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January 2016



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1. Introduction

- 1.1. On-going and effective consultation and community involvement is an essential part of the planning process. The County Council's approach to consultation and engagement with local people, statutory bodies and other groups during the preparation of the Local Plan and on mineral planning applications is set out in the Statement of Community Involvement (SCI).
- 1.2. The Minerals Local Plan (the Plan) has been through several stages of informal public participation where key stakeholders including members of the public, statutory consultees, interest groups, the mineral industry and other interested parties were invited to discuss and comment on the emerging Plan and its proposals. This report sets out a summary of the issues raised during the three stages of consultation on the 'Preferred Approach'.
- 1.3. The initial Preferred Approach document was published for consultation in October 2013. Due to the comments received on this document, a further round of consultation on the sand and gravel provision section of the document was carried out in May 2014. At this time, the operator for a site at Shelford West, which had previously been considered undeliverable, submitted further information to show that the site could be delivered. This led to a further round of consultation on this site in October 2014.
- 1.4. A large number of responses were received to the three separate stages of Preferred Approach consultation. These are listed in a separate schedule (comprising more than 1,000 pages) which is available as a Background Paper and copies of original representations are available for public inspection in accordance with the County Council's Statement of Community Involvement.
- 1.5. Due to the large number of responses received, this summary document has been prepared to highlight the comments received on each part of the Plan throughout the three Preferred Approach consultation stages and to show how these have been addressed in the Submission Draft document.
- 1.6. All of the comments received have been taken into account, where appropriate, in preparing the next stage of the Plan which is the Submission Draft document. If approved by County Council, this will be subject to a six week period of formal public consultation before returning to Environment and Sustainability Committee and Full Council to request approval to submit to the Secretary of State for Independent Examination by a Government appointed Planning Inspector.

Structure of this report

- 1.7. Section 2 sets out a summary of the number of comments that were received at each of the three stages of consultation and provides background to why the two further stages of consultation were considered necessary.
- 1.8. The rest of the report (Section's 3 – 15) then provide details of the main issues raised during all the three stages, combined together and presented in the order of the Submission Draft. It is split into Sections in accordance with the Chapters in the Plan.

2. Background and number of comments received at each stage

Preferred Approach

- 2.1. A total of 854 comments from 237 respondents were received. Of the responses, 122 were expressing support, 434 were raising an objection and 298 were general comments.
- 2.2. The majority of the objections related to specific site allocations and in particular new sand and gravel extraction sites at Barnby Moor (91 objections), Botany Bay (70 objections) and Coddington (petition containing 54 names and 13 specific objections). The largest numbers of objections to extensions of existing sites were in relation to the Brick Clay extraction site at Kirton (19 objections). The remaining objections received on the document related to a variety of topics and policies.

Additional Consultation on Sand and Gravel Provision

- 2.3. Following consideration of the responses received to the Preferred Approach in relation to the County's future sand and gravel provision, a number of issues were raised that impacted on level/nature of provision for sand and gravel extraction set out in the Plan. These included updated site delivery information, amendments to boundaries of both allocated and previously submitted sites and the submission of further sites for consideration.
- 2.4. In light of these issues it was considered necessary to undertake additional consultation on the sand and gravel provision element of the Plan. The amendments were:
- Amended site boundary at Barnby Moor
 - Amended site boundary at Langford South (to exclude the Scheduled Ancient Monument)
 - Deletion of the western extension at Girton quarry
 - Additional western extension at Landford Lowfields
 - Amended site boundary to Bawtry Road North
 - New site at Barton-in-Fabis, near Nottingham
 - New site at Flash Farm, near Newark
- 2.5. A total of 1759 responses from 1565 respondents were received. The vast majority were objections (1669), with the remainder split between expressions of support (22) and general comments (68). In addition, 8 petitions were received (Barnby Moor and Botany Bay – 5 petitions with a total of 348 signatures, Coddington – 1 petition with 67 signatures, Flash Farm – 1 petition with 72 signatures and Barton in Fabis – 1 petition with 22 signatures).

- 2.6. The majority of the objections related to specific sites at Barnby Moor (39 objections), Botany Bay (28 objections), Coddington (144 objections), Flash Farm (82 objections) and Barton in Fabis (1251 objections).

Additional Consultation on Sand and Gravel Provision – Shelford West

- 2.7. Two sand and gravel sites at Shelford had previously been assessed as undeliverable due to access issues and as such had not been allocated in previous consultations. However, during the Additional Consultation on sand and gravel provision the operator for the sites provided further information in this regard. Discussions between the operator and the Highways Authority had been ongoing and culminated in the Highways Authority expressing the view that revised access proposals on to the A6097 were acceptable in principle. On this basis it was considered necessary to consult on the potential allocation of the Shelford West site, prior to a Submission Draft consultation.
- 2.8. A total of 3206 responses were received from 3093 respondents on this consultation. Of these 3042 raised an objection, with 8 expressing support and 156 making general comments.

3. What is the Minerals Local Plan?

Introduction and general comments

- 3.1. There were a number of comments received from statutory bodies and consultees which provided further information as to their involvement in the plan making process. Whereas other Statutory Bodies provided comments in relation to their particular specialism's including:
- Highways England: Offered general support in relation to the plans promotion of sustainable transport and reiterated that the County Council must ensure that any potential impacts on the Strategic Road Network are fully mitigated and that each new site will be subject to a Transport Assessment;
 - Homes and Communities Agency: Commented that the extraction of minerals is essential to support economic growth and housing;
 - Natural England: Provided information as to their expectations on what the Plan should achieve in terms of nature conservation and suggested that National Character Areas (NCA) should be referenced. The County Council considers the NCA's are adequately considered within Policy DM12 of the Plan.
- 3.2. A number of comments were received from utility companies in terms of their roles and responsibilities within the area.
- 3.3. A number of comments received related to the fact that some background papers that accompany the Plan were out-of-date as they were prepared in 2012, the County Council have subsequently updated the background papers which remain relevant to the Plan.
- 3.4. Concern was raised that the policies in the Plan will not prevent any likely significant effects on designated nature conservation sites, hydrological and air pollution pathways. No changes to the Plan have been made in this regard as Policies DM1 and DM2 clearly relate to these issues. Also these issues will be addressed and mitigation measures put forward under the Environmental impact Assessment regime.
- 3.5. Concern was raised as to why the Plan does not contain a precautionary policy on unconventional hydrocarbons. Policy MP12 of the Plan addresses hydrocarbons in line with the National Planning Policy Framework (NPPF).
- 3.6. Some members of the local community raised concerns that the document was difficult to read and should be written in 'plain English', no specific changes to the Plan are proposed in this regard. Suggestions were made in terms of the wording and content of the Plan to provide further clarity and changes to the Plan were made in light of these comments.

- 3.7. A number of general comments were received from the minerals operators, generally supporting the Plan and setting out their own policies particularly in relation to sustainable development. These comments were noted but no change to the Plan was necessary.
- 3.8. The Marine Management Organisation suggested that consideration should be given to the need for marine sourced supplies, however, the current Local Plan provides for adequate reserves and as such it would not be necessary at this stage to provide for this.
- 3.9. There were a number of supporting comments for the Plan as a whole on a variety of topics including specific sites, inclusion in the Plan making process and the general approach of the Plan.
- 3.10. A number of responses raised concerns about previous consultation stages and their lack of involvement until this stage. Concern was also raised about the document availability and 'readability'. The County Council has carried out public consultation at the relevant stages of the plan preparation process in line with national guidance, regulations and the County Council's adopted Statement of Community Involvement.
- 3.11. Two objections to the proposed sand and gravel quarry at Barton-in-Fabis were logged against this section. Please see the site specific section for a detailed response on this site.

4. Overview, Vision and Strategic Objectives

Overview of the Plan Area

- 4.1. Four comments were received in relation to this section of the Plan. Concern was raised in respect of why certain heritage assets had been singled out where others had not and that 'tourism' should also be included in terms of heritage assets and a comment was received which welcomed the amendments to the Plan in light of comments received at the Issues and Options consultation stage.
- 4.2. In terms of the 'Nature' section, Nottinghamshire Wildlife Trust requested an amendment to the Plan in terms of the description of Nottinghamshire's biodiversity as being 'poor'. This was accepted and the text amended within this section to reflect this comment.
- 4.3. A further comment was received requesting that Plan 1 'Overview of the Plan Area' should highlight the principal areas of growth within the County, this view was not accepted as the principle growth areas throughout the County are represented in the appropriate District/Borough Council's Local Plans for their areas which are continually changing as they progress through their own plan preparation processes.

Vision

- 4.4. There was general support for the Vision, however a few consultees recommended minor amendments to:
- The inclusion of the end date for the Plan;
 - The section on biodiversity;
 - Additional emphasis on the creation of large habitat areas;
 - Landscape-scale creation of priority habitats.
- 4.5. The comments received were accepted in the main and minor amendments were made to the text to provide further clarity.
- 4.6. One respondent suggested that the vision was 'overly long and fragmented' but this was not accepted and no amendments were made in this regard.

Strategic Objectives

General comments

- 4.7. Four general comments were received on the Strategic Objectives, two in support and one raising concern about the lack of a specific objective relating to mineral provision. This objection was not accepted as Strategic Objective SO2 specifically addresses this matter. Further detailed comments on each objective are set out below:

SO1: Improving the sustainability of minerals development

- 4.8. There was general support for the emphasis being given to sustainable minerals development with a few minor amendment suggested as set out below:
- Two respondents (minerals operators) objected to the objective giving priority towards extensions of existing minerals sites over new locations. This was not accepted.
 - A comment was made that there was too much emphasis on the use of the barge rather than all modes of sustainable transport which was accepted and the wording of the objective was amended to reflect this.
 - A minerals operator suggested that this objective should provide more clarity on how the efficient use of primary mineral resources will be monitored and enforced. This comment was noted but the County Council is of the opinion that this matter is adequately considered in Chapter 6 of the Plan and through the production of the Annual Monitoring Report.
 - An objection was received relating to the fact that the wording is too specific on 'aggregates' rather than 'minerals', this was accepted and the wording of the objection was amended to reflect this comment.

SO2: Providing an adequate supply of minerals

- 4.9. There were three comments made in relation to this section, one of which was dealt with through minor wording changes to SO1 in relation to achieving an efficient system of minerals delivery.
- 4.10. A comment was made in relation to the fact that the objective appears to be more concerned with the environment rather than all factors of sustainability and also that it appears to be focussed on 'aggregates' rather than all minerals (this comment was also made by another respondent), these comments were accepted and the objective was amended to reflect these comments.

SO3: Addressing climate change

- 4.11. Out of the five comments received, four of those respondents generally supported for this objective with minor amendments suggested to provide further clarity as follows:
- Managing flood risk and providing for good practice in respect of flood risk;
 - Benefits that mineral development can provide in adapting to climate change;
 - Preferred mineral extraction techniques to minimise emissions of greenhouse gases

- 4.12. In terms of the comments relating to flood risk, although the County Council did not agree that a separate flood risk objective was necessary, amendments were made to ensure that quarry design and water management were included. The objective was amended in terms of references to good quarry design to ensure that the benefits are maximised and it was considered that it was not appropriate to identify preferred mineral extraction techniques within the objective but these are referred to in Policy SP3 in the Plan.
- 4.13. One objection was received from a mineral operator to ensure that the objective sought to minimise the distance to market. As the objective already encourages a reduction in transport emissions, no amendments were made.

SO4: Safeguarding of mineral resources

- 4.14. Three comments were received relating to this objective, there were two supports and a suggestion that appropriate wording should be used to comply with PERC standards and it was suggested that the word 'proven' should be used instead of 'inferred'. This was generally accepted and the text amended to address this comment.

SO5: Minimising impacts on communities

- 4.15. Of the three comments that were received, two were generally supportive with a suggestion that the need to consult local people should be included in this objective. This comment was not accepted as the County Council undertakes appropriate consultation based on national regulations and the County Council's adopted Statement of Community Involvement.
- 4.16. A further comment was received relating to the need to protect darker landscapes, these comments were noted but a change was not proposed to this objective, but a change was made to the justification text for Policy DM1 to highlight the issue of light pollution.

SO6: Protecting and enhancing natural assets

- 4.17. Of the nine comments received, six were in general support with suggested minor amendments to the text to provide further clarity on the following issues:
- The need to create habitats at landscape scale;
 - Too much weight offered to landscape character;
 - The need for greater clarity on the mitigation hierarchy;
 - The need to provide further text relating to the Biodiversity Led Restoration Objective in the Plan.

These comments were accepted and minor amendments made to the text.

- 4.18. A comment was received requesting a definition of 'highest quality landscapes', this was not accepted as these are already defined in the Nottinghamshire Landscape Character Assessment document.
- 4.19. Concern was raised as to the length of the objective and it was requested that the text was amended to reduce the emphasis on particular habitats and minerals. This was not accepted as the County Council feel that there is suitable detail contained in this section alongside detail in other sections of the Plan, as such no amendments were made in this regard.
- 4.20. The need to protect darker landscapes was raised and these comments were noted but a change was not proposed to this objective, but a change was made to the justification text for Policy DM1 to highlight the issue of light pollution.
- 4.21. One respondent commented that the wording should be slightly amended to refer to achieving the targets set out in the Water Framework Directive, which were accepted and the objective amended to reflect these comments.

SO7: Protecting and enhancing historic assets

- 4.22. Three comments were received relating to this objective. The first comment relating to the archaeological area at South Muskham, Cromwell and Holme. The County Council considered that this issue is appropriately addressed with Policy DM6 of the Plan.
- 4.23. Historic England provided comments regarding consistency with national guidance in terms of 'adequately recording heritage assets' as a last resort. A further comment related to the length of the objective and the County Council has accepted these comments and have amended the text to reflect the comment received.

SO8: Protecting agricultural soils

- 4.24. Three comments were received relating to this objective with suggested amendments. Natural England and RSPB suggested that a more flexible approach should be adopted which was accepted and amendments made to the objective in terms of safeguarding the long term potential of agricultural land.
- 4.25. Both RSPB and the Nottinghamshire Wildlife Trust suggested amendments in relation to the long term potential of agricultural soils and the objective was amended to reflect these comments.

Key Diagram

- 4.26. Three comments relating to the key diagram were made. The first was from Leicestershire County Council and requested that the Key Diagram be amended to reflect that the imports from Leicestershire are not just Limestone but crushed rock as well. The Diagram has been amended to reflect this.
- 4.27. The National Trust requested that the Plan be made more legible and this was agreed and amended.
- 4.28. A mineral operator requested that the diagram and text does not bias one mineral. This comment was not accepted by the County Council as the flows in the diagram indicated by the arrows specifically and deliberately refer to aggregates which comprise a major proportion of the County's mineral imports and exports.

5. Strategic Policies

General comments

- 5.1. There was general support for the strategic policies with one comment stating that there should be a mineral safeguarding strategic policy. The County Council did not accept that it was necessary to incorporate minerals safeguarding as a strategic policy as a policy is contained within the Plan (DM13) which adequately deals with this.

SP1: Sustainable Development

- 5.2. Four supports for this policy were received, alongside other comments suggesting:
- The policy should include the full definition of sustainable development as set out in the National Planning Policy Framework;
 - Fracking is not sustainable and shouldn't be included in the Plan;
 - Does not consider proactive working with communities and it is biased towards the applicant/mineral operator;
 - Needs to reflect the need for re-using and recycling materials;
 - Should reflect the need to prevent harm to geological conservation interests.
- 5.3. No amendments to the policy were made as it follows advice obtained from the Planning Inspectorate and issues raised here are addressed elsewhere in the Plan.

SP2: Minerals Provision

- 5.4. General comments were received relating to the content of the policy and these have been noted with no further action required. Other comments received related to:
- Including reference in the policy to identifying social, economic and environmental benefits in any proposals;
 - Allow for development of non-allocated sites where allocated sites are not being delivered;
 - Development should ensure that they have prioritised the avoidance of adverse social, economic and environmental impacts;
 - Giving priority to site extensions before new sites implies bias rather than any objective appraisal;
 - Site extensions can have serious implications for communities in terms of cumulative impacts;
 - Need to remove presumption in favour of extensions to existing sites;
 - Add reference to the National Planning policy Framework within the policy.

- 5.5. These were not accepted for the following reasons:
- The Plan should be read as a whole and specific issues raised here are dealt with in other parts of the Plan;
 - A clear need for the mineral must be considered as part of an assessment for non-allocated sites. The applicant must take into account current capacity;
 - All sites contained within the Plan area fully assessed and considered deliverable;
 - Extending existing site, where feasible, is considered to be more sustainable than developing new sites. This can be more efficient as the existing site access and processing plant can be used to recover material that might not otherwise be worked and the environmental impacts are generally less than those associated with opening up a new site;
 - The policy is referring to the promotion of extensions to existing sites, where economically, socially and environmentally acceptable over new greenfield site. Therefore it would not be appropriate to include reference to greenfield sites within this part of the policy;
 - The inclusion of a reference to the National Planning Policy Framework in the policy would not add anything to the thrust of the policy.

- 5.6. However, additional comments were received stating that:
- The word 'reserves' should be changed to 'resources' to be compliant with the Pan-European Reserves & Resources Reporting Committee (PERC) definition;
 - The current wording suggests mitigation is an alternative to avoiding adverse impacts and that the text should be re-worded;
 - Planning applications should evidence how their proposals contribute to the Plan's Strategic Objectives and for the words 'and/or compensated for' to be added after 'mitigation measures';
 - Expect to see text which identifies the positive aspect of the potential gain to priority biodiversity habitats and species which can be secured through a scheme.

These were accepted and changes have been made to the Plan in this regard.

- 5.7. One comment was received which objected to the fact that they have not had an opportunity to object to the fact that a potential sand and gravel site has not been included in the Plan.

SP3: Biodiversity-Led Restoration

- 5.8. The policy was supported by a number of respondents and there was a variety of comments received on this policy.

- 5.9. It was suggested that the policy should make reference to the Water Framework Directive however the County Council do not think it would be appropriate to add a reference to this here as it is discussed elsewhere in the Plan and as such no amendments were made.
- 5.10. The Environment Agency raised concern in relation to paragraph 1 in that it appears to suggest that restoration to biodiversity would not necessarily be considered should other uses be needed or where biodiversity-led restoration wouldn't be appropriate. They suggested that biodiversity can be incorporated into any restoration scheme. In light of these comments, the County Council accepted this view and amended the policy (and text) accordingly.
- 5.11. Natural England suggested that the policy, to maximise biodiversity delivery, should address the following points:
- Plan for and deliver biodiversity at a landscape scale;
 - Set targets for the area of priority habitat to be created and refer to national and local biodiversity targets;
 - The policy should set biodiversity-led restoration as they default position for all restoration schemes. This should be the basis of the 'biodiversity-led strategy' referred to in Policy DM11;
 - All restoration schemes should be required to deliver a net-gain in biodiversity, even where the restoration is not biodiversity-led.
- 5.12. The County Council accepted that it would be appropriate to support biodiversity gains, but do not consider that it would be appropriate to specifically reference landscape scale within the Policy and do not consider that it would be appropriate to set targets (national or local) as these are liable to change over the Plan period. As such, the Plan was amended to include references to biodiversity gains.
- 5.13. Historic England raised concern about a 'biodiversity-led strategy' as they feel that a balanced approach to high quality restoration should be required to enhance the historic environment and improve biodiversity. As the Plan contains policies on the historic environment and mineral extraction can provide the greatest potential for biodiversity gains, then the County Council have not accepted this comment and no changes to the Plan have been made.
- 5.14. Further clarification was sought on the reference to the Site Allocation Development Briefs and the County Council agreed that further explanation was needed and so a reference to the Site Allocation Development Briefs contained within the Appendix of the Plan was added to the policy.

- 5.15. Comments were received stating that there was too much emphasis on biodiversity and too little on landscape and agriculture. The County Council is of the opinion that the Areas of Multiple Environmental Sensitivity background work referred to within the Biodiversity-Led Restoration section of the Plan provides a coordinated approach to planning for landscape change and that the Plan should be read as a whole. Therefore, amendments to this policy in this regard were not required.
- 5.16. Concerns were raised as to whether this policy provides enough flexibility. It is clear that mineral extraction sites can provide the greatest potential for biodiversity gain both nationally and locally and as such the County Council is of the opinion that this highlights this potential. The policy sets out a specific strategy for biodiversity-led restoration and the County Council do not feel that it would be appropriate to focus on sustainability for non-biodiversity-led restoration proposals. However, the County Council acknowledges that in certain circumstances biodiversity-led restoration is not appropriate, and as such has amended the wording in this section of the policy.
- 5.17. A comment was received stating that this is not restoration as 'restoration' means returning the site back to its original state and also comments were received that wetland has no value. The County Council do not agree with these comments as mineral extraction sites can provide the greatest potential for biodiversity gain both nationally and locally and as such this policy highlights this potential. The word 'restoration' has been deliberately and consistently used throughout the Plan and is defined in the Glossary.
- 5.18. Derbyshire County Council suggested that the policy title should be changed to reflect the broader purpose of mineral restoration, and a better balance between the issues, which are not necessarily mutually exclusive. The County Council made a minor amendment to the justification text to ensure that this policy compliments that of SP6: The Built, Historic and Natural Environment.
- 5.19. Nottinghamshire Wildlife Trust provided general support to the policy but requested further text be added in relation to reference to the Biodiversity Action Plan and Biodiversity Opportunity Mapping. Minor amendments to the text have been made.
- 5.20. Further comments on the justification text were made, generally in relation to the Areas of Environmental Sensitivity study and updating the reference to the UK BAP to its new title. Amendments to the text have been made in this regard.

SP4: Climate Change

- 5.21. A number of supporting comments were received on this policy. Objections from the mineral industry were received relating to the requirement 'to deliver energy generation from renewable or low carbon sources.' They are of the opinion that this cannot be achieved in all cases. The County Council agree with these objections and as such have amended the introductory text to make it clear that new development should seek to reduce greenhouse emissions as well as avoid increased vulnerability to the impacts of climate change.
- 5.22. Other comments received relate to:
- Recognition that good quality restoration can assist in addressing climate change
 - Need to reduce existing and future flood risk through good quarry design
 - Concern that the policy could be utilised as an overarching objection to any energy mineral development.
- 5.23. The above comments were agreed with and amendments made to the Plan in this regard.
- 5.24. Comments were also received relating to:
- Fracking;
 - Greater emphasis on reducing the greenhouse gases produced by different extraction methods;
 - Include a requirement to compare contributions of greenhouse gases per tonne of mineral for all sites that could serve the same market requirement and to release sites according to their contribution.
- 5.25. These were noted but not accepted and no amendments were made to the Plan.

SP5: Sustainable Transport

- 5.26. Six supports were received for this policy alongside a number of comments relating to:
- A request to amend the wording to 'as close as possible by environmentally acceptable routes' rather than 'in close proximity'
 - The mineral in question may not always be available close to the relevant market.
- 5.27. These comments were not accepted by the County Council for the following reasons:
- Proposed amendment does not clarify the point of the policy;

- Accepted that exceptions may exist where some minerals are not located close to the relevant market but this is covered within the justification text.
- 5.28. A further comment was partially accepted by the County Council in terms of the fact that the policy should acknowledge the impacts that might be caused by vehicle movements associated with site other than the movement of the mineral itself. An amendment was made to the text to reflect this.
- 5.29. A comment relating to fracking was also submitted but not considered to be relevant to this section of the Plan. Such concerns are addressed on the Development Management policy on energy minerals.
- 5.30. A comment on the justification text was received which related to the quoted restrictions with respect to transporting mineral by barge from sites below Cromwell Lock upstream to Nottingham. This comment was noted. However, the policy is not just related to barge transport but minimising movements and proximity to the highway network and so no change is proposed.

SP6: The Built, Historic and Natural Environment

- 5.31. The policy was generally supported with a few minor amendments suggested as follows:
- The importance of heritage assets 'and their settings' should be included in line with national guidance
 - Additional supporting text to make reference to the relative importance as a consequence of grading should be included
 - A holistic approach to groundwater and its protection should be included;
 - A high standard of environmental protection and enhancement should apply to restoration;
 - The policy name should be reworded to read 'Built, historic and natural environment'
 - Additional justification text relating to the Water Framework Directive is required;
 - Additional justification text is required to provide clarity that not all of the land is best and most versatile and that the appropriate restoration of mineral workings contributes to landscape and natural assets and can secure the safeguarding of best and most versatile soils.
- 5.32. These were accepted and the amendments were made, however other amendments were suggested as follows:
- Consideration of alternative sites with lesser impact should be made explicit;

- The policy needs to be consistent with national policy and refer to public benefits, not need;
 - The same level of protection to a site of national importance to that of a site of local importance should apply.
- 5.33. These were not accepted by the County Council for the following reasons:
- The Plan will contain site specific allocations which have been assessed and in principle are suitable for minerals development; Policy DM6 specifically covers the historic environment and makes reference to public benefit;
 - This is a strategic policy, with the specific approach to different elements set out in the Development Management policies. The approaches set out are in accordance with the National Planning Policy Framework.

SP7: The Nottinghamshire Green Belt

- 5.34. Two supports and a general comment were received, with no action/amendment required.
- 5.35. Two further comments were received in relation to an observation that the policy is not consistent with the National Planning Policy Framework and that the wording should be more specific about what is 'appropriate mineral development.' Both comments were not accepted as the County Council considers the policy to be in accordance with the National Planning Policy Framework (NPPF) and that minerals development is considered to be a temporary use.
- 5.36. Further clarity was sought for the justification text to ensure that appropriate and necessary restoration activities are included. Amendments to the Plan have been made in this regard.

6. Minerals Provision Policies

MP1: Aggregate provision

- 6.1. Fourteen comments were received on this section, including Policy MP1, the justification text and Table 1: LAA Average Production Figure and Estimated Total Aggregate Demand.
- 6.2. North Yorkshire County Council expressed support for the policy and its role in assisting in maintaining the supply of sand and gravel into the markets that are also served by quarries in North Yorkshire, where there is increasing pressure on maintaining supply from their mineral resource.
- 6.3. The Peak District National Park Authority expressed support for the general approach of the policy but notes that the Plan does not mention cross boundary issues and that other areas need to plan to provide for the reduction in output of supply from the Park Authority. This should be accounted for in the Plan and the Local Aggregate Assessment. This issue will be included in the Local Aggregate Assessment for future crushed rock provision.
- 6.4. A landowner, the Mineral Products Association and a mineral operator all commented that the proposed level of sand and gravel aggregate provision is too low to meet future needs and will result in under provision over the Plan period. Each party suggested an alternative figure to be used:
 - East Midlands Regional Aggregate Working Party 2009 figure of 3.81 million tonnes per annum, resulting in 72.39 million tonnes over the Plan period (landowner);
 - 3.54 million tonnes per annum to account for unmet requirements from neighbouring authorities, resulting in 58 million tonnes over the Plan period (Minerals Production Association);
 - Draft 2009 Regional Spatial Strategy figure of 3.25 million tonnes, resulting in 84.5 million tonnes over the Plan period (operator).
- 6.5. Conversely, a local action group (Newark PAGE) expressed support for the reduction in the apportionment figure (from the previous apportionment figure), but sought a further reduction based on the lack of national infrastructure projects within the County in the foreseeable future.
- 6.6. In relation to Table 1 and the justification text, further comments were received in relation to the apportionment figure suggesting:
 - Additional justification should be provided as to how the 10 year average is calculated (a table showing the last 10 years sales data to

provide additional justification would be beneficial) (two mineral operators);

- There is inadequate statistical basis for the assumptions made and original source data is not referenced and the assumptions made about long term sand and gravel demand are unsound. Detailed statistics should be provided and the demand should be re-assessed in light of the long term national decline in sand and gravel demand (a member of the public);
- The Peak District National Park Authority supports the apportionment based on the 10 year average, but feels that the Plan needs to be robust enough to plan for increases in aggregate as required due to factors such as increased house-building, greater infrastructure provision and a reduction in output from other areas, namely the Peak District National Park;
- Local factors have not been sufficiently accounted for in the Local Aggregate Assessment.

6.7. The National Planning Policy Framework sets out the requirement for Mineral Planning Authorities to calculate their own aggregate apportionment based on the past 10 year average sales and other important local considerations, through the production of a Local Aggregates Assessment. This is a departure from the previous apportionment methodology which was based on national and sub national guidelines published by Central Government. It was decided at the East Midlands Aggregate Working Party meeting in February 2013 that the 2009 draft apportionment figures were no longer considered accurate as they were only based on aggregate output from a period of economic growth and should therefore not be taken in to account when determining new apportionment figures. The first Nottinghamshire Local Aggregate Assessment was produced in July 2013 which identified the annual apportionment figures set out in the Plan.

6.8. National aggregate production over the 30-40 years has slowly declined however output, particularly for sand and gravel, has been characterised by significant peaks and troughs closely linked to periods of economic growth and recession. Nottinghamshire's production generally followed the national trend, but with more pronounced peaks and troughs due to the high level of production in the County compared to other areas in the country. The recent recession has seen production fall significantly, but production has since increased slightly (although the continuing recession is continuing to hold back economic growth). Given past trends it is likely that sand and gravel output will start to increase again as the economy improves.

6.9. The Local Aggregate Assessment concluded that the 10 year average, taking in to account local circumstances, was the correct approach to take as

it incorporated periods of both economic growth and recession and would provide a level of flexibility for the future when demand for sand and gravel increases. This approach was approved by the East Midlands Aggregate Working Party. Ongoing monitoring will be undertaken to ensure that this approach remains appropriate over the Plan period. In the event that demand is greater than forecast, the landbank would reduce and this would become a material consideration in determining planning applications. No evidence was found to support a reduction below the 10 year average.

- 6.10. The County Council consider therefore that the figures presented have a sound basis and that the Plan includes the degree of flexibility necessary to cope with future changes in demand. However, it was considered that there was scope to include further information on how the 10 year average was calculated and to improve the referencing to clarify the situation and so amendments in this regard have been made.
- 6.11. Other comments suggested:
- Deletion of the words 'endeavouring to maintaining' with 'maintaining' in relation to the landbank within the policy;
 - The policy should clearly state that the 7 year landbank requirement applies separately for Sherwood Sandstone and sand and gravel;
 - The policy should make specific reference to individual proposals needing to comply with the Strategic and Development Management Policies and where applicable the Site Allocation Development Briefs.
- 6.12. The County Council agreed with the first two points and the relevant changes were made to address these points. As the proposals will be assessed against the Plan as a whole it is not necessary to mention this requirement in a policy. The need to consider the Site Allocation Development Briefs is mentioned in the relevant Minerals Provision Policies and so no change is considered necessary to the policy in this regard.
- 6.13. One member of the public commented that the alternative construction products and practices should be investigated to reduce the need for minerals. The National Trust also echoed this point, suggesting that the policy should make reference to the role of secondary and recycled aggregates. It is not within the remit of the Plan to investigate alternative or sustainable construction practices. The use of secondary and recycled aggregates is covered in Policy MP5 which supports new developments that will increase the supply of secondary and recycled materials.
- 6.14. A land owner raised concern about the overall provision made, the use of landbanks and the approach to non-allocated site, particularly in relation to a specific limestone site associated with a manufacturing plant which they

considered had not been taken in to account in the Plan. A number of changes to the policy were suggested. The level of provision in the Plan is based on the Local Aggregate Assessment (as explained above). Given the existing high level of permitted reserves of limestone in the County, the proximity of the manufacturing plant in question to an active limestone quarry (in Derbyshire) and the significant amount of limestone/crushed rock that has historically been imported from Derbyshire, the County Council did not consider it necessary to allocate further limestone reserves. The Plan identifies sufficient reserves to meet demand over the Plan period. The suggested changes to the policy were not considered appropriate as they could result in aggregate quarry proposals (for all aggregates, not just limestone) being permitted during the Plan period that are less acceptable than the allocated sites.

MP2: Sand and Gravel provision

MP2b Bawtry Road North

- 6.15. The RSPB expressed support for the biodiversity-led restoration to enable the delivery of landscape scale conservation in an area identified for such an approach.
- 6.16. Nottinghamshire Wildlife Trust supported the proposed habitat types identified in the Site Allocation Development Brief and the Sustainability Appraisal, however a discrepancy remains between the text in the Site Allocation Development Brief and the Sustainability Appraisal relating to agricultural land. The Site Allocation Development Brief has been amended to address this point.
- 6.17. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
 - Natural England reiterated the point that the Habitats Regulation Assessment states that the site could have possible indirect links to Hatfield Moor SAC. They welcomed the inclusion of advice to consider the impact on the nearby Local Wildlife Sites and Sites of Special Scientific Interest;
 - The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measure being implemented. The site lies in Flood Zone 2 and there maybe opportunities for habitat and flood risk improvements. The site also lies within Source Protection Zone 3 and is underlain by a principal aquifer;
 - Historic England identified a number of designated heritage assets at Austerfield and Misson, the settings of which needed to be considered.

- 6.18. Historic England also commented that the Site Allocation Development Brief should set out how the impacts on the identified historic assets should be addressed. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt with (in line with Policy DM6). Therefore, no changes have been made in this regard.

MP2c Scrooby North

- 6.19. Historic England commented that the Site Allocation Development Brief should set out how the impacts on the identified historic assets should be addressed. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt with (in line with Policy DM6). Therefore, no changes have been made in this regard.
- 6.20. A member of public raised concerns regarding the loss of agricultural land and the increase in HGV traffic in the local area as a result of the potential quarry. Whilst it is important to protect our highest quality agricultural land, sand and gravel can only be worked where it is naturally found. A Strategic Transport Assessment has been undertaken on behalf of the County Council and this document states no overall impacts will result from the HGV traffic. A detailed site specific Transport Assessment would still be required as part of a detailed planning application.
- 6.21. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- Natural England states that the Habitats Regulation Assessment undertaken on behalf of the County Council highlights there could be possible indirect links to Birklands and Bilhaugh SAC and Sherwood Forest p SPA;
 - Nottinghamshire Wildlife Trust noted that the Scrooby North allocation is within an area with historical records of nightjar and woodlark which are protected under the Birds Directive and the Conservation Regulations 2010;
 - The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measure being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The site also lies within Source Protection Zone 3 which would need to be taken into account;

- Historic England states that there is potential for non-designated archaeology within the proposed area.

MP2d Scrooby South

- 6.22. Members of public raised the following concerns regarding the proposal:
- Unsuitable site access;
 - Impact of increased noise and dust;
 - The loss of agricultural land ;
 - Increase in HGV traffic.
- 6.23. Minerals development will inevitably have short term impacts on the surrounding area, however policies contained in the Plan seek to minimise and where possible mitigate the impacts. Local amenity issues such as noise and dust would be dealt with at a detailed planning application stage and this would include the layout of the site, relevant areas of screen and suitable standoffs from sensitive locations.
- 6.24. Whilst it is important to protect our highest quality agricultural land, sand and gravel can only be worked where it is naturally found. The restoration of quarries can include a return to agricultural land, however this is dependent on the availability of suitable overburden. A detailed restoration plan would be included as part of a detailed planning application.
- 6.25. A Strategic Transport Assessment has been undertaken on behalf of the County Council and this document states no overall impacts will result from the HGV traffic. A detailed site specific Transport Assessment would still be required as part of a detailed planning application.
- 6.26. The local District Council raised the issue of cumulative impacts from the existing and proposed quarries in the area. The Scrooby South extension would only be opened once the existing reserves with planning permission had been worked and were in the process of being restored in-line with the approved restoration plan. This would minimise the impact of the proposed quarry on the local area.
- 6.27. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- Natural England stated that the Habitats Regulation Assessment undertaken on behalf of the County Council highlights there could be possible indirect links to Birklands and Bilhaugh SAC and Sherwood Forest p SPA.
 - The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measure being implemented. A Flood

Risk Assessment would be required at the detailed planning application stage. The site also lies within Source Protection Zone 3 and is underlain by a principal aquifer which would need to be taken into account.

- Nottinghamshire Wildlife Trust noted that the Scrooby South allocation is within an area with historical records of nightjar and woodlark which are protected under the Birds Directive and the Conservation Regulations 2010.

MP2e Besthorpe East

- 6.28. Historic England commented that the Site Allocation Development Brief should set out how the impacts on the identified historic assets should be addressed. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt with (in line with Policy DM6). Therefore, no changes have been made in this regard.
- 6.29. Newark and Sherwood District Council stated that the existing lorry routing agreements included with the existing permitted quarry should be maintained to help minimise the impacts on the local communities. As the proposed site is an extension to the existing permitted quarry, details such as the existing lorry routing agreements would be maintained.
- 6.30. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measure being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The site is underlain by a secondary aquifer which would need to be taken into account;
 - National Grid stated the site is crossed by a high voltage overhead electricity cable (4VK route), however it does not object to the proposals outlined. They advise developers take into account the location and nature of the existing facilities when planning future development;
 - Natural England stated that due to the proximity of the Besthorpe Meadow SSSI, only wet working should be permitted or a hydrological study should be undertaken prior to the allocation to ensure that there will be no adverse impact on the SSSI;
 - Historic England states that there is potential for non-designated archaeology within the proposed area.

MP2f Besthorpe South

- 6.31. Members of the public raised the following issues:
- Noise;
 - Dust;
 - Proximity to properties;
 - Loss of agricultural land;
 - Impact of increased HGV traffic and the importance of maintaining existing HGV routing agreements;
 - Flood risk and damage to existing flood banks;
 - Loss of landscape;
 - More sustainable forms of construction should be used and recycling increased;
 - Impact on wildlife.
- 6.32. Minerals development will inevitably have short term impacts on the surrounding area, however policies contained in the Plan seek to minimise and where possible mitigate the impacts. Detailed guidance on noise and dust is set out in the technical guidance of the National Planning Policy Framework and the National Planning Practice Guidance. The Plan also includes a policy title 'Protecting Local Amenity' against which planning applications for minerals development would be assessed.
- 6.33. Whilst it is important to protect our highest quality agricultural land, sand and gravel can only be worked where it is naturally found. The restoration of quarries can include a return to agricultural land, however this is very dependent on the availability of suitable overburden. Minerals development is also one of the few activities that through restoration can result in the creation of significant areas of important habitats to meet Local Biodiversity Action Plan targets.
- 6.34. National guidance allows mineral extraction in the flood plain as it is considered 'water compatible' and allowed to take place in areas of flood risk. At times of flood active sand and gravel sites are allowed to flood maintaining the role of the natural flood plain before being pumped out once the flood water has subsided. In many cases mineral workings can provide temporary flood storage capacity reducing the potential for wider flooding.
- 6.35. A Strategic Transport Assessment has been undertaken on behalf of the County Council and this document states no overall impacts will result from the HGV traffic. A detailed site specific Transport Assessment would still be required as part of a detailed planning application.

- 6.36. Historic England commented that the Site Allocation Development Brief should set out how the impacts on the identified historic assets should be addressed. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt with (in line with Policy DM6). Therefore, no changes have been made in this regard.
- 6.37. Natural England stated that the proposal is close to a cluster of SSSIs and SINCs and could result in, indirect impacts. Therefore a phase 1 ecological survey should be completed as part of and detailed planning application. The County Council notes the comments submitted. Detailed assessment work would be undertaken at the planning application stage in relation to the natural environment.
- 6.38. The local District Council stated that the existing lorry routing agreements included with the existing permitted quarry should be maintained to help minimise the impacts on the local communities. The County Council notes the comments. As the proposed site is an extension to the existing permitted quarry, details such as the existing Lorry routing agreements would be maintained.
- 6.39. Nottinghamshire Wildlife Trust stated that although they welcome the biodiversity led approach, further text should be added to the Site Allocation Development Brief to maximise opportunities for floodplain re-connection. The Site Allocation Development Brief has been amended to include this information.
- 6.40. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measure being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The site is underlain by a secondary aquifer which would need to be taken into account;
 - National Grid state the site is crossed by a high voltage overhead electricity cable (4VK route), however it does not object to the proposals outlined. They advise developers take into account the location and nature of the existing facilities when planning future development;
 - Historic England states there is a high potential for non-designated archaeology on the site, however it is not clear how important or

extensive the archaeology is. Consideration should be given to the conservation area in Collingham, the listed buildings in Cromwell and the Scheduled Ancient Monument to the west of the site.

MP2g Langford Lowfields South

- 6.41. Members of the public and Winthorpe Parish Council raised the following concerns:
- Cumulative impact on environment of quarry extensions;
 - Loss of agricultural land;
 - Noise and dust;
 - Potential impact of HGV traffic;
 - Restoration back to agriculture and not water based uses.
- 6.42. Minerals development will inevitably have short term impacts on the surrounding area, however policies contained in the Plan seek to minimise and where possible mitigate the impacts. Detailed guidance on noise and dust is set out in the technical guidance of the National Planning Policy Framework and the National Planning Practice Guidance. The Plan also includes a policy titled 'Protecting Local Amenity' against which planning applications for minerals development would be assessed.
- 6.43. As the proposed site is an extension to the existing permitted Langford Lowfields quarry HGV traffic will not increase further as the existing level of traffic will be maintained. The existing lorry routing agreements would also remain in place.
- 6.44. Whilst it is important to protect our highest quality agricultural land, sand and gravel can only be worked where it is naturally found. The restoration of quarries can include a return to agricultural land, however this is very dependent on the availability of suitable overburden. Minerals development is also one of the few activities that through restoration can result in the creation of significant areas of important habitats to meet Local Biodiversity Action Plan targets.
- 6.45. The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measure being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The site is underlain by a secondary aquifer which would need to be taken into account. The County Council has taken note of this and added the relevant information to the Site Allocation Development Brief.
- 6.46. Newark and Sherwood District Council and Historic England raised concerns regarding the inclusion of the Scheduled Ancient Monument within the site

boundary. The site boundary for the proposed allocation has since been amended and no longer includes the Scheduled Ancient Monument.

- 6.47. The Commercial Boat Operators Association highlighted the potential for this quarry to transport sand and gravel by barge along the River Trent. Although the Plan supports the use of non-road based transport, the decision to barge sand and gravel along the river Trent would be a decision made by the mineral operator.
- 6.48. The RSPB and the Nottinghamshire Wildlife Trust welcome the approach set out in the Site Allocation Development Brief that states the restoration of the site should complement the existing and proposed restoration schemes at nearby quarries to maximise biodiversity gains in the area.

MP2h Langford Lowfields West

- 6.49. The Commercial Boat Operators Association highlighted the potential for this quarry to transport sand and gravel by barge along the River Trent. In the case of the existing Langford quarry, sand and gravel is currently moved by road due to the flexibility it provides in meeting demand from a wide range of markets. The operator is proposing to maintain the movement of sand and gravel by road. If a proposal was put forward by the operator to move sand and gravel by barge it would be considered under policy SP5: Sustainable Transport.
- 6.50. Members of the public and Winthorpe and Holme Parish Councils raised the following points:
- Loss of what is considered by local people as common land along the banks of the river;
 - Loss of agricultural land;
 - Potential impact of HGV traffic.
- 6.51. The allocation area identifies the extent of the ownership and not the extent of the workings. Therefore whilst access to some of this area will be lost during the operational phase, any existing rights of way would be maintained or diverted during the operational phase and returned once quarrying has ceased. The proposal could also open up further areas for recreational use (such as walking) whilst providing an important opportunity to re-connect the river to the flood plain to provide new habitats to complement the existing Langford Quarry for the benefit of wildlife and local communities.
- 6.52. Whilst it is important to protect our highest quality agricultural land, sand and gravel can only be worked where it is naturally found. The restoration of quarries can include a return to agricultural land, however this is very dependent on the availability of suitable overburden. Minerals development

is also one of the few activities that through restoration can result in the creation of significant areas of important habitats to meet Local Biodiversity Action Plan targets.

- 6.53. As the proposed site is an extension to the existing permitted Langford Lowfields quarry HGV traffic will not increase further as the existing level of traffic will be maintained. The existing lorry routing agreements would also remain in place.
- 6.54. Nottinghamshire Wildlife Trust welcomes the biodiversity led approach and that the opportunity for flood plain reconnection should be explored. Revised text was put forward for inclusion in the Site Allocation Development Brief regarding the types of schemes that could be implemented, however it is considered to be too specific for inclusion in the Site Allocation Development Brief as detailed work would need to be undertaken by the mineral operator in cooperation with other parties such as the Environment Agency to assess the viability of such proposals as part of a detailed planning application.
- 6.55. A number of further comments were received that have been noted by the County Council:
- The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measures being implemented. A Flood Risk Assessment would be required at the detailed planning application stage;
 - Newark and Sherwood District Council raised the issue of cumulative impact of the quarry extensions but accepted that as they would be phased, any impact would be minimised. The contents of the Site Allocation Development Brief was also supported;
 - The RSPB supported the inclusion of the extension and the biodiversity led approach. The extension would provide the opportunity to expand the priority habitats complementing the existing restoration scheme at Langford Lowfields.

MP2i Langford Lowfields North

- 6.56. Winthorpe Parish Council raised the following concerns:
- Loss of agricultural land;
 - Noise and dust;
 - Potential impact of HGV traffic.
- 6.57. The County Council notes the comments made. Minerals development will inevitably have short term impacts on the surrounding area, however policies contained in the Plan seek to minimise and where possible mitigate the impacts. Detailed guidance on noise and dust is set out in the technical guidance of the National Planning Policy Framework and the National

Planning Practice Guidance. The Plan also includes Policy DM 1: Protecting Local Amenity against which planning applications for minerals development would be assessed.

- 6.58. As the proposed site is an extension to the existing permitted Langford Lowfields quarry HGV traffic will not increase further as the existing level of traffic will be maintained. The existing lorry routing agreements would also remain in place.
- 6.59. Whilst it is important to protect our highest quality agricultural land, sand and gravel can only be worked where it is naturally found. The restoration of quarries can include a return to agricultural land, however this is very dependent on the availability of suitable overburden. Minerals development is also one of the few activities that through restoration can result in the creation of significant areas of important habitats to meet Local Biodiversity Action Plan targets.
- 6.60. Historic England commented that the Site Allocation Development Brief should set out how the impacts on the identified historic assets should be addressed. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt with (in line with Policy DM6). Therefore, no changes have been made in this regard.
- 6.61. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- National Grid state the site is crossed by a high voltage overhead electricity cable (4VK route), however it does not object to the proposals outlined. They advise developers take into account the location and nature of the existing facilities when planning future development;
 - The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measures being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The site is underlain by a secondary aquifer which would need to be taken into account;
 - Natural England state that the proposal is close to a cluster of SSSIs and SINCs and could result in, indirect impacts. Therefore a phase 1 ecological survey should be completed as part of and detailed planning application.

MP2j East Leake North

- 6.62. One member of the public raised the following issues:
- Impact on Old St Peters Church that lies near the site;
 - Impact on a number of farms and the livelihoods of the farmers;
 - Impact on the footpath that crosses the site.
- 6.63. As part of a detailed planning application a wide range of assessments would be undertaken including on archaeology and the historic environment. The outcome of the assessment work would be incorporated into the final proposal, which could include screening from sensitive receptors or suitable stand-off areas.
- 6.64. An assessment of any rights of way affected by the development would also have to be undertaken and relevant mitigation measures identified such as temporary or permanent diversions.
- 6.65. The proposed quarries identified in the Plan are put forward by the minerals industry who have to purchase the rights to work the mineral from the relevant Landowner. In some cases the landowner may maintain ownership of the land once quarrying has taken place and the site restored.
- 6.66. Historic England commented that the Site Allocation Development Brief should set out how the impacts on the identified historic assets should be addressed. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt with (in line with Policy DM6). Therefore, no changes have been made in this regard.
- 6.67. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measure being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The site is underlain by a secondary aquifer which would need to be taken into account;
 - National Grid state the site is crossed by a high voltage overhead electricity cable (4VK route), however it does not object to the proposals outlined. They advise developers take into account the location and nature of the existing facilities when planning future development.

MP2I Cromwell South

- 6.68. Natural England state that a phase 1 ecological survey should be undertaken before the site is formally allocated. In-direct impacts could occur to nearby SSSI and SINC, however in the long term there could be positive outcomes for biodiversity given the appropriate restoration. The allocations in the Plan are those that are suitable in principle. Detailed ecological assessment work would be completed at the planning application stage and the outcomes of this would be included in the consideration of the proposal.
- 6.69. Historic England commented that the Site Allocation Development Brief should set out how the impacts on the identified historic assets should be addressed. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt with (in line with Policy DM6). Therefore, no changes have been made in this regard.
- 6.70. A local action group (Newark PAGE) consider the proposed extension is unnecessary given that permitted reserves at the site are already sufficient for 12 years. They also state that the mineral from the site should only be allowed to serve northern markets given the availability of material closer to Newark and Nottingham. Opportunities for the extraction of sand and gravel in the River Devon valley close to Newark should also be explored.
- 6.71. Whilst the Plan tries to identify suitable sites to meet demand from different areas and therefore minimise the distance minerals are transported, it is not within the remit of the Plan to control which markets the mineral industry supplies minerals to. In terms of Cromwell, it is well located to serve a number of different markets including Newark, Nottingham and the north of the County due to its close proximity to the strategic road network. Whilst sand and gravel reserves are likely to exist in the Devon valley, the minerals industry has not promoted sites in this area as part of the call for sites exercise that the County Council completed. Due to this lack of interest from the industry it is not possible for the Plan to consider this area further as the Plan would be undeliverable.
- 6.72. The Commercial Boat Operators Association comments that as Cromwell has its own wharf so it is very well suited for barge transport of mineral from the site. The operator is currently proposing to move the sand and gravel by road. If a proposal was put forward by the operator to use barge it would be considered under Policy SP5: Sustainable transport.

- 6.73. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measure being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The site is underlain by a secondary aquifer which would need to be taken into account;
 - Newark and Sherwood District Council state that the site is located in Flood Zone 3 however this is not included in the Development Brief. The District Council also suggest that screening should be included on the western boundary of the site to minimise the impact on the Cromwell Village.

MP2m Barnby Moor

- 6.74. The RSPB expressed support the biodiversity-led restoration. This will enable landscape scale conservation to be undertaken which can help safeguard the long-term potential of best and most versatile soils.
- 6.75. Members of the public, a number of Parish and Town Councils and CPRE raised the following issues:
- Proximity to properties;
 - Possible contamination of surface and or ground water;
 - High risk of flooding;
 - Disruption to existing drainage/sewage systems;
 - Number of HGVs and road safety concerns;
 - Negative impact on the natural environment;
 - Further quarrying and scaring of the landscape that has already been heavily worked in the past;
 - Permanent loss of high quality agricultural land;
 - Reduction in air quality and dust;
 - Extensions to existing sites should be promoted over greenfield sites;
 - Airport safeguarding and birdstrike;
 - Impact on archaeology;
 - The amount of potential quarries in the area;
 - Exporting mineral to Doncaster and South Yorkshire;
 - Potential for further extensions to the proposed site in the future;
 - Negative impacts on businesses, tourism and jobs;
 - Areas of deep water a risk to children;
 - The proposed allocation is already a done deal;
 - The Sustainability Appraisal score is very negative but the site is still being proposed;
 - The proposed access to the site should be amended;
 - Visual impact.

- 6.76. The sites proposed for allocation in the Plan are those that are in principle suitable for future minerals development. As part of the evidence base for the Plan, a wide range of strategic assessment work has been undertaken to inform the decision made. The assessment documents include a Sustainability Appraisal, Strategic Transport Assessment and a Strategic Flood Risk Assessment. If a planning application is submitted for the site, detailed site specific assessment work would have to be undertaken by the applicant with regard to the relevant local environmental and amenity issues relating to the site. The outcomes of the assessment work would inform the exact location of such things as screening, the extraction area and site access. The applicant would also, where necessary, need to apply for the relevant licenses from other bodies such as the Environment Agency.
- 6.77. Nottinghamshire Wildlife Trust raised concerns that the Site Allocation Development Brief stated the restoration of the site should focus on maintaining the high quality agricultural soils as opposed to a being primarily biodiversity led. The Site Allocation Development Brief has been amended to ensure that the restoration is primarily biodiversity-led.
- 6.78. Following the Preferred Approach the operator submitted a revised site boundary to address concerns expressed by local residents. The revised boundary was consulted upon in the Additional Consultation and is included in the Submission Draft. Bassetlaw District Council on the amended boundary at the Additional Consultation stage, stating that although it has moved further away from residential areas additional adverse impacts on local residents could result as the overall size of the site has increased.
- 6.79. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- Natural England states that the proposed Barnby Moor quarry could have possible indirect links to the Birklands and Bilhaugh SAC and Sherwood Forest p SPA via hydrological pathways;
 - Historic England set out a number of listed buildings in Barnby Moor and that the archaeological potential of the site is low to medium;
 - The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measure being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The site lies within a Source Protection Zone 3 and is underlain by a secondary aquifer which would need to be taken into account.

MP2n Botany Bay

- 6.80. Members of the public, a number of Parish and Town Councils and CPRE raised the following issues:
- It is not required as the permitted Sturton le Steeple quarry has yet to be worked;
 - The Plan does not take account of the longer term decline in sand and gravel consumption;
 - Impact on the natural environment;
 - Significant increase in HGV traffic;
 - Impact on residential properties and the Chesterfield Canal;
 - Loss of agricultural land;
 - Noise and air pollution;
 - Impact of local businesses;
 - Extensions to existing sites should be promoted over greenfield sites;
 - Disruption to existing buried infrastructure;
 - The Sustainability Appraisal score is very negative but the site is still being proposed;
 - Further quarrying and scarring of a landscape that has been heavily worked in the past;
 - Disruption of sites of archaeological interest;
 - Quarrying will impact on the regeneration of tourism in North Nottinghamshire;
 - High risk of flooding;
 - Local impacts of quarrying to supply other counties.
- 6.81. The sites proposed for allocation in the Plan are those that are in principle suitable for future minerals development. As part of the evidence base for the Plan, a wide range of strategic assessment work has been undertaken to inform the decision made. The assessment documents include a Sustainability Appraisal, Strategic Transport Assessment and a Strategic Flood Risk Assessment. If a planning application is submitted for the site, detailed site specific assessment work would have to be undertaken by the applicant with regard to the relevant local environmental and amenity issues relating to the site. The outcomes of the assessment work would inform the exact location of such things as screening, the extraction area and site access. The applicant would also, where necessary, need to apply for the relevant licenses from other bodies such as the Environment Agency.
- 6.82. Historic England commented that the Site Allocation Development Brief should set out how the impacts on the identified historic assets should be addressed. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt

with (in line with Policy DM6). Therefore, no changes have been made in this regard.

- 6.83. Nottinghamshire Wildlife Trust raised concerns that the Site Allocation Development Brief stated the restoration of the site should focus on maintaining the high quality agricultural soils as opposed to a being primarily biodiversity led. The Site Allocation Development Brief has been amended to ensure that the restoration is primarily biodiversity-led.
- 6.84. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measure being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The site lies within a Source Protection Zone 3 and is underlain by a Principal Aquifer which would need to be taken into account.
 - Natural England states that the proposed quarry could have possible indirect links to the Birklands and Bilhaugh SAC and Sherwood Forest p SPA via hydrological pathways.

MP2o Coddington

- 6.85. The potential operator of this site, supported the allocation.
- 6.86. Members of the public, Newark and Sherwood District Council and a local councillor raised the following issues:
- Impact of additional HGV traffic;
 - Proximity to properties;
 - Inappropriate size and scale;
 - Impact from noise and dust;
 - Impact on wildlife and Stapleford Woods;
 - Visual impact;
 - Impact on water table;
 - Better sites available that are closer to the markets served;
 - High risk of flooding;
 - Impact of archaeology;
 - Loss of agricultural land.
- 6.87. The sites proposed for allocation in the Plan are those that are in principle suitable for future minerals development. As part of the evidence base for the Plan, a wide range of strategic assessment work has been undertaken to inform the decision made. The assessment documents include a Sustainability Appraisal, Strategic Transport Assessment and a Strategic Flood Risk Assessment. If a planning application is submitted for the site,

detailed site specific assessment work would have to be undertaken by the applicant with regard to the relevant local environmental and amenity issues relating to the site. The outcomes of the assessment work would inform the exact location of such things as screening, the extraction area and site access. The applicant would also, where necessary, need to apply for the relevant licenses from other bodies such as the Environment Agency.

- 6.88. Nottinghamshire Wildlife Trust raised concerns that the Site Allocation Development Brief stated that the restoration of the site should focus on maintaining the high quality agricultural soils as opposed to being primarily biodiversity-led.
- 6.89. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- National Grid state the site is crossed by a high voltage overhead electricity cable (4VK route), however it does not object to the proposals outlined. They advise developers take into account the location and nature of the existing facilities when planning future development;
 - Historic England highlighted the fact that the Coddington Conservation Area and the high potential for non-designated archaeology has not been referenced in the Site Allocation Development Brief.

MP2p Flash Farm

- 6.90. A member of the public, the operator, the landowner and a planning consultant expressed support for the allocation stating that the extraction can be undertaken with minimal impact upon the environment and local amenity.
- 6.91. The RSPB supported the biodiversity-led restoration approach which has a role in safeguarding soils and grassland habitats. It can also be managed as an agricultural system by grazing livestock.
- 6.92. Natural England and Nottinghamshire Wildlife Trust welcome the inclusion of advice to consider the indirect impacts on Kelham Woods SINC. The Nottinghamshire Wildlife Trust also welcomes that the Site Allocation Development Brief states that the restoration should be biodiversity-led.
- 6.93. Members of the public, Newark and Sherwood District Council and a local councillor raised the following issues:
- Impact of dewatering on surrounding land;
 - Increase in HGV traffic;
 - Impact on Kelham Bridge;
 - Cleanliness of roads in the vicinity;

- Hours of extraction;
 - Impact on the footpath running across the site;
 - Impact on wildlife;
 - Noise and air pollution;
 - A bypass should be built to avoid Kelham Bridge;
 - High levels of traffic already using the A617
 - Existence of more suitable sand and gravel sites elsewhere;
 - Inadequate consultation.
- 6.94. The sites proposed for allocation in the Plan are those that are in principle suitable for future minerals development. As part of the evidence base for the Plan, a wide range of strategic assessment work has been undertaken to inform the decision made. The assessment documents include a Sustainability Appraisal, Strategic Transport Assessment and a Strategic Flood Risk Assessment. If a planning application is submitted for the site, detailed site specific assessment work would have to be undertaken by the applicant with regard to the relevant local environmental and amenity issues relating to the site. The outcomes of the assessment work would inform the exact location of such things as screening, the extraction area and site access. The applicant would also, where necessary, need to apply for the relevant licenses from other bodies such as the Environment Agency.
- 6.95. The Ramblers Association is concerned that there is no indication as to how the footpath that currently crosses site would be dealt with. The proposed allocations contained in the Plan identify areas that are in principle suitable for future minerals development. As part of the planning application process, detailed assessment work would be undertaken on the site. Specific details relating to the treatment of the footpath would be included. This would likely be a temporary diversion during the operational stage with the final route of the footpath being included in the restoration scheme.
- 6.96. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measures being implemented. A Flood Risk Assessment would be required at the detailed planning application stage.
 - National Grid state the site is crossed by a high voltage overhead electricity cable (ZDA route), however it does not object to the proposals outlined. They advise developers take into account the location and nature of the existing facilities when planning future development.

MP2r Shelford

- 6.97. The operator and landowner expressed support for the allocation stating that there would be benefits through reduced transport emissions, improvements to wetland habitat, landscape improvements and a net gain in flood storage capacity.
- 6.98. Highways England welcomed the potential for barge transport and noted that a detailed transport assessment would be required as part of any planning application. River transport was also supported by the Commercial Boat Operators Association and the Canal and River Trust subject to consideration of amenity impacts for other river users. This would need to be considered as part of any planning application and is specifically addressed by Policy DM1.
- 6.99. Representations of support were also received from a number of organisations and individuals including Newark and Sherwood District Council, Newark Town Council, local campaign groups, and two members of the public. A number of these expressed the view that allocating the proposed Shelford quarry would reduce the need for and scale of extraction elsewhere. Newark and Sherwood District Council also expressed support for the Shelford East site which was originally promoted by the mineral operator but not pursued at later stages.
- 6.100. Historic England raised concerns in relation to potential impacts on the setting of designated and non-designated heritage assets and requested that additional assessment work should be carried out prior to allocation. They also sought detailed amendments to the site Development Brief to specify how heritage impacts should be addressed. The Council considers that this level of detail can only be assessed properly at the planning application stage. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt with (in line with Policy DM6). Therefore, no changes have been made in this regard.
- 6.101. Natural England welcomed references to biodiversity restoration and floodplain reconnection and sought the inclusion of references to relevant Landscape Character Areas within the site Development Briefs for each site. The Council has added further justification text following Policy DM12 'Restoration, after-use and after-care' to address this issue and does not therefore consider it necessary to include a reference in the Development Briefs.

- 6.102. Trent Valley Internal Drainage Board stated that a major impact that would result from the proposal on the boards Hams Dyke pumping station and that water courses within the catchment would require remedial drainage works. These concerns have been noted and would need to be addressed as part of a detailed planning application.
- 6.103. East Midlands Airport stated that the restoration proposal should seek to avoid the creation of large areas of new wildfowl/waterfowl habitat. The Council undertook to amend the site Development Brief to highlight the potential risk of birdstrike but this change was accidentally omitted from the Submission Draft document. A Proposed Modification will be put forward by the Council at the Submission stage to correct this error.
- 6.104. A mineral operator, landowner, and planning consultant who were seeking to promote the inclusion of a site at Home Farm near Newark, expressed doubts over the deliverability of the proposed Shelford site. This objection has not been accepted as the Council considers there is sufficient evidence of deliverability for this site.
- 6.105. The RSPB and Nottinghamshire Wildlife Trust supported the allocation in principle in terms of the opportunity to deliver biodiversity benefits through large-scale habitat creation and floodplain reconnection but highlighted the need to protect Local Wildlife Sites in the vicinity. This is already addressed within the site Development Brief and any planning application would need to include a detailed assessment of ecological impacts.
- 6.106. CPRE objected to the allocation of new sites in light of the Plan's priority to extend existing sites and encourage the use of secondary and recycled aggregate. These comments have been noted. The Minerals Local Plan has allocated all suitable extensions put forward by the industry. However this is not adequate to meet forecast demand over the plan period, so a further five new greenfield sites have also been allocated.
- 6.107. Gedling Borough Council highlighted a need for appropriate vehicle routeing, landscape screening and consideration of flood risk to minimise impacts on adjoining areas. No specific changes have been made by the Council as it is considered that these issues are already addressed within the site Development Brief.
- 6.108. Rushcliffe Borough Council considered that the evidence base for the allocation was inadequate, and out of date, and that the Sustainability Appraisal does not, as required, clearly identify the significant negative effects of this alternative. The Council has not accepted these comments as

the evidence base for the Minerals Local Plan is considered to be adequate and in line with requirements.

- 6.109. A draft Strategic Transport Assessment was completed prior to consultation which did not raise any significant issues. This has since been finalised and will be available alongside the Submission Draft consultation. A detailed Transport Assessment would also be required at the planning application stage and this would identify appropriate mitigation measures if required.
- 6.110. A Habitats Regulation Assessment screening document and Equalities Impact Assessment have been completed and relevant recommendations have been incorporated into the plan. The Sustainability Appraisal, including the Shelford West proposal, was published on the Council's website prior to consultation. The site has been assessed using the same methodology as all other sites put forward. Negative impacts have been identified within the scoring matrix as well as in the summary for the site.
- 6.111. A large number of responses were received from members of the public, local community and campaign groups, local parish councils, two local MPs and two local councillors which raised a combination of the following concerns/ issues:
- Transport issues including the impact of HGV traffic on road safety, pollution, congestion on the A6097 and damage to the road;
 - Loss of local amenity such as the loss of the Trent Valley Way footpath, horse riding routes, the local history trail, local angling and nature watching;
 - Impact on local pubs and restaurants;
 - Industrialisation of the landscape and loss of historic view across the Trent Valley;
 - The loss of agricultural land;
 - Increased flood risk;
 - Impacts on wildlife;
 - Proximity of workings to village – impact on residential amenity;
 - Impacts on tourism.
- 6.112. The Council acknowledges the level of public concern over these issues. The sites proposed for allocation in the Minerals Local Plan are those that are in principle are considered suitable for future minerals development. As part of the minerals Local Plan evidence base, a wide range of strategic assessment work has been undertaken to inform the decisions made. The assessment documents include a Sustainability Appraisal, Strategic Transport Assessment and a Strategic Flood Risk Assessment. These have not identified any overriding constraints.

- 6.113. If a planning application is submitted for the site, detailed site specific assessment work would have to be undertaken by the applicant with regard to the relevant local environmental and amenity issues relating to the site. The outcomes of the assessment work would inform the exact location of, for example the requirement for screening of the site, extraction area, site access. All aspects of the proposal would then need to be considered against relevant policies in the plan, including those covering transport and highway safety, public access, amenity, landscape, soil and water quality, flood, heritage and biodiversity. The applicant would also where necessary need to apply for the relevant licenses from other bodies such as the Environment Agency.
- 6.114. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- 6.115. National Grid state the site is crossed by a high voltage overhead cable (ZDA route) and advise developers to take into account the location and nature of existing facilities when planning future development.
- 6.116. The Environment Agency stated that a site-specific Flood Risk Assessment and hydraulic modelling would be required at the planning application stage. There would need to be a 45m easement between the river bank and any proposed excavation. As part of any restoration scheme, the Agency would encourage that the working area is reconnected back to the River Trent to form a functional floodplain and create wetland habitat.

Other sites

- 6.117. A number of comments were received on the proposed site allocations at Finningley Quarry and East Leake East. However, planning applications covering the draft allocations have been submitted by the mineral operators and have subsequently been approved. The site allocations have therefore now been removed from the Plan.
- 6.118. A number of comments were received on the proposed allocation at Girton Quarry. However, it has since been removed from the Plan as it is no longer expected to be delivered within the Plan period.
- 6.119. A large number of comments were received on the proposed allocation at Barton in Fabis. However, as a result of revised information put forward by the mineral operator promoting the site at Shelford, and the subsequent assessment work undertaken, the County Council is no longer proposing to identify the Barton in Fabis site as an allocation in the Plan. This is because the Shelford site is considered less environmentally constrained, as

identified in the Sustainability Appraisal. Given the additional mineral reserves provided by the Shelford site, the Barton in Fabis site would not be needed over this Plan period to meet the requirements for sand and gravel as set out in the Plan.

MP3: Sherwood Sandstone provision

MP3a Bestwood 2 East

- 6.120. Gedling Borough Council stated that the County Council would need to demonstrate that the loss of the Longdale Lane SINC could be outweighed by the need for the mineral. As part of the planning application process detailed mitigation measures would have to be included to address the loss of the SINC as set out in Policy DM4: Protection and enhancement of biodiversity and geodiversity. The restoration of the quarry would provide the opportunity to create new and or increase the amount of existing important habitats as identified in the Local Biodiversity Action Plan.
- 6.121. Members of the public and a local parish council raised the following points:
- Loss of further area of Longdale Plantation and SINC;
 - Depth of the quarry if a danger to children and dogs;
 - Impact of noise from the quarry;
 - Potential for further extension in the long term;
 - Consideration should be given to mineral from outside the county;
 - Proximity to residential areas;
 - Potential impact from increased HGV movements.
- 6.122. The County Council notes the objections submitted to the proposal. The sites proposed for allocation in the Plan are those that are in principle suitable for future minerals development. As part of the evidence base for the Plan, a wide range of strategic assessment work has been undertaken to inform the decision made. The assessment documents include a Sustainability Appraisal, Strategic Transport Assessment and a Strategic Flood Risk Assessment. If a planning application is submitted for the site, detailed site specific assessment work would have to be undertaken by the applicant with regard to the relevant local environmental and amenity issues relating to the site. The outcomes of the assessment work would inform the exact location of such things as screening, the extraction area and site access. The applicant would also, where necessary, need to apply for the relevant licenses from other bodies such as the Environment Agency.
- 6.123. The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measures being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The proposal lies within a Source Protection Zone 3 and underlain by a principal aquifer.

- 6.124. Historic England commented that the Site Allocation Development Brief should set out how the impacts on the identified historic assets should be addressed. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt with (in line with Policy DM6). Therefore, no changes have been made in this regard.

MP3b Carlton Forest North

- 6.125. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- Nottinghamshire Wildlife Trust noted that the proposal is within an area with historical records of nightjar and woodlark which are protected under the Birds Directive and the Conservation Regulations 2010.
 - The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measures being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The proposal lies within a Source Protection Zone 3 and underlain by a Principal Aquifer.
- 6.126. Historic England commented that the Site Allocation Development Brief should set out how the impacts on the identified historic assets should be addressed. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt with (in line with Policy DM6). Therefore, no changes have been made in this regard.

MP3c Scrooby Top North

- 6.127. The minerals operator expressed support for the inclusion of the proposal.
- 6.128. A member of the public raised concern about the loss of agricultural land and the impact of additional HGVs. Minerals development will inevitably have short term impacts on the surrounding area, however policies contained within the Plan seek to minimise and where possible mitigate the impacts. Whilst it is important to protect our highest quality agricultural land, minerals can only be worked where they are naturally found. The restoration of quarries can include a return to agricultural land, however this is dependent on the availability of suitable overburden. A detailed restoration plan would be included as part of a detailed planning application. A Strategic Transport

Assessment has been undertaken on behalf of the County Council and this document states no overall impacts will result from the HGV traffic. A detailed site specific Transport Assessment would still be required as part of a detailed planning application.

- 6.129. A number of comments were received providing site specific information about the site, all of which the County Council has taken note of and added to the Site Allocation Development Brief:
- Nottinghamshire Wildlife Trust noted that the proposal is within an area with historical records of nightjar and woodlark which are protected under the Birds Directive and the Conservation Regulations 2010.
 - The Environment Agency has no concerns regarding this allocation subject to appropriate mitigation measures being implemented. A Flood Risk Assessment would be required at the detailed planning application stage. The proposal lies within a Source Protection Zone 3 and underlain by a principal aquifer.
- 6.130. Historic England commented that the Site Allocation Development Brief should set out how the impacts on the identified historic assets should be addressed. The purpose of the Site Allocation Development Briefs is to highlight the key local, site specific issues that will need to be considered at the detailed planning application. Assessment work would be undertaken at the planning application to identify how the heritage assets would be dealt with (in line with Policy DM6). Therefore, no changes have been made in this regard.

MP4: Limestone provision

- 6.131. Five comments were received in relation to this section of the Plan on the provision of limestone.
- 6.132. The operator at the only existing limestone quarry in the County (Nether Langwith), expressed support for the allocation of the remaining reserves at Nether Langwith and the policy provision for potential extensions to meet a shortfall in supply. They also commented on the justification text in relation to the concurrent working of limestone and industrial dolomite at their site, Holbeck, seeking a change to the wording for clarification. However, the justification text for this section has since changed and as Holbeck is no longer being allocated for industrial dolomite, the changes are no longer applicable.
- 6.133. Historic England note that only Nether Langwith Quarry is proposed for allocation in the Plan and that there are fewer historic environment issues in this location compared to the other two potential limestone sites at Holbeck and Steetley. They note the potential for extraction of industrial dolomite at

Holbeck and the concerns they have regarding the impact of this on Creswell Craggs. Details on this are considered under Policy MP9: Industrial Dolomite provision.

6.134. Nottinghamshire Wildlife Trust requested that the Plan (either within the Policy or within a Site Allocation Development Brief) states that any future extension (of time) application at Nether Langwith would be an appropriate opportunity to ensure that the restoration scheme is in accordance with the biodiversity-led strategy and will contribute to the recreation of calcareous habitats. The County Council does not consider that it is necessary to specify a particular habitat for this site through the Local Plan process and so no change has been made.

6.135. The landowner associated with a proposed limestone extraction site at Steetley objected to the exclusion of the Steeley site from the policy. No change has been made to the policy as, based on the requirements set out in Policy MP1: Aggregate Provision, the Plan does not need to identify any limestone extraction sites as the existing permitted reserves at Nether Langwith Quarry are adequate to cover demand over the Plan period.

MP5: Secondary and recycled aggregates

6.136. Three comments were received on this section of the Plan. The National Trust and a local action group (Shelford Against Gravel Extraction (SAGE)) expressed support for the policy.

6.137. A member of the public suggested that there is a problem with recycled aggregates, in that their use needs stricter controls to avoid significant environment impacts and land/soil degradation that arises from improper use. The intention of this policy is to encourage the use of recycled and secondary material in construction in order to reduce the need for mineral extraction. As such, the determining authority for any relevant planning permission (usually the District/Borough Council) will need to consider this policy when considering the application.

MP6: Brick Clay provision

6.138. Comments were received from a brick clay operator regarding the introductory part of this policy. They noted that the existing wording regarding the need to provide for a 25 year landbank of brick clay reserves could potentially be misinterpreted and that the policy should specify that this requires a 25 year land per brickwork in line with national policy. The policy should also be amended to take account of circumstances where identified extensions would not be sufficient to provide a 25 year landbank. These comments were accepted and the policy has been amended accordingly.

MP6a Kirton West

- 6.139. The mineral operator supported this allocation in order to secure the long term security of the existing brickworks in line with by paragraph 146 of the National Planning Policy Framework. They did however seek an amendment to the justification text to correct a typographical error and clarify that restoration would be to "...lower ground level and incorporate agricultural land, lake areas, wetland areas and marginal grassland". The Council has amended the justification to reflect this and correct the typographical error.
- 6.140. Statutory consultees (Environment Agency and Historic England) commented as follows:
- A site specific Flood Risk Assessment and environmental assessment of potential groundwater impacts would be required at the planning application stage;
 - The allocation is likely to impact upon the significance and setting of the conservation area at Kirton, plus a number of listed buildings including the grade II* Church of Holy Trinity.
- 6.141. The comments regarding flood risk and groundwater issues were accepted and the County Council has updated the Site Allocation Development Brief in these respects. Comments from Historic England have not been accepted as these impacts are already acknowledged within the Site Allocation Development Brief. The policies contained within the Plan must be read as a whole and potential impacts would be considered at the planning application stage as set out in PolicyDM6: Historic Environment. No further changes have therefore been made.
- 6.142. Newark and Sherwood District Council sought amendments to the Site Allocation Development Brief to address noise, vibration, dust, air quality, land stability or operating hours. The Council notes these comments but considers that these aspects are already addressed adequately within policies DM1 (Protecting Local Amenity), DM5 (Landscape Character) and DM6 (Historic Environment) and do not therefore need to be repeated individually.
- 6.143. Kirton Parish Council and a number of members of the public raised a combination of concerns including:
- Impacts on public rights of way;
 - Impacts upon hedgerows/wildlife;
 - Evidence of bats roosting;
 - Localised flooding, soil erosion;
 - Dust and noise from mobile plant;
 - Reduction in property values;

- Impact on landscape character;
- Extraction should not take place beyond the ridgeline;
- Reserves of clay are unproven;
- Previous proposals to extend this site were rejected by the Minerals Local Plan Inspector in 2004;
- NPPF Policy doesn't advocate a 25 year landbank for individual 'brickworks'. It states 25 years to support a new kiln;
- Reduced demand due to recession and increased importation of alternative materials;
- Proximity of local properties;
- Not all properties within 250m were consulted;
- MP6a is a greenfield site;
- Land of lesser environmental value should be allocated;
- No mention of impacts of future landfill;
- Concern about slow rate of restoration to existing worked areas;
- Existing damage from mining subsidence.

6.144. The County Council has noted these concerns but does not accept these objections for the following reasons. Minerals are a finite natural resource, and can only be worked where they are found. The Government, through the National Planning Policy Framework, requires Minerals Planning Authorities to plan for an adequate and steady supply of industrial minerals. The policies contained within the Plan must be read as a whole and consideration will be given, at the planning application stage, to existing and proposed public rights of way (and other sensitive receptors) including the potential impacts on local communities (dust, noise visual intrusion etc.) as set in Policy DM1: Protecting Local Amenity. In terms of landscape and visual impact, the Site Allocation Development Brief for the site recognises the recommendations of the Nottinghamshire Landscape Character Assessment and any planning application would need to have regard to Policy DM5 (Landscape Character) of the Plan. The proposed extension would not cross the ridgeline.

6.145. The Environment Agency has no concerns regarding this allocation subject to the requirement for a flood risk assessment and an environmental assessment at the planning application stage to ensure that surface water run-off is managed effectively and the potential to cause pollution to the groundwater resource is considered. The County Council acknowledge that there are hedgerows within and adjacent to the site, and any planning application submitted will be assessed against the policies contained within the Local Plan. There have been no objections from Natural England, Nottinghamshire Wildlife Trust or the County Ecologist in this regard. All species of bat and their breeding sites or resting places are protected under the Conservation of Habitats and Species Regulations 2010 and Wildlife and Countryside Act 1981. As such the operator will be required to undertake

further surveys and put forward appropriate mitigation measures, where necessary, through the planning application process.

- 6.146. In terms of the 2004 Minerals Local Plan Inquiry, the proposal considered by the Planning Inspector was for a larger site and his recommendations were based on different factors in relation to site area/ and topography, the demand for mineral, and the requirements of national and local policy and guidance which were relevant at that time. The current proposed allocation is smaller and would not extend beyond the ridgeline to which the Inspector gave significant weight with regards to potential landscape and visual impacts.
- 6.147. The boundary of the current proposed allocation is 109 metres from the closest property within the village and would be sited on the other side of the ridgeline from the village with adequate screening as set out in the Site Allocation Development Brief. Devaluation of property is not a material planning consideration and as such the County Council cannot consider objections on these grounds.

Other sites

- 6.148. A number of comments were received on the proposed allocation at Dorket Head. However, a planning application covering the draft allocation was submitted by the mineral operator and has subsequently been approved. The site allocation has therefore now been removed from the Plan.

MP7: Gypsum provision

- 6.149. One comment was received on the policy concerning gypsum provision; Nottinghamshire Wildlife Trust commented that they do not object in principle to the re-allocation of Bantymock Quarry, subject to information on any important habitats and species that may come forward through surveys. They also state that the justification text should state clearly that restoration to biodiversity habitats for should take precedence over other restoration types, in accordance with the biodiversity-led approach. The Plan should state (within the policy or a Site Allocation Development Brief) that the re-allocation provides an opportunity to review the restoration provision at the site.
- 6.150. Bantymock Quarry already has planning permission and as such changes to the restoration scheme already approved would not be appropriate or achievable through the Local Plan process. If a new site was to be considered for gypsum, then any planning application would need to have regard to all of the policies in the Plan (including the biodiversity-led restoration strategy) and so no change has been made in this regard.

MP8: Silica sand provision

- 6.151. Three comments were received in relation to this policy. The Mineral Products Association raised concern that the policy was not compliant with the National Planning Policy Framework and needed to be reworded. The County Council agreed with the comments made and the policy was amended accordingly.
- 6.152. Ashfield District Council raised concern about the Silica Sand Safeguarding and Consultation Area and a conflict with a proposed housing allocation in the Ashfield Local Plan. However, as the safeguarding and consultation areas do not restrict non-minerals development, the County Council does not consider this to be an issue. Policy DM13 states that 'non-mineral developments will need to demonstrate that the proposed development would not pose a serious hindrance to future extraction of the resource.' The availability of the mineral, its relative scarcity, the timescales for the development proceeding and viability will all need to be considered in this regard.
- 6.153. Nottinghamshire Wildlife Trust suggested that the Plan should make note that, given the life of Two Oaks Farm Quarry and the potential for change in external circumstance, the Review of Old Mineral Permissions (ROMP) programme should enable a review of the restoration proposals in accordance with the biodiversity-led restoration strategy. The County Council accepts the point made. Should the operator submit a new restoration proposal then it would be considered taking in to account the most up to date Minerals Local Plan. As and when a ROMP is completed, it again would be completed in line with the most up to date national and local policies, including the Plan. Therefore, if the Plan is adopted at the time of either of these occurring, the strategies and policies within it, including the biodiversity-led restoration strategy, would be taken in to account. No change to the Plan was therefore made in this regard.

MP9: Industrial Dolomite provision

- 6.154. Comments in response to this policy were focussed on the potential allocation of a site at Holbeck. However, the mineral operator has put forward information indicating that the site will no longer be required within the Plan period. The site is therefore no longer allocated in the Plan. Policy MP9 has been revised to take account of this change and the justification text has been amended accordingly. The justification text now highlights that any future proposal for industrial dolomite at the Holbeck site would require careful consideration of the potential impacts on the historic environment

offset against the international need for the mineral. The Holbeck Site Allocation Development Brief has also been deleted.

MP10: Building Stone provision

- 6.155. Comments on this policy were received from three bodies; Historic England supported the continued allocation of Yellowstone Quarry to provide for conservation needs but highlighted that the policy was unclear in terms of provision for other proposals, should these come forward. This latter point was also raised by the National Trust.
- 6.156. The County Council acknowledges the need to clarify the policy and so both the policy and the justification text have been revised to provide clarification in this regard.
- 6.157. Nottinghamshire Wildlife Trust sought the inclusion of additional justification text to state that a future Review of Old Mineral Permission (ROMP) will enable a review of the restoration provision for Yellowstone Quarry and thus an opportunity to ensure that the proposed restoration is fit for purpose in fulfilling the aims of creating and restoring priority biodiversity habitats.
- 6.158. Yellowstone Quarry is an existing site and would be subject to the normal review procedures and so repeating this in the Plan is not necessary or appropriate. If a ROMP is completed, it would be completed in line with the most up to date national and local policies, including the Minerals Local Plan. Therefore, if the Plan is adopted at the time of either of these occurring, the strategies and policies within it, including the biodiversity-led restoration strategy, would be taken in to account. No change to the Plan was therefore made in this regard.

MP11: Coal

- 6.159. Comments were received from four local and neighbouring councils (Broxtowe Borough Council, Gelding Borough Council and Newark, Sherwood District Council and Erewash Borough Council). These indicate support for some aspect of the policy but also highlighted a number of specific concerns:
- If coal recovery operations were to be proposed at Calverton Colliery, this would be unacceptable due to the environmental impact and adverse effects on residential amenity;
 - The Habitats Regulation Assessment (HRA) should include an assessment of additional tipping space at Thoresby Colliery to inform how this could be identified;
 - The Plan should include coal constraint areas and Mature Landscape Areas.

- 6.160. No changes have been made as it is considered that these issues are already adequately addressed in the Plan. No specific sites have been identified for coal recovery and any future proposals would need to be considered against the policies in the Plan. It is not appropriate to consider the issue of additional tipping space at Thoresby Colliery within the HRA as no potential locations have been identified. The colliery has subsequently closed. The County Council does not consider that there is a need for a policy highlighting coal constraint areas as Policy MP11 requires developers to justify that proposal are environmentally acceptable. This would include reference to Landscape Character Assessment where relevant.
- 6.161. Comments from the minerals industry (Confederation of UK Coal Producers, Hargreaves Surface Mining Ltd, the Coal Authority and UK Coal Mining Ltd) broadly supported the policy but sought a number of specific points of clarification in respect of the economic benefits of reworking colliery spoil tips and update references to Thoresby Colliery, Harworth Colliery and Shortwood Farm. It was also highlighted that the justification text states that there is a national presumption against coal development, but this has not been carried forward in to the National Planning Policy Framework.
- 6.162. The County Council has amended the policy to refer to economic as well as environment benefits and updated the justification text to reflect the up to date situation with regards to the sites. The justification text has also been amended to remove the explicit presumption against coal extraction and sets out the circumstances in which it would be acceptable in accordance with the National Planning Policy Framework.
- 6.163. Nottinghamshire Wildlife Trust sought an additional criteria in the policy to underline the principle of biodiversity-led restoration and require that the creation of priority biodiversity habitats should be the primary restoration aim for all coal extraction, tipping and reworking developments. Other policies of the Plan cover these elements and as the Plan must be read as a whole the County Council does not feel that it would be appropriate to reiterate other policies of the Plan in this policy.

MP12: Hydrocarbon Minerals

- 6.164. Comments from statutory consultees broadly supported the policy approach.
- Historic England welcomed the reference to avoiding unacceptable impacts on the environment but requested further clarification of what constituted 'environmentally sensitive area'. The text has been amended for clarification to refer to impacts on the environment or residential amenity.
 - The Environment Agency welcomed the inclusion of the policy in relation to the protection of groundwater resources.

- 6.165. Two coal industry representative (the Coal Authority and the Confederation of UK Coal Producers) also broadly supported the policy but highlighted that there was no mention of underground coal gasification which is not consistent with national policy. A further paragraph has been added to the introduction to refer to this process.
- 6.166. Three local authorities (Gedling Borough Council, Broxtowe Borough Council and Erewash Borough Council) indicated support for the policy in principle but it was suggested that constraint areas should be identified for shale gas exploration and extraction. The County Council does not consider it appropriate to identify constraint areas for the development of hydrocarbon minerals as any planning application would be dealt with on its own merits. This would take in to account the relevant national and local planning policy, including environmental criteria and any individual local circumstances.
- 6.167. Nottinghamshire Wildlife Trust raised concerns that the policy could preclude options for biodiversity-led restoration and highlighted the potential for cumulative impacts which are not currently explicitly recognised within the policy. However, the County Council considers that these matters are already addressed as the Plan should be read as a whole and any restoration proposals will need to take account of policy SP3: Biodiversity-led Restoration. Policy DM8 specifically covers cumulative impacts and there provision do not therefore need to be repeated.
- 6.168. A significant number of comments were received specifically in relation to unconventional hydrocarbons, shale gas (fracking) in particular. These came from members of the public, a number of environmental and campaign groups (Friends of the Earth, Friends of the Earth Nottingham, Frackfree Nottinghamshire, CPRE, Ramblers Nottingham) and a local parish council. These comments raised a combination of issues and concerns including:
- The unconventional and untested nature of exploration and extraction for onshore oil and gas;
 - Failure to consider climate change;
 - Risk of fugitive emissions (greenhouse gas emissions for shale are worse than coal);
 - Should consider the precautionary principle as required by the Water Framework Directive, and the need to set a limit on water extraction;
 - Environmental impacts are unavoidable even if properly controlled
 - The industry is not easy to regulate
 - Development could lead to major industrialisation of the landscape with the impacts of new roads and HGV traffic
 - Impacts on environment and human health

- Uncertainty over long-term impacts
- Include constraint mapping to protect groundwater sources and sensitive sites;
- There should be tighter restrictions/separate licensing for shale gas
- There should be a separate policy for shale gas and coal bed methane
- The policy should set out clearly the information required for the different types and phases of development, and planning conditions including restoration;
- Site boundaries should be defined in 3-D to take account of horizontal drilling
- Ensure commitment to highest UKOOG standards
- Minimise number of drilling sites
- Require full transport assessment/traffic management plans
- Protect tranquillity and landscapes, health, farming, and tourism;
- Extraction of unconventional hydrocarbons will not bring down the price of gas and will only have a limited impact on local jobs
- A number of respondents suggested that all proposals involving the use of hydraulic fracturing should be rejected.

6.169. The County Council acknowledges the level of public interest and concern over the potential exploitation of shale gas, particularly in relation to the possibility of hydraulic fracturing. There is Government support and guidance for the extraction of hydrocarbons (including shale gas and coal bed methane) as they remain an important part of the UK's energy mix during the transition to low carbon energy supplies. The Government has stated that 'there is a pressing need to establish, through exploratory drilling, whether or not there are sufficient recoverable quantities of unconventional hydrocarbons present to facilitate economically viable full scale production.'

6.170. The National Planning Policy Framework requires all Minerals Planning Authorities to identify and include policies for extraction of mineral resources of local and national importance in their local area. This includes both conventional and unconventional hydrocarbons (including shale gas). In planning terms these raise similar land use issues and there is no planning reason to differentiate between shale gas and other conventional and unconventional hydrocarbons. The County Council does not therefore agree that shale gas should be separated from other hydrocarbon development. Hydraulic fracturing is also used in other hydrocarbon development and is not exclusive to shale gas development.

6.171. Any planning application received by the County Council would be dealt with on its own merits taking in to account the relevant national and local planning policy and individual circumstances relating to the specific planning

application. The Plan should be read as a whole and all applications, irrespective of mineral type or extraction process, would need to be assessed against all relevant strategic and Development Management policies within the Plan.

- 6.172. The Plan makes it clear that the County Council is one of four main regulatory bodies involved in relation to shale gas exploration and extraction. The National Planning Policy Framework makes clear that the planning system should complement, but not seek to duplicate, the separate processes and controls of other regulatory bodies. The planning system controls the development and use of land in the public interest, which includes ensuring that the new development is appropriate for its location, taking account of the effect on the natural environment, general amenity and the potential sensitivity of the area. In doing so, the focus of the planning system should be on whether the development itself is an acceptable use of land rather than the health and safety or specific pollution control processes which are the remit of the Department for Energy and Climate Change (DECC), the Health and Safety Executive and the Environment Agency.

7. Development Management Policies

DM1: Protecting local amenity

- 7.1. There was general support for the inclusion of this policy although a number of detailed amendments were sought by the minerals industry, some of the District/Borough Councils, a local parish council and members of the public.
- 7.2. Several minerals industry responses highlighted that there should be no need to include 'proximity' as a separate criteria within the policy if all of the relevant environmental considerations were met. They also suggested that not all neighbouring development/land uses should necessarily be regarded as sensitive as this would depend on individual circumstances. These points were accepted and the policy has been amended accordingly.
- 7.3. Some members of the local community felt that there should be a minimum standard separation distance between local communities and minerals extraction sites. This has not been accepted as it is considered that this requirement will vary according to specific local circumstances. As part of the detailed planning application process, site specific issues such as the topography, position of the proposed development and the sensitivity of surrounding land uses would be taken into account and appropriate stand-offs/buffer zones would be determined on a case by case basis and incorporated into the layout of the site.
- 7.4. Others called for additional measures to be included within the policy to minimise visual intrusion and the impacts of light pollution, recognise the importance of community health and safety, and restrict operating hours and require mineral operators to pay a financial bond to secure site restoration. Ashfield District Council also suggested there could be greater clarification of how impacts could be addressed. Newark and Sherwood District Council sought additional text on site screening, phasing and operating hours to be included within the individual Site Allocation Development Briefs in relation to this policy.
- 7.5. In response to these comments the justification text has been expanded to refer to appropriate mitigation measures and guidance in relation to each of the criteria including visual intrusion, light pollution, and noise. However, national policy states that bonds or financial guarantees should only be sought in exceptional circumstances. A restoration scheme for any minerals development would be required as part of a detailed planning application and it is only at this stage that such a requirement could be included if it was deemed necessary.

- 7.6. Additional justification text and cross-referencing has also been added to set out how avoidance and mitigation measures will be secured through conditions in the first instance, and then through planning obligations where necessary.
- 7.7. Newark and Sherwood District Council supported the policy but sought additional detail on matters such as screening, phasing and operating hours within the individual Site Allocation Development Briefs. Whilst the importance of such issues is acknowledged, the Site Allocation Development Briefs are not intended to be exhaustive and this level of detail is considered more relevant to the planning application stage.
- 7.8. Environmental groups generally supported the policy although the CPRE sought further detailed policy wording regarding the avoidance and mitigation of impacts to a minimum level. Further changes were not considered necessary beyond those which have already been made to this policy as it is considered compliant with the NPPF which requires the impacts of minerals development to be balanced with the need for minerals to ensure the delivery of both local and national economic growth objectives.
- 7.9. The National Farmers' Union highlighted concerns over the potential impact of dust and air emissions on farming business but this point is already addressed within the introductory text to the policy which refers to the impact on those both living and working nearby.
- 7.10. One member of the public commented that the impacts listed in Policy DM1 impacts must be considered in relation to the exploration and production of unconventional hydrocarbons. No further change was made in response as the purpose of this policy is to ensure such considerations are taken in to account when determining all planning applications for minerals development.

DM2: Water resources and flood risk

- 7.11. District Council's responses welcomed the inclusion of this policy but suggested that there should be a specific policy reference to the Water Framework that the Site Allocation Development Briefs for each site should identify opportunities for flood alleviation measures. The Site Allocation Development Briefs have been updated accordingly but it was not considered necessary to refer to the Water Framework Directive within the Policy as this is already highlighted within the justification text.
- 7.12. The Environment Agency supported the aims of the policy but recommended the inclusion of a stand-alone policy on flood risk and the inclusion of additional justification text to recognise the multiple environmental benefits

can be delivered through restoration that simultaneously benefits flood risk management, habitat creation and Water Framework Directive improvements. A specific reference to the Agency's local Catchment Abstraction Management Strategy was also suggested along with amended wording to explain the role of the Agency's Groundwater Protection: Principles and Practice.

- 7.13. These comments have been partially accepted and further justification text and references have been added as suggested. However, it is not It is not considered necessary to separate the Water Resources elements of the Policy from Flood Risk to create two separate policies. The policy is consistent with the National Planning Policy Framework and other relevant guidance.
- 7.14. Comments from the minerals industry highlighted an area of internal repetition within the policy which has been amended by merging points 3 and 5 of the policy and re-numbering accordingly. It was also suggested that Sustainable Drainage Systems may not always be required where suitable alternative measures are acceptable and the policy has been amended to acknowledge this point. This was accepted and the justification text has been amended accordingly.
- 7.15. Nottingham Friends of the Earth and Nottinghamshire Wildlife Trust supported the policy and suggested a number of factual amendments for consistency with the Waste Framework Directive and to highlight the role of the Internal Drainage Boards which have been incorporated into the policy and justification text accordingly.
- 7.16. Two local community groups expressed support for the policy.
- 7.17. One local resident requested that all sites should be subject to a site specific flood risk assessment at the allocation stage rather than at the planning application stage. This approach is not considered consistent with national policy, guidance or Environment Agency advice. The County Council has undertaken a Level 1 Strategic Flood Risk Assessment, in accordance with the NPPF, and is required to utilise the most up to date evidence available when considering Local Plan policies and allocations. This is supplied by the Environment Agency as the relevant statutory body. Where relevant, developers may be required to submit a site specific flood risk assessment as part of their planning application to ensure that any negative impacts on water quality and flood risk can be adequately mitigated. This is adequately set out in Policy DM2 and the subsequent justification text.

DM3: Agricultural land and soil quality

- 7.18. Expressions of support for this policy were received from Bassetlaw District Council, the National Farmers' Union and a local action group (Newark PAGE).
- 7.19. Natural England advised that the Plan should give appropriate weight to the value of soils as a finite resource and their ecological importance. A soil and Agricultural Land Classification Survey should be carried out as part of the site section process and used to inform subsequent soil handling and site restoration plans. The County Council considers that Policy DM3 is consistent with the National Planning Policy Framework and the relevant technical guidance on this issue. The justification text sets out the requirement for a detailed soil survey at the planning application stage, which is echoed in Appendix 1: Information required in support of planning applications, alongside other requirements regarding landscape and ecology. No change was therefore considered necessary in respect of these comments.
- 7.20. Other comments received suggested:
- The policy should focus on protecting the long term potential of soils rather than necessarily retaining soils in agricultural use as this would enable greater flexibility for biodiversity gains without compromising the agricultural value (RSPB and Nottinghamshire Wildlife Trust). This could include measures to relocate soils of sufficient quality to ensure better agricultural use elsewhere.
 - The Environment Agency sought additional justification text relating to the importance of site restoration and retaining soil quality to reduce surface water run-off;
 - A local Parish Council raised concerns in respect of the need to protect the agricultural land quality of land bordering minerals site.
- 7.21. These points were accepted. The County Council considers that the proposed changes would improve the policy and its justification text and so amendments have been made to point 1(b) of the policy and additional justification text has been added to recognise these points.
- 7.22. The minerals industry felt that this policy was too restrictive and could preclude future mineral working. These objections were not accepted as the County Council considers that the policy provides sufficient flexibility, following a criteria based approach, whilst ensuring that future minerals development is not compromised. This approach is consistent with the National Planning Policy Framework.

DM4: Protection and enhancement of biodiversity and geodiversity

- 7.23. Fourteen comments were received in relation to this policy and the justification text. Four of these comments expressed support for the policy (Environment Agency, National Trust, Friends of the Earth and Erewash Borough Council). Other comments suggested:
- The policy does not accurately reflect the mitigation hierarchy as set out in national policy (Natural England and the RSPB). Two industry representatives conversely suggested that compensatory measures should not be treated as a last resort and the policy should not be so negative in this regard;
 - A number of industry representatives felt that the policy fails to recognise the positive contribution that minerals can make to biodiversity gain and that parts of the policy are too wide in their scope and it should only refer to *protected* habitats and species;
 - Ashfield District Council wanted clarification about the level of protection for different levels of sites (i.e. national, regional and local designations) set out in the policy itself, not in the justification text;
 - A local Parish Council expressed concern that the policy creates an overemphasis on biodiversity and geodiversity, to the detriment of landscape and agriculture. This point was made generally and in relation to the Langford South allocation;
 - One member of the public was concerned that this promotes wetland/scrub habitats (that have little value) over the protection of agricultural land.

- 7.24. The policy and supporting text have been amended to take account of the range of comments received, resulting in a significantly different policy. In terms of the specific points raised above:
- The original policy made it clear that compensatory measures will only be used as a last resort, an approach that has been continued in to the new policy;
 - The Plan as a whole fully recognises the value that minerals development can have in contributing to biodiversity gain (for all habitats and species), particularly through the inclusion of a biodiversity-led restoration strategy. No change to the policy was made in this regard as it is considered it is explicitly covered in other parts of the Plan;
 - National policy and guidance sets out details of the differing levels of protection to be afforded to designated sites and it was not felt necessary to repeat this in the policy. The new policy does contain some distinction for European sites;
 - The Plan should be read as a whole and so other policies concerning landscape and visual impact and the protection of agricultural land will be considered alongside this policy in the determination of any planning application. It is therefore not considered that this policy prejudice any one consideration above another.

- 7.25. Nottinghamshire Wildlife Trust suggested a number of minor wording changes for clarity, including a change so that the policy considers the biodiversity network beyond the County boundary (this latter point was also raised by a mineral operator). It was considered that the need to consider biodiversity beyond the County boundary was a valid point and the revised policy takes account of this.
- 7.26. In relation to the justification text, Nottinghamshire Wildlife Trust sought an amendment to strengthen the prominence of biodiversity enhancement as an overarching requirement of the Plan and its significance in determining the suitability of sites. The County Council did not accept this amendment as it was considered that the Plan already goes as far as it can in seeking to maximise biodiversity gain. It cannot be seen as the only determining issue and so the amendment was not appropriate.

DM5: Landscape character

- 7.27. Twelve comments were received in relation to this policy. Eight of these comments expressed support for the policy. Of these Erewash Borough Council, Derbyshire County Council, UK Coal and the National Trust expressed full support (the latter two citing support for a move away from Mature Landscape Areas), whilst a number expressed support, but with a requested addition/change to the Plan:
- A local action group suggested that all planning applications should be required to be supported by a Landscape and Visual Impact Assessment. Appendix 1 of the Plan sets out the information required in support of planning applications. This includes an assessment of landscape character and the County Council does not consider that it is appropriate to reiterate this requirement within the policy.
 - Newark and Sherwood District Council supported the policy as it sets out an approach that is informed by the Newark and Sherwood Landscape Character Assessment, but requested that the recommendations of the relevant Landscape Character Policy Zone should be included in the Site Allocation Development Briefs. The Site Allocation Development Briefs include this information
 - Nottinghamshire Wildlife Trust suggested that the Biodiversity Opportunity Mapping (BOM) study should also be included in the policy as a document that proposal should take account of. The County Council agrees that the policy should cross refer to the BOM and the policy has been amended to take account of this.
- 7.28. Other comments suggested:
- Mature Landscape Areas designations should be revived
 - The policy does not adequately cover visual intrusion
 - Concern was raised about how the policy test will be applied; at what stage will the need for development outweigh landscape interest?

- The policy should be worded more positively to ensure it delivers the Strategic Objective which states that ‘minerals development will provide long term enhancements to landscape character and which avoids damaging the highest quality landscapes.’
- 7.29. It is not a matter for the Minerals Local Plan to designate Mature Landscape Areas and so no change is made in this regard. The County Council considers that visual intrusion of mineral sites is adequately covered by Policy DM1, which explicitly states that visual intrusion must be avoided and or adequately mitigated to an acceptable level. No change to this policy is therefore necessary.
- 7.30. The County Council considers that the policy is consistent with national policy in terms of protecting and enhancing valued landscaped and that as the Plan should be read as a whole, each individual proposal will be assessed on its own merits and circumstances, taking in to account all of the policies contained within the Plan. Therefore, no change to the policy is required.
- 7.31. Further text has been added to the justification text to highlight the priority that will be given to minerals development that provides long term landscape enhancements, in line with the Strategic Objectives.

DM6: Historic environment

- 7.32. Eight comments were received in relation to the historic environment. The broad thrust of the policy was supported by Erewash Borough Council, Newark and Sherwood District Council, a local action group (Newark PAGE) and Historic England. However, the latter three of these, along with the others, felt changes were necessary to strengthen the policy and its justification text and to make it compliant with the National Planning Policy Framework:
- Reference should be made to local heritage strategies and assessments (Newark and Sherwood District Council);
 - There should be no reference to/distinction between different level of designation of assets (i.e. nationally, regionally, locally) (Historic England and Bassetlaw District Council);
 - Needs to include reference to the setting of heritage assets (National Trust);
 - Policy needs to include requirement to conserve and enhance heritage assets (and their settings) and to avoid adverse impacts and mitigate where relevant (Historic England);
 - Historic England suggested a number of minor text changes.

- 7.33. These comments were accepted and the changes made as necessary to address the points.
- 7.34. Historic England also felt that the policy should provide detailed criteria for all types of heritage asset, designated or non-designated and set out the information requirements for applications. However, the County Council considered that this was unnecessary as the revised policy and justification text are consistent with the National Planning Policy Framework. Each proposed development will be assessed on its own merits and any issues that may arise will be individual in nature. Appendix 1 of the Plan sets out the information that is required in support of planning applications and more details of the Council's requirements are contained within the guidance note on the validation of planning applications. As such it is not considered necessary to include this within the policy.
- 7.35. Other points raised suggested:
- A title within the justification text needed to be amended to take account of all of the content covered. This was accepted and a change made accordingly;
 - A local Parish Council raised a site specific concern regarding the Scheduled Ancient Monument (SAM) at Langford South. The area covering the SAM has since been removed from the allocation;
 - A local action group (Newark PAGE) requested that an Archaeological Assessment should be required for mineral extraction to the north and west of the identified South Muskham Archaeological Resource Area. Such information is listed in Appendix 1 of the Plan as information required in support of planning applications and as such no change was considered necessary;
 - Support for inclusion of South Muskham Archaeological Resource Area (Historic England)

DM7: Public access

- 7.36. Five comments were received in relation to public access. A local action group and Erewash Borough Council expressed support for the policy. A member of the public commented that it is important that people can access the countryside, but that enhancements in this regard (i.e. rights of way/public access) should be done in a subtle, understated and respectful way so as not to spoil it. The purpose of this policy is to protect and improve public access and the justification text makes reference to the Nottinghamshire Right of Way action Plan (factual amendment made, to 'Improvement Plan') which includes policies consistent with the desire to see enhancements that respect the nature of the countryside. Therefore, the County Council considers that these concerns are addressed and no change is therefore required.

- 7.37. Ramblers (Notts Area) wanted wording to be added that sets out that ‘replacements to rights of way affected by mineral extraction should not be ‘permissive’ as otherwise, it makes it too easy for the operator/land owner to remove it. The Countryside Access Team of the County Council confirmed that permissive paths would not be considered as replacements for existing definitive paths, but additional text has been added to the justification text to clarify this.
- 7.38. A mineral operator expressed concern that the policy is too subjective and sought two changes to the policy; delete the phrases ‘including that upon enjoyment of use’ and ‘which are of at least an equivalent interest or quality’. The County Council agree that the first phrase should be removed, but the second phrase has been included to ensure that sufficient safeguards are in place to secure continued use of quality rights of way.

DM8: Cumulative impact

- 7.39. Nine comments were received in relation to cumulative impact. Friends of the Earth, Erewash Borough Council and Highways England expressed support for the proposal. Another three comments included support for the principle of the policy, but raised a number of questions:
- A local Parish Council felt that better definition and explanation of how the policy will be achieved is necessary. Cumulative impacts are defined in the glossary. Given that mineral sites are individual in nature and will therefore raise different issues, cumulative impacts will vary on a site by site basis. No change was therefore considered necessary;
 - The mitigation of cumulative impacts should also be transferred through in to the site allocation process and that the Site Allocation Development Briefs should provide a greater level of detail in these regard (Newark and Sherwood District Council). The County Council noted that the Site Allocation Development Briefs will be updated with any relevant information that becomes available;
 - Specific criteria should be included within the policy (local action group, Newark PAGE). The County Council do not feel it would be appropriate to provide specific criteria as each proposal and its impacts will vary depending on a variety of factors. Therefore, no change was made to the policy in this regard.
- 7.40. Other comments suggested:
- Clarification was needed as to whether the cumulative impact the policy refers to is limited to minerals development or does it cover other forms of development. This comment was accepted and the justification text amended to make it clearer that the policy requires consideration of the cumulative impact of both minerals and non-minerals development when planning permission for new mineral sites is sought.

- Guidance regarding the phasing and working of site with the potential for cumulative impacts should be included in the Plan (Historic England). The Plan should not repeat guidance and policy set out elsewhere. Impacts of proposals will vary depending of a variety of factors. The Environmental Impact Assessment guidelines provide additional information in this regard. No change was therefore made.
- A member of the public raised concern about 'quarry creep' and in particular the southern extension to Langford Lowfields and its impact on the village of Holme. No change was made as the existing policies of the Plan, read as a whole cover these issues. In terms of the specific concern regarding the Langford South allocation, please see the site specific section of this report.

DM9: Highways safety and vehicle movements/routeing

- 7.41. Twelve comments were received in relation to this policy. Newark and Sherwood District Council, Erewash Borough Council and a local action group (Shelford Against Gravel Extraction (SAGE)) expressed support for the policy.
- 7.42. The Highways Agency supported the highways safety measures set out within the policy but wished to see reference to alternative modes of transport to further reduce the HGV impact. As Policy SP5 makes provision for alternative forms of transport, it is not considered necessary to repeat this within the criteria within this policy. The Highways Agency also highlighted a typographical error within the justification text which has been amended.
- 7.43. The National Trust suggested alternative wording for part of the policy to clarify that the transportation of minerals should not cause an unacceptable impact on either the environment or local amenity. The existing policy wording deliberately requires that there should be no unacceptable impact on both the environment and amenity in all instances. The suggested wording would remove this requirement of the policy and so the change has not been made.
- 7.44. A member of the public raised concerns over the potential visual impact of additional highways signage and lighting that might be associated with vehicle routeing agreements. Any changes made to the highway network and its use as a result of this policy, will be the responsibility of the Highways Department of the County Council (or by the Highways Agency where appropriate). Any increases in lighting and signage will be for these bodies to determine and as such is outside of the scope of this policy.
- 7.45. A local action group (Newark PAGE) sought to amend this policy or Policy SP5 to require alternative sites with shorter or more environmentally

acceptable routes to market to be preferred. Special arrangements should also be agreed to reduce or avoid movements when diversions are in place in order to limit the impact on settlements affected by such diversions. No changes are proposed as it is considered that this policy and SP5 already address these points and go as far as possible to require that proposals utilise alternatives to road where possible. Provisions for alternative actions during times of diversion can be included within routeing agreements but this would need to be decided on site by site basis at the planning application stage.

7.46. Other comments suggested:

- Rewording of the policy to take account of wider vehicle movements associated with minerals development (such as bringing in and removing the water needed for hydraulic fracturing) (a member of the public);
- Highlighting inaccuracy in justification text regarding confusion between terms 'planning controls' and 'planning conditions' (a mineral operator).

7.47. Both of these comments were accepted and changes made accordingly.

DM10: Airfield safeguarding

7.48. Three comments were received in relation to airfield safeguarding and bird strike. A mineral operator suggested a revision to the policy to clarify that mineral workings and their restoration are not in themselves a hazard to aviation but that bird strike is. The County Council accepted that bird strike is controllable and an amendment to the policy was made to address this (and to ensure consistency with the National Planning Policy Framework).

7.49. The RSPB expressed concern about the overall tone of the policy and its supporting text and the misleading inconsistency in the terminology used. They suggested a number of changes to alter the tone of the policy and remove inconsistencies. The County Council accepted these points, the tone was not intentional and so the suggested changes were made.

7.50. Nottinghamshire Wildlife Trust requested that the policy be reworded to reflect the differential levels of risk within different types of safeguarding zones, based on up to date and accurate information provided by aerodrome operators (a similar point was also raised by the RSPB). As the policy does not limit or require a certain type of restoration in the safeguarding areas, just that risks to aviation be considered and the relevant airfield consulted, the County Council considers that the approach utilising a 13km radius for all airfields is justified.

DM11: Planning Obligations

- 7.51. Three comments were received in relation to planning obligations. A local Parish Council requested that the Plan should include a policy for community payments to cover all types of extraction. The County Council understand the concerns of communities that host minerals development because there are no immediate benefits to 'compensate' for the inconvenience that occurs other than those which would be subject to a Section 106 agreement. It would not be appropriate to provide an additional policy in this respect, however, further text has been added to the justification to encourage agreements between communities and the operator.
- 7.52. A mineral operator suggested that some of the criteria listed in the justification text (the three tests that planning obligations must meet, as set out in the National Planning Policy Framework) should be included within the policy itself. As they are already covered in national policy, the County Council does not consider it necessary to repeat them in this policy.
- 7.53. The mineral operator also highlighted an error in the justification text regarding the legalities surrounding S106 Agreements. An amendment has been made to the text to clarify the situation.

DM12: Restoration, after-use and aftercare

- 7.54. Representations of support were received from Erewash Borough Council and the National Trust.
- 7.55. Comments from statutory consultees (Environment Agency, Natural England and Historic England) and District Councils (Newark and Sherwood District Council and Ashfield District Council) sought additional detail in the policy and justification text as follows:
- Whilst mineral extraction may be appropriate in one location, this does not necessarily mean that restoration using waste material would be acceptable in the same location;
 - Where waste material is to be imported, an Environmental Permit from the Environment Agency will be required;
 - Where restoration involves the use of extractive waste (i.e. not imported) this may require a Mining Waste Environmental Permit from the Environment Agency;
 - Proposals should demonstrate how they contribute to national as well as local biodiversity targets;
 - The historic environment should be mentioned explicitly in relation to restoration and aftercare proposals;
 - Soil quality is important for a range of after-uses not just agricultural use;

- Site Allocation Development Briefs should include relevant objectives from District Green Infrastructure Plans and identify potential flood mitigation measures.
- 7.56. Additional text has been incorporated into both the policy and justification text to address these issues.
- 7.57. The RSPB indicated general support for the policy but wished to see stronger references to the Biodiversity-led restoration strategy earlier in the Plan within SO6 and Policy SP2. Nottinghamshire Wildlife Trust also supported the policy in general but objected to the reference to employment uses in this policy as this implies a general presumption in favour of built employment development, which would be contrary to a biodiversity-led approach.
- 7.58. The policies contained in the Plan should be read as a whole. The County Council considers that the emphasis for biodiversity-led restoration is adequately referenced throughout the document and would not wish to preclude the potential for linking restoration proposals to employment opportunities which may be acceptable in some circumstances.
- 7.59. Comments from the minerals industry sought the removal of the word 'maintenance' from part 1 of the policy as this was considered impractical and irrelevant in terms of national policy. This was accepted and the change made.
- 7.60. It was also suggested that Part 3 (b) and (c) were too onerous in requiring an assessment of the optimum reclamation solution and evidence that it was not practical to re-use or recycle the waste as this is not a relevant matter for the Plan. The County Council has not accepted these points. The County Council's Reclamation Team will offer reclamation advice to both the operators and the Development Management team to ensure that the optimum solution is achieved. Part 3(c) of the policy is relevant as waste issues cannot be considered in isolation. As a Waste Planning Authority, the Council must ensure that all waste used for restoration cannot be recycled or re-used in the first instance.

DM13: Mineral Safeguarding and Consultation Areas (and Plan 6)

- 7.61. Nineteen comments were received on the Mineral Safeguarding and Consultation Areas policy, along with the justification text and Plan 6 which illustrates the areas.
- 7.62. Support for various, specific elements of this section were received and noted (no changes to the Plan needed):

- Coal Authority: inclusion of coal as safeguarded mineral, the two-stage approach used, the inclusion of urban areas in surface coal safeguarding, the support for prior extraction, the seven exemption criteria set out in the justification text, the identification in the Plan of the PEDL license areas and the approach to not illustrate hydrocarbon minerals in spatial form on Plan 6.
 - Broxtowe Borough Council: no specific shale gas safeguarding area and the justification text stating 'Identification of mineral safeguarding areas does not provide a presumption in favour of working the mineral, and is not a guarantee that there is a mineral present of viable quantity or quality';
 - A few mineral operators: general principle of the policy;
 - National Trust: the proportionate and acceptable approach of the policy;
- 7.63. A number of Nottinghamshire's District/Borough Councils commented on the relationship between this policy and their emerging Local Plans. Bassetlaw District and Gedling Borough Councils noted the Mineral Safeguarding and Consultation Areas in their Plan and the exemption test relating to sites allocated in Local Plan and the need for mineral sterilisation to be considered as part of Local Plan preparation. Both Councils stated an intention to liaise with the County Council on this matter as they progress their Local Plans.
- 7.64. Ashfield District Council raised concern about the policy and the impact of limestone and surface coal safeguarded areas on housing development in their District and suggested the policy be amended so as not to potentially sterilise non-minerals development sites on the urban fringe. The policy does not preclude non-minerals development in the safeguarded areas and so the County Council does not consider that a change is necessary.
- 7.65. Other comments suggested:
- Deep coal resources should be safeguarded (The Coal Authority)
 - Mineral safeguarding should be covered by a Strategic Policy, with this development management policy setting out the detailed criteria and exemptions (Mineral Products Association);
 - Two minerals operators commended that additional policy should safeguard existing and proposed mineral facilities, one comments suggested that a standoff of at least 250m be provided;
 - Details of how the policy will be implemented with District/Borough Councils should be provided and thresholds applied;
 - 'Unnecessary sterilisation' should be defined within the policy;
 - Building stone should have its own specific mineral safeguarding area, with reference to the Strategic Stone Study.

7.66. No changes were made as a result of these comments for the following reasons:

- The safeguarding of deep coal resources is not considered necessary given the consultation measures that are already in place for non-minerals development and the fact that the Plan will form part of the Development Plan for each of the Districts in Nottinghamshire;
- The County Council does not consider that mineral safeguarding should be identified as a strategic policy. The exemption criteria proposed to be contained in the policy are already set out in the justification text;
- Appropriate stand-offs will differ on a site-by-site basis depending on individual circumstances and would be considered during the planning application process. As such the county Council do not feel it would be appropriate to be prescriptive within the Plan on this matter;
- The Plan forms part of the Development Plan for an area and so will be considered during the planning application stage by District/Borough Councils. This is reflected in the National Planning Policy Framework, which again the District/Borough Councils must have regard to.
- The definition of sterilisation is set out in the Glossary of the Plan. The County Council do not feel that it would be appropriate to set out a clearer meaning within this policy.
- Whilst the County Council acknowledges the importance of building stone, it is of the opinion that it is unnecessary to safeguard building stone specifically within the Plan. However, it is safeguarded indirectly through the limestone safeguarding area.

7.67. In addition, a number of changes for the purpose of clarification and accuracy were sought:

- The terminology for the different mineral types should be the same in the justification text and Plan 6;
- The justification text should not include reference to hydrocarbons to clarify that there are no safeguarded areas for these minerals;
- The phrase 'proven resources' should be replaced with 'inferred' as the former suggests high confidence in the presence of a mineral and its economic viability, which is not the case.

7.68. Changes have been made to the Plan to address these points.

DM14: Incidental mineral extraction

7.69. Two comments were received on this policy from the minerals industry. The Confederation of UK Coal Producers (CoalPro) believe that there should be an obligation to consider the prior extraction of mineral as part of all development proposals, especially where the development would lead to the

sterilisation of resources. The County Council has noted this comment but does not consider that any change is required as the policy supports the extraction of mineral prior to/as part of non-minerals development and DM13 requires the consideration of extraction of minerals prior to non-minerals development taking place (within Mineral Safeguarding and Consultation Areas).

- 7.70. A mineral operator requested that the policy should refer specifically to the exportation of mineral off-site (in addition to the term 'mineral extraction') for clarity. No change has been made as the terminology used is the same as that used consistently throughout the Plan to mean extraction and the removal of the mineral from site. Therefore, altering the wording of this policy would render it inconsistent with the other policies in the Plan and is considered unnecessary.

DM15: Irrigation lagoons

- 7.71. Objections to this policy were received from the Environment Agency and the minerals industry.
- 7.72. The Environment Agency advised that no new water abstraction is allowed within the Idle and Torne catchment. The Agency also sought an additional policy criterion to require that 'an abstraction licence has been authorised by the Environment Agency' prior to granting planning permission.
- 7.73. This objection has been partially accepted as the Council recognises that there could be potential benefits from this in relation to assessing whether there is a genuine agricultural purpose for a proposal. However, there is no legal requirement for this approach and it may be considered an unreasonable for the Council to seek to impose this through policy. An additional paragraph has therefore been added to the end of the justification text to note that irrigation lagoons will usually require a water abstraction licence from the Environment Agency and that, if secured by the applicant, this could be used by the operator as evidence of a genuine agricultural purpose for the development as sought by Part (a) of the policy. This additional text also refers to the restriction on further abstraction within the Idle and Torne Catchment.
- 7.74. Both the Minerals Products Association (MPA) and a mineral operator expressed concerns that, without proper controls, irrigation lagoons could be used as a 'back door' means of extracting significant quantities of aggregate and thereby circumvent the plan-led system. Sales of this material can distort both the market and landbank, making it difficult for established operators to maintain continuity of supply. The industry therefore requested a tightening up of policy to ensure that such development only takes place

where there is a clear agricultural justification and off-site sales of aggregate are kept to a minimum. In this respect the MPA suggested detailed wording for a replacement policy and a further additional policy. Lafarge Tarmac suggested an additional criteria be added to the existing policy requiring that proposals demonstrate they would not prejudice existing or allocated sites.

- 7.75. The County Council acknowledges these concerns. The approach suggested by the MPA has a number of valid points but it is considered that taken as a whole, the suggested wording would place too much burden on applicants (contrary to the National Planning Policy Framework). Another operator suggestion is considered to be more pragmatic and covers a number of the elements raised by the MPA in their response. The policy has therefore been revised to include a reference to extensions to existing lagoons and to ensure that proposals will not impact upon the development of permitted or allocated mineral extraction sites.

DM16: Borrow pits

- 7.76. One comments was received in relation to borrow pits; Historic England highlighted that this policy did not include a specific criteria on the need to avoid unacceptable environmental impacts. Whilst it is the intention that the Plan should be read as a whole and that such impacts would be covered specifically under other policies, a further criteria has been added to the policy to recognise this point.

DM17: Associated industrial development

- 7.77. No comments were received in relation to this section of the Plan.

DM18: Mineral exploration

- 7.78. Seven comments were received in relation to the policy on mineral exploration. The minerals industry felt that the policy should give greater acknowledgement to existing minerals exploration rights which are set out within the General Permitted Development Orders (as amended). Although it is not considered necessary to repeat these provisions within the policy, the introductory text to this policy has been amended to make clear that planning permission is not always required in all instances of mineral exploration.
- 7.79. Five members of the public raised concerns in connection with this policy over the environmental impacts of shale gas exploration including possible water contamination and methane leaks. These objections were not accepted as the policy covers all forms of minerals exploration, including both conventional and unconventional hydrocarbons, and meets all aspects of NPPF in this respect. In relation to exploration for hydrocarbons, additional criteria are set out in Policy MP12: Hydrocarbon minerals. The

reference in MP12, part 1 to 'unacceptable impacts on the environment or residential amenity' would include water contamination and methane leakage.

8. Implementation and Monitoring

- 8.1. No comments were received on Chapter 6: Implementation and Monitoring. Comments were received in relation to Appendix 5: Monitoring and Implementation Table, please see Section 14.

9. Glossary

- 9.1. One comment was received, suggesting two additional terms to be added to the glossary. Both terms were added to the glossary.

10. Appendix 1: Information required in support of planning applications

- 10.1. One comment was received in relation to the list of information required in support of planning applications. This was from a Parish Council who felt that applicants should have to provide information to demonstrate how the proposal contributes to the Strategic Objectives of the Plan (and that this requirement should be included in the list). The County Council considered that there is a requirement for applicants to do this as they have to demonstrate how proposals accord with the Plan and so a specific mention in this list is not necessary or appropriate.

11. Appendix 2: Delivery Schedules

- 11.1. No comments were received on Appendix 2: Delivery Schedules. Associated comments on the expected life of sites were provided in the site specific sections of the Plan. Changes to the Delivery Schedule were made as appropriate in relation to the points raised.

12. Appendix 3: Site Allocation Development Briefs

- 12.1. Five supports were received for this section of the Plan. Other comments received related to proposed additions to the briefs including:
- Text relating to the environmental sensitivity, heritage, landscape and habitat features;
 - Text relating to restoration and consideration of the historic environment;
 - Text to be included to refer to the briefs within the relevant Minerals Provision Policies for completeness.
- 12.2. These comments were not accepted as the Plan should be read as a whole and it would therefore be unnecessary to duplicate text contained within other policies which are relevant to each individual site.
- 12.3. Minor amendments have been made to the briefs in light of comments received including:
- Adding reference to Collingham Conservation Area Character Appraisal in the briefs which are relevant to that area;
 - Amendments to the briefs for Langford West and Shelford West to include reference to opportunities to naturalise the river channel and reconnect the river with its natural flood plain.
- 12.4. Other comments were received in relation to requesting reference to the Nottinghamshire Wildlife Trust Living Landscape Areas document. No change was made to the briefs but additional text has been included within the Strategic Policy relating to biodiversity-led restoration to address this.

MP2b Bawtry Road North

- 12.5. Two comments were received in relation to this brief requesting additions to the text in terms of landscape scale conservation and indicators as to how the impacts on heritage assets should be addressed. No amendments to the briefs have been made in this regard as:
- Amendments have been made to Policy SP2 in relation to landscape scale conservation
 - The purpose of the brief is to identify key local issues to be considered at the planning application stage, not to include indicators.

MP2c Scrooby North

- 12.6. A comment was received requesting additions to the text in terms of landscape scale conservation. No amendment was made to the brief in this regard as amendments to Policy SP2 have been made to address this.

- 12.7. One comment requested that this brief be explicitly in terms of the approach to biodiversity-led restoration. An amendment has been made to address this.
- 12.8. The potential for non-designated archaeology at this site was highlighted and an amendment made to include reference to this.

MP2d Scrooby South

- 12.9. A comment was received requesting additions to the text in terms of landscape scale conservation. No amendment was made to the brief in this regard as amendments to Policy SP2 have been made to address this.
- 12.10. One comment requested that this brief be explicitly in terms of the approach to biodiversity-led restoration. An amendment has been made to address this.
- 12.11. Historic England suggested that indicators as to how the impacts on heritage assets should be addressed should be included within the brief. No amendments to the Plan have been made in this regard as the purpose of the brief is to identify key local issues to be considered at the planning application stage, not to include indicators.

MP2e Besthorpe East

- 12.12. Minor amendments have been made to the brief in light of comments received covering:
- Adding reference to Collingham Conservation Area and its listed buildings;
 - Highlighting the need for site restoration plans to take account of existing and proposed restoration in the wider Besthorpe, Langford and Cromwell areas, as well as existing areas of habitat, to maximise biodiversity gain in the area.
- 12.13. One comment requested that a master plan be developed to consider the cumulative restoration proposals for Langford Lowfields, Besthorpe and Cromwell quarries. However, the County Council do not feel that it would be appropriate for the Plan to initiate this at this time.
- 12.14. Historic England requested that standard wording be included which aims to protect, and where possible, enhance the significance and setting of heritage assets. This was not considered appropriate for the briefs and these issues are considered in other policies in the Plan.

MP2f Besthorpe South

- 12.15. One comment requested that a master plan be developed to consider the cumulative restoration proposals for Langford Lowfields, Besthorpe and Cromwell quarries. However, the County Council do not feel that it would be appropriate for the Plan to initiate this at this time.
- 12.16. Minor amendments have been made to the brief in light of comments received highlighting the need for site restoration plans to take account of existing and proposed restoration in the wider Besthorpe, Langford and Cromwell quarry areas, as well as existing areas of habitat, to maximise biodiversity gain in the area.
- 12.17. Historic England requested that standard wording be included which aims to protect, and where possible, enhance the significance and setting of heritage assets. This was not considered appropriate for the briefs and these issues are considered in other policies in the Plan.

MP2g Langford Lowfields South

- 12.18. One comment requested that a master plan be developed to consider the cumulative restoration proposals for Langford Lowfields, Besthorpe and Cromwell quarries. However, the County Council do not feel that it would be appropriate for the Plan to initiate this at this time.
- 12.19. A comment was received requesting that the section of the brief on quarry restoration be removed. However, this is not considered appropriate as the national policy requires that Local Planning Authorities ensure that worked land is reclaimed at the earliest opportunity and that high quality restoration takes place. All new quarry proposals would be required to submit a full restoration plan and this would be assessed through the planning application process.
- 12.20. Historic England stated that consideration should be given to the fact that there is the potential for the site to impact upon the setting of heritage assets in the local area. The brief has been amended to address this.

MP2h Langford Lowfields West

- 12.21. Historic England requested that standard wording be included which aims to protect, and where possible, enhance the significance and setting of heritage assets. This was not considered appropriate for the briefs and these issues are considered in other policies in the Plan.

MP2i Langford Lowfields North

- 12.22. One comment requested that a master plan be developed to consider the cumulative restoration proposals for Langford Lowfields, Besthorpe and

Cromwell quarries. However, the County Council do not feel that it would be appropriate for the Plan to initiate this at this time.

- 12.23. A comment was received requesting that the section of the brief on quarry restoration be removed. However, this is not considered appropriate as the national policy requires that Local Planning Authorities ensure that worked land is reclaimed at the earliest opportunity and that high quality restoration takes place. All new quarry proposals would be required to submit a full restoration plan and this would be assessed through the planning application process.
- 12.24. Historic England requested that standard wording be included which aims to protect, and where possible, enhance the significance and setting of heritage assets. This was not considered appropriate for the briefs and these issues are considered in other policies in the Plan.

MP2j East Leake North

- 12.25. One comment requested that this brief be explicitly in terms of the approach to biodiversity-led restoration. An amendment has been made to address this.
- 12.26. Historic England requested that the text in the brief regarding archaeological survey techniques be amended to allow for appropriate survey methods depending on the potential assets. This amendment has been made.

MP2l Cromwell South

- 12.27. One comment requested that a master plan be developed to consider the cumulative restoration proposals for Langford Lowfields, Besthorpe and Cromwell quarries. However, the County Council do not feel that it would be appropriate for the Plan to initiate this at this time.
- 12.28. The Environment Agency provided comments in relation to opportunities to naturalise the river channel and reconnect the river to its natural floodplain. Changes have been made to the brief to highlight the potential.
- 12.29. A comment relating to access was submitted to request clarification as to the fact that access will remain as per the original site. An amendment to the brief has been made to ensure that this is explicit.
- 12.30. The operator submitted comments to request that restoration to agriculture is not precluded. An amendment to the brief has been made in this regard.
- 12.31. Historic England requested that standard wording be included which aims to protect, and where possible, enhance the significance and setting of heritage

assets. This was not considered appropriate for the briefs and these issues are considered in other policies in the Plan.

MP2m Barnby Moor

- 12.32. A comment was received requesting additions to the text in terms of landscape scale conservation. No amendment was made to the brief in this regard as amendments to Policy SP2 have been made to address this.
- 12.33. One comment requested that this brief be explicitly in terms of the approach to biodiversity-led restoration. An amendment has been made to address this.

MP2n Botany Bay

- 12.34. A comment was received requesting additions to the text in terms of landscape scale conservation. No amendment was made to the brief in this regard as amendments to Policy SP2 have been made to address this.
- 12.35. A request was received to ensure that the high pressure natural gas line that crosses the site is mentioned in the brief, along with additional information relating to screening. Amendments have been made to the brief in this regard.
- 12.36. One comment requested that this brief be explicitly in terms of the approach to biodiversity-led restoration. An amendment has been made to address this.
- 12.37. Historic England requested that standard wording be included which aims to protect, and where possible, enhance the significance and setting of heritage assets. This was not considered appropriate for the briefs and these issues are considered in other policies in the Plan.

MPo Coddington

- 12.38. Fourteen comments were received on the brief requesting that the site be removed from the Plan because of the impacts on traffic, noise, dust and pollution. Objections to the site are considered in the site specific section of this report. However, text to limit traffic movements from the A17 on to the southern section of Drove Lane have been included in the brief.
- 12.39. The RSPB supported the provision of new areas of heathland and acid grassland proposed in the brief.
- 12.40. Newark and Sherwood District Council requested that reference be made to the protection of trees with Tree Preservation Orders at this site. An amendment was made to the brief to address this point.

- 12.41. One comment requested that this brief be explicitly in terms of the approach to biodiversity-led restoration. An amendment has been made to address this.
- 12.42. Historic England requested that standard wording be included which aims to protect, and where possible, enhance the significance and setting of heritage assets. This was not considered appropriate for the briefs and these issues are considered in other policies in the Plan.

MP2p Flash Farm

- 12.43. Two comments were received on the brief requesting that the site be removed from the Plan because of impact on traffic, noise, dust and pollution. Objections to the site are considered within the site specific section of this report.
- 12.44. Historic England requested that standard wording be included which aims to protect, and where possible, enhance the significance and setting of heritage assets. This was not considered appropriate for the briefs and these issues are considered in other policies in the Plan.

MP2r Shelford

- 12.45. A comment was received requesting additions to the text in terms of landscape scale conservation. No amendment was made to the brief in this regard as amendments to Policy SP2 have been made to address this.
- 12.46. One comment requested that this brief be explicitly in terms of the approach to biodiversity-led restoration. An amendment has been made to address this.

MP3a Bestwood 2 East

- 12.47. One support was received relating to this brief.

MP3b Carlton Forest North

- 12.48. A support was received relating to this brief and one comment requested that this brief be explicitly in terms of the approach to biodiversity-led restoration. An amendment has been made to address this.

MP3c Scrooby Top North

- 12.49. A comment was received requesting additions to the text in terms of landscape scale conservation. No amendment was made to the brief in this regard as amendments to Policy SP2 have been made to address this.

- 12.50. One comment requested that this brief be explicitly in terms of the approach to biodiversity-led restoration. An amendment has been made to address this.

MP6a Kirton West

- 12.51. The RSPB provided comments requesting that additional woodland planting should be highlighted within the brief. An amendment has been made to address this.
- 12.52. One comment requested that this brief be explicitly in terms of the approach to biodiversity-led restoration. An amendment has been made to address this.

Other sites

- 12.53. Four comments were received on the brief for the proposed extension to Finningley sand and gravel quarry. However, as the site has received planning permission, the allocation and brief have been removed from the Plan.
- 12.54. One comment and one support were received on the brief for the proposed extension to Girton sand and gravel quarry. However, new information submitted by the operator in relation to the delivery timescales for the site indicates that the site would not be operational in the Plan period. Therefore, the allocation and brief have been removed from the Plan.
- 12.55. Three comments and one support were received relating the proposed eastern extension to East Leake Quarry. However, as the site has now been granted planning permission, the allocation and the brief have been removed from the Plan.
- 12.56. A number of objections were received on the brief for the proposed sand and gravel site at Barton in Fabis. Objections to the site are considered within the site specific section of this report.
- 12.57. Two comments and one support were received on the brief for the proposed industrial dolomite quarry at Holbeck. However, due to information put forward by the operator the site is no longer proposed for allocation in the Plan as the resource will no longer be required within the Plan period. The allocation and brief have been removed from the Plan.

13. Appendix 4: Policies Map

- 13.1. Three comments were received. Historic England expressed concern over the quality and clarity of the Policies Map and Insets, the County Council agreed that this would be reviewed and improved for the Submission Draft. They also felt that heritage assets should be shown on the maps. The County Council does not consider it appropriate to identify heritage assets on the policies map as its purpose is to illustrate the policies within the Plan. Mapping of heritage assets, and other designations, are available elsewhere.
- 13.2. The remaining comments related to site specific alterations concerning:
- Showing the areas of Nottinghamshire's quarries that extend into adjacent administrative areas on the Policies Map (specifically Finningley Quarry)
 - The Mineral Safeguarding and Consultation Area should cover the full extent of all allocations in the Plan
 - Where site boundaries are changed as a result of consultation advice, they should be amended on the Policies Map
- 13.3. All of these points were accepted and the relevant changes made to the Policies Map.
- 13.4. Three further comments were made on the Policies Map at the Additional Consultation stage, but they were not considered relevant to this section of the Plan. They concerned:
- An objection to the Barton in Fabis sand and gravel extraction site
 - The failure of the document to group together the site areas, their total mineral reserve, annual extraction rates and projected site lifetimes.
 - The sustainability matrix for Coddington sand and gravel site being overoptimistic
- 13.5. The objection to Barton in Fabis was noted, see Section 6 for the County Council's full response on objections to this site.
- 13.6. The Additional Consultation was part of the wider Preferred Approach which did set out information on mineral reserves, extraction rates and lifetimes. Such information on all sites will be contained within the Submission Draft.
- 13.7. The Sustainability Appraisal was undertaken for all sites using a standard methodology, to ensure that a consistent approach was adhered to. See Section 15 for the County Council's full response to the range of comments received on the Sustainability Appraisal.

14. Appendix 5: Monitoring and Implementation Table

- 14.1. Five comments related to the monitoring and implementation table were received.
- 14.2. One was from Leicestershire County Council who felt that undue pressure could be placed on Leicestershire as the monitoring for MP2: Sand and Gravel provision would not identify when sales were increasing thereby triggering a review of the proposed provision. This comment was noted but no change was proposed; the monitoring table ensures that the landbank is maintained and the Local Aggregate Assessment will review the sales of aggregate annually. It was there considered that this concern is covered by the monitoring systems in place and so no change was necessary.
- 14.3. Three comments were from the RSPB who suggested various revised/additional performance indicators for a number of policies. The monitoring table was reviewed in light of the comments and changes made where it was considered the data suggested was relevant, available and it would not duplicate anything else within the table.
- 14.4. A Parish Council expressed disappointment at the use of negative indicators and triggers in the monitoring table and suggested that they be replaced with positive measures. However, the purpose of monitoring is to identify when policies are failing to enable action to be taken. This necessitates the use of negative indicators and so no changes were made.

15. Sustainability Appraisal

- 15.1. Comments on the Sustainability Appraisal were received on various parts of the Plan, primarily in the site specific elements, from mineral operators, statutory bodies and members of the public. For ease of reference, all comments on the Sustainability Appraisal are being considered together in this section.
- 15.2. Natural England commented that they agreed with the very negative scoring of Barton in Fabis in operational phase (in relation to the nearby SSSIs).
- 15.3. The mineral operator proposing Flash Farm Quarry, raised the following general points about the methodology behind the Sustainability Appraisal at the Preferred Approach stage:
 - Criterion 1: Mineral Demand gave better scores to the sites that contributed most to demand, but the greater environmental impact these sites have is not reflected in the rest of the Sustainability Appraisal
 - Criterion 2: Biodiversity does not reflect the outcomes of the AMES study and, when compared to the agricultural soil criterion, its effectively cancelled out
 - Criterion 3: Sustainable Transport is based on a flawed assumption resulting in scores that indicate a greater difference between sites than there is in reality
 - Criterion 9: Efficient Use of Resources assumes that extensions are more sustainable than new sites, which is not in accordance with MP1.
 - Criterion 5: Landscape gives a negative score to all sites during the operational stage, regardless of whether the works are needed to make improvements to the landscape. It also overly relies on large policy areas in the LCA which does not take in to account local setting.
 - The AMES study gives a much better result of the sustainability of sites than the Sustainability Appraisal and it needs to be substantially modified to be an accurate assessment of sites.
 - The absence of information has an unhelpful and misleading effect on the Sustainability Appraisal process
 - The scoring of Flash Farm was heavily influenced by the absence of information and should be reassessed on the basis of new information supplied.
- 15.4. In response, the County Council reasserted the methodology was consulted upon and that it was based on a consistent and justified approach and involved input from relevant internal and external experts. The Flash Farm site was reassessed using the additional information submitted by the

operator, but using the initial methodology. This resulted in a significantly improved score. No changes to the methodology of the Sustainability Appraisal were made as a result of these comments.

- 15.5. Three mineral operators completed their own assessments of their sites, providing reasons for different scores to those set out in the County Council's Sustainability Appraisal.
- 15.6. Two members of the public questioned a number of the scores in the Sustainability Appraisal of Coddington, completing their own assessment of the site and providing reasons for different scores to those set out in the County Council's Sustainability Appraisal. It was also suggested that the Sustainability Appraisal for the Additional Consultation did not give as an extensive analysis and discussion of the sites or include all of the elements as the original Sustainability Appraisal.
- 15.7. Historic England felt that the Sustainability Appraisal underplays the potential impact of Kirton West upon the significance and setting of the conservation area and listed buildings at Kirton, stating that the impact will be more than visual.
- 15.8. The County Council considers the Sustainability Appraisal process to be comprehensive and robust. The rationale for scoring against each Sustainability Appraisal Objective is set out in the Submission Draft Sustainability Appraisal Report. Wherever possible information that was measurable or could be categorised was used. On this basis scoring was applied consistently across all the site appraisals. In addition, it is important to note that, as stated in the Sustainability Appraisal Reports, the commentary explaining the reasoning behind each predicted effect and the potential mitigation should also be referred to rather than looking at the scores in isolation. The Sustainability Appraisal was based on the information available at the time, however at the planning application stage a wide range of detailed assessments would be carried out to ensure that the proposal is considered acceptable.
- 15.9. The Sustainability Appraisal is a living document and therefore has been amended as new or amended sites have been put forward at different stages of consultation. The same methodology has been used throughout to ensure that the assessment has remained consistent. The final Sustainability Appraisal accompanying the Submission Draft contains all of the sites in one document, along with all of the supporting elements (such as plans and comparison tables).

- 15.10. On this basis, no changes were made to the Sustainability Appraisal scoring or methodology, unless new information on sites was provided, in which case reassessments were completed.