

NOTTINGHAMSHIRE COUNTY COUNCIL
MINERALS LOCAL PLAN (TO 2036)
EXAMINATION HEARINGS 2020 (date tbc)

HEARING STATEMENT ON BEHALF OF
FRIENDS OF THE EARTH ENGLAND, WALES AND NORTHERN IRELAND
MATTER 2: VISION, STRATEGIC OBJECTIVES AND STRATEGIC POLICIES

Below we set out a brief response to the Inspector's supplementary questions 6, 10, 15, 16, 17, 21 and 22. Please note, our position on some matters which the Inspector's questions raise is set out more fully in our previous statement and representation.

Strategic Objectives

Question 6: Should Strategic Objective SO1 refer to sustainability in terms of the environmental dimension?

Yes. The inclusion of a reference to the environmental dimension of sustainable development would make sense given the significant implications minerals development has for the environment, and need to ensure that the broad range of environmental implications and impacts are fully taken into account.

Strategic Policies

Question 10: Should text (or a footnote) be added to paragraph 3.5 to refer to the exception in paragraph 177 of the National Planning Policy Framework (the Framework)?

Yes. The inclusion of such text would make clear to all parties that the presumption does not override legislation designed to protect the most sensitive areas from incompatible minerals workings, such as hydraulic fracturing.

Question 15: Does the requirement of paragraph (1) (a) of Policy SP3 to move towards a low-carbon economy effectively implement the requirement of section 1 of the Climate Change Act 2008?

While the requirements of paragraph 1a of Policy SP3 are important, this on its own is not sufficient to implement the Climate Change Act 2008. We have suggested changes to the policy wording, by way of adding two new criteria: one on cumulative impact and another requiring that 'proposals should demonstrate how they will have a net zero impact on climate change'. The addition of these criteria would in our view make it more likely that the policy is able to implement the requirement of section 1 of the Climate Change Act 2008.

Question 16: Is the use of the word 'should' in Policy SP3 effective, or should alternative terms such as 'must' or 'will' be used?

No, we do not consider the word 'should' to be effective. As stated in our previous hearing statement the term 'must' or will would be more effective words to use here. By using the word 'must' the policy is expressed in terms of a requirement, rather than a recommendation or desired outcome as in 'should'.

Questions 17: Should Policy SP3 refer to the need to address the potential for cumulative impacts upon climate change?

Yes, we consider this policy should reference cumulative impacts of development on climate change. Please refer to our earlier statement and representation for more detail and suggested policy wording.

Question 21: Should further text be added to paragraph 3.49 to refer to national policy in securing a net gain in biodiversity? I suggest the following, but the Council may wish to suggest alternative wording: "It is therefore important that new minerals development is ~~correctly managed~~ and to ensure that no adverse impacts occur to designated sites, or priority habitats and species ~~as far as possible~~. Policy SP2 promotes a biodiversity-led restoration approach which seeks to maximise the biodiversity gains resulting from the restoration of mineral sites and a net gain in biodiversity".

We strongly support the deletion of 'as far as possible', since the inclusion of this phrase detracts from the policy aims of ensuring no adverse impacts to designated sites, or priority habitats and species .

Question 22: Should supporting text be added in relation to air quality, including its potential effect on biodiversity?

Yes. The addition of such text would in our view be helpful.

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