

28 June 2012

Agenda Item: 4

REPORT OF GROUP MANAGER PLANNING**FEEDBACK OF CONSULTATION ON THE NOTTINGHAMSHIRE MINERALS
LOCAL PLAN****Purpose of the Report**

1. To inform the Committee of the response to the first round of consultation (the Issues and Options consultation) on the Nottinghamshire Minerals Local Plan. It includes details of the consultation measures and the responses received and then sets out the next stages in the production of the Plan.

Information and Advice

2. As a Minerals and Waste Planning Authority, Nottinghamshire County Council is required to prepare a planning policy document against which applications for minerals development can be assessed. The current plan was adopted in 2005 covering the period to the end of 2014, and will need to be replaced by then. The new National Planning Policy Framework emphasises the need to have up-to-date plans. Therefore, work is underway on the production of a new plan. In line with national policy this is a staged process.
3. The preparation of the new plan has to go through a number of key stages to gather and present evidence, put forward the issues and establish the options that will form the final Plan; these include several consultations. In preparation for these stages work will include preparing evidence on minerals production in co-operation with other minerals authorities, liaison with, and consulting stakeholders, including the industry, district councils and the public. The later stages will include refinement of specific policies and, for some minerals, site specific proposals. The key stages of the process are identified in Appendix 3.
4. Under the current timetable it is anticipated that the content of the new Minerals Local Plan will be clear by early 2013 although the process to approval will extend into 2014. Once the Core Strategy is in place a site specific document giving allocations for sand and gravel extraction will be produced.

First round of consultation on Issues and Options

5. A Minerals Local Plan Consultation document was produced which set out the issues surrounding minerals development in Nottinghamshire and the options for

dealing with them. This was subject to public consultation between 27th January and 30th March 2012. The consultation involved writing to consultees on the database (including the industry, stakeholders and local interest groups) as well as visiting libraries across the county to engage local communities. Letters were also sent to all properties within 250m of any existing or proposed site.

6. The consultation materials comprised two parts, the Minerals Local Plan Consultation document, which was accompanied by a series of background papers examining the details associated with specific minerals and issues, and a summary leaflet with a questionnaire aimed at engaging the public in the consultation exercise. Appendix 1 contains a detailed summary of responses to issues and options in the consultation.
7. Responses were invited to the main document or background papers via email, post or online. Responses from 196 individuals and organisations were received, amounting to over 1,100 comments on different parts of the plan. Responses to the leaflet questionnaire amounted to a further 126 people, a summary of those responses is at paragraph 87.

Next steps in preparing the Plan

8. Following on from this consultation exercise, the responses received, along with other evidence gathering and sustainability appraisal work, will be developed into a preferred approach which should strike the right balance between the social, economic and environmental issues associated with minerals development. Appendix 4 contains the current timetable for the production of the Minerals Local Plan. The preferred approach document will be considered by the Environment and Sustainability Committee before a period of public consultation. Although subject to the need to undertake assessments of need and other gather further data, and agree evidence in co-operation with other authorities, this is expected to be in a form to present to Committee by early 2013. Following on from this a final draft plan will be developed. It will be subject to a formal representation period, during which objections can be made to the soundness of the plan, before it is examined by an independent Government Inspector. If found to be 'sound' it will be adopted; this is expected to be in 2014.

Key issues arising from the Issues and Options consultation

9. The key issues raised in the Issues and Options consultation document and the feedback received is as follows:

Portrait, vision and objectives

10. To plan effectively for future mineral development there needs to be a good understanding of our current situation, what is likely to change (over the next 15 years) and how to provide adequate mineral to meet demand in the most sustainable way.

11. The consultation document set out a draft portrait, vision and objectives which highlighted the key environmental, social and economic issues and clear goals to be able to achieve and measure the effectiveness of future policies.
12. Consultation response: Overall the response was positive although a wide range of comments and suggestions were put forward.
13. NCC response: ***The comments and suggestions put forward will be taken into account before the final versions are included in the preferred approach.***

Approaches to making mineral provision

14. There are a number of ways that provision for minerals can be made: allocate sites, identify broad areas where extraction could be suitable or develop criteria or constraint area policies.
15. The current MLP relies on all the above approaches. Previous guidance advised that local plans should only allocate strategic sites.
16. Consultation response: The feedback from the consultation was mixed between those, mainly the minerals industry and other planning authorities, who thought as many sites as possible should be identified and those, mainly the public, who thought that identifying broad areas for extraction would be more beneficial.
17. NCC response: ***No firm decisions have been made about how provision should be made for every mineral, but it is likely that the new plan will also have to adopt a similar approach to that set out in previous guidance.***

Minerals provision - What level of provision should be made for aggregate minerals?

18. The Minerals Local Plan will need to identify adequate mineral resources to meet its 'fair share' of mineral over the plan period to 2030. The consultation document presented three possible options to meet future provision;
 - § Provide the Government apportionment of minerals (highest figure)
 - § Increase provision levels over the Plan period as the economy recovers (middle estimate)
 - § Base provision on current production levels; which are low due to the recession (lowest figure)
19. Consultation response: Feedback from the consultation was generally split between those who think that the recommended production level should be maintained and those, mainly the public who think that production figures should be significantly reduced to reflect the ongoing recession.
20. However the approach presented in the consultation document has been superseded by the publication of the National Planning Policy Framework (NPPF). The NPPF states that Mineral Planning Authorities should identify future production using rolling average sales data from the last 10 years.

21. NCC response: ***The next stage will be to produce a Local Aggregate Assessment which will look at a variety of information including previous sales data to identify our proposed annual production figures for aggregates. As part of this there will be liaison with adjoining Mineral Planning Authorities through the Aggregate Working Party. The draft production figures will then be included in the preferred approach document for consultation.***

Aggregate minerals - Sand and gravel and Sherwood Sandstone

22. The new mineral plan will need to indicate whether a broad geographical spread of quarries should be maintained for sand and gravel and Sherwood Sandstone extraction. This approach would minimise the distance minerals would need to be transported to market and limit the impact of extraction on communities in any particular area. For sand and gravel this would mean prioritising remaining reserves in the Idle Valley and near Nottingham before increasing production in the Newark area. For Sherwood Sandstone it would mean maintaining the existing geographical spread.

23. Consultation response: Feedback from the consultation was generally in favour of maintaining the geographical spread for both sand and gravel and Sherwood Sandstone.

24. NCC response: ***Further work will now need to be undertaken to identify the main extraction areas and key constraints that would need to be considered for both mineral types.***

Sand and gravel – site specific issues

25. Consultation response: A significant number site specific comments were received from Individuals and parish councils from two areas of the county, namely North & South Muskham, Bathley and Little Carlton regarding possible sites that were put forward as part of the call for sites and from Burton Joyce and Bircotes regarding the Bulcote Farm allocation in the existing Minerals Local Plan.

26. NCC response: ***The new Minerals Local Plan will set out strategic policies that will influence the broad location of sand and gravel extraction to meet demand. Once the plan is adopted, a site specific document will be prepared which will assess individual sites. The comments submitted as part of this consultation will be retained and used when the individual sand and gravel sites are assessed.***

Aggregate minerals - Limestone

27. Aggregate limestone production in Nottinghamshire is low by regional standards and overall there are adequate permitted reserves to cover demand until late in the plan period.

28. A potential extension has been put forward to Nether Langwith quarry which is likely to raise few issues. If allocated it would maintain reserves beyond the end of the plan period.
29. However a further two sites have been put forward which will need to be considered through the plan process.
30. The first concerns a replacement to Whitwell Quarry in Derbyshire which is close to the Nottinghamshire boundary near Holbeck. The quarry is important for industrial dolomite (a high grade limestone) which is nationally very scarce but it also works aggregate limestone found below the dolomite.
31. No further extensions to Whitwell Quarry in Derbyshire appear possible and the restricted geographical occurrence of the industrial mineral makes future options limited. The mineral operator is therefore proposing to develop a replacement quarry in Nottinghamshire near Holbeck which is at the southern most limit of the industrial dolomite resource.
32. The primary justification for the Holbeck proposal is to sustain production of industrial dolomite, however if the extraction is considered acceptable, then recovering the underlying aggregate limestone as well, does in principle make sense in sustainability terms.
33. A further issue that will need to be considered is the proximity of the proposed quarry to Creswell crags (a Scheduled Ancient Monument) and within a potential World Heritage Site. These environmental issues will need to be assessed against the need for nationally important mineral reserves.
34. The second proposed site, at Steetley would primarily supply aggregate limestone to an adjacent new concrete product manufacturing plant. The main environmental and economic benefit of this proposal is that the concrete plant could be supplied by mineral without the need to use public highways as now occurs. The quarry also contains a limited amount of industrial dolomite, which if worked, would need to be taken off site by road to be processed. The plan will therefore need to assess if the reduction in transport outweighs any impacts of developing a new quarry in this location.
35. Consultation response: Feedback from the consultation was that in purely sustainable terms the sites put forward were favourable; however a significant number of comments were made about the environmental impacts of both sites but particularly in regard to Holbeck and the possible impact on Creswell Crags and the potential World Heritage Site.

Alternative aggregates

36. Alternative aggregates provide an important source of mineral to minimise the extraction and consumption of primary minerals. Construction and demolition waste and power station ash are now the main source of alternative aggregates in Nottinghamshire. Until recently river dredging also provided an important source however this activity has since been significantly reduced by British Waterways.

37. Production of alternative aggregates is thought to have reached its natural limit in terms of quality and quantity; however the development of new technology in the future could make further production possible. The plan will need to promote the use of alternative aggregates wherever possible and should encourage the development of new technologies.

38. Consultation response: Responses to the consultation agreed with this analysis.

Brick clay

39. Over the plan period further reserves of brick clay will need to be permitted to meet future demand. Brick pits at Dorket Head and Kirton have the potential to extend although a new green field clay pit will also be needed to supply the brick works at Dorket Head towards the end of the plan period.

40. Consultation response: In terms of the consultation response the industry wished to see extensions allocated in the plan and also a criteria-based policy included to ensure that longer term demand could be met. Most other comments related to site specific issues raised by the individual proposals.

41. NCC response: ***Further work will need to be undertaken to identify the best way to provide adequate reserves at both clay pits. This could be in the form of extensions to existing pits and/or a criteria based policy to allow for new sites to come forward.***

Gypsum

42. Two gypsum resources are worked in the county; the Marbleagis mine at East Leake and the open cast quarry at Bantymock, south of Newark.

43. Reserves at the Marbleagis mine are adequate until mid way through the plan period. No further reserves are available in the County although reserves in Leicestershire can be accessed from the existing mine. Reserves at the Bantymock quarry are also adequate until mid way through the plan period however the existing plan contains an allocated area south of the site which has not yet been subject to a planning application. The plan will need to consider if this allocation should be included in the new plan to ensure reserves are adequate to the end of the plan period.

44. Consultation response: There was general agreement that the existing allocation should be included in the new plan.

Silica sand

45. If a current planning application for a silica sand quarry at Two Oaks Farm were to be permitted there will be no need to identify further reserves of silica sand over the plan period. It is suggested that a criteria based policy could be included to cover any exceptional issues regarding need that might arise in the future.

46. Consultation response: There was broad support for including a criteria based approach.

Building stone

47. National policy on building stone promotes the use of local building stone industry and resources. They form an essential part of local built heritage including the repair and maintenance of historic buildings. Nottinghamshire only has one small quarry at Linby that supplies local building stone needs.

48. The plan will need to consider if the existing quarry should be identified in the plan or if a criteria based policy based on need should be included.

49. The current site only has planning permission until 2015 although the operator has stated that they wish to extend the life of the quarry. However the quarry has a number of issues including a poor access and is in close proximity to a Site of Special Scientific Interest.

50. Consultation response: Response from the consultation generally agreed that it is important to maintain building stone production however issues were raised about the access to the site and the environmental designations close by.

Coal – Deep Mine

51. Identifying adequate colliery tipping space at Thoresby colliery, will be an important issue, particularly if new coal reserves are to be exploited in the future. Harworth Colliery faces similar issues, however this is currently in care and maintenance and it is uncertain when and if it will reopen.

52. Consultation response: The feedback from the consultation was generally in agreement that the plan should set out criteria against which to assess locations for long term spoil disposal. Where adequate information was put forward by the industry sites should be included in the plan.

53. NCC response: ***Further work will need to be done to identify the main criteria against which potential sites can be assessed and undertake assessments on potential colliery tipping sites where adequate information is available.***

Coal recovery from tip washing

54. In the past coal processing was often inefficient and substantial quantities of coal were left in the spoil. At some sites it can be economic to recover this coal.

55. The current plan is generally in favour of this activity providing it does not have unacceptable social and environmental impacts. It is considered that this approach is still valid and could be taken forward into the new plan.

56. Consultation response: Overall responses from the consultation were in favour of maintaining the positive approach towards coal recovery.

Surface mined coal

57. The current plan dealt with surface mined coal by applying a 'constraint area' approach which defined those areas where there is a strong presumption against surface coal extraction. This included Mature Landscape Areas, SSSIs or ancient woodland.
58. These constraints remain valid but the mature landscape designation has now been replaced by overall landscape character assessment which the plan will need to take account of.
59. Landscape constraints can no longer be identified on constraint area maps although impact on local landscape is a very significant issue and one that is likely to influence where surface coal mining will be acceptable, particularly in the Erewash Valley.
60. Consultation response: Feedback from the consultation was generally split between those including the industry who thought it was unnecessary to have a different approach for coal compared to other minerals and those that thought the plan should identify the key strategic issues such as landscape character.
61. NCC response: ***Further work will need to be undertaken to identify whether a criteria based approach setting out the key strategic issues is appropriate or if it can be adequately covered under a general landscape character policy applicable to all forms of minerals development.***

Hydrocarbons

62. Hydrocarbon minerals which comprise oil and gas are the most important energy minerals produced and consumed in the UK. High energy prices, falling off-shore production and recent technological advances in extraction have created a very strong impetus to explore and develop new domestic sources of oil and gas.
63. National energy policy on oil and gas production is positive and states that the Government's main aim is to maximise the potential of the UK's conventional oil and gas reserves in an environmentally acceptable way.

Oil, mine gas & coal bed methane

64. Overall oil, mine gas and coal bed methane raise few issues and existing policies in the current plan support these activities subject to avoiding unacceptable environmental impacts. The issues and options document asked if the existing policies remain appropriate.
65. Consultation response: Feedback to the consultation was in agreement that the existing policies covering oil, mine gas and coal bed methane were adequate.

Shale Gas

66. Vast quantities of methane exist in shale deposits worldwide and recent technological advances have now made it commercially viable to exploit them in certain circumstances. No specific national policy exists on shale gas as it is such a new activity however set against national energy policy guidance this suggests it should take a broadly positive stance in line with the other hydrocarbons subject to the necessary environmental safeguards.

67. Consultation response: The responses to the consultation were split between adopting a broadly positive approach and adopting a more cautious approach as it is yet an unproven technology.

Social and environmental issues

68. In addition to the mineral specific (and primarily economic) issues, social and environmental issues will influence the policies and proposals in the Minerals Local Plan. The consultation document sought opinion on how strategic social and environmental issues should be dealt with in the plan.

Biodiversity

69. Three options were put forward for consideration in the consultation document:

- A: Have a broad strategic policy promoting biodiversity through site restoration;
- B: Have a policy promoting area-wide strategies focusing on specific biodiversity needs i.e. wetland restoration in the Trent Valley; or
- C: Have a policy based on meeting Local Biodiversity Action Plan targets.

70. Consultation response: It was clear from the consultation that 'option B' was favoured due to its clarity and stronger steer for minerals restoration.

Landscape character

71. Two options were put forward for consideration in the consultation document:

- A: Taking a policy approach which focuses on specific Landscape Character Areas that are particularly unsuitable, or suitable for minerals extraction;
- B: Take a more general approach requiring the Landscape Character Assessment to be taken into consideration when assessing planning applications.

72. Consultation response: It was clear from the consultation that 'option B' was favoured as it was considered a more workable approach whilst enabling Landscape Character Assessment to be taken into account.

Recreational opportunities

73. Consultation response: No evidence was put forward on the need for major new recreational facilities that relied on mineral extraction sites to be realised.

Archaeology

74. Three options were put forward for consideration in the consultation document:

- A: To take forward the existing Minerals Local Plan approach, promoting a proportionate response to proposals that will impact upon the County's historic environment;
- B: Promoting the preservation in situ of nationally important sites and their wider settings whether designated or not, including the area of special archaeological interest at South Muskham. The policy could also make reference to the treatment of remains of lesser significance;
- C: Give weight to new mineral extraction proposals that would help fill the knowledge gaps about the County's archaeology.

75. Consultation response: The majority of respondents thought that a combination of 'option A' and 'option C' was most suitable as it could apply to sites across the county not just in the Trent or Idle Valleys.

Climate change

76. Two options were put forward for consideration in the consultation document:

- A: A strategic policy specifically covering climate change could cover both adapting to and minimising the impact of climate change;
- B: Climate change issues could be covered by other policies in the plan, with no specific policy on it. For example the reduction of emissions could be dealt with through the promotion of sustainable transport and energy efficiency through a development management policy.

77. Consultation response: The response was split between the two options. The majority of non industry respondents thought that 'option A' would provide clearer and more focused guidance. The industry mainly supported Option B as it was seen that this was a less prescriptive approach.

Flood risk

78. Two options were put forward for consideration in the consultation document:

- A: A broad policy requiring use of the Strategic Flood Risk Assessment for site assessments;
- B: Identify specific constraint areas in the plan of highest flood risk where development should be avoided.

79. Consultation response: It was clear from the consultation that 'option A' was favoured as it would enable individual applications to be assessed on their individual merits rather than precluding potentially valuable resources.

Agricultural land

80. The consultation asked if there was any evidence that current national policy on protecting agricultural land should be modified to suit local circumstances. No evidence was put forward to modify the current national policy.

Development Management policies

81. Development management policies provide the more detailed criteria against which future planning applications will be assessed. Topics covered include traffic, biodiversity, the historic environment and after use of sites. Two possible options were put forward:

A: Use the existing policies, but merge and group them to create positively worded and more succinct policies; or

B: As above, but also to remove topics that could be covered in the strategic part of the plan.

82. Consultation response: Feedback from the consultation showed a slight preference for 'option A' although it was noted that both options are very similar. It was highlighted that whichever approach was taken it was more important to keep policies succinct but effective.

NCC response on Social and environmental issues

83. *Further work will need to be undertaken on all of these aspects of the Plan to establish policies which deliver the objectives of the Plan in protecting the environment and communities.*

Safeguarding

84. As mineral resources are finite and can only be worked where they occur, they should be conserved for the long term by avoiding minerals being unnecessarily sterilised by other development such as housing, retailing or industry which can often be located elsewhere.

85. Safeguarded areas do not imply that mineral extraction is acceptable and neither do they preclude other development – their purpose is simply to ensure that mineral resources are taken into account when they are at risk from being lost to other development.

86. The main issues for the plan are to set out which resources should be safeguarded and how they will be safeguarded. As almost the entire County overlies a potential surface or underground resource then safeguarding every mineral is not a practical option.

87. Consultation response: Concerns were raised about the practicalities of safeguarding in relation to the need for growth and also that supporting extraction prior to development could prejudice decision making.

88. NCC response: ***Due to the complexity of minerals safeguarding a separate development plan is likely to be developed to complement the Minerals Local Plan document.***

Response to questionnaire

89. The level and geographical spread of the responses received to the questionnaire was pleasing. Unsurprisingly there were clusters of responses from communities close to existing and potential sites. The responses to the questionnaire demonstrated for those that responded all of the issues associated with minerals development set out in the leaflet were important. However, those that were of particular concern were those that had a direct effect on communities, including minimising impacts on communities, restoration and the location of quarries. They also felt that recycling existing materials to reduce the need for new minerals was very important. The issues that received a more mixed response were associated with the level of provision, safeguarding minerals from other development and links to climate change. Details of the analysis of the questionnaire results are set out in Appendix 2.

Other Options Considered

90. None. It is a statutory requirement for the Council to have an up to date Minerals Local Plan in place.

Reason for Recommendation

91. The production of the Minerals Local Plan is a statutory function of the County Council, the Plan should reflect the priorities of the County Council and fulfil national planning policy.

Statutory and Policy Implications

92. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

1) That the Committee notes the outcome of the consultation exercise and approves the continued production of the Plan in line with the processes set out in this report.

Sally Gill
Group Manager Planning

For any enquiries about this report please contact:
Steven Osborne-James, Senior Planning Officer

Constitutional Comments (NAB 11.06.12)

93. The Environment and Sustainability Committee has authority to approve the recommendation set out in this report.

Financial Comments (MA 08/06/12)

94. The costs associated with production of the plan, and those incurred subsequently as part of the Examination of the Plan by the independent inspector, will be met through both existing Committee budgets, and a reserve of £325,000 for such Examinations.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Individual consultation responses and summary.

Electoral Division(s) and Member(s) Affected

Whole County

Appendix 1 Detailed summary of responses to issues and options consultation questions.

Setting the overall context of the plan

Q1 - Do you agree with this portrait of Nottinghamshire for the Minerals Local Plan? Should we include anything else?

Q2 – Do you agree with the vision – are there other things we should include?

Q3 – Are the objectives appropriate?

There was general agreement to all three questions relating to the portrait, vision and objectives. A wide range of comments and suggested amendments were put forward and these will be considered and where appropriate included in the final versions in the preferred approach document.

Minerals provision

Q4 – Do you have any views on the principles of how provision should be made?

The responses to this question were almost equally split between the two options; however there was a clear difference between the industry and most other respondents. Identifying site specific locations was supported by the majority of the industry and some other respondents. The main reasons given for this view point included certainty for the community and the industry, and guidance in the National Planning Policy Framework (NPPF) relating to the requirement to only prepare additional development plans where clearly justified.

The main reasons given by most other respondents for identifying broad strategic areas included the fact that sand and gravel sites were not considered strategic and that by identifying broad areas it would be easier to develop a long term strategy that adequately assessed all the competing factors.

The main focus of attention was on sand and gravel however comments relating to other specific minerals were made and these will be considered as part of the process.

Q5 Do you consider that the proposed new apportionments should be provided for in full – or does the current economic situation favour any of the alternative approaches suggested?

There were three main areas of comment for this question.

The response from the industry was significantly in favour of maintaining the apportionment level. The main reason given was that owing to costs in production the industry would not extract more mineral than the mineral demands but it could react to any upturn in demand relatively quickly.

Other mineral planning authorities identified the apportionment or 'alternative 1' but it was also noted that whichever approach was taken it should not put other authorities under pressure to supply more.

The response from other respondents was mixed between 'alternative 1' and 'alternative 2'. The main reasons for selecting these options over maintaining the apportionment was based on the significant fall in production in recent years and the limited growth that is predicted over the coming years. Comment was also made that any forecast to 2030 would be unreliable and that a shorter period such as 5 years should be used.

Other comments made include:

The NPPF sets out new guidance relating to apportionments that was published after the consultation document. We will therefore need to take account of this which may identify a different approach to that stated in the document.

Aggregates - alluvial Sand and gravel

Q6 - Should priority be given in principle to: a) maintaining production in the Idle Valley and north Nottinghamshire?; b) establishing new production capacity near Nottingham?; or c) establishing new capacity near Newark that can serve Yorkshire and Humberside by water transport?

The overall feedback was that a spread of sites should be maintained across the county to minimise the distance that mineral has to be transported. Although Reserves in the Idle Valley are limited it was suggested that these should be prioritised before more distant reserves in Newark are exploited. Reserves near Nottingham should also be exploited again to minimise the distance mineral would potentially have to travel.

Q7 – Is it economically viable to transport mineral by barge from Newark to Nottingham using smaller barges?

Although there is support for promoting more sustainable forms of transport, questions over the viability of transporting mineral to Nottingham from Newark, the depth of the river channel and the limited availability of wharfs to unload the mineral have been highlighted.

Q8 – Do you agree that biodiversity, archaeology and landscape character are the main environmental issues that should influence the overall strategy of where future sand and gravel extraction occurs?

The issues listed are considered important, however it was suggested that they should be considered as part of a wider suite of issues. Those mentioned included transport, proximity to market, impacts on residential amenity/ communities.

Aggregates – Sherwood Sandstone

Q9 – Do you agree that it is important to maintain the current broad geographical spread of sites in the county or is it the quality and grades of sand that are more important?

General preference amongst the industry to maintain the existing geographical spread. No clear views from other respondents however wider comments included promoting extensions to existing sites over new sites and minimising the concentration of sites in particular areas

Q10 Do you think the landbank policy should make some allowance for the different types of sand which are not found in every quarry?

The main respondents to this question were the industry. It was noted that the importance of all colours of sand should be recognised in the plan. Comments were mixed regarding the idea of developing individual landbanks for each colour of sand.

Aggregates - limestone (crushed rock)

Q11 – Do you see any reason in principal why aggregates should not be extracted at the site near Holbeck if this is considered suitable for industrial dolomite extraction?

Most respondents raised concerns with the general location of the site and the impact on the surrounding area (Creswell Crags, Welbeck Abbey) rather than the issue of extracting aggregate limestone. Of those who made specific reference to the aggregate stone the majority thought it would be more sustainable / or difficult not allow the extraction of aggregate limestone (due to sterilisation issues) if the site was suitable for industrial dolomite.

Q12 – Do you consider the transport and other benefits of extracting aggregate limestone at Steetley over-ride the lack of any need to make provision for any more mineral in either Nottinghamshire or Derbyshire?

There was general agreement that the principle of minimising the need for transport was positive. There was concern about site specific issues and uncertainties over amount of any export of industrial dolomite by road and the potential impacts on the local area.

Q13 – Do you have any views on how the Minerals Local Plan should consider the longer term future of Nether Langwith Quarry?

There was general agreement that in principle the most sustainable option would be to assess the suitability of the extension for inclusion in the plan. The issue was raised that identifying more reserves at the existing mothballed site could be problematic for future supply.

Alternative aggregates

Q14 Do you have any evidence to indicate any significant changes in alternative aggregate production or uses over the plan period?

The common response was that production of alternative minerals is likely to rise slowly over the plan period. New technologies are being developed which could allow more to be utilised in the future.

Q15 Do you have any views on how the Minerals Local Plan could further promote the use of alternative aggregates?

A wide range of suggestions were put forward to promote use of alternative aggregates. These included minimising the amount of primary mineral produced to promote recycled use, financial incentive schemes for alternative aggregates or requirement of figures on planning applications.

Brick clay

Q16 Should the plan identify suitable extensions and or new clay pits, or should a criteria based policy be developed to ensure an adequate supply of clay can be maintained at existing brickworks?

The industry wished to see extensions identified in the plan but also a criteria based policy to ensure landbank can be maintained. Other comments related to site specific issues at both existing clay pits and the potential new pit at Bilsthorpe including visual impact, impact on the environment and noise and disturbance.

Q17 If new replacement pits are needed should these be linked to a broad area of search?

Generally support was given for a broad area of search approach, however other comments were submitted raising issues about the lack of uncertainty this could cause.

Q18 Should the current criteria based policy approach that considers proposals for new brick works and associated clay pits be retained?

Retaining the current policy is broadly supported. Comments were made about the need to update the policy to include biodiversity lead schemes and to consider impact of transport clay by road.

Gypsum

Q19 Should the new plan re-allocate the proposed extension to Bantycock Quarry that is already allocated in the existing plan, or would a broader area of search be preferable?

Broad support for the re allocation of Bantycock quarry. Reasons given included proximity to existing Jericho works and 'off road' access to the manufacturing plant.

Silica sand

Q20 Do you agree that a criteria based policy for silica sand provision remains appropriate?

There was broad support for maintaining criteria based approach. Other comments included the possible need for greater clarification of unacceptable environmental and amenity issues and also the need for emphasis on restoration to BAP habitats.

Industrial dolomite

Q21 Should the plan allocate a replacement quarry near Holbeck to sustain long term supplies of industrial dolomite? Do you have any views on the environmental issues that should be identified to make such proposals acceptable?

Industry agreed that the plan should allocate the site. A wide range of site specific issues raised about the suitability of the site including the proximity to Creswell Crags / possible World Heritage Site, Welbeck Abbey and wider landscape and wildlife issues.

Q22 If Steetley Quarry is allocated for aggregate extraction should the industrial grade mineral be used for that purpose rather than as an aggregate?

In principle it was agreed that mineral should be used for industrial purposes. However the need for Steetley quarry is currently based on the proximity of raw materials to the factory site. Mineral being exported off site could weaken this case.

Building stone

Q23 Do you have any views on how the Plan should make long term provision for Bulwell Stone?

General agreement that provision for Bulwell stone is needed. No specific comments about how the plan should make provision although the industry has stated potential extensions to Yellowstone Quarry could be possible. Site specific concerns have been raised including the SSSI and access to the site.

Q24 is there a proven need to re-open disused quarries or develop new quarries in other building stone resources to help meet demand for this mineral?

Limited response, although it was suggested that a stone study could be completed to help identify potential sources of building stone.

Coal

Q25 Should the plan give specific guidance on the key issues that will influence future long term spoil disposal options at Thoresby Colliery, and should it identify potential tipping sites if sufficient evidence is put forward?

Feedback suggests that the plan should identify the key issues that will influence long term spoil disposal options. Issues include environmental, transport and tourism impacts (Thoresby). The industry would also like to see sites identified where possible.

Q26 How should the plan provide for the long term future and uncertain tipping requirements at Harworth Colliery? Should the plan rely on the current general criteria based policy or identify potential sites if the evidence is available?

The industry would like to see support for extension to time for the existing tipping areas and for further areas of tipping and if evidence is available, sites could be included. Other comments agreed that the existing general criteria based policy would be adequate. Issue raised about possible conflict of land use.

Q27 Do you think that the current approach set out in the Minerals Local Plan remains valid (coal washing)

General support for maintaining the current approach. Some issues raised that the policy is slightly vague and that it should take account of wider issues, and biodiversity lead restoration.

Q28 Do you have any information about future prospects of tip washing in Nottinghamshire?

No information on future prospects for tip washing were put forward, however the point was made that new technology will enable previously unworkable resources to be exploited in the future.

Q29 As most, if not all major new surface coal mining proposals will be within green field sites, what types of local benefits could help offset the environmental impact of extraction?

A list of local and national benefits were put forward by the industry. These include:

- Local: local employment, biodiversity and landscape benefits, increased public access, funding community projects more general socio-economic benefits due to increased local activity.
- National: increased employment, increased tax revenues, UK product as apposed to imports and enhanced security of supply

Q30 Should the plan identify the key strategic environmental issues, such as landscape character, that will influence where future surface coal mining will be acceptable in principle?

The majority of non industry respondents thought that the plan should identify key strategic issues, however a wider range of issues were put forward including biodiversity and built heritage. The majority of industry responses thought it was unnecessary to have a different approach for coal compared to other minerals.

Hydrocarbons

Q31 Do you think the current policy approach towards oil remains appropriate?

The majority of respondents support maintaining the current policy approach, although it was suggested that the policy could take account of a wider range of issues.

Q32 Do you think the current policy approach towards mine gas remains appropriate?

The majority of respondents support maintaining current policy approach, although it was suggested that the policy could take account of a wider range of issues.

Q33 Do you think the current policy approach towards Coal Bed Methane remains appropriate?

The majority of respondents support maintaining the existing policy. Other comments included:

- The policy should be extended to cover all forms of unconventional gas,
- No specific policy needed as they could be covered by general policies,
- Current policy a minimum. Wider issues such as polluted water, impact on environment, residential amenity

Q34 Do you have any evidence that would refine our understanding of the extent of the economically viable resource in Nottinghamshire?

A limited response was given to this question however the industry suggests the whole of the Petroleum Exploration Development Licence (PEDL) area should be considered viable.

Q35 What key constraints, if any, should be applied to identify where Coal Bed Methane (CBM) extraction is not acceptable in principle?

The industry was in agreement that no specific constraints should be applied. The remaining respondents highlighted a variety of issues including environmental, landscape and impact on residential areas. These are issues are covered under the existing policy.

Q36 Do you have any evidence that would refine our understanding of the extent of the shale gas resource in Nottinghamshire and its potential for exploration?

No evidence was put forward at this stage as the industry is still in the early stages of evaluation.

Q37 Would it be reasonable to apply the same approach to shale gas as suggested for CBM in terms of identifying constraint areas?

Industry was in agreement that the same assessment criteria should be used. Other respondents were generally in agreement however it was highlighted that the risks are not yet fully known and that further investigation is needed.

Q38 In the absence of specific national policy (on shale gas) do you see any reasons not to adopt a broadly positive stance in principle to extracting this mineral.

Responses to this question were split between adopting a broadly positive stance and those that thought a more cautious approach should be taken as it is as yet an unproven technology.

Social and environmental issues

Biodiversity

Q39 Which of the approaches above do you think is most suitable for promoting biodiversity? Or do you have other suggestions?

The majority of respondents thought that option B was the most suitable. Reasons included greater clarity and stronger steer for minerals restoration and that it was inline in with some adjoining Mineral Planning Authority approaches.

Landscape character

Q40 Which approach do you think would be most suitable for protecting and enhancing landscape character in the plan? Do you have any other suggestions?

A: Taking a policy approach which focuses on specific Landscape Character Areas that are particularly unsuitable, or suitable for minerals extraction;

B: Take a more general approach requiring the Landscape Character Assessment to be taken into consideration when assessing planning applications.

The majority of respondents highlighted 'option B' as most suitable. Option B was considered the more workable approach whilst still enabling the Landscape Character Assessment to be taken account of. Option A was generally seen as being too restrictive.

Recreational opportunities

Q41 Do you have any evidence of the need for major new recreational facilities in the County that are likely to rely on mineral extraction to be realised?

No evidence put forward however industry highlighted the increased access that can be created as a result of mineral extraction.

Archaeological

Q42 Do you agree with the main archaeological issues raised? Are there other issues that we should be considering?

The majority of respondents agreed with the main issues raised. It was highlighted that all heritage assets should be considered including the impact on those above ground.

Q43 Which approach to archaeology do you consider to be more appropriate? Are there any other approaches we should consider?

A: To take forward the existing Minerals Local Plan approach, promoting a proportionate response to proposals that will impact upon the County's historic environment;

B: Promoting the preservation in situ of nationally important sites and their wider settings whether designated or not, including the area of special archaeological interest at South Muskham. The policy could also make reference to the treatment of remains of lesser significance;

C: Give weight to new mineral extraction proposals that would help fill the knowledge gaps about the County's archaeology.

The majority of respondents thought that a combination of options A & C were seen as most suitable although respondents in the Muskham area identified option B as the most suitable.

Climate Change

Q44 Do you agree with the climate change issues raised? Are there any other issues that we should be considering?

The majority of respondents agreed with the issues raised. It was highlighted that minimising the distance mineral needs to be transported and or promoting other types of transport could reduce impact on climate change.

Q45 Which approach do you consider to be more appropriate for dealing with climate change? Are there any other approaches we should consider?

A: A strategic policy specifically covering climate change could cover both adapting to and minimising the impact of climate change;

B: Climate change issues could be covered by other policies in the plan, with no specific policy on it. For example the reduction of emissions could be dealt with through the promotion of sustainable transport and energy efficiency through a development management policy.

The majority of non industry respondents favoured Option A as it would provide clearer and more focused guidance. The industry mainly supported option B as it was seen that this was a less prescriptive approach.

Flood risk

Q46 Which of the (above) strategic approaches to flood risk do you think would be most suitable?

Majority of respondents agreed with 'option A' because it would enable individual applications to be assessed on their individual merits rather than precluding potentially valuable mineral.

Q47 Do you think a strategic flood risk policy should be supported by a development policy? If so what should be included?

The responses slightly favour the creation a development policy because it would ensure that individual developments have taken into account specific flood risks relevant to the development of the site. Reasons given for not including a policy include the duplication/ availability of information at a national level included in the NPPF.

Agricultural land

Q48 Do you have any evidence that current national policy on protecting agricultural land should be modified to suit local circumstances? Are there any local agricultural land issues relevant to mineral extraction that need to be considered in the plan?

No evidence was put forward to modify the current national policy on protecting agricultural land.

Development management policies

Q49 Which approach would you consider most appropriate for developing a new set of development control policies? Are there any other proposals that should be considered?

Respondents were almost equally split between options A&B although there was a slight preference for 'option A'. It was noted that both options were very similar. It was highlighted that it was more important to keep policies succinct but effective.

Q50 Do you agree with the proposed development management policy areas? Are there any other areas that should be covered?

Overall there was a general agreement with the proposed development management policy areas; however a wide range of comments / suggested amendments were put forward. These will be considered as the preferred approach document is developed.

Q51 Do you have any views on which mineral resources should be safeguarded?

A wide selection of comments and suggests relating to the minerals that should be safeguarded were put forward by a range of groups/ organisations. These will be considered as the preferred approach document is being developed and help to form future policy.

Q52 Do you have any evidence that would help refine the resources to be safeguarded?

There was a limited response to this question however any information provided will be incorporated into future work on safeguarding.

Q53 Do you have any views on how safeguarding will work in practice? For example, is prior extraction realistic? What timescales should be considered?

There was mixed opinion about how realistic prior extraction (i.e. before development takes place) is, and concerns were raised about the practicalities of safeguarding in relation to the need for growth. These details and issues will be considered in the development of a preferred approach.

Appendix 2 – Analysis of the response to the Questionnaire

Aim and purpose of the questionnaire

The questionnaire was designed to gain public opinion on the issues surrounding minerals extraction. The questions asked were based on the objectives set out in the main consultation document. It was felt that it was not appropriate to ask the public any more detailed questions on individual minerals through the questionnaire as sufficient information could not be provided in the leaflet on which to make a considered judgement. The desired outcome of the questionnaire was to see which of the objectives were considered most important to the public. This would highlight any areas for priority in the objectives, which could then have knock-on effects in terms of the weight given to certain considerations when looking at the issues surrounding individual minerals. It could potentially also highlight those issues of less importance to the public or those where they didn't have a strong opinion.

Level of response

The level of response was pleasing considering the topic matter and based on comparative work on the Waste Core Strategy and in comparison to the experiences of other authorities. A large majority of respondents requested to be kept informed about further stages, which is again welcome as it will continue engagement during further stages of the plan process.

Total number of respondents: 126

Number of respondents who requested to be kept informed about further stages: 96

Method of reply: 29 online, 97 post

Geographical range of responses

Number of respondents who gave postcode: 115

The questionnaire included a request for a postcode. This was included for the purpose of geographical analysis to give an indication of the spread of responses and to check for any clusters. The list below sets out all of the locations, the figures in brackets show where there was more than one response from that location.

Worthing, West Sussex	Stoke Bardolph	Haywards Heath, West Sussex
Rugby, Warwickshire	Papplewick (2)	Worksop (2)
Breedon on the Hill, Derby	Ravenshead	Whitwell, Derbyshire
Heanor, Derbyshire	Kimberley	Langold
Misterton (2)	Cossall	
Misson	Sutton in Ashfield	
Bircotes	Mansfield	
Harworth	Rainworth	
Tickhill, South Yorkshire	Edwinstowe	
Retford	Tuxford	
East Leake	Bilsthorpe	
Rempstone (4)	Kirton (3)	
Shepshed, Leicestershire	New Ollerton	
Shelford (7)	Newark	
Keyworth	Little Carlton (15)	
Newton (2)	Coddington (3)	
Nottingham (5)	Halloughton	
Burton Joyce (22)	Arnold (5)	
Bulcote (14)	Attenborough	

What is clear from this is that there is a fair spread across the county, with some near neighbour responses, as well as a number of completely remote responses. Unsurprisingly there are a number of clusters close to both existing and proposed sites. The range of responses go some way in representing the views of local communities, particularly those who have some connection with mineral working in their vicinity. The clusters of opinions are noted, and are reflected in the responses received to the main document. The largest clusters are associated with potential sand and gravel extraction sites.

Results

The percentage of respondents giving a particular answer to each question is shown in the table over the page.

In summary:

- All of the issues surrounding minerals extraction are generally considered to be 'very important' to those that responded.
- There were very few instances where respondents did not know how they felt about a particular issue, suggesting a high strength of opinion amongst the respondents.
- Of the remaining issues, those that had the highest percentage response as 'very important', indicating that these are the most important to those that responded and as such should be given priority in the plan, are:
 - o Ensuring that harmful impacts of mineral working on local communities are minimised
 - o After quarrying returning the land to the way it was before or suitable alternative
 - o Choosing the most suitable location for new quarries
 - o Recycling existing materials to reduce the need for new minerals

Unsurprisingly, these are the issues that have the potential to have to most direct impact on communities, but confirm that for those that responded the impact on their local community is of great concern to them.

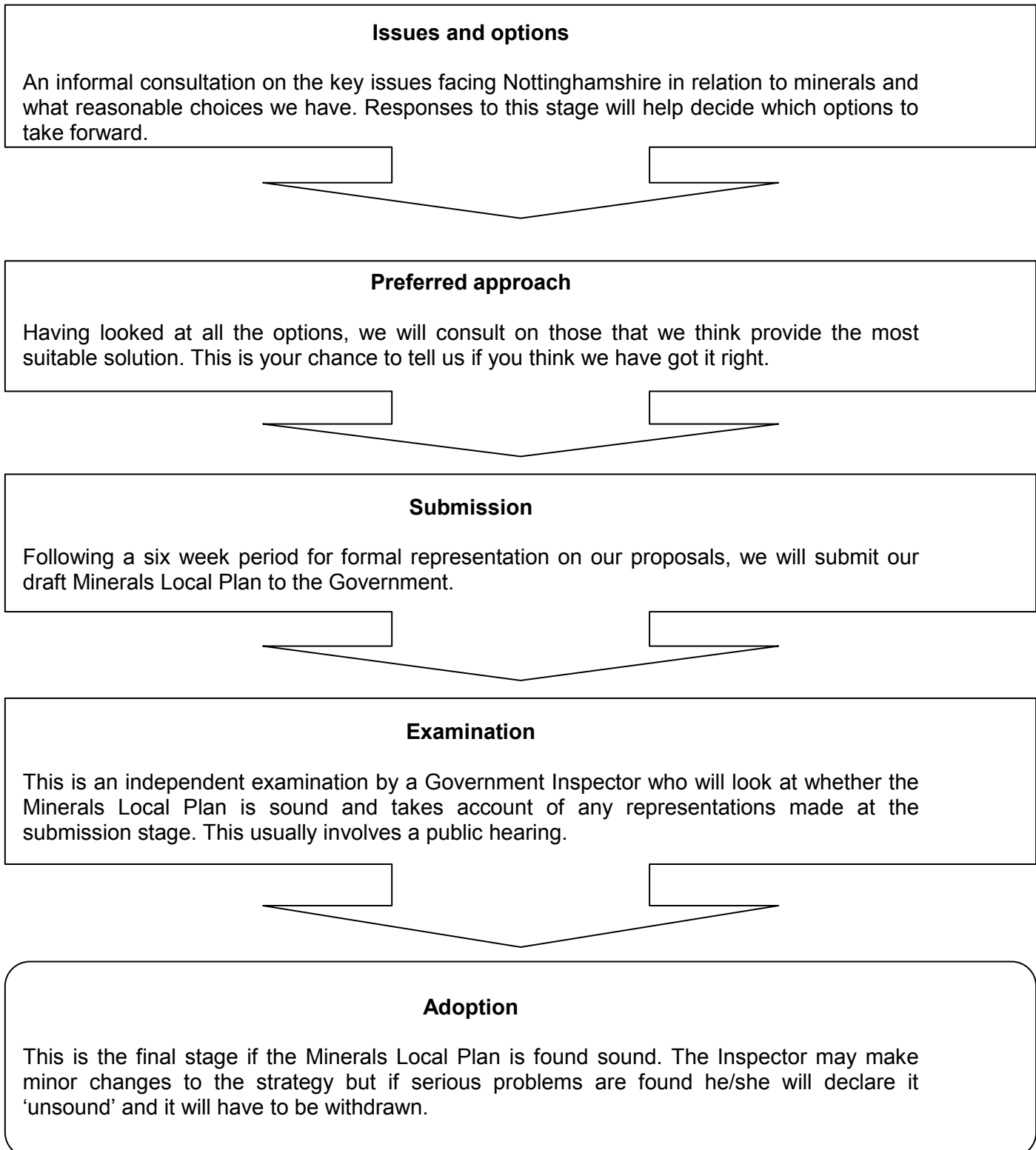
- There were only three issues where less than 50% of the respondents said they were 'very important'. These issues had a more mixed response and had some of the highest 'not very important' percentages. It is suggested that the strength of opinion on these issues is perhaps lower than the other issues. They are:
 - o Identifying enough mineral to meet demand
 - o Minimising the contribution mineral development makes to climate change

- Protecting mineral reserves from other development

Questions	Percentage			
	Very important	Important	Not very important	Don't know
Identifying enough minerals to meet demand	31	55	13	2
Choosing the most suitable location for new quarries	81	17	2	0
Using environmentally friendly forms of transport	56	35	10	0
Recycling existing materials to reduce the need for new minerals	80	17	2	1
Improving and increasing wildlife and habitat when quarrying is completed	66	26	7	1
Protecting and enhancing the look of the landscape	67	28	5	1
Protecting cultural heritage and archaeological finds	60	28	11	1
Minimising the contribution mineral development makes to climate change	48	37	13	2
Reducing flood risk	73	22	3	2
Protecting the best and highest quality agricultural land	66	30	4	1
Ensuring that harmful impacts of mineral working on local communities are minimised	88	9	2	1
Maintaining and improving public access to the countryside	64	27	10	0
After quarrying returning the land to the way it was before or a suitable alternative	81	15	3	0
Protecting mineral reserves from other development	39	46	10	5

Appendix 3 – How will the plan be prepared? (Extract from Minerals Local Plan Consultation)

The preparation of the new plan will go through a number of key consultation and other stages as illustrated below. Under our current timetable we hope to be able to adopt the new Minerals Local Plan towards the end of 2014. Once in place a site specific document for sand and gravel will be produced.



APPENDIX 4: Possible timetable for Minerals Local Plan

	2012				2013				2014	
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Stage of preparation		◇	●	◐		▼	■	▲	▶	☀

- ◇ Issues & Options Consultation
- Consideration of responses, Assessment of needs, sites, etc., Preparation of possible options.
- ◐ Preferred Options Stakeholder Review, Mineral Authority Joint evidence preparation (Aggregate Assessment), Sustainability Appraisal, etc.
- ▼ Preferred options / draft publication (with consultation)
- Submission to Secretary of State (formal consultation)
- ▲ Examination by Independent Inspector
- ▶ Receipt of Inspector's Report
- ☀ Possible Adoption

This timetable is illustrative and subject to review and change according to factors such as progress on consultation, discussion with other minerals authorities under the 'Duty to Co-operate', etc.