

## **Appendix 1**

# **Nottinghamshire Minerals Local Plan Draft Plan Consultation**

**Consultation Summary Document  
27<sup>th</sup> July 2018 – 28<sup>th</sup> September 2018**

The Council carried out informal public consultation on its draft Minerals Local Plan between 27<sup>th</sup> July and 28<sup>th</sup> September 2018. These comments have helped to shape the preparation of the final Publication Version of the Plan which will be published for formal consultation in September 2019.

This summary document highlights the range of comments that were received, and the main issues raised but is not intended to be an exhaustive list of all comments received. Full details of comments made, and detailed wording changes sought are available on the Council's interactive consultation system. Further information can be found at [nottinghamshire.gov.uk/minerals](http://nottinghamshire.gov.uk/minerals).

Consultation Feedback	Council Response
<b>Plan overview</b> (4 Respondents)	
<p>This should refer explicitly to SSSI and LWS designations.</p> <p>Plan 1 should illustrate the relative size of the principal urban areas and show Mineral Planning Authority boundaries.</p> <p>More detail should be provided on minerals supply and demand in Nottinghamshire and surrounding areas.</p> <p>Plan 2 should show mineral resources in Nottingham City and outside of the County.</p> <p>The overview should highlight the significance of future housing development and HS2 construction for future minerals demand.</p>	<p>Full details of designated and on-designated sites, including SSSI and LWS, are already provided alongside Policy DM4 (biodiversity and geodiversity)</p> <p>Plan 1 shows the physical location and extent of the main urban areas and identifies surrounding local authority areas.</p> <p>More information on minerals supply and demand and flows in and out of Nottinghamshire has been added, but it is not considered appropriate to show the geology of areas outside the Plan boundary as these are covered by other Mineral Planning Authorities.</p> <p>Details of planned housing numbers and a reference to possible HS2 construction have been added.</p> <p><b><u>Change to Plan</u></b>  <b>Text on minerals supply and demand expanded</b>  <b>References to planned housing numbers and HS2 construction added</b></p>
<b>Vision</b> (21 Respondents)	
<p>There was general support for the vision, but some residents felt that the site allocation process did not deliver this vision.</p> <p>This should focus on health and quality of life for people not just biodiversity gains.</p> <p>Locating sites based on proximity to market areas is not important - sites should not be close to settlements.</p>	<p>Comments made in relation to individual site allocations are addressed later in this summary document.</p> <p>The Vision sets out the broad ambitions of the Plan with more detailed matters set out in subsequent policies. Policies SP6, DM1 and DM4 covers matters affecting health and quality of life such as noise, dust, air and water quality.</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>Sites should be allocated near their intended point of use e.g. near Nottingham.</p> <p>Support lower, more rational, assessment of need.</p> <p>Should include a reference to site restoration.</p> <p>The Plan should exclude all references to shale gas.</p> <p>The Plan should recognise the national importance of domestic oil and gas supplies</p>	<p>Minerals can only be worked where they naturally occur. Allocating suitable sites close to their end market (where possible) is seen as the most sustainable approach to minimise HGV impacts.</p> <p>The Plan does not promote shale gas above any other form of oil and gas but recognises the importance of all energy minerals both nationally and locally.</p> <p><b><u>Change to Plan</u></b> <b>Reference to site restoration added</b></p>
<p><b>SO1: Improving the sustainability of minerals development</b> (7 Respondents)</p>	
<p>More should be done to develop use of recycled aggregates</p> <p>Support prioritising the improved use of existing sites and extensions to existing sites where appropriate.</p> <p>Giving priority to site extensions over new sites is contrary to national policy and stifles competition.</p>	<p>The Plan already addresses the contribution of recycled and secondary aggregates – specific provision for aggregates recycling is made within the Nottinghamshire and Nottingham Waste Local Plan and Waste Core Strategy.</p> <p>National policy has sustainable development at its heart. The ability to use existing plant and infrastructure, and ensure economic mineral reserves are not otherwise sterilised, is seen as the most sustainable approach. This is consistent with national policy.</p> <p><b><u>Change to Plan</u></b> <b>None</b></p>
<p><b>SO2: Providing an adequate supply of minerals</b> (5 Respondents)</p>	
<p>Support Nottinghamshire’s approach to meeting its share of national and local need.</p>	<p><b><u>Change to Plan</u></b> <b>None</b></p>
<p><b>SO3: Addressing climate change</b> (3 Respondents)</p>	

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>Sites should not be located in areas of flood risk.</p>	<p>Minerals can only be worked where they are found. National guidance classes sand and gravel extraction as 'water compatible' and other mineral working and processing as 'less vulnerable'. All proposed site allocations have been assessed as part of the Strategic Flood Risk Assessment and more detailed investigation may be required at the planning application stage.</p> <p><b><u>Change to Plan</u></b> None</p>
<p><b>SO4: Safeguarding of mineral resources</b> (2 Respondents)</p>	
<p>Support Plan's approach to safeguarding minerals of economic importance.</p> <p>This should also cover safeguard associated minerals infrastructure.</p>	<p>Although mentioned elsewhere in the Plan, reference to associated mineral infrastructure would be helpful within this objective</p> <p><b><u>Change to Plan</u></b> <b>Reference to associated minerals infrastructure added</b></p>
<p><b>SO5: Minimising impacts on communities</b> (4 Respondents)</p>	
<p>NCC should recognise that the County has many different historic environments of importance to communities.</p> <p>Support approach to community engagement.</p>	<p>The importance of historic assets is recognised in SO7 and Policies SP5 (as amended) and DM6 (Historic environment).</p> <p><b><u>Change to Plan</u></b> None</p>
<p><b>SO6: Protecting and enhancing natural assets</b> (7 Respondents)</p>	
<p>Support approach to biodiversity.</p> <p>The Plan allocates sites with the worst environmental impacts which undermines this objective.</p>	<p>The proposed site allocations are those that are considered in principle to be suitable for minerals development. All the allocations have been through a comprehensive process of assessment and appraisal and site-specific issues are set out in the development briefs for each site. Where relevant, more detailed site-specific</p>

Consultation Feedback	Council Response
	<p>assessment work would be required as part of the planning application process.</p> <p><b><u>Change to Plan</u></b>  <b>No change in response to consultation feedback but this objective has been shortened and re-worded to improve consistency with other objectives.</b></p>
<b>SO7: Protecting and enhancing historic assets</b> (5 Respondents)	
<p>The objective does not cover all historic assets and should be simplified to avoid an exhaustive list.</p> <p>The destructive nature of mineral extraction means that archaeology cannot be protected or enhanced but can be recorded.</p>	<p>Streamlining the objective as suggested would make this consistent with the Plan's other objectives.</p> <p>National policy and legislation set out the protection to be given to historic assets depending upon their level of significance. In some cases, this may mean that mineral working should be avoided, or assets preserved in-situ. This approach is explained more fully in Policy DM6 (as amended).</p> <p><b><u>Change to Plan</u></b>  <b>List of historic assets removed.</b></p>
<b>SO8: Protecting agricultural soils</b> (4 Respondents)	
<p>This should refer to agricultural land not just soils.</p>	<p>By protecting the inherent soil quality, the future agricultural potential of the land can be maintained.</p> <p><b><u>Change to Plan</u></b>  <b>None</b></p>
<b>SP1: Sustainable Development</b> (25 Respondents)	

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>Most respondents supported the policy and the principle of sustainable development. However, some felt this approach was not reflected in the site allocation process.</p> <p>There should be a greater focus on biodiversity, environment and community impacts when assessing sustainable development.</p> <p>Fracking is not consistent with sustainable development and the transition to a low carbon economy.</p> <p>National policy supports exploiting hydrocarbons and other minerals as part of the transition to a low carbon economy.</p> <p>The policy should not be used as a means to stifle development.</p> <p>The policy should be updated in light of the revised NPPF (2018).</p>	<p>Detailed comments on individual site allocations are considered later in this document.</p> <p>Policy SP1 was included in the light of recommended best practice at the time but is acknowledged to repeat national policy. Following the latest revisions to the NPPF (2019) it is no longer considered that a separate policy is necessary.</p> <p>The justification text has been partially retained to explain the Plan's approach to the presumption in favour of sustainable development in accordance with national policy.</p> <p><b><u>Change to plan</u></b>  <b>Policy SP1 removed and relevant text incorporated into justification text.</b>  <b>Remaining policies re-numbered accordingly.</b></p>
<p><b>SP2: Minerals Provision</b> (31 respondents)</p>	
<p>There was general support for the policy approach to prioritise extensions to existing sites but not all agreed with this approach.</p> <p>Cumulative impacts on communities must also be considered as part of this approach.</p> <p>Favouring extensions over new sites is contrary to national policy and gives an unfair advantage to existing operators.</p> <p>It is important to maintain a supply to meet the landbank, not just throughout the plan period, the Plan does not identify adequate provision.</p>	<p>Cumulative impacts are addressed under Policy DM8. The Plan should be read as a whole.</p> <p>National policy has sustainable development at its heart. Allocating extensions to existing sites, where suitable, makes it possible to use existing plant and infrastructure and ensure that economic mineral resources are not sterilised. This is seen as the most sustainable approach to future minerals provision and is consistent with national policy.</p> <p>Policy SP2 applies to the provision of all mineral types equally.</p> <p>National guidance states that Minerals Planning Authorities should plan for a steady and adequate supply of aggregate minerals based</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>The 10-year sales average does not give an accurate picture of demand in Nottinghamshire and does not take account of wider economic trends.</p> <p>The policy is biased towards aggregate minerals and should be more flexible in developing other mineral types.</p> <p>A number of the responses to this policy opposed the allocation of the Mill Hill, Barton-in Fabis, site. By allocating a new sand and gravel site at Mill Hill near Barton-in-Fabis, the Council has not followed its own policy of prioritising extensions.</p> <p>The policy should also prioritise mothballed sites and those which can make use of non-road transport (e.g. barge).</p>	<p>on a rolling average of 10 years sales data and other relevant information. The Plan follows this approach. The Plan has to be monitored on an annual basis and reviewed every five years. This process will ensure that an adequate landbank is maintained.</p> <p>The majority of allocations identified in the minerals plan are extensions to existing quarries. However, despite large potential sand and gravel reserves close to Nottingham, there are no active sites which could be extended. This has resulted in the need to identify a new site to serve this market.</p> <p>Detailed comments on this allocation are considered later in this summary document.</p> <p>Sites which are mothballed already have planning permission and count towards permitted reserves. It is an operator decision whether or not to work these sites.</p> <p>The final sentence of part 2 of the policy duplicated matters already addressed through the specific development management policies and in legislation and has therefore been deleted.</p> <p><b><u>Change to plan</u></b>  <b>Policy re-numbered as SP1.</b>  <b>Final sentence deleted in part 2 of policy.</b></p>
<p><b>SP3: Biodiversity - Led Restoration</b>  (23 Respondents)</p>	
<p>Most respondents welcomed and supported this policy approach, but some felt it did not go far enough to secure high-quality restoration.</p> <p>Others felt that a focus on biodiversity was too prescriptive and onerous and would prevent other suitable restoration options such as</p>	<p>Policy SP3 (as amended) should be read alongside the other policies of the Plan. Policy DM12 requires all sites to be restored and appropriate after-care measures to be provided. These will be secured by planning conditions and after-care arrangements can be extended through a long-term management agreement where</p>



<b>Consultation Feedback</b>	<b>Council Response</b>
<p>public access, forestry and agriculture. This could conflict with the aim to protect the best and most versatile agricultural land and soils.</p> <p>The protection of biodiversity should be a stand-alone policy.</p> <p>Wetland restoration should not mean large, abandoned areas of standing water as with previous mineral workings.</p> <p>More responsibility should be placed on mineral operators to restore and maintain sites.</p> <p>Sites should be restored earlier in the process.</p> <p>The policy should refer to the mitigation hierarchy and ensure there is a net gain or no net loss from working and restoration.</p> <p>Some felt the priority habitats listed in paragraphs 3.23-3.25 are too prescriptive whilst others recommended detailed wording changes to ensure clarity and certainty on the type of habitats to be created.</p> <p>The text should include references to Biodiversity Opportunity Mapping, the NPPF and the 25-year Environment Plan.</p>	<p>necessary. In accordance with national policy, Policy DM12 seeks to ensure that sites are restored at the earliest opportunity.</p> <p>Policy SP3 seeks to maximise opportunities for biodiversity but does not preclude other forms of restoration, including agriculture. Even where restoration is to an alternative use, this can still provide opportunities for biodiversity gains. This has been made clearer within the justification text.</p> <p>Policy DM3 (Agricultural land and soil quality) ensures that, even where restoration is not back to agriculture, the long-term agricultural potential of the land can be maintained.</p> <p>Policy DM4 (Protection and enhancement of biodiversity and geodiversity) sets out the Plan’s approach to mitigation and biodiversity net-gain.</p> <p>The biodiversity habitats encouraged within the Plan are in accordance with national and local biodiversity targets and are appropriate to the National Character Areas identified by Natural England. As local biodiversity objectives are primarily driven by the Local Biodiversity Action Plan, reference to the Biodiversity Opportunity Mapping has been removed from the policy to avoid confusion. This project is explained within the justification text to Policy DM4.</p> <p><b><u>Change to Plan</u></b>  <b>Biodiversity Opportunity Mapping Project reference deleted from policy.</b>  <b>Reference to the 25 Year Environment Plan added to text.</b>  <b>Policy renumbered as SP2</b></p>
<b>SP4: Climate Change</b>	

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>(21 respondents)</p> <p>There was broad support for the policy from most respondents although some felt this did not go far enough.</p> <p>The policy should aim to 'mitigate' not 'minimise' climate impacts.</p> <p>Allowing minerals extraction/consumption, including the possible use of hydro-carbons, conflicts with having a policy on climate change.</p> <p>Quarries should not be located near communities even if this increases travel distance and emissions to air from HGVs</p> <p>Non-road transport methods should be included in the policy as they can assist in delivering the policy.</p> <p>There should not be any increase in flood risk in areas of human settlement.</p> <p>Providing flood storage areas and increasing resilience should be required in all cases.</p> <p>The Policy should acknowledge that minerals can only be worked where they are found, and that sand and gravel can be worked in the flood plain.</p> <p>The requirement for proposals to minimise the impact on climate change throughout the lifetime of the development is unduly onerous and inconsistent with the NPPF.</p>	<p>National policy refers to the need to both mitigate and adapt to the unavoidable aspects of climate change. The use of the word 'minimise' within the policy is intended to reduce avoidable impacts that would contribute to further climate change as far as possible. Use of the word 'mitigate in this context would weaken the policy by simply looking to offset rather than avoid or minimise impacts.</p> <p>National policy requires Minerals Planning Authorities to plan for a steady and adequate supply of aggregate and industrial minerals and put in place policies to facilitate the exploration and extraction of oil and gas.</p> <p>The Plan seeks to minimise transport emissions in line with Strategic Objective SO3.</p> <p>The strategic policy on climate change sets out the overarching requirements that minerals development should address. Policy SP5 seeks to promote alternatives to road transport. The Development Management policies relate to specific topic areas such as DM2: water resources and flood risk and DM9: Highways safety and vehicle movements/routing. Policy DM2 recognises that sand and gravel working is water compatible.</p> <p><b><u>Change to plan</u></b></p> <p><b>Policy renumbered as SP3.</b></p>
<p><b>SP5: Sustainable Transport</b> (31 respondents)</p>	
<p>There were a range of conflicting views on this policy, especially in relation to the aim of minimising transport movement by locating sites</p>	<p>Minerals can only be worked where they are found, however in Nottinghamshire adequate sand and gravel reserves exist to enable</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>close to existing or proposed markets and close to the main highway network.</p> <p>Recent research suggests that risks to human health from diesel emissions are far greater than previously thought. Extraction and transport of minerals will generate a large amount of air pollution impacting local communities.</p> <p>Minerals can only be worked where they are found and the requirement for sites to be located close to markets is overly onerous. The value of the product will determine the distance it travels. This policy discredits the geographical spread of sites strategy. Fails to take account of hydrocarbon extraction which may be in remote locations.</p> <p>It is not the function of the planning system to manipulate the geography of the market. The planning system should ensure that the development is appropriate and sustainable in terms of the wider needs of society.</p> <p>Other non-road transport methods such as conveyors or pipelines should be identified.</p> <p>Existing highways capacity is under pressure. Until essential improvements are made to the A46/A1 close to Newark no new quarries should be developed. HGVs should be prohibited from travelling through residential areas.</p>	<p>a geographical spread of sites to be identified. This spread of sites aims to ensure that the distance minerals are transported is minimised reducing the overall impacts on communities in Nottinghamshire, including those linked to vehicle emissions.</p> <p>National policy supports sustainable transport measures which includes both alternatives to road transport (where feasible) and reducing the overall distances travelled to access goods and services. The Council does not consider that the application of this policy would discredit or undermine the geographical spread of sites.</p> <p>The policy wording is not an exhaustive list and does not preclude other forms of alternative transport. The option to use pipelines or conveyors (which typically cover a shorter distance) is referred to in paragraph 3.44. However, 'pipelines' has been added to the policy for clarity.</p> <p>Policy DM9 refers to matters affecting road safety, including existing highway capacity, controls on vehicle numbers, and the use of routeing agreements to avoid unacceptable environmental impacts or disturbance to local communities.</p> <p><b><u>Change to plan</u></b></p> <p><b>Policy renumbered as SP4</b></p> <p><b>Minor text addition to the policy</b></p>
<p><b>Policy SP6: The built, historic and natural environment</b> (28 Respondents)</p>	
<p>There was general support for the overall policy approach, but some respondents felt this should more detailed.</p>	<p>This is intended as a strategic policy to highlight issues that may need to be addressed. It should be read alongside the more detailed development management policies which set out the specific protection afforded to heritage and nature conservation assets and</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>Others felt the policy is too onerous and should give greater weight to economic importance of minerals. References to flood and infrastructure should be deleted.</p> <p>The Plan's biodiversity-led restoration approach conflicts with the aim to protect the best and most versatile agricultural land and soil.</p> <p>The policy should specify what level of best and most versatile land loss would be acceptable e.g. no more than 20 hectares</p> <p>The policy wording is not consistent with national policy as it does not distinguish between the hierarchy of international, national and local importance in relation to either the natural or historic environment</p> <p>The text should refer to the Sustainability Appraisal and Habitats Regulations Assessment work that has been carried out</p> <p>It is not clear what is meant by 'unacceptable adverse impacts'</p> <p>Assets such as SSSIs, and the ppSPA should be listed here for consistency with other parts of the Plan.</p> <p>The site allocations do not accord with this policy.</p>	<p>other environmental matters including best and most versatile agricultural land and soils.</p> <p>A list of the technical and other appraisal documents which support the Plan is provided on page 4. Reference to the HRA was omitted in error and has been amended.</p> <p>Detailed comments on individual site allocations are considered later in this document.</p> <p><b><u>Change to Plan</u></b>  <b>Minor re-wording and re-ordering to policy and justification text.</b>  <b>Word 'adverse' removed from policy.</b>  <b>Policy renumbered as SP5.</b></p>
<p><b>SP7: The Nottinghamshire Green Belt</b> (24 Respondents)</p>	
<p>There were a wide mix of responses on this policy.</p> <p>Harm to the Green Belt should only be permitted in exceptional circumstances.</p> <p>The requirement for higher standards of working and enhancing the beneficial use of Green Belt is unnecessary – ensuring operation and restoration is compatible with Green Belt objectives is a better strategy.</p>	<p>National policy states that minerals extraction is not inappropriate where this can preserve the openness of the Green Belt and does not conflict with the five purpose of including land within it. Any potential impacts on Green Belt can only be assessed on a site by site basis depending on the details of an individual proposal. Site allocations within the Plan must still demonstrate that they meet both national and local policy.</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>The policy is not transparent or consistent with NPPF. It does not explain how the tests of ‘appropriateness’ and ‘very special circumstances’ would be applied. These should not include proximity to market or the spatial distribution of sites.</p> <p>It is not clear what is meant by the term ‘minerals development’ in the policy. Does this relate to extraction only or does it include associated processing plant and landscaping measures? If a site is allocated does this meet the test of ‘very special circumstances’?</p> <p>The policy should provide for development uses that have temporary impacts on the Green Belt.</p> <p>The term ‘beneficial use of the Green Belt’ must include landscape character which would inevitably be damaged by mineral working.</p> <p>Nottinghamshire’s market towns are not afforded the same protection as Nottingham and Derby. Being located within the Green Belt should not automatically make a site any less suitable for mineral working.</p>	<p>The policy has been substantially re-worded to ensure conformity with national policy.</p> <p>The justification text has been amended to clarify the distinction between ‘ancillary’ and ‘associated’ development.</p> <p><b><u>Change to Plan</u></b>  <b>The policy has been revised to ensure that the wording is in line with national policy.</b>  <b>Justification text expanded and clarified.</b>  <b>Policy renumbered as SP6.</b></p>
<p><b>SP8: Minerals safeguarding, consultation areas and associated minerals infrastructure</b>  (27 Respondents)</p>	
<p>A number of respondents supported this approach, but some felt that it did not go far enough or sought other detailed changes.</p> <p>The policy should safeguard all mineral deposits, not just the economic resource. Hydrocarbon (oil and gas) resources and deposits of power station ash should also be safeguarded.</p> <p>Rail heads at power stations and wharves at Besthorpe and Cromwell Quarries should be safeguarded.</p>	<p>The safeguarded areas were determined through consultation with the British Geological Survey and the minerals industry. Safeguarding all known mineral deposits (whether workable or not) is not considered to be a reasonable or proportionate approach.</p> <p>The depth at which hydrocarbons occur and their means of extraction mean they are unlikely to be sterilised by surface development and do not need to be safeguarded in the same way as other minerals.</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>Plan 4 is unnecessary and should be deleted.</p> <p>The reference to Colwick Wharf should be deleted.</p> <p>The location of Colwick Wharf should be made clearer on Plan 4.</p> <p>The policy wording is ambiguous as it refers interchangeably to both 'non-minerals development' and 'development'.</p> <p>It is not necessary to safeguard resources which are within urban areas as it seems unlikely these areas would be used.</p> <p>Carlton Forest Quarry no longer has any workable reserves and does not need to be safeguarded.</p>	<p>The potential re-working of power station ash deposits is addressed within the Nottinghamshire and Nottingham Waste Core Strategy.</p> <p>Rail heads used to import materials, such as those at power stations, do not fall within the remit of the Minerals Local Plan. The wharves at Besthorpe and Cromwell have been included in the Policy.</p> <p>Plan 4 illustrates the broad extent of safeguarded areas for the benefit of local authorities, prospective developers and local communities.</p> <p>The existing wharf at Colwick is strategically located and potentially required for river dredging disposal. Potential uses at Cromwell and Besthorpe are acknowledged and Plan 4 and the justification text has been amended accordingly.</p> <p>The reference in part 4 of the policy has been amended to non-minerals development for consistency. Carlton Forest Quarry has been removed.</p> <p>National guidance states that urban areas should be included within safeguarding areas where necessary. Urban areas have been included to identify where opportunities for prior extraction may arise as part of other large-scale development.</p> <p><b><u>Change to Plan</u></b>  <b>Carlton Forest Quarry removed.</b>  <b>Policy renumbered as SP7.</b></p>
<p><b>MP1: Aggregate provision</b> (22 respondents)</p>	
<p>All comments related to sand and gravel provision.</p>	<p>National guidance states that Minerals Planning Authorities should plan for a steady and adequate supply of aggregate minerals based</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>Respondents from the minerals industry thought that the demand forecast set out in the plan underestimates future demand. They argue that the 10-year sales average data is heavily influenced by the recession.</p> <p>This view was almost equally offset by those who thought that the overall approach was appropriate.</p> <p>A small number of respondents thought that the demand forecast was too high</p>	<p>on a rolling average of 10 years sales data and other relevant information.</p> <p>The demand forecast set out in plan is based on average sales data and other information contained in the Nottinghamshire and Nottingham Local Aggregates Assessment. This approach is in line with national policy and guidance.</p> <p>The Council considers that the expected demand forecast for aggregate minerals is an appropriate figure based on the average 10-year sales data. The Council does not consider there is adequate evidence to amend the demand forecast beyond the 10-year average.</p> <p><b><u>Change to plan</u></b> <b>None</b></p>
<p><b>MP2: Sand and gravel provision</b> (1031 respondents – majority related to site specific allocations)</p>	
<p>There was general support for the overall policy approach, but a large number of comments were made in relation to the individual site allocations proposed.</p> <p>Some respondents support a geographical spread of sites across the county to ensure the different market areas are served in a sustainable way. However, others questioned the approach due to the lack of available evidence and/or that this will encourage quarries to be located close to residential/built up areas.</p> <p>The allocation at East Leake North has been withdrawn and the size of the allocation at Scrooby Thompson Land has been reduced due to further assessment work carried out by the respective mineral operator at each site which identified a lack of suitable mineral.</p>	<p>A review of the Plan’s site allocations was undertaken due to the withdrawal of East Leake North and the reduction in size of the Scrooby Thompson Land allocation.</p> <p>This has resulted in the allocation of the Besthorpe East proposal due the level of certainty provided by this being an extension to an existing permitted quarry, the sustainability benefits of working mineral that could otherwise be sterilised, the amount of mineral available over the plan period, and the opportunity for future biodiversity gains at this site.</p> <p>As part of the review the Botany Bay quarry allocation has been removed as it is no longer considered necessary to meet identified future demand.</p>

Consultation Feedback	Council Response
<p>Two additional proposals were put forward by the minerals industry at Flash Farm and Little Carlton.</p> <p><u>Bawtry road (MP2k)</u></p> <p>Specific issues raised in relation to biodiversity and the historic environment.</p> <p><u>Scrooby Thompson Land (MP2l)</u></p> <p>Specific issues raised in relation to biodiversity and the historic environment.</p> <p><u>Scrooby North (MP2m)</u></p> <p>Specific issues raised in relation to biodiversity and the historic environment.</p> <p><u>Langford Lowfields north (MP2n)</u></p> <p>Specific issues raised in relation to biodiversity and the historic environment.</p> <p><u>Besthorpe East (MP2o)</u></p> <p>Support received for an unallocated extension to the existing permitted quarry at Besthorpe. The reasons for support included the potential for a future Sustrans route to be developed through the restored site, the continued working of the sand and gravel in the area and the opportunities to develop / continue to increase biodiversity gains in the area.</p> <p><u>Mill Hill near Barton in Fabis (MP2p)</u></p>	<p>The site-specific allocations contained in the Plan are those that are considered in principle suitable for minerals development and the Council is satisfied that any specific issues raised are capable of being addressed/mitigated at the detailed planning application stage. All the allocations have been through a detailed and comprehensive assessment and appraisal process. Site-specific constraints and other issues which may need to be addressed as part of a planning application issues are set out in the development briefs for each site. Where relevant, more detailed site-specific assessment work would be required as part of the planning application process.</p> <p><b><u>Change to plan</u></b>  <b>East Leake East allocation removed.</b>  <b>Scrooby Thompson Land allocation reduced.</b>  <b>Besthorpe East included as an allocation.</b>  <b>Botany Bay allocation removed.</b></p>



<b>Consultation Feedback</b>	<b>Council Response</b>
<p>A large number of proforma responses were submitted by local residents objecting to the allocation of the site. The main issues included impacts on the local environment, impact on the Green Belt, impacts of noise and dust on local communities and the loss of green space, used by a wide range of users.</p> <p>Specific issues raised in relation to biodiversity and the historic environment.</p>	
<p><b>MP3: Sherwood Sandstone</b> (14 respondents)</p>	
<p>Support for overall policy approach.</p> <p><u>Bestwood 2 North (MP3d)</u></p> <p>Specific issues raised in relation to biodiversity and the historic environment.</p> <p><u>Scrooby Top North (MP3e)</u></p> <p>Objection to the proposal due to the negative impact on the quality of life and on the historic assets in Scrooby and its setting.</p> <p>Specific issues raised in relation to biodiversity and the historic environment.</p>	<p>The site-specific allocations contained in the Plan are those that are considered in principle suitable for minerals development and the Council is satisfied that any specific issues raised are capable of being addressed/mitigated at the detailed planning application stage. All the allocations have been through a detailed and comprehensive assessment and appraisal process. Site-specific constraints and other issues which may need to be addressed as part of a planning application issues are set out in the development briefs for each site. Where relevant, more detailed site-specific assessment work would be required as part of the planning application process.</p> <p><b><u>Change to plan</u></b> <b>No change</b></p>
<p><b>MP4: Crushed rock (limestone) provision</b> (8 respondents)</p>	
<p>Support for overall policy approach.</p>	<p><b><u>Change to plan</u></b> <b>No change</b></p>
<p><b>MP5: Secondary and recycled aggregates</b> (11 respondents)</p>	

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>Support for the overall policy approach.</p> <p>Some respondents noted that secondary and recycled aggregates will not always a long-term source of minerals. Example given relating to the production of Pulverised Fuel Ash and the availability of Desulphogypsum which will fall significantly as coal fired power stations are decommissioned in the mid to early 2020s</p>	<p><b><u>Change to plan</u></b> <b>No change</b></p>
<p><b>MP6: Brick clay provision</b> (18 respondents)</p>	
<p>Site specific objections raised regarding the Woodborough Lane allocation (MP6c).</p> <p>The Woodborough Lane allocation was subsequently withdrawn by the minerals operator.</p>	<p>Policy MP6 has been amended to remove the Woodborough Lane allocation. Other parts of the policy are unchanged.</p> <p><b><u>Change to plan</u></b> <b>Woodborough Lane allocation removed</b></p>
<p><b>MP7: Gypsum provision</b> (11 respondents)</p>	
<p>Support for policy approach</p> <p><u>Bantycok South (MP7c)</u></p> <p>Support for allocation</p> <p>Specific issues raised in relation to biodiversity and the historic environment.</p> <p>Allocation area includes national grid infrastructure that will need to be considered.</p> <p>Potential to create new rights of way as part of quarry restoration.</p> <p>Quarry should use direct access to the A1 and A46</p>	<p>Site specific allocations are those that are in principle suitable for minerals development. All the allocations have been through a comprehensive process of assessment and appraisal and site-specific issues are set out in the development briefs for each site. Where relevant, more detailed site-specific assessment work would be required as part of the planning application process.</p> <p><b><u>Change to plan</u></b> <b>No change to policy</b> <b>Site development brief amended to refer to national grid infrastructure.</b></p>

Consultation Feedback	Council Response
<b>MP8: Silica sand provision</b> (6 respondents)	
Support for policy approach	<u>Change to plan</u> <b>No change to policy</b>
<b>MP9: Industrial Dolomite provision</b> (9 respondents)	
<p>The reference to the international importance of the industrial dolomite reserve should be strengthened in the policy.</p> <p>Objection to what is considered a de-facto site allocation and its impact on Creswell Crags and its associated designations.</p>	<p>The policy and its justification text acknowledge the international importance of the mineral and the likely long-term needs.</p> <p>The plan identifies the industrial dolomite reserve in Nottinghamshire, however no site-specific allocations are being made. If a planning application was submitted the policies in the plan would need to be read as a whole and this would include policy DM6 (Historic environment).</p> <p><u>Change to plan</u>  <b>No change to policy</b></p>
<b>MP10: Building stone provision</b> (7 respondents)	
Support for policy approach	<u>Change of plan</u> <b>No change to policy</b>
<b>MP11: Coal provision</b> (9 respondents)	
<p>Support for policy approach</p> <p>In the absence of development briefs, the policy should include specific reference that any coal development should contribute to priority habitat restoration.</p>	<p>If a planning application was submitted for coal development, the policies in the plan would need to be read as a whole and this would include SP2: Biodiversity led restoration.</p> <p>National policy on surface coal mine extraction would be a material consideration in determining any planning application.</p>

Consultation Feedback	Council Response
<p>The Government wishes to reduce greenhouse gasses and so all applications for surface mining should be rejected.</p>	<p><b><u>Change of plan</u></b> <b>No change to policy</b></p>
<p><b>MP12: Oil and gas provision</b> (45 respondents)</p>	
<p>There was some support for this policy, but others disagree with the Plan's with the approach to hydrocarbons, particularly in relation to the consideration of shale gas extraction (fracking).</p> <p>Whilst some respondents consider that the policy is in line with national guidance, others argue that there should be a presumption against unconventional hydrocarbon developments.</p> <p>The phrase 'overall scheme' should be deleted from the policy as it does not serve any clear purpose and is not defined. The term is also not included in the NPPF or PPG.</p> <p>The policy does not promote shale gas and so is not in-line with the government's intention to explore its potential.</p> <p>A policy distinction should be made between conventional and unconventional hydrocarbons. A specific policy for shale gas extraction should be included looking at additional issues such as: community health, vehicle movements, disposal of waste water, air emissions and seismic activity.</p> <p>The NPPF states that plans should take a proactive approach to mitigating and adapting to climate change. MP12 should therefore be re-drafted.</p>	<p>The NPPF states that, when planning for onshore oil and gas, Minerals Planning Authorities, should clearly distinguish between the three stages of development – exploration, appraisal and production. Policy MP12 has been redrafted to remove ambiguity and to ensure this remains in line with national policy and guidance.</p> <p>There is no requirement to have a separate policy for shale gas development. The issues raised are all covered within Policy MP12 which covers all forms of hydrocarbon development, including shale gas. The policy should be read alongside the respective development management policies which cover matters such as air and water quality, vehicle movements and other environmental and amenity issues. Climate change is addressed within Policy SP4.</p> <p><b><u>Change to plan</u></b> <b>The policy has been redrafted to remove the reference to an 'overall scheme' and remove repetition.</b></p>
<p><b>DM1: Protecting local amenity</b> (19 respondents)</p>	
<p>There was general support for the policy approach with a number of detailed comments.</p>	<p>Policy DM1: 'protecting local amenity' sets out the key issues that would need to be considered as part of any detailed planning</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>A greater emphasis on the health risks of minerals extraction (such as dust) and associated activities should be included in the policy.</p> <p>The loss of green space should be included in the list of potential impacts. This can have a significant impact on local amenity.</p> <p>The utmost rigour should be applied to flood risk and flood storage issues.</p> <p>The policy should be clear that the issues identified may not always be relevant to every planning application.</p> <p>Specific issues were raised relating to the landscape and visual assessment document.</p> <p>Specific issues were raised regarding the increasing size of HGVs used to transport mineral.</p> <p>The policy should protect communities against the identification of multiple quarries in one area.</p>	<p>application. The list of potential impacts included in the policy are not exhaustive and will vary on a site by site basis, however it was considered helpful to add a reference to the potential loss of open/green space.</p> <p>The policy does not require all issues to be addressed if they are not relevant to an individual application.</p> <p>Policies contained in the plan should be read as a whole and cover specific topic areas in greater detail, including flood, highways safety and cumulative impacts.</p> <p><b><u>Change to plan</u></b>  <b>Loss of designated open/green space added to policy.</b>  <b>Additional paragraph added to justification text.</b></p>
<p><b>DM2: Water resources and flood risk</b> (15 respondents)</p>	
<p>Sand and gravel proposals should not be allowed unless the increase in flood risk is kept to zero</p> <p>The phrase 'detrimentally altered' is not an effective strategy. 'Unacceptable impacts' would be more appropriate.</p> <p>The purpose of Criterion 3 is unclear, and it is recommended that the policy is re-worded.</p>	<p>Sand and gravel extraction is classed as 'flood compatible' within national planning policy.</p> <p>The policy has been significantly amended in response to the consultation feedback and to remove repetition in part (3). The policy tests in part (2) would act to ensure there would be no increased flood risk to local communities.</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>Greater emphasis should be included in the policy relating to the protection of habitats from water related impacts.</p> <p>The policy text should include reference to water quality and environmental benefits. Opportunities for encouraging biodiversity gains within SUDs should also be included.</p> <p>Surface water should be managed in line with the Governments water strategy – Future Water.</p> <p>The policy is deficient as it only considers the local flooding impacts rather than the wider area downstream.</p> <p>The policy should identify the technical information required to satisfy the requirement of the policy in relation to the protection of water resources.</p> <p>The policy text relating to water resources duplicates the function of the Environment Agency and should be deleted.</p>	<p>Opportunities for environmental benefits, including habitat creation, are highlighted within the justification text to the policy and separately within Policy DM4 (biodiversity and geodiversity).</p> <p>The potential for flood impacts downstream from a development and technical requirements in relation to water quality can only be assessed on a case by case basis and would be assessed at the detailed planning application stage. Detailed advice would be sought from the Environment Agency.</p> <p>National policy states that planning policies should prevent development contributing to water pollution and where possible help improve local water quality.</p> <p><b><u>Change to the plan</u></b>  <b>Policy text has been re-drafted and re-ordered.</b></p>
<p><b>DM3: Agricultural land and soil quality</b>  (15 respondents)</p>	
<p>There was some support for the policy as drafted, but a range of conflicting views were put forward.</p> <p>The inclusion of soil quality within this policy, to ensure soil quality is protected is welcomed.</p> <p>Minerals extraction can have irreversible impacts on high quality agricultural land. The highest levels of restoration should be the norm.</p>	<p>Since drafting, the Government has published revised national policy and guidance and the policy has subsequently amended to reflect this. Part 1(c) has been removed.</p> <p>The Council considers that the policy provides an appropriate balance between the need to protect the best and most versatile agricultural land and soils whilst making adequate provision for mineral working. It seeks to ensure that the long-term agricultural potential of the land is maintained even where restoration is not back to agriculture.</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>The policy should be more robust with the restoration of mineral workings focusing on returning as much land as possible to agricultural land. This is important to maintain the ability to grow our own food in the future.</p> <p>There is a tension/conflict between protecting the best and most versatile agricultural land and the biodiversity led restoration proposals.</p> <p>The policy is not positively prepared nor an effective strategy. Minerals can only be worked where they are found, often on agricultural land. With appropriate soil handling strategies, the quality of the soil resource can be retained.</p> <p>The policy is considered overly restrictive and the policy tests are unnecessarily high. The text should be amended.</p> <p>The policy should acknowledge that hydrocarbon developments / well sites take up much smaller parcels of land than traditional quarries and therefore have less impact on agricultural land.</p>	<p>Policy DM12 sets out the requirements for site restoration, after-use and aftercare.</p> <p><b><u>Change to Plan</u></b> <b>Policy amended</b></p>
<p><b>DM4: Protection and enhancement of biodiversity and geodiversity</b> (16 respondents)</p>	
<p>Although most respondents support the overall approach, some consider it too restrictive. Several detailed changes were suggested.</p> <p>The policy is not NPPF compliant and should be amended to reflect the significance of harm to allow a judgement to be made as opposed to a blanket ban.</p> <p>The policy should refer to the Habitats Regulation Assessment that accompanies the plan.</p>	<p>This policy has been substantially re-worded to reflect changes the revised NPPF.</p> <p>The Habitats Regulation Assessment is referenced within the justification text and at the start of the Plan.</p> <p><b><u>Change to plan</u></b> <b>Policy amended to reflect revised NPPF</b> <b>Minor amendments to justification text to correct terminology.</b></p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>The policy should be amended to reflect the changes in the NPPF relating to Ancient Woodlands.</p> <p>Biodiversity should be protected and enhanced through the life of the quarry development.</p> <p>The wording in clause 2 is considered weak.</p> <p>Our countryside is under serious threat. What can possibly outweigh the landscape interest? You cannot restore natural habitats that have taken millennia to develop.</p>	
<p><b>DM5: Landscape Character</b> (16 Respondents)</p>	
<p>There were mixed responses to this policy with some respondents arguing it is too restrictive whilst others consider it does not go far enough.</p> <p>The policy in its current form gives landscape in Nottinghamshire the same weight as nationally designated landscapes and those with the highest protection status. This does not comply with the NPPF.</p> <p>The policy is too onerous and would prevent any minerals development from taking place. It is not clear what types of development would be permitted.</p> <p>The reference to the Biodiversity Opportunity mapping should be removed and references to Green Belt and National Character Areas be included.</p> <p>The policy should recognise the impact shale gas extraction has on the countryside.</p>	<p>The Council considers that the policy gives appropriate weight to the protection of Nottinghamshire's landscape in accordance with national policy. However, it is acknowledged that the wording of the policy could be improved. The policy has now been split into three sections for clarity.</p> <p>As re-drafted, the policy does not limit development as it sets out the circumstances under which development could take place.</p> <p>The policy reference to Biodiversity Opportunity mapping has been removed as this is referred to in other parts of the Plan. A reference to National Character Areas has been added however it is not considered necessary to include an additional reference to the Green Belt within this section.</p> <p>The policy applies to all minerals equally and does not need to distinguish between mineral types.</p>



<b>Consultation Feedback</b>	<b>Council Response</b>
<p>There should be more consideration of site-specific impacts, with applications required to undertake their own landscape and visual assessments that involves the local community and their views.</p>	<p>Site-specific impacts will need to be considered on a case by case basis at the detailed planning application stage. Information on the details needed to accompany a planning application are set out within the Validation Guidance Note (2018), which is available on the County Council Website.</p> <p><b><u>Change to plan</u></b>  <b>Policy re-drafted and reference to Biodiversity Opportunity mapping removed.</b></p>
<p><b>DM6: Historic Environment</b> (13 Respondents)</p>	
<p>Although there was broad support for the policy, several respondents highlighted that the policy does not reflect the revised NPPF published in February 2019.</p> <p>The policy does not take the stepped approach outlined in the NPPF whereby heritage should be conserved in manner appropriate to its significance.</p> <p>Public benefits are not required for non-designated assets with decisions requiring a balanced judgement that considers the scale of harm or loss and significance of the asset.</p> <p>The policy should refer to 'harm' not 'adverse impacts'.</p> <p>Local residents should be given more involvement within the process of identifying assets and ensuring public benefits are maximised.</p> <p>The reference to South Muskham was supported.</p> <p>Some respondents felt that the policy should be strengthened to fully protect assets and heritage.</p>	<p>Policy DM6 has been substantially amended in response to the consultation feedback. The amended policy reflects the stepped approach set out in the NPPF and the need to assess the level of harm proportionately in accordance with the significance of the asset.</p> <p>References to 'adverse impacts' and 'public benefit' have been removed.</p> <p>The process of identifying historic assets is not within the remit of the Minerals Local Plan.</p> <p><b><u>Change to plan</u></b>  <b>Policy re-drafted in line with NPPF.</b></p>

Consultation Feedback	Council Response
Archaeological heritage cannot be replaced and should be left alone.	
<b>DM7: Public Access</b> (12 Respondents)	
<p>Most respondents supported the policy with some suggesting additional detailed wording. Some however felt the policy was inadequate or contradictory.</p> <p>Where diversions or alternatives are required this should be done at the earliest opportunity to benefit local communities.</p> <p>The supporting justification text should cross-refer to enhancing the beneficial use of the Green Belt.</p> <p>Public access may be subject to constraints, such as private land ownership.</p> <p>The policy only seeks to discuss issues whilst favouring mineral operators.</p> <p>Points one and two of the policy are contradictory. It is not clear what would be deemed as suitable or how unacceptable impacts will be judged.</p>	<p>The policy applies a sequential approach that supports development which would not have an unacceptable impact. Temporary or permanent diversion of public rights of way would only be permitted where alternatives of at least equivalent interest are provided. The Council considers that this is proportionate and in line with national policy and legislation affecting rights of way.</p> <p>As the Plan contains a separate strategic policy for Green Belt, further reference to Green Belt is not considered necessary in the justification text to DM7.</p> <p><b><u>Change to Plan</u></b>  <b>No change.</b></p>
<b>DM8: Cumulative Impact</b> (11 Respondents)	
<p>There was qualified support for the principle of the policy from some respondents, but others strongly opposed the policy approach or felt it would not be applied properly.</p> <p>The phrase 'reasonably foreseeable developments' should be deleted from the justification text potential future developments are</p>	<p>The reference to 'reasonably foreseeable development' has been removed. It was accepted that not all planned development will necessarily come forward in the identified timescales. As a result, this may unnecessarily prevent otherwise acceptable development .</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>not a material consideration. Development should be considered on a case by case basis.</p> <p>The cumulative impacts of road transport from different sites and losing land to water-areas should be emphasised.</p> <p>The site allocation process has not considered cumulative impacts as five sites have been allocated within the Idle Valley within four miles.</p> <p>The policy should explain how shale gas will be considered in terms of cumulative impact if it becomes a National Significant Infrastructure Project (NSIP).</p> <p>The consideration of cumulative impacts should extend 20 miles outside of Nottinghamshire to take account of those living on the county borders.</p>	<p>The potential cumulative impact of multiple sites has been considered as part of the Strategic transport assessment which did not identify any concerns.</p> <p>The impacts of site restoration, including proposals for water-based restoration, would be considered under at the planning application stage.</p> <p>Cumulative impact has been considered in the Sustainability Appraisal for each site which has itself informed the overall allocation of sites within the Plan.</p> <p>The Minerals Local Plan is written in accordance with current national legislation, policy and guidance. It cannot set out how national policy and procedures, such as those for Nationally Significant Infrastructure Projects, will be developed and implemented.</p> <p>The detailed consideration of cumulative impacts can only take place on a site by site basis as part of the detailed planning application process.</p> <p><b><u>Change to Plan</u></b>  <b>The last part of the policy has been deleted.</b>  <b>Reference to ‘reasonably foreseeable development’ removed from justification text.</b></p>
<p><b>DM9: Highways safety and vehicle routeing</b> (8 respondents)</p>	
<p>There was qualified support for the policy from most respondents but several also raised wider traffic safety issues/concerns as part of their response.</p> <p>Air quality (from transport emissions) should also be considered.</p>	<p>The policy should be read in combination with other policies in the Plan. Policy SP5 (Sustainable transport) seeks to minimise overall transport distances and promote alternative forms of transport such as barge or rail (where feasible) to reduce transport impacts including vehicle emissions. Policy SP4 (Climate Change) refers to measures</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>Sites with shorter, or more environmentally acceptable, routes should be preferred.</p> <p>Nottinghamshire's limited number of river crossings and bridge weight restrictions mean that many HGVs pass through villages. Cyclists and pedestrians cannot access areas severed by dangerous, high volume, roads.</p> <p>All planning applications for minerals should require a Transport Assessment.</p> <p>The physical size and haulage capacity of HGVs should not be allowed to increase in future.</p> <p>The operational life of a quarry is not short, and numbers of HGVs are not small as suggested.</p> <p>The policy does not meet the Plan's strategic objectives.</p>	<p>to help reduce greenhouse gas emissions and Policy DM1 lists air quality as one of the issues which must be considered.</p> <p>Specific highways and traffic safety impacts will be assessed at the detailed planning application stage. This will include a site-specific Transport Assessment and the use of routeing agreements where appropriate.</p> <p>The Highways Authority imposes environmental weight limits on roads which are not suitable for vehicles above a specified weight but the Council cannot dictate wider national policy on HGV use.</p> <p>National guidance describes mineral working as a temporary use and the operational life of a quarry is usually less than for other types of permanent development. The findings of the Strategic Transport Assessment which has been carried out show that the number of HGVs used for minerals transport is a relatively small proportion of overall HGV movements for other goods.</p> <p>The Council considers that the policy does meet the Plan's objectives.</p> <p><b><u>Change to Plan</u></b> <b>None</b></p>
<p><b>DM10: Airfield safeguarding</b> (12 respondents)</p>	
<p>The policy was broadly supported although some felt it could be expanded.</p> <p>Airfield safeguarding is important but should be underpinned by robust science and a reasonable approach so that restoration to wetland habitats is not precluded across much of Nottinghamshire.</p>	<p>Existing text recognises that wetland restoration may be possible depending on local circumstances which will include consideration of the specific hazards relating to an individual airfield.</p> <p>The purpose of Policy DM10 is to ensure that the restoration of sites does not increase the incidence of bird populations close to existing</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>The justification text should recognise that the level of hazard may differ according to the type of aircraft and the use of the airfield.</p> <p>The policy should also refer to proposed mineral exploration and appraisal not just extraction and restoration.</p> <p>The size of the safeguarding areas shown should be expanded, and the policy should also cover areas such as Newark Showground and Air Museum which are often used for air displays or flypasts, and military training areas not just airfields.</p> <p>The word 'airfield' should be added to last part of policy to avoid confusion.</p>	<p>airfields. As a result, it is not necessary to include exploration and appraisal stages as these would reinstate existing habitat.</p> <p>The safeguarding areas are based on published advice within Circular 1/2003 and consultation with individual civil airfields and the Ministry of Defence.</p> <p>The word airfield has been added to the policy for clarity.</p> <p><b><u>Change to Plan</u></b> <b>'Airfield' added to last part of policy.</b></p>
<p><b>DM11: Planning obligations</b> (9 respondents)</p>	
<p>Most respondents supported this policy although some questioned whether the use of planning obligations is effective.</p> <p>Without the support of the planning authority, parish councils and resident's associations have very little power to secure compensation to mitigate the negative impacts from minerals development.</p> <p>Section 106 agreements are often used inappropriately and delay the planning process. Planning conditions are sufficient to control development within the site boundary.</p> <p>Section 106 is just a loophole to allow unacceptable development to go ahead.</p>	<p>S106 agreements can be used to overcome infrastructure or other constraints to development. This could include measures such as off-site road or junction improvements, flood defence measures or improvements to local water supply/sewage capacity. They can also be used to offset biodiversity or landscape impacts by requiring alternative areas of habitat or landscape improvements to be provided, or secure long-term site management after restoration.</p> <p>Unlike planning conditions (which can only be used with the site boundary) they can be used to secure off-site improvements that may otherwise have prevented development.</p> <p>The use of Section 106 agreements enables development, that is otherwise acceptable, to go ahead but does not provide a loophole for unacceptably harmful development.</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>Further detail is needed on how long obligations will remain in force so that there can be certainty over the long-term protection of restored habitats.</p>	<p>The duration of a S106 agreement will depend on the site-specific circumstances and can only be determined during the planning application process.</p> <p><b><u>Change to Plan</u></b> None.</p>
<p><b>DM12: Restoration, after-use and aftercare</b> (18 respondents)</p>	
<p>This policy was supported by most respondents, with some seeking further additional wording or clarification in either the policy or justification text.</p> <p>Some however felt, the biodiversity-led approach to restoration is too narrow and would preclude other possible after-uses. Restoration to agriculture or forestry should also be included.</p> <p>The restoration of agricultural land must reinstate the original soil quality. High quality soils should not be ‘sold-off’ by developers.</p> <p>Restoration can also provide opportunities to enhance floodplain storage and reconnection, and improve water quality and biodiversity</p> <p>The principle of biodiversity net-gain should be emphasised within the policy. Where provision of new priority habitat is used to justify proposals, extended aftercare of at least 20 years must be secured.</p> <p>It is not clear what is meant by ‘satisfactory evidence’. How would this be quantified?</p> <p>The duration of mineral working and restoration is often long in comparison to people’s lifetimes. Sites should be restored in stages, as soon as possible.</p>	<p>The Plan’s biodiversity-led approach to restoration set out in Policy SP3 does not preclude other forms of restoration and after-use. It is recognised that, in some cases, recreation to agriculture or forestry may be more appropriate, but this could still incorporate opportunities for biodiversity. Paragraph 5.123 has been amended to clarify this.</p> <p>Policy DM3 addresses measures to protect best and most versatile agricultural land and soils.</p> <p>Opportunities to enhance floodplain storage and reconnection, water quality and biodiversity are already recognised within policies DM2 and DM4 respectively.</p> <p>The principle of biodiversity net-gain is set out within the justification text to Policy SP3 (biodiversity-led restoration) and does not need to be repeated here.</p> <p>Aftercare-arrangements can only be determined on a site by site basis.</p> <p>Issues such as noise, traffic and water quality (where waste imports are proposed) would be controlled under the Plan’s specific development management policies and waste policies within the Nottinghamshire and Nottingham Waste Local Plan/Waste Core</p>

<b>Consultation Feedback</b>	<b>Council Response</b>
<p>The proposed after-use of a minerals site should not cause problems or inconvenience to communities through traffic, noise etc. If waste or inert fill is imported for restoration, this should not contaminate water supplies. The policy should also refer to human health and well-being.</p> <p>Talking about restoration is a waste of time – companies have no interest in restoration and will leave (fracking) sites barren and toxic.</p>	<p>Strategy as relevant. Health and well-being are addressed under Policy DM1.</p> <p>Planning conditions attached to a planning permission are legally enforceable. The Council carries out regular monitoring to ensure that all conditions (not just those relating to site restoration) are being complied with and will take enforcement action against non-compliance or unauthorised development where appropriate.</p> <p>The policy has been partially re-worded to simplify and clarify the requirements.</p> <p><b><u>Change to Plan</u></b> <b>Policy partially re-worded.</b></p>
<p><b>DM13: Incidental mineral extraction</b> (11 respondents)</p>	
<p>Almost all respondents supported this policy.</p> <p>The policy or justification text should also make clear that an Environmental Impact Assessment (EIA) would be required in most cases as for primary mineral extraction.</p> <p>If this policy is intended to capture mineral extraction prior to commercial / housing development the wording needs to be expanded to clarify this.</p>	<p>The requirement for EIA (depending on the specific circumstances) is explained in paragraphs 5.4 -5.5 at the start of Chapter 5 and does not therefore need to be repeated as the Plan should be read as whole.</p> <p>Policy DM13 is intended to cover a wide range of circumstances where minerals extraction is not the primary purpose of the development. The policy should be read alongside Policy SP8 (Safeguarding) as it would support the prior extraction of minerals that may otherwise be sterilised by surface development. However, Policy DM13 would also support prior extraction in relation to major built development (which could include commercial or housing development) where such development was not within an identified Mineral Safeguarding Area.</p> <p><b><u>Change to Plan</u></b> <b>None.</b></p>

Consultation Feedback	Council Response
<b>DM14: Irrigation lagoons</b> (7 respondents)	
<p>The policy was supported by almost all respondents.</p> <p>It should be essential that the mineral extracted is taken offsite and cannot substitute for or prejudice existing permitted mineral operations or allocations.</p>	<p>The Council considers that the impacts on existing permitted or allocated minerals sites is already addressed within part (d) of the policy.</p> <p><b><u>Change to Plan</u></b>  <b>None</b></p>
<b>DM15: Borrow pits</b> (5 respondents)	
<p>There was general support for this policy with some respondents also seeking additional wording.</p> <p>There should be specific references to the requirement for EIA and the Plan's biodiversity-led restoration approach.</p> <p>The policy should specify that planning permission would still be required for development that falls outside of the GDPO (permitted development rights).</p>	<p>The requirements for EIA are set out elsewhere in the plan and do not need to be repeated specifically within this policy. Policy SP2 sets out the Plan's approach to biodiversity-led restoration. The plan should be read as a whole.</p> <p>Permitted development rights do not extend to borrow pits – all borrow pit proposals would therefore require planning permission.</p> <p><b><u>Change to Plan</u></b>  <b>None</b></p>
<b>DM16: Associated industrial development</b> (8 respondents)	
<p>There was general support for the policy with some additional comments, particularly in relation to how the policy would be applied in the Green Belt.</p> <p>Several respondents felt there should be a cross-reference to Green Belt Policy but differed as to whether associated industrial development should be allowed in 'very special circumstances' or should not be allowed under any circumstances.</p>	<p>Policy SP7 (Green Belt) has been amended to reflect national policy on minerals extraction and makes clear that inappropriate development would need to demonstrate 'very special circumstances'.</p> <p>Minerals extraction is not explicitly defined in the NPPF or PPG, but the Council is of the view that non-essential activities that could be</p>



<b>Consultation Feedback</b>	<b>Council Response</b>
<p>The policy should clarify whether associated industrial development such as bagging or concrete plant is acceptable in the Green Belt</p> <p>Mineral operators should be required to notify the County Council of proposals for minerals exploration.</p> <p>The policy should specify that planning permission would still be required for development that falls outside of the GDPO (permitted development rights)</p>	<p>located outside of the Green Belt (and are not directly linked to the purpose of extraction) are unlikely to be justified.</p> <p>Related changes have been made to the justification text which sits alongside Policy SP7 (Green Belt) to clarify that associated industrial development is likely to be inappropriate in the Green Belt.</p> <p>The need for prior approval from the Minerals Planning Authority is already set out in paragraph 5.153</p> <p>Paragraph 5.154 explains that all other development requires planning permission.</p> <p><b><u>Change to Plan</u></b> <b>None.</b></p>
<p><b>DM17: Mineral exploration</b> (6 respondents)</p>	
<p>There was general support for the policy with some respondents suggesting additional wording.</p> <p>It should be noted that deep boreholes for exploration would also require various permits from the Environment Agency.</p> <p>The justification text should recognise environmental concerns over vibration and noise disturbance where shot hole drilling or prolonged surveys are carried out.</p> <p>Mineral operators should be required to notify the County Council of proposals for minerals exploration.</p>	<p>The need to obtain relevant environmental permits is identified within the justification which accompanies Policy MP12.</p> <p>Mineral operators are not required to notify the County Council of minerals exploration in all cases.</p> <p>References to vibration and noise disturbance have been added to the justification text.</p> <p><b><u>Change to Plan</u></b> <b>References to vibration and noise disturbance added to justification text.</b></p>