to deliver 100% of the UK habitat creation targets for nine priority habitats, including reedbed, wet grassland and heathland.
- 3.80 Minerals development and mineral site restoration is uniquely placed to provide these opportunities, particularly at the scale required to help halt and

reverse ongoing declines in biodiversity. This is particularly true in the Trent Valley, where mineral site restoration offers the only realistic opportunity to create large areas of priority habitat.

- 3.81 As outlined in response to sections 4.4 and 4.7, above, restoration should not just be considered on a piecemeal, site-by-site approach, but at a more landscape scale and should deliver strategic restoration benefits. These strategic restoration benefits should be identified explicitly in the Vision and Objectives. This would be more in line with both the NPPF and the government's biodiversity strategy, Biodiversity 2025.

(RSPB 021, 0246)

4.13 Climate Change

- 3.82 The RSPB supports the aspiration for '*avoiding and negating further adverse climate changes and incorporating resilience*'. One of the key ways in which mineral development can '*incorporate resilience*' is to help establish coherent and resilient ecological networks by creating new areas of priority habitat to provide **more** wildlife sites that are **bigger**, **better** managed and **joined** together (i.e. the sites provide new wildlife corridors and 'stepping stones' between other wildlife sites). This opportunity to provide resilience to climate change should be reflected within the Plan.

Duty to Co-operate

- 3.83 As indicated in the consultation document, the Duty to Co-operate is intended '*to maximise the effectiveness of Local Plan preparation relating to strategic, cross-boundary matters*'. The NPPF (paras. 156 and 178) indicates that these strategic, cross-boundary matters (or 'strategic priorities') should include climate change adaptation and conservation and enhancement of the natural environment.
- 3.84 This is particularly relevant for mineral development in the Trent Valley, as the Trent Valley provides an ecological network that extends well beyond Derbyshire. Any mineral development within Derbyshire's part of the Trent

Valley should consider how the proposed development and restoration enhances the ecological network of the Trent Valley as a whole. This principle should be reflected within the Vision and Objectives and other relevant sections of the Plan. The 'Bigger and Better' document, referred to in responses to section 4.7 above, provides further guidance on this principle.

- 3.85 This principle is already recognised in the Minerals Local Plans (MLPs) of neighbouring Mineral Planning Authorities (MPAs), including Nottinghamshire. By addressing this principle within the Derbyshire MLP, the Derbyshire MPA will be demonstrating that they are delivering the Duty to Cooperate in relation to strategic environmental priorities.

(RSPB 021,0247)

Vision and Objectives Q2: Do you agree that the draft Vision and Objectives identified above address all the aspects which need to be included in the new Minerals Local Plan and that they form an appropriate basis for developing the detailed policies of the Plan?

- 3.86 The RSPB believes that the draft Vision and Objectives have addressed many, but not all, of the important and relevant aspects which need to be included in the new Minerals Local Plan. However, there is still considerable room for improvement, as outlined below.

Next Steps

7.2 Emerging Draft Vision

- 3.87 **Spatial Distribution of Minerals:** the RSPB acknowledges the requirement that '*within natural geological constraints, minerals development will be located in areas to optimise the match between the locations of supply and demand and which allow the use of the most sustainable form of transport*'. However, as outlined in response to section 4.4 of the consultation document, we believe that the potential of the location – and scale – of minerals development to deliver strategic restoration benefits, such as delivering net-gains in biodiversity, should also be addressed in this section of the Vision.

- 3.88 We suggest that the following new text is added at the end of this part of the Vision:

Where possible, minerals development will also be located in areas - and at a scale - that provide the greatest opportunities to deliver strategic restoration benefits, such as the landscape-scale creation of priority habitats.

(RSPB 021, 0248)

- 3.89 **Protection of Local Communities, the Natural and Built Environment and Cumulative Impacts:** the RSPB supports the requirements for mineral development to ‘*contribute to the protection of the areas outstanding environmental assets*’, ‘*not adversely impact on the biodiversity of the area*’ and to be ‘*restored to the most appropriate use, providing maximum benefit to the area and local communities*’.

- 3.90 However, as outlined in response to section 4.11 of the consultation document, the Plan should recognise the unique opportunity that minerals development and restoration provides for helping to halt and reverse ongoing declines in biodiversity, by creating new areas of priority habitat at a landscape-scale. As such, the Plan should follow the lead of the Nottinghamshire Minerals Local Plan by promoting a biodiversity-led approach to mineral development and restoration.

- 3.91 We suggest that the following new text is added at the end of this part of the Vision:

Minerals development will make a significant contribution to delivering a net-gain in biodiversity and establishing coherent and resilient ecological networks by taking a biodiversity-led approach to mineral site restoration. In particular, minerals development will contribute to the Trent Valley once again becoming one of Britain’s greatest wetlands, providing a range of multi-functional benefits in an attractive and inspiring landscape.

(RSPB 021, 0249)

3.92 **Flood Risk and Climate Change:** *the RSPB welcomes the consultation document's acknowledgement of the need for minerals developments to 'be located, designed and operated in ways which help to reduce flood risk and maintain or enhance water quality' and to 'ensure that impacts on climate change are minimised'. However, this Vision statement does not adequately reflect the extent to which minerals developments can support climate change adaptation. For example, as outlined in response to sections 4.11 and 4.13 of the consultation document, mineral development provides a unique opportunity to create new areas of priority habitat at a landscape scale and to deliver the Lawton Review principles of more, bigger, better and joined.*

3.93 *Delivering all of these principles through mineral site restoration will help to establish coherent ecological networks that are resilient to the current and future pressures of climate change. This potential should be reflected within the Vision statement.*

3.94 *We suggest that the following new text is added at the end of this part of the Vision:*

In addition, minerals developments will support climate change adaptation by helping to establish coherent ecological networks that are more resilient to the current and future pressures of climate change.

(RSPB 021, 0250)

7.3 Emerging Draft Objectives

3.95 **Objective 3 - Achieving the most Appropriate Spatial Distribution of Mineral Development:** *the RSPB acknowledges the need to encourage 'new or extended minerals developments in locations as near as possible to where they will be used and which can be delivered using the highest standard of transport links'. However, as outlined in response to sections 4.4 and 7.2 of the consultation document, we believe that the potential of the location – and scale – of minerals development to deliver strategic restoration benefits, such as delivering net-gains in biodiversity, should also be addressed in this Objective.*

3.96 *We suggest the following text:*

Within natural geological constraints, minerals development will be located in areas to optimise the match between the locations of supply and demand and which allow the use of the most sustainable form of transport. The potential of the location – and the scale - of mineral development to deliver strategic restoration benefits, such as the landscape-scale creation of priority habitats, will also be taken into account.

(RSPB 021, 0251)

- 3.97 **Objective 6 – Protecting the Natural and Built Environment:** The RSPB supports the aspiration to ‘*conserve and enhance the area’s natural...environment, including its distinctive...habitats, wildlife and other important features by avoiding, minimising and mitigating potential adverse impacts of minerals developments*’. However, as outlined in response to sections 4.11 and 7.2 of the consultation document, the Plan should also recognise the unique opportunity that minerals development and restoration provides for helping to halt and reverse ongoing declines in biodiversity, by creating new areas of priority habitat at a landscape-scale.

- 3.98 We suggest that the following new text is added to the end of this section of the Vision:

In particular, preference will be given to biodiversity-led restoration. This biodiversity-led restoration should contribute to establishing coherent and resilient ecological network, primarily through the creation of new areas of priority habitat (at a landscape-scale, where possible). Regardless of the selected restoration option, all mineral sites will be required to deliver a significant net-gain in biodiversity.

- 3.99 This emphasis on biodiversity-led restoration would reflect the emphasis given in the neighbouring Nottinghamshire Minerals Local Plan (Submission Draft).

(RSPB 021, 0252)

- 3.100 **Objective 8 – Minimising Flood Risk and Climate Change:** the RSPB acknowledges the need to minimise and mitigate the risk of flooding and the

impacts of climate change arising from minerals developments. However, as outlined in response to sections 4.11, 4.13 and 7.2 of the consultation document, Objective 8 does not adequately reflect the extent to which minerals developments can support climate change adaptation.

- 3.101 We suggest that the following new text is added to the end of this section of the Vision:

The Plan will promote climate change adaptation through encouraging the creation of priority habitat (at a landscape-scale, where possible) to help establish coherent ecological networks that are more resilient to the current and future pressures of climate change. In this context, minerals developments in the Trent Valley will be required to consider how they contribute to the wider ecological network of the Trent Valley beyond Derbyshire.

(RSPB 021, 0253)

Actions/Considerations

- 3.102 All respondents indicated general support for the draft Vision and Objectives but also suggested a number of additions and alterations to the specific wording. Some of the suggestions are inappropriate for further consideration as they conflate two or more of the separate statements, some are inappropriate for inclusion in the statements as they are too detailed for that part of the Plan and others conflict directly with the suggestions of other respondents. However, some merit further consideration for inclusion in the final Plan.

Outcomes for the Proposed Approach

- 3.103 The suggested amendments and additions to the draft Vision and Objectives were considered in the round and appropriate changes and alterations have been incorporated into the revised statements in the Winter 2017/2018 Consultation.

Chapter 4 - Strategic Sustainability Principles

Table of Representations

Name	Name Reference Number	Representation Reference Number
Derbyshire Wildlife Trust	007	0058
Derbyshire Wildlife Trust	007	0059
Derbyshire Wildlife Trust	007	0060
Derbyshire Wildlife Trust	007	0061
Derbyshire Wildlife Trust	007	0062
Historic England	011	0085
Historic England	011	0086
Historic England	011	0087
Mineral Products Association	013	0109
Mineral Products Association	013	0110
Mineral Products Association	013	0111
Mineral Products Association	013	0112
National Forest Company	014	0119
National Trust	015	0149
National Trust	015	0150
National Trust	015	0151
National Trust	015	0152
National Trust	015	0153
Natural England	016	0158
Natural England	016	0159
Natural England	016	0160
RSPB	021	0175
RSPB	021	0176
RSPB	021	0177
RSPB	021	0178
South Derbyshire DC	022	0183
South Derbyshire DC	022	0182
Transition Chesterfield	044	0299
Sport England	050	0311
Transition Chesterfield	044	0298
Nottinghamshire CC	042	0266

Towards Strategic Sustainability Principles

Issue: Economic Development

- 3.104 Policy SMP1 over emphasises economic development rather than providing a balanced overall view of sustainable development.

Representations

- 3.105 The supporting text refers to a 'national policy presumption in favour of sustainable economic development'. This reflects a common trend within the Minerals Plan papers towards prioritising economic considerations above social and environmental considerations. Paragraph 14 of the NPPF contains a 'presumption in favour of sustainable development' while paragraph 8 is clear that 'to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously'.

(National Trust 015/0152)

Actions/Considerations

- 3.106 This was included as one of the Council's main priorities is to promote economic development. It is accepted, however, that this can be achieved within the overall remit of sustainable development, as set out in national policy.

Outcomes for the Proposed Approach

- 3.107 Amend supporting text to refer to sustainable development rather than sustainable economic development.

Strategic Sustainability Principles

Issue: Climate Change

- 3.108 Policy SMP2: Climate Change is considered to be too inflexible. It should provide exceptions/qualifications. It should also provide greater detail on the

causes of climate change and provide a caveat relating to the historic environment.

Representations

3.109 We suggest that the policy as drafted is too inflexible. It is an absolute statement that has no exceptions or qualifications. Amended wording is suggested. (*Mineral Products Association 013/0110*)

3.110 The policy needs to address the causes of climate change and adaptation to the effects of climate change. (*Derbyshire Wildlife Trust 007/0061*)

3.111 It is important to note that there may be cases where it is inappropriate to incorporate the measures set out in the policy due to historic environmental impacts. (*Historic England 011/0086*)

Actions/Considerations

3.112 The redrafted policy will include most of the suggestions.

3.113 There are some more detailed matters raised, however, which are more appropriately included in the restoration chapter but which can be referred to in this policy.

Outcomes for the Proposed Approach

3.114 Re-draft the policy to include the proposed amendments, as set out above.

Strategic Sustainability Principles

Other issues raised

3.115 Policy SMP3; Sustainability Principles in Derbyshire and Derby, should not refer to efficiency of use of minerals and should distinguish between levels of environmental designation and make reference to the historic environment. It should also be more explicit about the use of recycled aggregates.

Representations

3.116 The policy should not refer to efficiency of use of minerals, which is a misinterpretation of policy in NPPF, which refers to the best use being made of minerals to secure their long term conservation. (*Mineral Products Association 013/0111*)

3.117 The proposed policy relating to the environmental designations is very broad brush and does not distinguish between the different levels of nature conservation designation ranging from international to national to local. It is unclear what the term special circumstances will actually mean in practice. We would recommend that the policy needs to distinguish between different levels of designation and the weight placed upon each needs to reflect legislation, the NPPF and best practice guidelines. (*Derbyshire Wildlife Trust 007/0058*)

Actions/Considerations

3.118 The policy is intended to be broad brush and strategic in nature, setting the scene for a more detailed development management policy later in the Plan. It is accepted however that the text could refer to varying levels of protection according to the status of the site.

Outcome for the Proposed Approach

3.119 Re-draft the policy to include the requested proposed amendments, as set out above.

Climate Change Supporting Paper

Representation

3.120 The Local Plan should have an explicit reference to the Climate Change Act and the need for any proposed mineral or waste activity to conform with the aim of reaching net zero carbon emissions. For example, the Minerals and Climate Change Supporting Paper Dec 2015, only considers the impacts of the processing of the minerals and the transportation of minerals and movement of vehicles on and off site. However, with the extraction of any

fossil fuel, coal, conventional or unconventional gas, the fugitive emissions of methane and the burning of that fuel clearly contributes to greenhouse gas emissions and should be acknowledged in the paper.

(Transition Chesterfield 044/0298)

Actions/Considerations

- 3.121 Agreed that the Climate Change supporting paper should make reference to fossil fuels.

Outcomes for Proposed Approach

- 3.122 Amend supporting paper to make reference to fossil fuels.

Towards A Strategy for Transporting Minerals

Paragraph 6.21: The emerging policy approach for the sustainable transport of minerals

Representation

- 3.123 Nottinghamshire CC considers that the proposed policy approach towards sustainable transport is generally appropriate. However it is unclear as to the types of information that would need to be provided for point 1 of para 6.21. This is particularly the case as to 'how transport movements relate to mineral resources'.

(Nottinghamshire CC 042/0266)

Actions/Considerations

- 3.124 The type of information that would need to be provided under point a) of paragraph 6.21 refers to the scale of transport movements and destination of movements as they relate to the resource. For instance, the Carboniferous Limestone resource predominantly serves the North West and Greater Manchester area whilst the Permian Limestone serves the Nottinghamshire/South Yorkshire area. Also aggregate minerals which are greater in volume and, hence lead to greater traffic movements, travel to more local markets (although rail transport alters this fact) than other minerals such as industrial limestone, coal and gas, sandstone and clay and shale whose

higher value per tonne often makes it economically viable to transport smaller quantities of these minerals for use beyond the Plan area. Such information should be provided as part of the overall Transport Assessment required to be submitted as part of any planning application.

Outcomes for the Proposed Approach

- 3.125 Ensure that the justification for any Policy criteria explains in detail the information that needs to be collected and the reason for its collection.

Chapter 6 – Supply of Aggregates

6.2 Sand & Gravel

Table of Representations

Name	Name Reference Number	Representation Reference Number
Individual	010	0069
Historic England	011	0083
Mineral Products Association	013	0098
National Forest Company	014	0118
South Derbyshire DC	022	0179
Tarmac	023	0213
Staffordshire CC	040	0254
Long Eaton Natural History Society	054	0318

Issue: Provision of sand and gravel

Representation/s

3.126 There were equal levels of support and objection to the proposed figure. There were two objections to the figure proposed, one from the (*Mineral Products Association 013/0098*) and one from (*Tarmac 023/0213*), both saying it should be higher because of the economic recovery and two comments of support for the figure proposed, one individual (*010/0069*) and (*South Derbyshire District Council 022/0179*).

Actions/Considerations

3.127 The provision figure has been considered through public consultation and also discussed and agreed through the AWP. Given this overall support and mandate, we consider, therefore, that the figure is appropriate and robust for the Plan period, but if necessary can be reviewed through the Plan period.

Outcomes for the Proposed Approach

3.128 To develop the policy approach as set out in the draft Strategy.

Representation

3.129 It would be better to limit the number of sites so monitoring is easier and we can keep more of our meadowland which has been seriously reduced in area over the past 40 years. More restoration should be made to meadowland with public access by means of footpaths and common areas. (*Long Eaton Natural History Society 054/0318*)

Actions/Considerations

3.130 The Councils have a statutory duty to provide sites to meet the requirement for sand and gravel. Only sites that are needed will be allocated and restoration schemes will have to meet strict requirements. These are set out in the Restoration chapter. Restoration to grassland will be required where appropriate.

Outcomes for Proposed Approach

3.131 No change.

Issue: Consideration of cross border environmental assets in the methodology

Representation

3.132 Concerns are raised about the consideration of cross border environmental assets/sensitivities in terms of ecological and historic interests. It is suggested that a meeting is arranged with the relevant specialists so that these concerns can be addressed in the review of site assessments. (*Staffordshire CC 040/0254*)

Actions/Considerations

3.133 As suggested, it would be appropriate and useful to arrange a meeting to discuss the cross border implications of the site assessment methodology in terms of the ecological and historic interests.

Outcomes for the Proposed Approach

3.134 Organise a meeting with Staffordshire County Council to discuss these issues.

Sand and Gravel Site Assessment Methodology

Table of Representations

Name	Name Reference Number	Representation Reference Number
Natural England	016	0321
South Derbyshire DC	022	0206
Tarmac	023	0214
Tarmac	023	0217
Tarmac	023	0218
Staffordshire CC	040	0255
Staffordshire CC	040	0256
Sport England	050	0312

Issue: The scoring system for assessing sites should be modified

Representation

3.135 In terms of the methodology and scoring of sites, support the principle of the analysis with regard to the identification of the preferred sites. However, in terms of the detail of the site assessment criteria we suggest that there are modifications to the scoring system which would provide a more objective outcome in terms of ranking. For example, with economic criteria we consider that a site which has existing infrastructure should score 4 points in the ranking rather than 3 because of the importance of this factor and the significant economic cost of developing new site infrastructure. Also, sites scoring 17 such as Elvaston and Swarkestone North should be ranked Medium/High. Also, in terms of economic criteria, the quality of the mineral resource should be considered as an economic factor. (*Tarmac 023/0217 & 0218 & 0219*)

Actions/Considerations

3.136 These scores are the outcome of how the scoring system has been devised, so that as in this case, where there are only two factors for that particular criteria, a single plus and a single minus have been used, and as with all the other criteria, these factors are scored as three and two respectively. Altering the

scoring for this criteria would therefore have implications for the whole of the assessment and is not considered necessary. The sites have been reassessed since this representation was received and Swarkestone North and Elvaston are ranked as having high potential for working.

- 3.137 Regarding the request to include the quality of the mineral resource as an economic factor. This information would only be determined by the industry and we would have no way of verifying this information or comparing it with other areas that are not being promoted. As a result, we do not consider that this should be included as a criterion.

Outcomes for the Proposed Approach

- 3.138 Consider amendments to the scoring system.

Representation

- 3.139 Whilst we do not object to equal preference being given to sites within the Dove/Trent Valley, we would encourage a strategy which gives preference to extensions to existing operations as opposed to new greenfield sites. There are a number of environmental and economic benefits in sustaining supply from existing operations (e.g. good access and existing processing infrastructure) which should be given priority over new sites. (*Tarmac 023/0214 & 0218*)

Actions/Considerations

- 3.140 Whilst NPPF and NPPG do not give specific preference to extensions, NPPG sets out that proposals for new sites whether extensions to an existing site or new sites should be considered on their 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).
- the cumulative impact of proposals in an area.

3.141 These are included as criteria in the assessment methodology. Given these considerations, the Plan now concludes in draft Policy MS1 that preference will be given to extensions to existing sites.

Outcomes for the Proposed Approach

3.142 Maintain approach of prioritising extensions to existing sand and gravel operations.

Representation

3.143 Assessment of potential sites have taken likelihood of Best and Most Versatile Soil present on each site into consideration. Natural England recommends that suitable soil surveys be undertaken prior to extraction in order to determine what if any BMV land is present in order to determine final restoration of the extraction areas. (*Natural England 016/0321*)

Actions/Considerations

3.144 Noted. Detailed surveys would be undertaken as part of the scoping exercise for the planning application for each site.

Outcomes for the Proposed Approach

3.145 No change.

Representation

3.146 Any criteria based policy and / or site allocation selection methodology needs to include consideration of the need to avoid loss of or impact on sports facilities, (including playing fields) and measures to offset / compensate for any

negative impact or loss through replacement or alternative sports. (*Sport England 050/0312*)

Actions/Considerations

- 3.147 None of the proposed sites impacts on any sports facilities so a criteria was not included to this effect. If any proposals came forward during the plan period on unallocated sites which impacted on sports facilities, this would be given due consideration through the planning application.

Outcomes for the Proposed Approach

- 3.148 No change.

Sand and Gravel Site Assessments

Table of Representations

Name	Name Reference Number	Representation Reference Number
Historic England	011	0347
Historic England	011	0348
Historic England	011	0349
Historic England	011	0350
Historic England	011	0351
Historic England	011	0352
Natural England	016	0320
North West Leicestershire DC	017	0162
Tarmac	023	0215
Tarmac	023	0219
Egginton Parish Council	025	0197
Individual	026	0198
Borrowash Action Group	038	0242
Staffordshire CC	040	0257
Staffordshire CC	040	0258
Staffordshire CC	040	0259
Individual	047	0308
Canal and Rivers Trust	051	0313
Long Eaton Natural History Society	054	0316
Individual	055	0319
Repton School	059	0345
Repton School	059	0346

Issue: The allocation of sites for sand and gravel working - Elvaston

Representations

3.149 The proposed working at Elvaston is close to the village of Borrowash. There will be noise and visual intrusion for a large number of houses on the southern edge of Borrowash. As the land rises from the river this creates excellent views from Borrowash across the Derwent flood plain that is the subject of the extension of the gravel workings. The site will be visible from many houses and from public open space and footpaths used by many residents of Borrowash.

(Borrowash Action Group 038/0242)

Actions/Considerations

- 3.150 The site at Elvaston has been assessed, along with a number of other sites, against a number of social, economic and environmental criteria and the conclusion from this assessment was that this site should not be allocated for sand and gravel extraction in this Plan, principally because it is unlikely to be delivered over the Plan period. However, should a planning application be submitted for extraction during the period of the Plan, all these considerations set out in the representation above will be taken into account.

Outcomes for the Proposed Approach

- 3.151 Determine which sites should be allocated in the Plan.

Issue: The Allocation of Sites – Swarkestone South

Representations

- 3.152 1) Worried about the impact such a large extension to the existing quarry, and the timescales involved would have on the area. Possible impact of flooding on the area. The impact on the historical site of anchor church. Worried that this will be very damaging to the area if the water levels rise. The risk of birdstrike to aircraft is also alarming, as well as the noise and views of the local area. *(Individual 055/0319)*
- 3.153 2) There is no mention of Foremark Hall Preparatory School. Surely they overlook these workings and their presence may well prejudice their success in attracting pupils to the school. This does not seem to have been taken into account in the economic considerations either.
- 3.154 That the area is not within 1 Km of an AQMA does not stop it harming the health of people that are. This includes Foremark Hall Preparatory School.

- 3.155 Bearing in mind that the Old Trent water was for hundreds – possibly thousands of years – a major transport route and that Foremark pre-dates the Vikings, then there is much we need to learn but are unlikely to do so unless a properly planned archaeological study is made before any work begins. To excavate this area will remove both the context for ancient Foremark, and indeed, Repton and spoil the historical heritage the valley contains. (*Individual 047/0308*)
- 3.156 3) South Swarkestone site should not be allocated in the Minerals Local Plan for sand and gravel extraction. Any proposal to allocate it would fail the tests of soundness, primarily because the identified need for sand and gravel reserves can be adequately met from the North Swarkestone (SG02 – 4.5mt) and Elvaston (SG04 – 1.5mt) sites which have been found in the Site Assessment report to be more sustainable alternatives than either of the Foremark/Repton and South Swarkestone sites. South Swarkestone would therefore not be justified when considered against the reasonable alternatives. (*Repton School 059/0345*)
- 3.157 4) The road through Milton and Repton, and along by Foremark is of generally low quality, with several sharp corners, and it is prohibitive to consider walking along or cycling with family. Thus any traffic from the quarry must consider an alternative route. The outlook of the area should be restored where possible, it is important to ensure that the identity of "rural Derbyshire" is maintained as a brand for more appropriate investment. Although not truly within the National Forest boundary, the area should be sensitive to this. The quarry companies should be encouraged to develop a truly environmental approach at every opportunity. (*Individual 026/0198*)
- 3.158 5) Support the identification of the Swarkestone South site (*Tarmac 023/0215*)

Actions/Considerations

- 3.159 The extension would be worked in stages so the whole site as shown would not all be worked at the same time. It would be restored progressively. Sand and gravel quarries can help to reduce the incidence and scale of flooding because the voids can hold excess water. The quarry operator works closely with the Environment Agency regarding this matter.
- 3.160 Properties in Foremark were considered in the assessment, but it is agreed that the report does not make this completely clear. It will be amended to take this into account but is unlikely to affect the overall assessment because the properties are reasonably well screened by trees.
- 3.161 The historic nature of the area is recognised. It is proposed to protect the area around Repton from mineral extraction as a result. The site at Swarkestone was found to not be as important in historic terms and in overall terms has the potential to be considered as an allocation provided that stringent conditions are adhered to. The operator will be required to work with archaeologists during the working of the site and any finds will be logged. All these matters raised will be considered in detail when a planning application is submitted for the site to ensure that the impact on the area is kept to a minimum during the working of the site. The restoration proposals for the site would also help to maximise future benefits for the site and the surrounding area.
- 3.162 Quarry traffic would use the existing access onto the A5132 so would not travel through the villages of Repton, Milton and Foremark.

Outcomes for the Proposed Approach

- 3.163 To determine which sites should be allocated in the Plan.

Issue: The Allocation of Sites – Repton/Foremark

Representations

3.164 This site should not be allocated in the Minerals Local Plan for sand and gravel extraction. Any proposal to allocate it would fail the tests of soundness, primarily because the identified need for sand and gravel reserves can be adequately met from the North Swarkestone (SG02 – 4.5mt) and Elvaston (SG04 – 1.5mt) sites which have been found in the Site Assessment report to be more sustainable alternatives than the Foremark/Repton site. The allocation of the Foremark/Repton site or South Swarkestone would therefore not be justified when considered against the reasonable alternatives. (*Repton School 059/0346*)

Actions/Considerations

3.165 The site at Repton was considered in the assessments and emerged as the least favourable site for allocation, scoring negatively against a significant number of the criteria. It is considered that there are other more appropriate sites available which could meet the shortfall in sand and gravel provision over the Plan period.

Outcomes for Proposed Approach

3.166 Do not allocate in the MLP.

Issue: The Allocation of Sites – Chapel Farm

Representations

3.167 Natural England recommends that Lockington Marshes SSSI should be considered within the Ecological Assessment due to water connectivity from the River Trent which borders Chapel Farm to the east and which supplies water to Lockington Marshes SSSI downstream. (*Natural England 016/0320*)

3.168 The existing access onto the B6540 would be utilised. As the former Quarry and access is located within North West Leicestershire district, there is the potential for highway and amenity impacts in this locality. It is noted that that site is identified as having "Low Potential for Working" and at this stage we would be content to be kept informed on any progress relating to this stage. (*North West Leicestershire DC 017/0162*)

3.169 If the site is allocated, safeguards should be put in place to protect the canal.
(*Canal and Rivers Trust 051/0313*)

Actions/Considerations

3.170 Chapel Farm is no longer being promoted as an allocation so this site will no longer be considered in the Minerals Local Plan.

Issue: The allocation of Sites – Egginton

Representation

3.171 In terms of the proposed strategic shift of emphasis for gravel extraction from the River Trent to the River Dove valley, Egginton Parish Council is deeply concerned and would not support this proposal. Particularly concerned about the impact of working on flooding. (*Egginton Parish Council 025/0197*)

Actions/Considerations

3.172 The site assessment process has not identifies the site at Egginton as a preferred allocation. It is unlikely therefore that it will be included as an allocation in the final Plan. If a planning application were to be submitted for the site over the course of the Plan period, all the matters raised would be given careful consideration.

Outcomes for the Proposed Approach

3.173 No change.

Issue: The potential impact of sand and gravel allocations on Staffordshire

Representations

3.174 The potential impacts on the landscape character of Staffordshire and local receptors as a result of the potential allocations at Willington, Foston and Egginton would be a concern. (*Staffordshire CC 040/0257, 0258, 0259*)

Actions/Considerations

- 3.175 There is a planning application currently being considered for the Willington site, on which SCC has been consulted. If this application is approved, there will no longer be a need to include the site as an allocation in the MLP. The results of the assessments indicate that the sites at Foston and Egginton do not currently have the potential to be included as allocations in this MLP. It will still be appropriate, however, to have discussions with SCC regarding their concerns about these sites.

Outcomes for the Proposed Approach

- 3.176 To set up a meeting with Staffordshire CC to discuss cross boundary issues relating to the site allocations.

Issue: Designated Sites and Settings

Representations

- 3.177 There is concern about the approach to Historic Environment - Designated Sites and Settings sections and how setting of assets outside the site boundaries have been considered. This includes the assessment of sites at Swarkestone, Egginton, Foston, Repton and Elvaston. (*Historic England 011/0347-0352*)

Actions/Considerations

- 3.178 Noted. The Council's Archaeologist has reconsidered the assessments of the sites in respect of historic sites and settings to take account of these comments. The scorings of the sites have been altered accordingly.

Outcomes for the Proposed Approach

- 3.179 Amend site assessments in light of these comments.

Issue: New Sites

Representation

- 3.180 Do not think the new sites should be opened. (*Long Eaton Natural History Society 054/0316*)

Actions/Considerations

3.181 The councils have a duty to provide some sites to meet the demand for sand and gravel.

Outcomes for the Proposed Approach

3.182 No change.

6.3 Aggregate Crushed Rock

Table of Representations

Name	Name Reference Number	Representation Reference Number
Individual	001	0001
Historic England	011	0076
Matlock Bath Parish Council	012	0094
Mineral Products Association	013	0098
National Trust	015	0134
National Trust	015	0135
National Trust	015	0136
National Trust	015	0137
National Trust	015	0138
National Trust	015	0139
National Trust	015	0140
Tarmac	023	0225
Greater Manchester Authorities	027	0200
Bedfordshire Council	028	0201
Nottinghamshire CC	042	0267
Hulland Ward Parish Council	058	0337

Issue: General

Representations

3.183 I do not see any problem with current strategy, provided that suitable screening is applied wherever possible.

(Individual 001/ 0001)

Actions/Considerations

3.184 The comment is noted.

Outcomes for the Proposed Approach

3.185 N/A

Issue: General

Representations

3.186 Matlock Bath Parish Council recognises the significant role of mineral extraction in the surrounding area and, in particular, its importance to employment and the local economy. The need for the extraction of aggregate crushed rock is of national importance and will be part of our environment for the foreseeable future.

We note that several quarries have permissions which extend to 2042. Of these, Middle Peak is not currently producing. Harveydale has permission for residential development and we assume extraction of hard rock will now cease. The permission for Slinter Top, which is currently in production, expires in 2021.

3.187 The Plan allows for the extraction of aggregate for at least 10 years. It allows for the opening of new quarries if significant economic/social benefits can be shown.

The building of HS2 could lead to substantial demand for aggregate. We note that Ball Eye, Middle Peak, Middleton Mine, Hoe Grange, Crich and Dene quarries have existing permissions and could restart production at any time. The national need and the economic benefits to the local community would be difficult to deny.

If this happens, we ask that the bulk of aggregate should be moved by rail.

There are existing and redundant routes which could be utilised, providing possible long term transport infrastructure benefits to the Dales and Peaks.

Matlock Bath is a tourist destination, vital to our local community. It is already adversely affected by heavy traffic. If increased HGV movement is to be

expected and for a prolonged period, we ask that consideration be given to the creation of a bypass route minimising the effect on Derbyshire Dales. This could revitalise tourism, which is a major employer.

If carefully planned and implemented, balancing the need for aggregate and hard rock with the importance of leisure and tourism, the plan could result in benefits to everyone. In particular, HS2 as a major national infrastructure project, might justify the creation of new transport links or the upgrading of others.

We ask that the Parish Council be kept informed of all developments which could impact on our community throughout the period of the plan. (*Matlock Bath PC 012/0094*)

Actions/Considerations

- 3.188 The comment is noted. However, 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.

Outcomes for the Proposed Approach

- 3.189 No change

Issue: General

Representation

- 3.190 It is of concern that the vision and objectives in the aggregate crushed rock paper currently do not recognise:

- The importance of the environment and the need to avoid and where unavoidable minimise environmental impact.

- The value of the National Park to the economy. (*National Trust 015/0137*)

Actions/Considerations

- 3.191 The Plan should be read as a whole. The Vision and Objectives and the Strategic Sustainability Principles will include reference to the importance of the

environment. The development management policies will also ensure that the environment is taken into full consideration in the determination of proposals for mineral development. Reference will also be made to the need to protect the setting of the National Park.

Outcomes for the Proposed Approach

3.192 Ensure that policies take account of the comments.

Representation

3.193 A number of NPPF policies other than those relating to minerals extraction are particularly pertinent when considering the extraction of aggregate crushed rock in Derbyshire. The valued landscapes of the Peak District and its setting should be protected in accordance with NPPF paragraphs 109, 115 and 116. In particular 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'.

3.194 In accordance with NPPF Chapter 12, the County Council should ensure that future extraction conserves heritage assets and their settings. (*National Trust 015/0138*)

Actions/Considerations

3.195 The text will be amended to include reference to the suggested paragraphs of the NPPF. Policies in the Plan will ensure that heritage assets and their settings are taken into account in the assessment of proposals for mineral development.

Outcomes for the Proposed Approach

3.196 Make amendments as necessary.

Issue: The Supply of Crushed Rock

Representations

3.200 1) Our comments on the level of demand for sand and gravel apply equally to crushed rock and we will not repeat them here.

3.201 2) Although the MPA claims a landbank of crushed rock of 108 years we believe this must be nuanced with reference to the end dates of permissions. Your supporting paper does not mention the end dates of permissions but we understand that the majority have 2042 as an end date.

3.202 3) Given that applications for renewal of consent have to be supported by and be subject to, environmental assessment, DCC cannot guarantee that any material remaining in sites will be available to the landbank after the expiry of planning permission. In this case, we believe the landbank figures quoted (although calculated according to PPG) are misleading. In effect, whatever the quantum of reserves, Derbyshire only has a certain landbank of 27 years.

3.203 4) Policy should either be specific in its support of time extensions to expiring planning permissions, or the plan should analyse the potential shortfalls and provide accordingly. It may be argued that this is not a problem for the plan period but for a couple of reviews in the future. However, we would disagree because the replacement of current crushed rock reserves will need to be carefully planned over a period of time to ensure continuity of supplies. It at least merits a mention and some thought about how it will be tackled. (*Minerals Products Association 013/098*)

Actions/Considerations

3.204 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 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. (A landbank of 27 years is still significantly greater than the required minimum landbank of 10 years.) As set out in NPPG, this will of course continue to be monitored annually over the Plan period. There will be a policy in the Plan to permit extensions or new quarries, in cases where there are shown to be clear sustainability benefits and where the landbank would not be increased significantly.

Outcomes for the Proposed Approach

3.205 Include a list of end dates for the quarries in the chapter or supporting paper.

Representations

3.206 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. Also approval of new or extended sites should be restricted.

(National Trust 015/0135 & 0140) and (Historic England 011 /0076)

3.207 Greater Manchester relies on imports of higher quality aggregates for construction purposes, including from Derbyshire. Other authorities support the proposal in the LAA to maintain supply to other authorities. *(Greater Manchester Authorities 027/0200, Bedfordshire Council 028/0201, Notts CC 042/0267)*

Actions/Considerations

3.208 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. Should Option 1 be selected, the criteria will be drafted to address the concerns raised.

As a result of the size of the landbank, the Plan will include a policy which will only allow new or extended sites in exceptional circumstances. The Local Aggregate Assessment sets out that Derbyshire has sufficient reserves of crushed rock for the foreseeable future to supply the needs of neighbouring authorities.

Outcomes for the Proposed Approach

- 3.209 Re-draft text to refer to the full range of sustainability considerations rather than focus on economic criteria.

Issue: Relinquishment of Reserves

The relinquishment of reserves in exchange for new permissions.

Representations

- 3.210 We consider that the Council should reconsider the requirement that operators should relinquish reserves elsewhere where extraction would harm the environment. (*National Trust 015/0140*)

Actions/Considerations

- 3.211 Although national policy no longer includes a requirement to try to reduce the scale of excessive landbanks and therefore we will not be including a specific policy regarding this issue, as a result of public support for such an objective expressed during the consultation we are still proposing to include it as one of a number of criteria which will be taken into account in assessing proposals for aggregate crushed rock.

Outcomes for the Proposed Approach

- 3.212 Retain policy criteria.

Issue: Provision for New Working

3.213 Proposal to allow for new sites or extensions to existing sites to provide further reserves of aggregate crushed rock.

Representations

3.214 Whilst we accept that there is a large landbank for crushed rock, there may be circumstances where extensions to existing sites are required and justified (both within Derbyshire and the Peak Park). These generally would be for reasons of sustainability and sustaining mineral supply. Although no new sites need to be identified, the strategy must be flexible enough to allow for extensions to existing operations. We would object to an emerging policy which only allows for aggregate production utilising the existing landbank. Market conditions and competition would be stifled with such strict policy impositions on operators. By their nature, extensions to existing operations would extend the permitted landbank. We would object to the inclusion of a strategy which would not allow extensions that ‘significantly increase’ the overall landbank of aggregate crushed rock.

(Tarmac 023/0225)

3.215 It is clear that the current landbank for aggregate crushed rock vastly exceeds the requirement to 2030. We therefore consider that approval of new or extended sites should be restricted, other than in exceptional circumstances of public benefit. *(National Trust 015/0134)*

Actions/Considerations

3.216 We are proposing a flexible approach to future provision of aggregate crushed rock by the inclusion of a policy which allows for extensions or new sites where appropriate and where they meet a number of other criteria.

3.217 We consider that the significant permitted landbank for crushed rock is a material consideration for the plan making process and whilst there may be benefits of allowing some modest extensions e.g. in return for not working a more sensitive part of the site, we do not accept that any support for extensions should just be based on “reasons of sustainability and sustaining mineral

supply” when there are clearly a range of other social and environmental factors that need to be considered.

Outcomes for the Proposed Approach

3.218 Maintain the proposed policy approach.

Issue: Restoration

Representation

3.219 Little is said within this document about restoration - In particular we consider that restoring or recreating high quality biodiversity resources should be prioritised. We would encourage the County Council to consider using one or more former quarries for outdoor adventure centres such as mountain biking facilities. Such a use would have economic benefits while encourage outdoor activity and also potentially reducing the impacts of high intensity use in certain areas of the Peak District. (*National Trust 015/0139*)

Actions/Considerations

3.220 A separate restoration strategy has been published as part of this consultation. The issues raised are covered in this paper.

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

Table of Representations

Name	Name Reference Number	Representation Reference Number
Historic England	011	0081
Mineral Products Association	013	0099
National Trust	015	0141
National Trust	015	0142
National Trust	015	0143
National Trust	015	0144
National Trust	015	0145
National Trust	015	0146
Natural England	016	0156
Natural England	016	0322
Rowsley Parish Council	020	0171

Representations

- 3.221 1) In general, the only comment we would wish to make is that this policy depends on the assumption both mpas have made that the markets for products in the National Park are interchangeable with products arising in Derbyshire, particularly dimension stone. (*Mineral Products Association 013/0099*)
- 3.222 2) While the National Trust is supportive of reduced levels of mining activity within the National Park, The County Council should ensure that this is not off-set by increasing extraction within other areas, including the Park's setting, to unsustainable levels. (*National Trust 015/0141*)
- 3.223 While we support the reduction of the apportionment figure within the Peak District National Park, we remain concerned about the maintenance of excessive landbanks and a permissive regime towards new applications in areas of Derbyshire outside of the National Park. (*National Trust 015/0142*)
- 3.224 Natural England supports the working in partnership with the Peak District National Park Authority in looking to conserve and enhance the landscape of

the Peak District National Park. In doing so it is important also to consider the landscape of Derbyshire and when considering the apportionment figure for aggregate crushed rock, to take into consideration the National Character Areas for the region. (*Natural England 016/0322*)

3.225 Historic England supports a general reduction in major minerals development within the National Park, however we consider that it should be balanced against wider environmental considerations relating to the extraction of aggregate grade crushed rock across the whole of Derbyshire. (*Historic England 011/0081*)

3.226 Rowsley Parish Council is particularly concerned about the opening/reopening of quarries around Rowsley to compensate for loss of production in the Peak Park (*Rowsley PC 020/0171*)

3.227 3) The bold text in this section also refers to further applications being ‘encouraged’. This is not consistent with the Aggregate Crushed Rock paper which suggests that additional consents will only be approved in exceptional circumstances. This section seeks to justify an increased apportionment figure by suggesting that providing ‘a secure platform for the economic recovery’ is an important underpinning principle of the NPPF. We consider that this is a misreading of the NPPF. While we agree that the NPPF supports sustainable economic growth, we believe that it is neutral in relation to the economic cycle and that economic recovery does not take precedent over social and environmental concerns. The NPPF is clear at paragraph 8 that ‘to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system’. (*National Trust 015/0143*)

3.228 4) The NPPF also provides at paragraph 115 that ‘great weight should be given to conserving landscape and scenic beauty in National Parks’, and at paragraph 116 that planning permission should be refused for major developments in these areas except in exceptional circumstances (*National Trust 015/0145*)

3.229 5) Little is said within this document about restoration - In particular we consider that restoring or recreating high quality biodiversity resources should be prioritised. We would encourage the County Council to consider using one or more former quarries for outdoor adventure centres such as mountain biking facilities. Such a use would have economic benefits while encouraging outdoor activity and also potentially reducing the impacts of high intensity use in certain areas of the Peak District. (*National Trust 015/0146*)

Actions/Considerations

3.230 1) This policy is purely about replacing progressively the production of aggregate crushed rock. This product is of a very similar quality within and outside the National Park in Derbyshire, unlike industrial grade limestone and building stone, which have more specific and unique qualities over a relatively small area.

3.231 2) Taking account of the overall level of permitted reserves of aggregate crushed rock in Derbyshire outside the National Park, the relatively small increase in production at quarries in this area should be quite easily absorbed by these quarries over the Plan period without having any significant additional impact on the environment of Derbyshire. It is agreed, however that this whole issue should be clarified further in the text.

3.232 The Strategy addresses the need for Derbyshire to replace the production of aggregate crushed rock from the Peak Park over time (not building stone). It is the limestone production which will be replaced and this will come mainly from the quarries around Buxton. It is unlikely to mean that small gritstone quarries near Rowsley will be reopened to meet this run down in production of aggregate in the Peak Park.

3.233 3 & 4) The references to NPPF will be amended to take account of the comments.

3.234 5) Restoration is covered in a separate chapter of the Plan.

Outcomes for the Proposed Approach

- 3.235 Maintain policy with amendments as considered above and ensure also that the situation is monitored throughout the Plan period.

Chapter 7 – Supply of Non-Aggregates

7.1 Supply of Building Stone

Table of Representations

Name	Name Reference Number	Representation Reference Number
Historic England	011	0078
Historic England	011	0353
Mineral Products Association	013	0107
Mineral Products Association	013	0107
Mineral Products Association	013	0107
National Trust	015	0122
National Trust	015	0123
National Trust	015	0124
National Trust	015	0125
National Trust	015	0126
GW Minerals	049	0310

Issue: The need for and provision of building stone

Representations

- 3.236 Disagree with the assumption made in the Plan that future need for building stone is impossible to predict. It states that all indications are that the demand for the product is increasing slowly. (*Mineral Products Association 013/0107*)

Actions/Considerations

- 3.237 There would appear to be little purpose in attempting to predict the need for building stone and is more likely than not to be inaccurate. This is because future proposals for building stone will result from a specific conservation need and, as shown by the Strategic Stone Study, would, therefore, relate to a particular location and specification of material required at a specific time. We consider, therefore, that a policy which assesses proposals for building stone as they are submitted would be the most pragmatic and realistic way of dealing with this issue.

Outcomes for the Proposed Approach

3.238 To continue to develop the policy approach to building stone, as set out in the draft Strategy.

Issue: The scale and type of provision of building stone

Representations

3.239 The approach as proposed is considered to be too restrictive in terms of the level of production that would be permitted and in terms of the sale of aggregate that would be permitted from sites as a by-product. (*Mineral Products Association 013/0107, GW Minerals 049/0310*). One maintains that proposals should be small in scale (*National Trust 015/0123*).

Considerations

3.240 Building stone quarries have always been relatively small scale and by their very nature often intermittent in their production. However, it is agreed that the policy could be more appropriately worded to be less overtly restrictive in terms of the scale of the proposal whilst maintaining that proposals should be of a scale which does not have an adverse impact on the environment. With regards to the second point, the emerging approach is not restricting the sales of aggregate per se but simply ensuring that building stone is the primary product which seems entirely reasonable for a policy which is addressing future proposals for building stone. We are well aware that there will always be a proportion of sub-standard stone extracted from these quarries, which will be used as aggregate.

Outcomes for the Proposed Approach

3.241 To amend the draft policy approach to building stone.

Issue: Whether there should be a criteria based policy or whether specific sites should be allocated in the Plan

Representations

- 3.242 The identification of new sites requires considerable investment and this investment risk is reduced if sites are allocated in the Plan (*GW Minerals 049/0310*).
- 3.243 Option 2 for a criteria based policy for building stone seems a suitable approach. Should the new building stone site at Bent Lane, Darley Dale be taken forward, Historic England is of the view that a criteria based policy would also be required. (*Historic England 011/0353*)
- 3.244 Support the approach of a criteria policy. (*National Trust 015/0122*)
- 3.245 We consider that the policy and its supporting text should: Emphasise the importance of stone in the repair and restoration of historic buildings. Highlight the importance of quality and the fact that resources are finite, often scarce, and can only be worked where they are found. Make provisions for winning of valuable and/or scarce stone resources if the route of HS2, when agreed, will impact on these. Highlight the importance of landscape and scenic beauty in the Peak District National Park and the need to protect the Park's setting. Contain criteria to avoid, minimise and mitigate impacts on heritage assets and their settings. Contain criteria to avoid, minimise, mitigate and (as a last resort) compensate impacts on the natural environment. Contain criteria for assessing impacts on landscape character and valued landscapes. Contain criteria to ensure that other environmental impacts such as those associated with noise, dust and vibration are minimised and kept within acceptable limits. (*National Trust 015/0124*)

Actions/Considerations

- 3.246 Future proposals for building stone will result from a specific conservation need and, as shown by the Strategic Stone Study, would, therefore, relate to a particular location and specification of material required at a specific time. We maintain, therefore, that a policy which assesses proposals for building stone against a series of policy criteria rather than allocating sites would be the most pragmatic and realistic way of dealing with this issue.

3.247 Some of the criteria suggested will be more appropriately included in development management policies, but where appropriate suggestions are included in either the text or the policies of this chapter.

Outcomes for the Proposed Approach

3.248 Include a criteria policy in the Plan and amend as appropriate.

Issue: Safeguarding Resources

Representation

3.249 We support the flexible approach as proposed, however we consider that recognition of existing quarries and known areas of resources should also be safeguarded. We are happy to assist in the development of any further policy relating to this matter. (*Historic England 011/0078*)

Action/Considerations

3.250 Noted. As set out in the Safeguarding strategy, it is proposed to safeguard existing and disused building stone quarries and the area of known resource around these quarries.

Outcomes for the Proposed Approach

3.251 No change required.

Issue: Resource near Hardwick Hall

Representation

3.252 The presence of building stone resource at Hardwick Hall is not recognised.

Actions/Considerations

3.253 The BGS Resource Maps from which we draw out information, do not show the building stone resource around Hardwick. Our map does indicate the

location of Hardwick Quarry and we will include a paragraph in the text indicating the presence of building stone in this area.

Outcomes for the Proposed Approach

3.254 Include reference to building stone resource at Hardwick Hall.

7.2 Industrial Limestone and Cement

Table of Representations

Name	Name Reference Number	Representation Reference Number
Historic England	011	0071
Historic England	011	0072
Historic England	011	0073
Historic England	011	0074
Historic England	011	0075
Mineral Products Association	013	0106
Mineral Products Association	013	0100
Mineral Products Association	013	0101
Mineral Products Association	013	0102
Mineral Products Association	013	0103
Mineral Products Association	013	0104
Mineral Products Association	013	0105
National Trust	015	0120
National Trust	015	0121
Omya UK Limited	018	0163
Omya UK Limited	018	0164
Omya UK Limited	018	0165
Omya UK Limited	018	0168
Tarmac	023	0187
Tarmac	023	0188
Tarmac	023	0189
Tarmac	023	0190
Tarmac	023	0191
Tarmac	023	0192
Tarmac	023	0193
Tarmac	023	0194
Tarmac	023	0195
Tarmac	023	0224
Tarmac	023	0221
Tarmac	023	0222
Tarmac	023	0290
Notts CC	042	0271
Longcliffe Quarries Ltd	045	0301
Longcliffe Quarries Ltd	045	0302
Longcliffe Quarries Ltd	045	0303
Hulland Ward Parish Council	058	0343
Tarmac	023	0220
Tarmac	023	0223

Staffordshire CC	040	0260
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Towards a Strategy for Industrial Limestone, February 2015

Issue: Industrial Limestone Provision

Issue: Which Option do you think is the best way of making provision for the supply of industrial limestone during the Plan period?

Representations

- 3.255 Support Option 3 which is to make provision for the future supply of industrial limestone through permitted reserves, allocations and a criteria based policy.

(Tarmac 023/0221), (Omya 018/0163), (Mineral Products Associations 013/0100), (Nottinghamshire CC 042/0271)

- 3.256 Support Option 2 which is to use permitted reserves and a criteria based policy but, in view of the overall level of permitted reserves the Plan should not make specific site allocations.

(National Trust 015/0120)

- 3.257 Support Option 1 which is to make provision from existing reserves and allocations only.

(Hulland Ward Parish Council 058/343)

Actions/Considerations

- 3.258 There is overall support for Option 3 and some operators have identified that additional reserves are required to maintain production throughout the plan period and have put forward extensions to their quarries. The NPPG favours site allocations when planning for minerals.

Outcomes for the Proposed Approach

- 3.259 Develop a strategy for making provision for the supply of industrial limestone over the Plan period in accordance with Option 3.

Issue: Industrial Limestone Provision Criteria Based Policy

Issue: Do you have any comments about the different components of a criteria based policy including the level and type of information that an applicant should be asked to submit to inform this approach?

Representation/s

- 3.260 A criteria based policy should include environmental criteria including special reference to the historic environment.

(Historic England 011/0071)

- 3.261 It is reasonable to expect an applicant for planning permission to extract industrial limestone to demonstrate the quality and quantity of the mineral including its 'special' characteristics. Information on products and markets should also be provided.

(National Trust 018/0164)

- 3.262 It is too onerous to expect an applicant for planning permission to extract industrial limestone to demonstrate the need for minerals with particular specifications and then require the maximisation of recovery to meet that need. The value of industrial mineral will naturally result in its use for industrial purposes.

(Mineral Products Association 013/0101), (Tarmac 023/0222)

Actions/Considerations

- 3.263 This policy is only about economic considerations for industrial limestone working and therefore does not cover the impacts of mineral working on environmental and social factors which will be dealt with elsewhere in the Plan. It is important, however, that users of the Plan are well informed and understand that in considering a planning application for mineral development all policies of the local plan apply where relevant.

3.264 In line with the NPPF¹ which emphasises the need to make the best use of minerals which are scarce resources it is important that applicants are able to demonstrate why there is a need i.e. products and markets for that particular specification of mineral to be worked. Need should also cover the quantity of mineral proposed for extraction. These issues are particularly relevant for industrial minerals which are often very scarce and therefore their value should be maximised.

3.265 Whilst it might seem inconceivable that a mineral operator would use 'industrial grade' limestone for 'non industrial' purposes, the Councils consider that the requirement for proposals to maximise the recovery of the high grade material is justified in terms of controlling the overall development of a quarry and maximising the use of scarce resources in line with the NPPF.

Outcomes for the Proposed Approach

3.266 Explain implicitly in the Plan how all of its policies apply, where relevant, in considering development proposals.

3.267 Develop a criteria based policy which includes the requirement for the need for the extraction of the mineral to be justified in terms of the quantity, specification, products and markets and require the recovery of that mineral to be maximised.

3.268 Explore the issue of using 106 agreements to restrict the use of high grade material to those uses requiring high grade material.

Issue: Industrial Limestone Provision - Sites promoted for working

**Issue: Do you have any comments at this stage on the sites being promoted for industrial limestone working within the plan period?
(Includes comments made to the Appendices of the Strategy and Supporting Papers which set out details of the promoted sites).**

Representations

¹ NPPF 2012, Paragraph 142

General

3.269 No comments

(Mineral Products Association 013/0102)

Whitwell Quarry

3.270 The text should be amended to state that permission was granted in July 2004 for the five extensions not 2002.

(Tarmac 023/0192)

3.271 The proposed extensions to Whitwell Quarry are supported by the Operator. The Operator acknowledges the importance of Creswell Crag and is prepared to continue with monitoring and protection measures regulated through planning conditions & Section 106 agreements should planning consent be granted for the proposed new areas of working.

3.272 The operator has also proposed a stand-alone site to the south of Creswell Crag in Nottinghamshire to provide additional reserves at Whitwell Quarry. In considering the future development of the quarry, it is important that an integrated approach is taken in terms of the extensions to the north and south of the Crag.

(Tarmac 023/0193, Tarmac 023/0194)

3.273 The existing quarry and proposed extensions are close to Creswell Crag which is a scheduled monument, forms part of the Welbeck Registered Park and Garden and a Conservation area. The Crag is also on the UK tentative list for World Heritage Site designation. It is also a designated SSSI. The MPA should give great weight to the conservation of Creswell Crag which is of national and international significance, including any contribution made by its setting.

(Historic England 011/0072), (National Trust 015/0121)

3.274 The Company welcomes as best practice that Derbyshire and Nottinghamshire Councils have actively and constructively cooperated in considering the

provision for industrial limestone and appropriate measures to ensure the protection of the Craggs.

(Tarmac 023/0195)

Ashwood Dale

3.275 Any policy associated with this proposed extension should address heritage impacts including historic landscape character, the setting of the adjacent scheduled monument, on-designated archaeology and restoration.

(Historic England 011/0073)

3.276 The proposed extension to Ashwood Dale Quarry is supported. The quality and quantity of limestone in the extension area has been proven. There is a demand and need for the wide range of industrial products manufactured at the site and customers have developed their production processes around a consistent supply of material. The potential issues with the proposed High Peak Local Plan housing allocation have been resolved. The environmental benefits of the proposals are considerable.

(Omya 018/0165)

Brassington Moor

3.277 The Operator supports the extension of Brassington Moor Quarry in view of the need for additional high grade reserves during the plan period.

(Longcliffe Quarries Ltd 045/0303)

Actions/Considerations

3.278 In view of the support received for Option 3 (see Issue 1) the MPAs are developing a strategy approach for the supply of industrial limestone that will include the possible allocation of sites. The MPAs have consulted on a site assessment methodology which will be used to carry out an initial assessment of the promoted sites.

3.279 The next stage will be to refine the methodology in the light of any comments (if applicable) and carry out the initial assessments.

Outcomes for the Proposed Approach

- 3.280 Allocate acceptable sustainable sites to maintain the supply of industrial limestone.

Issue: The Assessment of promoted Sites

Issue: Do you have any comments about the way in which sites should be assessed to ensure their acceptability for allocation?

Representations

- 3.281 The assessment of potential allocations should include a heritage impact assessment.

(Historic England 011/0074)

- 3.282 An applicant should be able to demonstrate the quantity and quality of the industrial mineral to be extracted and identify what makes it "special". Information on products and markets should also be provided to identify a need/market. The type of processing to be used may also be relevant.

(Omya 018/0168)

- 3.283 Agree that sufficient information will be required to enable a detailed assessment of the site including the need to be able to demonstrate that any potential site is justified in terms of its need to be worked, its deliverability and that it could be worked sustainably without causing unacceptable adverse impacts on the environment and communities.

(Mineral Products Association 013/0103)

Actions/Considerations

- 3.284 A site assessment methodology has been prepared and published for consultation. It will be refined in the light of any comments.

Outcomes for the Proposed Approach

- 3.285 The Site Assessment Methodology will be used to carry out an initial assessment of 'hard rock' sites promoted by operators to determine whether they are suitable to be carried forward as allocations in the Draft Plan.

Issue: The provision of minerals for Cement Manufacture

Issue: Do you agree the Plan should include a specific policy to allow for the provision of additional reserves (primary and secondary) to support the manufacture of cement where they are required to maintain a landbank of 15 or 25 years?

Representations

- 3.286 Any policy for the provision of additional reserves to support cement manufacture should include environmental criteria including special reference to the historic environment.

(Historic England 011/0075)

- 3.287 Support for a criteria based policy to ensure the provision of sufficient reserves to support the manufacture of cement in line with the requirement set out in the NPPF.

(Mineral Products Association 013/0104), (Tarmac 023/0220)

- 3.288 The policy should make clear the need to ensure the maintenance of a stock of permitted reserves to support cement manufacture in line with the landbank requirements set out in NPPF.

(Tarmac 023/0290)

Actions/Considerations

- 3.289 There has been overall support for a criteria based policy to ensure that the requisite levels of permitted reserves of primary and secondary materials are maintained to support the manufacture of cement.

Outcomes for the Proposed Approach

- 3.290 Develop a criteria based policy to support the requirements for cement manufacture set out in the NPPF.

Industrial Limestone Supporting Paper

Paragraphs 4.4 & 4.5

Issue: Maximising the use of industrial limestone

Representations

- 3.291 The maximisation of the use of chemical grade stone at Whitwell for Industrial purposes is supported and recognition is welcomed that by-products from the processing, not suitable for Industrial purposes ,can be sustainably used for construction uses e.g. product too small in diameter to pass through the kilns.

(Tarmac 023/0187)

Actions/Considerations

- 3.292 The support is noted.

Outcomes for the Proposed Approach

- 3.293 None

Paragraph 4.6

Issue: Safeguarding

Representations

- 3.294 Support the safeguarding of the Permian Resource which includes the promoted extension areas at Whitwell. The dolomite resource at Whitwell should be safeguarded as a nationally important resource.

(Tarmac 023/0188), (Mineral Products Association 013/106)

Actions/Considerations

3.295 The support is noted.

Outcomes for the Proposed Approach

3.296 The Plan will include a policy approach to safeguard important minerals including the Permian Limestone resource.

Paragraph 8.1

Issue: Conclusions

3.297 Flexibility to allow working of additional Industrial limestone is welcomed and supported

(Tarmac 023/0189)

Actions/Considerations

3.298 The support for the conclusion that, despite the level of permitted industrial limestone reserves, the Plan should adopt a flexible approach allowing new working where appropriate is noted.

Outcomes for the Proposed Approach

3.299 None

Paragraph 8.1

Issue: Conclusions

3.300 It is misleading to refer to overall permitted industrial limestone reserves in the Plan area and would be more realistic if industrial reserves at each of the active quarries was listed.

(Longcliffe Quarries Ltd 045/0302)

Actions/Considerations

3.301 Reference to the overall level of permitted reserves is intended to provide readers with a picture of the overall scale of industrial limestone compared to

other minerals. Whilst the Plan could list individual active quarries and their reserve levels this again could be misleading due to the detailed specification requirements of particular end uses/markets.

Outcomes for the Proposed Approach

3.302 None

Paragraph 8.2

Issue: Conclusions

3.303 Support the approach of allocating sites, particularly at Whitwell, where the resource is of national importance.

(Tarmac 023/0190)

Actions/Considerations

3.304 The support is noted.

Outcomes for the Proposed Approach

3.305 None

Paragraph 8.3

Issue: Conclusions

3.306 The use of high grade limestone can be controlled through Legal Agreements as is the current case at Whitwell Quarry where a Section 106 Agreement so regularises.

(Tarmac 023/0191)

Actions/Considerations

3.307 The support for the use of Legal Agreements as a means of controlling the use of high grade stone is noted.

Outcomes for the Proposed Approach

3.308 Explore how the Plan can support an approach requiring the use of high grade stone through Section 106 agreements.

Industrial Limestone Strategy and Supporting Papers

General Comments

Representations

Issue: Permian Limestone Resource - Whitwell Quarry

3.310 Durham County Council notes the position in relation to reserves at Whitwell and asks to be kept informed of any decisions in respect of the promoted extensions.

(Durham CC 008/0066)

Actions/Considerations

3.311 The comments are noted and the MPA will keep Durham CC informed of any decisions on the promoted extensions to Whitwell Quarry.

Outcomes for the Proposed Approach

3.312 None

Issue: Landbanks

Representation

3.313 The Papers should use the phrase 'stock of permitted reserves' rather than landbanks. This wording accords with the NPPF which uses this phrase when referring to industrial minerals.

(Mineral Products Association 013/0105)

Actions/Considerations

3.314 Agree that it would be useful to distinguish between the permitted reserves that are Plan wide and supply the aggregates market and those that are specifically for industrial purposes. However the term 'landbank' remains applicable to industrial minerals.

Outcomes for the Proposed Approach

3.315 Ensure that the wording of the Plan distinguishes between landbanks of generic aggregate minerals and stocks of permitted reserves for industrial use.

Issue: Industrial Limestone Industry

Representations

3.316 The Paper demonstrates a good understanding of the particular requirements and constraints of the industrial limestone industry.

(Longcliffe Quarries Ltd 045/0301)

Actions/Considerations

3.317 The support is noted.

Outcomes for the Proposed Approach

3.318 None

Cement Manufacture Supporting Paper

Paragraph 6.2

Issue: Supply of material to Tunstead Cement Works

Representations

- 3.319 In accordance with the NPPF, there is a need to ensure adequate provision of industrial materials to support industrial and manufacturing processes across county boundaries. Tunstead Cement Works requires security of supply; shale and clay supply for Tunstead is primarily met from sources within Staffordshire due to the proximity of the works to the county boundary. To ensure security/continuity of supply it is, therefore, important that reserves of industrial minerals to supply Tunstead are maintained throughout the Plan period.

(Tarmac 023/0224)

- 3.320 A Duty to Co-operate issue has been identified in relation to the supply of marl and shale to Tunstead for cement making purposes from two quarries in Staffordshire. The adopted Staffordshire Minerals Local Plan includes reference to the need to monitor sales and reserves at the quarries. Complimentary monitoring will need to be undertaken by the Derbyshire Local Plan to ensure that shale supply options to the cement works are fully taken into account.

(Staffordshire CC 040/260)

Actions/Considerations

- 3.321 The MPA has identified the supply of material to support cement manufacture as a Duty to Co-operate issue. Specifically in relation to Tunstead the MPA has been in liaison with Staffordshire CC with regard to provisions set out in their Minerals Local Plan for ensuring the supply of shale and marl from Kingsley and Keele quarries.

Outcomes for the Proposed Approach

- 3.322 Ensure that an appropriate reference is made in the Monitoring section of the Plan setting out the need to monitor clay and shale reserves, in cooperation

with Staffordshire CC, in order to maintain appropriate landbanks for cement manufacture.

7.3 Brick Clay and Fireclay

Table of Representations

Name	Name Reference Number	Representation Reference Number
Greater Manchester Authorities	027	0199
Nottinghamshire CC	042	0268
Wienerberger Ltd	046	0306
Wienerberger Ltd	046	0307
Hulland Ward Parish Council	058	0338

Towards a Strategy for Brick Clay and Fireclay

Issue: Brick Clay – Options for making provision for an adequate and steady supply of brick clay

Which Option do you think is the best way of making provision for the supply of brick clay throughout the Plan period?

Representations

3.323 Option 3 would appear to be the best option which is to make provision for the future supply of brick and fire clay.

(Nottinghamshire CC 042/0268)

3.324 Support Option 1 which is to make provision through existing permitted reserves and allocations.

(Wienerberger 046/0306), (Hulland Ward PC, 058/338)

Actions/Considerations

3.325 The limited number of responses is not helpful in considering this issue. However, on balance the MPA consider that Option 3 would be the best way of making provision because it would provide both flexibility to meet unforeseen needs and the clarity and certainty of supply through the allocation of sites

where we know there is an identified need for additional reserves and that known economically viable resources exist and operators/landowners are supportive and actively promoting minerals development. Additionally the NPPG favours site allocations when planning for minerals.

Outcomes for the Proposed Approach

- 3.326 Develop a strategy for making provision for the supply of brick clay over the Plan period in accordance with Option 3.

Issue 3: Specific Identification (allocation) of land for brick clay working

Do you have any comments at this stage on the sites being promoted for brick clay working within the plan period?

Representations

- 3.327 Support the allocation of land at Mouselow Quarry for additional extraction to secure the long term future of Wienerberger. Although the Paper refers to the quarry has having sufficient reserves to 2030 which is true in terms of volume. The quality of the mineral only gives a useable period to 2025 at which point the top shales will be fully extracted and will not be available to blend with the higher sulphur shales that are on site and as such the mineral will not be suitable for brickmaking after this period.

(Wienerberger 046/0307)

- 3.328 Support for the acknowledgement that extraction at Mouselow Quarry is important for brick production at the Denton Brickworks in Manchester outside of the Plan area and that the Company are seeking an extension to maintain future production.

(Greater Manchester Authorities 027/0199)

Actions/Considerations

- 3.329 In view of the consideration of responses to Issue 1 the MPAs will develop a strategy approach for the supply of brick clay that will include the possible

allocation of sites. The MPAs have consulted on a site assessment methodology which will be used to carry out initial assessment of the promoted site.

- 3.330 The next stage will be to refine the methodology in the light of any comments (if applicable) and carry out the initial assessment. The representations made at this stage will feed into those assessments.

Outcomes for the Proposed Approach

- 3.331 Allocate acceptable sustainable sites to maintain the supply of brick clay.

Chapter 8 – Supply of Energy Minerals

8.1 Coal

Towards a Strategy for Coal and Colliery Waste

Table of Representations

Name	Name Reference Number	Representation Reference Number
Coal Authority	004	0017
Coal Authority	004	0018
Coal Authority	004	0019
Coal Authority	004	0020
Coal Authority	004	0021
Coal Authority	004	0022
Coal Authority	004	0023
Coal Authority	004	0024
Coal Authority	004	0035
Coal Authority	004	0036
Coal Authority	004	0037
Coal Authority	004	0038
Coal Authority	004	0039
Coal Authority	004	0040
Coal Authority	004	0041
COALPRO	005	0042
COALPRO	005	0043
COALPRO	005	0044
COALPRO	005	0045
COALPRO	005	0046
COALPRO	005	0047
COALPRO	005	0048
COALPRO	005	0049
COALPRO	005	0050
COALPRO	005	0051
Historic England	011	0079
National Trust	015	0127
National Trust	015	0128
National Trust	015	0129
National Trust	015	0130
National Trust	015	0131
National Trust	015	0132
National Trust	015	0133
South Derbyshire DC	022	0185

Individual	036	0239
Nottinghamshire CC	042	0269
Hulland Ward Parish Council	058	0329
Hulland Ward Parish Council	058	0330
Hulland Ward Parish Council	058	0331
Hulland Ward Parish Council	058	0332
Hulland Ward Parish Council	058	0333
Hulland Ward Parish Council	058	0334
Hulland Ward Parish Council	058	0335
Hulland Ward Parish Council	058	0336

Towards a Strategy for Coal and Colliery Waste

Coal Mining Issues - General

- 3.332 A complicated set of options is presented in the paper. While we have no detailed comments to offer at this time, it is important that historic environment implications are properly accounted for as part of this process, be that in a policy, specific sites or other.

(Historic England 011/0079)

Coal Mining Issues – Need for Coal

- 3.333 Coal is mainly used for power generation, but the government has recently pledged to phase out all coal powered electricity by 2025, or at the very least unabated coal generation. This removes about 80% of the demand for coal in the next 9 years. CCS for abatement of CO2 emissions from coal is unlikely because most coal plants are near end of life, the projected costs are generally higher than gas + CCS, and if anything coal stations are more likely to suit conversion to biomass + CCS. This leads to the likely near-term situation of most coal demand disappearing. This means that any plans to expand local production are likely to be overly-optimistic and lead to short-lived schemes with all the problems associated with failed projects, such as lack of funds to make good environmental clean-up, and non-sustainable local jobs. I don't think any significant development of coal mining should be allowed in our area.

(Individual 036/0239)

Coal Mining Issues – Paragraph 3.4

3.334 The development of planning policy at the Local Plan level for energy minerals, including coal needs to accord with national planning policy in the NPPF. There is no requirement to consider need for energy minerals in any way at the Local Plan level. The political and economic factors that underpin the energy mineral market are highly dynamic and take into account a range of complex and often competing factors. To respond to this, the role of Local Plans is to put in place a suitable planning policy framework that is flexible enough to cater for changing circumstances across the plan period.

(Coal Authority 004/0041)

3.335 A number of the issues identified in paragraph 3.4 are not relevant considerations for the development of Local Plan policy. They are issues which underpin UK and international energy policy. To include these topics in the document is misleading as it may give interested parties and the public the view that the Derbyshire Minerals Local Plan could seek to argue that coal extraction will not be permitted as there is no need for indigenous coal. Such an approach would of course be completely at odds with the NPPF and is not therefore a reasonable alternative.

(Coal Authority 004/0017)

3.336 We agree that the list encompasses the issues to consider for a coal mining application. The policy needs to be consistent with NPPF and not complicated by local protectionism if this leads to undue sterilisation of a nationally important fuel source.

(COALPRO 005/0051)

Coal Mining Issues – Environmental Impacts

3.337 National Trust considers that the following issues are highly relevant, although we recognise that these specific issues are likely to be incorporated within 'identification of constraints', 'development of policies' and 'impact of extraction on the environment and local communities':

- Impact on heritage assets including buried archaeology, designated and non-designated assets and their settings
- Impacts on landscape character, views, public amenity and recreation
- Impact on agricultural resource
- Pollution of the natural environment including water catchments
- Impact on wildlife and ecology

(National Trust 015/0133)

Actions/Considerations

3.338 The general responses consisted of individual observations covering a wide range of coal related issues, including the safeguarding of resources, prior extraction, the need to take account of specific issues in the assessment and determination of development proposals, particularly the interests related to certain major heritage assets. One amounted to an objection to future coal mining in the Plan area on the grounds of declining demand and cited a list of adverse consequences for such developments if they were not genuinely viable developments. The comment concerning the use of fossil fuels in general is noted but whilst coal is a legitimate fuel the Minerals Plan cannot place an embargo on its future extraction and use. That is a matter for national and international policy rather than local policy.

Outcomes for the Proposed Approach

3.339 These comments relate to specific aspects of national mineral planning policy and the new Minerals Local Plan will have to take that advice and guidance into account. It will therefore recognise that the remaining coal resource is of national importance and safeguard the resource, set out the approach to prior extraction where non-mining proposals are approved on land with coal close to the surface. It will also have to plan for the possibility of the demand for coal rising in the future and will therefore set out the policies to assess and determine any planning applications that may come forward. The policies will take account

of all the issues which are relevant to coal mining and which fall within the remit of the planning system.

Issue 1: Identifying Future Coal Extraction Areas

Representation

3.340 The Coal Authority acknowledges the difficulty for mineral planning authorities to identify specific sites due to the lack of detailed information about the scale of resources and the viability of extraction so support Option 1 to identify on a plan the extent of the shallow coal resource but consider that constraints would apply to all minerals and should not be identified specifically for coal mining development.

(Coal Authority 004/0039 and 0040)

3.341 Support Option 1 for economic reasons. Changing demand and the duty to safeguard potential resources mean that this should be as wide as possible in scope.

(COALPRO 005/0042)

3.342 Support Option 1. There is currently uncertainty around the need for coal mining extraction in Derbyshire during the plan period. Unless there are clear candidate sites for future extraction and disposal then the identification of areas may result in blight and inhibit regeneration of former coal mining areas. Nevertheless, the Councils should be satisfied that the requirements of NPPF paragraph 147 bullet point 3 have been met.

(National Trust 015/0127)

3.343 Support Option 1

(Hulland Ward Parish Council 058/0329)

Actions/Considerations

- 3.344 All respondents supported Option 1. One respondent acknowledged the practical barriers to the ability of mineral planning authorities to identify and allocate specific sites for future coal extraction. In addition, there would be political issues to be addressed before such allocations could be considered.

Outcomes for the Proposed Approach

- 3.345 The only practical approach of the new Plan will be to identify on a Plan the extent of the shallow coal resource in the area.

Issue 2: Surface Mining Constraint Areas

- 3.346 Support Option 1 to not identify such areas as it is the only option that would accord with the NPPF.

(Coal Authority 004/0019, Hulland Ward Parish Council 058/0330, Nottinghamshire CC 042/0269)

- 3.347 Support Option 1. Constraints can change over time. Environmental issues, economic issues and need for the mineral will determine constraint at the time of application. A possible exception might be where working the mineral could create significant flood risk.

(COALPRO 005/0043)

- 3.348 Support Option 2. Adopt a different method of identifying constraints to surface mining. While surface mining constraint areas may not be promoted specifically by the NPPF, the identification of unsuitable areas would nevertheless be beneficial both in steering the mining industry away from inappropriate sites and in helping the owners of historic, ecological and landscape assets to secure their future conservation. We consider that Hardwick Hall, Calke Abbey, their wider estates (incorporating SSSIs and agricultural land) and their settings would be candidate areas where a designation of this sort would be beneficial.

(National Trust 015/0128)

Actions/Considerations

3.349 Five responses were received, four supported the approach of the NPPF not to include mining constraint areas in minerals local plans whilst one supported an approach of identifying unsuitable areas for surface coal mining.

Outcomes for the Proposed Approach

3.350 The Plan will accord with national planning policy and will not continue to include surface coal mining constraint areas.

Issue 3: Sustainable Principles for the Provision for Coal Extraction

3.351 The Coal Authority supports the principles as they are in line with NPPF.
(Coal Authority 004/38)

3.352 I have reservations about how "significant adverse cumulative impacts" can be evaluated. Each case has to be taken on merit (see later comments re: other industries).
(COALPRO 005/0044)

3.353 While National Trust generally supports this policy, it will only function provided that detailed criteria based policies protect the environment, including heritage assets and their settings, landscape character, visual amenity, the natural environment etc.
(National Trust 015/0129)

Actions/Considerations

3.354 Three responses were received which broadly supported the identified set of sustainability principles as an appropriate basis for the approach of the new Plan to the provision for coal extraction and the assessment of proposals for future extraction.

Outcomes for the Proposed Approach

- 3.355 The sustainability principles set out in the consultation will be incorporated into the Plan to help set the context and underlying basis for the provision of coal extraction and to aid the assessment of future coal mining development proposals.

Issue 4: The Need for a Specific Criterion Based Policy for Coal Extraction and Related Development Proposals

- 3.356 The Coal Authority support Option 1 to include a policy for coal development based on the four sustainability principles identified above.

(Coal Authority 004/0037)

- 3.357 South Derbyshire District Council supports Option 1 to include a specific policy for coal extraction proposals to ensure adequate protection to the environment and communities in its area.

(South Derbyshire District Council 022/0185)

- 3.358 Option 2. Surface mined coal is identified in the NPPF as a mineral of national importance and should not be treated differently from other mineral resources.

(COALPRO 005/0045)

- 3.359 Support Option 2 not to include a specific coal related policy and rely on the provisions and tests of the environmental criteria and other, general policies of the Minerals Local Plan.

(Hulland Ward Parish Council 058/0331)

Actions/Considerations

- 3.360 Two respondents support the inclusion of a specific criterion based policy for coal extraction and related development proposals whilst two do not.

Outcomes for the Proposed Approach

3.361 The specific policy for coal mining developments in the current minerals plan has proved to be very useful and effective as a means of ensuring that only those developments that would not have an unacceptable adverse impact on the environment or local communities, or those where clear and identified benefits would outweigh such impacts, were allowed to proceed. Accordingly the Plan will incorporate an amended policy in line with current national mineral planning policy.

Issue 5: In Addition to the Environmental Criteria, What Additional Matters Should be Included in a Separate and Specific Coal Development Policy

3.362 The Coal Authority could only support Option 1, to include only those matters set out in the NPPF paragraph 149.

(Coal Authority 004/0018)

3.363 Support Option 1

Hulland Ward PC 058/332)

3.364 Support Option 1. Imposing other tests will expose the planning authority to potentially expensive appeals. In addition how does this reconcile with the duty to safeguard.

(COALPRO 005/0046)

Actions/Considerations

3.365 All respondents supported a policy based only on those matters set out in the NPPF.

Outcomes for the Proposed Approach

3.366 National planning policy is a very important overarching basis for the form and content of the new Plan. It sets out the matters of relevance to mineral planning in general and specifically for coal mining. In this regard it highlights the role of social and economic factors in the assessment of sustainability. In addition, it indicates that local plans should reflect the circumstances of the area to which they apply. The coal mining industry has been very influential on the development and appearance of the Plan area and it is important that this legacy is incorporated into the approach of the Plan to future coal mining development. Accordingly it is considered that the Plan should take full account of all the issues involved in such developments and this may well result in the inclusion of additional matters to those set out in the NPPF.

Issue 6: Methodology for the Assessment of Cumulative Impacts

3.367 The methodology used should be that set out in the NPPF and should be applied to mineral development and not just energy based minerals.

(Coal Authority 004/0035)

3.368 Support Option 1. Adopt a methodology to quantify and assess cumulative impacts of coal mining development using only the relevant criteria set out in the NPPF.

(Coal Authority 004/0036)

3.369 Support Option 1. The cumulative impacts of coal mining are the issue under consideration. The impacts of other industries or activities are not caused by the coal site applicants and the phrase "cumulative effects" can also lead to consideration over factors which might not have been present in recent memory.

(COALPRO 005/0047)

3.370 Support Option 1.

(Hulland Ward Parish Council 058/0333)

- 3.371 Support Option 2. Provided that Derby and Derbyshire Councils can develop an appropriate methodology drawing on recent case law and appeals, we believe that there would be benefits (in terms of creating a decision making framework that is socially and environmentally just) to including successive, simultaneous and combined effects in the assessment of cumulative impacts.

(National Trust 015/0131)

Actions/Considerations

- 3.372 The responses to this issue will be considered in the round together with those received in response to the separate consultation on cumulative impacts.

Outcomes for the Proposed Approach

- 3.373 Cumulative impacts are an important issue for the Plan area due to the historic impact and legacy of the coal mining industry. The statements about cumulative impacts in the NPPF are noted but as yet there is not an established methodology for the assessment and evaluation of cumulative impacts and it is important that the Plan incorporates a clear and robust approach which reflects circumstances in the area. It is likely that the Proposed Approach will be to include a methodology based on that set out as the emerging approach in the cumulative impacts consultation paper.

Issue 7: How to Assess the Benefits of Coal Extraction and other Related Coal Developments

- 3.374 The Coal Authority supports Option 1 to assess those benefits set out in the NPPF and where the actual assessment is on a case by case basis taking account of local circumstances and after consultation with the local community.

(Coal Authority 004/0024)

3.375 Support Option 1. Every site should be determined on a case by case basis. Local geography and geology might mean a different set of benefits from sites within the area.

(COALPRO 005/0058)

3.376 Support Option 1

(Hulland Ward Parish Council 058/0334)

Actions/Considerations

3.377 The policy guidance on coal in the NPPF reflects the longstanding approach of the planning system to the consideration of development proposals by indicating the need to weigh the scale of any benefits of a proposal against the adverse environmental impacts it is likely to generate. For coal mining however, the range of benefits to be included is very broad, including national benefits, and it does not provide any guidance about how the benefits should be weighed against the adverse environmental impacts. Three responses were received all supporting Option 1.

Outcomes for the Proposed Approach

3.378 There are pros and cons for both of the options put forward and whilst those commenting supported Option 1 the issue will be subject to further consideration before any decision is made.

Issue 8: Prior Extraction of Coal

3.379 The Coal Authority has no specific preference for the use of a separate policy for prior coal extraction or to have the issues addressed via a more general policy as they consider both options have been used elsewhere and proven to be successful. The Coal Authority suggest that the policy approach should recognise the relationship between the extraction of remnant surface coal resources and this being a remediation approach for mining legacy issues.

(Coal Authority 004/0022 and 0023)

3.380 Support Option 2. The NPPF describes surface mined coal as a mineral of national importance and therefore it should not require any different treatment from other minerals.

(COALPRO 005/0049)

3.381 Support Option 1.

(Hulland Ward PC 058/0335)

3.382 If Councils consider that there are special considerations relating to the prior extraction of coal then Option 1 would be preferable.

(National Trust 015/0132)

Actions/Considerations

3.383 There is no clear preference from the responses made.

Outcomes for the Proposed Approach

3.384 In the absence of any clear preference to the contrary and because of the potential number of cases where it may be an issue given the extent of the shallow coal resource in the Plan area it is likely that the new Plan will maintain the approach of the adopted minerals local plan and include a separate policy relating to the prior extraction of coal.

Issue 9: Reworking of Former Colliery Spoil Tips

3.385 The Coal Authority support Option 1 for the inclusion of a separate policy for the reworking of former colliery spoil tips and any other mineral. In addition the CA suggests that the relevant criteria should include the provision of important minerals, the environmental benefits to the visual appearance and landscaping of an area and other safety issues.

(Coal Authority 004/0020 and 0021)

3.386 Support Option 2. Each case will be different and should be judged on its own merits.

(COALPRO 005/0050)

3.387 Support Option 1.

(Hulland Ward PC 058/0336)

Actions/Considerations

3.388 There was no clear preference from the three responses that were received on this issue but the message from previous consultations has been that it is very important to manage the use of our mineral resource and to maximise the use of alternative materials instead of further mineral extraction wherever possible. Accordingly it is taken that there is support in principle for obtaining important minerals from sources such as former colliery spoil tips.

Outcomes for the Proposed Approach

3.389 It is likely that the Plan will continue to recognise the importance of making the most prudent use of all our mineral resources and have a separate policy setting out the criteria for acceptability of reworking former colliery spoil tips for the minerals they contain.

Towards a Strategy for Deep Mined Coal

Table of Representations

Name	Name Reference Number	Representation Reference Number
Coal Authority	004	0011
Coal Authority	004	0012
Coal Authority	004	0013
Coal Authority	004	0014
Coal Authority	004	0015
Coal Authority	004	0016
COALPRO	005	0052
Historic England	011	0080
Hulland Ward Parish Council	058	0341
Hulland Ward Parish Council	058	0342

Deep Coal Mining Issues – Paragraph 3.7

3.390 The development of planning policy at the Local Plan level for energy minerals, including coal needs to accord with national planning policy in the NPPF. There is no requirement to consider need for energy minerals in any way at the Local Plan level. The political and economic factors that underpin the energy mineral market are highly dynamic and take into account a range of complex and often competing factors. To respond to this, the role of Local Plans is to put in place a suitable planning policy framework that is flexible enough to cater for changing circumstances across the plan period.

(Coal Authority 004/0013)

3.391 A number of the issues identified in paragraph 3.7 are not relevant considerations for the development of Local Plan policy. They are issues which underpin UK and international energy policy. To include these topics in the document is misleading as it may give interested parties and the public the view that the Derbyshire Minerals Local Plan could seek to argue that coal extraction will not be permitted as there is no need for indigenous coal. Such an approach

would of course be completely at odds with the NPPF and is not therefore a reasonable alternative.

(Coal Authority 004/0014)

3.392 We agree with the list as set out in 3.7.

Historic England 011/0080)

Actions/Considerations

Outcomes for the Proposed Approach

Issue 1: Making Provision for Possible Future Deep Mined Coal Extraction

Issue 2: How Should the Plan Develop a Policy Approach for Proposals for Deep Mine Coal Extraction

3.393 The Coal Authority states that the economics that influence the viability of deep mined coal are far more complex than those for surface mining. They add that whilst underground coal mining is constricting, licences for such working do exist and there remains some interest in the possibility of further extraction. In order for the Local Plan to remain flexible across the Plan period they suggest that it should make clear that proposals for future development would be considered against national policy in the NPPF and where the local policy on surface mining remained of relevance.

(Coal Authority 004/0016 and 004/0017) Note this comment was written for Issues 1 and 2.

Actions/Considerations

3.394 The response acknowledges the demise of the deep coal mining industry over the last 30 years and also recognises the difficulties in assessing the likelihood of any future resumption in such mining activity but refers to the scale of the remaining resource and the existence of licences as an indication that the possibility should not be discounted. It recommends that any proposal that could come forward should be assessed and determined in accordance with national mineral planning policy.

Outcomes for the Proposed Approach

- 3.395 The Plan needs to be comprehensive and flexible in order to set out the approach to both minerals of national importance at the present time and those that may be of national importance during the Plan period. Accordingly the new Plan will acknowledge the deep coal resource present in the area and set out an approach for any proposal that may come forward.

Issue 3: Inclusion of a Separate and Specific Policy for Deep Mined Coal

- 3.396 The Coal Authority favours Option 1 to not have a separate policy for deep mined coal for the reasons set out above.

(Coal Authority 004/0011)

- 3.397 Support Option 1. A deep mine application should be treated like any other major planning application. The principles in the NPPF are perfectly acceptable criteria for evaluating a deep mine application. The amount of capital investment required will ensure that applications are only made because there is a need for the mineral. Producing the coal in the UK means fewer CO2 permissions in transporting the coal to its point of use.

(COALPRO 005/0052)

- 3.398 Support Option 2

(Hulland Ward Parish Council 058/0341)

Actions/Considerations

- 3.399 Two responses received favour the use of a general coal mining policy for all forms of development where the policy is based on national coal mining policy whilst one supported a separate policy for deep mined coal.

Outcomes for the Proposed Approach

3.400 Whilst it is currently considered unlikely that there will be a resumption in deep coal mining activity within the Plan period it is important that it sets out the criteria that will be used to determine any proposal that may come forward. It is considered that the range of issues/criteria that would be relevant to such proposals would have many similarities with those for surface mining and any differences could be accommodated within a single criterion based policy.

Issue 4: The Range of Tests or Criteria to be Applied to Proposals for the Extraction of Coal from Deep Mines

3.401 If the Plan were to include such a policy the CA suggest that it include only those factors set out in the NPPF.

(Coal Authority 004/0012)

3.402 Support Option 1.

(Hulland Ward Parish Council 058/0342)

Actions/Considerations

3.403 The response repeats the view that any coal mining policy in the new Plan should be based on the factors set out in the NPPF only.

Outcomes for the Proposed Approach

3.404 For the reasons set out above it is necessary for any coal mining policy in the new Plan to reflect the particular importance of the industry to the area and the impacts it has given rise to over a long period. Accordingly it is likely that the Plan will include factors and criteria in addition to those set out in the NPPF. This would take account of the more general comments set out below.

Towards a Strategy for Hydrocarbons: Including Conventional Oil and Gas, Unconventional Oil and Gas, Gas from Coal and Shale Gas Support and Strategy Papers

Table of Representations

Name	Name Reference Number	Representation Reference Number
Coal Authority	004	0291
Coal Authority	004	0292
Coal Authority	004	0293
Coal Authority	004	0294
Coal Authority	004	0295
South Derbyshire DC	022	0203
South Derbyshire DC	022	0204
South Derbyshire DC	022	0205
Individual	030	0226
Individual	030	0227
Individual	030	0228
Individual	030	0229
Individual	032	0231
Individual	034	0236
Individual	035	0237
Individual	036	0238
Individual	037	0241
Individual	039	0243
Friends of the Earth	041	0262
Nottinghamshire CC	042	0270
Nottinghamshire CC	042	0356
Nottinghamshire CC	042	0357
Nottinghamshire CC	042	0358
Ineos	043	0273
Ineos	043	0274
Ineos	043	0275
Ineos	043	0276
Ineos	043	0277
Ineos	043	0278
Ineos	043	0279
Transition Chesterfield	044	0300
Individual	048	0309

Individual	052	0314
Individual	053	0315
Dronfield Town Council	056	0324
SAVE	057	0327
National Trust	015	0355

3.405 The consultation on hydrocarbons included separate Support Papers for Conventional Oil and Gas, Unconventional Oil and Gas, Gas from Coal measures and Shale Gas in order to provide a comprehensive background to the different forms of hydrocarbon extraction but as the regulatory regimes involved are common to all the different forms and the issues raised in the assessment and consideration of development proposals are similar the consultation combined them all in to one Strategy paper to develop a consistent approach to the subject.

Representations

Hydrocarbons in General

3.406 The areas of Heath and Hardstoft are mentioned as areas of historic hydrocarbon extraction activity in the east of the County. Any future extraction in this area will need to take account of the impact on settings of internationally important heritage assets including Hardwick Hall and Parkland.

(National Trust 015/0355)

Shale Gas

General Observations

3.407 Most respondents commented on the issue of hydraulic fracturing in principle without referring to the issues and options presented in the consultation document. These comments are presented below.

3.408 Dronfield Town Council opposes fracking in Dronfield and its surrounding areas. The letter identified a list of reasons for this comment.

Dronfield Town Council (056/0324)

3.409 I am writing to oppose the introduction of hydraulic fracturing on sites across Derbyshire. The letter indicated a list of reasons.

(Individual 053/0315)

3.410 I feel strongly that any carbon based alternative is inappropriate considering the recent Paris proposals. To economically extract shale gas would require numerous wellheads which would present an environmental impact far in excess than which you suggest. As a resident of Derbyshire I would appeal to the County Council to reconsider their attitude towards fracking and immediately put a moratorium on all licenses.

(Individual 052/0314)

3.411 In respect of permissions for fracking, it is evident from all the evidence on climate change that we must do all we can to end the use of fossil fuels. To allow fracking in Derbyshire (or anywhere else for that matter) would be a dereliction of our duty to future generations on our stewardship of the environment. Only development of renewable energy can be considered a responsible approach to our future energy needs.

(Individual 048/0309)

3.412 The evidence in favour of fracking is shaky at best, while the evidence against fracking is strong and alarming. Please do not allow short-term commercial considerations and political pressure to bring risk to our environment, potable water and health. The risks are there; they are real. Please instead consider how we as a region can innovate and lead the way in reducing in managing energy demand and generating alternative energy.

(Individual 039/0243)

3.413 I have read with great concern that fracking may be considered somewhere near Elvaston Castle. I am therefore writing with great concern to say that I am

completely against this form of energy gathering. There are enough other greener forms of creating energy. The track record for fracking is not good in America. Fracking's safety record is questionable and is still focused on carbon energy production. It sounds like complete madness. There's plenty of wind and solar energy in South Derbyshire like there is everywhere else. Invest in that.

(Individual 037/0241)

- 3.414 Presently more than half the gas used in the UK is imported, either via pipeline of LNG, so national production might seem attractive. But the time has passed. The decarbonisation of electricity production and heating is an urgent priority, which will drastically reduce the need for gas in the next 15 to 20 years. There is a distinct possibility that any infrastructure for extraction will only be use for a short time. This, along with very low gas prices presently and quite possibly going forward make a poor financial case for both the private sector investors and tax payer funded Government support. It is estimated that at recent gas prices, fracking is not economic. Also, uncertainty about fugitive methane emissions mean that fracked gas could have carbon emissions much higher than piped imported and even approaching those of coal. Finally, I am very concerned about the local environmental impacts e.g. earthquake triggering, local water supply pollution and noise. I don't think fracking should be allowed in our area.

(Individual 036/0238)

- 3.415 I don't want local fracking because I have concerns about earthquakes, water pollution and the incompatibility with decarbonisation that the UK is signed up for.

(Individual 035/0237)

- 3.416 I wish to register my concerns regarding the inclusion of 'fracking' in the minerals local plan. I believe this option should be strongly resisted on the grounds that we need to keep CO₂ in the ground, safeguard our water supplies and wider environment, and put more resources into the development of carbon neutral fuels development policies; get ahead of the game in demanding that

all new developments are carbon neutral and include in their plans some contribution to low-carbon energy production as a prerequisite for planning approval.

(Individual 034/0236)

3.417 It has been brought to my attention that South Derbyshire is being considered as a potential site for hydraulic fracturing. In particular, the village of Aston on Trent, where I live, will be affected. I have considerable reservations about this type of development.

3.418 Although the document in question states that this method of extraction is now considered "established" in the USA, I wish to point out that this clearly does not mean that fracking is safe and without hazards. There are continued, documented cases, from all over America, of ongoing pollution, damage to the environment and toxicity, all with unknown risks on long term health.

3.419 The letter listed a set of concerns relating to: contamination of drinking water, consumption of scarce resources, air pollution, global warming and damage to the environment.

(Individual 032/0231)

3.420 This area is green belt land. No fracking or development in the area should be allowed. Aston on Trent and area has been hit by possible housing developments we have a crematorium being built on land that is owned by a family member of a councillor on the local Parish council. Traffic is already a problem in the area. Any development and extraction will damage the integrity of the village. There is also exhausted mines in the area with numerous mine shafts. What would the implication be if fracking happened to potentially unstable land?

(SAVE 057/0327)

3.421 Objects to the possibility of fracking taking place in North Derbyshire which has experienced significant coal mining in the past and/or where coal seams remain. Also raised concerns about the possibility of fracking taking place under or near to properties in built-up areas. The letter refers to the long history of coal mining and other related industries in the area and the contribution they have had to the cumulative impacts experienced in the area and therefore what makes it particularly vulnerable to hydraulic fracturing.

Individual 030/0226 and 0227

3.422 In relation to shale gas the Minerals Plan should also refer to a forthcoming report from the Committee on Climate Change (CCC) as to whether shale gas production is compatible with future carbon emissions targets. The CCC's report was submitted to the Government on 30 March but has not yet been published. If the report is not published before the Minerals Plan is published the plan should make reference to the need to comply with any recommendations made by the CCC.

3.423 Shale gas can only play a role in tackling climate change IF it substitutes for coal burning. However, to stay within 'safe' levels of greenhouse gas emissions the Committee on Climate Change advise we need to phase out coal by the early 2020s. Fracking will not be online in commercially significant amounts for another 10-15 years which means it won't be able to replace coal, as pointed out by the 2015 Environmental Audit Committee report on fracking². Even if it comes sooner it will be in proportionately smaller amounts. There are already many technically mature zero carbon renewable energy technologies such as wind and solar. Fracking will detract from investment in renewables. It also undermines UKs climate leadership as it makes it difficult to convince oil and gas producing countries that conventional fossil fuel resources should be left in the ground.

² House of Commons, Environmental Audit Committee, Environmental risks of fracking, eight report of session 2014-2015 26th January 2015

(Transition Chesterfield 044/0300)

- 3.424 FoE indicated its objection to hydraulic fracturing and made specific reference to some of the individual sections of the consultation paper. These are set out further on in this Section.

(Friends of the Earth 041/0062)

- 3.425 The development of planning policy at the Local Plan level for energy minerals, including conventional and unconventional hydrocarbons needs to accord with national planning policy in the NPPF. There is no requirement to consider need for energy minerals in any way at the Local Plan level. The political and economic factors that underpin the energy mineral market are highly dynamic and take into account a range of complex and often competing factors. To respond to this, the role of Local Plans is to put in place a suitable planning policy framework that is flexible enough to cater for changing circumstances across the plan period.

- 3.426 The Local Plan will need to consider how it addresses conventional and unconventional hydrocarbons, whilst the production of separate topic papers is helpful, national policy for hydrocarbons tends to be broadly similar and any policy approach should not result in unnecessary duplication between policies.

(Coal Authority 004/0291)

- 3.427 The paper refers back to historic policy which is unnecessary; however it properly interprets current policy in the NPPF and Planning Practice Guidance. In particular recognition of the three stage approach (exploration, appraisal and production) is welcomed. Many Mineral Plans have been developing policies for hydrocarbons and have found that actually in policy making the first two stages of exploration and appraisal have many similarities and as such are often combined in policies. Somerset County had a significant debate on

hydrocarbons at their public examination and as such we would recommend reading their plan.

3.428 We agree that hydrocarbons do not require safeguarding through the Local Plan.

(Coal Authority 004/0292)

3.429 The paper was of course written before the Government announced just before Christmas the proposed outcome to the consultation on the permitted development rights for exploratory boreholes. The Local Plan will of course need to reflect the latest position once an amendment to the 2015 GPDO is published.

(Coal Authority 004/0293)

3.430 The paper correctly refers to the role of the Oil and Gas Authority (OGA) in relation to petroleum licensing.

(Coal Authority 004/0294)

3.431 In relation to unconventional hydrocarbon extraction from shale, then permission would also be required from The Coal Authority if the drilling were to intersect any coal seam. The proposed new permitted development rights for exploratory boreholes to investigate mining legacy in connection with proposed petroleum exploration will be subject to a requirement for The Coal Authority to be notified in order that we can address public safety issues through the issuing of a Permit to enter or disturb coal.

(Coal Authority 004/0295)

Actions/Considerations

3.432 The majority of the responses indicate an objection in principle to hydraulic fracturing in the Plan area whilst others provide general comments which do not relate to any of the specific issues and options set out in the consultation paper. The comments are noted but no further action can be considered.

Outcomes for the Proposed Approach

- 3.433 The new Minerals Local Plan cannot impose an embargo on hydraulic fracturing or any other form of hydrocarbon extraction. To do so would be contrary to national mineral planning policy. Accordingly there are no outcomes for the draft plan from these observations.

Issue 1: Emerging approach to the provision for hydrocarbons

- 3.434 We support a positive statement in line with Government policy. The overall policy approach should be to provide a presumption in favour of development and to then identify a series of considerations or criteria relevant to the particular proposal and then to assess the proposal against bespoke criteria. Such criteria will usually be contained in the wider policies of the local plan.

(Ineos 043/0273)

- 3.435 Support the approach.

(Nottinghamshire CC 042/0356)

- 3.436 In general our view is that the approach of the Plan to the provision for hydrocarbon minerals needs to set out the policy constraints – both in terms of assessing the implications of the development of hundreds of shale gas wells in terms of greenhouse gas emissions and other social, environmental and local economic impacts – and in terms of identifying place-based constraints which the PEDL licenses failed to do. Nor did the SEA of the licensing round properly assess wildlife impacts – again, development at scale needs to be assessed at this stage of the plan-making process.

Friends of the Earth (041/0262)

Actions/Considerations

- 3.437 Three responses were received to this issue. One supported the approach. One supported a positive approach in line with national planning policy but with the added requirement of an overall presumption in favour of hydraulic fracturing

followed by an assessment of individual proposals against a set of criteria. Another supported a greater focus on constraints and the impacts of development proposals.

Outcomes for the Proposed Approach

- 3.438 The approach of the new Plan will have to accord with national planning policy and will therefore acknowledge that all hydrocarbon resources could potentially be subject to proposals for extraction. In line with all other important minerals in the area the Plan will set out policies, again in line with national policy, to assess those planning applications and to determine whether planning permission can be granted.

Issue 2: Identification of hydrocarbon resources within the plan area

- 3.439 We support Option 1. The approach should be to follow Government guidance. We see no reason to adopt a different approach. That guidance is recently published and reflects best practice. Therefore, the Plan should identify and safeguard PEDLs. Individual drilling sites are so small and potentially so numerous that it is not feasible to map them all. A safeguarding of PEDL areas and a positive policy statement in support of the principle of exploration, appraisal and production of hydrocarbons should be sufficient.

(Ineos 043/0274)

- 3.440 The use of PEDL licenses to 'map' as the SEA was flawed in failing to limit licenses despite obvious environmental e.g. wildlife constraints during the process of assessment. Instead it was stated by DECC that these matters would be picked up by planning authorities. Therefore the planning authority should start by setting out all constraints, including distances from residences.
- 3.441 Mapping of sensitive areas for protection of groundwater, landscape, natural environment, soil quality, air quality and geology should also be included in line with the precautionary principle. Section 50 of the Infrastructure Act 2015 and Section 4A of the Petroleum Act 1998 requires that hydraulic fracturing will not

take place within protected groundwater source areas or within other protected areas.

3.442 The NPPG is subject to frequent change and is not formally consulted upon. We would therefore advise caution on the application of its policies in a document that is expected to be valid for ten years or more.

3.443 The options set out only include mapping of potential hydrocarbon extraction suggesting that the Council would not comply with the Section 39 (2) of the Planning and Compensation Act 2004 statutory duty to act with the objective of achieving sustainable development, relevant paragraphs in the NPPF and the Infrastructure Act 2015/Petroleum Act 1998.

3.444 We question whether promoting shale gas (as opposed to promoting renewable energy development) would comply with the need for the plan policies as a whole to contribute to the mitigation of climate change.

(Friends of the Earth 041/0262)

3.445 Support Option 1 in respect of Issue 2 and identify only those areas that licenced for hydrocarbon exploration, drilling and production in the Minerals Local Plan.

(South Derbyshire District Council 022/0203, Nottinghamshire County Council 042/270)

Actions/Considerations

3.446 Of the four responses received, three support Option 1 whilst the other response focuses on alleged problems and failures of the Licencing process which is not within the remit of the Plan.

Outcomes for the Proposed Approach

3.447 It is considered that Option 1 presents the most appropriate approach for the new Plan and would conform to the requirements of national policy. The level of information which is available concerning the presence of commercially viable hydrocarbon resources is very limited and identifying other areas in addition to the PEDL areas may imply a greater level for potential working. It is acknowledged that new licence areas could be granted during the Plan period but that would not affect the approach of the Plan to determining development proposals in those areas.

Issue 3: Identification of constraints on the production and processing of conventional and unconventional hydrocarbons

Representation

3.448 Rather than identify constraints, which can only be generic because they will vary with each drilling site, the policy should identify the criteria against which the 3 stages of exploration, appraisals and production of hydrocarbons will be assessed. The criteria listed in paragraph 13 of the Minerals section of NPPG should be the basis for such assessment. Nottinghamshire recently published a simple policy that we believe is sufficient. Such a policy approach makes clear that environmental and other considerations will be identified on a local site by site basis and implicit in the planning process is the fact that once considerations for each application are identified the scrutiny of application proposals against those considerations will have the full weight of planning law. Given that NPPG Minerals paragraph 13 sets out assessment considerations we do not feel that the actual policy needs to specify the criteria, although it could be referred to in the supporting text. Given also the shared boundary with Nottinghamshire and the current and potential future overlap of PEDL areas between the two authorities we feel that a consistent policy approach should be adopted

(Ineos 043/0275)

This issue was subdivided into further questions/options concerning the areas of the Plan where constraints could/should be identified and what type of constraints should be listed.

3.449 *In relation to the area options Ineos commented as follows:*

Given our response to issue 2 we support Issue 3 option 1 because the two approaches are inextricably linked and this will provide consistency. The policy should do no more than provide a direction about the issues that are likely to be important. This can be stated in the text, with the policy making clear that where issues are identified assessment and mitigation will be required. As noted above, we support the Nottinghamshire approach and would advocate the following policy wording, which is applicable to each stage to the involvement of the planning system in the hydrocarbon process:

Exploration

1. Proposals for hydrocarbon exploration will be supported provided they do not give rise to any unacceptable impacts on the environment and residential amenity.

Appraisal

2. Where hydrocarbons are discovered, proposals to appraise, drill and test the resource will be permitted provided they are consistent with an overall scheme for the appraisal and delineation of the resource and do not give rise to any unacceptable impacts on the environment and residential amenity.

Extraction

3. Proposals for extraction will be supported provided they are consistent with an overall scheme for enabling the full development of the resource and do not give rise to unacceptable impacts on the environment and residential amenity.
4. Where proposals for hydrocarbon development coincide with areas containing other underground mineral resources evidence must be provided to demonstrate that their potential for future exploitation will not be unreasonably affected.

5. All applications for hydrocarbon development will be accompanied with details of how the site will be restored once the development is no longer required.

(Ineos 043/0275)

3.450 In relation to the area options FoE responded as follows:

As this is a minerals plan, constraints should be identified for the whole plan area, particularly as impacts from hydrocarbon development may be outside the license area. Note that applications for hydrocarbon minerals would not occur in places which are not licensed.

3.451 The NPPF indicates a broad range of considerations could fall within the term 'constraints'. Even the statements within the NPPG do not limit the Council to the environmental constraints that should be considered.

(Friends of the Earth 041/0262)

3.452 Support Option 2 to Identify constraints for current PEDL areas and those parts of the Plan area where hydrocarbon resources are known to be present given that the effects of some types of developments could take place outside of areas currently licenced for hydrocarbon development.

(South Derbyshire District Council 022/0204)

3.453 It would seem sensible to have a broad policy covering the range of constraint's not just limited to existing PEDL areas. This sits somewhere between option 1&2. Option two as written seems a little over kill.

(Nottinghamshire CC 042/0357)

3.454 In response to the type of constraints FoE responded as follows:

The NPPF indicates a broad range of considerations could fall within the term 'constraints'. Even the statements within the NPPG do not limit the Council to the environmental constraints that should be considered.

3.455 These constraints should also be included for the legal/policy reasons given above:

- Climate change/greenhouse gas emissions
- 'Water protection' should include groundwater and surface water protection, and water scarcity.
- Soil quality
- Air quality
- Seismicity
- Areas of Outstanding Natural Beauty (proposals that would impact on AONBs)
- National Park (proposals that would impact on the Peak District National Park)
- Light pollution
- Noise
- Under Heritage: Conservation Areas, Archaeology
- Under biodiversity/ecology: SSSIs, Ramsar sites, Areas of Special Protection/Special Protection Areas

(Friends of the Earth 041/0262)

3.456 Supports the inclusion of heritage interests as a constraint but considers that the range of heritage constraints used as exclusion areas should be extended.

(Individual 030/0228)

Actions/Considerations

3.457 One response supported the use of constraints in general but suggested that the Plan merely sets out the criteria to identify those constraints on a site by site basis. In terms of the area where constraints should be identified, Option 1 and 2 were favoured by one respondent each whilst another suggested constraints be identified for the whole of the Plan area. One suggested having a broad policy covering the range of constraints not just limited to existing PEDL areas; somewhere between Options 1 and 2. In terms of the range of constraints that will be identified one response indicated support for the

identification of buildings with heritage designations but suggested that the constraint be extended to all buildings. Another respondent suggested the need to identify constraints under 11 additional headings.

Outcomes for the Proposed Approach

3.458 The NPPF states that mineral local plans should address the constraints on the production and processing of hydrocarbons within the areas that are licenced for oil and gas exploration or production but does not provide any further guidance as to the range and type of constraint to be identified. Whilst the responses provide general support for the identification of constraints they do not provide any definitive answers to the options provided. As the level of information about the scale of resources in areas outside the PEDL areas is very limited at this stage it is considered appropriate that new Plan adopts the approach set out in the NPPF in terms of area coverage. The range and type of constraints set out in the consultation paper are also considered to be the most appropriate for inclusion in the Plan. Some of the suggested additions are specific elements which are already covered by the headings put forward whilst some are not capable of being identified to a specific area and therefore cannot be included.

Issue 4: The use of criterion based policies for conventional and unconventional hydrocarbon developments

This issue was subdivided in to two parts relating to the possible use of separate criteria based policies for each stage of development and the need or otherwise for additional criteria for hydraulic fracturing.

3.459 In response to the first part respondents commented as follows:

We do not support the options put forward in this consultation. There is no need to adopt different criteria for each stage of the hydrocarbon process because

the issues need to be defined locally and on a site specific basis. We believe that one policy is sufficient and have suggested the following wording:

Exploration

1. Proposals for hydrocarbon exploration will be supported provided they do not give rise to any unacceptable impacts on the environment and residential amenity.

Appraisal

2 Where hydrocarbons are discovered, proposals to appraise, drill and test the resource will be permitted provided that they are consistent with an overall scheme for the appraisal and delineation of the resource and do not give rise to any unacceptable impacts on the environment and residential amenity.

Extraction

3 Proposals for the extraction of hydrocarbons will be supported provided they are consistent with an overall scheme for enabling the full development of the resource and do not give rise to unacceptable impacts on the environment and residential amenity.

4. Where proposals for hydrocarbon development coincide with areas containing other underground mineral resources evidence must be provided to demonstrate that their potential for future exploitation will not be unreasonably affected.

Restoration

5. All applications for hydrocarbon development will be accompanied with details of how the site will be restored once the development is no longer required.

3.460 This policy contains all the elements of the required to be covered by policy and is positively worded. It notes that the main concerns are with the environment and residential amenity but as there are other policies dealing with such impacts, each containing assessment criteria, the minerals planning policy

need not listed these considerations because each application needs to be considered against all relevant planning policies and the amenity policies of the relevant local plan should list the criteria necessary to protect amenity. The supporting text to the minerals policy suggested above should provide background and justification, which links to the National Planning Policy Framework and other Government policies, and make reference to the fact that the PEDLs are mapped and safeguarded.

(Ineos 043/0276)

- 3.461 Paragraph 7.7 of the text in this section states “there are unlikely to be significant difference between the issues which are relevant to the exploration and appraisal stages.”

Hydraulic fracturing can be used as part of the exploration and appraisal phases and may have material similarities in this respect to the production. The level of intensity of all 3 phases could have significant similar impacts on climate change and amenity (noise, transport, emissions).

Friends of the Earth propose that the same criteria are used for all 3 stages of the process

(Friends of the Earth 041/0262)

- 3.462 In response to the second part respondents commented as follows:

There should not be a different set of criteria for hydraulic fracturing. We reiterate our response to Issue 4 a), only one policy is needed to cover all the stages of the hydrocarbons process and we have suggested the wording in our responses to Issues 3 and 4 a). Given the proximity with Nottinghamshire and the existing and potential PEDL overlap we believe that the same policy approach should be adopted by each authority. The crossing of a county boundary with no obvious change occurring other than it being a different administrative area should not result in a noticeably different change in policy approach. If it did it would be contrary to the requirement of NPPG for development plans to be clear and transparent and to provide certainty.

3.463 There are a set of key considerations for assessment of considerations, which are specified in paragraph 13 of the Minerals section of NPPG. The planning considerations necessary to assess hydraulic fracturing are not so different that it requires a different overall policy approach.

(Ineos 043/0277)

3.464 The evidence is clear from the US and Australia that hydraulic fracturing and the extraction of unconventional hydrocarbons are likely to have significant additional impacts compared to 8 conventional sources and warrants a separate policy. There are likely to be significant impacts on greenhouse gas emissions and climate change.

3.465 Shale gas, while utilised in the US there is a litany of consequences on health leading to a moratorium in New York on public health grounds, the environment (including water pollution, and more lately the evidence that is beginning to emerge that it causes more methane leakage than previously understood or acknowledged.

3.466 Underground coal gasification is an unproven technology. A pilot facility operated in Queensland Australia by Cougar Energy was shut down due to potentially carcinogenic pollution including benzene and toluene emissions: <http://frack-off.org.uk/extreme-energies/underground-coal-gasification/>

3.467 Gasification of coal is the process which used to be operated at gas works and coking works. In many cases the resulting contamination is still being cleared up. A precautionary approach should be followed to ensure that underground gasification is not allowed to create new contamination. It was tried in the 1950s in the UK – prompting questions in parliament about ‘noxious fumes over a wide area’ reference: <http://hansard.millbanksystems.com/commons/1955/nov/28/underground-gasification-experiments>

(Friends of the Earth 041/0262)

3.468 Support the need for a hydraulic fracturing policy (rather than a general hydrocarbons policy) on the basis that this type of development could give rise to impacts that are significantly different to other forms of hydrocarbon extraction.

(South Derbyshire District Council 022/0205)

3.469 Include one policy covering exploration, appraisal and extraction.

(Nottinghamshire CC 042/0358)

Actions/Considerations

3.470 Three respondents who commented on the first part of this issue considered that the same criteria should be applied to all three stages of the hydraulic fracturing process. Two respondents considered that there was a need for a separate policy setting out criteria for the assessment of hydraulic fracturing proposals whilst the other respondent considered that all hydrocarbon based proposals could be assessed against the criteria listed in national planning guidance.

Outcomes for the Proposed Approach

3.471 It is likely that the Proposed Approach will have a separate policy for all hydrocarbon development proposals (including hydraulic fracturing) and that it will contain a set of criteria that could be used in the consideration of all three stages of development. The policy could set out all the criteria that may need to be taken into account but, as with all proposals, only those criteria that are relevant to the particular proposal will be used in the assessment.

Issue 5: The range of criteria to be included in the policies for conventional and unconventional hydrocarbons.

3.472 The policy should be as we have set out in our response to the other issues in this consultation, where we have suggested a draft policy that covers each stage of the process comprising exploration, appraisal and development. Reference to criteria should be restricted to those set out in paragraph 13 of the

Minerals section of NPPG because these are a nationally agreed set of criteria. The reference should be contained within the supporting justification, not in the policy. Our suggested draft policy makes clear that impacts will be defined and agreed on a site by site basis because not all the criteria listed in this part of the consultation will be applicable to every drilling site.

(Ineos 043/0278)

- 3.473 We object to the exclusion of matters ‘for other regulatory regimes’ as outlined. Seismicity is a planning matter on which there is planning guidance. Flaring and venting cause greenhouse gas emissions which are also firmly a planning matter and would be assessed under Environmental Impact Assessments. The planning authority officers and members must have access to information e.g. on securing protections to groundwater (which overlaps with well design and indeed Government has suggested a condition on this point), the content of the fluid is relevant because of the site protections such as bunding etc which are controlled by planning condition, and the transportation and availability of waste treatment capacity is a matter for the minerals planning authority. Decommissioning is important given the need to consider financial bonds for unconventional activities. Only one well has been hydraulically fractured at high volume in the UK, and it resulted in a moratorium given its impacts.
- 3.474 Paragraph 7.8 states “The issues which are identified [in the NPPG] to be matters for other regulatory regimes include seismic risks, well design, construction and integrity, operation of other surface equipment on the well pad, mining waste, chemical content of hydraulic fracturing fluid, flaring and venting, off-site disposal of water and well decommissioning.”
- 3.475 However so far as they are relevant to the Council’s legal duties and NPPF policy, Friends of the Earth contend that the following should be addressed by the Minerals Plan:

- Criteria for assessment of greenhouse gases and impact on climate change [for the reasons given above].
- Criteria for assessment of the impact of lighting should include the impact of flaring on local amenity and dark skies/light pollution, as well as on air quality and climate change/greenhouse gas emissions covered under separate criteria.
- Criteria for the impact on the water environment should include the impact on ground and surface water, and water scarcity.
- Criteria for land stability and subsidence should include impact on potential seismic disturbance as a result of local geology.
- Criteria needed for assessing the impact on the neighbouring Peak District National Park and any AONBs [fracking can take place under National Parks].
- Criteria to assess the impact on archaeological or heritage features should include impact on the character of Conservation Areas.

Friends of the Earth commented that all the identified criteria should be applied to each of the stages.

(Friends of the Earth 041/0262)

3.476 Supports the criteria listed and considers that they require full enforcement and that other criteria should be included. The inclusion of historic buildings should be extended to cover all buildings.

(Individual 030/228)

Actions/Considerations

3.477 Two respondents supported an approach which was consistent with national planning policy whereby the criteria to be included were those listed in the documents referred to in the consultation. The other respondent favoured the inclusion of issues and criteria that were the main responsibility of other regulators. There were no further comments provided relating to the criteria that

should or should not be used for the three distinct phases of hydrocarbon extraction.

Outcomes for the Proposed Approach

3.478 National planning policy is quite specific about the roles and responsibilities of local planning authorities and other regulators involved in the system which determines whether or not companies can extract oil or gas from hydrocarbon resources and the Plan cannot take an approach which is not consistent with that advice. The draft Plan will therefore focus on the criteria set out in the consultation document.

Issue 6: Criteria to be applied to proposals for the hydraulic fracturing of shale gas.

3.479 As we have stated in our response to issue 4, there should not be a separate policy approach or criteria for considering hydraulic fracturing. The reasons are set out in our response to issue 4.

3.480 The policy dealing with unconventional gas, in all its forms, should be as we have set out in our response to the other issues in this consultation, where we have suggested a draft policy that covers each stage of the process comprising exploration, appraisal and development. Reference to criteria should be restricted to those set out in paragraph 13 of the Minerals section of NPPG because these are a nationally agreed set of criteria. The reference should be contained within the supporting justification, not in the policy. Our suggested draft policy makes clear that impacts will be defined and agreed on a site by site basis because not all the criteria listed in this part of the consultation will be applicable to every drilling site.

(Ineos 043/0279)

- 3.481 Friends of the Earth stated that none of the criteria identified should be excluded from a policy on hydraulic fracturing.

(Friends of the Earth 041/0262)

Actions/Considerations

- 3.482 The responses to this issue were directly related to those made in response to Issue 4 above. Accordingly one respondent repeated the comment that only those criteria set out in national planning policy should be used to assess proposals for hydraulic fracturing whilst the other respondent repeated that the Plan should take into consideration all issues, including those which were specifically within the remit of other regulators only.

Outcomes for the Proposed Approach

- 3.483 In accordance with the assessment set out above it is likely that the Plan will contain a separate policy specifically for hydraulic fracturing and that the criteria to be included will be those set out in national planning policy.

Unconventional Gas – Gas from Coal

General Observations

- 3.484 The paper correctly refers to the role of the Oil and Gas Authority (OGA) in relation to petroleum licensing. In relation to unconventional hydrocarbon extraction from coal, then permission is also required from The Coal Authority in all circumstances; the paper does not make this clear at present. In other Mineral Plan examinations there has been debate as to the role of the Mineral Planning Authority versus the other regulatory bodies. National policy makes it clear that it is not for the planning process to duplicate the other regulatory systems. This is made clear later in the paper. When published the Local Plan will need to reflect the latest PEDL licence position, it should be noted that our sister body the OGA published a revised PEDL map at the beginning of every month.

(Coal Authority 004/0924)

Actions/Considerations

3.485 The comments are noted.

Outcomes for the Proposed Approach

3.486 N/A

Chapter 10 - Safeguarding

10.1 Safeguarding Mineral Resources

Table of Representations

Name	Name Reference Number	Representation Reference Number
Coal Authority	004	0025
Coal Authority	004	0026
Coal Authority	004	0027
Coal Authority	004	0028
Coal Authority	004	0029
Coal Authority	004	0030
Coal Authority	004	0031
Coal Authority	004	0032
Coal Authority	004	0033
Coal Authority	004	0034
COALPRO	005	0053
COALPRO	005	0054
COALPRO	005	0055
Derbyshire and Peak District Geodiversity Action Group	006	0056
Derbyshire and Peak District Geodiversity Action Group	006	0057
Durham County Council	008	0064
Durham County Council	008	0065
Historic England	011	0082
Mineral Products Association	013	0114
Mineral Products Association	013	0115
National Trust	015	0147
National Trust	015	0148
Omya UK Limited	018	0166
Omya UK Limited	018	0167
Rotherham Metropolitan Borough Council	019	0169
Rotherham Metropolitan Borough Council	019	0170
South Derbyshire DC	022	0186
Tarmac	023	0207
Tarmac	023	0208
Tarmac	023	0209
Tarmac	023	0210
Tarmac	023	0211
Tarmac	023	0212
Harworth Estates	033	0233
Nottinghamshire CC	042	0265

Issue 1- Safeguarding of Building Stone Resources.

Representations

- 3.487 We consider that all known resources of sandstone and gritstone for building purposes should be safeguarded, not just those close to existing workings.

(Tarmac 023/0207)

- 3.488 National Trust would welcome further information on the selective approach to safeguarding of sandstone for building and roofing purposes.

(National Trust 015/0147)

Actions/Considerations

- 3.489 The proposal to safeguard only parts of the sandstone/gritstone resource resulted from the fact that this resource is so extensive and only small areas are found to be of sufficient quality to use as building stone. Safeguarding those areas which are known to contain good quality resources (i.e. existing building stone quarries) and the area around these quarries is considered to be a pragmatic approach.

Outcomes for the Proposed Approach

- 3.490 Maintain the proposed approach.

Issue 2 - The delineation of buffer zones.

Representations

- 3.491 We do not support a generic approach to the definition of buffer zones, as they should only be used where absolutely necessary.

(Tarmac 023/0211)

3.492 We do not accept your proposals in para 9.5. We object to the approach to MSAs which does not include buffers against sterilisation as advised by BGS good practice guidance. Your solution to this issue is to surround the MSAs with MCAs to a standard distance dependant on the mineral. We consider this to be against good practice. The BGS guidance specifically advises against this approach because MCAs lack the required 'presumption against' protection that national policy gives to MSAs. Para 5.34 of the guidance says "MCAs are a consultation mechanism and are not a safeguarding mechanism. They do not carry any presumption against permission being granted for development on a mineral resource and there is virtually no sanction should planning permission be granted within one. Primarily, the level of safeguarding that MCAs can provide is not comparable to that which can be afforded through a MSA-based process." We strongly urge DCC to adopt MSA boundaries that include buffers and to review the standoff distances for each mineral. The result of your proposed approach could be that damaging development on the edge of a resource could still be permitted because it is not located in an MSA.

(Mineral Products Association 013/0114 & 0115)

3.493 As the surface coal resource is extensive, The Coal Authority is neutral on the issue as to whether MCA need to extend beyond the boundary of the MSA to cater for proximal development.

(Coal Authority 004/0026)

3.494 Each should be determined on a case by case basis.

(COALPRO 005/0055)

Actions/Considerations

3.495 Agreed. Our approach to the definition of buffer zones will be flexible. They will be designated for some minerals as appropriate, the width of which will depend on the type of mineral affected. In accordance with current guidance,

we will include the buffer areas within the MSA rather than the MCA. The MSA will also be the MCA for consultation purposes.

Outcomes for the Proposed Approach

- 3.496 Revise the policy approach, as set out above and undertake further work to determine the areas covered by the buffer zones.

Issue 3 - Urban Areas being washed over and Exempt Developments

Representations

- 3.497 It may be impractical to include all existing urban areas within the MSA. Mineral extraction is likely to be incompatible with development within existing urban areas in terms of timescale, environmental and amenity impacts except perhaps for valuable minerals such as coal or very shallow deposits such as sand and gravel which can be quickly removed. Furthermore as the vast majority of urban development is unlikely to result in any mineral extraction the strength of the MSA policy will be lessened as a negative response will become standard. The MSA requirement will result in unnecessary work/liaison between local and mineral planning authorities. Existing urban areas should not be included in MSAs.

(Omya 018/0166)

- 3.498 Support the approach in line with national policy in the NPPF, the Planning Practice Guidance and the 2011 BGS/The Coal Authority Guide to Mineral Safeguarding in England that urban areas should remain within MSAs.

(Coal Authority 004/0030, Tarmac 023/0209)

- 3.499 Support the list of exempt development.

(Coal Authority 004/0027)

3.500 The Coal Authority would highlight that to date within Derbyshire we have not seen any district Local Plan that has assessed site allocations and considered prior extraction sufficiently in the allocation process to trigger this exemption.
(*Coal Authority 004/0028*)

3.501 Whilst The Coal Authority does not advocate the use of additional thresholds and are aware that the Mineral Products Association do not support them, other development plans have sometimes used a site size threshold. Where plans have proposed such thresholds then they have been evidence based on local circumstances, for example being related to the size of allocated and windfall sites. If the Council were to ever consider modifying its approach to exempt development The Coal Authority would welcome an early discussion to avoid unnecessary conflict on this topic.

(*Coal Authority 004/0029*)

Actions/Considerations

3.502 Urban areas will be washed over by the safeguarding areas and a series of exemptions will apply so that district councils will not have to consult the MPA on minor developments in these areas. This approach is in accordance with national policy. The Council will continue to liaise with district planning authorities regarding the issue of prior extraction.

3.503 It is the Council's intention to judge the developments which are not listed as being exempt from the mineral consultation procedure when they are passed to us for comment.

Outcomes for the Proposed Approach

3.504 No change to Plan. Liaise with Districts regarding prior extraction.

Representations

3.505 With regards to 'exempt developments', the wording should be revised to ensure that any alterations/intensifications of use does not increase sensitivity. It is often the sensitivity of a use that would make it more

vulnerable/susceptible to disturbance from mineral operations i.e. change of use to residential.

(Tarmac 023/0210)

3.506 Applications for listed building consent should be included in the exemptions list.

(Historic England 011/0082)

Actions/Considerations

3.507 The list of exempt developments will be amended to take account of these comments.

Outcomes for the Proposed Approach

3.508 Amend text to take account of these comments.

Issues: General

Representation

3.509 In the Draft Policy (section 3) more clarification is required as to who makes a judgement on the implications of working within mineral safeguarding areas. This should include consultation with mineral operators to ascertain that reserve is not or no longer, viable/workable.

(Tarmac 023/0212)

Actions/Considerations

3.510 The prospective developer will be required to provide the information and the MPA will make the final judgement. This will be clarified in the policy or supporting text.

Outcomes for the Proposed Approach

3.511 Amend text to take account of this comment.

Representation

3.512 Broadly agree with the principle of safeguarding land for minerals working. However the Minerals Local Plan should take into account the need to redevelop and regenerate, as well as restore, brownfield sites where the former use is exhausted, surplus to requirements and/or no longer economically viable. It is therefore suggested that the following amendments are made to the draft policies.

3.513 Accordingly, the subsequent paragraph should be amended as follows:

3.514 Where this cannot be demonstrated, and where a clear need for the non-minerals development is shown, prior extraction of the mineral will be sought, where practicable providing that this is economically feasible and viable, having regard to the benefits of the restoration of the site.

3.515 Section 5 - The policy will also seek to ensure that the future working of a mineral resource is not compromised by non-mineral development being built adjacent to the resource where it can be demonstrated that the working of the resource will be economically feasible and viable. This will be achieved by the designation of a buffer zone for some minerals as appropriate, the width of which will depend on the type of mineral affected.

(Harworth Estates 033/0233)

Actions/Considerations

3.516 Agree that the amendments could be made to the text and/or policy.

Outcomes for the Proposed Approach

3.517 Amend text and/or policy.

Representation

3.518 The plan will need to define a Mineral Consultation Area because Derbyshire (but not Derby) remains a two tier planning area. The issue of proximal

development potentially sterilising mineral resources potentially affects different mineral resources to a varying degree.

(Coal Authority 004/0025)

Actions/Considerations

3.519 Define MCAs for surface coal.

Representation

3.520 As you are aware, Thrislington Quarry in County Durham and the area to its immediate east in County Durham and Whitwell Quarry in Derbyshire share similar geologies both containing high grade dolomitic limestone with suitable chemical properties for it to be used – after processing – as a refractory raw material and as a flux in steel making. On the basis of the scarcity of these deposits in Great Britain and their national importance, Durham County Council would wish to offer our support to the proposed safeguarding of the Permian Limestone resource around Whitwell.

3.521 We do however note that paragraph 4.2 of the ‘Mineral Safeguarding Supporting Paper’ also refers to an intention to safeguard both ‘industrial’ and ‘aggregate’ grade Permian limestone. While we recognise that both industrial and aggregate grade deposits often co-exist; if it is possible to do so, we consider that it may be prudent for Derbyshire to identify and specifically seek to safeguard any area or areas of high grade dolomitic limestone which would be suitable for refractory use and steel making. Such an approach would be in line with Durham County Council’s longstanding approach to – and would help distinguish the importance of – the ‘higher quality’ Permian limestone deposits over those which are only suitable for aggregate purposes.

(Durham County Council 008/0064)

Actions/Considerations

3.522 Noted, however, at this time, the council does not have the same detailed information available regarding the specific grades of mineral in this deposit.

Representation

- 3.523 The consultation route for HS2 passes through minerals resources other than those specifically proposed for safeguarding. For example, north of Tibshelf and west of the M1 there are sandstone resources similar to that used for the building of Hardwick Hall and estate. Can the safeguarding policy also include provisions to ensure that non-designated minerals resources are investigated and, where appropriate, extracted prior to the construction of HS2?

(National Trust 015/0148)

Actions/Considerations

- 3.524 The County Council will be consulted on the final route for HS2, and the issue of mineral sterilisation will be one of the issues that we will raise at that time.

Outcomes for the Proposed Approach

- 3.525 No change required.

Representation

- 3.526 The emerging policy may not be fully compatible with that of SDDC in its emerging Local Plan. That further liaison regarding the scope and wording of a minerals safeguarding policy may be beneficial between the MPA and this Authority.

(South Derbyshire District Council 022/0186)

Actions/Considerations

- 3.527 Discuss implications with officers at SDDC.

Representation

- 3.528 It is possible for sensitive non-mineral surface development to prevent permitted underground coal working on permitted faces due to the impact of

ground movement or the potential costs associated with liability of subsidence. In circumstances where there is licensed underground workings we suggest that the MPA liaise with the operator regarding the likelihood or not of operational sterilisation occurring. If this is considered to present a realistic risk then it may be appropriate to safeguard the licensed deep coal resource working area.

(Coal Authority 004/0034)

Actions/Considerations

3.529 This will be discussed with operators on an individual basis.

Supporting Comments

3.530 The Coal Authority would support the proposed approach to safeguard the 'surface coal resource' as a mineral of national importance. The Coal Authority would also support the proposed approach to safeguard the whole of the 'surface coal resource'. Also support safeguarding of fireclay. There is no requirement to safeguard deep coal resources.

(Coal Authority 004/0031, 0032, 0033)

3.531 Support the list of minerals to be safeguarded and the extent of safeguarding.
(COALPRO 005/0053, 0054) (006/0056, 0057) (Hulland Ward PC 0058/0344)
(Nottinghamshire CC 0042/0265) (Omya 0018/0167)

3.532 Support the safeguarding of fluorspar.

(Durham County Council 008/0065)

3.533 Rotherham Metropolitan Borough Council is happy to continue to liaise with DCC on safeguarding issues across boundary. *(RMBC 0019/0169 & 0170)*

Actions/Considerations

3.534 Support noted.

10.2 Safeguarding Minerals Related Infrastructure

Table of Representations

Name	Name Reference Number	Representation Reference Number
Tarmac	023	0280
Tarmac	023	0281
Tarmac	023	0282

Issue 1– Should all minerals infrastructure be safeguarded in the same way?

Representations

3.535 There has been one representation from Tarmac which supports Option 3 to safeguard all minerals infrastructure through a blanket policy approach.

(Tarmac 023/0221)

Actions/Considerations

3.536 It is considered that this might be the most realistic and flexible approach to take to this issue and given the support shown for this approach, consideration will be taken to including this as the preferred approach in the draft Plan.

Outcomes for the Proposed Approach

3.537 To develop Option 3 as the preferred approach to this issue.

Issue 2 - The use of consultation areas around safeguarded sites and facilities?

Representations

3.538 There has been one representation from Tarmac which supports Option 1, which is to define the consultation areas for the facilities on a site by site basis.

(Tarmac 023/0281)

Actions/Considerations

3.539 This issue will require further consideration. It is becoming apparent that the drawing up of individual consultation zones around each facility will be very time and resource consuming.

3.540 A standard consultation zone is being used by other MPAs. This would still allow for issues to be highlighted.

Outcomes for the Proposed Approach

3.541 To consider this matter further and undertake further work in determining the area covered by the consultation zones.

Issue 3 - Are there circumstances where safeguarded sites could be allowed to be redeveloped for other uses?

Representations

3.542 There has been one representation which supports Option 2, which allows for the removal of safeguarding protection where the facility is no longer required.

(Tarmac 023/0282)

Actions/Considerations

3.543 We consider that it would be reasonable to incorporate some flexibility into the approach to the safeguarding of infrastructure facilities to accommodate and respond to any different circumstances that may arise.

Outcomes for the Proposed Approach

3.544 To develop a policy which incorporates flexibility to allow for facilities to be redeveloped if no longer required.

Chapter 11 – Cumulative Impacts

Table of Representations

Name	Name Reference Number	Representation Reference Number
Historic England	011	0088
Mineral Products Association	013	0108
South Derbyshire DC	022	0184
Hulland Ward Parish Council	058	0339
Hulland Ward Parish Council	058	0340

Chapter 11 Cumulative Impacts (Support and Strategy Papers)

3.545 The message from previous local plan consultation exercises and from the responses to individual planning applications has been that the industrial heritage of the Plan area has given rise to cumulative impacts and that it is a major issues for local communities, particularly those in the former coal mining areas and other areas which have experienced significant mineral activity. The consultation recognised these views and presented a series of options to determine an agreed methodology for evaluating cumulative impacts that was appropriate to the local area.

General Observations

3.546 The Mineral Products Association recognised the role and importance of cumulative impact assessment in the planning system but considered that the consultation focuses far too much on negative aspects and failed to recognise the cumulative benefits of mineral development. The MPA considered that the approach put forward would have adverse impacts for future mineral development in the area and that the examples of methodologies included in the paper were inappropriate and went beyond the requirements of national planning policy. The MPA considered that cumulative impacts could readily be

identified within the current Environmental Impact Assess regime and that, based on evidence from such assessments and using the methodology included in the NPPF/national planning policy, it would be unusual for such impacts to be identified.

(Mineral Products Association 013/0108)

- 3.547 South Derbyshire District Council consider it to be important to make provision for cumulative impact assessment in the plan making and development control process to ensure that communities are not affected in an unacceptable way by further mineral development.

(South Derbyshire District Council 022/0184)

Actions/Considerations

- 3.548 Support for the inclusion of cumulative impact assessment within the new Minerals Local Plan as one of the criteria for assessing and determining development proposals is welcomed. The concerns are noted but, as explained in the introduction to the consultation papers on cumulative impacts, the positive, aggregate outcomes of developments will be fully taken into account. The consultation indicated that the focus on negative outcomes was deliberate for several important reasons. Firstly, the clear message from communities in the Plan area was that they considered that they had experienced adverse effects from industrial development over a long period and that it should be recognised in the new Plan. Secondly, whilst cumulative impacts are acknowledged in the NPPF and the assessment of such impacts is advocated as one of the criteria for the determination of development proposals, there is as yet no recognised and accepted standard methodology in use in the planning system. The need for a well-defined methodology is therefore paramount. Finally, it is important that the methodology to be put forward by the Minerals Local Plan fully respects the prevailing circumstances in the Plan area.

Outcomes for the Proposed Approach

3.549 Cumulative impact assessment will be an important element of the new Minerals Local Plan and the methodology to be adopted will take into account all outcomes of development proposals, both positive and negative.

Issue: Methodology for the Assessment of Cumulative Impacts

3.550 The consultation put forward two options; one using the broad guidance in the National Planning Policy Framework, whilst the other would be based on that used in recent appeals on major mineral developments.

Representations

3.551 Support Option 1 based on the guidance in the NPPF.

(Hulland Ward Parish Council 058/0339)

3.552 Support Option 2.

(Historic England 011/0088)

Actions/Considerations

3.553 As set out in the consultation, it is considered very important that the chosen methodology takes into account all the elements which are evident in the Plan area. This includes the inclusion of impacts from the past to reflect the industrial heritage of the area.

Outcomes for Proposed Approach

3.554 It is considered that Option 2 best reflects the circumstances in the Plan area.

Issue: Recognition of differences in the baseline conditions in different parts of the Plan area.

3.555 The consultation put forward two options. Option 1 proposed to reflect the differences in the baseline conditions whilst Option 2 would not.

Representations

3.556 Historic England supported Option 2 on the basis that it presented a more robust framework for assessing cumulative impacts. The differences across the area were not but that was not considered a reason to support the use of different baseline conditions.

(Historic England 011/0088)

3.557 Support Option 1.

(Hulland Ward Parish Council 058/0340)

Actions/Considerations

3.558 The limited number of respondents to this issue and the very different opinions they expressed does not provide any definitive steer for this issue.

Outcomes for the Proposed Approach

3.559 The consultation papers suggested that the reason why cumulative impacts was considered such an important issue by the people of Derbyshire may be due to the long-term effects of the industrial heritage which has impacted on them for a long period. The provision of a methodology that reflected that situation should be sufficient to enable all aspects of cumulative impact to be taken into consideration in the assessment of any development proposal.

Chapter 12 - Restoration

12.1 Restoration Strategy

Name	Name Reference Number	Representation Reference Number
Natural England	016	0323
Tarmac	023	0285
United Utilities	024	0196
Harworth Estates	033	0234
Nottinghamshire CC	042	0264

Representation

3.600 Recommend your authority considers the benefits of Green Infrastructure that certain restoration proposals could bring, open green space, public rights of way are a couple of examples of schemes to be incorporated into final restoration proposals.

(Natural England 016/323)

Actions/Considerations

3.601 Green infrastructure will be referred to in the restoration chapter of the Plan.

Outcomes for the Proposed Approach.

3.602 Include reference to green infrastructure.

Representation

3.603 We generally support the criteria contained within the Council's 'Emerging Approach for the Restoration and After-Use of Minerals Sites'. However, criterion 14 makes reference to a requirement for developers to demonstrate

that adequate financial provision is in place or to provide a restoration guarantee bond to fulfil restoration and aftercare requirements when proposals are submitted. We request that the MLP makes explicit that membership to a trade association with a restoration guarantee fund (e.g. Mineral Products Association) is sufficient in this regard.

(Tarmac 023/0285)

Actions/Considerations

3.604 Noted. This will be included in the Restoration chapter.

Outcomes for the Proposed Approach

3.605 Include reference to the above in the chapter.

Representation

3.606 Quarry restoration schemes (even outline schemes) should be circulated for consultation to appropriate interest groups so that opportunities for conserving potentially important geological features are not overlooked and lost forever.

(Individual 006/0057)

Actions/Considerations

3.607 The Council does consult relevant groups on restoration schemes when they are submitted as part of a planning application.

Outcomes for the Proposed Approach

3.608 No change required.

Representation

3.609 New mineral workings, restoration and long-term aftercare schemes should include techniques that aim to work with the natural features and

characteristics to manage the sources and pathways of storm and natural waters.

3.610 These techniques include the restoration, enhancement and alteration of natural features and characteristics, but exclude traditional flood defence engineering that works against or disrupts these natural processes.

3.611 In addition, each scheme will need to take into consideration, other climate change; flooding; land and water catchment management plans to ensure the resulting schemes do not counter act each other or deliver a cumulative negative output.

(United Utilities 024/0196)

Actions/Considerations

3.612 Mineral operators are increasingly using methods which incorporate more natural means of restoration, working with natural features and characteristics. A paragraph will be included in the Plan to this effect.

Outcomes for the Proposed Approach

3.613 Include a paragraph in the Restoration chapter to address the response.

Representation

3.614 This section should take into account the desirability of restoring brownfield sites. In particular this would draw upon the benefits of restoration in terms of enhancements to visual appearance, ecological value, flood resilience, and contributing to development goals through facilitating development on significant brownfield sites. Accordingly, the following amendments are proposed to the section on the 'Emerging Approach for the Restoration and After-Use of Minerals Sites.

3.615 Part 2: Restoration should be sympathetic to and have regard to the wider context of the site, in terms of the character of the surrounding landscape and

historic environment and existing land uses in the area having regard to the desirability of restoring the site and improving the appearance of the area.

3.616 It is also suggested that an additional requirement/criteria be added to this section as follows: 15. No factor should be considered in isolation, and the benefits of restoring the site should be considered as a whole, whilst also having regard to the desirability of the viable restoration of the site and providing an opportunity for community and economic benefits.

(Harworth Estates 033/0234)

Actions/Considerations

3.617 The suggested addition to part 2 of the policy will be incorporated into the text, however, we do not consider that the additional suggested criteria would add anything to the policy if the policy is read as a whole. It is always expected that the policies will be read as a whole.

Outcomes for the Proposed Approach

3.618 Amend as stated.

Representation

3.619 Support the proposed approach.

(Nottinghamshire CC 042/0264)

Actions/considerations

3.620 Noted.

12.2 Trent Valley Strategy

Table of Representations

Name	Name Reference Number	Representation Reference Number
Individual	002	0002
Central Rivers Initiative	003	0003
Central Rivers Initiative	003	0004
Central Rivers Initiative	003	0005
Central Rivers Initiative	003	0006
Central Rivers Initiative	003	0007
Central Rivers Initiative	003	0008
Central Rivers Initiative	003	0009
Central Rivers Initiative	003	0010
Derbyshire Wildlife Trust	007	0063
Individual	010	0070
Historic England	011	0084
Mineral Products Association	013	0113
Natural England	016	0154
Natural England	016	0155
Natural England	016	0157
Natural England	016	0161
RSPB	021	0172
RSPB	021	0173
RSPB	021	0174
South Derbyshire DC	022	0180
Tarmac	023	0216
Staffordshire CC	040	0261

Issue: The Approach to determining Environmental Sensitivity

Representations

3.621 Whilst we broadly welcome the aims of this project and the intent to identify relative sensitivities of the river valleys in environmental terms, we are concerned that the project will fall short in its ambition to inform the development of a forward looking vision and overarching strategy for the working and restoration of sites in the Trent valley. Given the visionary aspirations of many of the Strategy's key stakeholders (e.g. the LNP for Lowland Derbyshire and Nottinghamshire) and the opportunities highlighted

by the Bigger and Better document, we believe that the methodology should provide the evidence and analysis which enables the identification of environmental opportunities in addition to its focus on a subset of environmental constraints. We use the term subset, because the project methodology expressly excludes SSSIs and other wildlife sites designated on restored mineral quarries from being included in the mapping analysis. This concerns us: a strategy cannot be comprehensive and truly visionary by excluding significant environmental assets from the analysis.

- 3.622 As indicated earlier in our response, the sensitive location and restoration of mineral quarries presents significant opportunities for the creation of large areas of new high quality wildlife habitat which can bring wider benefits to local communities and the local economy. The Environmentally Sensitive Mapping project, in our view, should help identify the locations and scale of wetland habitat creation opportunity to bring about these benefits, not just identify constraints. And to do that, we recommend that all existing biodiversity assets that contribute to the ecological network need to be included in the analysis.

(Central Rivers Initiative 003/0009)

- 3.623 DWT supports the intention to 'promote a more strategic and coordinated landscape scale approach to minerals planning that involves developing an overarching strategy for the working and restoration of sites in the Trent valley. It would seek to contribute to the delivery of a new, connected and more attractive, landscape, improving life for existing communities, where people want to come to live, with new economic and recreational opportunities, and which is rich in history and wildlife and attracts visitors to the area'. DWT believes that this type of approach offers opportunities for more joined-up thinking and should allow a strategic overview of the Trent Valley ecosystem, its functionality and ecological integrity. The approach is consistent with the Trusts own 'Living Landscapes' strategy which has identified the Trent Valley as a priority 'Living Landscape' within the County.

3.624 This type of approach is also consistent with the principles of the Making Space for Nature report (Lawton, 2010) which seeks to have bigger, better and more joined up sites. The National Planning Policy Framework also requires Local Authorities to identify and map ecological networks within their areas and there is a need for these to link into neighbouring authorities and counties.

3.625 We note that this landscape scale strategy is informed by mapping of environmental sensitivity based on the method set out in the Trent Valley Project Methodology document (November 2014). We are aware of concerns, and indeed have previously raised concerns, regarding the methodology and how it treats some sites of high ecological value.

3.627 Whilst on the one hand we do understand the rationale that a) SSSIs are fully protected and b) that Local Wildlife Sites designated on former gravel workings are probably unlikely to be impacted by further workings we are not convinced that the methodology allows for a complete understanding of the interconnectedness of semi-natural habitats and if these sites are excluded from the mapping the opportunities to manage and enhance these sites could also be overlooked. In particular we do not understand the meaning and implications of the following paragraphs in the methodology,

3.628 “These datasets were specifically chosen as a means of identifying those areas of landscape where there are numerous intact and connected semi-natural habitats across the Trent Valley. In this context local wildlife sites designated from former gravel workings have been excluded from the assessment as it was felt these designations do not reflect areas of intact landscape or remnant habitat. Furthermore these habitats can be recreated through mineral working and are unlikely to be worked in any case because the mineral reserve is most likely to have already been removed.”

- 3.629 “National designations for the natural environment have also been excluded from the assessment for similar reasons outlined above. The majority of Sites of Special Scientific Interest (SSSI) in the Trent Valley are former gravel workings and the fact that they are designated conveys a significant degree of protection with respect to future mineral extraction and site allocation.”
- 3.630 These statements and especially the comment that these designations do not reflect areas of intact landscape or remnant habitat certainly needs further clarification especially in relation to how these sites are perceived to contribute to the wider ecological network (all Local Wildlife Sites and SSSIs are core sites) and how this will be integrated into the strategy if not the sensitivity mapping.
- 3.631 Derbyshire Wildlife Trust has been working with Local Authorities to develop ecological network mapping in South Derbyshire and much of the rest of lowland Derbyshire and High Peak using methodologies and definitions set out in the NPPF and Biodiversity 2020 Strategy. Clarification on whether a separate ecological network map will also be used to help inform and guide the strategies for the Trent is needed.
- 3.632 With regard to developing a more detailed understanding of ecological functionality, habitat connectedness and species diversity within the Trent Valley further thought is required on such issues as type, location and extent of habitat to be established, restoration techniques and long-term management strategies.

Derbyshire Wildlife Trust 007/0063)

- 3.633 At the heart of our concern lies the puzzling decision, in this methodology, to exclude important wildlife habitats from the mapping analysis if they have formed on or been created through past mineral workings.
- 3.634 We find this approach quite strange. We do not understand how a methodology that purposely excludes SSSIs and non-statutory wildlife designations on former mineral workings can be said to, “identify those areas

of landscape that are considered to be of greatest sensitivity with respect to landscape character, biodiversity and the historic environment”

(RSPB 021/0174)

3.635 Natural England generally supports the approach set out in the methodology as it will establish an environmental baseline for land use planning in the Trent Valley. We are pleased to note that the National Character Areas (NCAs) have been referenced.

(Natural England 016/0155)

Actions/Considerations

3.640 This latest consultation is quite clear in its intent that it is basically seeking views on “Towards a Strategy for the Trent Valley” and in this regard the RSPB are supportive of this approach, which is welcomed. The Environmental Sensitivity Mapping work is NOT that strategy but merely part of the baseline that will help inform the strategy and longer term landscape vision for the Trent Valley. The strategy will need to respond to a range of issues (social, economic and environmental) currently affecting the Trent Valley. The methodology fully explains what data is included in the assessment with respect to ecology, the historic environment and the landscape and explains why certain data has been excluded from the assessment. With regards to national designations such as SSSIs, Scheduled Monuments, etc. these were excluded because it was considered that these designations are already afforded the highest level of environmental protection so to a large extent already inform where gravel extraction is likely to take place or not. These are included on the plan to show their extent and how they relate to other environmental qualities that were included in the assessment. Local wildlife sites derived from past mineral working were specifically excluded because they are unlikely to influence future mineral workings because the sand and gravel has already been extracted – an approach we thought reasonable in

ascertaining those areas of the Trent Valley that still display intrinsic sensitivity to future development. As the methodology explains at 4.1 the intent is to “identify those areas of landscape that are considered to be of greatest sensitivity with respect to landscape character, biodiversity and the historic environment” – i.e. the combined sensitivity of the landscape with respect to these environmental datasets. I think in this regard our approach fully reflects the expectations of paragraphs 109, 113 and 117 of the NPPF.

Representation

- 3.641 We support the use of a strategic approach to restoration design for the Trent valley and the provision of ecological services using the principle of landscape scale change. However, it is now proposed to use the baseline information to select proposed sites to work. We consider that this might be a step too far for the database, which might not be sensitive enough to allow for the opportunity for operators to propose solutions to perceived problems. In particular, the exclusion of all but the ‘pink’ areas for working would be regrettable if achieved without confirmation from proposers that working would lead to unmitigatable damage to environmental interests. We shall monitor the use of this technique in the light of our members’ proposals for working.

(Minerals Products Association 013/0113)

Actions/Considerations

- 3.642 The information from the environmental assessment of the Trent Valley area is only one element that is being used to assess the sites that have been suggested for sand and gravel extraction. The environmental element of the assessments will combine both the detailed site assessment work and the strategic environmental sensitivity work. It is considered that this strategic baseline information provides a useful and important element to this assessment work.

Outcomes for the Proposed Approach

3.643 No change required

Representation

3.644 Whilst we do not discourage the use of the Environmental Sensitivity Mapping drawn up by the Council's conservation and design section as a base tool, we consider it should be used with caution. It is proposed by the MPA to be used to, 'assess the sensitivity of the river valleys in overall environmental terms. The most sensitive areas are those above average with respect to their ecology, historic environment and landscape qualities and will be the most susceptible to change and which should be protected from mineral working'. Firstly, consultation and liaison should be undertaken to ascertain and clarify 'above average'. Whilst this work was originally to be used as a basis for strategic restoration, the work will now also form an important part of the site assessment for potential sand and gravel operations. Sites located within an area of identified higher sensitivity, should not be precluded from becoming an allocation. Minerals can only be worked where they are located and the Planning Application stage is where the potential for impact would be fully assessed. There needs to be some balance which identifies the advantages of working these sites to achieve the long term/wider environmental goals/objectives for the Trent Valley through restoration. In addition to balancing the desires of the landowners and the ongoing aftercare commitments. There is a danger that these could become overly onerous on operators and landowners. We would advocate that if a strict policy criteria was to be imposed on operators for restoration of sites within the Trent Valley, these should form part of the Local Plan as opposed to a Supplementary Planning Document to follow the Plan. This would provide some certainty for operators and allow for their input in the development of the Strategy.

(Tarmac 023/0216)

Actions/Considerations

3.645 There is a written methodology describing how this work has been undertaken and what the term 'above average' means with respect to each of the environmental datasets used in the study. The work was always intended to be used as a strategic tool but in the absence of any other environmental study for the Trent and Dove Valleys it does provide some environmental context for informing both site allocation and restoration strategies. In this context we don't accept their contention that sites located in higher sensitivity areas should not be precluded from becoming an allocation on the pretence that mineral can only be worked where it is found. The sensitivity mapping amply shows that there are extensive areas of lower environmental sensitivity and it would be expedient of companies like Tarmac to demonstrate why mineral can't be extracted from these locations in preference to the more sensitive areas. Our goals and long-term vision for the Trent Valley are more holistic than perhaps other areas that Tarmac are familiar with, and simply working large sites in a few locations may not be desirable for delivering that vision.

Outcomes for the Proposed Approach

3.646 No change.

General Issues

Representations

3.647 The RSPB document "Bigger and Better" should be taken into account in the Strategy.

(RSPB 003/0009) (Staffordshire County Council 040/0261)

3.648 The Strategy should make reference to and be coordinated with the Central Rivers Initiative strategy so that it links with neighbouring areas.

(Central Rivers Initiative 003/0004 & 0007)

Actions/Considerations

- 3.649 It is considered that the two strategies referred to should be taken account of more fully within the Trent Valley Strategy.

Outcomes for the Proposed Approach

- 3.650 Redraft strategy to take more detailed account of the Bigger and Better document and the CRI Strategy.

Representation

- 3.651 The consultation document's description of the proposed timing and role of the strategy in helping form the Minerals Local Plans comes across as a little confusing, perhaps even contradictory. In paragraphs 1.3 and 5.4 it suggests that work on the strategy will be completed early enough in MLP preparation process in order to influence site allocations and restoration. We strongly support this intention. However, in paragraph 6.1 the consultation document hints that the strategy will be incorporated into SPD after the MLP is adopted. *(RSPB 021/0173)*

Actions/Considerations

- 3.652 It is intended that the environmental sensitivity mapping element of the strategy will help to inform the assessment of sites for future sand and gravel extraction. This will be clarified with an amendment to the text.

Representation

- 3.653 The CRI is anxious to ensure that the development of policies and supporting statements in the Strategy for River Valleys takes proper account of the need to protect the landscape character and the historic environment of the river valleys. Furthermore, this approach should also provide a sound basis for the design and implementation of measures for landscape enhancement associated with the restoration of mineral quarries. In this respect, we advise

that the Strategy should reference and be informed by the CRI's assessment of landscape character and the opportunities for landscape enhancement 'Landscape Character and Opportunities for Landscape Enhancement' dated September 2014.

(Central Rivers Initiative 003/0008)

Actions/Considerations

- 3.654 The environmental sensitivity mapping which informs the Strategy takes full account of landscape character and the historic environment.

Outcomes for the Proposed Approach

- 3.655 No change required.

Representation

- 3.656 We would hope and expect that there will be relevant and strong policy cross-references between this Strategy and the emerging Towards a Strategy for Sand and Gravel, given that most sand and gravel sites are located in the alluvial sand and gravel resource in the river valleys.

(Central Rivers Initiative 003/0010)

Actions/Considerations

- 3.657 Noted. We will ensure that the two strategies are consistent and cross-cutting.

Outcomes for the Proposed Approach

- 3.658 Ensure consistency between the two chapters.

Representation

- 3.659 The fragmentation of the river valley terrain is all too obvious. Also after gravel extraction very little of it has public access- at best it is for fishermen, but

much of it could be very pleasant recreational areas and an asset to wildlife.
(*Individual 002/0002*)

Actions/Considerations

3.660 Noted. One of the main purposes of the Strategy is to help ensure that mineral operators consider the valley as a whole and do not see their operation in isolation. This will result in a more strategic, comprehensive and less fragmented means of restoration and which will help to incorporate schemes and ideas which are more appropriate and relevant to the specific area.

Outcomes for the Proposed Approach

3.661 No change required.

Supporting Comments

3.662 Welcome and support the preparation of this strategy, which provides a holistic and comprehensive landscape scale approach to the restoration of sites in the Trent Valley.

(*Central Rivers Initiative 003/0003, 0005 & 0006*) (*Individual 010/0070*)

(*Historic England 011/0084*) (*Natural England 016/0154 & 0157 & 0161*)

(*RSPB 021/0172*) (*South Derbyshire DC 022/0180*)

Actions/Considerations

3.663 The support is noted.

12.3 Hard Rock Restoration Strategy

Table of Representations

Name	Name Reference Number	Representation Reference Number
Tarmac	023	0284

Towards a Restoration Strategy for Carboniferous Limestone Quarries

Paragraph 8.8

Issue 1: What area should the Strategy cover?

Representation

3.664 In our view, the carboniferous limestone restoration strategy should encompass the four quarries along the A515 ('Option 1'). The co-ordinated approach to the restoration of these four quarries is logical given their proximity to one another and the existence of shared opportunities and constraints. In respect of 'Option 2' and 'Option 3', in is our view that a blanket restoration strategy for all quarries within the carboniferous limestone/ Plan area is not appropriate as it would not take into account the individual circumstances/ opportunities afforded by limestone quarries located within other parts of the Plan area.

Tarmac (023/0284)

Actions/Considerations

3.665 The preference for Option 1, limiting the scope of the study to the A515 quarries, is noted. However in considering this Option it is important to examine the original reasons for suggesting a co-ordinated approach to restoring the A515 quarries and whether those reasons remain justified.

3.666 The option of preparing a co-ordinated restoration strategy for the four limestone quarries was suggested in view of the significant impact of these quarries on the surrounding landscape, particularly the Peak District National Park and, in view of the previous co-ordinated restoration approach taken as

part of the ROMP process which resulted in revised and consistent planning conditions being issued for all four sites in 1998.

3.667 At that time it was envisaged that working and restoration of the four quarries would be simultaneous facilitating a coordinated approach to their working and restoration. However, in practice whilst working has taken place at Dowlow and Brierlow, Hindlow and Hillhead have remained inactive. In the light of the NPPF which encourages a strategic approach to restoration the preparation of the Minerals Local Plan is seen as an opportunity to extend the remit of the Strategy to encompass all hard rock quarries on the Carboniferous Limestone.

3.668 The Strategy would set out a framework of strategic principles that would deliver a preferred pattern of restoration for all hard rock quarries within the Carboniferous Limestone and would provide consistent advice to all operators across the White Peak landscape within the Plan area.

Outcomes for the Proposed Approach

3.669 Include a policy/reference to support the preparation of a Restoration Strategy for all Hard Rock Quarries on the Carboniferous Limestone.

Chapter 13 Development Management Policies

Table of Representations

Name	Name Reference Number	Representation Reference Number
Coal Authority	004	0296
Coal Authority	004	0297
Harworth Estates	033	0235

Policies for Inclusion in the New Minerals Local Plan Support Paper

3.670 This paper set out a list of the issues and minerals that could require the inclusion of an appropriate policy in the Mineral Local Plan. It was intended as a paper setting out the range of policies and the reasons why they should be included but did not present options.

Representations

3.671 The Coal Authority would support the principle of including policies on the following topics:

SMP6: Mineral Safeguarding Area

SMP7: Minerals Consultation Area

SMP8: Safeguarding of Mineral Sites and Facilities

3.672 In addition the Coal Authority would support the principle of including policies on the following topics:

SP1: Coal Criteria (including incidental coal and reworking of colliery tips)

SP3: Oil and Gas Criteria (phases)

SP4: Shale Gas Criteria (phases)

Coal Authority (004/296, 004/297)

3.673 The Supporting Paper sets out a series of 'issues requiring policy coverage. Further to the above, it is requested that an additional issue be added in order to the current development, and national policy coverage: SMP9 Opportunities to restore mineral sites and develop them for alternative uses, where the working of the site for minerals or development of related uses is no longer feasible and/or economically viable. Accordingly, under development management criteria the following should be taken into consideration:

3.674 DM1: Development Management Criteria – the criteria should account for all of the following benefits of restoration in an holistic manner:

- Enhancing the visual appearance of the area
- Improving public access
- Enhancing the ecological value of the area
- Increasing flood resilience
- Removing potential safety risks
- Improving water treatment
- Opportunities to provide brownfield sites for development.

3.675 Furthermore, under policy DM2: Planning Conditions and Obligations should ensure that conditions and obligations do not place unnecessary burdens or delays on restoration of minerals sites which could affect the viability of the development.

(Harworth Estates 033/0235)

Actions/Considerations

3.676 Comments noted.

Outcomes for the Proposed Approach

3.677 These suggestions will be considered in more detail when the respective policies of the Minerals Local Plan are being formulated.

Chapter 14 Site Allocations

Table of Representations

Name	Name Reference Number	Representation Reference Number
Tarmac	023	0287
Tarmac	023	0325
Tarmac	023	0326

Chapter 14 Site Allocations

Site Assessment Methodology for potential allocations for hard rock quarries

Table1: Site Assessment Criteria: Weighting

Representation

3.678 The Council's 'Site Assessment Criteria Table' (Table 1) does not indicate whether the assessment criteria are of equal or variable weightings in respect of the allocation of sites. In our view, some of the criteria should hold greater weight in the selection process than others, for example the 'need for the mineral' (Criteria Ref. 1) should be given greater weight than the 'location of the processing plant' (Criteria Ref. 4). We would welcome clarification in this regard.

(Tarmac 023/0287)

Actions/Considerations

3.679 Greater clarification is needed in the Paper as to how the Assessment will be used. It is not the purpose of the Assessment to score sites hence there is no need for any weighting. The purpose of the assessment is to identify any positive factors that would support the allocation of the site and any negative factors against its allocation.

Outcomes for the Revised Site Assessment Methodology Paper: Hard Rock Quarries - December 2016

3.680 Clarify the purpose of the Assessment in relation to the weighting of criteria.

Table1: Site Assessment Criteria: Mitigation

Representation

3.681 The site assessment criteria do not appear to take account of potential mitigation measures. For example, the existence of 'many dust sensitive receptors within 500m of a site boundary' would, according to the Council's criteria, be a 'major negative factor against favouring an allocation'. This does not take account of the potential for development proposals to alleviate/minimise adverse impacts through mitigation measures, scheme design etc. In our view, the potential to mitigate adverse impacts should be considered as part of the site assessment process.

(Tarmac 023/0325)

Actions/Considerations

3.682 Where the impact is identified as being a negative factor against allocation, and particularly a major negative factor, it does not mean that the site cannot progress to the allocation stage. The MPA will carry out further detailed work, in consultation with appropriate bodies, to see if that impact could be mitigated or avoided to enable the site to go forward for allocation.

Outcomes for the Revised Site Assessment Methodology Paper: Hard Rock Quarries - December 2016

3.683 Clarify the role of the Assessment in relation to the mitigation of negative impacts.

Table1: Site Assessment Criteria: Buffer Zones

Representation

3.684 In addition to the above, there is no explanation or justification in the Assessment Methodology as to why certain thresholds (for example the existence of many sensitive receptors within 500m of the site boundary) have been selected. At present, a number of the thresholds (for example in relation to noise and dust) appear potentially excessive and unjustified. This could result in the site assessments/ scores being skewed.

(Tarmac 023/0326)

Actions/Considerations

3.685 In terms of the thresholds 'buffer zones' have been used historically by MPAs to protect sensitive development from the impacts of mineral working; it should be reiterated that a 'buffer zone' is not intended to be a 'no go' area in terms of extraction but a way of measuring the scale of potential impacts relating to the number of sensitive receptors lying near to a site. In the light of the responses received, however, and based on the knowledge gained in processing mineral planning applications 200 metres is considered to be a more appropriate distance to use for hard rock quarries particularly in relation to noise and vibration impacts. For dust impacts, however, it remains useful to consider the wider 500 metre zone.

Outcomes for the Revised Site Assessment Methodology Paper: Hard Rock Quarries - December 2016

3.686 Amend the criteria relating to noise, dust and vibration impacts to reflect the concerns raised.

Chapter 15 Monitoring and Implementation

Name	Name Reference Number	Representation Reference Number
Tarmac	023	0283

Representation

3.687 We support the Council's proposed approach to monitoring the Minerals Local Plan (including the monitoring of aggregate supply) through the Council's yearly monitoring report and the Local Aggregate Assessment.

Actions/Considerations

3.688 The support is noted.

Outcomes for the Proposed Approach

3.689 N/A

Duty to Co-operate Paper Supporting Paper

Table of Representations

Name	Name Reference Number	Representation Reference Number
Tarmac	023	0286
Tarmac	023	0304
Tarmac	023	0305
Nottinghamshire CC	042	0263

Paragraph 7.1

Issue: Planning for Issues with Strategic Cross Boundary Impacts

Issue 1: Do you agree with the approach that the Mineral Planning Authority proposes to adopt to plan for issues with strategic cross-boundary impacts?

Representation

3.690 We support the Council's proposed approach to recording duty to cooperate matters (set out at paragraph 7.1 of the Supporting Paper) and the strategic cross-boundary issues identified, including those relating to Tarmac's assets.

Tarmac (023/0286)

3.691 Nottinghamshire County Council considers the approach set out in the DtC document will adequately deal with cross boundary impacts.

Nottinghamshire CC (042/0263)

Actions/Considerations

3.692 The support is noted.

Outcomes for the Proposed Approach

3.693 None

Paragraph 7.2

Issue: Strategic Cross Boundary Issues and Key Stakeholders

Issue2: Do you agree with the list of strategic cross-boundary issues and key stakeholders that we have identified?

Representation

3.694 In regards to the identified cross-boundary issue relating to ‘supply of cement making raw material to Tunstead Cement Works, Derbyshire’, we note that the Supporting Paper only makes reference to supply of limestone and shale. A steady and adequate supply of marl is also required from quarries within the Staffordshire area to support Tunstead Cement Works. We request that the Supporting Paper is amended to this effect.

Tarmac (023/0304)

Actions/Considerations

3.695 Agree that reference should be made separately to the cement making materials shale and marl supplied from Staffordshire.

Outcomes for the Proposed Approach

3.696 Amend the supporting paper and ensure that future local plan publications refer to both shale and marl.

Paragraph 7.2

Issue: Strategic Cross Boundary Issues and Key Stakeholders

Issue2: Do you agree with the list of strategic cross-boundary issues and key stakeholders that we have identified?

Representation

3.697 It would be helpful if the ‘supply of crushed rock from Ballidon Quarry’ was included as a duty to cooperate issue in the Council’s ‘Background and Progress Paper’ given the competing policy objectives of 1. Maintaining

crushed rock supply in the Plan area and 2. Reducing the level of quarrying in the Peak District National Park. The key stakeholders would include Tarmac and the Peak District National Park Authority.

Tarmac (023/0305)

Actions/Considerations

3.698 Although not included as a specific issue this matter is covered under the topic Aggregate Crushed Rock, Issue 2: Help reduce the level of quarrying in the Peak District National Park.

Outcomes for the Proposed Approach

3.699 None

Paragraph 7.2

Issue: Strategic Cross Boundary Issues and Key Stakeholders

Issue2: Do you agree with the list of strategic cross-boundary issues and key stakeholders that we have identified?

Representation

3.700 Nottinghamshire County Council consider that the issues and key stakeholders listed are appropriate.

Nottinghamshire CC (023/0263)

Actions/Considerations

3.701 The support is noted.

Outcomes for the Proposed Approach

3.702 N/A

4. Issues and outcomes arising from the Towards a Minerals Local Plan Consultation 2016/2017

Site Assessment Methodology for potential allocations for hard rock quarries

Table of Representations

Name	Name Reference Number	Representation Reference Number
Tarmac	202	2015
Tarmac	202	2016
Tarmac	202	2024
CEMEX	204	2029
CPRE PDNP ,High Peak and South Yorks Area	206	2037
Minerals Products Association	207	2038
Natural England	208	2047
Natural England	208	2046
Nottinghamshire County Council	209	2048
AECOM (for Stancliffe Stone)	213	2053
AECOM (for Stancliffe Stone)	213	2054
AECOM (for Stancliffe Stone)	213	2055
AECOM (for Stancliffe Stone)	213	2056
AECOM (for Stancliffe Stone)	213	2057
AECOM (for Stancliffe Stone)	213	2058
AECOM (for Stancliffe Stone)	213	2059
AECOM (for Stancliffe Stone)	213	2060
AECOM (for Stancliffe Stone)	213	2061
AECOM (for Stancliffe Stone)	213	2062
AECOM (for Stancliffe Stone)	213	2063
AECOM (for Stancliffe Stone)	213	2064
AECOM (for Stancliffe Stone)	213	2065
AECOM (for Stancliffe Stone)	213	2066
AECOM (for Stancliffe Stone)	213	2067
AECOM (for Stancliffe Stone)	213	2068
AECOM (for Stancliffe Stone)	213	2069
AECOM (for Stancliffe Stone)	213	2070
AECOM (for Stancliffe Stone)	213	2071
AECOM (for Stancliffe Stone)	213	2072
Individual	214	2073

Individual	214	2074
Individual	214	2075
Individual	214	2076
Individual	215	2077
Individual	215	2078

General Scale of Provision

Representation

- 4.1 CPRE calculate that the land bank (active and inactive sites, all permitted) will now be 216 Mt, equating to 72 years (at 2017). In this situation, we believe it is unnecessary and inappropriate to make any allocations and we would re-emphasise the need to instead utilise existing sites which would have much less impact on the PDNP (by virtue of distance from the Park or being underground, such as Middleton Mine). This preference includes re-activating currently inactive sites, although we realise that some of those are still close to the PDNP.

(CPRE, PDNP, High Peak and South Yorkshire Area Branch 206/2037)

Actions/Considerations

- 4.2 The latest information that the MPA has about the level of permitted industrial limestone reserves is set out in the Local Aggregates Assessment 2016 which provides data for the year 2015. Permitted industrial limestone reserves totalled some 203 million tonnes equivalent to 67 years' worth of production. Numerically there appears to be sufficient reserves to meet anticipated demand over the Plan period. However in planning for industrial minerals there are several factors which might warrant additional reserves to maintain supply such as, shortfalls at existing quarries, geological variations, specifications for particular markets and land bank requirements. The exacting specifications of industrial mineral markets mean that resources are often not interchangeable. Additionally relying on inactive sites to make provision would not ensure that supply could be maintained.

Outcomes for the Proposed Approach

- 4.3 Maintain the approach of examining the need for additional industrial limestone reserves on an individual site basis taking into account the need for any impacts from working additional reserves (including any on the PDNP) to be acceptable.

Table1: Site Assessment Criteria: Weighting

Representation

- 4.4 The Site Assessment Methodology and subsequent Site Assessment of Whitwell Quarry do not indicate whether the assessment criteria are of equal or variable weightings. Some of the criteria should hold greater weight in the selection process than others. In the summary of the assessment there is no reference to the scoring/weighting system.

(Tarmac 202/2015)

- 4.5 One person's major may be another person's minor and might also depend on the criterion being assessed. The absence of objective assessment parameters is problematic and compounds the in-built bias from the positive/negative allocation.

(Individual 214/2075)

- 4.6 A major impact under one criterion can be dwarfed in real terms by minor of another criterion. The criterion need some kind of weighting in order to present a measured outcome than can be put to decision makers.

(Individual 214/2076)

Actions/Considerations

- 4.7 The Site Assessment Methodology Paper has been amended from its original version (dated April 2016) to clarify the purpose of the assessment which is essentially to identify any positive factors that would support the allocation of the site and any negative factors against its allocation. Its purpose is not to score sites hence there is no need for the criteria to be weighted. Additionally the assessment criteria should be used to assess sites on an individual basis and therefore what is considered a major impact for one criterion should not be compared to a major impact for another criterion. The Assessment identifies if a factor is negative or positive and the degree of positivity/negativity. The Assessment is not intended to be a stop/go analysis hence the statement that even where negative factors have been identified further assessment will take place to ascertain if those factors can be mitigated or avoided to enable a site to progress towards allocation.

Outcomes for the Proposed Approach

- 4.8 An Explanatory Note has been added to the Site Assessment Methodology to provide further explanation about the how the individual assessment criteria apply in the context of the overall assessment of sites.

Table1: Site Assessment Criteria: Mitigation

Representation

- 4.9 The site assessment criteria do not currently take account of potential mitigation measures. Currently, the existence of 'many high/medium dust sensitive receptors within 200m of a site boundary' would, according to the Council's criteria, be a 'major negative factor against favouring an allocation'. This does not take account of the potential for development proposals to alleviate/minimise adverse impacts through mitigation measures, scheme design etc. At present, a number of the thresholds in our view skew the scale of impact.

(Tarmac 202/2016)

Actions/Considerations

- 4.10 It is difficult at the initial site assessment stage to take mitigation into account. Where negative factors have been identified and particularly major ones the next stage of the assessment process will be to identify whether mitigation or avoidance is possible.

Outcomes for the Proposed Approach

- 4.11 An Explanatory Note has been added to the Site Assessment Methodology to clarify the role of the Assessment in relation to the mitigation of negative impacts.

Table1: Site Assessment Criteria: General

Representation

- 4.12 The Assessment Methodology is fundamentally undermined by its presumption that quarrying is positive, all other outcomes are negative. This introduces strong psychological bias towards achieving a desired outcome whereas the assessment work should be strictly neutral, reserving subjective decisions to later in the process when they can be publically challenged by stakeholders.

(Individual 214/2073)

Actions/Considerations

- 4.13 The Minerals Local Plan has to accord with the policies of the NPPF. In terms of planning for minerals the NPPF at paragraph 143 states that in preparing local plans MPAs should identify and include policies for the extraction of mineral resources of local and national importance in their area. It adds at paragraph 144 that when determining planning applications MPAs should give great weight to the benefits of mineral extraction, including to the economy. The Site Assessment Methodology has been developed to accord with the NPPF.

Outcomes for the Proposed Approach

- 4.15 Ensure that explicit references are made in the Minerals Local Plan and associated evidence base documents to accord with the NPPF which requires a positive approach to be taken towards mineral development.

Table1: Site Assessment Criteria: General

Representation

- 4.16 The Assessment fails to examine the detriment to the local economy through potential impacts such as those on tourism, reduction in the desirability of the area and consequent negative impact on inward migration by older/wealthier people and increased outward migration by younger people seeking a better quality environment in which to raise young families.

(Individual 214/2074)

Actions/Considerations

- 4.17 Agree that the impact on tourism/leisure is a matter that should be taken into account. The provision/control of leisure/tourist development is the responsibility of District Council Authorities. The Assessment includes a criteria to ascertain whether there is a conflict of competing land uses. The MPA has also consulted the District Council on the promoted sites and would expect them to take such matters into account in their response. The 'desirability' of an area is totally subjective and is not a planning matter which can be taken into account.

Outcomes for the Proposed Approach

- 4.18 The Site Assessment Methodology has not received negative comments from the District Planning Authorities within the Plan area. However the impact on tourism is a matter that has been raised by respondents on commenting on the promoted sites at Aldwark/Brassington Moor Quarry and New Parish Quarry, Darley Dale and will be taken into account in assessing those sites.

Table1: Site Assessment Criteria: General

Representation

- 4.19 Support for the Methodology for assessing hard rock quarries.

(Nottinghamshire County Council 209/2048)

Actions/Considerations

- 4.20 The support is noted.

Outcomes for the Proposed Approach

4.21 Not Applicable

Table1: Site Assessment Criteria 01: Need for the Mineral

Representation

- 4.22 The indicators used to assess the need for the mineral are defective in that they limit assessment to the need for additional reserves to be worked over the Plan period. This limitation is inappropriate as the requirement in NPPF is to plan for a steady and adequate supply which requires the maintenance of land banks and/or market supply throughout the Plan period. In the case of crushed rock for aggregate, for example, this means that the MLP must allocate sufficient sites to enable a land bank at least 10 years to be maintained during and at the end of the Plan period i.e. sufficient sites to enable planned annual production until 2040. The indicators should be changed to reflect this.

(AECOM for Stancliffe Stone 213/2053)

Actions/Considerations

- 4.23 Agree that the indicators as written are misleading. The intention is to assess whether new reserves are needed during the Plan period before 2030 to enable production to continue and/or to maintain land banks at the requisite level throughout the Plan period at that site. It is not the intention that new reserves have to be worked out over the Plan period. The MPA requires evidence on the scale and nature of existing permitted reserves and their likely extraction rate over the Plan period.

Outcomes for the Proposed Approach

- 4.24 Amend the Site Assessment Methodology and ensure that any reference to the need for additional reserves to be worked is clarified in the Proposed Approach as set out above.

Table1: Site Assessment Criteria 02: Quality/Yield of Mineral

Representation

- 4.25 One of the stated considerations is 'is the reserve/quality/yield sufficient to suggest that extraction would be economically viable and the related indicators are based on the adequacy of geological information provided. The problems with both the stated consideration and the indicators are that the MPA is most unlikely to have access to the expertise necessary to make such judgements and that neither are land use planning considerations. Better therefore to amend the considerations/indicators to ones which are more relevant and within the competence of the MPA i.e. efficient use of land measured by the expected yield per hectare.

(AECOM for Stancliffe Stone 213/2054)

Actions/Considerations

- 4.26 Agree that 'viability' is the wrong terminology. This criteria is about the MPA assessing the quality and quantity of the mineral resource area promoted for working which is a land use planning matter. The NPPF at paragraph 163 requires that MPAs develop and maintain an understanding of the extent and location of mineral resources in their area and assess the projected demand for their use. Paragraph 182 of the NPPF requires the Plan to be based on a strategy which meets objectively assessed development requirements. In order to assess mineral development requirements it is important to determine the scale and nature of the promoted mineral resource and to ascertain whether there is a need for new reserves to be permitted during the Plan period. At the Plan stage it is considered reasonable that the promoter of a site should provide information on the scale and nature of the mineral resource. Further detailed information will be required as part of a planning application as to why the development is considered necessary or justified.

Outcomes for the Proposed Approach

- 4.27 Amend the Site Assessment Methodology and ensure that references in the Plan refer to 'requirements' based on the scale and nature of the promoted resources area rather than on the viability of working.

Table1: Site Assessment Criteria 03: Use of Mineral

Representation

- 4.28 The indicators are based on the unreasonable expectation that detailed evidence will or should be provided by the proponent of a hard rock quarry site allocation to justify that the end use will be appropriate for the mineral. This is a level of detail appropriate only for consideration at the planning application stage. The indicators should therefore be revised to simply mark a proposed site allocation down only in the event that the MPA has its own evidence to suggest that end uses would not include making the best use of the material.

(AECOM for Stancliffe Stone 213/2055)

Actions/Considerations

- 4.29 The NPPF at paragraph 142 notes that because minerals are a finite natural resource and can only be worked where they are found it is important to make the best use of them to secure their long-term conservation. The MPA consider it reasonable that as a minimum some evidence should be provided about the intended purpose/market for the mineral. For example, this will ensure that the

best use is made of more scarce 'industrial' minerals compared to 'aggregate' minerals which are more abundant.

Outcomes for the Preferred Approach

- 4.30 Retain the indicators in the Site Assessment Methodology.

Table1: Site Assessment Criteria 05: Existing Infrastructure

Representation

- 4.31 Whether intended or not, the effect of the two indicators is to give bias to quarry extensions as compared to the development of new quarry sites contrary to the guidance in the NPPG (see paragraph 0.10 Reference ID:27-010-20140306. If the indicators are meant to reflect this paragraph they misinterpret this part of the NPPF. What Para 146 actually draws attention to is the fact that companies considering investment in new or existing plant need to be able to amortise these costs over a suitable quarry life. The indicators should therefore be reworded to ensure that positive factors are recognised if the proposed allocation is needed to support significant new investment in plant.

(AECOM for Stancliffe Stone 213/2056)

Actions/Considerations

- 4.32 NPPG specifically sets out those circumstances where it would be preferable for the MPA to focus on extensions to existing sites rather than plan for new sites. One of those circumstances is where existing plant and other infrastructure can be continued to be utilised. It is therefore appropriate for this consideration to be used as a positive sustainable economic indicator in assessing promoted sites. The reference to paragraph 146 of the NPPF and the need for additional reserves to meet land bank requirements is taken into account at Criterion 1 of the Assessment.

Outcomes for the Proposed Approach

- 4.33 Retain the indicator in the Site Assessment Methodology.

Table1: Site Assessment Criteria 06: Sterilisation of Resources

Representation

- 4.34 The implementation of mineral safeguarding policy invariably requires a responsive position to be taken by the MPA - as the nature and timing of potentially sterilising development is normally impossible to predict. It follows that site allocations in the MLP is not an appropriate or effective way to implement mineral sterilisation policy. It follows that this criterion is not soundly conceived and should be deleted.

Actions/Considerations

- 4.35 NPPG specifically sets out those circumstances where it would be preferable for the MPA to focus on extensions to existing sites rather than plan for new sites. One of those circumstances is where an extension would enable the continued extraction of the resource. In the interests of making the best use of resources to ensure their conservation, as required by the NPPF, this criteria is about assessing whether the resource is likely to be worked if it is not worked as part of an existing operation. For hard rock quarries which often require expensive plant and infrastructure it is important that the mineral resource is exploited sustainably. For other minerals, such as clay and sand and gravel, extraction and processing is often undertaken on a smaller scale, it may involve the extraction of the mineral via a borrow pit or processing using mobile plant which makes working of the resource as part of an existing operation less of an issue.

Outcomes for the Proposed Approach

- 4.36 Retain the indicator in the Site Assessment Methodology; clarify the purpose of the indicator and alter the wording to refer to resource conservation rather than sterilisation which I agree has a different meaning in planning for mineral resources.

Table1: Site Assessment Criteria 09 Visual Intrusion

Representation

- 4.37 The third paragraph of the considerations is an incorrect interpretation of GLVIA3 in several ways. Firstly an LVIA assesses all effects in classes of receptor in order to identify likely significant effects. It is not solely related to sensitive receptors - there may be significant effects on non-sensitive receptors if the magnitude of effect is large enough. Secondly, under GLVIA guidance, people visiting schools/hospitals/community centres/leisure facilities are not automatically sensitive receptors. The key consideration is whether the activity includes an appreciation of the landscape or views/visual amenity. GLVIA3 specifically refers to people non engaged in activities connected with appreciation of the landscape such as work activity as being of lower sensitivity. The indicators do not fully accord with GLVIA3 assessment criteria. The number of receptors, or extent of visibility of a site, is not the key determinant in significance of effect. These definitions fail to consider sensitivity and only focus on aspects of magnitude excluding the effect of distance for example. There may be many receptors with a view but if they are extremely distant effects are unlikely to be significant and correctly applying GLVIA3 criteria would not result in a major negative impact.

(AECOM for Stancliffe Stone 213/2058)

Actions/Considerations

- 4.38 This representation relates to the assessment of Visual Intrusion as part of the overall assessment of environmental effects and challenges the approach with respect to the application of the Guidelines for Landscape and Visual Impact Assessment (3rd edition) (GLVIA3). It is acknowledged that our approach does not fully accord with this guidance but adopts a broader approach to that guidance document to help assist in giving an overview of the overall strategic, visual sensitivity of the site from a range of visual receptors. The narrative supporting the overall judgement of visual intrusion, e.g. PMAJ, clearly articulates the type of receptor affected by the proposed site such as residential, footpath or road user and the potential magnitude of impact, which in part addresses the requirements of the GLVIA3 guidelines. A more detailed assessment of visual intrusion would require a comprehensive Visual Impact Assessment to be confident about the scale of potential impact associated with allocating a site and this might be something required of the operator as part of the site allocation process.

Outcomes for the Proposed Approach

- 4.39 Retain the indicator as presently written as part of the Initial Assessment Process. Where visual impact is likely to be a major constraint then further assessment would be required as part of the Assessment Process. This may involve a requirement for the promoters of sites to provide comprehensive visual impact assessments.

Table1: Site Assessment Criteria 10 Noise

Representation

- 4.40 While the distances quoted in the indicators may be a helpful 'rule of thumb' for categorising prospective hard rock quarry site allocations in terms of potential effects due to noise, they clearly relate to the intensive end of the spectrum and are therefore inappropriate when considering proposed allocations for less intensive operations, such as those typically carried out at building stone quarries. The indicators should be reworded to reflect this and to replace the arbitrary 'few', 'some' and 'many' by justified numbers.

(AECOM for Stancliffe Stone 213/2059)

Actions/Considerations

- 4.41 The impact of noise associated with the mineral operations is an issue set out at NPPG (Paragraph 012 Reference ID: 27-012-20140306) which the MPA should address. At this stage there is insufficient evidence to prepare a noise

impact assessment which should be undertaken at the planning application stage. It is possible however to identify, as an indication where noise might be an issue, the location and number of noise sensitive properties i.e. dwellings including their distance from the quarry. In the interests of clarity agree it would be helpful to define few, some and many to provide details of the number of properties involved.

Outcomes for the Proposed Approach

- 4.42 Assign numerical values to few, some and many in the Revised Assessment Methodology.

Table1: Site Assessment Criteria 11 Dust

Representation

- 4.43 Whilst the approach incorporated in the indicators adopting a 'rule of thumb' for categorising hard rock quarry site allocations in terms of dust and related effects is accepted the distances quoted are inappropriate. The most detailed and authoritative guidance on this topic is that published by IAQM - 'Guidance on the Assessment of Mineral Dust Impacts for Planning (May 2016v1.1)' which states: "From the experience of the Working Group, adverse dust impacts from sand and gravel sites are uncommon beyond 250 m and beyond 400 m from hard rock quarries measured from the nearest dust generating activities... In the absence of other information it is commonly accepted that the greatest impacts will be within 100 m of a source and this can include both large (>30um) and small dust particles. The greatest potential for high rates of dust deposition and elevated PM10 concentrations occurs within this distance. Intermediate sized particles (10um to 30 um) may travel up to 400 m, with occasional elevated levels of dust deposition and PM10 possible. Particles of less than 10 um have the potential to persist beyond 400 m but with minimal significance due to dispersion". The indicators should therefore be reworded to reflect this guidance and to replace the arbitrary 'few', 'some' and 'many' by justified numbers. The term 'nuisance' dust should not be used to describe criterion 11, as this has a statutory meaning which is almost certainly not what is meant here.

(AECOM for Stancliffe Stone 213/2060)

- 4.44 The ratings in the above category are based upon the distance from the boundary of the site. I would suggest that the assessment method is potentially flawed as it does not account of the amount of noise or dust being created. Clearly an industrial scale facility will create more noise or dust than one with small scale extraction. (Ref. Para 2.1 of Towards a Minerals Local Plan for Derbyshire and Derby). This is an example where the scale and impact of the

proposed facility renders it inappropriate for assessment using the proposed Site Assessment Criteria.

(Individual 215/2077)

Actions/Considerations

- 4.45 The impact of dust associated with mineral operations is an issue set out at NPPG (Paragraph 012 Reference ID: 27-012-20140306) which the MPA should address. NPPG adds at (Paragraph: 023 Reference ID: 27-023-20140306) that where dust emissions are likely to arise mineral operators are expected to prepare a dust assessment study. At this stage there is insufficient evidence to prepare the detailed dust impact assessment which should be undertaken at the planning application stage. It is possible however to identify, as an indication where dust might be an issue, the location and number of dust sensitive receptors.
- 4.46 I note the reference to the IAQM study which does appear to provide updated technical guidance assessing minerals dust impacts. I agree that the assessment criteria should be amended to clarify the approach towards the assessment of dust impacts both in terms of dust that may cause dis-amenity and that which can have health impacts.

Outcomes for the Proposed Approach

- 4.47 Amend the Sites Assessment Methodology to clarify and update the approach towards dust impacts with reference to the IAQM study and NPPG.

Table1: Site Assessment Criteria 13 Blasting Vibration

Representation

- 4.48 It is not wholly correct to say that disturbance due to blasting is dependent on the factors specified. Of equal importance is whether or not modern computerised electronic detonation techniques will be employed - which eliminate the prospect of charge holes being detonated simultaneously and thereby significantly reduce vibration and related effects measured outside the quarry boundary. As with the points made in relation to Criteria 10 and 11 above, whilst the distances quoted in the indicators may be a helpful rule of thumb for categorising prospective hard rock quarry site allocations in terms of potential effects due to blasting, they clearly relate to the more intensive end of the spectrum and are therefore inappropriate when considering proposed site allocations for less intensive operations such as are typically seen at building stone quarries (where blasting is either not used at all or consists of only black

powder 'pop shooting' which is much more benign. The indicators should be reworded to reflect this.

(AECOM for Stancliffe Stone 213/2061)

Actions/Considerations

- 4.49 The impact of blasting/vibration associated with the mineral operations is an issue set out at NPPG (Paragraph 012 Reference ID: 27-012-20140306) which the MPA should address. At this stage there is insufficient evidence to prepare a blasting/vibration impact assessment which should be undertaken at the planning application stage. The only factor that can be measured is the distance between the quarry and nearby buildings and structures. The 200 metre distance was used to reflect a recent example, where the operator, Environmental Health Officer and Planning officers agreed that this distance was an appropriate minimum distance between a proposed new housing allocation and the promoted quarry extension at Ashwood Dale quarry. The approach was written into a Memorandum of Understanding and approved by a Planning Inspector to the High Peak Local Plan and now incorporated in the adopted Plan. I do accept however that given the different types of blasting undertaken and required for different rocks blasting/rock removal can take place at closer distances. For this reason I consider that it is very difficult to undertake any meaningful initial assessment of blasting and that this issue is best left for consideration at the planning application stage.

Outcomes for the Proposed Approach

- 4.50 Remove the criteria on blasting/vibration for the reasons set out above.

Table1: Site Assessment Criteria 14 Transport Local Amenity

Representation

- 4.51 Whilst the indicators may provide a helpful 'rule of thumb' for categorising prospective hard rock quarry site allocations in terms of potential effects on amenity due to HGV traffic, they take no account of the volume of that traffic so to categorise any proposal which would generate 400 HGV movement per day, for example, in the same way as one which would generate 4. It also takes no account of the distances which houses are set back from the highway. These are clearly major flaws that need rectifying. The indicators should be reworded to reflect this and to replace the arbitrary 'few', 'some' and 'many' by justified numbers.

(AECOM for Stancliffe Stone 213/2062)

Actions/Considerations

- 4.52 The impact of traffic associated with the mineral operations is an issue set out at NPPG (Paragraph 012 Reference ID: 27-012-20140306) which the MPA should address. At this stage there is insufficient evidence to prepare a traffic impact assessment which should be undertaken at the planning application stage. One of the major concerns of the public in relation to minerals is the impact of HGVs especially when they use unsuitable roads. Whilst I agree that the scale of traffic will be a factor in undertaking a more detailed traffic assessment, at this initial stage, I consider that the number of sensitive receptors and distance to the strategic road network are appropriate indicators to use. I do agree however that the terms few, some and many should be assigned a numerical value.

Outcomes for the Proposed Approach

- 4.53 Retain the indicator in the Site Assessment Methodology with the amendments referred to above.

Table1: Site Assessment Criteria 15 Transport – Safe and Effective Access

Representation

- 4.54 There is no important land use planning reason to differentiate between a proposed site which has satisfactory access and one which has access which is clearly capable of being made satisfactory. The indicators should be reworded to reflect this.

(AECOM for Stancliffe Stone 213/2063)

Actions/Considerations

- 4.55 I consider it to be reasonable to differentiate between a site that has an existing operating access to current highway standards to one where there is no current access but where subject to the agreement of the highway authority it is likely that one could be provided. The latter situation has been classed as minor negative factor inferring that it is a matter that can be resolved.

Outcomes for the Proposed Approach

- 4.56 Retain the indicators in the revised Site Assessment Methodology.

Table1: Site Assessment Criteria 16 Transport – Export Routes

Representation

- 4.57 The length and classification of any route used to reach the strategic road network is broadly immaterial. What is relevant is the suitability of that connecting route in terms of width, alignment, capacity, safety etc.

(AECOM for Stancliffe Stone 213/2064)

Actions/Considerations

- 4.58 The detailed factors with regard to the suitability of connecting routes as set out above are matters that will need to be included in any Transport Assessment. However at this stage it is considered a reasonable approach in principle to use the classification of the road and the distance from it as a means of assessing the suitability of a transport route. Roads of a lower class are less suitable for carrying HGVs and if such roads have to be used over a greater distance the impact is greater.

Outcomes for the Proposed Approach

- 4.59 Retain the indicators in the revised Site Assessment Methodology.

Table1: Site Assessment Criteria 17 Transport – Sustainable Transport

Representation

- 4.60 The NPPG highlights the truism that minerals can only be worked where they are found (see paragraph: 001 Reference ID: 27-001-201 40306). It is therefore not appropriate to assess prospective mineral extraction sites in terms of their use of sustainable transport options - as might be done for a form of 'footloose industry' - unless a proposed site just happens to be close to rail head or canal wharf.

(AECOM for Stancliffe Stone 213/2065)

- 4.61 I note that the criteria 'All material must be transported by road' is rated as NMIN. I would suggest that there is inadequate differentiation between occasional or 'small scale' use, for which road transport might reasonably be rated NMIN and large volume road movements, which might reasonably be rated NMAJ.

(Individual 215/2078)

Actions/Considerations

- 4.62 I agree that given that minerals can only be worked where they are found it would be inappropriate to assess a site as having a major negative impact purely on the mode of transport used. However I do consider that in the interests of sustainability using alternative methods of transport should be seen as positive factors when assessing the suitability of sites. Impacts from the scale of road usage are covered by other criteria.

Outcomes for the Proposed Approach

- 4.63 Retain the indicators in the revised Site Assessment Methodology.

Table1: Site Assessment Criteria 19 Cumulative Impacts

Representation

- 4.64 There is an ongoing debate about how cumulative impacts should be defined and assessed. Most focus on the assessment of cumulative impacts which could be generated by a proposed development together with those which could be generated by other future development when there is reasonable certainty that such future development will take place and where the 'environmental footprints' of the two are likely to overlap. Although the assessment of past effects can be included in such assessments, it is generally considered to be more practicable to take them into account when defining baseline conditions. Hence, for example, any poor quality restoration associated with past nearby mineral workings is a factor to be taken into account when defining baseline landscape character and could be assessed as influencing the capacity of the landscape to absorb further change. DCC is therefore invited to reconsider the wording in the light of the above.

(AECOM for Stancliffe Stone 213/2066)

Actions/Considerations

- 4.65 NPPF at paragraph 144 requires the MPA, when determining planning applications, to take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality. There is no formal national methodology for the assessment of cumulative impacts and it is particularly difficult when carrying out an initial assessment of promoted sites to take cumulative impacts into account. With this in mind it is considered more appropriate to make an assessment of cumulative impacts at the planning application stage when all relevant matters can be taken into account. In relation to the issue of landscape character change this matter has been taken into account at Criterion 29.

Outcomes for the Proposed Approach

- 4.66 Delete the Criterion relating to Cumulative Impact.

Table1: Site Assessment Criteria 21: Water Environment - Groundwater

Representation

- 4.67 Groundwater Source Protection Zones are categorised as 1, 2 or 3 depending on their sensitivity. The indicators should not treat all SPZs as one and should be reworded accordingly.

(AECOM for Stancliffe Stone 213/2067)

Actions/Considerations

- 4.68 Agree that the indicators should be changed to reflect the groundwater protection zone hierarchy.

Outcomes for the Proposed Approach

- 4.69 Change the indicators in the revised Site Assessment Methodology to reflect the groundwater protection zone hierarchy.

Table1: Site Assessment Criteria 23 Ecology

Representation

- 4.70 The indicators for Criteria 23 have been written in the reverse order.

(Tarmac 202/2024)

- 4.71 The indicators which deal with ecology make no distinction between the different tiers of ecological designations and their relative importance. NPPF states that 'distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and contribution that they make to wider ecological networks'.

- 4.72 *(Mineral Products Association 207/2038, CEMEX 204/2029, AECOM for Stancliffe Stone 213/2069)*

Actions/Considerations

- 4.73 The NPPF does indeed confirm that the hierarchy of conservation priority applies in the setting of planning policy, such that sites receive protection commensurate to their status, with distinction drawn between international, national and locally designated sites. At this early stage the intention is not to carry out a full NPPF assessment but rather to discover any positive factors that would support the allocation of the site and any negative factors that would constrain its allocation. It is important, therefore, that the criteria are sufficiently broad-ranging to encompass the full gamut of ecological interests nevertheless there may be others not included that will require consideration at the planning application stage.

- 4.74 In making an assessment on the potential scale of impact (from NMAJ to PMAJ), professional judgement has been used to anticipate the likely significance of impact, taking account not only of the 'level' of ecological value concerned (international to local), but also the nature of the habitats concerned, the proximity and location of the receptor in relation to the proposed site, and the implied likely magnitude of impact the site or habitat might be envisaged to experience. It must be recognised – as is the case with EIA/EcIA methodologies – that an ecological impact might be considered significant where a nationally or internationally designated site is involved, even if the site is substantially retained and intact. But at the same time, a proposal that leads to a locally designated site being more significantly affected – for example the wholesale loss of a locally designated site - might equally be considered significant. At this stage, allowing for the fact that this is a desktop exercise undertaken with incomplete information at an early stage of the planning process, it is nevertheless arguably more acceptable to be concerned about the likely significance of the impact which can be foreseen, rather than focussing solely on the position of the site in the conservation hierarchy.
- 4.75 At this stage a negative assessment (and particularly NMAJ) would flag up areas that need further attention and may require the promoter of a site to provide more detailed information to enable the MPA to determine whether a site is suitable to progress towards allocation. In some cases an NMAJ assessment may result in a situation where the impact would be so great that the site could not progress to allocation and whilst this is most likely in situations where nationally/internationally designated assets are involved this isn't the only situation where this is a foreseeable outcome.

Outcomes for the Proposed Approach

- 4.76 Retain the criteria as it is considered that the 'hierarchical' approach to protecting ecological assets has been incorporated.

Table1: Site Assessment Criteria Cumulative Impacts Ecology

Representation

- 4.77 There is an ongoing debate about how cumulative impacts should be defined and assessed. Most focus on the assessment of cumulative impacts which could be generated by a proposed development together with those which could be generated by other future development when there is reasonable certainty that such other future development will take place in the future and where the 'environmental footprints' of the two are likely to overlap. Although the assessment of past effects can be included in such assessments, it is generally considered to be more practicable to take them into account when defining baseline conditions. Hence, for example, any poor quality habitat created by

past nearby mineral working would be a factor to be taken into account when defining the baseline ecological conditions and could be assessed as influencing the capacity of the area to absorb further ecological change.

(AECOM for Stancliffe Stone 213/2068)

Actions/Considerations

- 4.78 NPPF at paragraph 144 requires the MPA, when determining planning applications, to take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality. There is no formal national methodology for the assessment of cumulative impacts and it is particularly difficult when carrying out an initial assessment of promoted sites to take cumulative impacts into account. With this in mind it is considered more appropriate to make an assessment of cumulative impacts at the planning application stage when all relevant matters can be taken into account.
- 4.79 In relation to the specific issue of baseline ecological conditions and their influence on the capacity of the area to absorb further ecological change this issue is covered by the Ecology criteria. Past impacts of former workings are indeed being considered as part of the site baseline, for the wider area. Where previous working has resulted in environmental fragmentation across the landscape such that its functionality is compromised, a new quarry site might be deemed to present a less significant threat to ecology. Where existing quarries have the potential to offer ecological gains, a new quarry may be considered likely to add to that resource. In both cases, it is envisaged that these factors may weigh in favour of an allocation. Conversely, where a landscape is considered functionally intact with regards to ecology or not significantly degraded by previous working, the introduction of a new industry and potential impact into a previously unworked area might be considered less likely to be environmentally positive, at least in the short to medium term.

Outcomes for the Proposed Approach

- 4.80 Delete the Criterion relating to Cumulative Impact.

Table1: Site Assessment Criteria 27 Landscape – Existing Impacts from Mineral Extraction

Representation

- 4.81 It should be recognised that the character of the existing landscape is often not a factor which determines if the landscape and visual effects of a quarry development can be successfully mitigated. For example Mountsorrel Quarry or Cliffe Hill Quarry in Leicestershire are very large scale quarries, successfully screened by perimeter landforms. The indicators do not represent a logical

range of scenarios for assessing negative or positive effects. As drafted, negative effects would only occur in simple landscape and mitigation is only possible in complex landscapes. The GLVIA3 concept of susceptibility to a specific form of change/development is the correct approach.

(AECOM for Stancliffe Stone 213/2070)

Actions/Considerations

- 4.82 Landscape character clearly is a factor in determining whether development of any type is more or less acceptable in a particular location. Accepting that there are a range of mitigation designs that might be acceptable in reducing the environmental impact of a proposal, it remains our view that more complex landscapes with many characteristics have greater capacity to mitigate the effects of a development proposal than simpler, more open landscapes. The methodology makes it clear that this is a strategic assessment based on desk top analysis and is not a comprehensive Landscape Impact Assessment.

Outcomes for the Proposed Approach

- 4.83 Retain the indicators in Table 1.

Table1: Site Assessment Criteria Landscape 28 – Visual Impact Representation

- 4.84 The considerations confuse landscape and visual effects. Working of a site has a direct effect on its landscape character and potentially an indirect effect on wider landscape character depending on visibility. There is no visual impact on the landscape - there is visual impact experienced by receptors and indirect effects on landscape character. The indicators meanwhile do not fully accord with GLVIA3 assessment criteria. The number of receptors or extent of visibility of a site is not the key determinant in significance of effect. These definitions fail to consider sensitivity and only focus on aspects of magnitude.

(AECOM for Stancliffe Stone 213/2071)

Actions/Considerations

- 4.85 Agree that it is confusing to include this criterion under 'environmental criteria' when essentially the visual impact of working the site has been taken into account by Criterion 09. Considerations relating to the way in which this criterion has been applied are set out earlier in this Report under Criterion 09. Impacts on the character of the landscape are set out under Criterion 29.

Outcomes for the Proposed Approach

- 4.86 Delete Criterion 28 from the Assessment Methodology.

Table1: Site Assessment Criteria 32-34 Historic Environment

Representation

- 4.87 The indicators for criteria 32 to 34 do not adequately reflect the historic environment constraints hierarchy set out in the NPPF (and paragraph 132 in particular - which makes it clear that scheduled monuments, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens and world heritage sites should be afforded the greatest protection followed by grade II listed buildings and parks and gardens. The corollary of this is that the local factors currently listed in the criteria 32 – 34 indicators should be assessed on the basis that they normally qualify for a lesser degree of protection. It is important to test proposed sites against the full national historic environment constraints hierarchy in order to ensure that the MLP takes an 'absolute' approach which accords with national planning policy rather than a 'relative' approach which could see local historic environmental constraints elevated to a level which is inconsistent with that seen in plans adopted elsewhere in the Country. The indicators should be reworded to reflect this.

(AECOM for Stancliffe Stone 213/2072)

Actions/Considerations

- 4.88 Designated and undesignated heritage assets are indeed accorded different weighting under the policies at NPPF chapter 12. Archaeological remains and historic landscapes (criteria 33 and 34) are not, however, necessarily 'local factors', but can attain regional or national importance depending on their assessed significance. Under NPPF the weight to be accorded to individual assets and aspects of their settings is highly case-specific and depends on detailed assessments of significance and impact which are not within the remit of this initial assessment process. At this early stage the intention is not to carry out a full NPPF assessment but rather to discover any positive factors that would support the allocation of the site and any negative factors that would constrain its allocation. It is important, therefore, that the criteria are sufficiently broad-ranging to encompass the full gamut of historic environment factors nevertheless there may be others, such as impacts on non-designated sites that are not included in this assessment but nevertheless will require consideration at the planning application stage.
- 4.89 At this stage a negative assessment (and particularly NMAJ) would flag up areas that need further attention and may require the promoter of a site to provide more detailed information to enable the MPA to determine whether a site is suitable to progress towards allocation. In some cases an NMAJ assessment may result in a situation where the impact would be so great that the site could not progress to allocation and whilst this is most likely in situations

where nationally/internationally designated assets are involved this isn't the only situation where this is a foreseeable outcome.

Outcomes for the Proposed Approach

- 4.90 Amend Criteria 32 to more closely reflect the wording in NPPF. Retain Criteria 33 and 34.

Table1: Site Assessment Criteria 35 Agricultural Land

Representation

- 4.91 In line with the Planning Practice Guidance to support the NPPF; we advise that a soil and ALC assessment should be carried out as part of the site selection process, (see Sections titled Natural Environment - Brownfield Land, Soils and Agricultural Land (Paras 025 & 026 refer) and Assessing environmental impacts from minerals extraction (Para 013).

(Natural England 208/2046)

Actions/Considerations

- 4.92 Whilst I note the guidance set out in NPPG it is difficult to apply in this particular situation; mineral extraction usually involves large areas of agricultural land, however minerals can only be worked where they are found and this assessment is not about comparing the benefits of working one site to another. I consider that the predictive agricultural land map is sufficient for assessing sites in the first instance.

Outcomes for the Proposed Approach

- 4.93 Retain the indicators at this stage but require full agricultural land classification surveys to be undertaken on sites progressing towards allocation.

General advice on protected species

Representation

- 4.94 Natural England has produced standing advice (<https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>) to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Actions/Considerations

4.95 The advice is noted.

Outcomes for the Proposed Approach

4.96 N/A

Name	Name Reference Number	Representation Reference Number
Tarmac	202	2017
Tarmac	202	2020
Tarmac	202	2018
Tarmac	202	2021
Tarmac	202	2019
Tarmac	202	2022
Tarmac	202	2023
Tarmac	202	2025
Tarmac	202	2026
Tarmac	202	2012
Tarmac	202	2014
Tarmac	202	2013
Natural England	208	2045
Nottinghamshire County Council	209	2049

Site Assessment: Whitwell Quarry

Table of Representations

General

Representation

- 4.97 The Paper context refers to the assessment of four promoted sites at Whitwell Quarry. This should be amended to reflect Section 2 to clarify that the areas are all extensions to the one site and not discrete/individual sites.

(Tarmac 202/2012)

Actions/Considerations

- 4.98 Agree

Outcome for the Proposed Approach

- 4.99 Amend the text to clarify that the promoted areas are all extensions to one site and not individual sites.

General

Representation

- 4.100 Tarmac has informed the MPA that it wishes to promote an amended site area for the northern extension which reflects the area included in the planning application (CM5/0416/4). The revised site boundary draws the promoted site back from the southern edge of Whitwell village. The estimated yield from this site remains unchanged.

(Tarmac 202/2014)

Actions/Considerations

- 4.101 The MPA notes the revised boundary of the northern extension.

Outcome for the Proposed Approach

- 4.102 Amend the Plan to reflect the proposed change to the promoted northern extension.

General

Representation

- 4.103 The Maps do not accord with the MAGIC website in relation to the boundaries of the SSSI, SAM and Conservation Areas.

(Tarmac 202/2013)

Actions/Considerations

- 4.104 Check the MAGIC website and MPA records to accurately plot SSSI's, SAM and Conservation Areas.

Outcomes for the Proposed Approach

- 4.105 Make any necessary alterations to the Maps.

Table1: Site Assessment Criteria: General

Representation

- 4.106 Support for the assessment of the promoted sites at Whitwell Quarry. The future supply of this important mineral which straddles the Derbyshire/Nottinghamshire border has been identified as a Duty to Cooperate matter.

(Nottinghamshire County Council 209/2049)

Actions/Considerations

- 4.107 The support is noted.

Outcomes for the Proposed Approach

- 4.108 N/A

Table1: Site Assessment Criteria 10: Noise – Site 2a Northern Extension and 2b North Eastern Extension

Representation

- 4.109 A detailed impact assessment has been carried out as part of the planning application reference CM5/0416/4 submitted in April 2016. The noise impact assessment concludes that there will be no significant impact. The Environmental Health Officer has reviewed the application and no objections have been raised with respect to noise.

(Tarmac 202/2017,202/2020)

Actions/Considerations

- 4.110 The Initial Assessment process adopts a strategic high level approach to assessing noise impacts. However where detailed information is available it will be taken into account in the next stage of assessment.

Outcomes for the Proposed Approach

- 4.111 Take into account the more detailed information on noise impacts submitted in support of the planning application to work the promoted sites.

Table1: Site Assessment Criteria 11: Dust – Site 2a Northern Extension and 2b North Eastern extension

Representation

- 4.112 A detailed impact assessment has been carried out as part of the planning application reference CM5/0416/4 submitted in April 2016. The dust assessment concludes that there will be no significant impact. The Environmental Health Officer has reviewed the application and no objections have been raised with respect to dust.

(Tarmac 202/2018, 202/2021)

Actions/Considerations

- 4.113 The Initial Assessment process adopts a strategic high level approach to assessing dust impacts. However where detailed information is available it will be taken into account in the next stage of assessment.

Outcomes for the Proposed Approach

- 4.114 Take into account the more detailed information on dust impacts submitted in support of the planning application to work the promoted sites.

Table1: Site Assessment Criteria 13: Blasting/Vibration – Site 2a Northern Extension and 2b North Eastern extension

Representation

- 4.115 A detailed impact assessment has been carried out as part of the planning application reference CM5/0416/4 submitted in April 2016. The blasting assessment concludes that there will be no significant impact.

(Tarmac (202/2019, 202/2022)

Actions/Considerations

- 4.116 This criteria has been removed from the Initial Assessment process because it was considered more relevant to assess blasting/vibration at the detailed planning application stage.

Outcomes for the Proposed Approach

- 4.117 Take into account the more detailed information on blasting/vibration impacts submitted in support of the planning application to work the promoted sites.

Table1: Site Assessment Criteria 20: Water Environment – groundwater protection

Representation

- 4.118 Consistent with current operations, dewatering of the quarry will continue during the operation of the four extension areas to facilitate mineral extraction and the placement of restoration materials under dry conditions. The regulation of the discharge of pumped water to the surface water system will continue under an Environmental Permit which is regulated by the Environment Agency. The proposed extension areas will not be extracted to a lower level than the currently consented mineral extraction. It will not be necessary to increase the rate of dewatering as a result of the proposed extensions. No objections have been raised by the Environment Agency or the Derbyshire County Council Flood Risk Management Team. The operation and restoration of the extension areas and the extension of time of operations at the site are a continuation of the current operations and progressive restoration.

(Tarmac 201/2023)

Actions/Considerations

- 4.119 The Initial Assessment process adopts a strategic high level approach to assessing impacts on the water environment. However where detailed information is available it will be taken into account in the next stage of assessment.

Outcomes for the Proposed Approach

- 4.120 Take into account the more detailed information on impacts on the water environment submitted in support of the planning application to work the promoted sites.

Table1: Site Assessment Criteria 24: Ecology – UK, regional and local BAP priority species and habitats

Representation

- 4.121 The existing quarry is adjacent (within 200m) to Creswell Crags SSSI and is also in close proximity to the Holinhill and Markland Grips SSSI we would therefore need to be satisfied that the proposed extensions to the quarry would not damage or destroy the interest features for which these sites have been notified.

(Natural England 208/2045)

Actions/Considerations

- 4.122 The MPA recognise the importance of nearby ecological sites including the need to protect them from the impact of working the promoted mineral sites.

Outcomes for the Proposed Approach

- 4.123 Ensure that appropriate consideration is given to the need to protect nearby important ecological sites in assessing the suitability of the promoted sites for allocation.

Table1: Site Assessment Criteria 27: Landscape – existing impacts from mineral extraction

Representation

- 4.124 The restoration scheme for the quarry includes land uses similar to those that occupied the area prior to mineral extraction and includes a variety of land uses including arable and grazing fields with areas of amenity grassland on low lying ground. In the low lying areas there will be an emphasis on nature conservation associated with the watercourse and lakes with wetland habitats. Overall there would be low levels of landscape impact on the landscape character and the amenity of the local landscape. It is considered the extensions to Whitwell Quarry should be assessed as PMIN for this category

(Tarmac 202/2025)

Actions/Considerations

- 4.125 The Initial Assessment process adopts a strategic high level approach to assessing the existing impacts of mineral extraction on the landscape. However where detailed information is available it will be taken into account in the next stage of assessment.

Outcomes for the Proposed Approach

- 4.126 Take into account the more detailed information on landscape impacts submitted in support of the planning application to work the promoted sites.

Table1: Site Assessment Criteria 36: Best and Most Versatile Agricultural Land

Representation

- 4.127 A detailed impact assessment has been carried out as part of the planning application reference CM5/0416/4 submitted in April 2016. The North East extension is the only area in which soil remains undisturbed as part of ongoing quarry operations. The soil resources and agricultural land assessment found that in the North East extension 84% of the soil was subgrade 3b (moderate quality agricultural land) with the remaining 16% being subgrade 3a (good agricultural land). The soils from the North East extension will be stored and used in the restoration of the site resulting in no overall loss of BMV or agricultural land. The total area of the four extensions is 9.8ha and the

Grade 3a land in the North East extension is 0.4ha. As BMV land comprises 4% of the area of the four extensions and a soil handling strategy will maintain the value of BMV. The assessment should be amended to PMAJ.

(Tarmac 202/2026)

Actions/Considerations

- 4.128 The Initial Assessment process adopts a strategic high level approach to assessing the impact of mineral extraction on best and most versatile agricultural land. However where detailed information is available it will be taken into account in the next stage of assessment.

Outcomes for the Proposed Approach

- 4.129 Take into account the more detailed information on the impacts of mineral working on best and most versatile agricultural land submitted in support of the planning application to work the promoted sites.

Site Assessment: Ashwood Dale Quarry

Table of Representations

Name	Name Reference Number	Representation Reference Number
Natural England	208	2041
Natural England	208	2042
Woodland Trust	211	2051

Table1: Site Assessment Criteria 23: Ecology – Existing Impacts from mineral extraction

Representation

- 4.130 This site is in close proximity to the Peak District Dales SAC and is also notified at a national level as the Wye Valley SSSI (units1-3 Cuning Dale). We would be particularly concerned that quarrying right up to the SAC boundary could cause adverse impacts and a rigorous Habitat Regulations Assessment (HRA) would be required.
- 4.131 We note that the proposed extension would be sited closer to the boundary of the designated sites than the existing workings. We are therefore concerned with the impact of dust on the interest features of the SAC and SSSI. We have previously expressed our concern with the impact of dust in response to the recent planning application on this site (CM1/0315/158) by our letters of 21st May 2015 and 15th April 2016. We requested ongoing dust monitoring because the source of the dust will be closer to the designated site which will therefore be at risk. We also suggest that the HRA of this proposal will have to conclude that in the absence of ongoing dust monitoring, it is not possible to screen out Likely Significant Effects (LSE).
- 4.132 In addition Cuning Dale also falls within a Higher Level Stewardship (HLS) agreement and the proposed extension may impact on the agreed management requirements of this area, for example dust-fall onto the sward from the quarry would be of particular concern.
- 4.133 We would also suggest that when the proposed quarry extension is considered together with the proposed Fairfield housing development, that there would be significant disturbance to Cuning Dale. There would therefore be a need to prevent this cumulative physical disturbance to the SSSI/SAC and the need for a full and thorough monitoring regime including air quality and hydrological impacts.

(Natural England 208/2041)

Actions/Considerations

- 4.134 The MPA recognise the importance of nearby ecological sites including the need to protect them from the impact of working the promoted mineral site. The Initial Assessment process adopts a strategic high level approach to assessing the existing impacts of mineral extraction on ecological assets. However where detailed information is available it will be taken into account in the next stage of assessment.

Outcomes for the Proposed Approach

- 4.135 Take into account the more detailed information on ecological impacts submitted in support of and in the assessment of the planning application to work the promoted sites.

Table1: Site Assessment Criteria 24: Ecology – Impacts on Ancient Woodland

Representation

- 4.136 The Ashwood Dale site, near Buxton, features a western extension to Ashwood Dale Quarry. Although the quarry already adjoins a section of ancient woodland, Ashwood Dale South (grid ref: SK075728), the proposed extension will be directly adjacent to the remainder of the ancient woodland that follows the railway line adjacent to the A6. There will inevitably be significant damage in this case and also potential for direct losses to the woodland. The Woodland Trust opposes the allocation of this site unless it can be demonstrated that mitigation measures would suitably protect these ancient woodlands from damage and loss. Secondary woodland should also be retained to ensure that ecological networks are maintained and enhanced.

(Woodland Trust 211/2051)

Actions/Considerations

- 4.137 The MPA recognise the importance of nearby ancient woodlands including the need to protect them from the impact of working the promoted mineral site. The Initial Assessment process adopts a strategic high level approach to assessing the existing impacts of mineral extraction on ecological assets. However where detailed information is available it will be taken into account in the next stage of assessment.

Outcomes for the Proposed Approach

- 4.138 Take into account the more detailed information on ecological impacts submitted in support of and in the assessment of the planning application to work the promoted sites.

Table1: Site Assessment Criteria 31: Landscape – Impacts on Peak District National Park

Representation

- 4.139 The site is in close proximity to the Peak District National Park. Account needs to be taken of the wider impact of the site on the setting of the PDNP. The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. Any future applications should be assessed carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A (2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

(Natural England 208/2042)

Actions/Considerations

- 4.140 The Initial Assessment process adopts a strategic high level approach to assessing impacts on the PDNP. However where more detailed information is available it will be taken into account in the next stage of assessment.

Outcomes for the Proposed Approach

- 4.141 Take into account the more detailed information on impacts on the PDNP submitted in support of the planning application to work the promoted site.

Site Assessment: Aldwark/Brassington Moor Quarry

Table of Representations

Name	Name Reference Number	Representation Reference Number
Longcliffe Quarries Ltd	201	2003
Longcliffe Quarries Ltd	201	2004
Longcliffe Quarries Ltd	201	2005
Longcliffe Quarries Ltd	201	2006
Longcliffe Quarries Ltd	201	2007
Longcliffe Quarries Ltd	201	2008
Longcliffe Quarries Ltd	201	2009
Longcliffe Quarries Ltd	201	2010
Longcliffe Quarries Ltd	201	2011
Longcliffe Quarries Ltd	201	2001
Longcliffe Quarries Ltd	201	2002
Brassington Local Environmental Group	203	2027
Brassington Local Environmental Group	203	2028
CPRE Derbyshire Branch	205	2031
CPRE Derbyshire Branch	205	2032
CPRE PDNP ,High Peak and South Yorks Area	206	2033
CPRE PDNP ,High Peak and South Yorks Area	206	2034
CPRE PDNP ,High Peak and South Yorks Area	206	2035
CPRE PDNP ,High Peak and South Yorks Area	206	2036
Natural England	208	2039
Natural England	208	2040
Peak District National Park	212	2052
Individual	216	2079

General

Representation

4.142 Support the inclusion of Aldwark/Brassington Moor site as an allocation and support the Paper's recognition of the importance of Industrial Limestone.

(Longcliffe Quarries Ltd 201/2001, 201/2002)

4.143 Support the inclusion of Aldwark/Brassington Moor site as an allocation.

(Brassington Local Environmental Group 203/2027)

- 4.144 CPRE do not agree that there is a need to extend the existing quarry because national supplies of aggregate/limestone are at high levels with many decades of supply already identified from existing workings.

(CPRE Derbyshire Branch 205/2032)

Actions/Considerations

- 4.145 The latest information that the MPA has about the level of permitted industrial limestone reserves is set out in the Local Aggregates Assessment 2017 which provides data for the year 2016. Permitted industrial limestone reserves totalled some 203 million tonnes equivalent to 67 years' worth of production. Numerically there appears to be sufficient reserves to meet anticipated demand over the Plan period. However in planning for industrial minerals there are several factors which might warrant additional reserves to maintain supply such as, shortfalls at existing quarries, geological variations, specifications for particular markets and land bank requirements. The exacting specifications of industrial mineral markets mean that resources are often not interchangeable.

Outcomes for the Proposed Approach

- 4.146 Examine the need for additional industrial limestone reserves on an individual site basis taking into account the need for any impacts from working additional reserves (including any on the PDNP) to be acceptable.

General

Representation

- 4.147 The production split between industrial and aggregate uses is not a 50/50 split but more commonly a 70% industrial and 30% aggregate split.

(Longcliffe Quarries Ltd 201/2003)

Actions/Considerations

- 4.148 The information set out in the Assessment is sourced from the Annual Mineral Survey returns completed as part of the Local Aggregate Assessment work which distinguishes between aggregate and non-aggregate production. Based on this survey a 50/50 split is correct. However, I appreciate that the quarry produces bright white dusts for precast concrete products which although categorised in the survey as aggregates are in fact more akin to non-aggregate 'industrial' use due to the unique specification of the deposit in terms of its colour. Taking this factor into account results in a 70/30 industrial/aggregate split.

Outcomes for the Proposed Approach

- 4.149 Ensure that future references to this issue reflect the correct terminology i.e. non-aggregate or industrial

General

Representation

- 4.150 Object to the expansion of Aldwark/Brassington Moor Quarry because of the impacts on Aldwark village and surrounding area for the following reasons: 1) impact on Aldwark's tourism trade 2) Impact from noise and blasting, noise has increased from the quarry and can be heard both day and night 3) Impact from dust, dust levels have increased and results in a covering by a fine layer of dust 4) Increased light pollution from quarry and lorry park 5) Damage to surrounding roads, the existing road network requires repair - the situation will only be exacerbated by continued quarrying. 6) Damage to dry stone walls adjoining highway. 7) Damage to natural beauty and wildlife of PDNP reducing its attractiveness for visitors and residents.

(Individual 216/2079)

Actions/Considerations

- 4.151 Many of the issues raised, for example, noise, blasting, dust, lighting are detailed matters that are considered capable of being satisfactorily controlled through the use of planning conditions. For more strategic matters such as the visual impact of the extension on the PDNP, on surrounding villages and recreational routes it is difficult to determine whether this impact could be made acceptable without detailed information on these issues.

Outcomes for the Proposed Approach

- 4.152 the environmental effects of working this site need to be examined in greater detail before a conclusion can be reached on the suitability of this site for allocation.

Table1: Site Assessment Criteria Landscape and Visual Impacts General

Representation

- 4.153 In view of the likely visual impact of the promoted site from the High Peak Trail, Limestone Way, approach to Aldwark and the PDNP it is vital that such impacts are assessed in detail and that an effective mitigation strategy is put in place which should be implemented at an early stage.

Brassington Local Environmental Group (2028)

- 4.154 CPRE is concerned about the landscape impact of the promoted site at Brassington Moor.

CPRE Derbyshire Branch (2031)

Actions/Considerations

- 4.155 Agree that in view of the likely visual impacts of the promoted site from recreational routes, surrounding villages and the PDNP these matters need to be addressed in detail.

Representation

- 4.156 The potential landscape and visual impacts of the proposed site have been overstated. The proposed allocation site has a very small Zone of Theoretical Visibility – See photographs submitted for illustration purposes.

Longcliffe Quarries Ltd (2004)

Actions/Considerations

- 4.157 The opinion that the proposed site has a very small Zone of Theoretical Visibility (ZTV) is not necessarily supported by the ZTV analysis which is based on a single point along the western boundary of the proposed site.

Outcomes for the Proposed Approach

- 4.158 The visual and landscape impacts of working this site need to be examined in greater detail before a conclusion can be reached on the suitability of this site for allocation.

Table1: Site Assessment Criteria 27 Landscape – Existing Impacts from Mineral Extraction

Representation

- 4.159 Possibly PMIN not NMIN. Landform and screen belt/woodland planting can be employed in the satisfactory mitigation of operations from certain locations. Local landscape characteristics can be explored in the restoration of the site – particularly extending the Limestone Dales character to link the quarry with the Via Gellia.

(Longcliffe Quarries Ltd 201/2005)

Actions/Considerations

- 4.160 Mitigation proposals are noted but the White Peak is a relatively simple landscape with few characteristics that can be employed in the satisfactory mitigation of identified impacts. Without a detailed development proposal for the site, the judgement is based on the overall character of the surrounding landscape.

Outcomes for the Proposed Approach

- 4.161 The character of the existing landscape and its' scope to accommodate change is a matter that would need to be considered in greater detail.

Table1: Site Assessment Criteria 28 Landscape - Existing Infrastructure

Representation

- 4.162 Support the Assessment

Longcliffe Quarries Ltd (2006)

Actions/Considerations

- 4.163 The support is noted. However the MPA consider that this criteria duplicates Criteria 05 Existing Infrastructure and that they should be amalgamated.

Outcomes for the Proposed Approach

- 4.164 This criteria has been incorporated with Criteria 05 Existing Infrastructure.

Table1: Site Assessment Criteria 29 Landscape – Strength of Landscape Character

Representation

- 4.165 Generally agree with the Comment. The proposed site accords with the established landscape character and is in good condition. This shouldn't necessarily imply 'conservation'. The landscape will change providing opportunities for habitat creation and possibly agricultural restoration. ALL descriptions could apply here.

Longcliffe Quarries Ltd (2007)

Actions/Considerations

- 4.166 This is a strategic judgement where in general terms a landscape of strong character and in good condition would be prioritised for conservation. It is not accepted that ALL descriptions are relevant to this area of land - the judgement is based on current character.

Outcomes for the Proposed Approach

- 4.167 No change

Table1: Site Assessment Criteria 30 Landscape – Visual Impact

Representation

- 4.168 Agree that NMIN is a good assessment. The published assessment is NMIN or NMAJ. This statement doesn't take account of mitigation. The extension would be in the context of the existing quarrying activity. The proposed extension specifically will only impact upon small lengths of the Limestone Way and High Peak Trail as well as views from Harboro Rocks (all outside PDNP). No roads or dwellings would be negatively affected (landscape or visual).

Longcliffe Quarries Ltd (2008)

Actions/Considerations

- 4.169 The judgement attempts to take account of the range of visual receptors affected by the potential development of the promoted site. It does not consider all receptors in detail or detailed mitigation strategies as the assessment is not a comprehensive Landscape and Visual Assessment.
- 4.170 The MPA consider that this criteria duplicates criteria 09 which is concerned with visual intrusion and proposes that they should be amalgamated.

Outcomes for the Proposed Approach

- 4.171 The visual and landscape impacts of working this site need to be examined in greater detail before a conclusion can be reached on the suitability of this site for allocation.
- 4.172 This Criteria has been amalgamated with Criteria 09.

Table1: Site Assessment Criteria 31 Landscape – impact on the Peak District National Park

Representation

- 4.173 The site abuts 1500m of the PDNP boundary but it is questionable whether the southern extension would form part of its immediate setting. Most the southern extension would not be visible from the key PDNP areas of Ible and Bonsall Moor which experience views of the existing quarrying activity at Aldwark Brassington and Grange Mill. There would be no views of the southern extension from Aldwark and views from the Aldwark to Longcliffe Road could be mitigated. NMIN is more appropriate in respect of views available particularly from the south.

(Longcliffe Quarries Ltd 201/2009)

- 4.174 CPRE is concerned about the impact of the promoted site on the PDNP in terms of the impact on its setting and the amenity of visitors; it considers that the visual impact from PROW has been underscored; it is concerned about the impacts of noise and dust and the negative impacts on tranquillity.

- 4.175 CPRE support the assessment conclusions on visual/landscape impacts.

CPRE High Peak & South Yorkshire Area (206/2033, 206/2034, 306/2035, 206/2036)

- 4.176 Concerned about the impact of the promoted site on the PDNP. The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. Any future applications should be assessed carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A (2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

(Natural England 208/2040)

- 4.177 The allocation of Aldwark is of concern due to the significant impacts that would accrue in relation to impacts on the National Park, its setting and the amenity of visitors in that area. We note that your assessment currently identifies the visual/landscape impact on the PDNP as negative/major and

also the heavy cumulative impact in the nearby area. However we believe that your assessment underscores impacts on amenity (specifically in relation to the National Park), especially for visitors using the nearby PRow network. Impacts of noise, dust, and on tranquillity are a particular concern.

(Peak District National Park Authority 212/2052)

Actions/Considerations

- 4.178 The Assessment notes that the site adjoins the PDNP boundary forming part of its immediate setting and that large parts of the site will be clearly visible from it. This is considered to be a major constraint to the suitability of the promoted site for allocation and is an issue that requires detailed consideration.

Outcomes for the Proposed Approach

- 4.179 The impacts of working the promoted site on the PDNP will need to be examined in greater detail before a conclusion can be reached on the suitability of this site for allocation.

Table1: Site Assessment Criteria 32 Historic Environment – designated sites and settings

Representation

- 4.180 Agree

(Longcliffe Quarries Ltd 201/2010)

Actions/Considerations

- 4.181 The support is noted.

Outcomes for the Proposed Approach

- 4.182 N/A

Table1: Site Assessment Criteria 34 Historic Environment – historic landscape

Representation

- 4.183 NMIN is appropriate.

(Longcliffe Quarries Ltd 201/2011)

Actions/Considerations

4.184 The support is noted.

Outcomes for the Proposed Approach

4.185 N/A

Site Assessment: Mouselow Quarry

Table of Representations

Name	Name Reference Number	Representation Reference Number
Natural England	208	2043
Natural England	208	2044

Table1: Site Assessment Criteria 24: Ecology – UK, Regional and local BAP priority species and habitats

Representation

- 4.186 As the proposed extraction area is a relatively small extension to the existing Mouselow Quarry and located away from sites designated for nature conservation we have no particular comments.

(Natural England 208/2043)

Actions/Considerations

- 4.187 The comment is noted.

Outcomes for the Proposed Approach

- 4.188 N/A

Table1: Site Assessment Criteria 31: Landscape – Impact on Peak District National Park

Representation

- 4.189 The site is within 2km of the Peak District National Park boundary. Account needs to be taken of the wider impact of the site on the setting of the PDNP. The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. Any future applications should be assessed carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions

(section 11 A (2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

(Natural England 208/2044)

Actions/Considerations

- 4.190 The impact on the Peak District National Park has been taken into account in the Assessment through Assessment Criteria 26. It concludes that PDNP boundary is some distance away although recognises that some parts of the site will be visible from it. This impact has been assessed as a minor negative factor in considering the suitability of the site for allocation.

Outcomes for the Proposed Approach

- 4.191 The impact on the PDNP is not considered to be a major constraint to the allocation of the site.

Site Assessment: New Parish Quarry

Table of Representations

Name	Name Reference Number	Representation Reference Number
Individual	217	2080
Individual	218	2081
Individual	219	2082
Individual	220	2083
Individual	221	2084
Individual	222	2085
Individual	223	2086
Individual	224	2087
Individual	225	2088
Individual	226	2089
Individual	227	2090
Individual	228	2091
Individual	229	2092
Individual	230	2093
Individual	231	2094
Individual	232	2095
Individual	233	2096
Individual	234	2097
Individual	235	2098
Individual	236	2099
Individual	237	2100
Individual	238	2101
Individual	239	2102
Individual	240	2103
Individual	241	2104
Individual	242	2105
Individual	243	2106
Individual	244	2107
Individual	245	2108
Individual	246	2109
Individual	247	2110
Individual	248	2111
Individual	249	2112
Individual	250	2113
Individual	251	2114
Individual	252	2115
Individual	253	2116
Individual	254	2117
Individual	255	2118

Individual	256	2119
Individual	257	2120
Individual	258	2121
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Individual	265	2128
Individual	266	2129
Individual	267	2130
Individual	268	2131
Individual	269	2132
Individual	270	2133
Individual	271	2134
Individual	272	2135
Individual	273	2136
Individual	274	2137
Individual	275	2138
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Individual	288	2151
Individual	289	2152
Individual	290	2153
Individual	291	2154
Individual	292	2155
Individual	293	2156
Individual	294	2157
Individual	295	2158
Individual	296	2159
Individual	297	2160
Individual	298	2161
Individual	299	2162
Individual	300	2163
Individual	301	2164
Individual	302	2165
Individual	303	2166

Individual	304	2167
Individual	305	2168
Individual	306	2169
Individual	307	2170
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Individual	330	2193
Individual	331	2194
Individual	332	2195
Individual	333	2196
Individual	334	2197
Individual	335	2198
Individual	336	2199
Individual	337	2200
Individual	338	2201
Individual	339	2202
Individual	340	2203
Individual	341	2204
Individual	342	2205
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Individual	375	2238
Individual	376	2239
Individual	377	2240
Individual	378	2241
Individual	379	2242
Individual	380	2243
Individual	381	2244
Individual	382	2245
Individual	383	2246
Individual	384	2247
Individual	385	2248
Individual	386	2249
Individual	387	2250
Individual	388	2251
Individual	389	2252
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Individual	432	2295
Individual	433	2296
Individual	434	2297
Individual	435	2298
Individual	436	2299
Individual	437	2300
Individual	438	2301
Individual	439	2302
Northwood and Tinkersley PC	440	2303
Individual	441	2304
Individual	442	2305
Individual	443	2306
Individual	444	2307
Individual	445	2308
Individual	446	2309
Individual	447	2310

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Individual	467	2330
Individual	468	2331
Individual	469	2332
Individual	470	2333
Individual	471	2334
Individual	472	2335
Rowsley PC	473	2336
Individual	474	2337
Individual	475	2338
Individual	476	2339
Individual	477	2340
Individual	478	2341
Individual	479	2342
Individual	480	2343
Individual	481	2344
Severn Trent Water Ltd	482	2345
Individual	483	2346
Individual	484	2347
Individual	485	2348
Individual	486	2349
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Individual	527	2390
CPRE	205	2391
Friends of the Peak District	528	2392
Natural England	208	2393
RSPB	529	2394
Woodland Trust	530	2395
AECOM	213	2396
Mineral Products Association	207	2397
Peak District National Park	212	2398

Site Assessment: New Parish Quarry

- 4.192 All of the individuals/organisations listed above, apart from AECOM (for Stancliffe Stone) the promoter of New Parish Quarry site, have objected to the allocation of the site for mineral working in the local plan. Both objectors and the promoter of the site have raised objections to the way in which the Councils have assessed the site. Details of these objections are set out below:
- 4.193 16 objectors and the operator commented on the site assessment criteria, offering comments on how they think it should be amended.

Criteria 01 - Need for the Mineral

Representations

- 4.194 Objectors consider that this should also consider the amount of waste material that would be produced. Should be NMAJ
- 4.195 The operator sets out that since the Council states that there is no framework to determine need for building stone then this criterion should not be used.
AECOM (for Stancliffe Stone)

Actions/Considerations

- 4.196 The Council's statement in the draft strategy is made in respect of the lack of a general framework to determine the need for building stone meaning that it was difficult for the Council to justify the allocation of sites particularly given that at the time the draft Strategy was written, no specific sites had been put forward for allocation. The representation has omitted the further statement in the draft strategy that which states "As a result, the need for the stone has to be assessed when planning applications for a specific site are submitted". Given that this site has since been put forward for allocation, it is reasonable for the Council to assume that the operator had undertaken some work to determine whether a need for the mineral from this site exists (A need for the stone has to be shown for the proposal to have any viability) and it is this evidence on which this part of the assessment is based.

Outcomes for the Proposed Approach

- 4.197 Retain the criteria but alter the indicators in accordance with the response to the overall methodology.

Criteria 02 - Quality/Yield of Mineral

Representations

4.198 Objectors state that since there is uncertainty over the amount of mineral it should be NMAJ.

4.199 The operator says it should be PMAJ since detailed information has been submitted. *(AECOM (for Stancliffe Stone)*

Actions/Considerations

4.200 Although some information has been submitted regarding this criteria, it is correct to state that there is some uncertainty still regarding the quality of the resource and that further information will be required particularly in terms of the amount of waste material that will be produced. PMIN would seem to be a reasonable classification in this respect.

Criteria 03 - Use of Mineral

Representations

4.201 The operator states that it should not be marked down in this respect as they have provided evidence that the mineral will be used for high quality masonry products.

(AECOM (for Stancliffe Stone)

Actions/Considerations

4.202 Further evidence will be required to show the end use of the mineral and what the products will be and where they will be sold. In this respect, it would seem reasonable to set out that “some” rather than “detailed” evidence has been submitted at this stage.

Criteria 04 - Location of Processing Plant

Representations

4.203 Objectors set out that, although the site is located centrally within the UK, it is in a poor location in the local area with a poor road system and environmental impact so should be NMAJ.

Actions/considerations

4.204 This criteria is used to determine the suitability of the site in relation to the market it will serve. There are other criteria which assess the suitability of the local road system and other environmental considerations.

Criteria 05 - Existing Infrastructure

Representations

4.205 Since there is no quarry infrastructure, objectors say it should be rated NMAJ.

4.206 The operator says this is a misreading of NPPF by the Council and should be PMIN.

(AECOM for Stancliffe Stone)

Actions/considerations

4.207 NPPG specifically sets out those circumstances where it would be preferable for the MPA to focus on extensions to existing sites rather than plan for new sites. One of those circumstances is where existing plant and other infrastructure can be continued to be utilised. It is appropriate, therefore, for this consideration to be used as a positive sustainable economic indicator in assessing promoted sites. New infrastructure would be required at this site so it should be assessed in this respect.

Criteria 07 - Employment

Representations

4.208 Objectors state that there will be few jobs created. They think it is highly likely that any employment on the site would be jobs transferred away from other sites in the area that may be closing or running down. It should refer to net employment because it would result in job losses in the local tourism industry. Should therefore be NMAJ.

Actions/considerations

4.209 This criteria covers employment at the quarry operation rather than its impact on other sectors of the local economy. It has been altered to address some of the concerns of objectors regarding transfer of jobs from another quarry. The rating for this criteria has been altered to PMIN accordingly. Further more detailed information will be required from the operator to confirm whether the jobs would be transferred from another of their quarries.

Criteria 08 - Duration of Extraction

Representations

4.210 Objector says this should be NMAJ as it will have impact over a long time.

4.211 The operator says it would be fairer to be rated as NMIN/PMIN as it would be closer to 20 years not 30.

AECOM (for Stancliffe Stone)

Actions/Considerations

- 4.212 It seems reasonable for the site to be rated as NMIN as it will be worked and then restored for a 20 year period. The indicators need to use defined numerical values to be workable and effective.

09 Visual Intrusion

Representations

- 4.213 Objectors are concerned that the impact from Bent Lane and Hallmoor Road isn't considered.

Actions/Considerations

- 4.214 Should a planning application be submitted for this site, then this is an issue that would be covered as part of the EIA.

Criteria 10 - Noise

Representations

- 4.215 There are more noise receptors than listed in the assessment. Noise is heard over a much wider area than assessed. Should be revised to NMAJ. (Objectors)
- 4.216 The operator says it should be PMAJ as the assessment takes no account of mitigation and low key nature of building stone quarries. Also, Burley Fields Farm is not within 200m of the site. *AECOM (for Stancliffe Stone)*

Actions/Considerations

- 4.217 The impact of noise associated with the mineral operations is an issue set out at NPPG (Paragraph 012) which the MPA should address. At this stage there is insufficient evidence to prepare a full noise impact assessment, which should be undertaken at the planning application stage and which will consider mitigation etc. It is possible, however, at this stage to identify, as an indication where noise might be an issue, the location and number of noise sensitive properties i.e. dwellings including their distance from the quarry.
- 4.218 The number of, and distance from, properties will be reconsidered should a planning application be submitted for this site.

Criteria 11 - Dust

Representations

- 4.219 There are more receptors than listed and buffer zones should be measured from the edge of the site not the centre. (Objectors)

- 4.220 The operator says it should be PMAJ as the assessment takes no account of mitigation and low key nature of building stone quarries. Also Burley Fields Farm is not within 200m of the site.

AECOM (for Stancliffe Stone)

Actions/Considerations

- 4.221 The impact of dust associated with the mineral operations is an issue set out at NPPG which the MPA should address. At this stage, there is insufficient evidence to prepare a detailed dust impact assessment (which will consider mitigation etc.) which should be undertaken at the planning application stage. It is possible and appropriate at this stage however to identify, as an indication where dust might be an issue, the location and number of dust sensitive properties i.e. dwellings, schools, old peoples care homes including their distance from the quarry.
- 4.222 It is agreed that the zones should be drawn from the edge of the site. Also the number of properties within the zones will be reassessed.
- 4.223 Also the zones will be renamed indicator zones as the term buffer zones caused some confusion during the consultation process, implying the wrong meaning.

Criteria 12 - Air Quality

Representations

- 4.224 Should not use AQMAs as the air is clean now so there is no need for an AQMA but with the quarry the air will be dustier so need to assess how it would be i.e. how many properties are within 1000m of the edges of the site. (Objectors)

Actions/Considerations

- 4.225 This is an issue that would be considered in detail if a planning application is submitted for the working of this site.

Criteria 13 - Blasting/Vibration

Representations

- 4.226 There will be vibration which could disrupt the Water Aqueduct and damage properties. (Objectors)

Actions/Considerations

- 4.227 Modern computerised electronic detonation techniques will be employed - which eliminate the prospect of charge holes being detonated simultaneously and thereby significantly reduce vibration and related effects measured outside the quarry boundary. At building stone quarries, blasting is either not used at all or consists of only black powder 'pop shooting' which is much more benign.

Criteria 14 - Transport/Local Amenity

Representations

- 4.228 There are 18 properties and a hotel on the transport route, not 6 as set out in the assessment. (Objectors)
- 4.229 The operator states it should be PMIN as most properties are set back from road and the terms "some" and "few" used in the assessment are subjective. *AECOM (for Stancliffe Stone)*

Actions/Considerations

- 4.230 The number of properties on the route has been reassessed and it is concluded that there are 17 residential properties and a hotel either adjacent to or close to the proposed transport route between the site and the A632 Matlock to Chesterfield Road. This information has been incorporated into the revised assessment.
- 4.231 Whilst it is agreed that the scale of traffic will be a factor in undertaking a more detailed traffic assessment, at this initial stage it is considered that the number of sensitive receptors and distance to the strategic road network are appropriate indicators to use. Agree however that the terms few, some and many are too subjective and should be assigned a numerical value.

Criteria 15 - Access from the site

Representations

- 4.232 Objectors doubt that access can be made acceptable and safe so should be NMAJ.
- 4.233 The Operator states that improvements can be made to make a satisfactory access so should be classified PMIN. *AECOM (for Stancliffe Stone)*

Actions/Considerations

- 4.234 We have taken advice from the Council's Highway Engineers and we have to rely on their expertise regarding this matter. Their comments will be retained in the revised assessment.

Criteria 16 - Transport Export Route

Representations

- 4.235 The operator sets out the improvements they think could be made to the export route without having an adverse impact on local amenity. *AECOM (for Stancliffe Stone)*

Actions/Considerations

- 4.236 Again, we have taken advice from the Council's Highway Engineers in this respect and are guided by their expertise on this matter.

Criteria 17 - Sustainable Transport Options

Representations

- 4.237 The operator says it is unfair to mark the proposal down in this respect if no other options are available in the area.

AECOM (for Stancliffe Stone)

Actions/Considerations

- 4.238 Agree that given that minerals can only be worked where they are found it would be inappropriate to assess a site as having a major negative impact purely on the mode of transport used. However, this is just one of a number of criteria which are used to assess all hard rock sites that have been put forward and we do consider that in the interests of sustainability, using alternative methods of transport should be seen as positive factors when assessing the suitability of all sites.

Criteria 18 - Benefits from the working and after use of the site

Representations

- 4.239 This criteria should refer to "net" benefits. The benefits would be negligible compared to what is lost. Should be NMAJ. (Objectors)

Actions/Considerations

- 4.240 This criteria is included to address the NPPF requirement to consider the positive impacts of any proposal. As a result, we consider that the criteria should be retained in the revised assessment.

Criteria 19 - Cumulative Impacts

Representations

- 4.241 The area has witnessed significant quarrying in the past (including in the nearby Peak Park) and existing industries like Enthovens and Firth Rixon have a significant impact on the area. (Objector)

Actions/Considerations

- 4.242 Agree that the impact of other industries in the area was not addressed sufficiently in the initial assessment. This will be considered further and included in the revised assessment.

Criteria 20 - Flood Risk

Representations

- 4.243 Flooding is not just about being located on a flood plain. The assessment should also take account of the overall hydrology of the area. There are numerous springs in the area and the local area suffers from numerous flooding events as water comes off the hillside and this would be exacerbated by the loss of the topsoil at the proposed quarry. Also, the area would flood if the nearby aqueduct was damaged. (Objectors)

Actions/Considerations

- 4.244 A full hydrology survey would be required as part of a planning application for the working of this site, which would investigate these matters.

Criteria 23 - Ecology Existing Impacts

Representations

- 4.245 The Operator states that mineral working at Halldale Quarry has the potential to increase biodiversity and has not fragmented surrounding habitats.

Criteria 24 – Ecology

Representations

- 4.246 The assessment takes no account of the potential impact on the SSSI, SAC and SPA to the north of the site along the proposed haul route. (RSPB and other objectors). It should also give greater consideration to the Ancient Woodland of Halldale Wood (Woodland Trust)

Criteria 25 - Ecological Coherence

- 4.247 Operator says that the criteria bear little relation to the indicators.

Criteria 27-30 - Landscape

Representation

- 4.248 Various comments from the operator which are included in their landscape appraisal.
- 4.249 The assessment states that “the landscape character is generally intact and is in generally good condition, (and) the historic landscape pattern remains intact.” We agree with this assessment but feel that you have somewhat underplayed the importance of these factors. (CPRE)

Criteria 31 - Impact on the Peak District National Park

- 4.250 The impact on the Peak Park is not properly quantified. Should at the least be NMIN. (Objectors)

Actions/Considerations

- 4.251 The initial assessment of the site was intended to provide an indication of the issues for and against the working of this site. If a planning application is submitted for the working of this site, the issues would be covered in more detail as part of an EIA.

Criteria 32 - Archaeology

- 4.252 There are remains of archaeology on the site, which should be investigated. (Objectors)

Actions/Considerations

- 4.253 Agree that the site would need some archaeological study and evaluation as part of any future planning application, in line with NPPF para 128. This level of archaeological potential is however easily managed through the pre-planning and planning process and is not especially relevant to the site assessment/allocation phase.

Criteria 34 - Historic Landscape

- 4.254 Historic England is concerned about the impact on the historic landscape character of this part of Darley Dale when there appears to be no justification for the site to be used for the extraction of building stone.
- 4.255 The operator states that the historic field pattern could be restored. Should be classified as PMIN.

Actions/Considerations

4.256 This will be addressed should a planning application be submitted for the site.

Criteria 36 – Best Most Versatile Agricultural Land

Representations

4.257 Although the site is not classified as BMV, it is fertile land which is good and profitable grazing and arable land. (Objectors)

Actions/Considerations

4.258 Consider that the predictive agricultural land map is sufficient for assessing sites in the first instance, however where sites progress forward to the next stage, a full agricultural assessment will then be required.

Criteria 37 - Conformity with other Local Plans

Representations

4.259 Since the proposal would have a significant impact on the amenity of the area and on local people it would not conform with the local Neighbourhood Plan or the DDDC Local Plan. Also, its impact on the Peak Park would mean it is not in conformity with their Plan and its policy to reduce quarrying does not apply to building stone so don't need to replace their quarries with ones just outside the NP. (Objectors)

Actions/Considerations

4.260 This criteria is intended to ensure that there are no significant conflicts with other local plans in terms of the area of land or adjoining land being designated for other purposes which may create a conflict. This will be clarified in the revised assessment.

Specific Comments on New Parish Quarry

- 4.261 The following is a summary of the issues which have been raised in objection to the allocation of the site in the 310 individual letters/emails from local residents, as well as the 9 statutory organisations which also made comments. (CPRE, Friends of the Peak District, Natural England, Historic England, Severn Trent Water, RSPB, Woodland Trust, Mineral Products Association, Peak District National Park Authority). It also includes the issues and concerns which were raised by the 83 people who attended the drop-in session on 2 February 2017.

Highways Impact

- 4.262 188 people consider the narrow local roads to be totally inadequate for HGVs. 30 of these people express the additional concern that HGVs will take the direct route to the A6 through Darley Hillside.

Actions/Considerations

- 4.263 The County Council's Highways Engineers have considered the proposal and concluded that in terms of the access point to Bent Lane, it is likely an acceptable arrangement could be designed to serve the site, however, it is likely to require some roadside vegetation to be removed to achieve satisfactory visibility sightlines and additional carriageway construction would be likely to be required to accommodate the turning manoeuvres of an articulated/rigid HGV. Detailed designs would be required to confirm the extent of the works required.
- 4.264 In terms of the proposed haul route, given the generous highway limits available it may be possible to create additional passing opportunities to mitigate against the impact of conflicting traffic movements on Bent Lane, however, at this stage it would be difficult to pre-empt how many would be required or at what locations. However, it is considered the perceived number of passing places that may be required over the 1.85km route, together with the scale required to allow HGVs to pass each other (or other agricultural vehicles and trailers), is likely to have a significant impact on the nature of the lane. It is also noted that land immediately west of Bent Lane is designated as SSSI, SPA, SAC, and the junction of Bent Lane/Chesterfield Road itself forms the boundary of the Peak District National Park. Beyond Bent Lane, the route appears appropriate to accommodate the proposed number of vehicles, however the junction of Chesterfield Road/Bent Lane will require some improvement in terms of increased radii (to accommodate articulated vehicles without having to cross into oncoming traffic) and visibility – where restricted by vegetation.

- 4.265 The junction of Bent Lane with Chesterfield Road would need to be modelled to ensure it could accommodate the required turning manoeuvres for HGVs. Whilst existing highway margins are generous, existing field boundaries may be a restricting factor in improving junction radii – this adjoining land does not appear to be in the applicant's control. The SSSI may also be a restricting factor in this respect. The acute angled junction of Chesterfield Road with Beeley Lane could also be difficult to use for out-bound HGV traffic – where views to approaching vehicles, to the left, may be obscured by the vehicle itself.
- 4.266 Based on the information available at present there are a number of highway safety related concerns regarding the introduction of quarrying operations at this site, which would need to be fully addressed before the proposals may be considered acceptable.

Health Risks from Increased Dust and Traffic Pollution

- 4.267 175 people expect the dust from the proposal to affect a wider area than the Councils' assessment indicates. In this respect, the 200m and 500m buffer zones used in the assessment were questioned. Particulate dust (PM10s) is of particular concern in terms of its effect on people's health, (particularly people with existing respiratory problems such as asthma) given the proximity to a large residential area, which includes two care homes for the elderly. Pollution from quarry traffic is also expressed as a major concern in terms of its impact on people's health.

Actions/Considerations

- 4.268 This is a matter which will be considered in greater detail should a planning application be submitted for the site, when the applicant will be required to submit a detailed Dust Assessment Study (NPPG paragraph 023). NPPG states that additional measures to control fine particulates (PM10) to address any impacts of dust might be necessary if, within a site, the actual source of emission (e.g. the haul roads, crushers, stockpiles etc.) is in close proximity to any residential property or other sensitive use. Operators will follow the assessment framework for considering the impacts of PM10 from a proposed site.
- 4.269 At this stage, we have undertaken a broad assessment to determine whether this is likely to be an issue if the site comes forward. We have, therefore, considered the number of residential properties in close proximity to the site and which therefore may be affected to some extent by dust and pollution. It should be recognised that modern working method mean that dust can normally be suppressed to, and maintained at, acceptable levels.

Impact on the Landscape

- 4.270 145 people (and CPRE and Historic England) express their concern about the impact of the proposal on the beauty, character and amenity of the landscape, which they consider has remained intact for centuries. Being on a south facing slope, its prominence (visual impact) in the landscape over a wide area was also raised by 66 people in this respect.

Actions/Considerations

- 4.271 The Council's assessment indicates the importance of the site in the surrounding landscape and the impact that the working of the site would have on the landscape.

Impact on Wildlife

- 4.272 124 people have raised concerns regarding the potential impact of the proposal on wildlife in the area, the site and its surroundings being an important nesting and breeding area for birds, insects and mammals. Bent Lane itself is recognised locally as being an important corridor for wildlife.
- 4.273 The RSPB is particularly concerned about the impact of the proposed haul route on birds in the SSSI and SAC to the north of the proposed site.

Actions/Considerations

- 4.274 We recognise that this is an aspect that was not covered in detail in the assessment, particularly the impact of the haul road on the SSSI and associated wildlife. It is often not appropriate to consider detailed and complex issue like this at this stage of the process. The appropriate organisations would need to consider the issue in detail. Should a planning application be submitted for the site, then this is an issue that would be considered in detail, as part of an EIA, along with all other issues.

Ancient Woodland

- 4.275 The potential impact on birds in the adjacent ancient woodland of Halldale Wood (a Local Wildlife Site, which is a haven for many important native and migratory species) has been raised by 36 individuals as well as Natural England and the Woodland Trust. It is noted that there are also a number of protected species in this area such as Badgers, Tawny Owls, Bats and Bramblings.

Actions/Considerations

- 4.276 This would be addressed as part of an EIA should a planning application be submitted for the site.

Hydrology

4.277 122 local people expect the proposal to increase the impact and occurrence of flooding in the area by disrupting the numerous natural local springs, water courses and the water table in the area and by excavation removing a large area of soil and rock which currently acts as a sponge for much of the excess water. The proposal may also disrupt the supply of water to the ponds at Whitworth Park. People also anticipate that the flooding together with the destabilisation of the land will increase the risk of landslips and landslides in the area, with spoil from Halldale Quarry being considered a risk in this respect.

Actions/Considerations

4.278 It is recognised that flooding is an issue in this area and the developer will be expected to submit a full appraisal of the hydrology of the site and the impact of its working on the hydrology of the surrounding area alongside a planning application that may be submitted for the site. In terms of the Local Plan process, however, we are not considering this level of detail; the intention is to highlight issues regarding the site and to determine whether any of these mean that the site could not be worked and therefore should not be allocated. There may well be negative factors regarding a proposal but many of these can be mitigated to acceptable levels to enable the proposal to go ahead.

Water Aqueduct

4.279 69 local people and Severn Trent Water have highlighted the presence of the Victorian water aqueduct just to the south of the site. This carries water by two large Victorian cast iron pipes in a brick lined tunnel, supplying water to over 590,000 households in Derbyshire, Leicestershire and Nottinghamshire. People are concerned that quarrying could disrupt the pipeline and lead to significant flooding of the area. STW needs assurance from the developer that the integrity of the pipeline will not be affected by the working of the quarry.

Actions/Considerations

4.280 Severn Trent Water has provided comments on this issue. They state that the quarry is hard rock and the operator mentions that blasting is unlikely as they do not want to damage much of the rock; however blasting is not ruled out. The operator's report mentions mechanical excavation will be used, therefore a lot of vibrations will occur due to this as well. Being hard rock, the vibrations can travel a long distance within the rock, and are a potential risk to the structure. Fatigue loading of cracks could occur. Contours show the ground level decreasing towards the Derwent Valley Aqueduct (DVA) from the quarry, i.e. the quarry is higher than the DVA. This is again not beneficial for any vibrations from the quarry impacting upon the DVA.

- 4.281 Drilling will require lubricants or water to be added to the ground to cool the drills. This could add chemicals to the groundwater. This is a concern as they could leach into the main.
- 4.282 Vibration over access/ transport routes which cross the DVA also need to be considered along with the weight of such vehicles.
- 4.283 Before the proposals are accepted, Severn Trent Water asks that a full detailed study should be commissioned of the full impact of the quarry activities on the DVA along with a flooding assessment should there be a failure of the aqueduct.

Noise Impacts

- 4.284 110 people have expressed their concern about the potential for noise from the working of the proposed quarry.

Actions/Considerations

- 4.285 The developer will have to carry out a noise impact assessment (as part of an overall Environmental Impact Assessment) as part of a planning application for the site to determine the impact of the quarry on the surrounding neighbourhood (NPPG) and whether any noise impact can be mitigated so that it falls within acceptable levels. This level of detail is not expected as part of a submission of a site for an allocation in a Local Plan. This is why we used a criterion which assesses the number of properties within a defined area which may be affected by increased noise levels. It therefore assesses whether there may be a potential issue which will need addressing.

Local Economic Benefits

- 4.286 106 people suggest that they do not expect there to be any significant local economic benefits from the proposed quarry. They consider that the small number of jobs that would be created would be outweighed significantly by job losses in the local tourism industry if the proposal were to go ahead, and there would as a result be a net negative impact on the local economy. It is considered also that there would be a very small economic return to balance against the considerable environmental destruction from the proposal. People consider that the only significant economic benefit would be to the multi-national company which is proposing the site.
- 4.287 1 individual supports the proposal on the grounds that it would provide employment and revenue for the local area.

Actions/Considerations

- 4.288 The developer will be expected to provide comprehensive details of the impact of the proposal on the economy both local and national, as part of the submission of a planning application.

Widening of Roads

- 4.289 85 people (and RSPB) are concerned that the proposals would destroy the roads and verges and would make it unsafe for other road users. They are also concerned that the widening of the roads to accommodate HGVs would have an adverse impact on the rural character of the area as well as on local wildlife and that it would also impact on two European protected sites to the north of Bent Lane and adjacent to Chesterfield Road on both sides. These sites are classified as the Eastern Peak District Moors SSSI, Peak District Moors SPA under the EC Birds Directive and the South Pennine Moors SAC under the EC Habitats Directive.

Actions/Considerations

- 4.290 The operator has submitted proposals which indicate that passing spaces would be positioned in the existing verge area along Bent Lane without encroaching beyond the highway boundary. It is not considered that improvements would have to be made to Chesterfield Road.
- 4.291 The Highways Authority considers that the perceived number of passing places that may be required over the 1.85km route of Bent Lane, together with the scale required to allow HGVs to pass each other (or other agricultural vehicles and trailers), is likely to have a significant impact on the nature of the lane and the presence of SSSI is noted in this respect. Beyond Bent Lane, they consider that the route appears appropriate to accommodate the proposed number of vehicles, although the junction of Chesterfield Road/Bent Lane would require some improvement in terms of increased radii (to accommodate articulated vehicles without having to cross into oncoming traffic) and visibility – where restricted by vegetation.

Need for the Stone

- 4.292 77 people question the need for the stone given the number of existing building stone quarries in the overall area. In this respect, people asked why the adjacent Halldale Quarry could not be worked out instead. A small number of people stated that they would be more receptive to a smaller quarry, providing that it would produce stone for mainly local purposes.

Actions/Considerations

- 4.293 The Operator (SSSL) has indicated that the stone would be sold to the UK market and that there is a proven demand for this resource. Further

information would be required on this issue should the operator submit a planning application for the site.

Informal Recreation

- 4.294 72 people comment that the site is currently used for informal recreation by the community (walking, cycling, horse riding, running, bird watching, picnicking) being crossed by two well-used footpaths, and would be a great loss in this respect. Many people are concerned that the general health and well-being of the local population would be adversely affected by the loss of this area.

Actions/Considerations

- 4.295 There would be an impact in terms of the loss of some open space. This would be weighed against all other considerations should a planning application be submitted for the site.

Impact on Tourism

- 4.296 65 people express their concern that the quarry would have a significant impact on local tourism, deterring people from visiting the area and its attractions.

Actions/Considerations

- 4.297 The developer will be expected to provide comprehensive details of the likely impact of the proposal on the economy both local and national, as part of the submission of a planning application, should this be forthcoming.

Visual Impact from the Peak District National Park

- 4.298 37 individuals (and CPRE S. Yorks) raise the issue of the site being prominent in views across the Derwent Valley from the Peak District National Park.

Actions/Considerations

- 4.299 It is recognised that the site is prominent from areas which lie within the Peak National Park. The operator will have to show how this could be mitigated to acceptable levels (screening through advance planting, working methods) if the development were to proceed.

Road Safety

- 4.300 36 people are concerned about the impact of HGVs on the safety of other road users should the quarry go ahead.

Actions/Considerations

- 4.301 The Highways Authority have set out that the additional HGV movement from the proposed quarry, combined with agricultural and general traffic using Bent Lane is likely to significantly increase the risk of vehicle conflict along this single track route. This is an issue that will have to be addressed by the developer.

Impact on Designated Sites

- 4.302 36 people (and RSPB and Natural England and the Woodland Trust) are concerned about the potential impact of quarry working on the adjacent Local Wildlife Site/Ancient Woodland of Halldale Wood and the SSSI to the north of the site.

Actions/Considerations

- 4.303 Although the Local Wildlife Site at Halldale Wood was considered in the site assessment the impact of the proposal on the SSSI to the north of the site was not taken into account. This part of the assessment will be reviewed to take account of concerns raised and published in the revised assessment.

Scale of the Proposal

- 4.304 16 people have expressed their concerns regarding the scale of the proposed quarry. In this respect, people state that the proposal would not comply with the NPPF, which sets out that MPAs should recognise the small scale nature and impact of building stone quarries.

Actions/Considerations

- 4.305 The NPPF, at paragraph 144, recognises the small scale nature of building stone quarries. It states that this will be to repair heritage assets and to maintain local distinctiveness. The interpretation of “small scale” is important in this respect. Whilst we recognise that this proposed quarry is somewhat larger in scale than many building stone quarries, in comparison to the aggregate quarries around Buxton, this proposal would be relatively small in scale and if only parts of the quarry are worked at one time and restored progressively, there may be a case for considering it as small in scale. There may also be a specific need for this type of stone which may have a wider market and therefore necessitate the need for the quarry to be the scale set out. These are all considerations that will have to be taken into account in determining the potential of this proposal to be included in the Local Plan.

Impact on the Local Economy

- 4.306 37 people consider that the proposal would have a significant negative impact on the local economy and that any benefits would be outweighed significantly by the negative impacts of the proposal.

Actions/Considerations

- 4.307 The developer will be expected to provide comprehensive details of the impact of the proposal on the economy both local and national, as part of the submission of a planning application.

Proximity to Residential Areas

- 4.308 14 people are concerned about how close the proposal is to a large residential area, and in this respect consider that the operator should look for and consider alternative sites in more appropriate, secluded locations before this one.

Actions/Considerations

- 4.309 This will be a consideration along with all other social, economic and environmental considerations. It is recognised that the site is in close proximity to residential areas. It should also be recognised that modern working methods with appropriate mitigation measures can now enable quarries to operate in relatively close proximity to residential areas.

Cumulative Impacts

- 4.310 5 people set out that the area as a whole has seen quarrying for a significant number of years and that other large manufacturing industries such as Enthovens and Firth Rixon have also had an impact on the area in terms of noise, pollution, HGV traffic etc.

Actions/Considerations

- 4.311 We acknowledge that the initial assessment did not cover this issue in sufficient detail failing to recognise some of the industries mentioned above. This will be rectified in the revised assessment.

Agricultural Land

- 4.312 7 people argue that, although the land is not classified as being BMV, it is still good quality land for grazing and silage production and generates good income for the local farmer. The loss of this resource would be detrimental to the local economy.

Actions/Considerations

- 4.313 For this aspect of the assessment, it is necessary to use specific information regarding agricultural land quality from DEFRA.

Disruption to Local Water Supply

- 4.314 6 residents are concerned that their only water supply from local springs will be disrupted by the quarry.

Actions/Considerations

- 4.315 Safeguards would be in place to ensure that the local water supply would not be disrupted. The Council would seek the advice of the Environment Agency on this matter should a planning application be submitted for the site.

Restoration

- 4.316 8 people have set out that they consider that the restoration of the site would appear to offer few benefits over and above what is present on the existing site.

Actions/Considerations

- 4.317 Noted. However, NPPG states that we have to consider the benefits of any proposal as well as the negative impacts. This is what this criteria is designed to cover.

Impact on Archaeology

- 4.318 2 people consider that the site does have archaeological value and should be investigated.

Actions/Considerations

- 4.319 Although there are no known remains or earthworks from the site, and therefore in accordance with the criteria 29, the site is considered to have been assessed correctly, there have been finds in the vicinity which might suggest that potential for buried archaeology within the site is not negligible – for example a cinerary urn containing human remains from ‘Hallmoor Nursery’ about 100m west of the site (HER 9806), and another from Newtonlot Plantation (HER 9805). Agree, therefore, that the site would need some archaeological study and evaluation as part of any future planning application, in line with NPPF para 128. This level of archaeological potential is however easily managed through the pre-planning and planning process and is not especially relevant to the site assessment/allocation phase.

Radon Gas

- 4.320 7 people are concerned that Radon gas will be emitted from the rock if the quarry is worked.

Actions/Considerations

- 4.321 The District Council's Environmental Health Section will be consulted on any application for this site, should this be forthcoming, and will be asked to provide comments on this issue.

House Prices

- 4.322 6 people express their concern that the quarry would have an impact on the price of their property.

Actions/Considerations

- 4.323 The impact of a development on house prices in the surrounding area is not a planning consideration.

Damage to Property/Subsidence

- 4.324 3 people express concern that their properties may be damaged by quarry working.

Actions/Considerations

- 4.325 The operator would have to ensure that appropriate safeguards are in place to protect nearby properties if the quarry was to proceed.

Threat to Moorland Heather

- 4.326 1 person has highlighted the potential adverse impact of the air pollution from the quarry on the Heather in the nearby moorland area.

Actions/Considerations

- 4.327 NPPG sets out that pollution from new development may affect biodiversity. In particular, is it likely to result in deposition or concentration of pollutants that significantly affect a European-designated wildlife site, and is not directly connected with or necessary to the management of the site, or does it otherwise affect biodiversity, particularly designated wildlife sites.

Outcomes for the Proposed Approach

- 4.328 Given that the proposed strategic approach regarding building stone is to not allocate any sites in the Minerals Local Plan, it is not necessary to undertake a revised assessment of this site. This site will not be included as an allocation in the Plan.

General

4.329 No comments on any of the Consultation documents.

(Coal Authority 530/2030, United Utilities 210/2050)

4.330 The response is noted.

5. Drop-In Sessions: Hard Rock Sites – Issued Raised New Parish Quarry, Bent Lane, Darley Dale

**Note of Drop In Session at the Whitworth Centre, Darley Dale,
Thursday 2 February 2017, 09.00 – 19.00**

- 5.1 83 people came to the event throughout the day, which was held between 9am and 7pm. These were mainly members of the public. A Town Councillor also attended, as well as the Chair of the Darley Hillside Residents Association.
- 5.2 Most people who attended had already sent in written comments, but six more left their comments with us on the day.
- 5.3 As expected, there was significant opposition to the proposal. This is a summary of the issues raised:
- Local people do not expect that the economic benefits, particularly in terms of the small number of jobs proposed, would outweigh the significant adverse impacts of the proposal.
 - The need for the stone was questioned given the number of existing quarries in the area. In this respect, people asked why the adjacent Halldale Quarry could not be worked out instead.
 - Local people would be more receptive to a smaller quarry, which would produce stone for mainly local purposes.
 - The geological information provided was questioned. People thought there would be a lot more waste material produced.
 - The scale of the proposal gave cause for great concern.
 - Local people expect the noise and dust from the proposal to affect a wider area than the Councils' assessment indicates. In this respect, the 200m and 500m buffer zones used in the assessment were questioned. The dust is of particular concern in terms of its effect on people's health and wellbeing.

- The cutting of the stone to the north of the proposed quarry gave cause for concern in terms of noise and dust.
- People expect the proposal to increase the impact and occurrence of flooding in the area by disrupting the numerous local springs in the area and by destabilising the land and water table.
- The Victorian water aqueduct just to the south of the site could be disrupted and flood the area.
- There were concerns that the operation could be working 24 hours a day for seven days a week.
- The roads around the site are considered to be totally inadequate for HGVs. People are concerned that they would destroy the roads and verges and would make it unsafe for other road users. Widening of the roads would have an adverse impact on the rural character of the area.
- The site is currently used for informal recreation by the community and would be a great loss in this respect.
- The impact on wildlife, particularly birds in adjacent ancient woodland.
- The adverse impact on tourism in the area.
- The proposal would have an impact on local house prices.
- Impact of the proposal on the landscape and on views from the Peak District National Park.
- People were concerned that the consultation had not reached all parts of the community.
- A number of people were concerned about the traffic counters and speed tubes that had been installed on the local roads this week.

Whitwell Quarry

Note of Drop In Session Whitwell Friday 3rd February 2017, 14.00 – 18.30

Visitors:

5.4 10 people visited the session.

- Whitwell Parish Councillors
- Belph and Hodthorpe Parish Councillors
- Tarmac Representative
- Quarry Liaison Members
- Visitors to the Library

Issues raised:

5.5 There were a few concerns raised about the quarry extensions. This is a summary of the issues raised:

- One issue raised was how to distinguish between the emissions from the kiln and the dust emissions from the quarry. May be an issue if Lhoist burn different waste types for fuel.
- One person asked about the use of material from Whitwell Colliery Tip for reclamation purposes similar to what had happened with Belph Tip.
- One person stated that it was important that any sub-contractors understood and carried out the work in accordance with any planning conditions and agreements.
- Most people were supportive of the proposed extensions and recognised the importance of the mineral.

Ashwood Dale Quarry

Note of Drop In Session Buxton Monday 6th February 2017, 14.00-18.30

Visitors:

5.6 25 people visited the session.

- Land owners near to the quarry
- Cowdale residents
- Buxton residents
- Buxton Civic Association members
- Visitors to the Library

Issues raised:

5.7 There were a few concerns raised about the promoted quarry extension. This is a summary of the issues raised:

- One person asked if there were any proposals to start quarrying at Cowdale Quarry.
- One person stated that there was a need to ensure that Cuning Dale is not breached by any mineral development given its SSSI/SAC status.
- One person asked about the blasting buffer zone and what this meant in practice and how it affected the proposed housing allocation in the HPBC Local Plan.
- One person asked if there would be any lorry traffic passing through Fairfield.
- Two people mentioned that there appeared to be extensive earth moving machinery in the permitted area near to Cuning Dale and enquired as to what and why the earthworks were taking place.
- Most people had no concerns about the promoted quarry extension.

Aldwark/Brassington Moor Quarry

Note of Drop In Session Brassington Friday 10th February 2017, 14.00-18.30

Visitors:

5.8 6 people visited the session.

- Brassington and Aldwark residents.
- Brassington Local Environment Group member.
- Peak District National Park Officer

Issues raised:

5.9 There were a few concerns raised in relation to the promoted quarry extension. This is a summary of the issues raised.

- One resident of Aldwark complained about the noise particularly early in the morning. She thought that the quarry use did not compliment the leisure/holiday cottages that were present at Aldwark which lies within the Peak District National Park.
- People recognised the importance of the quarry as a local employer.
- The Peak District National Park officer has concerns about the visual impact of the quarry extension on the wider landscape setting of the National Park.
- Two residents were concerned about work that was taking place at Manor Farm close to the proposed extension area. They were concerned that mineral working was taking place without the benefit of planning permission.

Mouselow Quarry

Note of Drop in Session Glossop Monday 13th February 2017, 14.00 - 18.30

Visitors:

5.10 8 people visited the session.

- County Councillor Dave Wilcox
- High Peak Borough Councillor Andrew Mckeown
- Wienerberger representative Chris Harris
- Boothventures representative Gareth Stratford
- Chair of Mouselow Quarry Liaison Committee
- Higher Dinting resident
- Visitors to the Library

5.11 There were a few concerns raised about the promoted extension site. This is a summary of the issues raised:

Issues raised:

- One Higher Dinting resident was concerned about the impact of the quarry in terms of views, land instability and any increase in dust, noise or traffic on the surrounding area.
- Other visitors raised the impact of the quarry on the surrounding landscape as the main issue relating to the extension.
- Councillor Wilcox asked if there would be any increased traffic as a result of the extension.
- The operator, Wienerberger, is keen to engage with people living locally to the quarry to answer any concerns before a planning application is submitted for the site which could be later in 2017.
- Most visitors appreciated the importance of the quarry in terms of the need for the continued supply of material to Denton brickworks and the resulting employment that it provided.

- Borough Councillor Andrew Mckeown was particularly concerned about another quarry in High Peak, Birchvale/Arden quarry/landfill site and the problem with odour from the landfill site.

Appendix: Consultation Papers and Drop-In Sessions

Towards a Minerals Local Plan - Sand and Gravel Sites and Drop- in Sessions 2012

Drop-In Sessions were held at:

Foston & Scropton Village Hall

Barrow on Trent Village Hall

Weston on Trent Parish Hall

Repton Village Hall

Elvaston Village Hall

Egginton Village Hall

Long Eaton Library

Shardlow Village Hall

Sudbury Parish Rooms

Towards a Minerals Local Plan: Rolling Consultation 2015/2016

Strategy Papers

Towards a Vision and Objectives, March 2016

Towards Strategic Sustainability Principles, November 2014

Towards a Strategy for transporting Minerals, April 2016

Towards a Strategy for Sand and Gravel, December 2014

Towards a Strategy for helping to reduce quarrying in the Peak District National Park, November 2014

Towards a Strategy for Crushed Rock, December 2014

Towards a Strategy for Building Stone, November 2014

Towards a Strategy for Industrial Limestone, February 2015

Addendum to Strategy for Industrial Limestone Additional Site
Aldwark/Brassington Moor Quarry April, 2016

Towards a Strategy for Brick Clay and Fireclay, January 2015

Towards a Strategy for Vein Minerals, April 2016

Towards a Strategy for Coal and Colliery Waste, December 2015

Towards a Strategy for Deep Mined Coal, December 2014

Towards a Strategy for Hydrocarbons, November 2015

Towards a Strategy for Safeguarding Mineral Resources, November 2014

Towards a Strategy for Safeguarding Minerals Related Infrastructure, April
2014

Towards a Strategy for Cumulative Impacts, January 2015

Towards a Strategy for the Restoration and After-Care of Mineral Workings,
April 2016

Towards a Restoration Strategy for the Trent, Derwent and Lower Dove
Valleys, November 2014

Towards a Restoration Strategy for Carboniferous Limestone Quarries,
April 2016

Site Assessment Methodology: Hard Rock Quarries - potential allocations at
Whitwell, Ashwood Dale and Mouselow Quarries, April 2016

Implementation and Monitoring, April 2016

Supporting Papers

Legislative and Policy Context, April 2016

Plan Context, April 2016

Spatial Portrait, January 2015

Climate Change, November 2014

Transport, April 2016

Sand and Gravel, December 2014

A Methodology to Map Environmentally Sensitive Areas in the Trent valley,
Technical Paper, November 2014

Sand and Gravel Sites Assessment Methodology, May 2016

Sand and Gravel Site Assessments, May 2016

Crushed Rock for Aggregate, February 2015

Building Stone, November 2014

Industrial Limestone, February 2015

Cement, February 2015

Brick Clay and Fireclay, January 2015

Vein Minerals, April 2016

Coal, November 2014

Conventional Oil and Gas, August 2015

Unconventional Gas – Gas from Coal, August 2015

Unconventional Gas – Shale gas, August 2015

Mineral Safeguarding, November 2014

Safeguarding Minerals Related Infrastructure, April 2016

Cumulative Impacts, January 2015

Towards understanding Community Concerns about Mineral Extraction,
April 2016

Policies for inclusion in the new Minerals Plan, May 2016

Duty to Co-operate, January 2016

Towards a Minerals Local Plan: Rolling Consultation – Hard Rock Sites 2016/2017

Revised Site Assessment Methodology: Hard Rock Quarries, December 2016

Site Assessment & Maps: Mouselow Quarry, December 2016

Site Assessment & Maps: Ashwood Dale, December 2016

Site Assessment & Maps: Whitwell Quarry, December 2016

Site Assessment & Maps: Aldwark/Brassington Moor Quarry, December 2016

Site Assessment & Maps: New Parish Quarry, December 2016

Towards a Strategy for Building Stone, November 2016

Towards a Minerals Local Plan: Rolling Consultation – Hard Rock Sites - Drop-In Sessions 2017

Drop-In Session held at Whitworth Institute, Darley Dale, on Thursday 2nd February 2017

Drop-In Session held at Whitwell Library on Friday 3rd February 2017

Drop-In Session held at Buxton Library on Monday 6th February 2017

Drop-In Session held at Brassington Parish Rooms on Friday 10th February 2017

Drop-In Session held at Glossop Library on Monday 13th February 2017

