



## INDEPENDENT EXAMINATION OF NOTTINGHAMSHIRE MINERALS LOCAL PLAN

### MATTERS, ISSUES & QUESTIONS

#### RESPONSE TO INSPECTORS QUESTIONS BY GREENFIELD ENVIRO ON BEHALF OF LONDON ROCK SUPPLIES LTD

##### MATTER 5 – SITE ALLOCATION DEVELOPMENT BRIEFS

###### Site: MP2p: Mill Hill nr Barton in Fabis

###### **56 Should the Brief require assessment in accordance with national policy on Green Belt, including measures to mitigate any effects on the Green Belt?**

1. The area of the Nottingham Green Belt is a “matter of fact” and thus any development allocated within the Nottingham Green Belt will have already have been judged to satisfy the aims and objectives of Green Belt policy as set out in the NPPF. This is no different to any other policy obligation included within the NPPF, such as the economic benefits of minerals development and to ensure a steady and adequate supply and aggregate material.
2. In that regard it must be noted that mineral development takes place in the Green Belt across the UK and in Nottinghamshire as minerals can only be worked where they lie.
3. Mineral Local Plans frequently allocate extraction sites in Green Belt to meet economic needs and ensure aggregate supply requirements and this is part of the broad policy assessment of appraising sites put forward to meet the needs of the construction industry.
4. It is suggested that the “brief” for each site within the Minerals Local Plan document should focus on site specific environmental issues that are related to each individual site, such as certain types of restoration habitat that may be beneficial in a certain parts of the County or addressing specific environmental issues that may be characteristic of a district.
5. It is considered that Green Belt is not an “environmental designation” but is a defined area identified to prevent “urban sprawl” between conurbations. In this case, the Green Belt lies between the City’s of Nottingham and Derby.
6. To stress, mineral extraction is not inappropriate development in the Green Belt, provided it preserves openness and does not result in urban sprawl, which the Mill Hill/ Barton in Fabis development, it will not.

7. The Supreme Court decision of 5<sup>th</sup> February 2020 (Sam Smiths Brewery v North Yorks CC) makes clear that openness is “not a statement about visual qualities”, “nor does it imply freedom from all development” (including mineral development which is temporary in nature).
8. The court decision also emphasises that openness is “a broad policy concept”, which is the counterpart of urban sprawl and linked to the avoidance of urban sprawl. Openness is not therefore a consideration concerning visual impact.
9. It is therefore suggested that the “brief” cannot address every potential impact or broad policy matter and is provided to give developers and decision makers a “guide” to the main issues that need to be addressed as part of the any mineral proposal for a specific site, and this might include visual effects and the mitigation of those visual effects.
10. We consider that the “brief” is not the correct place to propose mitigation for any Green belt impacts from the proposed minerals development, as the Mill Hill development simply will not contribute to urban sprawl (either during operations or as part of its restoration) and loss of openness in the long-term.
11. The test for a mineral site in Green Belt (as explained in the Supreme Court decision) is the site and its development must meet “high environmental standards” and lead to high quality restoration. Therefore site specific environmental considerations, like visual effects/mitigation and proposed end-uses are valid elements of a Brief for the site, but not a re-visit of broad policy concepts relating to urban sprawl.

**57 Should a requirement for assessment of effects on the Trent Valley Green Infrastructure Corridor be included?**

12. The Trent Valley is a strategic Green Infrastructure (GI) documents recognised at both local and regional level. The Trent Valley GI corridor covers a substantial area of the East Midlands that passes through Leicestershire, Derbyshire Nottinghamshire. The Mill Hill/ Barton in Fabis site (MP2p) lies mainly within the Borough of Rushcliffe and partly within the City of Nottingham and is bounded to the north by Broxtowe Brough Council (BBC).
13. All of these districts have policies and objects that relate to local GI, such as in Broxtowe where the Green Infrastructure Strategy is stated as “a network of living multi-functional natural and semi natural features, green spaces, rivers, canals and lakes that link and connect villages, towns and cities. It provides a holistic and sustainable approach to viewing the natural environment and landscape and provides multiple benefits for people, wildlife and local communities.”
14. Within the Trent Valley, a number previous mineral extraction operations have significantly contributed to the development of GI in the East Midlands, especially in Nottinghamshire where a range of wildlife site and area for public recreation and access have been created. Some of the most significant areas are the country parks at Colwick, the National Water sports centre and associated country park at Holme Pierrepont and the Attenborough Nature Reserve that are all restored gravel workings.

15. It should be noted that mineral extraction and processing operations within the Attenborough Nature Reserve only recently ceased (2018) and that the demolition of the large processing plant is still ongoing.
16. The proposals for mineral working on site MP2p will ensure that the current public access via Public Rights of Way (PRoW) will be maintained throughout the life of the mineral extraction operations and that following restoration additional access to the land will be agreed. It should also be noted that the proposed processing plant for the site will be located at Mill Hill which is not within the Trent Valley. The processing plant and the valley extraction areas will be connected by conveyor belt to minimise any potential direct or indirect impacts of the proposal.
17. We consider that there is not a requirement to include a specific reference to the Trent Valley GI Corridor as the detailed elements of the brief (such as restoration/ habitat objectives and PRoW) have been included that form a fundamental part of the local and regional GI objectives.

**58 Should a requirement for assessment of impact on the Attenborough Nature Reserve be included?**

18. Within the Brief there is reference to the impact of birds on the Attenborough Nature Reserves, however, the planning application and EIA have included detailed assessments of the potential direct and indirect impacts on the nature reserve in relation to ecology, hydrogeology, noise, landscape and dust.
19. It should be noted that prior to the submission of the application some river side planting was undertaken in specific areas to reduce potential visual impacts from Attenborough and during the consultation following submission even more extensive and detailed assessments have been undertaken to address and mitigate concerns where necessary.

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