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From: [REDACTED]
Sent: 13 January 2018 04:37
To: Planning Policy
Subject: Historic England advice on case PL00210342
Attachments: _HERef_PL00210342_L307304.doc

Follow Up Flag: Follow up
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Dear colleague

I am writing in relation to the following:

MDPD: Minerals DPD
NOTTINGHAMSHIRE MINERALS LOCAL PLAN 2016-2036 [Case Ref. PL00210342; HE File Ref. HDP5070/05/PT3; Your Reference.]

Please see attached letter for HE's response to the Minerals Plan Issues and Options consultation and the SA Scoping report consultation.

Should you have any queries, please do not hesitate to contact me.

Kind regards, Ros

Yours Sincerely

Rosamund Worrall
Historic Environment Planning Adviser
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Mr Steven Osborne-James
Nottinghamshire County Council
By Email

Direct Dial: [REDACTED]

Our ref: PL00210342
13 January 2018

Dear Mr Osborne-James

RE: NOTTINGHAMSHIRE MINERALS LOCAL PLAN - ISSUES AND OPTIONS AND SUSTAINABILITY ASSESSMENT (SA) SCOPING CONSULTATIONS

Thank you for the opportunity to comment on the Issues and Options consultation and the associated SA Scoping consultation. Historic England's comments on these are set out below. One general comment for both documents is that references to 'Scheduled Ancient Monument' should be revised to 'Scheduled Monuments' in line with NPPF terminology.

ISSUES AND OPTIONS CONSULTATION

Q1: Do you think any further information should be included in the overview of the area?

No, Historic England has nothing further to add to the overview.

Q2: Do you agree with the draft Vision? Are there other things we should include?

The wider Vision statement is supported. However, the fourth paragraph indicates that 'historic assets' will contribute towards a 'greener' Nottinghamshire but the relationship between the two is not clear since the paragraph essentially relates to green infrastructure matters. 'Historic assets' should be replaced with either 'cultural heritage', 'the historic environment', or 'heritage assets and their setting' for clarity within the sentence and paragraph. In addition, in terms of cultural heritage, only the built environment is subsequently referred to so archaeological remains are not included and would need to be. It may be prudent to replace 'built' with 'historic' to ensure all aspects are addressed in the Vision.

Q3: Are the above strategic issues appropriate? Are there others we should consider?

The identified strategic issues are appropriate but it is considered there is an omission and that conservation and enhancement of the historic environment should feature within the key strategic issues to ensure the Plan takes forward a positive approach to



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the historic environment as required in the NPPF.

Q4 and Q5 - both regarding forecasting methodology

Historic England has no alternative methodology to suggest at this time.

Q6: Do you think extensions to existing permitted quarries should be prioritised over new greenfield sites?

Not necessarily, either option would need to demonstrate it meets the environmental, social and economic threads of sustainability as required by the NPPF, and the Plan and SA would need to demonstrate that sites taken forward have been considered in relation to alternative options.

Q7: Should different approaches (new sites/extensions to existing permitted quarries) be adopted for individual mineral types?

Possibly, but this would depend on the outcome of any Call for Sites and subsequent site assessment and this information is not available at this time.

Q8: How important is it to maintain a geographical spread of sand and gravel across the County... to minimise the distance minerals are transported to markets?

The Plan and SA should recognise synergy between mineral extraction related traffic and the historic environment in terms of impact on heritage assets, for example through traffic impacts on Conservation Areas and heavy vehicle noise and vibration impacts on Listed Buildings.

Q9: Would it be more appropriate to prioritise specific areas above others?

Historic England is of the view that sites put forward for consideration as being taken forward in the Plan should be done so by using a robust site selection methodology. We recommend that Historic England Advice Note 3: The Historic Environment and Site Allocations in Local Plans and Historic England Good Practice in Planning 3: The setting of heritage assets (2nd edition) be used as a basis for the site selection methodology in respect of the historic environment:

<https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/>

<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>



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Q10: Is it economical to transport mineral by river barge and if so should proposed quarries with the potential for moving sand and gravel by river barge be prioritised over other proposals?

Historic England has no evidence to support or oppose the matter of whether transportation of minerals by barge is economical. Any proposed quarry would need to be identified through a robust site selection methodology in relation to the historic environment, amongst others.

Q11: Are you aware of any other issues relating to Sherwood Sandstone provision that should be considered through the Minerals Local Plan review?

Historic England is not aware at this stage of any further issues that should be considered.

Q12 relating to additional crushed rock reserve requirements

Historic England has no evidence to suggest that additional crushed rock reserves are required to meet demand in Nottinghamshire over the Plan period.

Q13: Are you aware of any other issues relating to crushed rock provision that should be considered through the Minerals Local Plan review?

Historic England is not aware at this stage of any further issues that should be considered.

Q14: Are you aware of any other issues relating to alternative aggregates that should be considered through the Minerals Local Plan review?

Historic England is not aware at this stage of any further issues that should be considered.

Q15: Should the Plan identify a specific replacement quarry (remote extension/new site) to Dorket Head clay pit or should a criteria based policy be developed to ensure an adequate supply of clay can be maintained over the plan period?

Historic England is of the view that a specific replacement quarry would be the preferred option in order for full consideration of impact on heritage assets and setting to be undertaken. Sites put forward for consideration as being taken forward in the Plan should be done so based on a robust site selection methodology for the historic environment. We recommend that Historic England Advice Note 3: The Historic Environment and Site Allocations in Local Plans and Historic England Good Practice in Planning 3: The setting of heritage assets (2nd edition) be used as a basis for the site



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selection methodology in respect of the historic environment.

Q16: Is a criteria based policy the most suitable approach to cover the potential for new brick works and associated clay pits?

No - Historic England is of the view that any new brick works and their associated clay pits should have a specific policy, or policies, to ensure that there is no confusion between clay pits for any new brick works and the use of the same clay pits for supplying clay to existing brick works i.e. potential viability issues in addition to potentially unnecessary harm to heritage assets and their setting through, possibly, unnecessary new brick work development.

Q17: Should the plan seek to identify specific site allocations for gypsum provision or should a criteria based policy be developed to ensure an adequate supply of gypsum can be maintained over the Plan period?

Historic England is of the view that specific site allocations would be the preferred option in order for full consideration of impact on heritage assets and setting to be undertaken, particularly since the Issues and Options document sets out that specific grades of gypsum are dictated by location. Sites put forward for consideration as being taken forward in the Plan should be done so based on a robust site selection methodology for the historic environment. We recommend that Historic England Advice Note 3: The Historic Environment and Site Allocations in Local Plans and Historic England Good Practice in Planning 3: The setting of heritage assets (2nd edition) be used as a basis for the site selection methodology in respect of the historic environment.

Q18: Are you aware of any issues regarding the provision of gypsum that should be considered as part of the Minerals Local Plan?

Historic England is not aware at this stage of any further issues that should be considered.

Q19: Are you aware of any issues regarding the provision of Silica Sand that should be considered as part of the Minerals Local Plan review?

Historic England is not aware of any issues relating to provision during the proposed Plan period that should be considered. However, we would recommend that justification text in the Plan sets out that the proposed criteria based approach is being taken due to current supply forecasts for the mineral, and that the situation be revisited at the next Mineral Local Plan review/trigger to establish whether a site allocation approach may be required at that time. This would ensure that a positive approach to the historic environment could be demonstrated in the Plan.



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Q20: Are you aware of any issues regarding the provision of industrial dolomite that should be considered as part of the Minerals Local Plan review?

Historic England has serious concerns about the extraction of dolomite in the Holbeck area due to the potential harm to heritage assets and their setting. These include Creswell Crags (Scheduled Monument), the Conservation Area, and Welbeck Abbey Registered Park and Garden.

We are of the view that due to the potential site area being limited to this area of the County, due to geological formations, and the presence of high value heritage assets which would need to be considered fully in respect of the Plan, a site allocation and specific site policy would be required within the Plan.

Consideration of the site would need to be informed by a Heritage Impact Assessment which should include a rigorous analysis of the contribution made by the setting on the significance of heritage assets in line with Historic England Good Practice Advice 3: The setting of heritage assets (2nd edition). The Minerals Plan should take into account the potential for Creswell Crags to be inscribed on the World Heritage List, together with an associated buffer zone, and have full regard to NPPF paragraph 132 guidance that harm to significant heritage assets, and their settings, should be wholly exceptional.

Heritage impact information would also need to look at how both Neanderthal and human populations across the Paleolithic used the landscape to interact with resources. Documentation should engage with recent and current research on comparable Paleolithic sites such as Bradgate Park, Leicestershire and comparable Neanderthal sites such as Glaston, Rutland. Neither Neanderthal nor Late Upper Palaeolithic populations were simply huddled in gorges and caves enclosed from their environment, they were also up on the ridges above working flint and hides and looking out across extensive steppe grassland as demonstrated in recent and current excavations in Rutland and Leicestershire. The lives of hunter gather peoples were, we believe, intimately associated with the seasonal movements of large mammals and birds through the landscape in which they operated, as supported by the cave art at Creswell. The ability to experience this monument in its extant landscape context, as well as within the enclosed space of the gorge, is central to its significance.

Any heritage impact assessment would need to focus on heritage solely with separate documentation to present any economic and social elements in order for public benefits to be considered appropriately.

Any economic information would need to consider the outcome of Derbyshire County Council application CM5/0416/4 for a further 3.23mt from new sites within the existing Whitwell site in addition to the approval of the main site for extraction to continue until 2040. In addition, the most current situation with the Thrislington site would need to be



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considered since it is our understanding that the site was mothballed for industrial dolomite in 2015 due to the demise in the UK steel industry and, whilst the site has been granted permission for further mineral workings they are unlikely to be industrial dolomite due to lower grade resources now available there. Any impact this may have on the supply for the national market would need to be explored during the Plan process since the existing UK supplies may be retained for national use rather than export and it may be prudent to consider alternative sources. In addition, any economic information should consider the impact of a minerals site allocation on the local economy in respect of tourism related to Creswell Crags caves and the wider heritage site.

Q21: Is there evidence to suggest that additional building stone reserves are required to meet demand in Nottinghamshire over the plan period? If so please provide this evidence.

Historic England is not aware at this stage of any further evidence that should be considered.

Q22: Are you aware of any other issues relating to building stone provision that should be considered through the Minerals Plan Review?

Historic England is not aware at this stage of any further issues that should be considered.

Q23: Are you aware of any issues relating to coal extraction that should be considered through the Minerals Local Plan review?

Historic England is not aware at this stage of any further issues that should be considered.

Q24: Are you aware of any issues relating to hydrocarbon extraction that should be considered through the Minerals Local Plan review?

Historic England is not aware at this stage of any further issues that should be considered. The proposed criteria based policy for hydrocarbons is noted.

Q25: Do you agree with the proposed development management policy areas? Are there any others that should be covered?

Historic England supports the inclusion of 'Landscape Character' and 'Historic Environment' policy topics.

Q26: Are you aware of any issues relating to minerals safeguarding that should be considered through the Minerals Plan review?



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Historic England is not aware at this stage of any further issues that should be considered.

SUSTAINABILITY ASSESSMENT SCOPING REPORT CONSULTATION

Chapter 1: Introduction

Q1 response - Historic England is of the view that the information sets out the requirement for, and purpose of, SEA and SA adequately. However, para.1.7 'Other Appraisals' should include reference to the potential need for Heritage Impact Assessments for site allocations in the Plan. These are currently omitted from the scope of the assessment and should be included to ensure the Plan can demonstrate a positive approach to the historic environment in line with NPPF requirements.

Chapter 2: Methodology

Q2 response - Historic England is of the view that the methodology has been adequately explained. Historic England's Advice Note 8: Sustainability Appraisals and Strategic Environmental Assessment may be of use to NCC in respect of the historic environment:

<https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

Chapter 3: PPP

Q3 response - Additional relevant information in respect of the historic environment should be included in Appendix 1 and used in the development of the SA as follows:

National:

- Historic England Good Practice in Planning 3: The setting of heritage assets;
- Historic England Advice Note 3: Site allocations in Local Plans;
- Historic England Good Practice in Planning 8: SA and SEA;

Local:

- NCC Historic Environment Record;
- District and Borough Conservation Area Appraisals and Management Plans; and,
- Site Specific Management Plans e.g. The Creswell Heritage Trust business plan.

In addition, the reference to European Convention on the Protection of Archaeological



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Heritage (Revised) 1992 implications for the plan section refers to important archaeology along the Trent Valley but does not include the Roman settlement near Mansfield or the Neanderthal and Paleolithic site at Creswell Crags. These should be included for completeness.

Q4 response - Historic and cultural heritage key messages are rather limited and do not indicate potential synergy with other objectives. For example, Lincolnshire County Council used the following key messages in its recent minerals site allocations SA:

- Conserve or enhance heritage assets and their setting in a manner
- Protect the historic environment from inappropriate development
- Avoid harm to designated heritage assets
- Recognise the value of non-designated heritage assets and protect these where possible
- Tackle heritage at risk
- Recognise the contribution made by the historic environment to the character of landscapes and townscapes
- To encourage social cohesion and help continue valued local traditions
- To promote recreational and cultural activity the arts, heritage, dialect and sport
- To encourage community identity

The inclusion of other elements promotes key messages that are inclusive rather than keeping topics in silos.

The key messages are poorly worded and it is not clear why the reference to taking detailed records is included as a main feature in the key message section and in the implications for the SA framework since it is very specific and something that would translate through to specific site policy or criteria in any case if conservation, enhancement, better revealing and understanding of the site were requirements in the key message section.

It is recommended that the key messages be revisited to extend the scope and address wording/content issues. We would be happy to discuss these issues in due course and to provide informal comments on any interim draft that may become available before the next statutory consultation.



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Particular concerns relate to the wording of BP's 3, 4, 5, 6 and 8. BP4 refers only to designated assets rather than heritage assets and is poorly worded. In addition it appears superfluous in that it is trying to say what BP3 key message has already set out. Neither address setting of heritage assets, nor does BP8. In their current form, the key messages do not adequately reflect NPPF requirements for heritage assets and their setting nor impact on significance or harm.

Q5 response - The implications for the SA framework should be revised to encompass the implications of all the documents listed, and as suggested in Q3 response above, and also in respect of any alterations that are made to the key messages. The scope of the current wording is insufficient to assist the Plan to move forward on a robust and sound base. Again, we would be pleased to discuss this with you in due course.

Chapter 4: Baseline information and characteristics of Nottinghamshire

Q6 response - The Historic and Cultural heritage data refers solely to heritage at risk information and relates to one short paragraph (4.14) in the relevant characteristics section. Does the HLC or HER offer any additional baseline information that could assist the SA and Plan moving forward? HLC offers raw data which can have values added to it to assist with site allocation considerations for example.

Q7 response - There are no apparent inaccuracies in the heritage at risk data which is monitored annually.

Q8 response - The characteristics section for Historic and Cultural heritage sets out the variety and spatial pattern of heritage assets within the County but a few omissions are identified. Firstly, Creswell Crags is not mentioned and it should be included due to its high significance locally, nationally and internationally and for completeness. Secondly, it is recommended that para 4.12 should include reference to waterside settlements where the River Trent is mentioned since there is the potential for paleolithic remains in waterside sand and gravel deposits. In addition, non-designated heritage assets are not mentioned and should be referred to possibly as an additional sentence in para.4.14 in order to address the requirements of NPPF paras 135 and 139.

Chapter 5: Sustainability issues

Q9 response re Historic Environment and Cultural Heritage - Due to the narrow approach taken with cultural heritage earlier on in the scoping, the sustainability issue identified is skewed towards listed buildings at risk and potential Trent Valley archaeology when, due to the nature of mineral extraction it is likely that Scheduled Monuments, Registered Parks and Gardens, Conservation Areas and non-designated heritage assets in the County are likely to be mostly affected by the Plan, in particular Creswell Crags in respect of possible dolomite extraction. Suggestions made in earlier





parts of this response should assist with widening the scope of the SA in order to provide a robust and sound base for the Plan.

Q10 response - Historic England agrees that the Historic Environment and Cultural Heritage has a moderate/high significance to the Plan. It is recommended that the word 'affect' be replaced with 'harm' in line with NPPF terminology.

Q11 response - In relation to the Historic Environment and Cultural Heritage section of Table 2 and how the Plan can influence the sustainability issue we recommend that 'adverse impacts' be replaced with 'harm' in line with NPPF terminology and that reference to the setting of heritage assets is included in line with NPPF requirements. Whilst the text brings other elements together that are mentioned elsewhere in the scoping report, it is recommended that the text be adjusted to reflect any other changes that are made to the scope of the report as it progresses to the next stage.

Chapter 6: Developing our sustainability objectives

Q12 response - SA Objectives 4 and 5 in respect of the historic environment/cultural heritage and landscape respectively are welcomed.

Q13 response - Objective 4 decision making criteria 'have an adverse impact upon' wording should be replaced with 'cause harm to' and add a separate sentence 'Can any such harm be mitigated against?' In the indicators section reference to 'SAM' should be amended to 'SM' in line with current terminology. It is not clear why Conservation Areas are included in the indicators for Objective 5 Townscape and landscape since they are heritage assets of national importance. If suggestions earlier in this response are taken on board it would be worth reviewing whether the CA's issue would fit better in the Objective 4 section.

Q14 response - Table 7 sets out a rather limited approach to synergistic links for Cultural heritage. It is our view that Cultural Heritage also has synergy with SA objectives 2, 3, 7, 13 and 14 which would provide a wider scope for the SA as it progresses to the next stage. SAO2 in respect of green infrastructure areas sometimes coinciding with heritage assets e.g. historic ditches, hedgerows, canals etc; SAO3 in respect of traffic impact on a place e.g. Conservation Areas; SAO7 impacts on climate change can impact on buried remains through watering and dewatering similar to flooding; SAO13 there is synergy with economic development in relation to heritage related tourism and its impact on a local economy; and, SAO14 personal engagement with the historic environment can add to wellbeing e.g. visiting and experiencing a place, volunteering at a heritage site etc.

We hope that these comments are of use at this time. As indicated earlier in this response, we would be pleased to meet with you to discuss any aspects raised in this response and would be agreeable to working with you on areas of concern we have highlighted in relation to the historic environment prior to the next formal consultation



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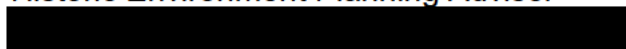
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stage. Do not hesitate to contact me should you have any queries.

Yours sincerely,



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