



Nottinghamshire Minerals Local Plan

**Representations in Respondent Order
(alphabetical)**

Updated 14 April 2020

Record count: 309

134

Object

S01: Improving the sustainability of minerals development

Respondent: Mr Bev ANGELL [8147]

Summary:

On two specific points the Strategic Objective S01 is unsound and unjustified. 'S01: Improving the sustainability of minerals development' is UNSOUND and UNJUSTIFIED

There has been a failure by the Council to carry out any meaningful analysis of the areas where there is a demand for sand and gravel or examined where the markets for the output is likely to come from. In short the Council has failed in its attempts to justify the spatial pattern of mineral development or the rationale for the geographical spread of the sites proposed in the Plan.

The allocation of the sites must be justified on the individual merits and to do this must take account of the impact on local communities and the natural environment. The Plan in its current form only takes account of how far the gravel and sand is to be transported.

Full text:

wish to respond to your consultation process concerning the Minerals Local Plan.

It is my view that the Minerals Local Plan is both unsound and unjustified in the form that it is currently written and should therefore be withdrawn.

On two specific points the Strategic Objective S01 is nsound and unjustified. Equally the allocation of site MP2 at Mill Hill, Barton in Fabis is unsound and unjustified.

Finally Nottinghamshire County has failed to conform to its own statement of Community Involvement

I will expand on these points as follows :

'S01: Improving the sustainability of minerals development' is UNSOUND and UNJUSTIFIED

There has been a failure by the Council to carry out any meaningful analysis of the areas where there is a demand for sand and gravel or examined where the markets for the output is likely to come from. In short the Council has failed in its attempts to justify the spatial pattern of mineral development or the rationale for the geographical spread of the sites proposed in the Plan.

The allocation of the sites must be justified on the individual merits and to do this must take account of the impact on local communities and the natural environment. The Plan in its current form only takes account of how far the gravel and sand is to be transported.

'MP2: Sand and Gravel Provision' is UNSOUND and UNJUSTIFIED

The Council failed to add any sites that use more sustainable means of transport for removing the quarried sand and gravel. SP4 talks about the use of barges where appropriate for this purpose. No such sites have been allocated.

The previous Plan, now withdrawn, included a significant site at Shelford that would have enabled the Colwick wharf to be used for exporting gravel from the Shelford site by barge. This would then be closer to the anticipated markets for the material.

No rationale has been outlined to explain the exclusion of the Shelford site from the list of proposed sites, particularly that it was deemed "too large" and as such would limit output in other parts of the County.

The inclusion of the Mill Hill site MP2p as an alternative to Shelford is a site that is less sustainable and has more environmentally damaging effects based upon the County Council's Sustainability Appraisal.

Statement of Community Involvement

There has been a failure to comply with the Council's Statement of Community Involvement, in particular paras 3.14 and 3.15 where there is a requirement to provide information on the specific proposals to the local communities affected.

No evidence has been presented to show how there was any engagement with the local communities within Nottingham City such as Clifton and Clifton Village which will be impacted on by the proposals.

The residents of Lark Hill have been subjected to discrimination on grounds of mobility in being able to access the display boards at Clifton Library.

No significant analysis has been carried out on the hundreds of responses from local residents on the draft Mineral Plan, other than to dismiss them as being "pro forma responses. I will be writing separately to the Council's Chief Executive to establish who took the decision to effectively dismiss these responses and to establish wheter a disciplinary investigation be carried out into those who came to this decision.

Yours faithfully

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: None

136

Object

S05: Minimising impacts on communities

Respondent: Mr Bev ANGELL [8147]

Summary:

Statement of Community Involvement

There has been a failure to comply with the Council's Statement of Community Involvement, in particular paras 3.14 and 3.15 where there is a requirement to provide information on the specific proposals to the local communities affected.

No evidence has been presented to show how there was any engagement with the local communities within Nottingham City such as Clifton and Clifton Village which will be impacted on by the proposals.

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Full text:

wish to respond to your consultation process concerning the Minerals Local Plan.

It is my view that the Minerals Local Plan is both unsound and unjustified in the form that it is currently written and should therefore be withdrawn.

On two specific points the Strategic Objective SO1 is nsound and unjustified. Equally the allocation of site MP2 at Mill Hill, Barton in Fabis is unsound and unjustified.

Finally Nottinghamshire County has failed to conform to its own statement of Community Involvement

I will expand on these points as follows :

'SO1: Improving the sustainability of minerals development' is UNSOUND and UNJUSTIFIED

There has been a failure by the Council to carry out any meaningful analysis of the areas where there is a demand for sand and gravel or examined where the markets for the output is likely to come from. In short the Council has failed in its attempts to justify the spatial pattern of mineral development or the rationale for the geographical spread of the sites proposed in the Plan.

The allocation of the sites must be justified on the individual merits and to do this must take account of the impact on local communities and the natural environment. The Plan in it current form only takes account of how far the gravel and sand is to be transported.

'MP2: Sand and Gravel Provision' is UNSOUND and UNJUSTIFIED

The Council failed to add any sites that use more sustainable means of transport for removing the quarried sand and gravel. SP4 talks about the use of barges where appropriate for this purpose. No such sites have been allocated.

The previous Plan, now withdrawn, included a significant site at Shelford that would have enabled the Colwick wharf to be used for exporting gravel from the Shelford site by barge. This would then be closer to the anticipated markets for the material.

No rationale has been outlined to explain the exclusion of the Shelford site from the list of proposed sites, particularly that it was deemed "too large" and as such would limit output in other parts of the County.

The inclusion of the Mill Hill site MP2p as an alternative to Shelford is a site that is less sustainable and has more environmentally damaging effects based upon the County Council's Sustainability Appraisal.

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No evidence has been presented to show how there was any engagement with the local communities within Nottingham City such as Clifton and Clifton Village which will be impacted on by the proposals.

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Yours faithfully

Change to plan:

-

Legally No compliant:

Sound: No

Comply with No duty:

Appear exam: Appearance at the examination

Attachments: None

135

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mr Bev ANGELL [8147]

Summary:

The Council failed to add any sites that use more sustainable means of transport for removing the quarried sand and gravel. SP4 talks about the use of barges where appropriate for this purpose. No such sites have been allocated.

The previous Plan, now withdrawn, included a significant site at Shelford that would have enabled the Colwick wharf to be used for exporting gravel from the Shelford site by barge. This would then be closer to the anticipated markets for the material.

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Finally Nottinghamshire County has failed to conform to its own statement of Community Involvement

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'SO1: Improving the sustainability of minerals development' is UNSOUND and UNJUSTIFIED

There has been a failure by the Council to carry out any meaningful analysis of the areas where there is a demand for sand and gravel or examined where the markets for the output is likely to come from. In short the Council has failed in its attempts to justify the spatial pattern of mineral development or the rationale for the geographical spread of the sites proposed in the Plan.

The allocation of the sites must be justified on the individual merits and to do this must take account of the impact on local communities and the natural environment. The Plan in it current form only takes account of how far the gravel and sand is to be transported.

'MP2: Sand and Gravel Provision' is UNSOUND and UNJUSTIFIED

The Council failed to add any sites that use more sustainable means of transport for removing the quarried sand and gravel. SP4 talks about the use of barges where appropriate for this purpose. No such sites have been allocated.

The previous Plan, now withdrawn, included a significant site at Shelford that would

have enabled the Colwick wharf to be used for exporting gravel from the Shelford site by barge. This would then be closer to the anticipated markets for the material.

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No evidence has been presented to show how there was any engagement with the local communities within Nottingham City such as Clifton and Clifton Village which will be impacted on by the proposals.

The residents of Lark Hill have been subjected to discrimination on grounds of mobility in being able to access the display boards at Clifton Library.

No significant analysis has been carried out on the hundreds of responses from local residents on the draft Mineral Plan, other than to dismiss them as being "pro forma responses". I will be writing separately to the Council's Chief Executive to establish who took the decision to effectively dismiss these responses and to establish whether a disciplinary investigation be carried out into those who came to this decision.

Yours faithfully

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

138

Object

MP12: Oil and Gas

Respondent: Anglian Water Services Ltd (Mr Stewart Patience, Spatial Planning Manager) [8339]

Summary:

Anglian Water is identified as a statutory consultee through Schedule 4 (zf) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in relation to development involving the boring for or getting of oil and natural gas from shale.

It is noted that the Submission Draft Local Plan includes a specific policy relating to hydrocarbon minerals including the proposals relating to the extraction of shale gas.

Reference is made to exploration proposals ensuring that it would not have an unacceptable impact on the environment or residential amenity. However no further guidance is provided in terms of what would constitute an unacceptable impact in this context or what is the required at each stage identified in Policy MP12: Hydrocarbons Minerals.

The policy relating to hydrocarbon extraction should specifically refer to water resources/environment and require applicants to demonstrate that there proposals would not have an adverse impact on potable water sources in the ownership of Anglian Water. This would include providing sufficient technical detail at the planning application stage about how any risks to potable water resources will be addressed.

Full text:

Policy DM2 as drafted refers to making efficient use of water resources and that SUDs is the preferred method for surface water disposal which is welcomed.

It is noted that reference is made in the supporting text of Policy DM2 (para 5.24) to the submission of hydrological/ hydrogeological investigation being required where necessary. However Policy DM2 does not specify what would constitute sufficient technical detail to satisfy the requirements of the policy to protect existing water resources which are used for the supply of potable water.

(Continue on a separate sheet/expand box if necessary)

To be effective it proposed that Policy DM2 be amended as follows:

; 1. Proposals for all stages of minerals development will be supported where it can be demonstrated in a hydrogeological/water quality risk assessment that there are no unacceptable impacts on surface water quality and flows or groundwater quality and levels at or in the vicinity of the site

Anglian Water is identified as a statutory consultee through Schedule 4 (zf) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in relation to development involving the boring for or getting of oil and natural gas from shale.

It is noted that the Submission Draft Local Plan includes a specific policy relating to hydrocarbon minerals including the proposals relating to the extraction of shale gas.

Reference is made to exploration proposals ensuring that it would not have an unacceptable impact on the environment or residential amenity. However no further guidance is provided in terms of what would constitute an unacceptable impact in this context or what is the required at each stage identified in Policy MP12: Hydrocarbons Minerals.

The policy relating to hydrocarbon extraction should specifically refer to water resources/environment and require applicants to demonstrate that there proposals would not have an adverse impact on potable water sources in the ownership of Anglian Water. This would include providing sufficient technical detail at the planning application stage about how any risks to potable water resources will be addressed.

It is therefore proposed that Policy MP12 is amended as follows:

'3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found.

4. Proposals at each stage must provide appropriate evidence to demonstrate that there will be no unacceptable impacts on surface and groundwater quality.'

Change to plan:

It is therefore proposed that Policy MP12 is amended as follows:

'3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found.

4. Proposals at each stage must provide appropriate evidence to demonstrate that there will be no unacceptable impacts on surface and groundwater quality.'

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: None

137

Object

DM2: Water Resources and Flood Risk**Respondent:** Anglian Water Services Ltd (Mr Stewart Patience, Spatial Planning Manager) [8339]**Summary:**

Policy DM2 as drafted refers to making efficient use of water resources and that SUDs is the preferred method for surface water disposal which is welcomed.

It is noted that reference is made in the supporting text of Policy DM2 (para 5.24) to the submission of hydrological/ hydrogeological investigation being required where necessary. However Policy DM2 does not specify what would constitute sufficient technical detail to satisfy the requirements of the policy to protect existing water resources which are used for the supply of potable water.

Full text:

Policy DM2 as drafted refers to making efficient use of water resources and that SUDs is the preferred method for surface water disposal which is welcomed.

It is noted that reference is made in the supporting text of Policy DM2 (para 5.24) to the submission of hydrological/ hydrogeological investigation being required where necessary. However Policy DM2 does not specify what would constitute sufficient technical detail to satisfy the requirements of the policy to protect existing water resources which are used for the supply of potable water.

(Continue on a separate sheet/expand box if necessary)

To be effective it proposed that Policy DM2 be amended as follows:

1. Proposals for all stages of minerals development will be supported where it can be demonstrated in a hydrogeological/water quality risk assessment that there are no unacceptable impacts on surface water quality and flows or groundwater quality and levels at or in the vicinity of the site

Anglian Water is identified as a statutory consultee through Schedule 4 (zf) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in relation to development involving the boring for or getting of oil and natural gas from shale.

It is noted that the Submission Draft Local Plan includes a specific policy relating to hydrocarbon minerals including the proposals relating to the extraction of shale gas.

Reference is made to exploration proposals ensuring that it would not have an unacceptable impact on the environment or residential amenity. However no further guidance is provided in terms of what would constitute an unacceptable impact in this context or what is the required at each stage identified in Policy MP12: Hydrocarbons Minerals.

The policy relating to hydrocarbon extraction should specifically refer to water resources/environment and require applicants to demonstrate that there proposals would not have an adverse impact on potable water sources in the ownership of Anglian Water. This would include providing sufficient technical detail at the planning application stage about how any risks to potable water resources will be addressed.

It is therefore proposed that Policy MP12 is amended as follows:

'3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found.

4. Proposals at each stage must provide appropriate evidence to demonstrate that there will be no unacceptable impacts on surface and groundwater quality.'

Change to plan:

To be effective it proposed that Policy DM2 be amended as follows:

1. Proposals for all stages of minerals development will be supported where it can be demonstrated in a hydrogeological/water quality risk assessment that there are no unacceptable impacts on surface water quality and flows or groundwater quality and levels at or in the vicinity of the site

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: None

19

Support

SP4: Sustainable Transport**Respondent:** Mrs Jackie Armstrong [2881]**Summary:**

Justified: We strongly support the need for sustainable methods of transport to be used where possible, with the location of aggregate sources of supply close to existing markets to minimise the impact on the environment and communities of road transport.

Full text:

Justified: We strongly support the need for sustainable methods of transport to be used where possible, with the location of aggregate sources of supply close to existing markets to minimise the impact on the environment and communities of road transport.

Change to plan:

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Appear exam: Not specified

Attachments: None

16

Support

MP1: Aggregate Provision**Respondent:** Mrs Jackie Armstrong [2881]**Summary:**

Positively Prepared: We consider the assessments for future aggregate demand are more realistic than those in previous plans, taking more account of the consistently lower demand in recent years.

Full text:

Positively Prepared: We consider the assessments for future aggregate demand are more realistic than those in previous plans, taking more account of the consistently lower demand in recent years.

Change to plan:

Legally compliant: Not specified

Sound: Not specified
Comply with duty: Not specified
Appear exam: Not specified
Attachments: None

17

Support

MP2: Sand and Gravel Provision**Respondent:** Mrs Jackie Armstrong [2881]**Summary:**

Justified: We support the policy of spatial distribution of aggregates supply and the consideration given to proximity to the main locations of demand.

Full text:

Justified: We support the policy of spatial distribution of aggregates supply and the consideration given to proximity to the main locations of demand.

Change to plan:

-

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified
Appear exam: Not specified
Attachments: None

18

Support

MP2: Sand and Gravel Provision**Respondent:** Mrs Jackie Armstrong [2881]**Summary:**

Justified: We support the priority being given to the extension of existing sites on environmental grounds, providing there is no unduly adverse effect on local communities. This approach also enhances the prospects for good quality restoration of sites.

Full text:

Justified: We support the priority being given to the extension of existing sites on environmental grounds, providing there is no unduly adverse effect on local communities. This approach also enhances the prospects for good quality restoration of sites.

Change to plan:

-

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified
Appear exam: Not specified
Attachments: None

20

Object

DM3: Agricultural Land and Soil Quality**Respondent:** Mrs Jackie Armstrong [2881]**Summary:**

Insufficient priority is given to the long term value of good quality agricultural land compared to the short term value of aggregates.

Full text:

Insufficient priority is given to the long term value of good quality agricultural land compared to the short term value of aggregates.

Change to plan:

Land for food production should be conserved in zones unlikely to be flooded due to climate change, as it will have long term value for centuries to come. Aggregates should be extracted from coastal and low lying inland areas that are vulnerable to climate change, before they are sterilised by ocean flooding and surges.

Legally compliant: Yes
Sound: No
Comply with duty: Yes
Appear exam: Not specified
Attachments: None

21

Object

DM3: Agricultural Land and Soil Quality**Respondent:** Mrs Jackie Armstrong [2881]**Summary:**

Insufficient priority is given to the long term value of good quality agricultural land compared to the short term value of aggregates. Agricultural land in areas not at risk from climate change should be conserved to produce food over the coming centuries. Aggregate extraction should be concentrated in coastal and low lying inland areas that are likely to be sterilised by ocean flooding and surges due to climate change. See attached flooding maps.

Full text:

Insufficient priority is given to the long term value of good quality agricultural land compared to the short term value of aggregates. Agricultural land in areas not at risk from climate change should be conserved to produce food over the coming centuries. Aggregate extraction should be concentrated in coastal and low lying inland areas that are likely to be sterilised by ocean flooding and surges due to climate change. See attached flooding maps.

Change to plan:

See above. This box does not appear to be shown in the final text recorded.

Legally compliant: Yes
Sound: No
Comply with duty: Yes
Appear exam: Not specified
Attachments:

270 **Object****SP4: Sustainable Transport****Respondent:** Auckley Parish Council (Mrs Marjorie Caygill, Clerk) [4541]**Summary:**

In isolation the proposals to develop sites at Austerfield, Misson, Bamby Moor and Scrooby seem innocuous, however when considered alongside existing and proposed developments in both Nottinghamshire and the DMBC area, we have serious concerns about the impact on our communities, particularly the potential increase in Heavy Goods and other vehicles on an already busy road network in and around our villages.

We would oppose the development of these sites as proposed in the recent planning applications and question their inclusion in the Minerals Plan without conditions being set, within the plan, to mitigate their potential impact on our communities.

Please see attachments for further evidence submitted alongside the above statement.

Full text:

Please see attachments

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Written Representation**Attachments:** Auckley Parish Council representatio 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327537/auckley-pc_10_10_2019_redacted.pdf**296** **Object****S01: Improving the sustainability of minerals development****Respondent:** Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]**Petition:** 5 petitioners**Summary:**

Strategic Objective 1: Improving the sustainability of minerals development

This strategic objective is unsound because it is poorly drafted and is therefore ineffective (para 35 NPPF). It includes the aim of "more efficient exploitation" without specifying what the comparator is. More than what? Is it more compared to the operation of the last plan? If so, how is efficiency judged? Is it more than the current national average? Again, if so, what is the base-line measure?

A further aspect of the unsoundness is that the objective to "Secure a spatial pattern of mineral development that efficiently delivers resources to markets within and outside Nottinghamshire" is too narrowly drawn. The objective relates to "Improving the sustainability of minerals development" which includes but does not solely relate to market delivery.

The objective is therefore not effective in delivering sustainable minerals development.

The Vision for the Minerals Local Plan Publication Version (MLPPV) states that "mineral development will be concentrated in locations that offer the greatest level of accessibility to the major markets and growth areas and to sustainable transport nodes to encourage sustainable patterns and modes of movement." However, the complete absence of numerical or other analysis in the MLPPV or indeed the County Council's Local Aggregate Assessments in recent years of: a) what are the major markets and growth areas; and b) the failure to specify sites which utilise the most sustainable modes of movement such as barging means that the MLPPV is fundamentally flawed. The Vision fails the 'justified' test of Paragraph 35 of the NPPF in that it is not based on proportionate evidence and accordingly is unsound.

Full text:

See attached

Change to plan:

Strategic Objective 1: Improving the sustainability of minerals development

This objective should be reworded to include reference to metrics and indicators by which the improvement in efficiency can be assessed. There needs to be a proper target set for this strategic objective to be meaningful.

The statement that the plan aims to "Secure a spatial pattern of mineral development that efficiently delivers resources to markets within and outside Nottinghamshire" should be qualified as follows "Secure a spatial pattern of mineral development that minimises environmental and social impact while also delivering resources to markets within and outside Nottinghamshire as efficiently as possible". This change would ensure that a sustainable minerals plan is not solely focussed on transport issues.

The Plan needs to include a thorough geographical analysis of allocation options. The interpretation of the concept of a sustainable spatial distribution simply in terms of the geography of the market is contrary to the overall sustainability goals that frame the MLPPV, and indeed undermines them. The MLPPV needs to specify what constitutes a sustainable spatial distribution of sites in a meaningful and balanced way and is inconsistent with its strategic objectives for sustainability. As it stands, the Plan is an 'unjustified' as an appropriate strategy, and is inconsistent with the principles of the NPPF, both failures against the tests of Paragraph 35 of the NPPF.

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf**297** **Object****S03: Addressing climate change****Respondent:** Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]**Petition:** 5 petitioners**Summary:**

S03: Addressing climate change

This strategic objective is unsound because it makes no reference to carbon budgets and managing or assessing impact on carbon emissions in relation to the declared climate emergency. It therefore does not meet the criterion of effectiveness as set out in Para 35 of the NPPF. Given the time frame of the minerals plan, and the national goals of carbon neutrality, the strategic objective lacks any meaningful targets in relation to the need to minimise, mitigate and offset emissions or to encourage the use of recycled and alternative materials.

Full text:

See attached

Change to plan:

S03: Addressing climate change

This objective should be redrafted because it (a) only references transport and working methods as drivers of climate change, and (b) mainly focusses on adaptation rather than mitigation. In the policy (see SP3) there should be reference to how actions impact on the management and minimisation of carbon emission by all activities and plan options, and specific reference to how carbon neutrality and recycling can be achieved, or contributed to, by the plan.

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf

298 **Object****S05: Minimising impacts on communities****Respondent:** Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]**Petition:** 5 petitioners**Summary:**

S05, S06 and S07

We are supportive of the strategic objectives dealing with minimising impacts on local communities (S05), protecting and enhancing natural assets (S06) and protecting and enhancing historic assets (S07). However, the Minerals Local Plan is unsound because these objectives are not applied in the development and application of the site appraisal and allocation methodology. The goal of developing an appropriate and sustainable spatial distribution of sites (S01) overrides the goals set out in SOs 5, 6 and 7. Moreover the goal of promoting sustainable modes of transport (S01) is not applied as a consideration in the site allocation process

A sustainable spatial distribution of sites is not one which is simply determined by proximity to market and transport costs. Indeed, it can be argued that given that potential developers are probably better informed about the geography of the market and the economics of working a site than NCC, then it can be assumed that all the sites put forward by extraction companies are equally economically viable. In developing a Minerals Local Plan the goal of developing a sustainable spatial distribution is therefore dependent upon ensuring that of the sites allocated, those selected have the least impact on wider sustainability goals.

Full text:

See attached

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf**306** **Object****S05: Minimising impacts on communities****Respondent:** Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]**Petition:** 5 petitioners**Summary:**

The Plan should be considered not legally compliant because in the preparation of the Plan the County Council has failed to:

- abide by the terms of its own SCI
- properly respond to or take account of responses to its own consultation process.

Full text:

See attached

Change to plan:

The County Council should be required to respond to the legitimate points raised in responses ((h) above) and redraft the Consultation Summary Document and Council Response as a result.

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf**299** **Object****S06: Protecting and enhancing natural assets****Respondent:** Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]**Petition:** 5 petitioners**Summary:**

S05, S06 and S07

We are supportive of the strategic objectives dealing with minimising impacts on local communities (S05), protecting and enhancing natural assets (S06) and protecting and enhancing historic assets (S07). However, the Minerals Local Plan is unsound because these objectives are not applied in the development and application of the site appraisal and allocation methodology. The goal of developing an appropriate and sustainable spatial distribution of sites (S01) overrides the goals set out in SOs 5, 6 and 7. Moreover the goal of promoting sustainable modes of transport (S01) is not applied as a consideration in the site allocation process

A sustainable spatial distribution of sites is not one which is simply determined by proximity to market and transport costs. Indeed, it can be argued that given that potential developers are probably better informed about the geography of the market and the economics of working a site than NCC, then it can be assumed that all the sites put forward by extraction companies are equally economically viable. In developing a Minerals Local Plan the goal of developing a sustainable spatial distribution is therefore dependent upon ensuring that of the sites allocated, those selected have the least impact on wider sustainability goals.

Full text:

See attached

Change to plan:

S06: Protecting and enhancing natural assets

The second paragraph of this objective should be redrafted to more clearly reference and distinguish biodiversity and landscape issues. Thus, the text should read: "Prevent biodiversity loss and maximise net biodiversity gain by protecting, enhancing and re-connecting existing habitat and creating new habitat through a landscape-scale approach. Support minerals development that provides long term enhancements to biodiversity and landscape character and avoids damaging the highest quality landscapes and habitats".

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf**307** **Object****S06: Protecting and enhancing natural assets****Respondent:** Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]**Petition:** 5 petitioners**Summary:**

S06: Protecting and enhancing natural assets

This strategic objective is unsound because it makes no reference to ensuring no net loss of biodiversity, and because in its criteria for supporting minerals development it does not specify avoiding the highest quality habitats for biodiversity – only landscapes of the highest quality for character. It therefore does not meet the criterion of effectiveness as set out in

Para 35 of the NPPF.

Full text:

See attached

Change to plan:

S06: Protecting and enhancing natural assets

The second paragraph of this objective should be redrafted to more clearly reference and distinguish biodiversity and landscape issues. Thus, the text should read: "Prevent biodiversity loss and maximise net biodiversity gain by protecting, enhancing and re-connecting existing habitat and creating new habitat through a landscape-scale approach. Support minerals development that provides long term enhancements to biodiversity and landscape character and avoids damaging the highest quality landscapes and habitats".

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf

300

Object

S07: Protecting and enhancing historic assets

Respondent: Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]

Petition: 5 petitioners

Summary:

S05, S06 and S07

We are supportive of the strategic objectives dealing with minimising impacts on local communities (S05), protecting and enhancing natural assets (S06) and protecting and enhancing historic assets (S07). However, the Minerals Local Plan is unsound because these objectives are not applied in the development and application of the site appraisal and allocation methodology. The goal of developing an appropriate and sustainable spatial distribution of sites (S01) overrides the goals set out in SOs 5, 6 and 7. Moreover the goal of promoting sustainable modes of transport (S01) is not applied as a consideration in the site allocation process. A sustainable spatial distribution of sites is not one which is simply determined by proximity to market and transport costs. Indeed, it can be argued that given that potential developers are probably better informed about the geography of the market and the economics of working a site than NCC, then it can be assumed that all the sites put forward by extraction companies are equally economically viable. In developing a Minerals Local Plan the goal of developing a sustainable spatial distribution is therefore dependent upon ensuring that of the sites allocated, those selected have the least impact on wider sustainability goals.

Full text:

See attached

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf

302

Object

SP2: Biodiversity- Led Restoration

Respondent: Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]

Petition: 5 petitioners

Summary:

Summary

The policy is unsound because it is not 'effective' or consistent with national policy in delivering sustainable development through appropriate biodiversity led restoration and therefore fails the tests of Paragraph 35 of the NPPF. Specifically:

- it fails to set out what happens where biodiversity gains are not maximised;
- it does not reference restoration measures to any mitigation hierarchy; and,
- it fails to specify requirements for sustainable long-term aftercare where restoration takes place.

Supporting information is included in the full representation

Full text:

See attached

Change to plan:

Summary

The policy should re-drafted to:

- Specify what happens where biodiversity gains are not maximised and whether there is a requirement for a minimum threshold (e.g. no net loss). To be effective the policy should provide an explanation of the constraints associated with biodiversity-led restoration and the issues that need to be considered if proposals for such restoration are to be judged adequate. The policy should also specify how the potential for biodiversity-led restoration is assessed in relation to the needs for conservation of existing resources.
- Specify how judgments about the merits of restoration are made in relation to the application of the mitigation hierarchy normally used to manage biodiversity impacts. The requirements for adopting an approach based on the mitigation hierarchy that are outlined in DM4 (5.55) need to be included in the statement of SP2 (3.14) and therefore applied subsequently through the site appraisal and allocation process.
- Specify what the requirements are for managing and sustaining long term biodiversity-led restoration gains.

Supporting detail is included in the full representation.

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf

303

Object

SP3: Climate Change

Respondent: Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]

Petition: 5 petitioners

Summary:

We are supportive of the inclusion of climate change in the suite of strategic policies that shape the Minerals Local Plan. However, SP3 is unsound because it is deficient in two respects which undermine its effectiveness:

- That the statement in point b) of Policy SP3 needs to be modified to clarify what 'vulnerability' is referring to. Flood risk is identified as an issue. Communities, natural and historic

assets and agricultural soils also need to be highlighted. The need to minimise the vulnerability of existing biodiversity assets to climate change impacts should be identified as an issue, and also should be a factor in determining the general allocation of sites for development.

b) That while the reference to restoration is appropriate in point 1c) of policy SP3, the policy also needs to state that such restoration schemes can contribute to climate change adaptation providing that they compensate for the impacts they have had as a result of the development.

We are supportive of the recognition that in some circumstances mineral development can provide a number of opportunities to mitigate and adapt to the impacts of future climate change (3.34). However, we are concerned that this theme is not carried over into expectations in terms of the issues outlined in point 1a) of Policy SP3. The location, design and operation, and significantly the restoration of sites, should not only seek to avoid climate change impacts, but also deliver a net gain in terms of climate change adaptation.

Given the time frame of the minerals plan, and the national goals of carbon neutrality, the policy fails to be effective in that it lacks any meaningful targets in relation to the need to assess climate change impacts of plans and options. It also fails to provide any targets for the management of carbon emissions or to show how the use of recycled or alternative materials can be encouraged by the Plan.

Full text:

See attached

Change to plan:

To be effective, the policy on climate change should be revised to:

- To take account of the vulnerability of assets to climate change
- Be clear as to what scale of 'contribution' to climate change mitigation and adaptation is appropriate otherwise the requirement not effective.
- Require that location, design and operation, and significantly the restoration of sites, should not only seek to avoid climate change impacts, but also deliver a net gain in terms of climate change adaptation.
- Make reference to how actions impact on the management and minimisation of carbon emission by all activities and plan options, and specific reference to how carbon neutrality can be achieved, or contributed to, by the Plan. This should be done at a strategic level as well as on a site by site basis.
- The policy should be revised to include meaningful targets in relation to the need to manage carbon emissions.
- The policy should be revised to include a statement of how the use of recycled materials can be encouraged in order to minimise the climate change impacts of primary extraction.

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf

304

Object

SP4: Sustainable Transport

Respondent: Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]

Petition: 5 petitioners

Summary:

Summary

We contend that the policy is unsound because:

- The objectives of the Policy have not been appropriately integrated into site selection decisions and Policy SP4 is not effective.
- Accordingly, the MLPPV as a whole does not have sufficient regard for sustainable transport and is not an appropriate strategy, failing the 'justified' test of paragraph 35 of the NPPF

Supporting detail is included in the full representation

Full text:

See attached

Change to plan:

The policy should re-drafted as follows:

- Policy statement, 3.39 point 2a) "within close proximity to existing or proposed markets" should be qualified to make it clear that this should not result in sites with the greatest social, environmental and landscape impacts being allocated in preference to others with lesser impact. In other words, proximity to market is one factor but not an overriding one. This qualification should then be taken in to the site selection methodology.
- Since it is not included in other Policies, reference should be included in SP4 to the need for transport costs to reflect the true and total cost of exploitation and delivery from sites which in all other respects entail the least damage to natural, historic and social assets in order to encourage the goal of the sustainable use of resources through the use of recycled and secondary aggregates. Specify what happens where biodiversity gains are not maximised and whether there is a requirement for a minimum threshold (e.g. no net loss). To be effective the policy should provide an explanation of the constraints associated with biodiversity-led restoration and the issues that need to be considered if proposals for such restoration are to be judged adequate. The policy should also specify how the potential for biodiversity-led restoration is assessed in relation to the needs for conservation of existing resources.
- c) If Policy SP4 and the Plan as a whole is to conform with the 'effective' test of paragraph 35 of the NPPF, the site selection methodology should be revisited to take fuller account of the statements in Policy SP4 below:
3.39 point 1 "All mineral proposals should seek to maximise the use of sustainable forms of transport, including barge, rail and pipeline"
3.41 that "the promotion of alternative, more sustainable forms of transport such as barge or rail is important"
3.4.2 noting that barge transport has historically been used on the River Trent and that "Studies have shown there is potential to increase water-borne freight on parts of the river".

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf

305

Object

SP5: The Built, Historic and Natural Environment

Respondent: Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]

Petition: 5 petitioners

Summary:

Summary

Policy SP5 is unsound and fails to meet the 'effective or justified tests of NPPF paragraph 35 because:

- The emphasis on restoration throughout should be reduced and the importance of preservation and enhancement of assets stressed in line with paragraph 174 of the NPPF in order that the policy can be justified.
 - The lack of transparency in the way Policy SP5 is applied in the site allocation process makes it ineffective. The emphasis on restoration throughout should be reduced and the importance of protection and maintenance of assets stressed. Accordingly, the Plan, as a whole does not have sufficient regard for the built, historic and natural environment transport and is not an appropriate strategy, failing the 'justified' test of paragraph 35 of the NPPF.
- Supporting information is included in the full representation.

Full text:

See attached

Change to plan:

Summary

The policy should re-drafted to:

- State that there are circumstances in which minerals development (despite the opportunities for restoration) may not be appropriate because of the initial or ongoing impact and loss it will entail for the built, historic and natural assets.
- Paragraph 3.47 needs to be expanded to include natural and built assets, placed at the head of the section on Policy SP5, and the policy then actually needs to be designed around

- it.
- c) Reflect the fact that policy, if it is to be meaningful, needs to shape and guide action or change the way people and organisations do things for the better. It is unduly focussed on some of the constraints that need to be considered by developers in making proposals, and the requirements of an environmental impact assessment should one be required.
- d) In relation to nature conservation the policy should make reference to paragraph 174 of the NPPF. This states that planning policies should "promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity". Further considerations (paragraph 175 (b)) also includes those relating to the off-site impacts of developments on SSSIs and other designated areas.
- e) In the context of nature conservation it is also essential to include the requirements of the recent update of the NPPF, which in para 175 (c) states that: development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Wholly exceptional includes infrastructure projects (e.g. nationally significant infrastructure projects, orders under the Transport & Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat. The definition of wholly exceptional projects does not include mineral workings.
- f) Policy should therefore state how it will operate given the requirements of the NPPF in allocating sites and in identifying those that are unsuitable given the scale and nature of their impacts.

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf

301

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Barton PC, Thrumpton PM, Lark Hill RA, Clifton Village RA, SAVE (Mr E Julian Coles) [2981]
Petition: 5 petitioners

Summary:

The Nottinghamshire Minerals Local Plan Publication Version (MLPPV) does not meet the criteria for 'justification' as set out in para 35 of the National Planning Policy Framework, because in relation to the site at Mill Hill, Barton in Fabis, it does not apply an appropriate site selection strategy that takes account the reasonable alternatives. The justification for the selection of the site at Barton and the omission of other sites considered at the draft stage (e.g. Shelford) is not based on a proportionate and consistent evaluation of the available evidence. Contrary to the objectives of the NPPF as a whole, the allocation of Mill Hill does not constitute sustainable development. Specifically:

- a) **Unsoundness of site selection methodology:** The methodology in site selection is unsound and unjustified because it is not aligned with the results of the public consultation at the Issues and Options stage.
- b) **Application of site selection methodology:** The application of the existing site selection methodology is unsound because of the weight given to geographical spread. The plan lacks justification because there is a significant absence of evidence to support the application of geographical spread. We show that contrary to the position of the County Council, the allocation of Shelford would not affect the geographical spread of sites and not selecting Shelford misses a highly significant opportunity to embrace sustainable transport principles.
- c) **Site Assessment for Mill Hill, Barton in Fabis:** The site at Mill Hill, Barton in Fabis, has the greatest score for negative impacts of all the sites selected for allocation in the Plan. Page 61 of the Site Selection Methodology and Assessment (SSMA) May 2019 states "In assessment against sustainability appraisal objectives, the site scores very negatively during the operational phase (our emphasis) and slightly negatively in the long term." We consider, however, that the site should score more negatively than is conveyed in the Sustainability Appraisal: there are highly negative impacts in relation to heritage, ecology, landscape, flood risk, air quality and impact on human health and quality of life. The allocation of Mill Hill Barton in Fabis has significantly greater adverse effects than Shelford, which we consider should be allocated instead. The selection of Mill Hill, Barton in Fabis is therefore unjustified. It should be noted also that as a result of a planning application for gravel extraction for part of the proposed site at Barton in Fabis a number of other adverse issues can be identified that makes the allocation the Minerals Plan unjustified. The planning application at Barton on Fabis (reference ES/3712) is for a site larger than the proposed allocation and includes land within Nottingham City. The Parish Council has objected to this application and has followed its progress closely. We recognise that the application will need to be determined on its own merits but it is clear from correspondence from the County Council that there is clear fundamental harm derived from the application proposals and we append the County Council's letter to the Applicant dated 30 August 2019 (Our Appendix 4).

In regard to Heritage, the County Council state:

"Following consultation, officers disagree with a number of the conclusions of the assessment and are of the view the development would result in the following impacts:

- There would be substantial harm to the setting of Clifton Hall (Grade I listed) and its Registered Park and Garden (grade II listed) during extraction;
- There would be less than substantial harm to Clifton Hall and its Registered Park and Garden following restoration."

Substantial harm to a Grade I listed building should be wholly exceptional and to a Registered Park and Garden, exceptional, as defined by paragraph 194 of the NPPF. It is highly pertinent to note that the officers of the County Council do not consider this harm would be likely to be reduced through amendments. While they advise that substantial public benefits could be forthcoming "through the improvements to the understanding of Clifton Hall Registered Park and Garden and the preparation and implementation of a Conservation Management Plan to improve the condition and management of the heritage asset". We do not consider that this would be either feasible or sufficient to mitigate the harm created to Clifton Hall and the Registered Park and Gardens and alone is sufficient justification to de-select the site as a proposed allocation.

Further supporting detail is contained in the full representation.

Full text:

See attached

Change to plan:a) **Unsoundness of site selection methodology**

The revision of the findings on the sustainability appraisal to emphasise the contributions of options C and D would ensure that the MLPPV is better aligned with the results of the public consultation, as is evidenced by the commentary under 'What you told us at the Issues and Options stage' on page 59 of the Draft Plan Consultation document. The commentary notes that responses were split in relation to the importance of geographical spread and that "Generally, respondents felt that prioritising specific geographic areas above others would not be appropriate, instead, each site should be judged on its own merits".

b) **Application of site allocation methodology**

The MLPPV is unsound and should be revised to meet the County's own sustainability objectives in order that its conclusions can be justified. In order to do so:

- sites should be considered on their own merits in order to minimise the likely overall environmental impacts of the Plan;
- the criterion for prioritising barge transport should be applied on grounds of consistency; and,
- geographical spread should only be used to make decisions between sites when all other aspects things are considered equal in order that it does not over-ride consideration of the scale of environmental damage likely to arise by the inappropriate selection of sites due to location - proximity to an unquantified market is not sufficient evidence to outweigh the substantial harm caused by the proposed allocation at Mill Hill, Barton in Fabis.

In terms of the specific case of the site at Mill Hill, Barton in Fabis a transparent rationale needs to be provided as to why this site is included rather than Shelford, when (a) the likely adverse impacts of the latter are less; (b) the opportunities for prioritising barge transport are greater; and (c) given the average haulage distance for aggregates it is better placed to serve the needs of the local market as the other two. Evidence also needs to be provided to support the claim that the allocation of Shelford, rather than the site at Mill Hill, Barton in Fabis, would limit the ability of the Plan to ensure a spread of quarries.

c) **Site assessment for Mill Hill, Barton in Fabis**

On the basis of the arguments presented above we suggest that a more realistic assessment of the operational and long-term impacts for Mill Hill, Barton in Fabis would be -15 and -8 respectively. The adjusted individual scores are summarised in Table 6 alongside those presented in the site appraisal.

Further supporting detail is contained in the full representation

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: Barton PC Thrumpton PM Lark Hill RA Clifton Village RA & SAVE representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327565/barton-pc-mlp-response-combined_redacted.pdf

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Object

S01: Improving the sustainability of minerals development

Respondent: Ms Jane M Batchford [9163]

Summary:

S01: Improving the sustainability of minerals development is UNSOUND and UNJUSTIFIED.

The County Council has failed to undertake any meaningful analysis of demand for sand and gravel across market areas to justified the proposed " spatial pattern of mineral development" or geographical spread of sites.

When allocating sites, they should be judged on their own merits and take account of all factors including their' impact on local (extremely close) communities and the natural environment. not just how far mineral s are transported.

Full text:

Dear Sir / Madam

Minerals Local Plan Consultation (Please see final Paragraph marked *Discrimination)

I am writing to confirm that I wish to STRONGLY OBJECT to the above application on the grounds that:

1. The Minerals Local Plan is UNSOUND and UNJUSTIFIED and should be withdrawn in its current form.
2. Strategic Objective S01 is UNSOUND and UNJUSTIFIED
3. The allocation of site MP2p at Mill Hill near Barton n Fabis (under MP2 Sand and Gravel Provision is also UNSOUND and UNJUSTIFIED and should be removed.
4. The County Council has failed to conform to its own Statement of Community Involvement.

S01: Improving t he sustainability of minerals development is UNSOUND and UNJUSTIFIED.

The County Council has failed to undertake any meaningful analysis of demand for sand and gravel across market areas to justified the proposed " spatial pattern of mineral development" or geographical spread of sites.

When allocating sites, they should be judged on their own merits and take account of all factors including their' impact on local (extremely close) communities and the natural environment. not just how far mineral s are transported.

M P2: Sand and Gravel Provisionis UNSOUND and UNJUSTIFIED

Inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan is UNSOUND and UNJUSTIFIED.

The County Council has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 " Maximise the use of sustainable forms of transport including barge".

Deliveries of minerals to Colwick Wharf from Shelford would be close to major markets and provide a m o re sustainable pat tern of transport.

There has been no evidence presented which justifies the assertion that Shelford site is too large and would lead to "provision (being) limit ed in other parts of the County" supply.

The Mill Hill near Barton in Fabis is less sustainable and more environmentally damaging than the Shelford site according to the council' s own Sustainability Appraisal.

STATEMENT OF COMMUNITY INVOLVEMENT

The County Council has failed to comply with paragraph s 3.14/3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities

NO attempt to engage directly with communities in Nottingham City, Clifton or Clifton Village directly impacted by the proposals but outside the County Council area.

Discrimination against local residents, including residents at Lark Hill Retirement Village living close to the proposed quarry but unable to access information boards at Clifton Library due to restricted or no mobility.

No Meaningful response to strategic issues raised in over One Thousand responses from local people to Draft minerals Local Plan. Responses incorrectly characterised as "a large number of proforma letters".

*** DISCRIMINATION:**

This indicates absolute failure to recognise that there is an aging community in these areas with little or indeed no access (or capability) to produce individual letters. It does not mean that they opposition is any less passionate or meaningful!

Yours faithfully

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: None

86

Object

S05: Minimising impacts on communities

Respondent: Ms Jane M Batchford [9163]

Summary:**STATEMENT OF COMMUNITY INVOLVEMENT**

The County Council has failed to comply with paragraph s 3.14/3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities

NO attempt to engage directly with communities in Nottingham City, Clifton or Clifton Village directly impacted by the proposals but outside the County Council area.

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Full text:

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3. The allocation of site MP2p at Mill Hill near Barton in Fabis (under MP2 Sand and Gravel Provision is also UNSOUND and UNJUSTIFIED and should be removed.
4. The County Council has failed to conform to its own Statement of Community Involvement.

S01: Improving the sustainability of minerals development is UNSOUND and UNJUSTIFIED.

The County Council has failed to undertake any meaningful analysis of demand for sand and gravel across market areas to justify the proposed "spatial pattern of mineral development" or geographical spread of sites:

When allocating sites, they should be judged on their own merits and take account of all factors including their impact on local (extremely close) communities and the natural environment. not just how far minerals are transported.

M P2: Sand and Gravel Provision is UNSOUND and UNJUSTIFIED

Inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan is UNSOUND and UNJUSTIFIED.

The County Council has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 "Maximise the use of sustainable forms of transport including barge".

Deliveries of minerals to Colwick Wharf from Shelford would be close to major markets and provide a more sustainable pattern of transport.

There has been no evidence presented which justifies the assertion that Shelford site is too large and would lead to "provision (being) limited in other parts of the County" supply.

The Mill Hill near Barton in Fabis is less sustainable and more environmentally damaging than the Shelford site according to the council's own Sustainability Appraisal.

STATEMENT OF COMMUNITY INVOLVEMENT

The County Council has failed to comply with paragraphs 3.14/3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities

NO attempt to engage directly with communities in Nottingham City, Clifton or Clifton Village directly impacted by the proposals but outside the County Council area.

Discrimination against local residents, including residents at Lark Hill Retirement Village living close to the proposed quarry but unable to access information boards at Clifton Library due to restricted or no mobility.

No Meaningful response to strategic issues raised in over One Thousand responses from local people to Draft minerals Local Plan. Responses incorrectly characterised as "a large number of proforma letters".

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Yours faithfully

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

84

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Ms Jane M Batchford [9163]

Summary:

M P2: Sand and Gravel Provision is UNSOUND and UNJUSTIFIED

Inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan is UNSOUND and UNJUSTIFIED.

The County Council has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 "Maximise the use of sustainable forms of transport including barge".

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Full text:

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3. The allocation of site MP2p at Mill Hill near Barton in Fabis (under MP2 Sand and Gravel Provision is also UNSOUND and UNJUSTIFIED and should be removed.
4. The County Council has failed to conform to its own Statement of Community Involvement.

S01: Improving the sustainability of minerals development is UNSOUND and UNJUSTIFIED.

The County Council has failed to undertake any meaningful analysis of demand for sand and gravel across market areas to justify the proposed "spatial pattern of mineral development" or geographical spread of sites:

When allocating sites, they should be judged on their own merits and take account of all factors including their impact on local (extremely close) communities and the natural environment. not just how far minerals are transported.

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The Mill Hill near Barton in Fabis is less sustainable and more environmentally damaging than the Shelford site according to the council's own Sustainability Appraisal.

STATEMENT OF COMMUNITY INVOLVEMENT

The County Council has failed to comply with paragraphs 3.14/3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities

NO attempt to engage directly with communities in Nottingham City, Clifton or Clifton Village directly impacted by the proposals but outside the County Council area.

Discrimination against local residents, including residents at Lark Hill Retirement Village living close to the proposed quarry but unable to access information boards at Clifton Library due to restricted or no mobility.

No Meaningful response to strategic issues raised in over One Thousand responses from local people to Draft minerals Local Plan. Responses incorrectly characterised as "a large number of proforma letters".

* DISCRIMINATION:

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Yours faithfully

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

222

Object

DM9: Highways Safety and Vehicle Movements/ Routeing

Respondent: Bawtry Town Council (The Clerk, Clerk to the Town Council) [859]

Summary:

The Town Council does not have an issue with the mineral sites identified in principle. However the relevant highway infrastructure is currently inadequate in Bawtry which additional HGV traffic will exacerbate

In particular we question the soundness and effectiveness of a Plan and Traffic Assessment which notes:

3.18 Bawtry Road (Misson Sand and Gravel Co) which acknowledges an extension with routeing of vehicles likely take HGVs through the town of Bawtry via Newington Road to the A614

3.18.5 This increase in HGVs would trigger the GEART threshold. However, as this is an extension, the above figures may already include HGVs associated with the site (although it is not known how much volume is currently being produced).

3.19 Barnby Moor (Hanson)

3.19.5 The increase in HGVs on the A638, at the point of the site access, would therefore be 34.6%. The total increase in general traffic would be 1.7%. As such, the thresholds given within GEART would be triggered and would require further assessment (in terms of noise and air quality analysis) on nearby sensitive receptors). Where permissions are granted, we would maintain that a condition of planning must be that applicant's vehicles are routed away from Bawtry where possible.

3.20 Barnby Moor: Torworth (Rotherham Sand and Gravel)

3.20.5 The increase in HGVs on the A638, at the point of the site access, would therefore be 34.6%. The total increase in general traffic would be 1.7%. As such, the thresholds given within GEART would be triggered and would require further assessment (in terms of noise and air quality analysis) on nearby sensitive receptors).

Traffic congestion at the Gainsborough Road and Tickhill Road junctions is already a significant problem. Further traffic from extensions and additions to existing mineral sites will clearly have an adverse cumulative impact on the junctions adjacent to the A638 (including the said Tickhill and Gainsborough Road junctions). Our concerns stem from individual applications that invariably are considered in isolation by Nottinghamshire County Council and applicants and often without any cumulative impact assessment taking into account applications not only in Nottinghamshire but from other principal authorities

Policy DM8: Cumulative Impact states "Proposals for minerals development will be supported where it can be demonstrated that there are no unacceptable cumulative impacts on the environment or on the amenity of a local community". Despite this the allocated sites will have a significant cumulative impact and this is without considering other applications from neighbouring boroughs and other general planning developments which simply aren't taken into account through individual assessments for sites or considering cumulative sites that only relate to minerals in the county ..

Policy DM9: Highways Safety and Vehicle Movements / Routeing

Proposals for minerals development will be supported where it can be demonstrated that:

- The highway network including any necessary improvements can satisfactorily and safely accommodate the vehicle movements, including peaks in vehicle movements, likely to be generated;
- The vehicle movements likely to be generated would not cause an unacceptable impact on the environment and/or disturbance to local amenity;
- Where appropriate, adequate vehicle routeing schemes have been put in place to minimise the impact of traffic on local communities;

Despite the above policy -Site allocations however actually suggest routing through Bawtry not away from it despite the significant traffic problems we have at present.

Full text:

The Town Council does not have an issue with the mineral sites identified in principle. However the relevant highway infrastructure is currently inadequate in Bawtry which additional HGV traffic will exacerbate

In particular we question the soundness and effectiveness of a Plan and Traffic Assessment which notes:

3.18 Bawtry Road (Misson Sand and Gravel Co) which acknowledges an extension with routeing of vehicles likely take HGVs through the town of Bawtry via Newington Road to the A614

3.18.5 This increase in HGVs would trigger the GEART threshold. However, as this is an extension, the above figures may already include HGVs associated with the site (although it is not known how much volume is currently being produced).

3.19 Barnby Moor (Hanson)

3.19.5 The increase in HGVs on the A638, at the point of the site access, would therefore be 34.6%. The total increase in general traffic would be 1.7%. As such, the thresholds given within GEART would be triggered and would require further assessment (in terms of noise and air quality analysis) on nearby sensitive receptors).

Where permissions are granted, we would maintain that a condition of planning must be that applicant's vehicles are routed away from Bawtry where possible.

3.20 Barnby Moor: Torworth (Rotherham Sand and Gravel)

3.20.5 The increase in HGVs on the A638, at the point of the site access, would therefore be 34.6%. The total increase in general traffic would be 1.7%. As such, the thresholds given within GEART would be triggered and would require further assessment (in terms of noise and air quality analysis) on nearby sensitive receptors).

Traffic congestion at the Gainsborough Road and Tickhill Road junctions is already a significant problem. Further traffic from extensions and additions to existing mineral sites will clearly have an adverse cumulative impact on the junctions adjacent to the A638 (including the said Tickhill and Gainsborough Road junctions). Our concerns stem from individual applications that invariably are considered in isolation by Nottinghamshire County Council and applicants and often without any cumulative impact assessment taking into account applications not only in Nottinghamshire but from other principal authorities.

Policy DM8: Cumulative Impact states "Proposals for minerals development will be supported where it can be demonstrated that there are no unacceptable cumulative impacts on the environment or on the amenity of a local community." Despite this the allocated sites will have a significant cumulative impact and this is without considering other applications from neighbouring boroughs and other general planning developments which simply aren't taken into account through individual assessments for sites or considering cumulative sites that only relate to minerals in the county ..

Policy DM9: Highways Safety and Vehicle Movements / Routing

Proposals for minerals development will be supported where it can be demonstrated that:

- The highway network including any necessary improvements can satisfactorily and safely accommodate the vehicle movements, including peaks in vehicle movements, likely to be generated;
- The vehicle movements likely to be generated would not cause an unacceptable impact on the environment and/or disturbance to local amenity;
- Where appropriate, adequate vehicle routing schemes have been put in place to minimise the impact of traffic on local communities;

Despite the above policy - Site allocations however actually suggest routing through Bawtry not away from it despite the significant traffic problems we have at present

Changes:

Ensure sites are adequately assessed for cumulative impact and route vehicles away from Bawtry. Councils also need to co-operate more fully with other neighbouring boroughs..

Change to plan:

Ensure sites are adequately assessed for cumulative impact and route vehicles away from Bawtry. Councils also need to co-operate more fully with other neighbouring boroughs.

Legally Yes
compliant:
Sound: No
Comply with No
duty:
Appear exam: Written Representation
Attachments: None

268

Object

SP4: Sustainable Transport

Respondent: Blaxton Parish Council (Mr P A Dennis, Clerk to the Parish Council) [862]

Summary:

In isolation the proposals to develop sites at Austerfield, Misson, Barnby Moor and Scrooby seem innocuous, however when considered alongside existing and proposed developments in both Nottinghamshire and the DMBC area, we have serious concerns about the impact on our communities, particularly the potential increase in Heavy Goods and other vehicles on an already busy road network in and around our villages.

We would oppose the development of these sites as proposed in the recent planning applications and question their inclusion in the Minerals Plan without conditions being set, within the plan, to mitigate their potential impact on our communities.

Please see submission for further detail of the evidence demonstrating the points raised above.

Full text:

Please see attachments

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:
Appear exam: Written Representation
Attachments: Blaxton Parish Council representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327538/blaxton-pc_10_10_2019_redacted.pdf

259

Support

S07: Protecting and enhancing historic assets

Respondent: Bolsover District Council (Adele Rhodes, Principle Planner) [987]

Summary:

The Publication Version of the Nottinghamshire County Council Minerals Plan now contains a section on heritage in the overview of the document (Paragraph 2.14). Strategic Objective 07 relates to the protection and enhancement of historic assets.

In short, the District Council is satisfied with the engagement that has taken place as the Plan has been developed, and supports the provisions in the Nottinghamshire County Council Minerals Local Plan in relation to the historic environment, particularly Creswell Crags.

Full text:

Dear Sir,

Thank you for the opportunity to comment on the Publication Version of the Nottinghamshire County Council Minerals Local Plan.

It is assumed that Derbyshire County Council as the relevant minerals authority will comment on any substantive issues in relation to the soundness and legal compliance of the Plan. Bolsover District Council have made representations on previous iterations of the Plan, most recently at the Issues and Options stage of the Plan.

The key concern of the Bolsover District Council throughout the process of plan development has been the need to acknowledge the importance of, and seek the protection of, Creswell Crags. The site is one of the most important archaeological and geological sites in Britain. In response to the consultation on the Issues and Options document, we suggested some changes to the document, including further references to both the historic environment and more specifically Creswell Crags.

The Publication Version of the Nottinghamshire County Council Minerals Plan now contains a section on heritage in the overview of the document (Paragraph 2.14). Strategic Objective 07 relates to the protection and enhancement of historic assets. The section on industrial dolomite provision acknowledges the presence and importance of Creswell Crags. Provision is made in the Development Management policies for applications to take account of historic and archaeological features (Policy DM6: Historic Environment).

As noted above, Bolsover District Council is not a minerals planning authority. However, insofar as the Minerals Local Plan has the potential to have an impact on assets in Bolsover District, the Council is happy to acknowledge that the Minerals Local Plan has been based on effective joint working in relation to potential cross boundary strategic matters; and that following representations on earlier iterations of the Local Plan these issues have been resolved rather than deferred.

In short, the District Council is satisfied with the engagement that has taken place as the Plan has been developed, and supports the provisions in the Nottinghamshire County Council Minerals Local Plan in relation to the historic environment, particularly Creswell Crags.

Change to plan:

-

Legally Yes
compliant:
Sound: Yes
Comply with Yes
duty:

Appear exam: Appearance at the examination**Attachments:** None

258

Support

MP9: Industrial Dolomite Provision**Respondent:** Bolsover District Council (Adele Rhodes, Principle Planner) [987]**Summary:**

The section on industrial dolomite provision acknowledges the presence and importance of Creswell Crags

Full text:

Dear Sir,

Thank you for the opportunity to comment on the Publication Version of the Nottinghamshire County Council Minerals Local Plan.

It is assumed that Derbyshire County Council as the relevant minerals authority will comment on any substantive issues in relation to the soundness and legal compliance of the Plan. Bolsover District Council have made representations on previous iterations of the Plan, most recently at the Issues and Options stage of the Plan.

The key concern of the Bolsover District Council throughout the process of plan development has been the need to acknowledge the importance of, and seek the protection of, Creswell Crags. The site is one of the most important archaeological and geological sites in Britain. In response to the consultation on the Issues and Options document, we suggested some changes to the document, including further references to both the historic environment and more specifically Creswell Crags.

The Publication Version of the Nottinghamshire County Council Minerals Plan now contains a section on heritage in the overview of the document (Paragraph 2.14). Strategic Objective 07 relates to the protection and enhancement of historic assets. The section on industrial dolomite provision acknowledges the presence and importance of Creswell Crags. Provision is made in the Development Management policies for applications to take account of historic and archaeological features (Policy DM6:Historic Environment).

As noted above, Bolsover District Council is not a minerals planning authority. However, insofar as the Minerals Local Plan has the potential to have an impact on assets in Bolsover District, the Council is happy to acknowledge that the Minerals Local Plan has been based on effective joint working in relation to potential cross boundary strategic matters; and that following representations on earlier iterations of the Local Plan these issues have been resolved rather than deferred.

In short, the District Council is satisfied with the engagement that has taken place as the Plan has been developed, and supports the provisions in the Nottinghamshire County Council Minerals Local Plan in relation to the historic environment, particularly Creswell Crags.

Change to plan:

-

Legally Yes**compliant:****Sound:** Yes**Comply with** Yes**duty:****Appear exam:** Appearance at the examination**Attachments:** None

260

Support

DM6: Historic Environment**Respondent:** Bolsover District Council (Adele Rhodes, Principle Planner) [987]**Summary:**

Provision is made in the Development Management policies for applications to take account of historic and archaeological features (Policy DM6:Historic Environment).

As noted above, Bolsover District Council is not a minerals planning authority. However, insofar as the Minerals Local Plan has the potential to have an impact on assets in Bolsover District, the Council is happy to acknowledge that the Minerals Local Plan has been based on effective joint working in relation to potential cross boundary strategic matters; and that following representations on earlier iterations of the Local Plan these issues have been resolved rather than deferred.

In short, the District Council is satisfied with the engagement that has taken place as the Plan has been developed, and supports the provisions in the Nottinghamshire County Council Minerals Local Plan in relation to the historic environment, particularly Creswell Crags.

Full text:

Dear Sir,

Thank you for the opportunity to comment on the Publication Version of the Nottinghamshire County Council Minerals Local Plan.

It is assumed that Derbyshire County Council as the relevant minerals authority will comment on any substantive issues in relation to the soundness and legal compliance of the Plan. Bolsover District Council have made representations on previous iterations of the Plan, most recently at the Issues and Options stage of the Plan.

The key concern of the Bolsover District Council throughout the process of plan development has been the need to acknowledge the importance of, and seek the protection of, Creswell Crags. The site is one of the most important archaeological and geological sites in Britain. In response to the consultation on the Issues and Options document, we suggested some changes to the document, including further references to both the historic environment and more specifically Creswell Crags.

The Publication Version of the Nottinghamshire County Council Minerals Plan now contains a section on heritage in the overview of the document (Paragraph 2.14). Strategic Objective 07 relates to the protection and enhancement of historic assets. The section on industrial dolomite provision acknowledges the presence and importance of Creswell Crags. Provision is made in the Development Management policies for applications to take account of historic and archaeological features (Policy DM6:Historic Environment).

As noted above, Bolsover District Council is not a minerals planning authority. However, insofar as the Minerals Local Plan has the potential to have an impact on assets in Bolsover District, the Council is happy to acknowledge that the Minerals Local Plan has been based on effective joint working in relation to potential cross boundary strategic matters; and that following representations on earlier iterations of the Local Plan these issues have been resolved rather than deferred.

In short, the District Council is satisfied with the engagement that has taken place as the Plan has been developed, and supports the provisions in the Nottinghamshire County Council Minerals Local Plan in relation to the historic environment, particularly Creswell Crags.

Change to plan:

-

Legally Yes**compliant:****Sound:** Yes**Comply with** Yes**duty:****Appear exam:** Appearance at the examination**Attachments:** None

116

Object

S01: Improving the sustainability of minerals development**Respondent:** Mr C.M. Bowerman [9166]**Summary:**

In particular strategic objective S01, which is to improve the sustainability of minerals development is unsound and unjustified. No meaningful analysis of the demand for sand and gravel has been undertaken and no consideration has been given to the spread of sites.

The allocation of sites should be judged on their own merits and take account of all factors including the impact on communities and the natural environment not just how far minerals are transported.

Full text:

Dear Sir/Madam

From the information I have been provided at a village meeting I believe that the minerals local plan is unsound and unjustified and should be withdrawn in its current form.

In particular strategic objective S01, which is to improve the sustainability of minerals development is unsound and unjustified. No meaningful analysis of the demand for sand and gravel has been undertaken and no consideration has been given to the spread of sites.

The allocation of sites should be judged on their own merits and take account of all factors including the impact on communities and the natural environment not just how far minerals are transported.

In the statement of community involvement, the council has failed to comply with paragraph 3.14 /

3.15 in relation to providing information on specific proposals to local communities. .

It would also appear that responses to the consultation on the draft minerals local plan have been broadly overlooked.

It was, in my view, wholly inappropriate to characterise responses as 'a large number of pro-forma letters'.

I for one, and I know many other people have commented quite specifically on the inappropriate suggestions contained in the draft plan. Not only does there seem to have been little or no acknowledgement of the concerns expressed by consultees but I understand that there are many others who will be adversely affected by the impact of the plan who have not been sufficiently consulted as well.

For example, communities in Nottingham city, Clifton and Clifton village.

For the residents of Lark Hill and particularly Lark Hill the consultation has been very poor.

Little effort has been made to acknowledge the special needs of disabled elderly people who, for example, have been unable to access information boards at Clifton library.

The negative environmental impact of the site at Barton cannot be overstated. The site is less sustainable and more environmentally damaging than sites which were included in the previous plan, such as the one at Shelford. This information has come from the council's own sustainability appraisal.

The area adjoining the Trent Valley Way provides communities with significant recreational facilities. The woods offer a tranquil area enjoyed by many. With the new housing development south of Clifton there will be a lot more people who can potentially enjoy the area.

Arguably, the environmental impact of sand and gravel workings adjacent to the woods will have an even greater negative impact on the local community in future as more people would be affected.

The allocation of site MP2p at Mill Hill near Barton in Fabis (under MP2 Sand and Gravel Provision) is also unsound and unjustified and should be removed.

The inclusion of site MP2p and the removal from the last plan of Shelford is also unsound and unjustified.

In the current plan the county council has failed to allocate any sites which utilise more sustainable forms of transport. This is inconsistent with to SP4 'to maximise the use of sustainable forms of transport, including barge.'

Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport.

Apparently, the plan asserts that a site at Shelford is too large and would lead to provision being limited in other parts of the county. No evidence has been provided to substantiate this assertion.

I trust that the various comments you will presumably receive concerning this consultation will be noted. I also hope the views of those communities whose lives will be blighted by the development of a sand and gravel quarry in Barton/ Mill Hill will be taken seriously and not trivialised.

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

117

Object

S05: Minimising impacts on communities

Respondent: Mr C.M. Bowerman [9166]

Summary:

In the statement of community involvement, the council has failed to comply with paragraph 3.14 / 3.15 in relation to providing information on specific proposals to local communities.

It would also appear that responses to the consultation on the draft minerals local plan have been broadly overlooked.

It was, in my view, wholly inappropriate to characterise responses as 'a large number of pro-forma letters'.

I for one, and I know many other people have commented quite specifically on the inappropriate suggestions contained in the draft plan. Not only does there seem to have been little or no acknowledgement of the concerns expressed by consultees but I understand that there are many others who will be adversely affected by the impact of the plan who have not been sufficiently consulted as well.

For example, communities in Nottingham city, Clifton and Clifton village.

For the residents of Lark Hill and particularly Lark Hill the consultation has been very poor.

Little effort has been made to acknowledge the special needs of disabled elderly people who, for example, have been unable to access information boards at Clifton library.

Full text:

Dear Sir/Madam

From the information I have been provided at a village meeting I believe that the minerals local plan is unsound and unjustified and should be withdrawn in its current form.

In particular strategic objective S01, which is to improve the sustainability of minerals development is unsound and unjustified. No meaningful analysis of the demand for sand and gravel has been undertaken and no consideration has been given to the spread of sites.

The allocation of sites should be judged on their own merits and take account of all factors including the impact on communities and the natural environment not just how far minerals are transported.

In the statement of community involvement, the council has failed to comply with paragraph 3.14 / 3.15 in relation to providing information on specific proposals to local communities.

It would also appear that responses to the consultation on the draft minerals local plan have been broadly overlooked.

It was, in my view, wholly inappropriate to characterise responses as 'a large number of pro-forma letters'.

I for one, and I know many other people have commented quite specifically on the inappropriate suggestions contained in the draft plan. Not only does there seem to have been little or no acknowledgement of the concerns expressed by consultees but I understand that there are many others who will be adversely affected by the impact of the plan who have not been sufficiently consulted as well.

For example, communities in Nottingham city, Clifton and Clifton village.

For the residents of Lark Hill and particularly Lark Hill the consultation has been very poor.

Little effort has been made to acknowledge the special needs of disabled elderly people who, for example, have been unable to access information boards at Clifton library.

The negative environmental impact of the site at Barton cannot be overstated. The site is less sustainable and more environmentally damaging than sites which were included in the previous plan, such as the one at Shelford. This information has come from the council's own sustainability appraisal.

The area adjoining the Trent Valley Way provides communities with significant recreational facilities. The woods offer a tranquil area enjoyed by many. With the new housing development south of Clifton there will be a lot more people who can potentially enjoy the area.

Arguably, the environmental impact of sand and gravel workings adjacent to the woods will have an even greater negative impact on the local community in future as more people would be affected.

The allocation of site MP2p at Mill Hill near Barton in Fabis (under MP2 Sand and Gravel Provision) is also unsound and unjustified and should be removed.

The inclusion of site MP2p and the removal from the last plan of Shelford is also unsound and unjustified.

In the current plan the county council has failed to allocate any sites which utilise more sustainable forms of transport. This is inconsistent with to SP4 'to maximise the use of sustainable forms of transport, including barge.'

Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport.

Apparently, the plan asserts that a site at Shelford is too large and would lead to provision being limited in other parts of the county. No evidence has been provided to substantiate this assertion.

I trust that the various comments you will presumably receive concerning this consultation will be noted. I also hope the views of those communities whose lives will be blighted by the development of a sand and gravel quarry in Barton/ Mill Hill will be taken seriously and not trivialised.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

118

Object

MP2p: Mill Hill nr Barton in Fabis**Respondent:** Mr C.M. Bowerman [9166]**Summary:**

The negative environmental impact of the site at Barton cannot be overstated. The site is less sustainable and more environmentally damaging than sites which were included in the previous plan, such as the one at Shelford. This information has come from the council's own sustainability appraisal.

The area adjoining the Trent Valley Way provides communities with significant recreational facilities. The woods offer a tranquil area enjoyed by many. With the new housing development south of Clifton there will be a lot more people who can potentially enjoy the area. Arguably, the environmental impact of sand and gravel workings adjacent to the woods will have an even greater negative impact on the local community in future as more people would be affected.

The allocation of site MP2p at Mill Hill near Barton in Fabis (under MP2 Sand and Gravel Provision) is also unsound and unjustified and should be removed. The inclusion of site MP2p and the removal from the last plan of Shelford is also unsound and unjustified.

In the current plan the county council has failed to allocate any sites which utilise more sustainable forms of transport. This is inconsistent with to SP4 'to maximise the use of sustainable forms of transport, including barge.'

Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport.

Apparently, the plan asserts that a site at Shelford is too large and would lead to provision being limited in other parts of the county. No evidence has been provided to substantiate this assertion.

Full text:

Dear Sir/Madam

From the information I have been provided at a village meeting I believe that the minerals local plan is unsound and unjustified and should be withdrawn in its current form.

In particular strategic objective SO1, which is to improve the sustainability of minerals development is unsound and unjustified. No meaningful analysis of the demand for sand and gravel has been undertaken and no consideration has been given to the spread of sites.

The allocation of sites should be judged on their own merits and take account of all factors including the impact on communities and the natural environment not just how far minerals are transported.

In the statement of community involvement, the council has failed to comply with paragraph 3.14 / 3.15 in relation to providing information on specific proposals to local communities.

It would also appear that responses to the consultation on the draft minerals local plan have been broadly overlooked.

It was, in my view, wholly inappropriate to characterise responses as 'a large number of pro-forma letters'.

I for one, and I know many other people have commented quite specifically on the inappropriate suggestions contained in the draft plan. Not only does there seem to have been little or no acknowledgement of the concerns expressed by consultees but I understand that there are many others who will be adversely affected by the impact of the plan who have not been sufficiently consulted as well.

For example, communities in Nottingham city, Clifton and Clifton village.

For the residents of Lark Hill and particularly Lark Hill the consultation has been very poor.

Little effort has been made to acknowledge the special needs of disabled elderly people who, for example, have been unable to access information boards at Clifton library.

The negative environmental impact of the site at Barton cannot be overstated. The site is less sustainable and more environmentally damaging than sites which were included in the previous plan, such as the one at Shelford. This information has come from the council's own sustainability appraisal.

The area adjoining the Trent Valley Way provides communities with significant recreational facilities. The woods offer a tranquil area enjoyed by many. With the new housing development south of Clifton there will be a lot more people who can potentially enjoy the area. Arguably, the environmental impact of sand and gravel workings adjacent to the woods will have an even greater negative impact on the local community in future as more people would be affected.

The allocation of site MP2p at Mill Hill near Barton in Fabis (under MP2 Sand and Gravel Provision) is also unsound and unjustified and should be removed.

The inclusion of site MP2p and the removal from the last plan of Shelford is also unsound and unjustified.

In the current plan the county council has failed to allocate any sites which utilise more sustainable forms of transport. This is inconsistent with to SP4 'to maximise the use of sustainable forms of transport, including barge.'

Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport.

Apparently, the plan asserts that a site at Shelford is too large and would lead to provision being limited in other parts of the county. No evidence has been provided to substantiate this assertion.

I trust that the various comments you will presumably receive concerning this consultation will be noted. I also hope the views of those communities whose lives will be blighted by the development of a sand and gravel quarry in Barton/ Mill Hill will be taken seriously and not trivialised.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

223

Object

Overview, Vision and Strategic Objectives**Respondent:** Brett Aggregates Limited (Angela Watts, Senior Planning Manager) [7984]**Summary:**

Para 2.4 It is not clear from where the information regarding residential building units is derived. Furthermore, in relation to the Plan the period of time over which the homes will be delivered should be that of the plan period.

Without this amendment the Plan cannot be said to be "positively prepared".

Full text:

See attachments

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: Brett Aggregates Ltd representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327539/brett-aggregates-ltd-10_10_2019_redacted.pdf

224 **Object****S01: Improving the sustainability of minerals development**

Respondent: Brett Aggregates Limited (Angela Watts, Senior Planning Manager) [7984]

Summary:

S01. Amend the second sentence

Full text:

See attachments

Change to plan:

"Secure a spatial pattern of mineral development that efficiently and sustainably delivers resources to markets within and outside Nottinghamshire."
Without this amendment the Plan cannot be said to be "consistent with National Policy".

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Brett Aggregates Ltd representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327539/brett-aggregates-ltd-10_10_2019_redacted.pdf**225** **Object****Key Diagram**

Respondent: Brett Aggregates Limited (Angela Watts, Senior Planning Manager) [7984]

Summary:

Amend Plan 3: Key diagram

Full text:

See attachments

Change to plan:

Key diagram Should be amended to include the site at Shelford as a new site in order to meet the NPPF requirement to plan for "a steady and adequate supply of aggregates".
Without this amendment the Plan cannot be said to be "consistent with National Policy".

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Brett Aggregates Ltd representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327539/brett-aggregates-ltd-10_10_2019_redacted.pdf**226** **Object****SP1: Minerals Provision**

Respondent: Brett Aggregates Limited (Angela Watts, Senior Planning Manager) [7984]

Summary:

Amend the policy wording

Full text:

See attachments

Change to plan:

Delete 1.b as this proposal does not take into account the current distribution of permitted reserves in the County which are heavily skewed towards the Newark area and deficient in the south of the County where quarries are now largely worked and restored. This contrasts with the future development proposals which are spatially distributed largely to the south where extensions to existing quarries is limited to just one small quarry.

Without this amendment the Plan cannot be said to be "positively prepared nor consistent with national policy in relation to sustainable development".

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Brett Aggregates Ltd representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327539/brett-aggregates-ltd-10_10_2019_redacted.pdf**227** **Support****SP3: Climate Change**

Respondent: Brett Aggregates Limited (Angela Watts, Senior Planning Manager) [7984]

Summary:

BAL supports this policy.

Full text:

See attachments

Change to plan:

-

Legally Yes

compliant:

Sound: Yes

Comply with Yes

duty:

Appear exam: Written Representation

Attachments: Brett Aggregates Ltd representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327539/brett-aggregates-ltd-10_10_2019_redacted.pdf**228** **Object****SP4: Sustainable Transport**

Respondent: Brett Aggregates Limited (Angela Watts, Senior Planning Manager) [7984]

Summary:

BAL supports policy however amendments are required.

Full text:

See attachments

Change to plan:

BAL supports this policy.

Para 3.42 This paragraph should be amended as follows

"However, restrictions on barge sizes on some stretches of the river in order to pass through Cromwell Lock may restrict viability of barging minerals DELETE: 'downstream' ADD: 'upstream to Nottingham from the Newark area'."

This amendment is needed to make clear that some mineral resources along the river are accessible in relation to the Nottingham market and in particular the Colwick Wharf which is protected in the Plan.

Without this amendment the Plan cannot be said to be "positively prepared or consistent with national policy in relation to sustainable development".

Para. 3.87. BAL supports the identification of Colwick Wharf as a location where sand and gravel can be landed. For the sake of clarity the names of the protected wharves should be set out in policy SP7 a map provided for each wharf as part of the proposals map to show what area of land is protected.

Without this amendment the Plan cannot be said to be "effective"

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Brett Aggregates Ltd representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327539/brett-aggregates-ltd-10_10_2019_redacted.pdf

231

Object

MP1: Aggregate Provision

Respondent: Brett Aggregates Limited (Angela Watts, Senior Planning Manager) [7984]

Summary:

Sand and gravel provision over the over the plan period needs to be reassessed to meet future demand.

See attachments for further detail

Full text:

See attachments

Change to plan:

In order for the Plan to be sound in respect of being positively prepared, justified, effective and compliant with national policy 10 Policy MP1 Aggregate Provision should be amended as follows:-

1. "To meet identified levels of demand for aggregate mineral over the plan period (2018-2036) and to ensure that a 7 year landbank remains at the end of the plan period the following provision will be made:

DELETE: '32.30mt' ADD '60.82 million tonnes' of Sand and Gravel

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Brett Aggregates Ltd representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327539/brett-aggregates-ltd-10_10_2019_redacted.pdf

232

Object

MP2: Sand and Gravel Provision

Respondent: Brett Aggregates Limited (Angela Watts, Senior Planning Manager) [7984]

Summary:

In respect of Policy MP2 additional sites will need to be allocated. As currently the policy only provides for an additional 11.8MT to be added to the current landbank when the actual shortfall is 60.82MT. This means that additionally a further 49.02MT of reserves are needed to make the plan sound. BAL propose that the it should be noted that the existing reserves identified in Policy MP2 add up to a higher figure (23.31MT) than that used in the following justifying paragraphs site at Shelford which is capable of delivering a total of 6.5MT should be allocated.

Full text:

See attachments

Change to plan:

The shelford proposal as put forward by Brett Aggregates should be identified as a site allocation in the Minerals Local Plan.

(see attachment for further details)

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Brett Aggregates Ltd representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327539/brett-aggregates-ltd-10_10_2019_redacted.pdf

235

Object

Development Management Policies

Respondent: Brett Aggregates Limited (Angela Watts, Senior Planning Manager) [7984]

Summary:

There is a tension between the policy in respect of the effect on Best and Most Versatile Land (BMVL) and the biodiversity led restoration proposals which underpin the Plan.

Full text:

See attachments

Change to plan:

As the Plan is currently worded in respect of BMVL it will be necessary to landfill all voids created by the extraction of mineral unless the sites are above the water table. The plan makes no mention of landfilling and whether sufficient suitable materials will be available either generically in respect of policies as a whole or in the site specific requirements for restoration. In this respect the plan is not positively prepared nor effective.

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Brett Aggregates Ltd representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327539/brett-aggregates-ltd-10_10_2019_redacted.pdf

233

Object

DM5: Landscape Character

Respondent: Brett Aggregates Limited (Angela Watts, Senior Planning Manager) [7984]

Summary:

BAL objects to the wording of policy DM5 the first part of which would prevent any mineral development coming forward.

Full text:

See attachments

Change to plan:

It need to include the words "....will not cause unacceptable harm to the character...." rather than "will not adversely impact on the character" Without this amendment the plan is unsound as it is not effective.

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Brett Aggregates Ltd representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327539/brett-aggregates-ltd-10_10_2019_redacted.pdf

221

Support

MP7: Gypsum Provision

Respondent: British Gypsum (Jennifer Saunders) [1017]

Summary:

In relation to the Minerals Local Plan Publication Version consultation document, we would like to make the following comments:

1) Policy MP7: Gypsum Provision

We are supportive of the approach that has been taken for future gypsum provision in terms of:

a) A southern extension to the existing quarry has been proposed for allocation (MP7c)

A southern extension of Bantycok Quarry is required for a continued supply of high purity gypsum for high value speciality products made by Saint-Gobain Formula at its Jericho Works. Bantycok gypsum is also an essential raw material for British Gypsum's manufacturing sites in Nottinghamshire (East Leake), Leicestershire (Barrow) and Staffordshire (Fauld).

b) A criteria based policy is also proposed, which is supportive of proposals for gypsum extraction outside the permitted sites (Marblaegis Mine and Bantycok Quarry), where a need can be demonstrated.

Nottinghamshire and the East Midlands is an important centre for the manufacture of gypsum plaster and plasterboard products for use in construction products. Given the importance of the Industry, it is considered that a broad area of search for gypsum for use in construction products is needed.

The options for identifying gypsum deposits in the UK are limited and Nottinghamshire is one of the counties in which it may be possible to identify and develop gypsum mining / quarrying operations that could supply the UK construction product market.

2) Page 68 – paragraph 4.73

This paragraph states that permitted reserves at Marblaegis Mine are sufficient until at least 2026.

Planning permission has been granted to extend the life of the mine until February 2042 (see application no. 8/16/01430/CMA).

Full text:

In relation to the Minerals Local Plan Publication Version consultation document, we would like to make the following comments:

1) Policy MP7: Gypsum Provision

We are supportive of the approach that has been taken for future gypsum provision in terms of:

a) A southern extension to the existing quarry has been proposed for allocation (MP7c)

A southern extension of Bantycok Quarry is required for a continued supply of high purity gypsum for high value speciality products made by Saint-Gobain Formula at its Jericho Works. Bantycok gypsum is also an essential raw material for British Gypsum's manufacturing sites in Nottinghamshire (East Leake), Leicestershire (Barrow) and Staffordshire (Fauld).

b) A criteria based policy is also proposed, which is supportive of proposals for gypsum extraction outside the permitted sites (Marblaegis Mine and Bantycok Quarry), where a need can be demonstrated.

Nottinghamshire and the East Midlands is an important centre for the manufacture of gypsum plaster and plasterboard products for use in construction products. Given the importance of the Industry, it is considered that a broad area of search for gypsum for use in construction products is needed.

The options for identifying gypsum deposits in the UK are limited and Nottinghamshire is one of the counties in which it may be possible to identify and develop gypsum mining / quarrying operations that could supply the UK construction product market.

2) Page 68 – paragraph 4.73

This paragraph states that permitted reserves at Marblaegis Mine are sufficient until at least 2026.

Planning permission has been granted to extend the life of the mine until February 2042 (see application no. 8/16/01430/CMA).

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes

Appear exam: Written Representation

Attachments: None

131

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Broxtowe Borough Council (Mr Steffan Saunders, Planning Policy Manager) [967]

Summary:

Whilst the site proposed to be allocated by this policy (Policy MP2p – 'Mill Hill near Barton In Fabis') is not located within the local authority area of Broxtowe Borough Council, it is situated immediately adjacent to the Borough's boundary.

The Borough Council is of the view that the policy and supporting site development brief should be slightly amended to enhance the level of protection for the various natural and recreational assets along this part of the Borough's boundary.

A number of environmental and recreational assets within the Borough Council's boundary may potentially be adversely affected by this allocation. These include not only the Attenborough Gravel Pits SSSI, which is referred to within the site development brief, but also the Attenborough Nature Reserve (open space) and Trent Valley Green Infrastructure (GI) Corridor.

The Borough Council notes that the 'policy' does not refer to the 'Trent Valley Green Infrastructure (GI) Corridor', which runs along the River Trent. There is also no reference to this GI Corridor within the site development brief. This important GI Corridor is not only of environmental and biodiversity value, but is also an important recreational route within the Borough. The development of a minerals extraction facility close to this location has the potential to impact upon the environmental assets of the local area, as well as the potential of the area as a recreational resource to the local community.

Full text:

Whilst the site proposed to be allocated by this policy (Policy MP2p – 'Mill Hill near Barton In Fabis') is not located within the local authority area of Broxtowe Borough Council, it is situated immediately adjacent to the Borough's boundary.

The Borough Council is of the view that the policy and supporting site development brief should be slightly amended to enhance the level of protection for the various natural and recreational assets along this part of the Borough's boundary.

A number of environmental and recreational assets within the Borough Council's boundary may potentially be adversely affected by this allocation. These include not only the Attenborough Gravel Pits SSSI, which is referred to within the site development brief, but also the

Attenborough Nature Reserve (open space) and Trent Valley Green Infrastructure (GI) Corridor. The Borough Council notes that the 'policy' does not refer to the 'Trent Valley Green Infrastructure (GI) Corridor', which runs along the River Trent. There is also no reference to this GI Corridor within the site development brief. This important GI Corridor is not only of environmental and biodiversity value, but is also an important recreational route within the Borough. The development of a minerals extraction facility close to this location has the potential to impact upon the environmental assets of the local area, as well as the potential of the area as a recreational resource to the local community.

The Borough Council recommends that mitigation measures should be proposed within the policy and site development brief to protect the various nearby environmental and recreational assets within the Borough's boundary, including the Attenborough Gravel Pits SSSI, Attenborough Nature Reserve (open space) and the Trent Valley Green Infrastructure Corridor, in order to both protect wildlife and biodiversity and also to minimise any disturbance to the recreational use of these areas. Examples of such mitigation measures could include additional buffers between the mineral extraction site and the banks of the River Trent.

The Borough Council also recommends that the Trent Valley Green Infrastructure Corridor is referenced within the site development brief.

Parts 1 (a) and 2 (a) of Policy MP12 refer to 'protected areas', although the policy does not currently define which types of 'protection' this term refers to. The Borough Council is of the view that it would be helpful for the policy and supporting text to clearly define the extent of these 'areas'. In particular, it would be useful to clarify whether these areas include land designated as 'Green Belt' or land protected by other designations (for example, Local Wildlife Sites, SSSIs, Local Nature Reserves etc.).

The Borough Council recommends that the term 'protected areas', as referred to within parts 1(a) and 2(a) of Policy MP12, should be clearly defined within the policy and supporting text. The Borough Council considers that the inclusion of mapping illustrating the extent of these 'protected areas' would also be very useful.

Change to plan:

The Borough Council recommends that mitigation measures should be proposed within the policy and site development brief to protect the various nearby environmental and recreational assets within the Borough's boundary, including the Attenborough Gravel Pits SSSI, Attenborough Nature Reserve (open space) and the Trent Valley Green Infrastructure Corridor, in order to both protect wildlife and biodiversity and also to minimise any disturbance to the recreational use of these areas. Examples of such mitigation measures could include additional buffers between the mineral extraction site and the banks of the River Trent.

The Borough Council also recommends that the Trent Valley Green Infrastructure Corridor is referenced within the site development brief.

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Written Representation

Attachments: None

133

Object

MP12: Oil and Gas

Respondent: Broxtowe Borough Council (Mr Steffan Saunders, Planning Policy Manager) [967]

Summary:

Parts 1 (a) and 2 (a) of Policy MP12 refer to 'protected areas', although the policy does not currently define which types of 'protection' this term refers to. The Borough Council is of the view that it would be helpful for the policy and supporting text to clearly define the extent of these 'areas'. In particular, it would be useful to clarify whether these areas include land designated as 'Green Belt' or land protected by other designations (for example, Local Wildlife Sites, SSSIs, Local Nature Reserves etc.).

Full text:

Whilst the site proposed to be allocated by this policy (Policy MP2p – 'Mill Hill near Barton In Fabis') is not located within the local authority area of Broxtowe Borough Council, it is situated immediately adjacent to the Borough's boundary.

The Borough Council is of the view that the policy and supporting site development brief should be slightly amended to enhance the level of protection for the various natural and recreational assets along this part of the Borough's boundary.

A number of environmental and recreational assets within the Borough Council's boundary may potentially be adversely affected by this allocation. These include not only the Attenborough Gravel Pits SSSI, which is referred to within the site development brief, but also the Attenborough Nature Reserve (open space) and Trent Valley Green Infrastructure (GI) Corridor.

The Borough Council notes that the 'policy' does not refer to the 'Trent Valley Green Infrastructure (GI) Corridor', which runs along the River Trent. There is also no reference to this GI Corridor within the site development brief. This important GI Corridor is not only of environmental and biodiversity value, but is also an important recreational route within the Borough. The development of a minerals extraction facility close to this location has the potential to impact upon the environmental assets of the local area, as well as the potential of the area as a recreational resource to the local community.

The Borough Council recommends that mitigation measures should be proposed within the policy and site development brief to protect the various nearby environmental and recreational assets within the Borough's boundary, including the Attenborough Gravel Pits SSSI, Attenborough Nature Reserve (open space) and the Trent Valley Green Infrastructure Corridor, in order to both protect wildlife and biodiversity and also to minimise any disturbance to the recreational use of these areas. Examples of such mitigation measures could include additional buffers between the mineral extraction site and the banks of the River Trent.

The Borough Council also recommends that the Trent Valley Green Infrastructure Corridor is referenced within the site development brief.

Parts 1 (a) and 2 (a) of Policy MP12 refer to 'protected areas', although the policy does not currently define which types of 'protection' this term refers to. The Borough Council is of the view that it would be helpful for the policy and supporting text to clearly define the extent of these 'areas'. In particular, it would be useful to clarify whether these areas include land designated as 'Green Belt' or land protected by other designations (for example, Local Wildlife Sites, SSSIs, Local Nature Reserves etc.).

The Borough Council recommends that the term 'protected areas', as referred to within parts 1(a) and 2(a) of Policy MP12, should be clearly defined within the policy and supporting text. The Borough Council considers that the inclusion of mapping illustrating the extent of these 'protected areas' would also be very useful.

Change to plan:

The Borough Council recommends that the term 'protected areas', as referred to within parts 1(a) and 2(a) of Policy MP12, should be clearly defined within the policy and supporting text. The Borough Council considers that the inclusion of mapping illustrating the extent of these 'protected areas' would also be very useful.

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Written Representation
Attachments: None

132

Object

Appendix 2: Site Allocation Development Briefs

Respondent: Broxtowe Borough Council (Mr Steffan Saunders, Planning Policy Manager) [967]

Summary:

Whilst the site proposed to be allocated by this policy (Policy MP2p – 'Mill Hill near Barton In Fabis') is not located within the local authority area of Broxtowe Borough Council, it is situated immediately adjacent to the Borough's boundary.

The Borough Council is of the view that the policy and supporting site development brief should be slightly amended to enhance the level of protection for the various natural and recreational assets along this part of the Borough's boundary.

A number of environmental and recreational assets within the Borough Council's boundary may potentially be adversely affected by this allocation. These include not only the Attenborough Gravel Pits SSSI, which is referred to within the site development brief, but also the Attenborough Nature Reserve (open space) and Trent Valley Green Infrastructure (GI) Corridor.

The Borough Council notes that the 'policy' does not refer to the 'Trent Valley Green Infrastructure (GI) Corridor', which runs along the River Trent. There is also no reference to this GI Corridor within the site development brief. This important GI Corridor is not only of environmental and biodiversity value, but is also an important recreational route within the Borough. The development of a minerals extraction facility close to this location has the potential to impact upon the environmental assets of the local area, as well as the potential of the area as a recreational resource to the local community.

Full text:

Whilst the site proposed to be allocated by this policy (Policy MP2p – 'Mill Hill near Barton In Fabis') is not located within the local authority area of Broxtowe Borough Council, it is situated immediately adjacent to the Borough's boundary.

The Borough Council is of the view that the policy and supporting site development brief should be slightly amended to enhance the level of protection for the various natural and recreational assets along this part of the Borough's boundary.

A number of environmental and recreational assets within the Borough Council's boundary may potentially be adversely affected by this allocation. These include not only the Attenborough Gravel Pits SSSI, which is referred to within the site development brief, but also the Attenborough Nature Reserve (open space) and Trent Valley Green Infrastructure (GI) Corridor.

The Borough Council notes that the 'policy' does not refer to the 'Trent Valley Green Infrastructure (GI) Corridor', which runs along the River Trent. There is also no reference to this GI Corridor within the site development brief. This important GI Corridor is not only of environmental and biodiversity value, but is also an important recreational route within the Borough. The development of a minerals extraction facility close to this location has the potential to impact upon the environmental assets of the local area, as well as the potential of the area as a recreational resource to the local community.

The Borough Council recommends that mitigation measures should be proposed within the policy and site development brief to protect the various nearby environmental and recreational assets within the Borough's boundary, including the Attenborough Gravel Pits SSSI, Attenborough Nature Reserve (open space) and the Trent Valley Green Infrastructure Corridor, in order to both protect wildlife and biodiversity and also to minimise any disturbance to the recreational use of these areas. Examples of such mitigation measures could include additional buffers between the mineral extraction site and the banks of the River Trent.

The Borough Council also recommends that the Trent Valley Green Infrastructure Corridor is referenced within the site development brief.

Parts 1 (a) and 2 (a) of Policy MP12 refer to 'protected areas', although the policy does not currently define which types of 'protection' this term refers to. The Borough Council is of the view that it would be helpful for the policy and supporting text to clearly define the extent of these 'areas'. In particular, it would be useful to clarify whether these areas include land designated as 'Green Belt' or land protected by other designations (for example, Local Wildlife Sites, SSSIs, Local Nature Reserves etc.).

The Borough Council recommends that the term 'protected areas', as referred to within parts 1(a) and 2(a) of Policy MP12, should be clearly defined within the policy and supporting text. The Borough Council considers that the inclusion of mapping illustrating the extent of these 'protected areas' would also be very useful.

Change to plan:

The Borough Council recommends that mitigation measures should be proposed within the policy and site development brief to protect the various nearby environmental and recreational assets within the Borough's boundary, including the Attenborough Gravel Pits SSSI, Attenborough Nature Reserve (open space) and the Trent Valley Green Infrastructure Corridor, in order to both protect wildlife and biodiversity and also to minimise any disturbance to the recreational use of these areas. Examples of such mitigation measures could include additional buffers between the mineral extraction site and the banks of the River Trent.

The Borough Council also recommends that the Trent Valley Green Infrastructure Corridor is referenced within the site development brief.

Please

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Written Representation
Attachments: None

143

Object

SP4: Sustainable Transport

Respondent: Broxtowe Green Party (Pat Morton) [9169]

Summary:

1. The existing plan is inadequate in relation to recent developments in science and policy that now recognise our climate emergency. It is no longer adequate to 'reduce impact' of greenhouse gases and global warming.
2. There needs to be fresh approaches so that we change direction away from fossil fuels altogether. Only then will national targets be reached. The Minerals Policy is a good place to start.
3. Government has now committed to reduce carbon emissions to net zero by 2050 – this is a start and NCC need to address this. To ignore this policy is dangerous.
4. We know that 2050 is not soon enough to address the emergency...but to do nothing is not an answer.

Full text:

- MP12
1. No future site-specific proposals for hydrocarbon extraction are included in the minerals plan.
 2. The policy is inadequate because it has failed to take consideration of the impacts on climate change, on the detrimental impact on the environment, the local community and the water supply.
 3. Seismology experts are recommending 500m separation from former mine workings and 850m from any fault lines – these recommendations should be followed.
 4. Other Plans have stronger policies with regard to climate change and hydrocarbons (e.g.Cumbria and Kirklees) and Nottinghamshire should be leading way.
1. There needs to be proper consideration to the evolving awareness and scientific recommendations to the damaging environmental impacts of hydrocarbon extraction (fracking) for shale.
 2. We need a separate detailed policy in order to safeguard communities and the environment.

- SP4
1. The existing plan is inadequate in relation to recent developments in science and policy that now recognise our climate emergency. It is no longer adequate to 'reduce impact' of greenhouse gases and global warming.
 2. There needs to be fresh approaches so that we change direction away from fossil fuels altogether. Only then will national targets be reached. The Minerals Policy is a good place to start.
 3. Government has now committed to reduce carbon emissions to net zero by 2050 – this is a start and NCC need to address this. To ignore this policy is dangerous.
 4. We know that 2050 is not soon enough to address the emergency...but to do nothing is not an answer.

The County Council need to declare a Climate Emergency and make new plans to address it for all our sakes.

Change to plan:

The County Council need to declare a Climate Emergency and make new plans to address it for all our sakes.

Legally compliant: No
Sound: No
Comply with duty: Yes

Appear exam: Written Representation

Attachments: None

142

Object

MP12: Oil and Gas

Respondent: Broxtowe Green Party (Pat Morton) [9169]

Summary:

1. No future site-specific proposals for hydrocarbon extraction are included in the minerals plan.
2. The policy is inadequate because it has failed to take consideration of the impacts on climate change, on the detrimental impact on the environment, the local community and the water supply.
3. Seismology experts are recommending 500m separation from former mine workings and 850m from any fault lines – these recommendations should be followed.
4. Other Plans have stronger policies with regard to climate change and hydrocarbons (e.g.Cumbria and Kirklees) and Nottinghamshire should be leading way.

Full text:

- MP12
1. No future site-specific proposals for hydrocarbon extraction are included in the minerals plan.
 2. The policy is inadequate because it has failed to take consideration of the impacts on climate change, on the detrimental impact on the environment, the local community and the water supply.
 3. Seismology experts are recommending 500m separation from former mine workings and 850m from any fault lines – these recommendations should be followed.
 4. Other Plans have stronger policies with regard to climate change and hydrocarbons (e.g.Cumbria and Kirklees) and Nottinghamshire should be leading way.
1. There needs to be proper consideration to the evolving awareness and scientific recommendations to the damaging environmental impacts of hydrocarbon extraction (fracking) for shale.
 2. We need a separate detailed policy in order to safeguard communities and the environment.

- SP4
1. The existing plan is inadequate in relation to recent developments in science and policy that now recognise our climate emergency. It is no longer adequate to 'reduce impact' of greenhouse gases and global warming.
 2. There needs to be fresh approaches so that we change direction away from fossil fuels altogether. Only then will national targets be reached. The Minerals Policy is a good place to start.
 3. Government has now committed to reduce carbon emissions to net zero by 2050 – this is a start and NCC need to address this. To ignore this policy is dangerous.
 4. We know that 2050 is not soon enough to address the emergency...but to do nothing is not an answer.

The County Council need to declare a Climate Emergency and make new plans to address it for all our sakes.

Change to plan:

1. There needs to be proper consideration to the evolving awareness and scientific recommendations to the damaging environmental impacts of hydrocarbon extraction (fracking) for shale.
2. We need a separate detailed policy in order to safeguard communities and the environment

Legally compliant: No
Sound: No
Comply with duty: Yes

Appear exam: Written Representation

Attachments: None

59

Support

MP2: Sand and Gravel Provision

Respondent: Burton Joyce Parish Council (Mr Paul Wyde, Clerk and RFO) [8083]

Summary:

The concerned raised relate to the previously proposed site at Shelford, where many homes within Burton Joyce are close to the proposed extraction site. The concerns around this site relate to three principles. Firstly, environmental and amenity as since the product would be taken out by vehicle this will add air pollutants, dust and noise. Secondly, traffic, as the road network is already congested and adding further lorries to the road network will add to issue and the pollution. Thirdly, extraction would make the right bank vulnerable to heavy surges and devastate inhabited areas of Burton Joyce.

Full text:

This is a joint submission from Burton Joyce Parish Council and Burton Joyce Village Society. Our concerns for this Parish were fully set out in our separate submissions at the earlier and exclusively concerned with a proposed site for gravel extraction which was then under consideration but not included in the present plan, i.e. Shelford. Although that site is on the

opposite side of the River Trent, the political boundary obscures the fact that many homes in Burton Joyce are closer to the then proposed extraction site (320m at the closest) than any part of the Shelford village itself.

Our concerns are under three principle headings;

1. Environmental and amenity.

Air pollution has been shown in many very recent studies to be a major threat to health, implication in breathing ailments and lung disease, cancers and dementia. The operation of any extraction site in the Shelford area would be done by diesel-driven machinery creating some of the most severe air pollutants, and also thick dust. It would also cause constant noise pollution. Our village is downwind of the prevailing winds in the area and would therefore suffer more severely from both problems. Lorry or the suggested barge traffic to remove the product from the site would create further such pollution. The landscape character of the Trent riverbank is deeply appreciated locally and would be totally destroyed by such workings. The existing wildlife under the agricultural and pasture regime is a valued contribution to this area and also under threat from mineral extraction.

2. Traffic

The local road system in Burton Joyce, notably the A612, is already inadequate, and a great part of the lorry traffic, estimated by the site owners at several lorries per hour, generated by an extraction operation, would use this road to reach markets in the Nottingham City area. Both the congestion and the resulting pollution by traffic fumes and noise are unacceptable in the village itself. The severe traffic problems that would be created outside Burton Joyce, both in a Westerly direction and on the A6097, would also cause severe difficulty for local people.

3. Flood risk.

Hundreds of Burton Joyce houses are in high flood risk zones. While a catastrophic flood is not a high probability it is a severe threat in that the damage to property would be in the order of millions and the disruption to the lives of occupants, and to the villages as a whole, would be overwhelming. Gravel digging would make the right bank of the Trent vulnerable to a heavy surge from upstream, which is increasingly likely following improved flood defenses there, and the increase in extreme weather conditions due to climate change. Such a surge could breach the weakened riverbank, disrupting the course of the river (historically unstable) and devastating the inhabited areas of Burton Joyce.

Change to plan:

-

Legally Yes

compliant:

Sound: Yes

Comply with Yes

duty:

Appear exam: Appearance at the examination

Attachments: None

60

Support

MP2: Sand and Gravel Provision

Respondent: Burton Joyce Village Society (Richard Fife, Secretary) [2946]

Summary:

The concerns raised relate to the previously proposed site at Shelford, where many homes within Burton Joyce are close to the proposed extraction site. The concerns around this site relate to three principles. Firstly, environmental and amenity as since the product would be taken out by vehicle this will add air pollutants, dust and noise. Secondly, traffic, as the road network is already congested and adding further lorries to the road network will add to issue and the pollution. Thirdly, extraction would make the right bank vulnerable to heavy surges and devastate inhabited areas of Burton Joyce

Full text:

This is a joint submission from Burton Joyce Parish Council and Burton Joyce Village Society. Our concerns for this Parish were fully set out in our separate submissions at the earlier and exclusively concerned with a proposed site for gravel extraction which was then under consideration but not included in the present plan, i.e. Shelford. Although that site is on the opposite side of the River Trent, the political boundary obscures the fact that many homes in Burton Joyce are closer to the then proposed extraction site (320m at the closest) than any part of the Shelford village itself. Our concerns are under three principle headings; 1. Environmental and amenity. Air pollution has been shown in many very recent studies to be a major threat to health, implication in breathing ailments and lung disease, cancers and dementia. The operation of any extraction site in the Shelford area would be done by diesel-driven machinery creating some of the most severe air pollutants, and also thick dust. It would also cause constant noise pollution. Our village is downwind of the prevailing winds in the area and would therefore suffer more severely from both problems. Lorry or the suggested barge traffic to remove the product from the site would create further such pollution. The landscape character of the Trent riverbank is deeply appreciated locally and would be totally destroyed by such workings. The existing wildlife under the agricultural and pasture regime is a valued contribution to this area and also under threat from mineral extraction. 2. Traffic The local road system in Burton Joyce, notably the A612, is already inadequate, and a great part of the lorry traffic, estimated by the site owners at several lorries per hour, generated by an extraction operation, would use this road to reach markets in the Nottingham City area. Both the congestion and the resulting pollution by traffic fumes and noise are unacceptable in the village itself. The severe traffic problems that would be created outside Burton Joyce, both in a Westerly direction and on the A6097, would also cause severe difficulty for local people. 3. Flood risk. Hundreds of Burton Joyce houses are in high flood risk zones. While a catastrophic flood is not a high probability it is a severe threat in that the damage to property would be in the order of millions and the disruption to the lives of occupants, and to the villages as a whole, would be overwhelming. Gravel digging would make the right bank of the Trent vulnerable to a heavy surge from upstream, which is increasingly likely following improved flood defenses there, and the increase in extreme weather conditions due to climate change. Such a surge could breach the weakened riverbank, disrupting the course of the river (historically unstable) and devastating the inhabited areas of Burton Joyce.

Change to plan:

-

Legally Yes

compliant:

Sound: Yes

Comply with Yes

duty:

Appear exam: Appearance at the examination

Attachments: None

144

Object

S01: Improving the sustainability of minerals development

Respondent: Mrs Cheryl Calcutt [8257]

Summary:

S01 The Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form because careful consideration has not been given to the impact on local communities and the nature corridors for all wildlife that exist and is why I visit my daughter in the area to take advantage of all that it offers.

Full text:

S01 The Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form because careful consideration has not been given to the impact on local communities and the nature corridors for all wildlife that exist and is why I visit my daughter in the area to take advantage of all that it offers.

MP2 - It has been stated that the Shelford site would be more sustainable and less environmentally damaging at a time when we are encouraging people to enjoy what the outside world has to offer .

Lack of Statement of Community involvement has been raised. Surely every effort should be made to make sure that everyone affected young and old should be kept fully informed at every stage and time given to explain exactly the impact it will have on their lives.

This is a special area and why people choose to live there for their well being and be close to the wildlife that at the moment they live close to. We are constantly being told to encourage wildlife and build the right habitats for them.

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No

duty:**Appear exam:** Appearance at the examination**Attachments:** None

146

Object

S05: Minimising impacts on communities**Respondent:** Mrs Cheryl Calcutt [8257]**Summary:**

Lack of Statement of Community involvement has been raised. Surely every effort should be made to make sure that everyone affected young and old should be kept fully informed at every stage and time given to explain exactly the impact it will have on their lives.

Full text:

S01 The Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form because careful consideration has not been given to the impact on local communities and the nature corridors for all wildlife that exist and is why I visit my daughter in the area to take advantage of all that it offers.

MP2 - It has been stated that the Shelford site would be more sustainable and less environmentally damaging at a time when we are encouraging people to enjoy what the outside world has to offer .

Lack of Statement of Community involvement has been raised. Surely every effort should be made to make sure that everyone affected young and old should be kept fully informed at every stage and time given to explain exactly the impact it will have on their lives.

This is a special area and why people choose to live there for their well being and be close to the wildlife that at the moment they live close to. We are constantly being told to encourage wildlife and build the right habitats for them.

Change to plan:

-

Legally compliant: No**Sound:** No**Comply with duty:** No**Appear exam:** Appearance at the examination**Attachments:** None

145

Object

MP2p: Mill Hill nr Barton in Fabis**Respondent:** Mrs Cheryl Calcutt [8257]**Summary:**

MP2 - It has been stated that the Shelford site would be more sustainable and less environmentally damaging at a time when we are encouraging people to enjoy what the outside world has to offer .

This is a special area and why people choose to live there for their well being and be close to the wildlife that at the moment they live close to. We are constantly being told to encourage wildlife and build the right habitats for them

Full text:

S01 The Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form because careful consideration has not been given to the impact on local communities and the nature corridors for all wildlife that exist and is why I visit my daughter in the area to take advantage of all that it offers.

MP2 - It has been stated that the Shelford site would be more sustainable and less environmentally damaging at a time when we are encouraging people to enjoy what the outside world has to offer .

Lack of Statement of Community involvement has been raised. Surely every effort should be made to make sure that everyone affected young and old should be kept fully informed at every stage and time given to explain exactly the impact it will have on their lives.

This is a special area and why people choose to live there for their well being and be close to the wildlife that at the moment they live close to. We are constantly being told to encourage wildlife and build the right habitats for them.

Change to plan:

-

Legally compliant: No**Sound:** No**Comply with duty:** No**Appear exam:** Appearance at the examination**Attachments:** None

147

Object

S01: Improving the sustainability of minerals development**Respondent:** Mrs Lisa Calcutt [8199]**Summary:**

Strategic Objective S01 is UNSOUND and UNJUSTIFIED

There is not enough analysis on what sand and gravel provisions are really required in this area. Additionally, I hear that some of the provisions were earmarked for HS2, a project that is still uncertain of whether it will go ahead.

If there isn't the demand for sand and gravel in this area, then it will need to be transported around the country, adding more traffic to local roads and more importantly polluting the environment even more so through transportation.

We are told as citizens to challenge the carving up of protected land. With our environmental commitment, how can this project be justified, when we should be looking at more eco friendly ways to build houses or perhaps we should be renovating the thousands of houses in the country that sit empty instead of using precious resources to build more?

The natural environment is special and should be protected by being a SSSI so I am appalled that this location is even being considered, the environment and local community needs to green spaces have clearly not been considered as part of the strategic objective.

Full text:

To whom it may concern,

I believe that the Minerals Local Plan is UNSOUND and UNJUSTIFIED and should be withdrawn in its current form.

Strategic Objective S01 is UNSOUND and UNJUSTIFIED

There is not enough analysis on what sand and gravel provisions are really required in this area. Additionally, I hear that some of the provisions were earmarked for HS2, a project that is still uncertain of whether it will go ahead.

If there isn't the demand for sand and gravel in this area, then it will need to be transported around the country, adding more traffic to local roads and more importantly polluting the environment even more so through transportation. We are told as citizens to challenge the carving up of protected land. With our environmental commitment, how can this project be justified, when we should be looking at more eco friendly ways to build houses or perhaps we should be renovating the thousands of houses in the country that sit empty instead of

using precious resources to build more?

The natural environment is special and should be protected by being a SSSI so I am appalled that this location is even being considered, the environment and local community needs to green spaces have clearly not been considered as part of the strategic objective.

The allocation of site MP2p at Mill Hill nr Barton in Fabis (under MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED and should be removed

I reiterate my points above here – this project has been proved unsound for many years, why does pushing the matter mean that the decision has to change? Is this legally and morally right to keep pushing for something that is not sustainable or viable, when the answer has been no before how can it be yes now?

The natural environment in this area has already been squeezed because of the widening of the A453 and the chopping down of 2000 trees, therefore, wildlife such as deer and muntjac now populate this area, many species of owls and neighbouring birds and wildlife from Attenborough Nature Reserve will be threatened too. This will be environmentally damaging at a time when climate crisis is a daily headline in our newspapers.

The County Council has failed to conform to its own Statement of Community Involvement.

Other than a few of us who keep abreast of the proposal, many local residents and of the city of Nottingham itself have no idea that there could be a new quarry so close to the city, when will people be consulted properly and clearly not just through a convoluted method via the website?

If the plan is deemed so legal and fair, then please be transparent and advertise the proposal to demonstrate community involvement and care. I am a local resident and very concerned about the possible implications of flooding, I have mentioned this in previous communications and no-one has tried to quash my concerns.

I would be grateful if you could consider my comments.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

149

Object

SO5: Minimising impacts on communities

Respondent: Mrs Lisa Calcutt [8199]

Summary:

The County Council has failed to conform to its own Statement of Community Involvement.

Other than a few of us who keep abreast of the proposal, many local residents and of the city of Nottingham itself have no idea that there could be a new quarry so close to the city, when will people be consulted properly and clearly not just through a convoluted method via the website?

If the plan is deemed so legal and fair, then please be transparent and advertise the proposal to demonstrate community involvement and care.

Full text:

To whom it may concern,

I believe that the Minerals Local Plan is UNSOUND and UNJUSTIFIED and should be withdrawn in its current form.

Strategic Objective SO1 is UNSOUND and UNJUSTIFIED

There is not enough analysis on what sand and gravel provisions are really required in this area. Additionally, I hear that some of the provisions were earmarked for HS2, a project that is still uncertain of whether it will go ahead.

If there isn't the demand for sand and gravel in this area, then it will need to be transported around the country, adding more traffic to local roads and more importantly polluting the environment even more so through transportation. We are told as citizens to challenge the carving up of protected land. With our environmental commitment, how can this project be justified, when we should be looking at more eco friendly ways to build houses or perhaps we should be renovating the thousands of houses in the country that sit empty instead of using precious resources to build more?

The natural environment is special and should be protected by being a SSSI so I am appalled that this location is even being considered, the environment and local community needs to green spaces have clearly not been considered as part of the strategic objective.

The allocation of site MP2p at Mill Hill nr Barton in Fabis (under MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED and should be removed

I reiterate my points above here – this project has been proved unsound for many years, why does pushing the matter mean that the decision has to change? Is this legally and morally right to keep pushing for something that is not sustainable or viable, when the answer has been no before how can it be yes now?

The natural environment in this area has already been squeezed because of the widening of the A453 and the chopping down of 2000 trees, therefore, wildlife such as deer and muntjac now populate this area, many species of owls and neighbouring birds and wildlife from Attenborough Nature Reserve will be threatened too. This will be environmentally damaging at a time when climate crisis is a daily headline in our newspapers.

The County Council has failed to conform to its own Statement of Community Involvement.

Other than a few of us who keep abreast of the proposal, many local residents and of the city of Nottingham itself have no idea that there could be a new quarry so close to the city, when will people be consulted properly and clearly not just through a convoluted method via the website?

If the plan is deemed so legal and fair, then please be transparent and advertise the proposal to demonstrate community involvement and care. I am a local resident and very concerned about the possible implications of flooding, I have mentioned this in previous communications and no-one has tried to quash my concerns.

I would be grateful if you could consider my comments.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

148

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mrs Lisa Calcutt [8199]

Summary:

The allocation of site MP2p at Mill Hill nr Barton in Fabis (under MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED and should be removed
I reiterate my points above here – this project has been proved unsound for many years, why does pushing the matter mean that the decision has to change? Is this legally and morally right to keep pushing for something that is not sustainable or viable, when the answer has been no before how can it be yes now?

The natural environment in this area has already been squeezed because of the widening of the A453 and the chopping down of 2000 trees, therefore, wildlife such as deer and muntjac now populate this area, many species of owls and neighbouring birds and wildlife from Attenborough Nature Reserve will be threatened too. This will be environmentally damaging at a time when climate crisis is a daily headline in our newspapers.

I am a local resident and very concerned about the possible implications of flooding, I have mentioned this in previous communications and no-one has tried to quash my concerns

Full text:

To whom it may concern,
I believe that the Minerals Local Plan is UNSOUND and UNJUSTIFIED and should be withdrawn in its current form.

Strategic Objective SO1 is UNSOUND and UNJUSTIFIED

There is not enough analysis on what sand and gravel provisions are really required in this area. Additionally, I hear that some of the provisions were earmarked for HS2, a project that is still uncertain of whether it will go ahead.

If there isn't the demand for sand and gravel in this area, then it will need to be transported around the country, adding more traffic to local roads and more importantly polluting the environment even more so through transportation. We are told as citizens to challenge the carving up of protected land. With our environmental commitment, how can this project be justified, when we should be looking at more eco friendly ways to build houses or perhaps we should be renovating the thousands of houses in the country that sit empty instead of using precious resources to build more?

The natural environment is special and should be protected by being a SSSI so I am appalled that this location is even being considered, the environment and local community needs to green spaces have clearly not been considered as part of the strategic objective.

The allocation of site MP2p at Mill Hill nr Barton in Fabis (under MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED and should be removed

I reiterate my points above here – this project has been proved unsound for many years, why does pushing the matter mean that the decision has to change? Is this legally and morally right to keep pushing for something that is not sustainable or viable, when the answer has been no before how can it be yes now?

The natural environment in this area has already been squeezed because of the widening of the A453 and the chopping down of 2000 trees, therefore, wildlife such as deer and muntjac now populate this area, many species of owls and neighbouring birds and wildlife from Attenborough Nature Reserve will be threatened too. This will be environmentally damaging at a time when climate crisis is a daily headline in our newspapers.

The County Council has failed to conform to its own Statement of Community Involvement.

Other than a few of us who keep abreast of the proposal, many local residents and of the city of Nottingham itself have no idea that there could be a new quarry so close to the city, when will people be consulted properly and clearly not just through a convoluted method via the website?

If the plan is deemed so legal and fair, then please be transparent and advertise the proposal to demonstrate community involvement and care. I am a local resident and very concerned about the possible implications of flooding, I have mentioned this in previous communications and no-one has tried to quash my concerns.

I would be grateful if you could consider my comments.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

272

Object

SP4: Sustainable Transport

Respondent: Cantley-with-Branton Parish Council (Ms Julia Staniforth, Parish Clerk) [9180]

Summary:

In isolation the proposals to develop sites at Austerfield, Misson, Bamby Moor and Scrooby seem innocuous, however when considered alongside existing and proposed developments in both Nottinghamshire and the DMBC area, we have serious concerns about the impact on our communities, particularly the potential increase in Heavy Goods and other vehicles on an already busy road network in and around our villages.

We would oppose the development of these sites as proposed in the recent planning applications and question their inclusion in the Minerals Plan without conditions being set, within the plan, to mitigate their potential impact on our communities.

Please see attachment for evidence submitted with this representation.

Full text:

Please see attachments

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Written Representation
Attachments: Cantley with Branton Parish Council representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327540/cantley-with-branton-pc_10_10_2019_redacted.pdf

216

Support

MP2: Sand and Gravel Provision

Respondent: Carlton on Trent Parish Council (Ms Tanya Grimes, Clerk to Carlton on Trent Parish Council) [1666]

Summary:

Carlton on Trent Parish Council felt the plan was legally compliant but would like to be reassured that should any aspect change which would result in the need to review the level of provision from the identified sites, there would be further consultation before any change to the plan could occur.

The council is very concerned about the potential of an extension to the Cromwell site and its impact on the river Trent and the village of Carlton on Trent.

Full text:

Carlton on Trent Parish Council felt the plan was legally compliant but would like to be reassured that should any aspect change which would result in the need to review the level of provision from the identified sites, there would be further consultation before any change to the plan could occur.

The council is very concerned about the potential of an extension to the Cromwell site and its impact on the river Trent and the village of Carlton on Trent.

Change to plan:

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes
Appear exam: Written Representation
Attachments: None

219

Object

MP1: Aggregate Provision

Respondent: Cemex UK operations (Mr Mark Kelly) [7940]

Summary:**Policy MP1**

This policy has been based on evidence from the 2017 LAA, which relied on data to the end of 2016. It is not considered that the LAA, and this policy, make enough provision for sand and gravel going forward. The LAA notes that the 10 year average sales figure for sand and gravel continues to fall as a greater period of recession data is taken into account and that sales have remained flat. Planning Practice is clear that LAAs should forecast the demand for aggregates based on the 10-year rolling sales data and other relevant local information. While the LAA discusses future growth, this is not reflected in the future provision. The planned house building rates are similar to the completions seen in 2005 and the extraction rate in that year was over 3mt, which is almost double the 10-year rolling average of 1.7mt, and this does not take into account other infrastructure projects. The LAA also notes that the replacement of worked out quarries has remained low, but it takes time for the industry to find new sites and put forward for inclusion in the plan have not been taken forward. This is a significant under provision therefore and it is considered that the requirement for sand and gravel should be significantly higher. 3mt per annum, would equate to a requirement for 57mt over the plan period of 19 years, and not 32.3mt.

Full text:**Policy MP1**

This policy has been based on evidence from the 2017 LAA, which relied on data to the end of 2016. It is not considered that the LAA, and this policy, make enough provision for sand and gravel going forward. The LAA notes that the 10 year average sales figure for sand and gravel continues to fall as a greater period of recession data is taken into account and that sales have remained flat. Planning Practice is clear that LAAs should forecast the demand for aggregates based on the 10-year rolling sales data and other relevant local information. While the LAA discusses future growth, this is not reflected in the future provision. The planned house building rates are similar to the completions seen in 2005 and the extraction rate in that year was over 3mt, which is almost double the 10-year rolling average of 1.7mt, and this does not take into account other infrastructure projects. The LAA also notes that the replacement of worked out quarries has remained low, but it takes time for the industry to find new sites and put forward for inclusion in the plan have not been taken forward. This is a significant under provision therefore and it is considered that the requirement for sand and gravel should be significantly higher. 3mt per annum, would equate to a requirement for 57mt over the plan period of 19 years, and not 32.3mt.

Policy MP2

Previous responses have been made by CEMEX to this policy which have not been taken into account in this Publication Draft. A reserve assessment from Cromwell has resulted in 0.76mt less at Cromwell and so the figures in Policy MP² are incorrect and there are not 17.5mt of permitted reserves, there are 0.76mt less than that. The policy does not allow for sufficient flexibility, as the reserve figures are estimates and further assessment work often means a reduction in volumes. There is not enough flexibility in the plan to allow for the uncertainties of geological investigation nor the mitigation consequences of Environmental Impact Assessment that can often mean that some reserves cannot be worked for other reasons. CEMEX's site at Cromwell North, for which an application has been submitted, should be included.

Changes

Increase forecast demand to 57 million tonnes
 Amend reserves at Cromwell to 1.36mt
 Add Cromwell North quarry 1.8mt

Change to plan:

Increase the demand forecast to 57mt over the plan period

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

220

Object

MP2: Sand and Gravel Provision

Respondent: Cemex UK operations (Mr Mark Kelly) [7940]

Summary:**Policy MP2**

Previous responses have been made by CEMEX to this policy which have not been taken into account in this Publication Draft. A reserve assessment from Cromwell has resulted in 0.76mt less at Cromwell and so the figures in Policy MP² are incorrect and there are not 17.5mt of permitted reserves, there are 0.76mt less than that. The policy does not allow for sufficient flexibility, as the reserve figures are estimates and further assessment work often means a reduction in volumes. There is not enough flexibility in the plan to allow for the uncertainties of geological investigation nor the mitigation consequences of Environmental Impact Assessment that can often mean that some reserves cannot be worked for other reasons. CEMEX's site at Cromwell North, for which an application has been submitted, should be included.

Full text:**Policy MP1**

This policy has been based on evidence from the 2017 LAA, which relied on data to the end of 2016. It is not considered that the LAA, and this policy, make enough provision for sand and gravel going forward. The LAA notes that the 10 year average sales figure for sand and gravel continues to fall as a greater period of recession data is taken into account and that sales have remained flat. Planning Practice is clear that LAAs should forecast the demand for aggregates based on the 10-year rolling sales data and other relevant local information. While the LAA discusses future growth, this is not reflected in the future provision. The planned house building rates are similar to the completions seen in 2005 and the extraction rate in that year was over 3mt, which is almost double the 10-year rolling average of 1.7mt, and this does not take into account other infrastructure projects. The LAA also notes that the replacement of worked out quarries has remained low, but it takes time for the industry to find new sites and put forward for inclusion in the plan have not been taken forward. This is a significant under provision therefore and it is considered that the requirement for sand and gravel should be significantly higher. 3mt per annum, would equate to a requirement for 57mt over the plan period of 19 years, and not 32.3mt.

Policy MP2

Previous responses have been made by CEMEX to this policy which have not been taken into account in this Publication Draft. A reserve assessment from Cromwell has resulted in 0.76mt less at Cromwell and so the figures in Policy MP² are incorrect and there are not 17.5mt of permitted reserves, there are 0.76mt less than that. The policy does not allow for sufficient flexibility, as the reserve figures are estimates and further assessment work often means a reduction in volumes. There is not enough flexibility in the plan to allow for the uncertainties of geological investigation nor the mitigation consequences of Environmental Impact Assessment that can often mean that some reserves cannot be worked for other reasons. CEMEX's site at Cromwell North, for which an application has been submitted, should be included.

Changes

Increase forecast demand to 57 million tonnes
 Amend reserves at Cromwell to 1.36mt
 Add Cromwell North quarry 1.8mt

Change to plan:

Reduce permitted reserves at Cromwell from 2.4mt to 1.36mt
 Add Cromwell North to the list of allocated sites.

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

127

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Sherona clay [8775]

Summary:

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise
Impact on the natural environment, visual, nature designations, green belt.

Full text:

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise
Impact on the natural environment, visual, nature designations, green belt.

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: None

139

Support

Overview, Vision and Strategic Objectives

Respondent: Coddington Parish Council (Mrs Yvette Wellard) [2837]

Summary:

Positively prepared

- The assessments for future aggregate requirements are more realistic than previous plans, taking more account of lower demand in recent years, and this is welcomed by Coddington Parish Council.

Justified

- Coddington Parish Council supports the policy of spatial distribution of aggregates and the consideration given to distance and access to markets. The policy is well presented.
- Coddington Parish Council supports priority being given to the extension of existing sites providing there is no adverse effect on communities.
- Coddington Parish Council strongly supports the need for sustainable methods of transport to be used where possible, with the location of aggregate sources close to existing markets for minimum distances by road.

Full text:

COMMENTS ON SOUNDNESS

Positively prepared

- The assessments for future aggregate requirements are more realistic than previous plans, taking more account of lower demand in recent years, and this is welcomed by Coddington Parish Council.

Justified

- Coddington Parish Council supports the policy of spatial distribution of aggregates and the consideration given to distance and access to markets. The policy is well presented.
- Coddington Parish Council supports priority being given to the extension of existing sites providing there is no adverse effect on communities.
- Coddington Parish Council strongly supports the need for sustainable methods of transport to be used where possible, with the location of aggregate sources close to existing markets for minimum distances by road.

SOUNDNESS

Consistent with National Policy

- Where possible the re-introduction of agricultural land should be prioritised over biodiversity for increased production to meet future food needs of the UK population.

Change to plan:

SOUNDNESS

Consistent with National Policy

- Where possible the re-introduction of agricultural land should be prioritised over biodiversity for increased production to meet future food needs of the UK population.

Legally Yes

compliant:

Sound: Yes

Comply with Yes

duty:

Appear exam: Written Representation

Attachments: None

141

Object

S05: Minimising impacts on communities

Respondent: Mr John Collins [3481]

Summary:

Finally I understand that the County Council has failed to conform to its own Statement of Community Involvement, I can only conclude that it feels no obligation towards residents of adjacent areas which again I consider to be inconsiderate and wrong.

Full text:

Dear Committee

I wish to submit my objections to the various aspects of the above.

I am not personally likely to be affected, but feel saddened or disgusted in the NIMBY attitude of the Conservative CC and the Conservative RBC for me this is again being demonstrated by the above proposals.

The earlier example being the allowance of the Development of Housing on Prime Agricultural Green belt land adjacent to Clifton, which I appreciate is not relevant to this matter but for me together demonstrates shabby practice which I cannot support.

I consider that the Local Mineral Plan is unsound and unjustified should be withdrawn in it's current form. I cannot believe that in undertaking the analysis of the pattern of demand that consideration has been given to the regional availability of gravel just over the County boundaries of Leics and Derbys.

Likewise the implications on the Local Communities and roads concerning the distribution of the gravel from a busy hub along roads that are busy now and will be increasingly so when the Clifton Pastures Development is operational.

The transfer of gravel by conveyor up to the top of the hill from the Trent Valley and the storage/distribution plant on the skyline will impact of both local and more distant

communities both acoustically and in terms of air pollution.

The allocation of the site at Mill Hill MP2p and excluding the site at Shelford from your plan is wrong according to your own Sustainability Appraisal, it's also morally wrong to take important decisions like this for political reasons.

The Shelford Site offers greater opportunities, it is less connected to the local community has a longer potential life without excluding other areas it also offers more environmentally friendly delivery options via barge or road.

Finally I understand that the County Council has failed to conform to its own Statement of Community Involvement, I can only conclude that it feels no obligation towards residents of adjacent areas which again I consider to be inconsiderate and wrong.

Sincerely

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

140

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mr John Collins [3481]

Summary:

I am not personally likely to be affected, but feel saddened or disgusted in the NIMBY attitude of the Conservative CC and the Conservative RBC for me this is again being demonstrated by the above proposals.

The earlier example being the allowance of the Development of Housing on Prime Agricultural Green belt land adjacent to Clifton, which I appreciate is not relevant to this matter but for me together demonstrates shabby practice which I cannot support.

I consider that the Local Mineral Plan is unsound and unjustified should be withdrawn in it's current form. I cannot believe that in undertaking the analysis of the pattern of demand that consideration has been given to the regional availability of gravel just over the County boundaries of Leics and Derbys.

Likewise the implications on the Local Communities and roads concerning the distribution of the gravel from a busy hub along roads that are busy now and will be increasingly so when the Clifton Pastures Development is operational.

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The Shelford Site offers greater opportunities, it is less connected to the local community has a longer potential life without excluding other areas it also offers more environmentally friendly delivery options via barge or road.

Full text:

Dear Committee

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I am not personally likely to be affected, but feel saddened or disgusted in the NIMBY attitude of the Conservative CC and the Conservative RBC for me this is again being demonstrated by the above proposals.

The earlier example being the allowance of the Development of Housing on Prime Agricultural Green belt land adjacent to Clifton, which I appreciate is not relevant to this matter but for me together demonstrates shabby practice which I cannot support.

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Likewise the implications on the Local Communities and roads concerning the distribution of the gravel from a busy hub along roads that are busy now and will be increasingly so when the Clifton Pastures Development is operational.

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The allocation of the site at Mill Hill MP2p and excluding the site at Shelford from your plan is wrong according to your own Sustainability Appraisal, it's also morally wrong to take important decisions like this for political reasons.

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Finally I understand that the County Council has failed to conform to its own Statement of Community Involvement, I can only conclude that it feels no obligation towards residents of adjacent areas which again I consider to be inconsiderate and wrong.

Sincerely

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

8

Support

MP2: Sand and Gravel Provision

Respondent: Cromwell Parish Meeting (Mr David Swift, Chairman) [7619]

Summary:

The Minerals Local Plan is: Legally Compliant,

Sound,

and Complies with the duty to co-operate.

Cromwell Parish Meeting welcomes this plan.

The Meeting would, however, oppose any new or extended quarry in the parish after the closure of the existing Cemex quarry in 2022. In particular, any quarry extension towards Carlton-on-Trent would be strongly opposed, since it would victimise the family with their disabled son living at "Burnside".

Full text:

The Minerals Local Plan is: Legally Compliant,

Sound,

and Complies with the duty to co-operate.

Cromwell Parish Meeting welcomes this plan.

The Meeting would, however, oppose any new or extended quarry in the parish after the closure of the existing Cemex quarry in 2022. In particular, any quarry extension towards Carlton-on-Trent would be strongly opposed, since it would victimise the family with their disabled son living at "Burnside".

Change to plan:

-

Legally Not specified
 compliant:
 Sound: Not specified
 Comply with Not specified
 duty:
 Appear exam: Not specified
 Attachments: None

209

Object

S01: Improving the sustainability of minerals development

Respondent: Kay Davies [9170]

Summary:

Improving the sustainability of minerals development - S01 - is unsound and unjustified

- No meaningful analysis of the pattern of demand for sand and gravel across market areas has been undertaken by the County Council. Therefore there is nothing to justify the geographical spread of sites or the proposed 'spatial pattern of mineral development'.
- Allocation of sites should include the impact on local communities and the natural environment, they should be judged on their own merits and take into account all factors involved, not simply how far the minerals would be transported.

Full text:

I FEEL THAT THE MINERALS LOCAL PLAN IN IT'S EXISTING FORM SHOULD BE WITHDRAWN AS IT IS UNSOUND AND UNJUSTIFIED AS HIGHLIGHTED BELOW:

Improving the sustainability of minerals development - S01 - is unsound and unjustified

- No meaningful analysis of the pattern of demand for sand and gravel across market areas has been undertaken by the County Council. Therefore there is nothing to justify the geographical spread of sites or the proposed 'spatial pattern of mineral development'.
- Allocation of sites should include the impact on local communities and the natural environment, they should be judged on their own merits and take into account all factors involved, not simply how far the minerals would be transported.

Sand and Gravel Provision - MP2 - allocation of site MP2p is unsound and unjustified and should be removed

- According to the County Council's own Sustainability Appraisal the Mill Hill site, MP2p, adjacent to Barton in Fabis is more environmentally damaging and less sustainable than the Shelford site. Therefore the inclusion of Mill Hill is unsound and unjustified and should be removed from the minerals local plan.
- The plans inclusion of a site at Mill Hill adjacent to Barton in Fabis, site MP2p, and the subsequent removal of a previously included site at Shelford is unjustified and unsound. Therefore site MP2p at Mill Hill should be removed.
- An assertion that the site at Shelford is too large and would lead to 'limited provision' in other parts of the County supply is without any evidence or justification.
- The County Council has failed to allocate any sites which 'maximise the use of sustainable forms of transport including barge' in line with SP4.
- The removal of Shelford from the Minerals Local Plan is unsound and unjustified as Shelford would provide a more sustainable pattern of transport as deliveries to Colwick wharf would be closer to major markets.

Statement of Community Involvement - The County Council have failed to conform to it's own Statement of Community Involvement

- Paragraph 3.14 - 3.15 of the Statement of Community Involvement has not been complied with by the County Council who have failed to provide information on specific proposals to local communities.
- In over 1,000 communications from local people raising issues with the draft Minerals Local Plan there have been no meaningful responses.
- Information boards placed at Clifton Library have lead to discrimination against local residents due to restricted mobility and their inability to access the information.
- There have been no attempts to consult Communities outside of the County Council's boundary's who would be directly affected by the proposed plans, including Clifton Village and Clifton.

THE MINERALS LOCAL PLAN IN IT'S EXISTING FORM SHOULD BE WITHDRAWN AS IT IS UNSOUND AND UNJUSTIFIED.

I trust all communications raising points in relation to the 'soundness' of the current Minerals Local Plan will be taken into account.

Change to plan:

-

Legally No
 compliant:
 Sound: No
 Comply with No
 duty:
 Appear exam: Appearance at the examination
 Attachments: None

211

Object

S05: Minimising impacts on communities

Respondent: Kay Davies [9170]

Summary:

Statement of Community Involvement - The County Council have failed to conform to it's own Statement of Community Involvement

- Paragraph 3.14 - 3.15 of the Statement of Community Involvement has not been complied with by the County Council who have failed to provide information on specific proposals to local communities.
- In over 1,000 communications from local people raising issues with the draft Minerals Local Plan there have been no meaningful responses.
- Information boards placed at Clifton Library have lead to discrimination against local residents due to restricted mobility and their inability to access the information.
- There have been no attempts to consult Communities outside of the County Council's boundary's who would be directly affected by the proposed plans, including Clifton Village and Clifton.

Full text:

I FEEL THAT THE MINERALS LOCAL PLAN IN IT'S EXISTING FORM SHOULD BE WITHDRAWN AS IT IS UNSOUND AND UNJUSTIFIED AS HIGHLIGHTED BELOW:

Improving the sustainability of minerals development - S01 - is unsound and unjustified

- No meaningful analysis of the pattern of demand for sand and gravel across market areas has been undertaken by the County Council. Therefore there is nothing to justify the

geographical spread of sites or the proposed 'spatial pattern of mineral development'.

- Allocation of sites should include the impact on local communities and the natural environment, they should be judged on their own merits and take into account all factors involved, not simply how far the minerals would be transported.

Sand and Gravel Provision - MP2 - allocation of site MP2p is unsound and unjustified and should be removed

- According to the County Council's own Sustainability Appraisal the Mill Hill site, MP2p, adjacent to Barton in Fabis is more environmentally damaging and less sustainable than the Shelford site. Therefore the inclusion of Mill Hill is unsound and unjustified and should be removed from the minerals local plan.

- The plans inclusion of a site at Mill Hill adjacent to Barton in Fabis, site MP2p, and the subsequent removal of a previously included site at Shelford is unjustified and unsound. Therefore site MP2p at Mill Hill should be removed.

- An assertion that the site at Shelford is too large and would lead to 'limited provision' in other parts of the County supply is without any evidence or justification.

- The County Council has failed to allocate any sites which 'maximise the use of sustainable forms of transport including barge' in line with SP4.

- The removal of Shelford from the Minerals Local Plan is unsound and unjustified as Shelford would provide a more sustainable pattern of transport as deliveries to Colwick wharf would be closer to major markets.

Statement of Community Involvement - The County Council have failed to conform to it's own Statement of Community Involvement

- Paragraph 3.14 - 3.15 of the Statement of Community Involvement has not been complied with by the County Council who have failed to provide information on specific proposals to local communities.

- In over 1,000 communications from local people raising issues with the draft Minerals Local Plan there have been no meaningful responses.

- Information boards placed at Clifton Library have lead to discrimination against local residents due to restricted mobility and their inability to access the information.

- There have been no attempts to consult Communities outside of the County Council's boundary's who would be directly affected by the proposed plans, including Clifton Village and Clifton.

THE MINERALS LOCAL PLAN IN IT'S EXISTING FORM SHOULD BE WITHDRAWN AS IT IS UNSOUND AND UNJUSTIFIED.

I trust all communications raising points in relation to the 'soundness' of the current Minerals Local Plan will be taken into account.

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

210

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Kay Davies [9170]

Summary:

Sand and Gravel Provision - MP2 - allocation of site MP2p is unsound and unjustified and should be removed

- According to the County Council's own Sustainability Appraisal the Mill Hill site, MP2p, adjacent to Barton in Fabis is more environmentally damaging and less sustainable than the Shelford site. Therefore the inclusion of Mill Hill is unsound and unjustified and should be removed from the minerals local plan.

- The plans inclusion of a site at Mill Hill adjacent to Barton in Fabis, site MP2p, and the subsequent removal of a previously included site at Shelford is unjustified and unsound. Therefore site MP2p at Mill Hill should be removed.

- An assertion that the site at Shelford is too large and would lead to 'limited provision' in other parts of the County supply is without any evidence or justification.

- The County Council has failed to allocate any sites which 'maximise the use of sustainable forms of transport including barge' in line with SP4.

- The removal of Shelford from the Minerals Local Plan is unsound and unjustified as Shelford would provide a more sustainable pattern of transport as deliveries to Colwick wharf would be closer to major markets.

Full text:

I FEEL THAT THE MINERALS LOCAL PLAN IN IT'S EXISTING FORM SHOULD BE WITHDRAWN AS IT IS UNSOUND AND UNJUSTIFIED AS HIGHLIGHTED BELOW:

Improving the sustainability of minerals development - SO1 - is unsound and unjustified

- No meaningful analysis of the pattern of demand for sand and gravel across market areas has been undertaken by the County Council. Therefore there is nothing to justify the geographical spread of sites or the proposed 'spatial pattern of mineral development'.

- Allocation of sites should include the impact on local communities and the natural environment, they should be judged on their own merits and take into account all factors involved, not simply how far the minerals would be transported.

Sand and Gravel Provision - MP2 - allocation of site MP2p is unsound and unjustified and should be removed

- According to the County Council's own Sustainability Appraisal the Mill Hill site, MP2p, adjacent to Barton in Fabis is more environmentally damaging and less sustainable than the Shelford site. Therefore the inclusion of Mill Hill is unsound and unjustified and should be removed from the minerals local plan.

- The plans inclusion of a site at Mill Hill adjacent to Barton in Fabis, site MP2p, and the subsequent removal of a previously included site at Shelford is unjustified and unsound. Therefore site MP2p at Mill Hill should be removed.

- An assertion that the site at Shelford is too large and would lead to 'limited provision' in other parts of the County supply is without any evidence or justification.

- The County Council has failed to allocate any sites which 'maximise the use of sustainable forms of transport including barge' in line with SP4.

- The removal of Shelford from the Minerals Local Plan is unsound and unjustified as Shelford would provide a more sustainable pattern of transport as deliveries to Colwick wharf would be closer to major markets.

Statement of Community Involvement - The County Council have failed to conform to it's own Statement of Community Involvement

- Paragraph 3.14 - 3.15 of the Statement of Community Involvement has not been complied with by the County Council who have failed to provide information on specific proposals to local communities.

- In over 1,000 communications from local people raising issues with the draft Minerals Local Plan there have been no meaningful responses.
- Information boards placed at Clifton Library have lead to discrimination against local residents due to restricted mobility and their inability to access the information.
- There have been no attempts to consult Communities outside of the County Council's boundary's who would be directly affected by the proposed plans, including Clifton Village and Clifton.

THE MINERALS LOCAL PLAN IN IT'S EXISTING FORM SHOULD BE WITHDRAWN AS IT IS UNSOUND AND UNJUSTIFIED.

I trust all communications raising points in relation to the 'soundness' of the current Minerals Local Plan will be taken into account.

Change to plan:

-
Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

274

Object

MP2: Sand and Gravel Provision

Respondent: Peter Doyle [2788]

Petition: 2 petitioners

Summary:

In regard to the above notification, we would like to comment on the above consultation.

1. Is the plan legally compliant?

We do not think this plan is legally compliant as it did not adhere to the decision made by the Secretary of State Independent Inspector in the 2005 Adopted Mineral Local Plan which was not complied with.

As our objection relates to quarrying in the idle valley, then this too was the objective of the Secretary of State Independent Inspector who had stipulated in the plan, that there should be no more proposals to quarry in the idle valley until the proposed quarry, Sturton Le Steeple, was near to exhaustion. This was the site choice chosen by the independent inspector.

The Sturton Le Steeple quarry has over 20 years of mineral reserves, and a possible extension of a further 6 years. However, the mineral operator, Tarmac who owns the rights to both Botany Bay and Sturton Le Steeple, appealed at the consultation, that the Botany Bay site should also gain approval - however the independent inspector disagreed and stipulated that no further sites would be needed, due to the extent of the mineral reserves in the Sturton Le Steeple quarry.

As the Mineral Local Plan can span years before the final decision is taken, then the decision taken by the Secretary of State should not be taken lightly, either by the mineral operator or the planning department.

However this site at Sturton Le Steeple, after three years of gaining its planning approval, was mothballed for 5 years on the request of Tarmac, and consequently approved by the planning department. The NCC in the call for sites stage then allowed further sites to be submitted from the idle valley which included Botany Bay, the site the independent inspector had previously refused.

We are now in a unfavourable position, of having further quarrying in an area which is now decimating the area on the A638, some which are in the Mineral Local plan, but others which are not.

We have up to recently been contesting a planning application to quarry at Barnby Moor, issued in December 2018, due to its failure to submit correct information on the application it was withdrawn on the 24th September 2019,. However, Hanson first planning application issued in February 2018 also went to consultation but that too was invalidated and that too was eventually withdrawn,

In regard to the above, we are not sure if this is a temporary move by the applicant or not.

The interest in this land at College Farm, Barnby Moor is between Hanson UK and Rotherham Sand and Gravel Company, both sites are adjacent to each other - so again, the Rotherham Sand and Gravel company could also pursue a planning application on this site, as it has other proposed sites in the Mineral Local Plan , and in all probability when these sites have been exhausted, it will then pursue applying for planning at Barnby Moor.

As Tarmac, also commissioned a scoping report on Botany Bay, 'south of Barnby Moor, then this also is another site that is not visible in the MLP but no doubt will be aggressively pursued in the foreseeable future. So in 'less than one mile radius' we could be subjected to a further three foreseeable quarries in the future, which will not only be a blight on our landscape and community, but also the loss of the most best and valuable source of agricultural land.

All the above sites have the worse SA scores throughout the County, the worse of these are Barnby Moor at -15, and yet the mineral operators have been able to get a foothold in this area, due to the Secretary of State decision, not being upheld.

The only safeguard we have to protect this area is to uphold the decision made by the Secretary of State and insist that Tarmac does the same by getting the full potential out of the quarry at Sturton Le Steeple, - which will prevent the onslaught on these rural villages, if they are allowed to quarry every few miles on the A638.

In regard to Tarmac, who own the rights on Botany Bay and Sturton Le Steeple. The latter of these sites have gained planning approval, but has never been worked and the quarry at Girton in which they also own is presently mothballed and has recently gained approval that it can remain like this until 2035.

We believe the planning department is responsible for this action taken by Tarmac, as it encourages the above action of mothballing sites, rather than insisting it adheres to the decision made by the Secretary of State, it condones their action, by allowing Tarmac to submit further sites, when its intent is simply to gain planning consent and then mothball them.

Although we are told that the decision made by the Secretary of State is final, it actually is not, as it can be simply tweaked to the mineral operators advantage, allowing them the final decision to decide to which sites are worked and to which sites are not?

In conclusion to this section, we would like the decision to be upheld by the Secretary of State and that the Sturton Le Steeple quarry should now be developed to its full potential, to protect and prevent further sites in the idle valley, in or out of the Mineral Local Plan from further quarrying. If this cannot be assured then what prevents the mineral operators abusing the Secretary of State final decision again in the future, if no action is put in place to prevent it.

2. Justified/Sound

The decision taken by the Secretary of State to choose the quarry at Sturton Le Steeple was a justified and sound decision, it took reasonable alternatives into account and it was based on proportionate evidence. However as the Independent inspector decision was not acted upon, and contrary actions were taken, then this makes the decision to mothball the appropriate quarry at Sturton Le Steeple and submit further sites in the idle valley an unjustified and unsound plan, and it should be refused.

Consistent with national policy

Protecting our most best and versatile soils

Due to the increases of sites in the idle valley that will be required as an alternative choice to Sturton Le Steeple, then not only will it require choosing more sites for quarrying in the idle valley, it will also detrimentally change our rural landscape. Equally as important, quarrying in an area which has the most best and versatile soil, will not only rob us of the natural beauty of the countryside, but also our most valuable agricultural soil, in which is

specific for this purpose.

In conclusion we think it is paramount that a decision made by the Secretary of State, should stand, and not be diminished by those with alternative motives.

Full text:

In regard to the above notification, we would like to comment on the above consultation.

1. Is the plan legally compliant?

We do not think this plan is legally compliant as it did not adhere to the decision made by the Secretary of State Independent Inspector in the 2005 Adopted Mineral Local Plan which was not complied with.

As our objection relates to quarrying in the idle valley, then this too was the objective of the Secretary of State Independent Inspector who had stipulated in the plan, that there should be no more proposals to quarry in the idle valley until the proposed quarry, Sturton Le Steeple, was near to exhaustion. This was the site choice chosen by the independent inspector.

The Sturton Le Steeple quarry has over 20 years of mineral reserves, and a possible extension of a further 6 years. However, the mineral operator, Tarmac who owns the rights to both Botany Bay and Sturton Le Steeple, appealed at the consultation, that the Botany Bay site should also gain approval - however the independent inspector disagreed and stipulated that no further sites would be needed, due to the extent of the mineral reserves in the Sturton Le Steeple quarry.

As the Mineral Local Plan can span years before the final decision is taken, then the decision taken by the Secretary of State should not be taken lightly, either by the mineral operator or the planning department.

However this site at Sturton Le Steeple, after three years of gaining its planning approval, was mothballed for 5 years on the request of Tarmac, and consequently approved by the planning department. The NCC in the call for sites stage then allowed further sites to be submitted from the idle valley which included Botany Bay, the site the independent inspector had previously refused.

We are now in a unfavourable position, of having further quarrying in an area which is now decimating the area on the A638, some which are in the Mineral Local plan, but others which are not.

We have up to recently been contesting a planning application to quarry at Barnby Moor, issued in December 2018, due to its failure to submit correct information on the application it was withdrawn on the 24th September 2019,. However, Hanson first planning application issued in February 2018 also went to consultation but that too was invalidated and that too was eventually withdrawn,

In regard to the above, we are not sure if this is a temporary move by the applicant or not.

The interest in this land at College Farm, Barnby Moor is between Hanson UK and Rotherham Sand and Gravel Company, both sites are adjacent to each other - so again, the Rotherham Sand and Gravel company could also pursue a planning application on this site, as it has other proposed sites in the Mineral Local Plan , and in all probability when these sites have been exhausted, it will then pursue applying for planning at Barnby Moor.

As Tarmac, also commissioned a scoping report on Botany Bay, 'south of Barnby Moor, then this also is another site that is not visible in the MLP but no doubt will be aggressively pursued in the foreseeable future. So in 'less than one mile radius' we could be subjected to a further three foreseeable quarries in the future, which will not only be a blight on our landscape and community, but also the loss of the most best and valuable source of agricultural land.

All the above sites have the worse SA scores throughout the County, the worse of these are Barnby Moor at -15, and yet the mineral operators have been able to get a foothold in this area, due to the Secretary of State decision, not being upheld.

The only safeguard we have to protect this area is to uphold the decision made by the Secretary of State and insist that Tarmac does the same by getting the full potential out of the quarry at Sturton Le Steeple, - which will prevent the onslaught on these rural villages, if they are allowed to quarry every few miles on the A638.

In regard to Tarmac, who own the rights on Botany Bay and Sturton Le Steeple. The latter of these sites have gained planning approval, but has never been worked and the quarry at Girton in which they also own is presently mothballed and has recently gained approval that it can remain like this until 2035.

We believe the planning department is responsible for this action taken by Tarmac, as it encourages the above action of mothballing sites, rather than insisting it adheres to the decision made by the Secretary of State, it condones their action, by allowing Tarmac to submit further sites, when its intent is simply to gain planning consent and then mothball them.

Although we are told that the decision made by the Secretary of State is final, it actually is not, as it can be simply tweaked to the mineral operators advantage, allowing them the final decision to decide to which sites are worked and to which sites are not?

In conclusion to this section, we would like the decision to be upheld by the Secretary of State and that the Sturton Le Steeple quarry should now be developed to its full potential, to protect and prevent further sites in the idle valley, in or out of the Mineral Local Plan from further quarrying. If this cannot be assured then what prevents the mineral operators abusing the Secretary of State final decision again in the future, if no action is put in place to prevent it.

2. Justified/Sound

The decision taken by the Secretary of State to choose the quarry at Sturton Le Steeple was a justified and sound decision, it took reasonable alternatives into account and it was based on proportionate evidence. However as the Independent inspector decision was not acted upon, and contrary actions were taken, then this makes the decision to mothball the appropriate quarry at Sturton Le Steeple and submit further sites in the idle valley an unjustified and unsound plan, and it should be refused.

Consistent with national policy

Protecting our most best and versatile soils

Due to the increases of sites in the idle valley that will be required as an alternative choice to Sturton Le Steeple, then not only will it require choosing more sites for quarrying in the idle valley, it will also detrimentally change our rural landscape. Equally as important, quarrying in an area which has the most best and versatile soil, will not only rob us of the natural beauty of the countryside, but also our most valuable agricultural soil, in which is specific for this purpose.

In conclusion we think it is paramount that a decision made by the Secretary of State, should stand, and not be diminished by those with alternative motives.

Change to plan:

-

Legally compliant: No

Sound: No

Comply with No duty:

Appear exam: Appearance at the examination

Attachments: None

MP12: Oil and Gas**Respondent:** Egdon Resources UK Limited [9155]**Agent:** Miss Helen Woodmancy**Summary:**

The thrust of the policy is welcomed as it makes no distinction between conventional and unconventional oil and gas. The general support for the exploration and appraisal of oil and gas is also welcomed.

It is unclear from the policy if there are three tests - to prove exceptional circumstances, to show that the reasons for designation are not compromised and thirdly, a need for the development.

We therefore wish to see 1a and 2a deleted as they are unnecessary and not justified.

Full text:**Policy M12: Oil and Gas**

The thrust of the policy is welcomed as it makes no distinction between conventional and unconventional oil and gas. The general support for the exploration and appraisal of oil and gas is also welcomed. However, the wording of the first part of the policy (1a) is not justified as well as being confusing and unclear. Firstly, there is no glossary in the draft Plan which defines "protected areas". There is no definition in the NPPF to assist. More importantly, the inclusion of protected areas is unnecessary as an applicant will need to demonstrate that the proposal is in accordance with development plan policies including those which apply to protected areas such as SSSIs and conservation areas.

The requirement for the need for development to be demonstrated (1a and 2a) is at odds with national planning policy guidance, the Minerals PPG and the written ministerial statements. The Government fully supports indigenous supplies of oil and gas in order to reduce imports and manage security of supply. The Committee on Climate Change report of May 2019 on Net Zero Emissions acknowledges that the UK will continue to require oil and gas up to and beyond 2050.

It is unclear from the policy if there are three tests - to prove exceptional circumstances, to show that the reasons for designation are not compromised and thirdly, a need for the development.

We therefore wish to see 1a and 2a deleted as they are unnecessary and not justified.

Change to plan:

We therefore wish to see 1a and 2a deleted as they are unnecessary and not justified.

Legally No**compliant:****Sound: No****Comply with Yes****duty:****Appear exam:** Not specified**Attachments:** None**SP3: Climate Change****Respondent:** Environment Agency (Mr Joseph Drewry, Planning Advisor) [8128]**Summary:**

We welcome this policy inclusion within the Mineral Plan and the requirements for minimising the risks upon climate change. We had previously asked that all mineral development should reduce, or as a minimum, cause no increases in their impact on the causes of climate change in our response to the draft mineral plan and would reiterate this for inclusion.

We also asked that water resources and water quality are added into part c) of the policy as restoration could offer future opportunities to so support the adaptation to climate change.

Full text:

Publication Version of the Nottinghamshire Mineral Plan

Thank you for the opportunity to comment on the Publication version of the Nottinghamshire Minerals Local Plan.

The Environment Agency supports the publication of this Local Plan.

The Environment Agency is satisfied that the Local Plan is legally compliant.

The Environment Agency is satisfied that the Local Plan is sound.

We welcome the comments made in the responses from the council to the draft mineral plan about the changes between minimised and mitigated. We accept the reason that minimised has been kept within the wording.

SP3 Climate Change

We welcome this policy inclusion within the Mineral Plan and the requirements for minimising the risks upon climate change. We had previously asked that all mineral development should reduce, or as a minimum, cause no increases in their impact on the causes of climate change in our response to the draft mineral plan and would reiterate this for inclusion.

We also asked that water resources and water quality are added into part c) of the policy as restoration could offer future opportunities to so support the adaptation to climate change.

SP5 – The Built, Historic and Natural Environment

We previously highlighted the change of date for the Water Framework Directive (WFD), to 2027. We note that this wording doesn't appear to be mentioned now within the document.

Water Resources Information

We have previously highlighted the changes to water abstraction regulations (new authorisations) that now requires abstractions, such as dewatering, that were previously exempt from permitting, to be brought into the permitting process, and now require an abstraction licence.

We reiterate this point and highlight that a number of sites previously mentioned will have difficulties obtaining new abstraction licences for water due to these changes, which could impact upon the viability of the sites. We wish to reiterate this non planning matter to the Local Planning Authority (LPA) for their consideration. Recent mineral applicants within these closed catchemnts, where planning permission has been granted, have subsequently come to the Environment Agency to discuss the requirements for a permit application. The Environment Agency permitting team have started the process of advising on the environmental permit process highlighting than an abstraction licence would be unlikely to be granted, however the EA have advised that some options, including neutral water balance options such as water reinjection or trading the rights to abstract groundwater should be considered.

Policy MP6: Brick Clay Provision

We note that the site area previously identified in the draft has now been removed.

Policy DM2: Water Resources and Flood Risk

We previously made comments about the layout and the wording of this particular policy. For information we reiterated that consideration was needed to whether the policy should be split up into separate ones, one for water resources, and the other for flooding. We also mentioned that as water quality is mentioned within the policy, then water quality should be included in the title of this policy.

In section 5.31 we previously mentioned that we would query that mineral extraction can increase flood risk elsewhere. We would reiterate that no development, no matter how temporary should not increase flood risk elsewhere as per the requirements of the National Planning Policy Framework.

Policy DM3: Agricultural land and soil quality

We welcome the inclusion of this policy.

Policy DM4: Protection and Enhancement of Biodiversity and Geodiversity

We welcome point 3 of this policy stating that biodiversity will be enhanced. Biodiversity net gain is a key matter to consider for any future mineral developments.

Policy DM12: Restoration, aftercare and after-use

We did ask that detailed information for flood risk and possible reductions in flood risk are included where full restoration plans are not provided.

Site Allocations

We have previously highlighted our comments on the proposed sites within the Mineral Plan. As per our comments relating to water resources and the new authorisations we would reiterate that a number of these sites will find it unlikely that any application for an abstraction licence will be approved. This risk needs to be understood by the Mineral Planning Authority and quarry operators and the permit requirements for each site need to be understood at the same time as, or before planning is applied for. We would reiterate that at the very least parallel tracking of both the planning and permitting processes should be undertaken, or even the permitting process be undertaken beforehand. This requirement should be added into the site briefs.

Yours sincerely

Change to plan:

We had previously asked that all mineral development should reduce, or as a minimum, cause no increases in their impact on the causes of climate change in our response to the draft mineral plan and would reiterate this for inclusion.

We also asked that water resources and water quality are added into part c) of the policy as restoration could offer future opportunities to so support the adaptation to climate change.

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes
Appear exam: Appearance at the examination
Attachments: None

242

Support

SP5: The Built, Historic and Natural Environment

Respondent: Environment Agency (Mr Joseph Drewry, Planning Advisor) [8128]

Summary:

We previously highlighted the change of date for the Water Framework Directive (WFD), to 2027. We note that this wording doesn't appear to be mentioned now within the document.

Full text:

Publication Version of the Nottinghamshire Mineral Plan

Thank you for the opportunity to comment on the Publication version of the Nottinghamshire Minerals Local Plan.

The Environment Agency supports the publication of this Local Plan.

The Environment Agency is satisfied that the Local Plan is legally compliant.

The Environment Agency is satisfied that the Local Plan is sound.

We welcome the comments made in the responses from the council to the draft mineral plan about the changes between minimised and mitigated. We accept the reason that minimised has been kept within the wording.

SP3 Climate Change

We welcome this policy inclusion within the Mineral Plan and the requirements for minimising the risks upon climate change. We had previously asked that all mineral development should reduce, or as a minimum, cause no increases in their impact on the causes of climate change in our response to the draft mineral plan and would reiterate this for inclusion.

We also asked that water resources and water quality are added into part c) of the policy as restoration could offer future opportunities to so support the adaptation to climate change.

SP5 – The Built, Historic and Natural Environment

We previously highlighted the change of date for the Water Framework Directive (WFD), to 2027. We note that this wording doesn't appear to be mentioned now within the document.

Water Resources Information

We have previously highlighted the changes to water abstraction regulations (new authorisations) that now requires abstractions, such as dewatering, that were previously exempt from permitting, to be brought into the permitting process, and now require an abstraction licence.

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Policy MP6: Brick Clay Provision

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Policy DM3: Agricultural land and soil quality

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Yours sincerely

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: None

244

Support

MP6: Brick Clay Provision

Respondent: Environment Agency (Mr Joseph Drewry, Planning Advisor) [8128]

Summary:

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Full text:

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Yours sincerely

Change to plan:

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: None

245

Support

DM2: Water Resources and Flood Risk

Respondent: Environment Agency (Mr Joseph Drewry, Planning Advisor) [8128]

Summary:

We previously made comments about the layout and the wording of this particular policy. For information we reiterated that consideration was needed to whether the policy should be split up into separate ones, one for water resources, and the other for flooding. We also mentioned that as water quality is mentioned within the policy, then water quality should be included in the title of this policy.

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Yours sincerely

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes
Appear exam: Appearance at the examination
Attachments: None

246

Support

DM3: Agricultural Land and Soil Quality

Respondent: Environment Agency (Mr Joseph Drewry, Planning Advisor) [8128]

Summary:

We welcome the inclusion of this policy

Full text:

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SP3 Climate Change

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We also asked that water resources and water quality are added into part c) of the policy as restoration could offer future opportunities to so support the adaptation to climate change.

SP5 – The Built, Historic and Natural Environment

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We welcome the inclusion of this policy.

Policy DM4: Protection and Enhancement of Biodiversity and Geodiversity

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Policy DM12: Restoration, aftercare and after-use

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Yours sincerely

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: None

247

Support

DM4: Protection and enhancement of Biodiversity and Geodiversity

Respondent: Environment Agency (Mr Joseph Drewry, Planning Advisor) [8128]

Summary:

We welcome point 3 of this policy stating that biodiversity will be enhanced. Biodiversity net gain is a key matter to consider for any future mineral developments.

Full text:

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Yours sincerely

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: None

248

Support

DM12: Restoration, aftercare and after-use

Respondent: Environment Agency (Mr Joseph Drewry, Planning Advisor) [8128]

Summary:

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Change to plan:

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Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: None

243

Support

Appendix 2: Site Allocation Development Briefs

Respondent: Environment Agency (Mr Joseph Drewry, Planning Advisor) [8128]

Summary:

Water Resources Information

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Yours sincerely

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes
Appear exam: Appearance at the examination
Attachments: None

271

Object

SP4: Sustainable Transport

Respondent: Finningley Parish Council (Julie Leighton-Eshelby, Clerk to the Parish Council) [861]

Summary:

In isolation the proposals to develop sites at Austerfield, Misson, Bamby Moor and Scrooby seem innocuous, however when considered alongside existing and proposed developments in both Nottinghamshire and the DMBC area, we have serious concerns about the impact on our communities, particularly the potential increase in Heavy Goods and other vehicles on an already busy road network in and around our villages.
 We would oppose the development of these sites as proposed in the recent planning applications and question their inclusion in the Minerals Plan without conditions being set, within the plan, to mitigate their potential impact on our communities.

Please see attachments for further detail and evidence provided.

Full text:

Please see attachments

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Written Representation
Attachments: Finningley Parish Council representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327541/finningley-pc_10_10_2019_redacted.pdf

230

Object

MP12: Oil and Gas

Respondent: Frack Free Isle (Liz Harvey) [9174]

Petition: 27 petitioners

Summary:

Frack Free Misson's response to Nottinghamshire Country Council Minerals Local Plan Publication Version 30th August 2019 – 11th October 2019 is focussed on fracking. The extraction of all fossil fuels has huge environmental impact, and fracking brings additional environmental concerns.
 This is diametrically opposed to UK Policy on the reduction of carbon emissions.
 We believe that this plan is not "sound". We have listed our reasons below.

1. Policy MP 12 Oil and Gas section 4.108 - NCC has excluded consideration of a separate fracking policy and failed to comply with the current national policy on climate change. Shale gas is extracted by unconventional means and is very different from conventional oil and gas extraction. Therefore NCC should take a more precautionary approach and have a separate Policy within their Minerals Plan to cover fracking.
2. Nottinghamshire Minerals Local Plan Sustainability Appraisal Report May 2019 Policy MP12 Oil and Gas Pages 185-187. We have stated previously that fracking should be covered by a separate Policy. It is quite clear that reference the extraction of fossil fuels, it is impossible to mitigate or avoid areas of vulnerability to climate change.

Please see the full submission and attachment for further evidence supporting the response.

Full text:

Frack Free Misson's response to Nottinghamshire Country Council Minerals Local Plan Publication Version 30th August 2019 – 11th October 2019 is focussed on fracking. The extraction of all fossil fuels has huge environmental impact, and fracking brings additional environmental concerns.
 This is diametrically opposed to UK Policy on the reduction of carbon emissions.
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POLLUTION

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16. Section 2.13 Nature highlights important SSSIs and Local Wildlife Centres around the County being restored and managed after historic declines have been halted. The area around Misson and Misson Springs is home to multiple SSSIs, one of which borders the Springs Road potential fracking site. These are home to a number of protected species such as great crested newts, long eared owls, bats, turtle doves, moths, marsh and hen harriers, rare orchids and grasses.

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We hope that you will consider very carefully our researched and thought out submission.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Frack Free Isle representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327542/frack-free-isle-11_10_2019_redacted.pdf

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Object

MP12: Oil and Gas

Respondent: Frack Free Misson (Ms Susan Howard) [9172]

Petition: 19 petitioners

Summary:

Frack Free Misson's response to Nottinghamshire Country Council Minerals Local Plan Publication Version 30th August 2019 – 11th October 2019 is focussed on fracking. The

extraction of all fossil fuels has huge environmental impact, and fracking brings additional environmental concerns.

This is diametrically opposed to UK Policy on the reduction of carbon emissions.

We believe that this plan is not "sound". We have listed our reasons below.

1. Policy MP 12 Oil and Gas section 4.108 - NCC has excluded consideration of a separate fracking policy and failed to comply with the current national policy on climate change. Shale gas is extracted by unconventional means and is very different from conventional oil and gas extraction. Therefore NCC should take a more precautionary approach and have a separate Policy within their Minerals Plan to cover fracking.

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Full text:

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Object

MP12: Oil and Gas

Respondent: Frack free Nottinghamshire (Mr Peter Jaggard) [8139]

Summary:

(Continue on a separate sheet/expand box if necessary)

FFN finds that the justification for Policy MP12 is largely unchanged from the initial version of the Plan to which it objected in 2016, and that its extensive comments, including those in response to the draft Plan in September 2018, have received little credence from the MPA and minimal coverage/feedback in the Summary of Consultation document. There is a short explanation in one paragraph (4-108) headed by the statement "it is considered that there is no justifiable reason in planning policy terms to separate shale gas from other hydrocarbon development" and thus an assumed reliance upon other development management policies in the Plan to confront any adverse impact of such development. FFN regards this approach as too complacent when other MPAs in areas licenced for oil & gas exploration have seen fit to develop and adopt more appropriate policies, dedicated to the special difficulties that can be encountered by major shale gas extraction (MPAs include North Yorkshire, Cumbria and Kirkcaldy).

Having an all-purpose policy for all hydrocarbon minerals fails to recognise that hydraulic fracking will give rise to a very different set of local circumstances compared to the conventional exploration of hydrocarbons. This is largely due to the depth of drilling and scale of the proposed surface operations should sufficient reserves be found. It should thus be treated as a special case where proposals do not necessarily merit approval solely on the basis that development management policy criteria are met.

In this sense MP12 is unsound because there is evidence (see below) of widespread harm to the environment and health (especially via atmospheric pollution and water contamination) of affected communities that shale gas-field development has caused elsewhere in the world, and this can be attributed to its sheer scale as well as poor regulation. Therefore FFN believes that the County Council has cause to be more circumspect in its treatment of applications involving exploration and production of shale gas, especially as it admits in para 4.102 that in the USA it is "exploited on a very large scale".

The Submission Draft Local Plan of 2014 did recognise in para 4.112, that shale gas extraction is "a very intensive activity", but tellingly, this has been omitted from subsequent versions (see now para. 4.103). The implication is that getting gas or oil out of shale rock is in the same league as getting 'conventional' hydrocarbons out of permeable rock formations (which allow gas or oil to flow smoothly to a well head from some distance). This is clearly misleading. In fact, high volume hydraulic fracturing of shale needs to take place deep underground using horizontal drilling which has so far occurred only in Lancashire in the UK (at Preese Hall and Preston New Road) by Cuadrilla in the period 2011-19. In both locations, this process has been sufficiently intense to trigger significant earth tremors leading to exploration being abandoned or postponed.

The Government has recently been warned by a report from Professor Styles of the risk that deep fracking can trigger seismic activity in former mining areas (Ref: <https://www.parliament.uk/edm/2017-19/1303>

<http://www.talkfracking.org/wp-content/uploads/2018/05/Fracking-and-Mining-Styles-Final.pdf>). This is a legitimate concern in the northern part of the Nottinghamshire coalfield where the most extensive shale gas resource underlies mine workings areas, and in the light of Government proposals to introduce permitted development rights for exploratory drilling, so it is clear that tighter rather than looser regulation should apply in Nottinghamshire. Professor Styles has recommended high resolution mapping of fault lines and a minimum separation distance of 500m of hydraulic fracking from mine workings and 850m from any fault lines.

Since there are regular tremors recorded in parts of the county, the MPA must view seismicity reports from the appropriate regulator with great care. If shale gas production were to proceed, the biggest threat from these earth movements is of damage to well linings which can lead to leakage of toxic fluids and gases. Such leakage can in turn contaminate the groundwater resources which coincide with much of the Nottinghamshire coalfield and whose protection (including from deep drilling) should be subject to a precautionary, minimal tolerance approach (as per the EU Water Framework Directive).

It should be understood that in production hydraulic fracking can only be carried out up to a mile or so from the wellhead. This requires the building of well-pads* every few miles which leads to potentially extensive infrastructure: ie not only multiple well-pads but also roadways, generators, 24 hour lighting and pipelines etc capable of industrialising the countryside, disrupting agriculture and overwhelming local communities. The extent of cumulative impacts is likely to be considerable and thus beyond the experience of the County Council which seems as yet unable to envisage what a full-scale gas field landscape might look like.

[*NB. estimated as up to one hundred times the number of wells for the same amount of gas as in a conventional gas field]

Beyond the visual prominence of a mass of drilling rigs, fracking sites are known to create a gasfield haze at scale. This can be caused by a 'cocktail' of ozone, BTEX (incl benzene & toluene), and diesel fumes from heavy vehicles and generators – which will include particulates and nitrogen oxides. In addition, the local infrastructure will be further tested by regular heavy lorry movements to carry the large volume of water required to be pumped underground and returned for disposal as contaminated wastewater.

Indeed the range of issues from the Government's Planning Practice Guidance on Onshore Oil & Gas (DCLG July 2013) that MPAs are obliged to satisfy themselves about for such applications, and indeed the very publication of such guidance, should serve to underline the merit of a separate policy incorporating 'tailor-made' measures. Moreover, in the interests of public health and environmental protection when applying these measures, it is hoped that the County Council will avoid relying entirely on advice on from overstretched and underfunded Government agencies, notably the Environment Agency, and should avail itself of independent advice that is based on peer reviewed academic studies.

MP12 is also unsound because it fails to take climate change objectives and provisions of the Climate Change Act 2008 properly into account. A key reason for concern about proposals to extract large volumes of methane gas is that they involve a fossil fuel which, when burnt, will generate significant carbon emissions. This brings into question whether the

County Council is truly "committed to tackling the causes of climate change ...and securing reductions in greenhouse gas emissions" through the planning process (see paragraph 3.30), especially in light of the legal requirement within the Planning & Compulsory Purchase Act 2004,s19(1A).

The MPA is hamstrung partly by policy advice from the Government which has supported fracking activity mainly on the basis that it can provide a bridge to a low carbon economy. However this claim has been quashed by a High Court decision in May 2019 which has subsequently led to a revision of former para 209a (NB. It now becomes para 205) of the National Planning Policy Framework (NPPF). Elsewhere, however, para 149 of the revised NPPF urges that "Plans should take a proactive approach in mitigating and adapting to climate change..." which surely provides a good platform for reconsidering Policy MP12.

At present it appears that the MPA is too ready to trust the effectiveness of MP12 and a range of development management policies in dealing with the significant social, economic and environmental upheaval that the shale gas industry might bring to communities in the county. The already drilled site at Misson in Bassetlaw is the likely stage for gauging the level of such upheaval shortly since planning applications are expected for its production stage later in 2019. One often overlooked factor is the considerable business risks taken by fracking companies. The costs of developing unconventional gas fields are high, such that many of the companies are heavily indebted. Indeed there is a history of losses and capital restructurings amongst operators such as Island Gas (involved at Misson) - which has led to sell-offs and the abandonment of sites to avoid legal or planning enforcement action. Given this potential outcome, it is wise for MPAs to insist on a sizeable public insurance bond at the planning stage in case of abandonment or a major pollution incident prior to the satisfactory completion of restoration measures.

Since methane is the most damaging of greenhouse gases, a willingness to entertain applications for unconventional hydrocarbons, which will be burned or escape into the atmosphere (NB complex extraction techniques run a high risk of leakage), is at odds with Policy SP3 which aims "to minimise the impact of minerals development upon climate change" and "move towards a low carbon economy". This stems from a fundamental inconsistency in the NPPF. FFN recommends that the aspiration for a low carbon transition should be deleted to accord with the recent High Court decision (by Justice Dove) referenced above, and that the MPA should pursue an approach taken in the adopted Kirklees Local Plan (2019). Under Policy LP42 (Proposals for production of hydrocarbons) Kirklees MPA has brought forward a requirement that applications "will be considered against the following criteria": including... "h) Where a proposal demonstrates that it will have a net zero impact on climate change."

For these all of the above reasons, FFN has consistently disputed the conclusion in paragraph 4.108 that "there is no justifiable reason in planning policy terms to separate shale gas from other hydrocarbon development. FFN believes that a separate policy approach -as has been favourably treated by the Inspector at the Public Examination of the North Yorkshire Minerals & Waste Joint Local Plan (2018) - is important to ensure that certain matters, particular to proposals involving fracking, are always considered in planning decisions. This has been demonstrated in North Yorkshire where a number of issues were considered requiring specific policies for hydraulic fracturing, including:

- A definition of hydraulic fracturing suitable for the planning system: "Hydraulic fracturing is the process of opening and/or extending existing narrow fractures or creating new ones (fractures are typically hairline in width) in gas or oil bearing rock, which allows gas to flow into wellbores to be captured."
- 500m buffer zones
- Maximum wellpad density
- A financial guarantee or bond as standard

The most comprehensive review of peer reviewed studies on the impacts of fracking has been produced by the Concerned Health Professionals of New York. The sixth edition dated June 2019 (<https://concernedhealthny.org/compendium/>) lists the following emerging trends:

1. Regulations are simply not capable of preventing harm.
2. Fracking and natural gas are incompatible with climate solutions.
3. Fracking and the disposal of fracking waste threaten drinking water.
4. Drilling and fracking contribute to toxic air pollution and ground-level ozone at levels known to have health impacts.
5. Public health problems associated with drilling and fracking include poor birth outcomes, reproductive and respiratory impacts, and cancer risks.
6. Occupational health and safety risks for workers are severe and include both physical and chemical hazards.
7. Earthquakes are a proven consequence of both fracking and the underground injection of fracking waste.
8. Fracking infrastructure poses serious potential exposure risks to those living nearby.
9. Drilling and fracking activities bring naturally occurring radioactive materials to the surface.
10. Drilling and fracking activities harm wildlife through multiple pathways.
11. The economic instabilities of fracking exacerbate public health risks.
12. Fracking raises human rights and environmental justice issues.
13. Health professionals are increasingly calling for bans or moratoria on fracking, based on a range of health hazards and as reviews of the data confirm evidence for harm.

It should be noted that the geology and land use in the UK is not comparable to the USA because of greater faulting and a higher population density with greater proximity to areas in residential, employment and infrastructural use - eg railway lines. In addition, as has been previously highlighted, if fracking takes place in proximity to former coal mine workings in Nottinghamshire, there is an added risk of triggering faults that are already susceptible to movement and subsidence.

Furthermore, we would like to see more explanation of what the MPA interprets as "unacceptable environmental impact" in MP12 (1b) when assessing the location of proposed oil & gas development. This part of the policy cannot be effective without some criteria on how unacceptability is to be determined, particularly against a presumed "national need to explore and develop new domestic sources of oil and gas" (para 4.104). For instance, it raises questions as to what type of impacts are acceptable without mitigation, and if there are permanent adverse effects, is mitigation sufficient as a temporary fix? Surely an overriding need cannot be justified if unacceptable harms exceed claimed benefits? More clarity is required, perhaps in Policy SP5, for the benefit all parties if these policies are to be implemented fairly and effectively.

In an ideal world, FFN hopes that a change of Government policy would obviate the future need for unconventional extraction of shale gas in England. The bans (or moratoria) on fracking activity already established in Wales, Ireland, Scotland, Germany, and New York State after comprehensive studies provide evidence of widespread concern about the adverse impacts and about increasing fossil fuel dependency in the face of an escalating climate crisis.

In the interim, if the County Council is minded to convert Policy MP12 or to create a new separate policy applying solely to proposals for unconventional hydrocarbons, FFN recommends that the MPA includes the additions indicated by Nottingham Friends of the Earth in a separate submission -which is copied in section 6 below.

Full text:

(Continue on a separate sheet/expand box if necessary)

FFN finds that the justification for Policy MP12 is largely unchanged from the initial version of the Plan to which it objected in 2016, and that its extensive comments, including those in response to the draft Plan in September 2018, have received little credence from the MPA and minimal coverage/feedback in the Summary of Consultation document. There is a short explanation in one paragraph (4-108) headed by the statement "it is considered that there is no justifiable reason in planning policy terms to separate shale gas from other hydrocarbon development" and thus an assumed reliance upon other development management policies in the Plan to confront any adverse impact of such development. FFN regards this approach as too complacent when other MPAs in areas licenced for oil & gas exploration have seen fit to develop and adopt more appropriate policies, dedicated to the special difficulties that can be encountered by major shale gas extraction (MPAs include North Yorkshire, Cumbria and Kirklees).

Having an all-purpose policy for all hydrocarbon minerals fails to recognise that hydraulic fracking will give rise a very different set of local circumstances compared to the conventional exploration of hydrocarbons. This is largely due to the depth of drilling and scale of the proposed surface operations should sufficient reserves be found. It should thus be treated as a special case where proposals do not necessarily merit approval solely on the basis that development management policy criteria are met.

In this sense MP12 is unsound because there is evidence (see below) of widespread harm to the environment and health (especially via atmospheric pollution and water contamination) of affected communities that shale gas-field development has caused elsewhere in the world, and this can be attributed to its sheer scale as well as poor regulation. Therefore FFN believes that the County Council has cause to be more circumspect in its treatment of applications involving exploration and production of shale gas, especially as it admits in para 4.102 that in the USA it is "exploited on a very large scale".

The Submission Draft Local Plan of 2014 did recognise in para 4.112, that shale gas extraction is "a very intensive activity", but tellingly, this has been omitted from subsequent versions (see now para. 4.103). The implication is that getting gas or oil out of shale rock is in the same league as getting 'conventional' hydrocarbons out of permeable rock formations (which allow gas or oil to flow smoothly to a well head from some distance). This is clearly misleading. In fact, high volume hydraulic fracturing of shale needs to take place deep underground using horizontal drilling which has so far occurred only in Lancashire in the UK (at Preese Hall and Preston New Road) by Cuadrilla in the period 2011- 19. In both locations, this process has been sufficiently intense to trigger significant earth tremors leading to exploration being abandoned or postponed.

The Government has recently been warned by a report from Professor Styles of the risk that deep fracking can trigger seismic activity in former mining areas (Ref:

<https://www.parliament.uk/edm/2017-19/1303>

<http://www.talkfracking.org/wp-content/uploads/2018/05/Fracking-and-Mining-Styles-Final.pdf>). This is a legitimate concern in the northern part of the Nottinghamshire coalfield where the most extensive shale gas resource underlies mine working areas, and in the light of Government proposals to introduce permitted development rights for exploratory drilling, so it is clear that tighter rather than looser regulation should apply in Nottinghamshire. Professor Styles has recommended high resolution mapping of fault lines and a minimum separation distance of 500m of hydraulic fracking from mine workings and 850m from any fault lines.

Since there are regular tremors recorded in parts of the county, the MPA must view seismicity reports from the appropriate regulator with great care. If shale gas production were to proceed, the biggest threat from these earth movements is of damage to well linings which can lead to leakage of toxic fluids and gases. Such leakage can in turn contaminate the groundwater resources which coincide with much of the Nottinghamshire coalfield and whose protection (including from deep drilling) should be subject to a precautionary, minimal

tolerance approach (as per the EU Water Framework Directive).

It should be understood that in production hydraulic fracking can only be carried out up to a mile or so from the wellhead. This requires the building of well-pads* every few miles which leads to potentially extensive infrastructure: ie not only multiple well-pads but also roadways, generators, 24 hour lighting and pipelines etc capable of industrialising the countryside, disrupting agriculture and overwhelming local communities. The extent of cumulative impacts is likely to be considerable and thus beyond the experience of the County Council which seems as yet unable to envisage what a full-scale gas field landscape might look like.

[*NB. estimated as up to one hundred times the number of wells for the same amount of gas as in an conventional gas field]

Beyond the visual prominence of a mass of drilling rigs, fracking sites are known to create a gasfield haze at scale. This can be caused by a 'cocktail' of ozone, BTEX (incl benzene & toluene), and diesel fumes from heavy vehicles and generators – which will include particulates and nitrogen oxides. In addition, the local infrastructure will be further tested by regular heavy lorry movements to carry the large volume of water required to be pumped underground and returned for disposal as contaminated wastewater.

Indeed the range of issues from the Government's Planning Practice Guidance on Onshore Oil & Gas (DCLG July 2013) that MPAs are obliged to satisfy themselves about for such applications, and indeed the very publication of such guidance, should serve to underline the merit of a separate policy incorporating 'tailor-made' measures. Moreover, in the interests of public health and environmental protection when applying these measures, it is hoped that the County Council will avoid relying entirely on advice from overstretched and underfunded Government agencies, notably the Environment Agency, and should avail itself of independent advice that is based on peer reviewed academic studies.

MP12 is also unsound because it fails to take climate change objectives and provisions of the Climate Change Act 2008 properly into account. A key reason for concern about proposals to extract large volumes of methane gas is that they involve a fossil fuel which, when burnt, will generate significant carbon emissions. This brings into question whether the County Council is truly "committed to tackling the causes of climate change ...and securing reductions in greenhouse gas emissions" through the planning process (see paragraph 3.30), especially in light of the legal requirement within the 'Planning & Compulsory Purchase Act 2004,s19(1A).

The MPA is hamstrung partly by policy advice from the Government which has supported fracking activity mainly on the basis that it can provide a bridge to a low carbon economy. However this claim has been quashed by a High Court decision in May 2019 which has subsequently led to a revision of former para 209a (NB. It now becomes para 205) of the National Planning Policy Framework (NPPF). Elsewhere, however, para 149 of the revised NPPF urges that "Plans should take a proactive approach in mitigating and adapting to climate change..." which surely provides a good platform for reconsidering Policy MP12.

At present it appears that the MPA is too ready to trust the effectiveness of MP12 and a range of development management policies in dealing with the significant social, economic and environmental upheaval that the shale gas industry might bring to communities in the county. The already drilled site at Misson in Bassetlaw is the likely stage for gauging the level of such upheaval shortly since planning applications are expected for its production stage later in 2019. One often overlooked factor is the considerable business risks taken by fracking companies. The costs of developing unconventional gas fields are high, such that many of the companies are highly indebted. Indeed there is a history of losses and capital restructurings amongst operators such as Island Gas (involved at Misson) -which has led to sell-offs and the abandonment of sites to avoid legal or planning enforcement action. Given this potential outcome, it is wise for MPAs to insist on a sizeable public insurance bond at the planning stage in case of abandonment or a major pollution incident prior to the satisfactory completion of restoration measures.

Since methane is the most damaging of greenhouse gases, a willingness to entertain applications for unconventional hydrocarbons, which will be burned or escape into the atmosphere (NB complex extraction techniques run a high risk of leakage), is at odds with Policy SP3 which aims "to minimise the impact of minerals development upon climate change" and "move towards a low carbon economy". This stems from a fundamental inconsistency in the NPPF.

FFN recommends that the aspiration for a low carbon transition should be deleted to accord with the recent High Court decision (by Justice Dove) referenced above, and that the MPA should pursue an approach taken in the adopted Kirklees Local Plan (2019). Under Policy LP42 (Proposals for production of hydrocarbons) Kirklees MPA has brought forward a requirement that applications "will be considered against the following criteria": including... "h) Where a proposal demonstrates that it will have a net zero impact on climate change."

For these all of the above reasons, FFN has consistently disputed the conclusion in paragraph 4.108 that "there is no justifiable reason in planning policy terms to separate shale gas from other hydrocarbon development. FFN believes that a separate policy approach -as has been favourably treated by the Inspector at the Public Examination of the North Yorkshire Minerals & Waste Joint Local Plan (2018) – is important to ensure that certain matters, particular to proposals involving fracking, are always considered in planning decisions. This has been demonstrated in North Yorkshire where a number of issues were considered requiring specific policies for hydraulic fracturing, including:

- A definition of hydraulic fracturing suitable for the planning system: "Hydraulic fracturing is the process of opening and/or extending existing narrow fractures or creating new ones (fractures are typically hairline in width) in gas or oil bearing rock, which allows gas to flow into wellbores to be captured."
- 500m buffer zones
- Maximum wellpad density
- A financial guarantee or bond as standard

The most comprehensive review of peer reviewed studies on the impacts of fracking has been produced by the Concerned Health Professionals of New York. The sixth edition dated June 2019 (<https://concernedhealthny.org/compendium/>) lists the following emerging trends:

1. Regulations are simply not capable of preventing harm.
2. Fracking and natural gas are incompatible with climate solutions.
3. Fracking and the disposal of fracking waste threaten drinking water.
4. Drilling and fracking contribute to toxic air pollution and ground-level ozone at levels known to have health impacts.
5. Public health problems associated with drilling and fracking include poor birth outcomes, reproductive and respiratory impacts, and cancer risks.
6. Occupational health and safety risks for workers are severe and include both physical and chemical hazards.
7. Earthquakes are a proven consequence of both fracking and the underground injection of fracking waste.
8. Fracking infrastructure poses serious potential exposure risks to those living nearby.
9. Drilling and fracking activities bring naturally occurring radioactive materials to the surface.
10. Drilling and fracking activities harm wildlife through multiple pathways.
11. The economic instabilities of fracking exacerbate public health risks.
12. Fracking raises human rights and environmental justice issues.
13. Health professionals are increasingly calling for bans or moratoria on fracking, based on a range of health hazards and as reviews of the data confirm evidence for harm.

It should be noted that the geology and land use in the UK is not comparable to the USA because of greater faulting and a higher population density with greater proximity to areas in residential, employment and infrastructural use - eg railway lines. In addition, as has been previously highlighted, if fracking takes place in proximity to former coal mine workings in Nottinghamshire, there is an added risk of triggering faults that are already susceptible to movement and subsidence.

Furthermore, we would like to see more explanation of what the MPA interprets as "unacceptable environmental impact" in MP12 (1b) when assessing the location of proposed oil & gas development. This part of the policy cannot be effective without some criteria on how unacceptability is to be determined, particularly against a presumed "national need to explore and develop new domestic sources of oil and gas" (para 4.104). For instance, it raises questions as to what type of impacts are acceptable without mitigation, and if there are permanent adverse effects, is mitigation sufficient as a temporary fix? Surely an overriding need cannot be justified if unacceptable harms exceed claimed benefits? More clarity is required, perhaps in Policy SP5, for the benefit all parties if these policies are to be implemented fairly and effectively.

In an ideal world, FFN hopes that a change of Government policy would obviate the future need for unconventional extraction of shale gas in England. The bans (or moratoria) on fracking activity already established in Wales, Ireland, Scotland, Germany, and New York State after comprehensive studies provide evidence of widespread concern about the adverse impacts and about increasing fossil fuel dependency in the face of an escalating climate crisis.

In the interim, if the County Council is minded to convert Policy MP12 or to create a new separate policy applying solely to proposals for unconventional hydrocarbons, FFN recommends that the MPA includes the additions indicated by Nottingham Friends of the Earth in a separate submission -which is copied in section 6 below. (Continue on a separate sheet/expand box if necessary):

FFN recommends that attention to the following matters, which are specific to hydraulic fracturing, will assist the MPA in modifying or re-writing Policy MP12 so that it attains soundness.

Suggested addition to Policy MP12 (Oil & Gas)

A condition should be added to Policy MP12 to ensure that any proposed development will not compromise the Council's duties in relation to climate change mitigation, and will be fully compatible with statutory climate emissions targets and carbon budgets during the Plan period.

Suggested additional Policy MP12a (Hydraulic fracturing)

Policy should be added to address problems specific to hydraulic fracturing, including:

- A definition of hydraulic fracturing suitable for the planning system, such as that discussed in the North Yorkshire Minerals & Waste Joint Plan Examination ("Hydraulic fracturing is the process of opening and/or extending existing narrow fractures or creating new ones (fractures are typically hairline in width) in gas or oil bearing rock, which allows gas to flow into wellbores to be captured.").

- Minimum separation distance from homes and other sensitive sites.
- Minimum separation distance from former mine workings.
- Minimum separation distance from fault lines (and a requirement to make use of high resolution mapping, as recommended by Professor Peter Styles).
- The site boundary of the development to include in 3-D the full extent of any horizontal drilling.
- Maximum well-pad density.
- Financial guarantee.
- Protection of the Sherwood sandstone aquifer.
- Arrangements for adequate provision of water supply and disposal of toxic waste water.
- Measures to avoid unacceptable impacts of vibration and induced seismicity.
- Measures to avoid air pollution, including BTEX and radon.
- Measures to protect people working on site, for example from silica dust, radioactive water and gases, and emissions from compressors.
- A risk assessment to demonstrate beyond all reasonable scientific doubt that any risk of adverse impacts has been eliminated

Change to plan:

FFN recommends that attention to the following matters, which are specific to hydraulic fracking, will assist the MPA in modifying or re-writing Policy MP12 so that it attains soundness.

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- Measures to protect people working on site, for example from silica dust, radioactive water and gases, and emissions from compressors.
- A risk assessment to demonstrate beyond all reasonable scientific doubt that any risk of adverse impacts has been eliminated

**Legally No
compliant:**

Sound: No

**Comply with No
duty:**

Appear exam: Appearance at the examination

Attachments: None

55

Object

MP12: Oil and Gas

Respondent: Frack Free Ravenshead (Mr Alan Samuel) [9161]

Summary:

Thank you for all the good work that went into the drafting of the plan. I did meet officers during the last consultation round.

Our group feels, however, that the omission of a policy on hydraulic fracturing for shale gas is a serious one. The nature of the abstraction process is very different from the much easier one of getting 'conventional hydrocarbons' out of permeable rock formations. Shale has to be fractured underground using horizontal drilling and high volume hydraulic fracturing. This can only be done up to a mile or so from the well head requiring well pads every couple of miles (and repeated fracturing every year or so). This would change the landscape. There are many well documented risks of fracking e.g. seismic activity in mining area, greenhouse gas emissions, ground water contamination, toxic flow back water, destructive impacts upon the health of local people, farm animals and wildlife.

We believe that the plan isn't 'sound' because of the exclusion of the above and because it is at odds with national policy on climate change. We do hope that a revision can be made to embrace the points we've made.

Thank you for considering these comments,

Full text:

Dear Planning Policy Team,

Thank you for all the good work that went into the drafting of the plan. I did meet officers during the last consultation round.

Our group feels, however, that the omission of a policy on hydraulic fracturing for shale gas is a serious one. The nature of the abstraction process is very different from the much easier one of getting 'conventional hydrocarbons' out of permeable rock formations. Shale has to be fractured underground using horizontal drilling and high volume hydraulic fracturing. This can only be done up to a mile or so from the well head requiring well pads every couple of miles (and repeated fracturing every year or so). This would change the landscape. There are many well documented risks of fracking e.g. seismic activity in mining area, greenhouse gas emissions, ground water contamination, toxic flow back water, destructive impacts upon the health of local people, farm animals and wildlife.

We believe that the plan isn't 'sound' because of the exclusion of the above and because it is at odds with national policy on climate change. We do hope that a revision can be made to embrace the points we've made.

Thank you for considering these comments,

Change to plan:

**Legally No
compliant:**

Sound: No

**Comply with No
duty:**

Appear exam: Appearance at the examination

Attachments: None

338

Object

S03: Addressing climate change

Respondent: Friends of the Earth England, Wales, Northern Ireland (Mr Magnus Gallie, Planner) [7929]

Summary:

Strategic Objective SO3 Climate change aims to encourage minerals developments to minimise their impacts on climate change by "encouraging efficient ways of working including reductions in transport and onsite machinery emissions".

As highlighted in our previous representations, Section 19(1A) of the Planning and Compulsory Purchase Act (2004) puts an obligation on plan-making authorities to ensure that: "Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change"

We also note the NPPF wording within the environmental objective, which states, planning should:

"contribute to protecting and enhancing our natural, built and historic environment; including mitigating and adapting to climate change, including moving to a low carbon economy" (para 8c)

Para 150(b) of the same document states:

"new development should be planned for in ways that...can help to reduce greenhouse gas emissions, such as through its location, orientation and design."

In this context, while we welcome this objective, its wording underplays the urgency required in achieving mitigation and adaptation to climate change (i.e. it only "encouraging efficient ways of working" regarding mitigation and focusing principally on flood risk re adaptation).

In June 2019 legislation was passed committing the UK to becoming net zero carbon by 2050. The Committee on Climate Change's Net Zero report1 (May 2019) is clear about the need for all facets of the British economy, from transport, energy, industry, house building to infrastructure (et al), to help the country reach the 2050 net zero target. The report states that 'most sectors will need to reduce emissions close to zero without offsetting' (pg 11; 2019) to achieve this aim. We see no reason why mineral extraction should be omitted from these aims.

To make the objective consistent with this recent change to law (and national government policy); compliant with the amendment to the PCPA 2004 and enable delivery of sustainable development (NPPF para 35 d), alternative wording should be used to ensure aim of the objective and its accompanying wording recognise these recent legislative and policy priorities. We would ask that the plan's policies be reframed around the need for the minerals industry as a whole to contribute to the UK achieving the net zero target by 2050. The CCC estimates that adherence to this will meet our Paris Agreement requirements to limit the increase in global average temperature to well below 2°C and to pursue efforts to limit the rise to 1.5°C. Such a commitment in the context of the approach to minerals, will require the council revisiting these policies with this critical objective in mind.

As a society and related to mineral extraction, we can no longer just assume a business as usual approach anymore, especially when drawing up local plans. The CCC's 2019 report states that 'This target is only credible if policy to reduce emissions ramps up significantly across all levels and departments of government' (p16). As this plan takes us to 2036 (just 14 years before this target is meant to be reached), it's imperative the county council delivers more compliant and forward-thinking policies to tackle climate change.

A focus on policies covering those least compliant forms of mineral extraction (ie unconventional hydrocarbons) would be a start (as we have suggested changes later on to make those relevant policies sound). Our suggested amendments to the wording of strategic objective 3 are below.

Full text:

Strategic Objective SO3 Climate change aims to encourage minerals developments to minimise their impacts on climate change by "encouraging efficient ways of working including reductions in transport and onsite machinery emissions".

As highlighted in our previous representations, Section 19(1A) of the Planning and Compulsory Purchase Act (2004) puts an obligation on plan-making authorities to ensure that: "Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change"

We also note the NPPF wording within the environmental objective, which states, planning should:

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A focus on policies covering those least compliant forms of mineral extraction (i.e. unconventional hydrocarbons) would be a start (as we have suggested changes later on to make those relevant policies sound). Our suggested amendments to the wording of strategic objective 3 are below.

SO3: Addressing climate change

Minimise and mitigate the impact of mineral developments on climate change [INSERT] with the aim of helping achieve compliance with the government's 2050 net zero GHG target. encouraging [INSERT] This will be achieved by ensuring efficient ways of working, including reductions in transport and onsite machinery emissions. [INSERT] The 'great weight' attached to mineral extraction should be balanced against the need for compliance with the binding 2050 target and climate change considerations within the NPPF.

[INSERT] All minerals proposals must reduce existing and future [INSERT] vulnerability flood risks linked to, and aid in by [INSERT] ensuring adequate adaptation to climate change through good quarry design and operation, water management, location of plant and appropriate restoration, particularly for quarries in the Trent Valley flood plain. [INSERT] Minerals proposals must contribute to climate change adaptation by relinking fragmented habitats and creating new areas of habitat to allow the migration and dispersal of species. [INSERT] Tree planting led restoration of minerals sites, where appropriate, would help meet the UKs net zero 2050 target (as per the CCC's recommendations) and will be encouraged2.

Change to plan:

SO3: Addressing climate change

Minimise and mitigate the impact of mineral developments on climate change [INSERT] with the aim of helping achieve compliance with the government's 2050 net zero GHG target. encouraging [INSERT] This will be achieved by ensuring efficient ways of working, including reductions in transport and onsite machinery emissions. [INSERT] The 'great weight' attached to mineral extraction should be balanced against the need for compliance with the binding 2050 target and climate change considerations within the NPPF.

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Legally No
compliant:
Sound: No
Comply with Not specified
duty:

Appear exam: Appearance at the examination

Attachments: National Friends of the Earth representation - <https://nottinghamshire.oc2.uk/a/dwd>

339

Object

Strategic Policies

Respondent: Friends of the Earth England, Wales, Northern Ireland (Mr Magnus Gallie, Planner) [7929]

Summary:

Para 3.2-3.6

Exceptions to the presumption

Friends of the Earth England Wales and Northern Ireland agrees that as stated in para 3.2 "Planning policies and decisions should actively guide development towards sustainable solutions that reflect the local character, needs and opportunities of each area."

With regard to the application of the NPPF presumption in favour of sustainable development, we suggest emphasis should also be given to its potential exclusions, especially for European protected sites (i.e. Para 177 of the NPPF – which states):

"The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site."

Acknowledgement of this wording would provide additional peace of mind to local residents that the presumption does not override European legislation designed to protect the most sensitive areas in the county from incompatible minerals workings – for example, hydraulic fracturing.

A missed opportunity to draw-up effective local policies

NPPF Para 12 provides additional caveats against the presumption and is also a reminder that more generally this plan is an opportunity to formulate local policies that, where adequately justified, can go beyond the broader themes presented in national policy and Planning Practice Guidance (PPG). The latter is especially pertinent given that much of OPPG is over 5 years old. NPPF Para 12 states:

"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted." Since the Issues and Option stage of this plan last year, a number of mineral local plans and hydrocarbon policies have been adopted and gone through Examination in Public (EIP). These including Kirklees Local Plan (adopted), East Riding Minerals Plan (Inspector's report published) and North Yorkshire Minerals and Waste Joint Plan NYMWJLP (post EIP but not yet adopted). These plans include policies that recognise the unique impacts of unconventional oil and gas exploration to the environment, residents and local economy. The adopted Kirklees Local Plan Strategy provides for hydrocarbon proposals to have a net zero impact on climate change, while the NYMWJLP provides for minimum set-back distances of 500m and maximum well pad densities. East Riding Minerals Plan provides for prescriptive climate change wording that developments must adhere to. We recommend Notts CCC adopts a similar approach. See policy changes proposed here and elsewhere in our response. NCC should make more of this opportunity to introduce more tailored policies that recognise the real impacts unconventional hydrocarbon development can have on the environment, local communities (re the well-publicised moratorium on fracking at the Preston New Road site due to induced seismicity) and beyond. With climate change having local as well as global impacts, the correct response is a move away from fossil fuels rather than continuing to plan for their extraction and use. Without more effective application of national planning policy translated to address the local context, we would query the effectiveness of this plan in ensuring the environment and local communities are adequately protected against potentially long-term (both 'temporary' and long lasting) impacts of unconventional hydrocarbon extraction.

Full text:

Strategic Objective SO3 Climate change aims to encourage minerals developments to minimise their impacts on climate change by "encouraging efficient ways of working including reductions in transport and onsite machinery emissions".

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In this context, while we welcome this objective, its wording underplays the urgency required in achieving mitigation and adaptation to climate change (i.e. it only "encouraging efficient ways of working" regarding mitigation and focusing principally on flood risk re adaptation).

In June 2019 legislation was passed committing the UK to becoming net zero carbon by 2050. The Committee on Climate Change's Net Zero report1 (May 2019) is clear about the need for all facets of the British economy, from transport, energy, industry, house building to infrastructure (et al), to help the country reach the 2050 net zero target. The report states that 'most sectors will need to reduce emissions close to zero without offsetting' (pg 11; 2019) to achieve this aim. We see no reason why mineral extraction should be omitted from these aims.

To make the objective consistent with this recent change to law (and national government policy); compliant with the amendment to the PCPA 2004 and enable delivery of sustainable development (NPPF para 35 d), alternative wording should be used to ensure aim of the objective and its accompanying wording recognise these recent legislative and policy priorities. We would ask that the plan's policies be reframed around the need for the minerals industry as a whole to contribute to the UK achieving the net zero target by 2050. The CCC estimates that adherence to this will meet our Paris Agreement requirements to limit the increase in global average temperature to well below 2°C and to pursue efforts to limit the rise to 1.5°C. Such a commitment in the context of the approach to minerals, will require the council revisiting these policies with this critical objective in mind.

As a society and related to mineral extraction, we can no longer just assume a business as usual approach anymore, especially when drawing up local plans. The CCC's 2019 report states that "This target is only credible if policy to reduce emissions ramps up significantly across all levels and departments of government" (p16). As this plan takes us to 2036 (just 14 years before this target is meant to be reached), it's imperative the county council delivers more compliant and forward-thinking policies to tackle climate change.

A focus on policies covering those least compliant forms of mineral extraction (i.e. unconventional hydrocarbons) would be a start (as we have suggested changes later on to make those relevant policies sound). Our suggested amendments to the wording of strategic objective 3 are below.

SO3: Addressing climate change

Minimise and mitigate the impact of mineral developments on climate change [INSERT] with the aim of helping achieve compliance with the government's 2050 net zero GHG target. encouraging [INSERT] This will be achieved by ensuring efficient ways of working, including reductions in transport and onsite machinery emissions. [INSERT] The 'great weight' attached to mineral extraction should be balanced against the need for compliance with the binding 2050 target and climate change considerations within the NPPF.

[INSERT] All minerals proposals must reduce existing and future [INSERT] vulnerability flood risks linked to, and aid in by [INSERT] ensuring adequate adaptation to climate change through good quarry design and operation, water management, location of plant and appropriate restoration, particularly for quarries in the Trent Valley flood plain. [INSERT] Minerals proposals must contribute to climate change adaptation by relinking fragmented habitats and creating new areas of habitat to allow the migration and dispersal of species. [INSERT] Tree planting led restoration of minerals sites, where appropriate, would help meet the UK's net zero 2050 target (as per the CCC's recommendations) and will be encouraged2.

Change to plan:

Para 3.4: Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in other plans which form part of the development plan) will be approved unless material considerations indicate otherwise. [INSERT] The presumption however does not apply in certain instances*, nor does it change the statutory status of this development plan as the starting point for decision making.

*Such as where a project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site

Para 3.6: All new mineral development proposals will be expected to be planned from the outset [INSERT] with a view to minimising greenhouse gas emissions and to avoid increased vulnerability to the range of impacts resulting from climate change and care will need to be taken to ensure any potential risks can be managed through suitable adaptation measures.

Legally No

compliant:

Sound: No

Comply with Yes

duty:

Appear exam: Appearance at the examination

Attachments: National Friends of the Earth representation - <https://nottinghamshire.oc2.uk/a/dwd>

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Object

SP3: Climate Change

Respondent: Friends of the Earth England, Wales, Northern Ireland (Mr Magnus Gallie, Planner) [7929]

Summary:

Friends of the Earth welcomes the inclusion of this strategic policy and note its attempt to incorporate the aims of NPPF para 20(d) - which states:

"Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for: ...planning measures to address climate change mitigation and adaptation."

However, similar to Strategic Objective 3, the policy wording of SP3 needs tightening up to ensure compliance with the NPPF, as well as legal requirements of section 19(1A) duty (Planning and Compulsory Purchase Act (2004)) which states:

"Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change"

Sc19 1(A) wording

We would suggest more emphasis is put on the need for developers/operators to meet these policy and legal requirements. In the wake of climate emergencies announced by councils across the UK, a motion passed by Parliament3 and legislation to bring UK greenhouse gas emissions to net zero by 20504 (enacted 27 June 2019), the imperative for the plan's policies - when read as a whole - to adhere to wording of the section 19(1A) duty could not be clearer.

Net Zero

Linked to our comments in policy MP12 below, it is vital that this plan takes into account policy precedents (see Kirklees Local Plan) and evident shifts in the legislative and policy arena - which see the UK government committing to a net zero target and the Committee on Climate Change advising that 'all sectors' need to play their part in helping to reduce emissions5. Kirklees Local Plan policy LP42 includes a requirement for a net zero impact for minerals workings. We suggest this plan should emulate Kirklees' approach to help ensure the county's policies are aligned with and go beyond UK Carbon Budgets. We recommend the Notts Minerals Plan should adopt a net zero target and set out measures necessary to achieve this. See our recommended policy amends below.

Cumulative

Our amendments below make this the policy sound by including reference cumulative climate change, re 2017 EIA regulations which require consideration of significant "climate" effects - including "cumulative... effects of the development. (Schedule 4 - 20176). [our bold]. Neither draft policy DM8 Cumulative Impact nor its justification section makes reference to cumulative climate change and we feel such recognition is needed to satisfy the Sc. 19(1A) duty. This approach was supported at the EIP for the North Yorkshire Minerals and Waste Joint Plan following our intervention and we see no reason why such a consideration should not be included here, bearing in mind the industry's aims to develop numerous well pads across in relevant PEDL areas across Nottinghamshire and the UK.

(N.B. An alternative option would be to tweak policy DM8 to include such a reference to cumulative climate change linked to unconventional hydrocarbon extraction).

Full text:

S03

Strategic Objective S03 Climate change aims to encourage minerals developments to minimise their impacts on climate change by “encouraging efficient ways of working including reductions in transport and onsite machinery emissions”.

As highlighted in our previous representations, Section 19(1A) of the Planning and Compulsory Purchase Act (2004) puts an obligation on plan-making authorities to ensure that: “Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change”

We also note the NPPF wording within the environmental objective, which states, planning should:

“contribute to protecting and enhancing our natural, built and historic environment; including mitigating and adapting to climate change, including moving to a low carbon economy” (para 8c)

Para 150(b) of the same document states:

“new development should be planned for in ways that...can help to reduce greenhouse gas emissions, such as through its location, orientation and design.”

In this context, while we welcome this objective, its wording underplays the urgency required in achieving mitigation and adaptation to climate change (i.e. it only “encouraging efficient ways of working” regarding mitigation and focusing principally on flood risk re adaptation).

In June 2019 legislation was passed committing the UK to becoming net zero carbon by 2050. The Committee on Climate Change’s Net Zero report¹ (May 2019) is clear about the need for all facets of the British economy, from transport, energy, industry, house building to infrastructure (et al), to help the country reach the 2050 net zero target. The report states that ‘most sectors will need to reduce emissions close to zero without offsetting’ (pg 11; 2019) to achieve this aim. We see no reason why mineral extraction should be omitted from these aims.

To make the objective consistent with this recent change to law (and national government policy); compliant with the amendment to the PCPA 2004 and enable delivery of sustainable development (NPPF para 35 d), alternative wording should be used to ensure aim of the objective and its accompanying wording recognise these recent legislative and policy priorities. We would ask that the plan’s policies be reframed around the need for the minerals industry as a whole to contribute to the UK achieving the net zero target by 2050. The CCC estimates that adherence to this will meet our Paris Agreement requirements to limit the increase in global average temperature to well below 2°C and to pursue efforts to limit the rise to 1.5°C. Such a commitment in the context of the approach to minerals, will require the council revisiting these policies with this critical objective in mind.

As a society and related to mineral extraction, we can no longer just assume a business as usual approach anymore, especially when drawing up local plans. The CCC’s 2019 report states that ‘This target is only credible if policy to reduce emissions ramps up significantly across all levels and departments of government’ (p16). As this plan takes us to 2036 (just 14 years before this target is meant to be reached), it’s imperative the county council delivers more compliant and forward-thinking policies to tackle climate change.

A focus on policies covering those least compliant forms of mineral extraction (ie unconventional hydrocarbons) would be a start (as we have suggested changes later on to make those relevant policies sound). Our suggested amendments to the wording of strategic objective 3 are below.

S03: Addressing climate change

Minimise and mitigate the impact of mineral developments on climate change [INSERT] with the aim of helping achieve compliance with the government’s 2050 net zero GHG target. encouraging [INSERT] This will be achieved by ensuring efficient ways of working, including reductions in transport and onsite machinery emissions. [INSERT] The ‘great weight’ attached to mineral extraction should be balanced against the need for compliance with the binding 2050 target and climate change considerations within the NPPF.

[INSERT] All minerals proposals must reduce existing and future [INSERT] vulnerability flood risks linked to, and aid in by [INSERT] ensuring adequate adaptation to climate change through good quarry design and operation, water management, location of plant and appropriate restoration, particularly for quarries in the Trent Valley flood plain. [INSERT] Minerals proposals must contribute to climate change adaptation by re-linking fragmented habitats and creating new areas of habitat to allow the migration and dispersal of species. [INSERT] Tree planting led restoration of minerals sites, where appropriate, would help meet the UK’s net zero 2050 target (as per the CCC’s recommendations) and will be encouraged².

Para 3.2-3.6

Exceptions to the presumption

Friends of the Earth England Wales and Northern Ireland agrees that as stated in para 3.2 “Planning policies and decisions should actively guide development towards sustainable solutions that reflect the local character, needs and opportunities of each area.”

With regard to the application of the NPPF presumption in favour of sustainable development, we suggest emphasis should also be given to its potential exclusions, especially for European protected sites (i.e. Para 177 of the NPPF – which states):

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

Acknowledgement of this wording would provide additional peace of mind to local residents that the presumption does not override European legislation designed to protect the most sensitive areas in the county from incompatible minerals workings – for example, hydraulic fracturing.

A missed opportunity to draw-up effective local policies

NPPF Para 12 provides additional caveats against the presumption and is also a reminder that more generally this plan is an opportunity to formulate local policies that, where adequately justified, can go beyond the broader themes presented in national policy and Planning Practice Guidance (PPG). The latter is especially pertinent given that much of OPPG is over 5 years old. NPPF Para 12 states:

“The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.” Since the Issues and Option stage of this plan last year, a number of mineral local plans and hydrocarbon policies have been adopted and gone through Examination in Public (EIP). These including Kirklees Local Plan (adopted), East Riding Minerals Plan (inspector’s report published) and North Yorkshire Minerals and Waste Joint Plan NYMWJLP (post EIP but not yet adopted). These plans include policies that recognise the unique impacts of unconventional oil and gas exploration to the environment, residents and local economy.

The adopted Kirklees Local Plan Strategy provides for hydrocarbon proposals to have a net zero impact on climate change, while the NYMWJLP provides for minimum set-back distances of 500m and maximum well pad densities. East Riding Minerals Plan provides for prescriptive climate change wording that developments must adhere to We recommend Notts CC adopts a similar approach. See policy changes proposed here and elsewhere in our response.

NCC should make more of this opportunity to introduce more tailored policies that recognise the real impacts unconventional hydrocarbon development can have on the environment, local communities (re the well-publicised moratorium on fracking at the Preston New Road site due to induced seismicity) and beyond. With climate change having local as well as global impacts, the correct response is a move away from fossil fuels rather than continuing to plan for their extraction and use. Without more effective application of national planning policy translated to address the local context, we would query the effectiveness of this plan in ensuring the environment and local communities are adequately protected against potentially long-term (both ‘temporary’ and long lasting) impacts of unconventional hydrocarbon extraction.

Para 3.4: Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in other plans which form part of the development plan) will be approved unless material considerations indicate otherwise. [INSERT] The presumption however does not apply in certain instances*, nor does it change the statutory status of this development plan as the starting point for decision making.

*Such as where a project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site

Para 3.6: All new mineral development proposals will be expected to be planned from the outset [INSERT] with a view to minimising greenhouse gas emissions and to avoid increased vulnerability to the range of impacts resulting from climate change and care will need to be taken to ensure any potential risks can be managed through suitable adaptation measures.

SP3

Friends of the Earth welcomes the inclusion of this strategic policy and note its attempt to incorporate the aims of NPPF para 20(d) - which states:

“Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

...planning measures to address climate change mitigation and adaptation.”

However, similar to Strategic Objective 3, the policy wording of SP3 needs tightening up to ensure compliance with the NPPF, as well as legal requirements of section 19(1A) duty (Planning and Compulsory Purchase Act (2004)) which states:

“Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change”

Sc19 1(A) wording

We would suggest more emphasis is put on the need for developers/operators to meet these policy and legal requirements. In the wake of climate emergencies announced by councils across the UK, a motion passed by Parliament³ and legislation to bring UK greenhouse gas emissions to net zero by 2050⁴ (enacted 27 June 2019), the imperative for the plan’s policies - when read as a whole - to adhere to wording of the section 19(1A) duty could not be clearer.

Net Zero

Linked to our comments in policy MP12 below, it is vital that this plan takes into account policy precedents (see Kirklees Local Plan) and evident shifts in the legislative and policy arena – which see the UK government committing to a net zero target and the Committee on Climate Change advising that ‘all sectors’ need to play their part in helping to reduce emissions⁵. Kirklees Local Plan policy LP42 includes a requirement for a net zero impact for minerals workings. We suggest this plan should emulate Kirklees’ approach to help ensure the county’s policies are aligned with and go beyond UK Carbon Budgets. We recommend the Notts Minerals Plan should adopt a net zero target and set out measures necessary to achieve this. See our recommended policy amendments below.

Cumulative

Our amendments below make this the policy sound by including reference cumulative climate change, re 2017 EIA regulations which require consideration of significant “climate” effects – including “cumulative... effects of the development. (Schedule 4 – 20176). [our bold]. Neither draft policy DM8 Cumulative Impact nor its justification section makes reference to cumulative climate change and we feel such recognition is needed to satisfy the Sc. 19(1A) duty. This approach was supported at the EIP for the North Yorkshire Minerals and Waste Joint Plan following our intervention and we see no reason why such a consideration should not be included here, bearing in mind the industry’s aims to develop numerous well pads across in relevant PEDL areas across Nottinghamshire and the UK.

(N.B. An alternative option would be to tweak policy DM8 to include such a reference to cumulative climate change linked to unconventional hydrocarbon extraction).

Policy SP3 – Climate Change

All minerals development, including site preparation, operational practices and restoration proposals should [INSERT] must minimise their impact on the causes of climate change for the lifetime of the development. Where applicable development should [INSERT] must assist in the reduction of vulnerability and provide resilience to the impacts of climate change by:

- a) Being located, designed and operated to help reduce greenhouse gas emissions, withstand unavoidable climate impacts and move towards a low-carbon economy; [INSERT]
- b) For hydrocarbon extraction, applications should specifically address the potential for cumulative impacts of development upon climate change and, where appropriate, propose

such mitigation and adaptation measures as may be available.

cb) Avoiding areas of vulnerability to climate change and flood risk. Where avoidance is not possible, impacts should be fully mitigated;

dc) Developing restoration schemes which will contribute to addressing future climate change adaptation, including through biodiversity and habitat creation, carbon storage and flood alleviation.

[INSERT]

e) Proposals should demonstrate how they will have a net zero impact on climate change.

MP12

Our previous representations to the Issues and Options consultation (2018) provided detail into how the planning impacts of hydraulic fracturing are comparatively worse compared to conventional forms of oil and gas exploration/ extraction. Such disparities for fracking include:

- longer drilling timeframes;
- larger drilling rigs (60m+);
- greater numbers and frequencies of HGV/tanker movements (re carrying large amounts of water to and wastewater away from the site; as well as materials and plant to accommodate multiple stages of fracking);
- longer periods of 24-hour drilling activity due to deeper drill depths compared to conventional drilling (→ prolonged drilling, lighting, noise and HGV vehicle movements);
- greater numbers of and larger well pads⁷ required as multiple boreholes are needed to maintain flow pressure;
- heightened risks to ground water quality as fracking fluids are injected at depth into strata and with flowback rates varying between 15-70% depending on geology;
- increased climate change impacts arising from fugitive emissions; and
- heightened risk of induced seismicity (linked to the injection of large volumes of fracking fluid and interaction with fault lines) the impacts and fall-out of which have led to a moratorium on fracking at Preston New Road, Lancashire⁸.

Having considered the increased impacts hydraulic fracturing presents, we note that a number of other newly adopted and more advanced minerals plans include policies specifically worded to ensure the protection of environment and local communities. These plans include West Sussex Minerals and Waste Plan (adopted 2018); East Riding and Hull Joint Minerals Local Plan (post EIP and Inspector's report published); and the North Yorkshire Minerals and Waste Joint Plan (NYMWJP) (post EIP, awaiting Inspector's report). These include policies that:

- NYMWJP: a minimum set-back distance of 500m from sensitive receptors; maximum well pad densities; consideration of cumulative climate change and a local definition of hydraulic fracturing to ensure the impacts of 'non-high volume fracturing' are captured also (see next paragraph for more detail on this point).
- East Riding and Hull Joint Minerals Plan: includes S19(1A Duty) compliant wording on climate change mitigation/adaptation
- West Sussex Minerals Plan: includes specific restrictions for limiting such activity in groundwater protection zones 2 and 3. Given these best practice policy examples above, and the moratorium of fracking activity at Preston New Road resulting from August's 2.9ML induced seismic event, it's quite surprising that draft policy MP12 fails to provide more detailed policy wording to address these issues and fails to recognise that the impacts of unconventional and conventional hydrocarbon can differ significantly. We note the justification wording defends this approach, citing: "no justifiable reason in planning policy terms to separate shale gas from other hydrocarbon development... Separate legislation also identifies certain requirements in relation to protected groundwater areas or other protected areas" (para 4.108). We view this approach is unsound, as it ignores fracking's exacerbated impacts compared to conventional hydrocarbon extraction and the very obvious loopholes in legislation.

Associated Hydraulic Fracturing vs non-Associated Hydraulic Fracturing

While legislation and national policy define 'protected areas' (and 'other protected areas') where hydraulic fracturing is not allowed (underneath⁹ or at the surface^{10,11}) such restrictions only apply to Relevant/Associated Hydraulic Fracturing (AHF) proposals. The most recent definition of AFC is provided at para 3.20 of the government's formal response to the onshore hydraulic fracturing consultation: 'any operations which use more than 1,000 cubic metres of fluid at any single stage, or expected stage or 10,000m³ in total' (see endnote 11). The point is that the very legislative and government policy safeguards NCC rely upon to justify a very sparse approach to unconventional hydrocarbons in Policy MP12 do not provide protections for 'protected areas' from non-AHF (i.e. or smaller scale fracking) schemes. The current approach - in failing to define fracturing that encompasses both AHF and non-AHF and/or additional surface protections - potentially leaves a range of NCC's 'protected areas' exposed to non-AHF's impacts. This is despite those impacts between AHF and non-AHF being almost identical.

Policy MP12 is unsound (not justified) and fails to provide adequate surface protections in 'protected areas' - including SSSIs, European sites and Ramsar sites - for non-AHF schemes. An example of how this can be overcome is by way of the NYMWJP which has proposed its own definition of hydraulic fracturing¹² to cover all fluid volumes.

Local Protections

More tailored policy wording would help address the intensified planning impacts of fracking compared to conventional drilling and extraction, especially at the exploratory stages (see above and previous representations). Here, there is potential for simultaneous 24 hour drilling and hydraulic fracturing activity, frequent HGV movements (plant/rig equipment/water/waste water etc), fugitive emissions, 24 hour noise, air quality, lighting impacts - which will exist in combination at the site. These are all in addition to the increased risks of induced seismicity. While national policy calls for such planning impacts to be made 'acceptable', we propose a 500m surface buffer to ensure that local residents are more than adequately protected from impacts of these industrial operations. This policy approach originates from the NYMWJP, as advocated by the HCLG Select Committee as part of their Inquiry into fracking guidance.¹³ Their report states:

'Given that the English planning system is plan-led, Mineral Planning Authorities should be free to adapt their Local Plans as they see fit as long as they do not arbitrarily restrict fracking developments. It is essential that Mineral Planning Authorities have the right to put conditions in their Local Plans which can be justified having proper regard to local circumstances.' (pg 71 - 2018).

At EIP this year, the Inspector was given evidence that demonstrated how directional and lateral drilling, key components of fracking drilling methodologies, would enable access shale resources, despite the operation of the proposed 500m buffer. It is also worth noting that last year, INEOS used this drilling methodology as a means to justify their strategy to access extensive shale reserves under the North Yorkshire National Park, as they would not actually require well pads at the surface of the park's boundary¹⁴. As such, these methodologies should ensure a 500m buffer is not overly restrictive to operators.

Induced Seismicity

Induced seismicity is now also a major issue for fracking and represents a key justification for more detailed policy wording (or a separate policy). While OPPG suggests that induced seismicity is within the remit of OGA (namely the Traffic Light System or TLS), the same guidance also states quite clearly that:

'Whilst these issues may be put before mineral planning authorities, they should not need to carry out their own assessment as they can rely on the assessment of other regulatory bodies. However, before granting planning permission they will need to be satisfied that these issues can or will be adequately addressed by taking the advice from the relevant regulatory body.' (Paragraph: 112 Reference ID: 27-112-20140306 - Revision date: 06 03 2014)

We would like to draw NCC's attention to events which have taken place at the Preston New Road (PNR) fracking site in Lancashire. During the application stages, its operators (Cuadrilla) had stated that with embedded mitigation (such as seismic monitoring arrays and the TLS) the upper limit of 1.5ML would never be breached. Their original planning statement¹⁵ also stated:

The seismic events induced by hydraulic fracturing do not typically exceed magnitude 0 ML and very rarely exceed 0.5 ML. Data from the surface array will be used to mitigate the level of induced seismicity from hydraulic fracturing operations so that they are below 1.5ML.

As has clearly been demonstrated by August's 2.9ML seismic event, it's obvious the TLS and other forms of embedded mitigation have failed to mitigate the very real impacts of induced seismicity resulting from fracking in the UK. By way of comparison, it was earthquakes of 1.5 ML and 2.3ML associated Cuadrilla's Preese Hall fracking site in April and May 2011 that led to a moratorium being introduced for fracking by the then Coalition Government. Last August's 2.9ML event was significantly more powerful than this and so our concern is warranted and justified.

We consider that future risks of seismicity and the lack of effectiveness of the TLS to warrant enough concern to bring into question whether MPAs can "be satisfied" with the OGA's TLS mitigation. We would recommend that any oil and gas policy include caveats to this effect. We would suggest that future fracking proposals should be supported by information to demonstrate the known location of any faults and a detailed assessment of the potential for induced seismicity to occur as a result of the proposed development. This requirement would make the plan justified in light of all available evidence - including lessons learned from live fracking sites, such as PNR in Lancashire.

Climate Change

Linked to our comments to draft policy SP3 above, it seems since last year's Issues and Options consultation that other progressive fracking policies have been adopted elsewhere - namely in Kirklees. It is vital that this plan takes into account such policy precedents and evident shifts in UK legislative and policy arenas; with the UK government committing to a net zero target and the Committee on Climate Change advising that all sectors need to play their part in helping to reduce emissions¹⁶. With adopted Kirklees Local Plan policy LP42 including a requirement for a net zero impact for minerals developments, this plan should also aim higher. By seeking similar net zero requirements, the policy would ensure evident risks of fugitive emissions linked to fracking (production)¹⁷ are addressed, and NCC would be helping ensure its policies are aligned with UK Carbon Budgets (as per the Committee on Climate Change's 3 tests). We recommend the Notts Minerals Plan adopts such a target and sets out measures necessary to achieve this. See our recommended policy amends below.

Restoration

Our amendments below include more NPPF (2019) compliant wording linked to restoration, which calls for: "restoration and aftercare at the earliest opportunity" - a point missing from the policy wording of draft policy DM12: 'Restoration, aftercare and after-use'. This emphasis is required for unconventional operations, especially in the context of fugitive emissions, to ensure boreholes, well heads and pads are restored in a timely manner, rather than left 'plugged' and in-stasis until the operator has raised further venture capital finance for another frack. By incorporating this optional restoration bond requirement - similar to what is proposed in the North Yorkshire Minerals and Waste Joint Plan - we feel the policy is made sound (justified). Such justification is based on the less certain funding mechanisms, namely investment/venture capital¹⁸ - which it is obvious this novel industry relies so heavily upon - and will ensure full restoration can be achieved even if a company goes into liquidation or its funders sell up. Evidence of this occurring can be found from the US, where even with government secured restoration bonds, the cost of clean-up and restoration is deemed too high and the wells are left abandoned - known as orphan wells¹⁹.

The need for a restoration bond caveats is especially pertinent for an industry where operators (i.e. the oil and gas drilling companies themselves) are bought and sold on a regular basis (see Third Energy's sale to York Energy²⁰ - a subsidiary of Alpha Energy in the US which now has ownership of the Kirby Misperton's fracking site in North Yorkshire). Such a bond is therefore justified in planning terms in light of fracking being such a speculative industry, although again it maintains flexibility in not being applicable in every instance.

Other Comments on the Introduction/Justification Section for Policy MP12

Coal Bed Methane

Para 4.100 - The information provided on coal bed methane seems limited, especially compared to the previous version of the plan which provided useful further insight. The current submission version simply states: "coal bed methane extraction involves removing methane directly from the coal seam without mining the coal". No other information is provided about the extraction process, and such the plan fails to provide the public with adequate enough information as to what will occur underground. As it's unlikely that non-planners would be familiar with PPG, we feel additional detail (either from PPG or wording from the previous plan) be included to enable at least some basic knowledge about the methodologies involved.

Shale Gas

The wording of paragraphs in the Introduction/Justification sections for policy MP12 - regarding shale gas - fail to take into account recent changes in law, national policy, academia

and evidence on the ground (e.g. seismic event mentioned above). When reading the current draft text, there seems to be a rigid adherence to out of date PPG wording and principles for minerals (all written in 2014), rather than any consideration of more recent developments that justify a more tailored policy approach. While consistency to national policy is a soundness test in itself, there are exceptions to the rule, especially where newer evidence justifies a different approach.

Our text amendments (see below) include references to the removal of para 209a from the NPPF21,22; the publication of recent University of Nottingham/BGS data23 which infers much reduced volumes of gas in the Bowland Shale, as well as lessons learned from operational fracking sites in the UK (specifically events leading to the current moratorium on fracking activity at the Preston New Road).

As it stands, the introductory section for shale lacks sufficient detail and reference to the current state of play of fracking in the UK right now. With these factors included, the introduction better frames and justifies the more prescribed policy approach to fracking – as suggested in our policy amendments below.

Finally, we would point out that facilitating the delivery of mass-scale fossil fuel extraction is in direct contradiction to the climate change paragraphs of the NPPF (paras 149 and 150), as well as recently enacted legislation to make the UK net zero carbon by 2050. The 'great weight' which the NPPF accords to mineral exploration and extraction must be balanced against paragraphs 148-154, specifically 149 which states:

'Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.' [our bold emphasis]

The current draft wording fails to reflect these other key climate change paragraphs of the NPPF, which with the quashing and subsequent removal of para 209(a), are also relevant when detailing the national policy context and drafting unconventional hydrocarbon policies. It is worth reiterating that with the CCC's net zero 2050 recommendation (and government legislation enacting this target), local plans should realistically go beyond the environmental NPPF objective of moving to a low carbon economy; which is now superseded by the 2050 commitment.

Our amends to policy MP12, as well as to its introductory and justification sections are below.

N.B. FOE/WNI are aware that in some instances other draft DM policies of the plan address some of our concerns to fracking (e.g. relating to transport and landscape et al). We have taken these considerations into account where applicable.

Policy MP12: Oil and Gas

[INSERT] Conventional

1. Exploration and appraisal of [INSERT] conventional oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where [INSERT] both site infrastructure and associated impacts does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located where this will not have an unacceptable environmental impact.

2. The commercial production of [INSERT] conventional oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located at the least sensitive location taking account of environmental, geological and technical factors.

3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found.

[INSERT] Unconventional

1. Exploration and appraisal of unconventional oil and gas (including all volumes of fracking activity) will be supported, provided the site and equipment:

a. Are not located at the surface of protected areas (including SSSIs, European Protected and Ramsar sites);

b. Are located at the least sensitive location taking account of environmental, geological and technical factors;

c. Avoid harm to the environment or communities. Where harm is outweighed by the need for the development, the impacts on communities and the environment including (but not limited to) noise, dust, visual intrusion, transport, and lighting, air quality, induced seismicity, historic and built environment and the water environment can be minimised, and/or mitigated to an acceptable level;

d. Are located at least 500m away from the nearest residential property. This distance may be reduced where justified on a case by case basis;

In addition:

e. No unacceptable impacts would arise from the on-site storage or treatment of hazardous substances and/or contaminated fluids above or below ground;

f. Hydraulic fracturing in Groundwater Source Protection Zones 2 and 3 will not be permitted unless it can be demonstrated there will be no unacceptable impacts on groundwater.

Hydraulic fracturing will not be permitted above 1,200 metres in Groundwater Protection Zone 1; and

g. Restoration and aftercare of the site to a high-quality standard would take place at the earliest opportunity (in accordance with Policy DM12) whether or not oil or gas is found. The Mineral Planning Authority may require provision of a financial guarantee, appropriate to the scale, nature and location of the development proposed, in order to ensure that the site is restored and left in a condition suitable for beneficial use following completion of the development.

h. Proposals involving hydraulic fracturing should be accompanied by an air quality monitoring plan and Health Impact Assessment.

2. The commercial production of unconventional oil and gas (including all volumes of fracking activity) will be supported, provided the site and equipment:

a. they accord with (a-h) above;

b. no unacceptable impacts would arise from the transport, by vehicle or other means, of oil/gas, water, consumables, and wastes to or from the site;

c. Proposals will only be acceptable if they can demonstrate a net zero impact on climate change.

Introduction Section: MP12

Coal bed methane

4.100. Coal bed methane extraction involves removing methane directly from the coal

seam without mining the coal. The industry is most developed in the USA, whilst in

the UK and Europe it remains in its infancy. [INSERT] Coalbed methane is obtained by drilling into a coal seam, lowering the local pressure and collecting the gas that is released as a result. The gas extraction process does not detrimentally affect the physical properties of the coal or prejudice it being worked at some later date by conventional mining methods.

Methane can be extracted from coal seams that would be unsuitable or uneconomic to mine. Alternatively, it can be used to remove gas before mining, helping to reduce methane hazards associated with coal mining. Unlike underground coal mining, extraction of the gas does not cause subsidence of the land surface. Interest is however developing...

Shale gas

4.102. Vast quantities of methane exist in many shale deposits worldwide and recent technological advances have now made it economically possible to exploit them. The technology and exploitation of shale gas is most advanced in the USA where it has gone through a period of very rapid development and is now exploited on a very large scale. [INSERT] In 2013 the BGS suggested the UK also has a significant, but largely untested potential shale gas resource: in Nottinghamshire, such potential shale gas resources are thought to exist in deeply buried shale deposits found in the far south and north of the County. Research published this year by the University of Nottingham and the British Geological Survey (BGS)²⁴ however found that these previous BGS figures estimated the UK's shale gas resource as opposed to the actual reserve. Previous estimates suggested that UK shale gas could potentially provide up to 50 years' worth of current gas demand, however the latest University of Nottingham research has found it more likely to correspond to less than 10 years of supply at current demand. It is therefore questionable whether further shale exploration/ extraction is able to meet the UK's energy needs or benefit the economy as previously thought.

[INSERT] 4.103 Shale gas extraction involves vertical and horizontal drilling to reach the shale rock formation. A mixture of water, sand and additives is then pumped under high pressure into the bore hole to fracture the rock (a process known as 'fracking'). The gas trapped in the rock is then released and can be collected. [INSERT] 4.104 Exploratory drilling and hydraulic fracturing of this resource has slowly progressed in the UK, with operations having been banned in 2011 due to a 2.3ML seismic event at Preese Hall, Lancashire – leading to a subsequent moratorium by BEIS (then DECC). Since being lifted in 2012²⁵, further fracking operations have gained consent, with works commencing in 2017, again in Lancashire and exploratory drilling in South Yorkshire, Derbyshire and here in Nottinghamshire. Since commencing hydraulic fracturing, the Preston New Road in Lancashire scheme has led to significant instances and levels of induced seismicity, resulting in a 2.9ML quake event for residents around the site. This has again led to a suspension of operations until further notice (instigated by the Oil and Gas Authority - OGA).

Justification

4.108. It is considered that there is no [INSERT] that there are justifiable reasons in planning policy terms to provide more prescribed policy detail to address the exacerbated impacts of hydraulic fracturing separate shale gas from other within [INSERT] the hydrocarbon [INSERT] policies development...

[INSERT] While separate legislation also identifies certain requirements in relation to protected groundwater areas or other protected areas³, [INSERT] the policy framework provides additional safeguards linked matters such as groundwater, distances, restoration (et al) to ensure NCC's areas are protected from the range of impacts of fracking (both AHF and non AHF).

Other

In addition to our points above, below are a couple of errors spotted when reading the draft document:

Para 5.5 – Error: refers to the 2011 EIA regulations, when 2017 regs are now in force (re legal compliance/consistency).

Para 5.58 – Error: refers to Conservation of Habitats and Protected Species Regs 2010 (which are super-ceded by the 2017 regs (re legal compliance/consistent)).

Ensure the plan refers to correct regulation dates – which in both instances are 2017.

1 'Net Zero – The UK's contribution to stopping global warming' - <https://www.theccc.org.uk/publication/net-zero-the-uks-contribution-to-stopping-global-warming/>

2 See page 156 – footnote 1: '(Increasing the tree planting rate from 30,000 hectares per year in the Further Ambition scenario to 50,000 hectares per year with the Speculative option would save an additional 11 MtCO₂e in 2050. By 2050 UK forest cover would be increased to 19%)'

3 <https://www.parliament.uk/business/news/2019/may/mps-debate-the-environment-and-climate-change/>

4 <https://www.gov.uk/government/news/uk-becomes-first-major-economy-to-pass-net-zero-emissions-law>

5 See endnote 1

6 http://www.legislation.gov.uk/uksi/2017/571/pdfs/uksi_20170571_en.pdf

7 <https://www.theguardian.com/environment/2018/apr/25/uk-needs-6000-shale-gas-wells-to-fill-50-of-imports-study-says>

8 <https://www.ogaauthority.co.uk/news-publications/news/2019/hydraulic-fracturing-at-preston-new-road-suspended/>

To provide additional reasoning and justification to our arguments and proposed changes to the plan. This will allow us to put our points across to both the Inspector and council's policy team.

9 The Onshore Hydraulic Fracturing (Protected Areas) Regulations 2016 https://www.legislation.gov.uk/uksi/2016/384/pdfs/uksi_20160384_en.pdf

10 The Petroleum Licensing (Exploration and Production) (Landward Areas) (Amendment) (England and Wales) Regulations 2016

http://www.legislation.gov.uk/uksi/2016/1029/pdfs/uksi_20161029_en.pdf

11 Surface Development Restrictions to Onshore Fracturing (Government Response to consultation)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/532428/Government_Response_Surface_Restrictions_for_Hydraulic_Fracturing.pdf

12 We note while last year's Fracking WMS aimed to discourage such local definitions, discussion from the NYMWJP EIP hearings (Jan-March 18 and Jan 2019) seemed to conclude

such an approach is justified in light of the gaps within national policy and legislation (re surface development and non-AHF). We also note that government has not formally responded to the Ministry for Housing, Communities and Local Government's Select Committee findings into Fracking Guidance (that also endorsed the NYMWJP approach for local protections); despite it being almost 18 months since these sessions were originally held in 2018.

13 HCLG Select Committee Report <https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/767/767.pdf>

14 Fracking Firm refuse to rule out fracking under the North York Moors. <https://www.yorkshirepost.co.uk/news/latest-news/exclusive-energy-firm-refused-to-rule-out-fracking-under-north-york-moors-1-8995954>

15 Para 4.2 – Cuadrilla's Planning Statement: <http://planningregister.lancashire.gov.uk/PlanAppDisp.aspx?recno=6586>

16 See endnote 1

17 See Committee on Climate Change's report into fracking's compatibility with UK Climate Budgets

<https://www.theccc.org.uk/2016/07/07/exploitation-of-onshore-petroleum-requires-three-key-tests-to-be-met-ccc-says/>

18 We note the operator Cuadrilla is owned by A.J. Lucas (47%) and the Anglo-American equity firm Riverstone Holdings (45%), while Cuadrilla employees own the remaining 8%.

19 <https://oilprice.com/Energy-General/Youre-Footing-The-Bill-For-Bankrupt-Shale-Drillers.html#>

20 <https://www.third-energy.com/sites/default/files/Third%20Energy%20press%20release%20250419.pdf>

21 <https://www.leighday.co.uk/LeighDay/media/LeighDay/documents/Fracking/Stephenson-v-Sec-State-for-Housing-Communities-QBD-6-3-19.docx>

22 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

23 <https://www.nature.com/articles/s41467-019-11653-4>

24 University of Nottingham website: <https://www.nottingham.ac.uk/news/ukshalegas>

and the Guardian: <https://www.theguardian.com/business/2019/aug/20/uk-shale-gas-reserves-may-be-six-times-less-than-claimed-study>

25 See Ed Davey Statement (DECC) <https://www.gov.uk/government/speeches/written-ministerial-statement-by-edward-davey-exploration-for-shale-gas>

Change to plan:

Policy SP3 – Climate Change

All minerals development, including site preparation, operational practices and restoration proposals should [INSERT] must minimise their impact on the causes of climate change for the lifetime of the development. Where applicable development should [INSERT] must assist in the reduction of vulnerability and provide resilience to the impacts of climate change by:

a) Being located, designed and operated to help reduce greenhouse gas emissions, withstand unavoidable climate impacts and move towards a low-carbon economy; [INSERT]

b) For hydrocarbon extraction, applications should specifically address the potential for cumulative impacts of development upon climate change and, where appropriate, propose such mitigation and adaptation measures as may be available.

cb) Avoiding areas of vulnerability to climate change and flood risk. Where avoidance is not possible, impacts should be fully mitigated;

dc) Developing restoration schemes which will contribute to addressing future climate change adaptation, including through biodiversity and habitat creation, carbon storage and flood alleviation.

[INSERT]

e) Proposals should demonstrate how they will have a net zero impact on climate change.

Legally No

compliant:

Sound: No

Comply with Not specified

duty:

Appear exam: Appearance at the examination

Attachments: None

340

Object

MP12: Oil and Gas

Respondent: Friends of the Earth England, Wales, Northern Ireland (Mr Magnus Gallie, Planner) [7929]

Summary:

Our previous representations to the Issues and Options consultation (2018) provided detail into how the planning impacts of hydraulic fracturing are comparatively worse compared to conventional forms of oil and gas exploration/ extraction. Such disparities for fracking include:

- longer drilling timeframes;

- larger drilling rigs (60m+);

- greater numbers and frequencies of HGV/tanker movements (re carrying large amounts of water to and wastewater away from the site; as well as materials and plant to accommodate multiple stages of fracking);

- longer periods of 24-hour drilling activity due to deeper drill depths compared to conventional drilling (→ prolonged drilling, lighting, noise and HGV vehicle movements);

- greater numbers of and larger well pads⁷ required as multiple boreholes are needed to maintain flow pressure;

- heightened risks to ground water quality as fracking fluids are injected at depth into strata and with flowback rates varying between 15-70% depending on geology;

- increased climate change impacts arising from fugitive emissions; and

- heightened risk of induced seismicity (linked to the injection of large volumes of fracking fluid and interaction with fault lines) the impacts and fall-out of which have led to a moratorium on fracking at Preston New Road, Lancashire⁸.

Having considered the increased impacts hydraulic fracturing presents, we note that a number of other newly adopted and more advanced minerals plans include policies specifically worded to ensure the protection of environment and local communities. These plans include West Sussex Minerals and Waste Plan (adopted 2018); East Riding and Hull Joint Minerals Local Plan (post EIP and Inspector's report published); and the North Yorkshire Minerals and Waste Joint Plan (NYMWJP) (post EIP, awaiting Inspector's report). These include policies that:

- NYMWJP: a minimum set-back distance of 500m from sensitive receptors; maximum well pad densities; consideration of cumulative climate change and a local definition of hydraulic fracturing to ensure the impacts of 'non-high volume fracturing' are captured also (see next paragraph for more detail on this point).

- East Riding and Hull Joint Minerals Plan: includes S19(1A Duty) compliant wording on climate change mitigation/adaptation

- West Sussex Minerals Plan: includes specific restrictions for limiting such activity in groundwater protection zones 2 and 3.

Given these best practice policy examples above, and the moratorium of fracking activity at Preston New Road resulting from August's 2.9ML induced seismic event, it's quite surprising that draft policy MP12 fails to provide more detailed policy wording to address these issues and fails to recognise that the impacts of unconventional and conventional hydrocarbon can differ significantly. We note the justification wording defends this approach, citing: "no justifiable reason in planning policy terms to separate shale gas from other hydrocarbon development... Separate legislation also identifies certain requirements in relation to protected groundwater areas or other protected areas" (para 4.108). We view this approach is unsound, as it ignores fracking's exacerbated impacts compared to conventional hydrocarbon extraction and the very obvious loopholes in legislation.

Associated Hydraulic Fracturing vs non-Associated Hydraulic Fracturing

While legislation and national policy define 'protected areas' (and 'other protected areas') where hydraulic fracturing is not allowed (underneath⁹ or at the surface^{10,11}) such restrictions only apply to Relevant/Associated Hydraulic Fracturing (AHF) proposals. The most recent definition of AFC is provided at para 3.20 of the government's formal response to the onshore hydraulic fracturing consultation: 'any operations which use more than 1,000 cubic metres of fluid at any single stage, or expected stage or 10,000m³ in total' (see endnote 11). The point is that the very legislative and government policy safeguards NCC rely upon to justify a very sparse approach to unconventional hydrocarbons in Policy MP12 do not provide protections for 'protected areas' from non-AHF (i.e. or smaller scale fracking) schemes. The current approach - in failing to define fracturing that encompasses both AHF and non-AHF and/or additional surface protections - potentially leaves a range of NCC's 'protected areas' exposed to non-AHF's impacts. This is despite those impacts between AHF and non-AHF being almost identical.

Policy MP12 is unsound (not justified) and fails to provide adequate surface protections in 'protected areas' – including SSSIs, European sites and Ramsar sites - for non-AHF schemes. An example of how this can be overcome is by way of the NYMWJP which has proposed its own definition of hydraulic fracturing¹² to cover all fluid volumes.

Local Protections

More tailored policy wording would help address the intensified planning impacts of fracking compared to conventional drilling and extraction, especially at the exploratory stages (see above and previous representations). Here, there is potential for simultaneous 24 hour drilling and hydraulic fracturing activity, frequent HGV movements (plant/rig equipment/water/waste water etc), fugitive emissions, 24 hour noise, air quality, lighting impacts – which will exist in combination at the site. These are all in addition to the increased risks of induced seismicity. While national policy calls for such planning impacts to be made 'acceptable', we propose a 500m surface buffer to ensure that local residents are more than adequately protected from impacts of these industrial operations. This policy approach originates from the NYMWJP, as advocated by the HCLG Select Committee as part of their Inquiry into fracking guidance.¹³ Their report states:

'Given that the English planning system is plan-led, Mineral Planning Authorities should be free to adapt their Local Plans as they see fit as long as they do not arbitrarily restrict fracking developments. It is essential that Mineral Planning Authorities have the right to put conditions in their Local Plans which can be justified having proper regard to local circumstances.' (pg 71 – 2018).

At EIP this year, the Inspector was given evidence that demonstrated how directional and lateral drilling, key components of fracking drilling methodologies, would enable access shale resources, despite the operation of the proposed 500m buffer. It is also worth noting that last year, INEOS used this drilling methodology as a means to justify their strategy to access extensive shale reserves under the North Yorkshire National Park, as they would not actually require well pads at the surface of the park's boundary¹⁴. As such, these methodologies should ensure a 500m buffer is not overly restrictive to operators.

Induced Seismicity

Induced seismicity is now also a major issue for fracking and represents a key justification for more detailed policy wording (or a separate policy). While OPPG suggests that induced seismicity is within the remit of OGA (namely the Traffic Light System or TLS), the same guidance also states quite clearly that:

'Whilst these issues may be put before mineral planning authorities, they should not need to carry out their own assessment as they can rely on the assessment of other regulatory bodies. However, before granting planning permission they will need to be satisfied that these issues can or will be adequately addressed by taking the advice from the relevant

regulatory body.' (Paragraph: 112 Reference ID: 27-112-20140306 - Revision date: 06 03 2014)

We would like to draw NCC's attention to events which have taken place at the Preston New Road (PNR) fracking site in Lancashire. During the application stages, its operators (Cuadrilla) had stated that with embedded mitigation (such as seismic monitoring arrays and the TLS) the upper limit of 1.5ML would never be breached. Their original planning statement¹⁵ also stated:

The seismic events induced by hydraulic fracturing do not typically exceed magnitude 0 ML and very rarely exceed 0.5 ML. Data from the surface array will be used to mitigate the level of induced seismicity from hydraulic fracturing operations so that they are below 1.5ML.

As has clearly been demonstrated by August's 2.9ML seismic event, it's obvious the TLS and other forms of embedded mitigation have failed to mitigate the very real impacts of induced seismicity resulting from fracking in the UK. By way of comparison, it was earthquakes of 1.5 ML and 2.3ML associated Cuadrilla's Preese Hall fracking site in April and May 2011 that led to a moratorium being introduced for fracking by the then Coalition Government. Last August's 2.9ML event was significantly more powerful than this and so our concern is warranted and justified.

We consider that future risks of seismicity and the lack of effectiveness of the TLS to warrant enough concern to bring into question whether MPAs can "be satisfied" with the OGA's TLS mitigation. We would recommend that any oil and gas policy include caveats to this effect. We would suggest that future fracking proposals should be supported by information to demonstrate the known location of any faults and a detailed assessment of the potential for induced seismicity to occur as a result of the proposed development. This requirement would make the plan justified in light of all available evidence – including lessons learned from live fracking sites, such as PNR in Lancashire.

Climate Change

Linked to our comments to draft policy SP3 above, it seems since last year's Issues and Options consultation that other progressive fracking policies have been adopted elsewhere – namely in Kirklees. It is vital that this plan takes into account such policy precedents and evident shifts in UK legislative and policy arenas; with the UK government committing to a net zero target and the Committee on Climate Change advising that all sectors need to play their part in helping to reduce emissions¹⁶. With adopted Kirklees Local Plan policy LP42 including a requirement for a net zero impact for minerals developments, this plan should also aim higher. By seeking similar net zero requirements, the policy would ensure evident risks of fugitive emissions linked to fracking (production)¹⁷ are addressed, and NCC would be helping ensure its policies are aligned with UK Carbon Budgets (as per the Committee on Climate Change's 3 tests). We recommend the Notts Minerals Plan adopts such a target and sets out measures necessary to achieve this. See our recommended policy amends below.

Restoration

Our amendments below include more NPPF (2019) compliant wording linked to restoration, which calls for: "restoration and aftercare at the earliest opportunity" – a point missing from the policy wording of draft policy DM12: 'Restoration, aftercare and after-use'. This emphasis is required for unconventional operations, especially in the context of fugitive emissions, to ensure boreholes, well heads and pads are restored in a timely manner, rather than left 'plugged' and in-stasis until the operator has raised further venture capital finance for another frack. By incorporating this optional restoration bond requirement - similar to what is proposed in the North Yorkshire Minerals and Waste Joint Plan – we feel the policy is made sound (justified). Such justification is based on the less certain funding mechanisms, namely investment/venture capital¹⁸ - which it is obvious this novel industry relies so heavily upon - and will ensure full restoration can be achieved even if a company goes into liquidation or its funders sell up. Evidence of this occurring can be found from the US, where even with government secured restoration bonds, the cost of clean-up and restoration is deemed too high and the wells are left abandoned – known as orphan wells¹⁹.

The need for a restoration bond caveats is especially pertinent for an industry where operators (i.e. the oil and gas drilling companies themselves) are bought and sold on a regular basis (see Third Energy's sale to York Energy²⁰ – a subsidiary of Alpha Energy in the US which now has ownership of the Kirby Misperton's fracking site in North Yorkshire). Such a bond is therefore justified in planning terms in light of fracking being such a speculative industry, although again it maintains flexibility in not being applicable in every instance.

Other Comments on the Introduction/Justification Section for Policy MP12

Coal Bed Methane

Para 4.100 – The information provided on coal bed methane seems limited, especially compared to the previous version of the plan which provided useful further insight. The current submission version simply states: "coal bed methane extraction involves removing methane directly from the coal seam without mining the coal". No other information is provided about the extraction process, and such the plan fails to provide the public with adequate enough information as to what will occur underground. As it's unlikely that non-planners would be familiar with PPG, we feel additional detail (either from PPG or wording from the previous plan) be included to enable at least some basic knowledge about the methodologies involved.

Shale Gas

The wording of paragraphs in the Introduction/Justification sections for policy MP12 – regarding shale gas - fail to take into account recent changes in law, national policy, academia and evidence on the ground (e.g. seismic event mentioned above). When reading the current draft text, there seems to be a rigid adherence to out of date PPG wording and principles for minerals (all written in 2014), rather than any consideration of more recent developments that justify a more tailored policy approach. While consistency to national policy is a soundness test in itself, there are exceptions to the rule, especially where newer evidence justifies a different approach.

Our text amendments (see below) include references to the removal of para 209a from the NPPF^{21,22}; the publication of recent University of Nottingham/BGS data²³ which infers much reduced volumes of gas in the Bowland Shale, as well as lessons learned from operational fracking sites in the UK (specifically events leading to the current moratorium on fracking activity at the Preston New Road).

As it stands, the introductory section for shale lacks sufficient detail and reference to the current state of play of fracking in the UK right now. With these factors included, the introduction better frames and justifies the more prescribed policy approach to fracking – as suggested in our policy amendments below.

Finally, we would point out that facilitating the delivery of mass-scale fossil fuel extraction is in direct contradiction to the climate change paragraphs of the NPPF (paras 149 and 150), as well as recently enacted legislation to make the UK net zero carbon by 2050. The 'great weight' which the NPPF accords to mineral exploration and extraction must be balanced against paragraphs 148-154, specifically 149 which states:

'Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.' [our bold emphasis]

The current draft wording fails to reflect these other key climate change paragraphs of the NPPF, which with the quashing and subsequent removal of para 209(a), are also relevant when detailing the national policy context and drafting unconventional hydrocarbon policies. It is worth reiterating that with the CCC's net zero 2050 recommendation (and government legislation enacting this target), local plans should realistically go beyond the environmental NPPF objective of moving to a low carbon economy; which is now superseded by the 2050 commitment.

Our amends to policy MP12, as well as to its introductory and justification sections are below.

Full text:

Strategic Objective SO3 Climate change aims to encourage minerals developments to minimise their impacts on climate change by "encouraging efficient ways of working including reductions in transport and onsite machinery emissions".

As highlighted in our previous representations, Section 19(1A) of the Planning and Compulsory Purchase Act (2004) puts an obligation on plan-making authorities to ensure that: "Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change"

We also note the NPPF wording within the environmental objective, which states, planning should:

"contribute to protecting and enhancing our natural, built and historic environment; including mitigating and adapting to climate change, including moving to a low carbon economy" (para 8c)

Para 150(b) of the same document states:

"new development should be planned for in ways that...can help to reduce greenhouse gas emissions, such as through its location, orientation and design."

In this context, while we welcome this objective, its wording underplays the urgency required in achieving mitigation and adaptation to climate change (i.e. it only "encouraging efficient ways of working" regarding mitigation and focusing principally on flood risk re adaptation).

In June 2019 legislation was passed committing the UK to becoming net zero carbon by 2050. The Committee on Climate Change's Net Zero report¹ (May 2019) is clear about the need for all facets of the British economy, from transport, energy, industry, house building to infrastructure (et al), to help the country reach the 2050 net zero target. The report states that 'most sectors will need to reduce emissions close to zero without offsetting' (pg 11; 2019) to achieve this aim. We see no reason why mineral extraction should be omitted from these aims.

To make the objective consistent with this recent change to law (and national government policy); compliant with the amendment to the PCPA 2004 and enable delivery of sustainable development (NPPF para 35 d), alternative wording should be used to ensure aim of the objective and its accompanying wording recognise these recent legislative and policy priorities. We would ask that the plan's policies be reframed around the need for the minerals industry as a whole to contribute to the UK achieving the net zero target by 2050. The CCC estimates that adherence to this will meet our Paris Agreement requirements to limit the increase in global average temperature to well below 2°C and to pursue efforts to limit the rise to 1.5°C. Such a commitment in the context of the approach to minerals, will require the council revisiting these policies with this critical objective in mind.

As a society and related to mineral extraction, we can no longer just assume a business as usual approach anymore, especially when drawing up local plans. The CCC's 2019 report states that "This target is only credible if policy to reduce emissions ramps up significantly across all levels and departments of government" (p16). As this plan takes us to 2036 (just 14 years before this target is meant to be reached), it's imperative the county council delivers more compliant and forward-thinking policies to tackle climate change.

A focus on policies covering those least compliant forms of mineral extraction (i.e. unconventional hydrocarbons) would be a start (as we have suggested changes later on to make those relevant policies sound). Our suggested amendments to the wording of strategic objective 3 are below.

SO3: Addressing climate change

Minimise and mitigate the impact of mineral developments on climate change [INSERT] with the aim of helping achieve compliance with the government's 2050 net zero GHG target. encouraging [INSERT] This will be achieved by ensuring efficient ways of working, including reductions in transport and onsite machinery emissions. [INSERT] The 'great weight' attached to mineral extraction should be balanced against the need for compliance with the binding 2050 target and climate change considerations within the NPPF.

[INSERT] All minerals proposals must reduce existing and future [INSERT] vulnerability flood risks linked to, and aid in by [INSERT] ensuring adequate adaptation to climate change through good quarry design and operation, water management, location of plant and appropriate restoration, particularly for quarries in the Trent Valley flood plain. [INSERT] Minerals proposals must contribute to climate change adaptation by re-linking fragmented habitats and creating new areas of habitat to allow the migration and dispersal of species. [INSERT] Tree planting led restoration of minerals sites, where appropriate, would help meet the UK's net zero 2050 target (as per the CCC's recommendations) and will be encouraged².

Change to plan:

N.B. FOE/WNI are aware that in some instances other draft DM policies of the plan address some of our concerns to fracking (e.g. relating to transport and landscape et al). We have taken these considerations into account where applicable.

Policy MP12: Oil and Gas

[INSERT] Conventional

1. Exploration and appraisal of [INSERT] conventional oil and gas will be supported, provided the site and equipment:
 - a. Are not located in a protected area other than in exceptional circumstances where [INSERT] both site infrastructure and associated impacts does not compromise the reasons for the designation and the need for development can be demonstrated; and
 - b. Are located where this will not have an unacceptable environmental impact.
2. The commercial production of [INSERT] conventional oil and gas will be supported, provided the site and equipment:
 - a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and
 - b. Are located at the least sensitive location taking account of environmental, geological and technical factors.
3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found.

[INSERT] Unconventional

1. Exploration and appraisal of unconventional oil and gas (including all volumes of fracking activity) will be supported, provided the site and equipment:
 - a. Are not located at the surface of protected areas (including SSSIs, European Protected and Ramsar sites);
 - b. Are located at the least sensitive location taking account of environmental, geological and technical factors;
 - c. Avoid harm to the environment or communities. Where harm is outweighed by the need for the development, the impacts on communities and the environment including (but not limited to) noise, dust, visual intrusion, transport, and lighting, air quality, induced seismicity, historic and built environment and the water environment can be minimised, and/or mitigated to an acceptable level;
 - d. Are located at least 500m away from the nearest residential property. This distance may be reduced where justified on a case by case basis;
- In addition:
 - e. No unacceptable impacts would arise from the on-site storage or treatment of hazardous substances and/or contaminated fluids above or below ground;
 - f. Hydraulic fracturing in Groundwater Source Protection Zones 2 and 3 will not be permitted unless it can be demonstrated there will be no unacceptable impacts on groundwater. Hydraulic fracturing will not be permitted above 1,200 metres in Groundwater Protection Zone 1; and
 - g. Restoration and aftercare of the site to a high-quality standard would take place at the earliest opportunity (in accordance with Policy DM12) whether or not oil or gas is found. The Mineral Planning Authority may require provision of a financial guarantee, appropriate to the scale, nature and location of the development proposed, in order to ensure that the site is restored and left in a condition suitable for beneficial use following completion of the development.
 - h. Proposals involving hydraulic fracturing should be accompanied by an air quality monitoring plan and Health Impact Assessment.
2. The commercial production of unconventional oil and gas (including all volumes of fracking activity) will be supported, provided the site and equipment:
 - a. they accord with (a-h) above;
 - b. no unacceptable impacts would arise from the transport, by vehicle or other means, of oil/gas, water, consumables, and wastes to or from the site;
 - c. Proposals will only be acceptable if they can demonstrate a net zero impact on climate change.

Introduction Section: MP12

Coal bed methane

4.100. Coal bed methane extraction involves removing methane directly from the coal seam without mining the coal. The industry is most developed in the USA, whilst in the UK and Europe it remains in its infancy. [INSERT] Coalbed methane is obtained by drilling into a coal seam, lowering the local pressure and collecting the gas that is released as a result. The gas extraction process does not detrimentally affect the physical properties of the coal or prejudice it being worked at some later date by conventional mining methods. Methane can be extracted from coal seams that would be unsuitable or uneconomic to mine. Alternatively, it can be used to remove gas before mining, helping to reduce methane hazards associated with coal mining. Unlike underground coal mining, extraction of the gas does not cause subsidence of the land surface. Interest is however developing...

Shale gas

4.102. Vast quantities of methane exist in many shale deposits worldwide and recent technological advances have now made it economically possible to exploit them. The technology and exploitation of shale gas is most advanced in the USA where it has gone through a period of very rapid development and is now exploited on a very large scale. [INSERT] In 2013 the BGS suggested the UK also has a significant, but largely untested potential shale gas resource: in Nottinghamshire, such potential shale gas resources are thought to exist in deeply buried shale deposits found in the far south and north of the County. Research published this year by the University of Nottingham and the British Geological Survey (BGS)²⁴ however found that these previous BGS figures estimated the UK's shale gas resource as opposed to the actual reserve. Previous estimates suggested that UK shale gas could potentially provide up to 50 years' worth of current gas demand, however the latest University of Nottingham research has found it more likely to correspond to less than 10 years of supply at current demand. It is therefore questionable whether further shale exploration/ extraction is able to meet the UK's energy needs or benefit the economy as previously thought.

[INSERT] 4.103 Shale gas extraction involves vertical and horizontal drilling to reach the shale rock formation. A mixture of water, sand and additives is then pumped under high pressure into the bore hole to fracture the rock (a process known as 'fracking'). The gas trapped in the rock is then released and can be collected. [INSERT] 4.104 Exploratory drilling and hydraulic fracturing of this resource has slowly progressed in the UK, with operations having been banned in 2011 due to a 2.3ML seismic event at Preese Hall, Lancashire – leading to a subsequent moratorium by BEIS (then DECC). Since being lifted in 2012/25, further fracking operations have gained consent, with works commencing in 2017, again in Lancashire and exploratory drilling in South Yorkshire, Derbyshire and here in Nottinghamshire. Since commencing hydraulic fracturing, the Preston New Road in Lancashire scheme has led to significant instances and levels of induced seismicity, resulting in a 2.9ML quake event for residents around the site. This has again led to a suspension of operations until further notice (instigated by the Oil and Gas Authority - OGA).

Justification

4.108. It is considered that there is no [INSERT] that there are justifiable reasons in planning policy terms to provide more prescribed policy detail to address the exacerbated impacts of hydraulic fracturing separate shale gas from other within [INSERT] the hydrocarbon [INSERT] policies development...

[INSERT] While separate legislation also identifies certain requirements in relation to protected groundwater areas or other protected areas³, [INSERT] the policy framework provides additional safeguards linked matters such as groundwater, distances, restoration (et al) to ensure NCC's areas are protected from the range of impacts of fracking (both AHF and non AHF).

Legally compliant: No
Sound: No
Comply with duty: Not specified

Appear exam: Appearance at the examination

Attachments: National Friends of the Earth representation - <https://nottinghamshire.cc2.uk/a/dwd>

341

Object

Development Management Policies

Respondent: Friends of the Earth England, Wales, Northern Ireland (Mr Magnus Gallie, Planner) [7929]

Summary:

Para 5.5 – Error: refers to the 2011 EIA regulations, when 2017 regs are now in force (re legal compliance / consistency).

Full text:

Strategic Objective SO3 Climate change aims to encourage minerals developments to minimise their impacts on climate change by "encouraging efficient ways of working including reductions in transport and onsite machinery emissions".

As highlighted in our previous representations, Section 19(1A) of the Planning and Compulsory Purchase Act (2004) puts an obligation on plan-making authorities to ensure that:

"Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change"

We also note the NPPF wording within the environmental objective, which states, planning should:

"contribute to protecting and enhancing our natural, built and historic environment; including mitigating and adapting to climate change, including moving to a low carbon economy" (para 8c)

Para 150(b) of the same document states:

"new development should be planned for in ways that...can help to reduce greenhouse gas emissions, such as through its location, orientation and design."

In this context, while we welcome this objective, its wording underplays the urgency required in achieving mitigation and adaptation to climate change (i.e. it only "encouraging efficient ways of working" regarding mitigation and focusing principally on flood risk re adaptation).

In June 2019 legislation was passed committing the UK to becoming net zero carbon by 2050. The Committee on Climate Change's Net Zero report¹ (May 2019) is clear about the need for all facets of the British economy, from transport, energy, industry, house building to infrastructure (et al), to help the country reach the 2050 net zero target. The report states that 'most sectors will need to reduce emissions close to zero without offsetting' (pg 11; 2019) to achieve this aim. We see no reason why mineral extraction should be omitted from these aims.

To make the objective consistent with this recent change to law (and national government policy); compliant with the amendment to the PCPA 2004 and enable delivery of sustainable development (NPPF para 35 d), alternative wording should be used to ensure aim of the objective and its accompanying wording recognise these recent legislative and policy priorities. We would ask that the plan's policies be reframed around the need for the minerals industry as a whole to contribute to the UK achieving the net zero target by 2050. The CCC estimates that adherence to this will meet our Paris Agreement requirements to limit the increase in global average temperature to well below 2°C and to pursue efforts to limit the rise to 1.5°C. Such a commitment in the context of the approach to minerals, will require the council revisiting these policies with this critical objective in mind.

As a society and related to mineral extraction, we can no longer just assume a business as usual approach anymore, especially when drawing up local plans. The CCC's 2019 report states that 'This target is only credible if policy to reduce emissions ramps up significantly across all levels and departments of government' (p16). As this plan takes us to 2036 (just 14 years before this target is meant to be reached), it's imperative the county council delivers more compliant and forward-thinking policies to tackle climate change.

A focus on policies covering those least compliant forms of mineral extraction (i.e. unconventional hydrocarbons) would be a start (as we have suggested changes later on to make those relevant policies sound). Our suggested amendments to the wording of strategic objective 3 are below.

S03: Addressing climate change

Minimise and mitigate the impact of mineral developments on climate change [INSERT] with the aim of helping achieve compliance with the government's 2050 net zero GHG target. encouraging [INSERT] This will be achieved by ensuring efficient ways of working, including reductions in transport and onsite machinery emissions. [INSERT] The 'great weight' attached to mineral extraction should be balanced against the need for compliance with the binding 2050 target and climate change considerations within the NPPF. [INSERT] All minerals proposals must reduce existing and future [INSERT] vulnerability flood risks linked to, and aid in by [INSERT] ensuring adequate adaptation to climate change through good quarry design and operation, water management, location of plant and appropriate restoration, particularly for quarries in the Trent Valley flood plain. [INSERT] Minerals proposals must contribute to climate change adaptation by relinking fragmented habitats and creating new areas of habitat to allow the migration and dispersal of species. [INSERT] Tree planting led restoration of minerals sites, where appropriate, would help meet the UKs net zero 2050 target (as per the CCC's recommendations) and will be encouraged2.

Change to plan:

2017 regs are now in force (re legal compliance / consistency).

Legally No
compliant:
Sound: No
Comply with Yes
duty:

Appear exam: Appearance at the examination

Attachments: National Friends of the Earth representation - <https://nottinghamshire.oc2.uk/a/dwd>

342

Object

DM1: Protecting Local Amenity

Respondent: Friends of the Earth England, Wales, Northern Ireland (Mr Magnus Gallie, Planner) [7929]

Summary:

Para 5.58 – Error: refers to Conservation of Habitats and Protected Species Regs 2010 (which are super-ceded by the 2017 regs (re legal compliance/consistent))

Full text:

Strategic Objective S03 Climate change aims to encourage minerals developments to minimise their impacts on climate change by "encouraging efficient ways of working including reductions in transport and onsite machinery emissions".

As highlighted in our previous representations, Section 19(1A) of the Planning and Compulsory Purchase Act (2004) puts an obligation on plan-making authorities to ensure that: "Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change"

We also note the NPPF wording within the environmental objective, which states, planning should:

"contribute to protecting and enhancing our natural, built and historic environment; including mitigating and adapting to climate change, including moving to a low carbon economy" (para 8c)

Para 150(b) of the same document states:

"new development should be planned for in ways that...can help to reduce greenhouse gas emissions, such as through its location, orientation and design."

In this context, while we welcome this objective, its wording underplays the urgency required in achieving mitigation and adaptation to climate change (i.e. it only "encouraging efficient ways of working" regarding mitigation and focusing principally on flood risk re adaptation).

In June 2019 legislation was passed committing the UK to becoming net zero carbon by 2050. The Committee on Climate Change's Net Zero report1 (May 2019) is clear about the need for all facets of the British economy, from transport, energy, industry, house building to infrastructure (et al), to help the country reach the 2050 net zero target. The report states that 'most sectors will need to reduce emissions close to zero without offsetting' (pg 11; 2019) to achieve this aim. We see no reason why mineral extraction should be omitted from these aims.

To make the objective consistent with this recent change to law (and national government policy); compliant with the amendment to the PCPA 2004 and enable delivery of sustainable development (NPPF para 35 d), alternative wording should be used to ensure aim of the objective and its accompanying wording recognise these recent legislative and policy priorities. We would ask that the plan's policies be reframed around the need for the minerals industry as a whole to contribute to the UK achieving the net zero target by 2050. The CCC estimates that adherence to this will meet our Paris Agreement requirements to limit the increase in global average temperature to well below 2°C and to pursue efforts to limit the rise to 1.5°C. Such a commitment in the context of the approach to minerals, will require the council revisiting these policies with this critical objective in mind.

As a society and related to mineral extraction, we can no longer just assume a business as usual approach anymore, especially when drawing up local plans. The CCC's 2019 report states that 'This target is only credible if policy to reduce emissions ramps up significantly across all levels and departments of government' (p16). As this plan takes us to 2036 (just 14 years before this target is meant to be reached), it's imperative the county council delivers more compliant and forward-thinking policies to tackle climate change.

A focus on policies covering those least compliant forms of mineral extraction (i.e. unconventional hydrocarbons) would be a start (as we have suggested changes later on to make those relevant policies sound). Our suggested amendments to the wording of strategic objective 3 are below.

S03: Addressing climate change

Minimise and mitigate the impact of mineral developments on climate change [INSERT] with the aim of helping achieve compliance with the government's 2050 net zero GHG target. encouraging [INSERT] This will be achieved by ensuring efficient ways of working, including reductions in transport and onsite machinery emissions. [INSERT] The 'great weight' attached to mineral extraction should be balanced against the need for compliance with the binding 2050 target and climate change considerations within the NPPF.

[INSERT] All minerals proposals must reduce existing and future [INSERT] vulnerability flood risks linked to, and aid in by [INSERT] ensuring adequate adaptation to climate change through good quarry design and operation, water management, location of plant and appropriate restoration, particularly for quarries in the Trent Valley flood plain. [INSERT] Minerals proposals must contribute to climate change adaptation by relinking fragmented habitats and creating new areas of habitat to allow the migration and dispersal of species. [INSERT] Tree planting led restoration of minerals sites, where appropriate, would help meet the UKs net zero 2050 target (as per the CCC's recommendations) and will be encouraged2.

Change to plan:

Amend text to make reference to 2017 regs

Legally No
compliant:
Sound: No
Comply with Yes
duty:

Appear exam: Appearance at the examination

Attachments: National Friends of the Earth representation - <https://nottinghamshire.oc2.uk/a/dwd>

7

Support

Strategic Objectives

Respondent: Gedling Borough Council (Mr Graeme Foster, Principal Planning Officer) [2120]

Summary:

Gedling Borough has no objections to make on the new Minerals Local Plan strategic objectives, policies and allocations. Gedling Borough also considers that the Minerals Planning Authority has fulfilled its Duty to Cooperate through established liaison groups and specially convened meetings.

Full text:

Gedling Borough has no objections to make on the new Minerals Local Plan strategic objectives, policies and allocations. Gedling Borough also considers that the Minerals Planning Authority has fulfilled its Duty to Cooperate through established liaison groups and specially convened meetings.

Change to plan:

-
Legally Not specified
compliant:
Sound: Not specified
Comply with Not specified
duty:
Appear exam: Not specified
Attachments: None

4

Support

SP6: The Nottinghamshire Green Belt

Respondent: Gedling Borough Council (Mr Graeme Foster, Principal Planning Officer) [2120]

Summary:

Gedling Borough supports Policy SP6 - The Nottinghamshire Green Belt.

Full text:

Gedling Borough supports Policy SP6 - The Nottinghamshire Green Belt.

Change to plan:

-

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified
Appear exam: Not specified
Attachments: None

6

Support

SP7: Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure

Respondent: Gedling Borough Council (Mr Graeme Foster, Principal Planning Officer) [2120]

Summary:

Gedling Borough supports the identification of coterminous MSAs and MCAs and the associated established procedures for reciprocal liaison between the Minerals Planning Authority and the Local Planning Authority in relation to both plan preparation and planning applications.

Full text:

Gedling Borough supports the identification of coterminous MSAs and MCAs and the associated established procedures for reciprocal liaison between the Minerals Planning Authority and the Local Planning Authority in relation to both plan preparation and planning applications.

Change to plan:

-

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified
Appear exam: Not specified
Attachments: None

5

Support

Appendix 2: Site Allocation Development Briefs

Respondent: Gedling Borough Council (Mr Graeme Foster, Principal Planning Officer) [2120]

Summary:

Gedling Borough welcomes and supports the Site Allocation Brief for Bestwood 2 Northern Extension. In particular there is support for ensuring that the restoration scheme should demonstrate that the loss of the LWS would be outweighed by the need for the mineral and compensated for through the creation of high quality habitat.

Full text:

Gedling Borough welcomes and supports the Site Allocation Brief for Bestwood 2 Northern Extension. In particular there is support for ensuring that the restoration scheme should demonstrate that the loss of the LWS would be outweighed by the need for the mineral and compensated for through the creation of high quality habitat.

Change to plan:

-

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified
Appear exam: Not specified
Attachments: None

206

Object

SO1: Improving the sustainability of minerals development

Respondent: Dawn Gilbert [3887]

Summary:

1. SO 1 is unsound and unjustified
 - a. The County Council have not undertaken a meaningful analysis of the site & a full impact on surrounding communities and natural environment, has not been undertaken in a thorough enough method. Transportation is not the only factor you should take into consideration
 - b. I also do not think the council have taken into account the current/proposed geographical spread of sites

Full text:

1. SO 1 is unsound and unjustified
 - a. The County Council have not undertaken a meaningful analysis of the site & a full impact on surrounding communities and natural environment, has not been undertaken in a thorough enough method. Transportation is not the only factor you should take into consideration
 - b. I also do not think the council have taken into account the current/proposed geographical spread of sites
2. You have not conformed to your Statement of Community Involvement
 - a. There have been no attempt to engage with the village, which will be dramatically affected by the proposals – this is incredibly disappointing, frustrating and unjust
 - b. I understand you are responsible for providing information on proposals to those affected and this has not happened
 - c. Your current planning and consultation processes are so complex, bureaucratic that they exclude many individuals including myself in local communities. This is discriminatory and there is no provision for vulnerable residents including those at Larkhill who's health will be SEVERLY AFFECTED by this proposal. Not everyone can access your information boards at the Library
 - d. You have stated that a large number of pro forma letters have been received. This is not correct. But you may spot similarities in responses. As I say – UNLESS YOU HAVE ANY QUALIFICATIONS IN PLANNING, HOURS TO RESEARCH THINGS THAT AFFECT YOU, A BUCKET LOAD OF TENACITY, THERE IS NO WAY THE COMMON MAN COULD POSSIBLY NAVIGATE THE BLOCKERS YOU PUT IN PLACE TO BEING ABLE TO OBJECT TO SOMETHING THAT AFFECTS YOU. AND YOU KEEP MAKING US DO THIS AGAIN AND AGAIN AND AGAIN. Some would say this is a tactic to wear us down. This is unjust, unfair and should not happen. You need to help the local community not stop it from being able to exercise it's rights. So there may be occasions where individuals have helped each other – THIS DOES NOT AFFECT THE SENTIMENT OR PASSION WHICH SITS BEHIND THE OBJECTION. For example – does it really matter if someone doesn't include their postcode?
3. MP2 The Sand and Gravel Provision is UNSOUND AND UNJUSTIFIED – including Barton and removing Shelford
 - a. In the CURRENT CLIMATE EMERGENCY DECLARED BY OUR GOVERNMENT – you have failed to allocate any sites which would use sustainable forms of transport in line with SP4 – which states you would maximize sustainable transport including barges.
 - b. Other sides could overcome this issue and REDUCE THE IMPACT ON OUR ENVIRONMENT – eg Cowlick is closer to markets for the product/provide a more sustainable solution.

c. Your own sustainability appraisal has told us that the Barton In Fabis site is less sustainable and MORE ENVIRONMENTALLY DAMAGING than the Shelford Site. We've recently had a national strike to address the impact of our actions on the environment – THIS COUNCIL NEEDS TO LIST AND TAKE ACTION NOW AND CHOOSE THE LEAST ENVIRONMENTALLY DAMAGING SITE. We've only got one shot at this – please listen to everyone – think about the planet now before it's too late.

This many not be a technically professional objection to the site – but I hope my sentiment does come through & that along with all the required technical objections you will consider this.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

207

Object

S05: Minimising impacts on communities

Respondent: Dawn Gilbert [3887]

Summary:

2. You have not conformed to your Statement of Community Involvement

a. There have been no attempt to engage with the village, which will be dramatically affected by the proposals – this is incredibly disappointing, frustrating and unjust

b. I understand you are responsible for providing information on proposals to those affected and this has not happened

c. Your current planning and consultation processes are so complex, bureaucratic that they exclude many individuals including myself in local communities. This is discriminatory and there is no provision for vulnerable residents including those at Larkhill who's health will be SEVERLY AFFECTED by this proposal. Not everyone can access your information boards at the Library

d. You have stated that a large number of pro forma letters have been received. This is not correct. But you may spot similarities in responses. As I say – UNLESS YOU HAVE ANY QUALIFICATIONS IN PLANNING, HOURS TO RESEARCH THINGS THAT AFFECT YOU, A BUCKET LOAD OF TENACITY, THERE IS NO WAY THE COMMON MAN COULD POSSIBLY NAVIGATE THE BLOCKERS YOU PUT IN PLACE TO BEING ABLE TO OBJECT TO SOMETHING THAT AFFECTS YOU. AND YOU KEEP MAKING US DO THIS AGAIN AND AGAIN AND AGAIN. Some would say this is a tactic to wear us down. This is unjust, unfair and should not happen. You need to help the local community not stop it from being able to exercise it's rights. So there may be occasions where individuals have helped each other – THIS DOES NOT AFFECT THE SENTIMENT OR PASSION WHICH SITS BEHIND THE OBJECTION. For example – does it really matter if someone doesn't include their postcode?

Full text:

1. SO 1 is unsound and unjustified

a. The County Council have not undertaken a meaningful analysis of the site & a full impact on surrounding communities and natural environment, has not been undertaken in a thorough enough method. Transportation is not the only factor you should take into consideration

b. I also do not think the council have taken into account the current/proposed geographical spread of sites

2. You have not conformed to your Statement of Community Involvement

a. There have been no attempt to engage with the village, which will be dramatically affected by the proposals – this is incredibly disappointing, frustrating and unjust

b. I understand you are responsible for providing information on proposals to those affected and this has not happened

c. Your current planning and consultation processes are so complex, bureaucratic that they exclude many individuals including myself in local communities. This is discriminatory and there is no provision for vulnerable residents including those at Larkhill who's health will be SEVERLY AFFECTED by this proposal. Not everyone can access your information boards at the Library

d. You have stated that a large number of pro forma letters have been received. This is not correct. But you may spot similarities in responses. As I say – UNLESS YOU HAVE ANY QUALIFICATIONS IN PLANNING, HOURS TO RESEARCH THINGS THAT AFFECT YOU, A BUCKET LOAD OF TENACITY, THERE IS NO WAY THE COMMON MAN COULD POSSIBLY NAVIGATE THE BLOCKERS YOU PUT IN PLACE TO BEING ABLE TO OBJECT TO SOMETHING THAT AFFECTS YOU. AND YOU KEEP MAKING US DO THIS AGAIN AND AGAIN AND AGAIN. Some would say this is a tactic to wear us down. This is unjust, unfair and should not happen. You need to help the local community not stop it from being able to exercise it's rights. So there may be occasions where individuals have helped each other – THIS DOES NOT AFFECT THE SENTIMENT OR PASSION WHICH SITS BEHIND THE OBJECTION. For example – does it really matter if someone doesn't include their postcode?

3. MP2 The Sand and Gravel Provision is UNSOUND AND UNJUSTIFIED – including Barton and removing Shelford

a. In the CURRENT CLIMATE EMERGENCY DECLARED BY OUR GOVERNMENT – you have failed to allocate any sites which would use sustainable forms of transport in line with SP4 – which states you would maximize sustainable transport including barges.

b. Other sides could overcome this issue and REDUCE THE IMPACT ON OUR ENVIRONMENT – eg Cowlick is closer to markets for the product/provide a more sustainable solution.

c. Your own sustainability appraisal has told us that the Barton In Fabis site is less sustainable and MORE ENVIRONMENTALLY DAMAGING than the Shelford Site. We've recently had a national strike to address the impact of our actions on the environment – THIS COUNCIL NEEDS TO LIST AND TAKE ACTION NOW AND CHOOSE THE LEAST ENVIRONMENTALLY DAMAGING SITE. We've only got one shot at this – please listen to everyone – think about the planet now before it's too late.

This many not be a technically professional objection to the site – but I hope my sentiment does come through & that along with all the required technical objections you will consider this.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

208

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Dawn Gilbert [3887]

Summary:

3. MP2 The Sand and Gravel Provision is UNSOUND AND UNJUSTIFIED – including Barton and removing Shelford

a. In the CURRENT CLIMATE EMERGENCY DECLARED BY OUR GOVERNMENT – you have failed to allocate any sites which would use sustainable forms of transport in line with SP4 – which states you would maximize sustainable transport including barges.

b. Other sides could overcome this issue and REDUCE THE IMPACT ON OUR ENVIRONMENT – eg Cowlick is closer to markets for the product/provide a more sustainable solution.

c. Your own sustainability appraisal has told us that the Barton In Fabis site is less sustainable and MORE ENVIRONMENTALLY DAMAGING than the Shelford Site. We've recently had a national strike to address the impact of our actions on the environment – THIS COUNCIL NEEDS TO LIST AND TAKE ACTION NOW AND CHOOSE THE LEAST ENVIRONMENTALLY DAMAGING SITE. We've only got one shot at this – please listen to everyone – think about the planet now before it's too late.

Full text:

1. SO 1 is unsound and unjustified

a. The County Council have not undertaken a meaningful analysis of the site & a full impact on surrounding communities and natural environment, has not been undertaken in a thorough enough method. Transportation is not the only factor you should take into consideration

b. I also do not think the council have taken into account the current/proposed geographical spread of sites

2. You have not conformed to your Statement of Community Involvement

a. There have been no attempt to engage with the village, which will be dramatically affected by the proposals – this is incredibly disappointing, frustrating and unjust

b. I understand you are responsible for providing information on proposals to those affected and this has not happened

c. Your current planning and consultation processes are so complex, bureaucratic that they exclude many individuals including myself in local communities. This is discriminatory and there is no provision for vulnerable residents including those at Larkhill who's health will be SEVERLY AFFECTED by this proposal. Not everyone can access your information boards at the Library

d. You have stated that a large number of pro forma letters have been received. This is not correct. But you may spot similarities in responses. As I say – UNLESS YOU HAVE ANY

QUALIFICATIONS IN PLANNING, HOURS TO RESEARCH THINGS THAT AFFECT YOU, A BUCKET LOAD OF TENACITY, THERE IS NO WAY THE COMMON MAN COULD POSSIBLY NAVIGATE THE BLOCKERS YOU PUT IN PLACE TO BEING ABLE TO OBJECT TO SOMETHING THAT AFFECTS YOU. AND YOU KEEP MAKING US DO THIS AGAIN AND AGAIN AND AGAIN. Some would say this is a tactic to wear us down. This is unjust, unfair and should not happen. You need to help the local community not stop it from being able to exercise it's rights. So there may be occasions where individuals have helped each other – THIS DOES NOT AFFECT THE SENTIMENT OR PASSION WHICH SITS BEHIND THE OBJECTION. For example – does it really matter if someone doesn't include their postcode?

3. MP2 The Sand and Gravel Provision is UNSOUND AND UNJUSTIFIED – including Barton and removing Shelford

- In the CURRENT CLIMATE EMERGENCY DECLARED BY OUR GOVERNMENT – you have failed to allocate any sites which would use sustainable forms of transport in line with SP4 – which states you would maximize sustainable transport including barges.
- Other sides could overcome this issue and REDUCE THE IMPACT ON OUR ENVIRONMENT – eg Colwick is closer to markets for the product/provide a more sustainable solution.
- Your own sustainability appraisal has told us that the Barton In Fabis site is less sustainable and MORE ENVIRONMENTALLY DAMAGING than the Shelford Site. We've recently had a national strike to address the impact of our actions on the environment – THIS COUNCIL NEEDS TO LIST AND TAKE ACTION NOW AND CHOOSE THE LEAST ENVIRONMENTALLY DAMAGING SITE. We've only got one shot at this – please listen to everyone – think about the planet now before it's too late.

This may not be a technically professional objection to the site – but I hope my sentiment does come through & that along with all the required technical objections you will consider this.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

275

Object

SP7: Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure

Respondent: Gladman Developments (Mr John Fleming, Policy Planner) [9182]

Summary:

These representations have been prepared by Gladman in response to the Nottinghamshire Minerals Local Plan submission consultation. Gladman welcomes the opportunity that has been provided to make comments at this stage of the plan-making process.

The MLP must be positively prepared, effective, justified and consistent with national policy to be found sound at examination. Whilst recognising the importance of safeguarding mineral assets, it is essential that the Plan allows for sufficient flexibility to be provided to ensure development proposals for non-minerals related development are capable of coming forward within the MSAs where these would assist local planning authorities to enable the delivery of housing and economic development to meet identified needs in a manner that is responsive to rapid change.

Please see attachment for further detail

Full text:

Please see attachment

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Written Representation
Attachments: Gladman Developments representation 07_10_2019 - http://www.nottinghamshire.gov.uk/media/2327544/gladman-developments-07_10_2019_redacted.pdf

213

Object

S01: Improving the sustainability of minerals development

Respondent: Gotham Parish Council (Mrs Raven, Clerk to the Parish Council) [871]

Summary:

S01: Improving the sustainability of minerals development' is UNSOUND and UNJUSTIFIED

- No meaningful analysis of the pattern of demand for sand and gravel across market areas has been produced to justify the proposed "spatial pattern of mineral development" or geographical spread of sites. It has also ignored current Sand and Gravel Extraction sites in close proximity to new proposed sites.
- Impact on communities and the natural environment are now being ignored in favour of only taking into consideration how far minerals are transported. They have also ignored how many miles can be conducted using more sustainable forms of transport such as barge.

Full text:

Gotham Parish Council feel that the Nottinghamshire Minerals Local Plan is UNSOUND AND UNJUSTIFIED.

The new MLPPV replaces a previous Mineral Local Plan which was approved by full council but which was then later withdrawn due to a change in Local council leadership in 2017. We feel that it was no coincidence that the decision necessitating a second plan was essentially due to the initial Site being located at Shelford which just happened to be in the ward of the newly elected leader for the Council, both plans had identical Vision and Strategic Objectives, but have reached significantly different conclusions in terms of sites identified for the extraction of sand and gravel.

The new MLPPV includes a site at Barton in Fabis / Mill Hill which was previously rejected because of the huge environmental damage and low sustainability score according to the County Council's own Sustainability Appraisal. This site has replaced a site at Shelford which has a higher sustainability score.

The new MLPPV now includes 'geographical spread' of sites across the County which gives the ability to ignore key strategic objectives such as S05 S05 'Minimising impacts on communities' and S06 'Protecting and enhancing natural assets. In addition, the 'Site Selection Methodology and Assessment' now infers that the Shelford site would be too large and the pattern of supply impacting the geographical spread of sites. It has also ignored that there are already gravel extractions in the near vicinity of Barton in Fabis / Mill Hill at both Redhill and East Leake.

S01: Improving the sustainability of minerals development' is UNSOUND and UNJUSTIFIED

- No meaningful analysis of the pattern of demand for sand and gravel across market areas has been produced to justify the proposed "spatial pattern of mineral development" or geographical spread of sites. It has also ignored current Sand and Gravel Extraction sites in close proximity to new proposed sites.
- Impact on communities and the natural environment are now being ignored in favour of only taking into consideration how far minerals are transported. They have also ignored how many miles can be conducted using more sustainable forms of transport such as barge.

MP2: Sand and Gravel Provision' is UNSOUND and UNJUSTIFIED

- The addition of Mill Hill near Barton in Fabis, a site which by NCC's own analysis shows it to be one of the most damaging sites for sand and gravel of those considered, and the removal of Shelford, the previously favoured site by NCC's own analysis on the same criteria is unsound and unjustified.

- The County Council has ignored the favoured forms of Sustainable Transport such as Barge when considering sites including Shelford which would make it much closer to major markets in respect of "Road Miles" by using Colwick Wharf.

Statement of Community Involvement

- Non-compliance with paras 3.14 / and 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities, they have ignored engaging with other communities in close proximity to the proposed Barton in Fabis / Mill Hill site who are in the Nottingham City catchment area.

- Classifying a large number of responses to the Draft Minerals Local Plan from residents as "pro-forma" and thus ignoring them is unacceptable.

Change to plan:

-

Legally compliant: No
Sound: No

Comply with No duty:
Appear exam: Appearance at the examination
Attachments: None

215

Object

S05: Minimising impacts on communities

Respondent: Gotham Parish Council (Mrs Raven, Clerk to the Parish Council) [871]

Summary:**Statement of Community Involvement**

- Non-compliance with paras 3.14 / and 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities, they have ignored engaging with other communities in close proximity to the proposed Barton in Fabis / Mill Hill site who are in the Nottingham City catchment area.
- Classifying a large number of responses to the Draft Minerals Local Plan from residents as "pro-forma" and thus ignoring them is unacceptable.

Full text:

Gotham Parish Council feel that the Nottinghamshire Minerals Local Plan is UNSOUND AND UNJUSTIFIED.

The new MLPPV replaces a previous Mineral Local Plan which was approved by full council but which was then later withdrawn due to a change in Local council leadership in 2017. We feel that it was no coincidence that the decision necessitating a second plan was essentially due to the initial Site being located at Shelford which just happened to be in the ward of the newly elected leader for the Council, both plans had identical Vision and Strategic Objectives, but have reached significantly different conclusions in terms of sites identified for the extraction of sand and gravel.

The new MLPPV includes a site at Barton in Fabis / Mill Hill which was previously rejected because of the huge environmental damage and low sustainability score according to the County Council's own Sustainability Appraisal. This site has replaced a site at Shelford which has a higher sustainability score.

The new MLPPV now includes 'geographical spread' of sites across the County which gives the ability to ignore key strategic objectives such as S05 S05 'Minimising impacts on communities' and S06 'Protecting and enhancing natural assets'. In addition, the 'Site Selection Methodology and Assessment' now infers that the Shelford site would be too large and the pattern of supply impacting the geographical spread of sites. It has also ignored that there are already gravel extractions in the near vicinity of Barton in Fabis / Mill Hill at both Redhill and East Leake.

S01: Improving the sustainability of minerals development' is UNSOUND and UNJUSTIFIED

- No meaningful analysis of the pattern of demand for sand and gravel across market areas has been produced to justify the proposed "spatial pattern of mineral development" or geographical spread of sites. It has also ignored current Sand and Gravel Extraction sites in close proximity to new proposed sites.
- Impact on communities and the natural environment are now being ignored in favour of only taking into consideration how far minerals are transported. They have also ignored how many miles can be conducted using more sustainable forms of transport such as barge.

MP2: Sand and Gravel Provision' is UNSOUND and UNJUSTIFIED

- The addition of Mill Hill near Barton in Fabis, a site which by NCC's own analysis shows it to be one of the most damaging sites for sand and gravel of those considered, and the removal of Shelford, the previously favoured site by NCC's own analysis on the same criteria is unsound and unjustified.

- The County Council has ignored the favoured forms of Sustainable Transport such as Barge when considering sites including Shelford which would make it much closer to major markets in respect of "Road Miles" by using Colwick Wharf.

Statement of Community Involvement

- Non-compliance with paras 3.14 / and 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities, they have ignored engaging with other communities in close proximity to the proposed Barton in Fabis / Mill Hill site who are in the Nottingham City catchment area.
- Classifying a large number of responses to the Draft Minerals Local Plan from residents as "pro-forma" and thus ignoring them is unacceptable.

Change to plan:

-

Legally No compliant:

Sound: No

Comply with No duty:

Appear exam: Appearance at the examination

Attachments: None

214

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Gotham Parish Council (Mrs Raven, Clerk to the Parish Council) [871]

Summary:

MP2: Sand and Gravel Provision' is UNSOUND and UNJUSTIFIED

- The addition of Mill Hill near Barton in Fabis, a site which by NCC's own analysis shows it to be one of the most damaging sites for sand and gravel of those considered, and the removal of Shelford, the previously favoured site by NCC's own analysis on the same criteria is unsound and unjustified.

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Full text:

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- Classifying a large number of responses to the Draft Minerals Local Plan from residents as "pro-forma" and thus ignoring them is unacceptable.

Change to plan:

-

Legally No compliant:

Sound: No

Comply with No

duty:**Appear exam:** Appearance at the examination**Attachments:** None

69

Support

MP2: Sand and Gravel Provision**Respondent:** Greenfield Associates (Mr Simon Rees) [2976]**Summary:**

The plan is considered sound and no changes are required.

Full text:

We consider the current plan sound and doesn't require any changes.

Change to plan:

-

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Appear exam:** Written Representation**Attachments:** None

237

Object

S05: Minimising impacts on communities**Respondent:** Lilian Greenwood [2071]**Summary:**

Many of my constituents have also raised serious concerns that the County Council has not complied with paragraph 3.14-3.15 of the Statement of Community Involvement. In particular, that there been no real attempt to engage with communities within the city boundaries - especially Clifton - and that there has been no meaningful reply to the 1000+ responses from local people to the Draft Plan. This is particularly worrying given these are people who will be directly impacted. This aspect of the consultation cannot be considered 'sound'.

Full text:

Re: Nottinghamshire New Minerals Local Plan Mill Hill, Barton in Fabis site (MP2p)

I am writing to you on the above and on behalf of many of my constituents in Nottingham South who have contacted me during this latest stage of public consultation on the New Local Plan. You will be aware that I have submitted objections in previous stages of consultation and I have to admit to a degree of surprise that this site is still being considered. Extraction at this site would have a massive and detrimental ecological and environmental impact - on Local Wildlife Sites and SSSIs nearby as well as on nearby heritage sites such as (Grade 1) Clifton Hall) and its (Grade 2) Registered Parks and Gardens. There is also the serious impact any 12-15 year extraction would have on the large communities within the Nottingham City boundaries in Clifton - including Lark Hill Retirement Village - who will be directly impacted.

I know from the documents publicly available that a request has been made to the applicant to provide further information to try to overcome these issues. I do, however, feel that the impact above would be so significant as to make the Mill Hill site unjustified and unsound.

I am also not convinced over the conclusion of the Site Selection Methodology and Assessment report in relation to the Shelford site. What specific evidence has been presented that this site is larger than currently required and would lead to provision being "limited in other parts of the County? What meaningful analysis of the pattern of future demand has been carried out to factor in demand from major infrastructure projects including highways developments, housing growth and HS2?

Consideration should in any case be given to phasing the development at this site beyond the Plan period. The Shelford site would have far less environmental impact in both the operational phase and in the long term as shown in your own Sustainability Appraisal and full and proper consideration should be given to revisiting Shelford as a site again. As I understand it, deliveries of minerals to a processing plant at Colwick via barge to the wharf there would be a more sustainable pattern of transport and would be closer to major markets. As such, the inclusion of Mill Hill and the removal of the Shelford site in the new Plan is unsound and unjustified.

Many of my constituents have also raised serious concerns that the County Council has not complied with paragraph 3.14-3.15 of the Statement of Community Involvement. In particular, that there been no real attempt to engage with communities within the city boundaries - especially Clifton - and that there has been no meaningful reply to the 1000+ responses from local people to the Draft Plan. This is particularly worrying given these are people who will be directly impacted. This aspect of the consultation cannot be considered 'sound'.

As it stands, this Plan and the allocation of the Mill Hill site is unjustified and unsound. The former should be withdrawn and the latter should be removed.

Yours sincerely

Change to plan:

-

Legally compliant: No**Sound:** No**Comply with duty:** No**Appear exam:** Appearance at the examination**Attachments:** None

236

Object

MP2p: Mill Hill nr Barton in Fabis**Respondent:** Lilian Greenwood [2071]**Summary:**

I am writing to you on the above and on behalf of many of my constituents in Nottingham South who have contacted me during this latest stage of public consultation on the New Local Plan. You will be aware that I have submitted objections in previous stages of consultation and I have to admit to a degree of surprise that this site is still being considered. Extraction at this site would have a massive and detrimental ecological and environmental impact - on Local Wildlife Sites and SSSIs nearby as well as on nearby heritage sites such as (Grade 1) Clifton Hall) and its (Grade 2) Registered Parks and Gardens. There is also the serious impact any 12-15 year extraction would have on the large communities within the Nottingham City boundaries in Clifton - including Lark Hill Retirement Village - who will be directly impacted.

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As it stands, this Plan and the allocation of the Mill Hill site is unjustified and unsound. The former should be withdrawn and the latter should be removed.

Full text:

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Many of my constituents have also raised serious concerns that the County Council has not complied with paragraph 3.14-3.15 of the Statement of Community Involvement. In particular, that there been no real attempt to engage with communities within the city boundaries - especially Clifton - and that there has been no meaningful reply to the 1000+ responses from local people to the Draft Plan. This is particularly worrying given these are people who will be directly impacted. This aspect of the consultation cannot be considered 'sound'.

As it stands, this Plan and the allocation of the Mill Hill site is unjustified and unsound. The former should be withdrawn and the latter should be removed.

Yours sincerely

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

205

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Prof Roy Haines-Young [3516]

Summary:

The Policy MP2p, allocation of the site at Mill Hill Barton in Fabis is unsound because:

- (a) The Minerals Plan is not effective in that it prioritises geographical spread over consideration of sites on their merits. While location with respect to potential market is one factor that can be considered in any sustainability assessment, it needs to be balanced against the other economic, social and environmental impacts that can be identified by looking at the individual characteristics of sites. The Plan provides no explanation of guidance about how this balance has been assessed; and the allocation mechanism is therefore unsafe.
- (b) The Minerals Plan is not justified, because despite arguing that geographical spread is a key factor in site allocation no geographical analysis of the options relative to market is provided. Nor are the options evaluated with respect to geographical pattern and sustainability criteria. The proposals in the Plan and accompanying documents consists of assertions that are not backed up by evidence. For example, the reasons for the removal of the site at Shelford, and the inclusion of the site at Barton are not provided; because the former is actually better placed to meet the assumed pattern of the market while having lesser impacts and offering sustainable forms of transport.
- (c) The inclusion of the site at Barton in Fabis is unsound because the allocation is not justified, given the overarching policy framework proposed in Plan. By the County's own analysis, the development would have the greatest environmental impact of all the sites allocated. It is likely that these impacts will be greater than those suggested. Nevertheless, sites with lesser impact (e.g. Shelford) were eliminated with little by way of any clear rationale. The inconsistency and lack of transparency in the allocation of the site at Barton and the removal of others of lesser impact is not consistent with the aims of sustainability stated in the Plan.

Full text:

The Policy MP2p, allocation of the site at Mill Hill Barton in Fabis is unsound because:

- (a) The Minerals Plan is not effective in that it prioritises geographical spread over consideration of sites on their merits. While location with respect to potential market is one factor that can be considered in any sustainability assessment, it needs to be balanced against the other economic, social and environmental impacts that can be identified by looking at the individual characteristics of sites. The Plan provides no explanation of guidance about how this balance has been assessed; and the allocation mechanism is therefore unsafe.
 - (b) The Minerals Plan is not justified, because despite arguing that geographical spread is a key factor in site allocation no geographical analysis of the options relative to market is provided. Nor are the options evaluated with respect to geographical pattern and sustainability criteria. The proposals in the Plan and accompanying documents consists of assertions that are not backed up by evidence. For example, the reasons for the removal of the site at Shelford, and the inclusion of the site at Barton are not provided; because the former is actually better placed to meet the assumed pattern of the market while having lesser impacts and offering sustainable forms of transport.
 - (c) The inclusion of the site at Barton in Fabis is unsound because the allocation is not justified, given the overarching policy framework proposed in Plan. By the County's own analysis, the development would have the greatest environmental impact of all the sites allocated. It is likely that these impacts will be greater than those suggested. Nevertheless, sites with lesser impact (e.g. Shelford) were eliminated with little by way of any clear rationale. The inconsistency and lack of transparency in the allocation of the site at Barton and the removal of others of lesser impact is not consistent with the aims of sustainability stated in the Plan.
- a) If a sustainable spatial pattern is part of the policy objectives, the plan should be explicit about what this means and how it is assessed. Moreover, the Plan should provide a coherent geographical analysis for is recommendation to be justified. The Plan text should be revised and expanded in this context.
 - b) The site at Mill Hill, Barton in Fabis should be removed from the Plan.
- Please

Change to plan:

- a) If a sustainable spatial pattern is part of the policy objectives, the plan should be explicit about what this means and how it is assessed. Moreover, the Plan should provide a coherent geographical analysis for is

recommendation to be justified. The Plan text should be revised and expanded in this context.

b) The site at Mill Hill, Barton in Fabis should be removed from the Plan.

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

76

Object

S01: Improving the sustainability of minerals development

Respondent: Glen Harris [3044]

Summary:

The County Council has failed to undertake any meaningful analysis of demand for sand and gravel across market areas to justified the proposed " spatial pattern of mineral development" or geographical spread of sites.

When allocating sites, they should be judged on their own merits and take account of all factors including their impact on local (extremely close) communities and the natural environment, not just how far minerals are transported.

Full text:

Dear Sir / Madam

Minerals Local Plan Consultation (Please see final Paragraph marked *Discrimination)

I am writing to confirm that I wish to STRONGLY OBJECT to the above application on the grounds that:

1. The Minerals Local Plan is UNSOUND and UNJUSTIFIED and should be withdrawn in its current form.
2. Strategic Objective S01 is UNSOUND and UNJUSTIFIED
3. The allocation of site MP2p at Mill Hill near Barton n Fabis (under MP2 Sand and Gravel Provision is also UNSOUND and UNJUSTIFIED and should be removed.
4. The County Council has failed to conform to its own Statement of Community Involvement.

S01: Improving the sustainability of minerals development is UNSOUND and UNJUSTIFIED.

The County Council has failed to undertake any meaningful analysis of demand for sand and gravel across market areas to justified the proposed " spatial pattern of mineral development" or geographical spread of sites.

When allocating sites, they should be judged on their own merits and take account of all factors including their impact on local (extremely close) communities and the natural environment, not just how far minerals are transported.

MP2: Sand and Gravel Provision is UNSOUND and UNJUSTIFIED

Inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan is UNSOUND and UNJUSTIFIED.

The County Council has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 " Maximise the use of sustainable forms of transport including barge".

Deliveries of minerals to Colwick Wharf from Shelford would be close to major markets and provide a more sustainable pattern of transport.

There has been no evidence presented which justifies the assertion that Shelford site is too large and would lead to "provision (being) limited in other parts of the County" supply.

The Mill Hill near Barton in Fabis is less sustainable and more environmentally damaging than the Shelford site according to the council' s own Sustainability Appraisal.

STATEMENT OF COMMUNITY INVOLVEMENT

The County Council has failed to comply with paragraphs 3.14/3. .15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities

NO attempt to engage directly with communities in Nottingham City, Clifton or Clifton Village directly impacted by the proposals but outside the County Council area.

Discrimination against local residents, including residents at Lark Hill Retirement Village living close to the proposed quarry but unable to access information boards at Clifton Library due to restricted or no mobility.

No Meaningful response to strategic issues raised in over One Thousand responses from local people to Draft minerals Local Plan. Responses incorrectly characterised as "a large number of proforma letters".

* DISCRIMINATION:

This indicates absolute failure to recognise that there is an aging community in these areas with little or indeed no access (or capability) to produce individual letters. It does not mean that they opposition is any less passionate or meaningful!

Yours faithfully

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

77

Object

S05: Minimising impacts on communities

Respondent: Glen Harris [3044]

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Yours faithfully

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: None

75

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Glen Harris [3044]

Summary:

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Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: None

63

Object

S01: Improving the sustainability of minerals development

Respondent: Clifford William Harrison [4251]

Summary:

S01

- Allocating sites should be judged on their own merits and take account of all factors including their impact on communities and the natural environment, not just how far the minerals are transported.
- Notts C.C. has failed to undertake any meaningful analysis of the pattern of demand for sand and gravel across the market area to justify the proposed spatial pattern of minerals development or geographical spread of sites.

Full text:

Dear Sirs,

I believe that the Minerals Local plan is unsound and unjustified and should be withdrawn in its current form, for reasons stated:~

S01

- Allocating sites should be judged on their own merits and take account of all factors including their impact on communities and the natural environment, not just how far the minerals are transported.
- Notts C.C. has failed to undertake any meaningful analysis of the pattern of demand for sand and gravel across the market area to justify the proposed spatial pattern of minerals development or geographical spread of sites.

MP2

- The inclusion of site MP2p Mill Hill near Barton in Fabis and removal of alternative site at Shelford in the new minerals plan is unsound and unjustified
- Notts CC has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 maximise the use of sustainable forms of transport including barge (GO GREEN)
- Deliveries of minerals to Colwick Wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport (GO GREEN)
- No evidence has been presented to justify the assertion that Shelford site is too large, and would lead to provision being limited to other parts of the County supply.
- The Mill Hill nr Barton in Fabis site is less sustainable than the Shelford site, according to the Notts CC own sustainability appraisal (GO GREEN).

Statement of Community Involvement

- Notts CC has failed to comply with para 3.14/3.15 of Statement of Community involvement and responsibility to provide information as specific proposals to local communities
- No attempt to engage directly with communities in Nottingham City, Clifton, Clifton Villages, directly impacted by the proposals, but outside the County Council area.
- Discrimination against residents, including Lark Hill Retirement Village, living close to the proposed quarry, but unable to access information boards at Clifton Library due to restricted mobility.
- No meaningful response to strategic issues raised in over 1,000 responses from local people to Draft Minerals Local Plan. Responses incorrectly characterised as "a large number of pro-forma letters".
- "This all smells of political meddling and Brexit ideology".

The Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form.

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: None

68

Object

S05: Minimising impacts on communities

Respondent: Clifford William Harrison [4251]

Summary:

Statement of Community Involvement

- a) Notts CC has failed to comply with para 3.14/3.15 of Statement of Community involvement and responsibility to provide information as specific proposals to local communities
- b) No attempt to engage directly with communities in Nottingham City, Clifton, Clifton Villages, directly impacted by the proposals, but outside the County Council area.
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- e) "This all smells of political meddling and Brexit ideology".

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- e) "This all smells of political meddling and Brexit ideology".

The Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form.

Change to plan:

-

**Legally No
compliant:**

Sound: No

**Comply with No
duty:**

Appear exam: Appearance at the examination

Attachments: None

67

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Clifford William Harrison [4251]

Summary:

MP2

- a) The inclusion of site MP2p Mill Hill near Barton in Fabis and removal of alternative site at Shelford in the new minerals plan is unsound and unjustified
- b) Notts CC has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 maximise the use of sustainable forms of transport including barge (GO GREEN)
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The Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form.

Change to plan:

-

Legally compliant:
Sound:
Comply with duty:

Appear exam: Appearance at the examination

Attachments: None

202**Object****S01: Improving the sustainability of minerals development**

Respondent: Mr Roger Hawkins [3296]

Summary:

In particular S01 is unsound as the Council has failed to undertake any proper analysis of demand and markets with an unjustified emphasis on distance material is transported.

Full text:

I wish to object to the Minerals Local Plan in its current form, I believe the plan to be unsound and unjustified

In particular S01 is unsound as the Council has failed to undertake any proper analysis of demand and markets with an unjustified emphasis on distance material is transported.

I fail to see the justification for removing the site at Shelford and replacing it with the Barton in Fabis site, the assertion that Shelford is too large makes little sense. MP2 is unsound

Further the Council does not appear to have complied with its own policy of Community Involvement

In conclusion I believe the plan should be withdrawn

Change to plan:

-

Legally compliant:
Sound:
Comply with duty:

Appear exam: Appearance at the examination

Attachments: None

204**Object****S05: Minimising impacts on communities**

Respondent: Mr Roger Hawkins [3296]

Summary:

Further the Council does not appear to have complied with its own policy of Community Involvement

Full text:

I wish to object to the Minerals Local Plan in its current form, I believe the plan to be unsound and unjustified

In particular S01 is unsound as the Council has failed to undertake any proper analysis of demand and markets with an unjustified emphasis on distance material is transported.

I fail to see the justification for removing the site at Shelford and replacing it with the Barton in Fabis site, the assertion that Shelford is too large makes little sense. MP2 is unsound

Further the Council does not appear to have complied with its own policy of Community Involvement

In conclusion I believe the plan should be withdrawn

Change to plan:

-

Legally compliant:
Sound:
Comply with duty:

Appear exam: Appearance at the examination

Attachments: None

203**Object****MP2p: Mill Hill nr Barton in Fabis**

Respondent: Mr Roger Hawkins [3296]

Summary:

I fail to see the justification for removing the site at Shelford and replacing it with the Barton in Fabis site, the assertion that Shelford is too large makes little sense. MP2 is unsound

Full text:

I wish to object to the Minerals Local Plan in its current form, I believe the plan to be unsound and unjustified

In particular S01 is unsound as the Council has failed to undertake any proper analysis of demand and markets with an unjustified emphasis on distance material is transported.

I fail to see the justification for removing the site at Shelford and replacing it with the Barton in Fabis site, the assertion that Shelford is too large makes little sense. MP2 is unsound

Further the Council does not appear to have complied with its own policy of Community Involvement

In conclusion I believe the plan should be withdrawn

Change to plan:

-

Legally compliant:
Sound:
Comply with duty:

Appear exam: Appearance at the examination

Attachments: None

201 **Object****SO1: Improving the sustainability of minerals development**

Respondent: Mrs Helen Hewlett [3353]

Summary:

We have just read the Minerals Local Plan and must point out that it has many defects. We believe it to be UNSOUND and UNJUSTIFIED and should be withdrawn and redrafted. The Strategic Objective SO1 is plainly misconceived and, therefore, UNSOUND and UNJUSTIFIED. The Council have failed to undertake any sensible study of the pattern of demand for sand and gravel across the County and failed to consider the impact on local communities and the natural environment, failed to consider the value of alternative forms of transport. We also consider the exclusion of Shelford to be unsound, even crazy when no evidence was submitted as to why it was too large. The whole Plan has been drawn up without considering the need for open country adjacent to huge housing estates- like Clifton, Larkhill and the new Fairham Brook Estate. Our advice would be to THINK AGAIN as PDQ!

Full text:

We have just read the Minerals Local Plan and must point out that it has many defects. We believe it to be UNSOUND and UNJUSTIFIED and should be withdrawn and redrafted. The Strategic Objective SO1 is plainly misconceived and, therefore, UNSOUND and UNJUSTIFIED. The Council have failed to undertake any sensible study of the pattern of demand for sand and gravel across the County and failed to consider the impact on local communities and the natural environment, failed to consider the value of alternative forms of transport. We also consider the exclusion of Shelford to be unsound, even crazy when no evidence was submitted as to why it was too large. The whole Plan has been drawn up without considering the need for open country adjacent to huge housing estates- like Clifton, Larkhill and the new Fairham Brook Estate. Our advice would be to THINK AGAIN as PDQ!

Change to plan:

-

Legally No
compliant:

Sound: No

Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: None

200 **Object****SO1: Improving the sustainability of minerals development**

Respondent: Peter Hewlett [3495]

Summary:

We have just read the Minerals Local Plan and must point out that it has many defects. We believe it to be UNSOUND and UNJUSTIFIED and should be withdrawn and redrafted. The Strategic Objective SO1 is plainly misconceived and, therefore, UNSOUND and UNJUSTIFIED. The Council have failed to undertake any sensible study of the pattern of demand for sand and gravel across the County and failed to consider the impact on local communities and the natural environment, failed to consider the value of alternative forms of transport. We also consider the exclusion of Shelford to be unsound, even crazy when no evidence was submitted as to why it was too large. The whole Plan has been drawn up without considering the need for open country adjacent to huge housing estates- like Clifton, Larkhill and the new Fairham Brook Estate. Our advice would be to THINK AGAIN as PDQ!

Full text:

We have just read the Minerals Local Plan and must point out that it has many defects. We believe it to be UNSOUND and UNJUSTIFIED and should be withdrawn and redrafted. The Strategic Objective SO1 is plainly misconceived and, therefore, UNSOUND and UNJUSTIFIED. The Council have failed to undertake any sensible study of the pattern of demand for sand and gravel across the County and failed to consider the impact on local communities and the natural environment, failed to consider the value of alternative forms of transport. We also consider the exclusion of Shelford to be unsound, even crazy when no evidence was submitted as to why it was too large. The whole Plan has been drawn up without considering the need for open country adjacent to huge housing estates- like Clifton, Larkhill and the new Fairham Brook Estate. Our advice would be to THINK AGAIN as PDQ!

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: None

276 **Support****SP4: Sustainable Transport**

Respondent: Highways England (Mr Steve Freek, Assistant Spatial Planning & Economic Development Manager) [9183]

Summary:

We support the proposals set out in Policy SP4 regarding the use of sustainable transport such as barge, rail and pipeline, as well as the consideration that will be given to site location, to minimise the reliance on HGV traffic which can have a significant impact on the performance of the highway network. Planning applications for site allocations should consider the traffic impacts and potential physical impacts on the integrity of the highway network. Where necessary, mitigation should be proposed to ensure that traffic generated by the development can be safely accommodated. Transport Assessments should be prepared through the planning process and carried out in line with the DfT Circular 02/2013.

Full text:

We support the proposals set out in Policy SP4 regarding the use of sustainable transport such as barge, rail and pipeline, as well as the consideration that will be given to site location, to minimise the reliance on HGV traffic which can have a significant impact on the performance of the highway network. Planning applications for site allocations should consider the traffic impacts and potential physical impacts on the integrity of the highway network. Where necessary, mitigation should be proposed to ensure that traffic generated by the development can be safely accommodated. Transport Assessments should be prepared through the planning process and carried out in line with the DfT Circular 02/2013.

Change to plan:

-

Legally Yes

compliant:

Sound: Yes

Comply with Yes

duty:

Appear exam: Written Representation

Attachments: None

238 **Object****MP9: Industrial Dolomite Provision**

Respondent: Historic England (East Midlands) (Rosamund Worrall, Historic Environment Planning Advisor) [8130]

Summary:

Historic England (formerly English Heritage) has maintained concerns about the dolomite allocation at Holbeck since 2012 and throughout this emerging Plan process. It is noted that Policy MP9 relates to industrial dolomite extraction generally. Historic England submits that this approach is not sound since known sources of dolomite within the UK are limited and in respect of the draft Nottinghamshire Minerals Local Plan the main extraction location is found in the Holbeck area and this is set out in the paragraphs accompanying MP9. As such

Policy MP9 in its current form would provide a de facto site allocation. In addition, Policy MP9 sets out that extraction would be supported if need is demonstrated which ignores environmental and other social and economic factors which would have to be considered in the balance. Paragraph 4.84 sets out that a criteria based policy is being proposed but this consists of one criteria – 'where a need can be demonstrated'.

These issues are explored in more detail within the attachment and full submission.

Full text:

Please see attachment

Change to plan:

Remove Policy MP9 and associated text from the Plan. Alternatively, additional work should be undertaken to provide further evidence in respect of alternative sites and the need for dolomite (as indicated in the Plan) to justify the need for inclusion of Policy MP9, or a revised version, in the Plan. Historic England would be open to discussing further with the Council ahead of the EIP.

Legally compliant: Yes

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Historic England representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327545/historic-england-11_10_2019_redacted.pdf

198

Object

S01: Improving the sustainability of minerals development

Respondent: Ian Holah [3862]

Summary:

S01: Improving the sustainability of minerals development is UNSOUND AND UNJUSTIFIED.

I have seen no evidence of any undertaking to have a meaningful analysis of demand for sand and gravel across market areas to justify this proposal at Mill Hill. The distance gravel has to travel is not the only consideration when proposing these projects. The environment around Barton will be adversely affected to the extent it may not recover for decades. The impact on our community will be unfathomable, given the visitors we have to the village, the residents, the disruption to the roads to name a few. All too often village life is being eroded constantly by councils proposing projects of this nature without the proper consultation. It is happening all over the country and it has to stop before we lose our countryside completely.

Full text:

I am writing to confirm that I wish to OBJECT very strongly to the above Minerals Local Plan and it should be withdrawn in its current form.

There has been an obvious lack of communication with communities that will be affected by the quarry. There is also a distinct discrimination against residents who live close to the proposed quarry and who are disabled and are unable to access information pertaining to the proposal. We have not been sent any information or been approached by anyone seeking our opinion as to what the affects may be to us as a community, which will be incalculable.

My fear is that other areas may be given preferential treatment due to certain inhabitants of those areas having an influence and in fact those areas would suit the requirements of the council much better.

S01: Improving the sustainability of minerals development is UNSOUND AND UNJUSTIFIED.

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MP2: Sand and Gravel Provision is also UNSOUND AND UNJUSTIFIED.

The Mill Hill site near Barton is the least suitable for the Council's purposes. Shelford is stated in the Council's own Sustainability Appraisal as being the site that will sustain the least damage. Other sites are closer to major markets and transport would be more sustainable, including barges. The Council has failed to allocate any other sites to use sustainable transport in line with SP4. Shelford suits these Council requirements much better than Barton and I object to it being removed from the plans. Deliveries from Shelford by barge would be quicker, more sustainable, reduce traffic on the roads and it is closer to the markets. This site makes much more sense than Barton which is further away, unable to use barges meaning the only form of transport is by road, once again clogging up the road system. Logic should be used in these circumstances and I urge the Council to once again review their policies and methods of choosing these sites.

I hope the council takes note of all the objections raised above and come to the conclusion that the Barton site should once again be excluded and Shelford included in all future Mineral local plans.

Thank you for your consideration.

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

199

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Ian Holah [3862]

Summary:

MP2: Sand and Gravel Provision is also UNSOUND AND UNJUSTIFIED.

The Mill Hill site near Barton is the least suitable for the Council's purposes. Shelford is stated in the Council's own Sustainability Appraisal as being the site that will sustain the least damage. Other sites are closer to major markets and transport would be more sustainable, including barges. The Council has failed to allocate any other sites to use sustainable transport in line with SP4. Shelford suits these Council requirements much better than Barton and I object to it being removed from the plans. Deliveries from Shelford by barge would be quicker, more sustainable, reduce traffic on the roads and it is closer to the markets. This site makes much more sense than Barton which is further away, unable to use barges meaning the only form of transport is by road, once again clogging up the road system. Logic should be used in these circumstances and I urge the Council to once again review their policies and methods of choosing these sites.

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Thank you for your consideration.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

196

Object

S01: Improving the sustainability of minerals development

Respondent: Marcia Holah [3861]

Summary:

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Full text:

Ref: Minerals Local Plan Consultation off Green Street/Barton in Fabis

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There has been an obvious lack of communication with communities that will be affected by the quarry. There is also a distinct discrimination against residents who live close to the proposed quarry and who are disabled and are unable to access information pertaining to the proposal. We have not been sent any information or been approached by anyone seeking our opinion as to what the affects may be to us as a community, which will be incalculable.

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I hope the council takes note of all the objections raised above and come to the conclusion that the Barton site should once again be excluded and Shelford included in all future Mineral local plans.

Thank you for your consideration.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

197

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Marcia Holah [3861]

Summary:

MP2: Sand and Gravel Provision is also UNSOUND AND UNJUSTIFIED.

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Thank you for your consideration.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

194

Object

S01: Improving the sustainability of minerals development

Respondent: Richard Holmes [3055]

Summary:

I am writing to you to object to the Minerals Local Plan in its current form which is both unsound and unjustified. In particular Strategic Objective S01 and the allocation of site MP2p at Mill Hill nr Barton in Fabis under MP2 Sand and Gravel Provision are unsound and unjustified.

The County Council has failed to follow its own and government rules/guidelines and failed to adhere to a sound process in coming up with the current Plan, namely:

1. Not taking account of or undertaking a meaningful analysis of the pattern of demand for sand and gravel across market areas and the spatial pattern of mineral development or geographical spread of sites
2. Not taking account of all factors in the allocation of sites and in particular the impact on the natural environment (a very hot topic at the moment for our dying planet) or the impact on local communities
3. Not complying with paragraph 3.14 / 3.15 of the Council's own Statement of Community Involvement and failing to provide specific proposals to local communities
4. Not attempting to engage directly with communities in Nottingham City, Clifton and Clifton Village directly impacted by the proposals
5. Discriminating against residents with restricted mobility and in particular those living at Lark Hill Rise Retirement Village who will be affected
6. Not responding appropriately or respectfully to the communities you serve and the strategic issues raised by over 1,000 local people on the Draft Minerals Local Plan.
7. Including site MP2p Mill Hill nr Barton in Fabis and the removal of the alternative site at Shelford in the Plan. The Mill Hill site is less suitable and more environmentally damaging than Shelford according to the Council's own Sustainability Appraisal.
8. Failing to allocate any sites which utilise more sustainable forms of transport in line with SP4 which states "maximise the use of sustainable forms of transport including barge." Deliveries of minerals to Colwick Wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport
9. Failing to provide any evidence to support the assertion that the Shelford Site is unsuitable because it is too large and therefore leading to limited provision in other parts of the County supply.

I highlight a number of areas in my response and would like to have confidence the Council is acting with integrity, common sense and using thorough analysis in its decision making. The above shows this not to be true at the moment and a revision to the Plan essential. Please act responsibly.

Full text:

Dear Sir/Madam

I am writing to you to object to the Minerals Local Plan in its current form which is both unsound and unjustified. In particular Strategic Objective S01 and the allocation of site MP2p at Mill Hill nr Barton in Fabis under MP2 Sand and Gravel Provision are unsound and unjustified.

The County Council has failed to follow its own and government rules/guidelines and failed to adhere to a sound process in coming up with the current Plan, namely:

1. Not taking account of or undertaking a meaningful analysis of the pattern of demand for sand and gravel across market areas and the spatial pattern of mineral development or geographical spread of sites
2. Not taking account of all factors in the allocation of sites and in particular the impact on the natural environment (a very hot topic at the moment for our dying planet) or the impact on local communities
3. Not complying with paragraph 3.14 / 3.15 of the Council's own Statement of Community Involvement and failing to provide specific proposals to local communities
4. Not attempting to engage directly with communities in Nottingham City, Clifton and Clifton Village directly impacted by the proposals
5. Discriminating against residents with restricted mobility and in particular those living at Lark Hill Rise Retirement Village who will be affected
6. Not responding appropriately or respectfully to the communities you serve and the strategic issues raised by over 1,000 local people on the Draft Minerals Local Plan.
7. Including site MP2p Mill Hill nr Barton in Fabis and the removal of the alternative site at Shelford in the Plan. The Mill Hill site is less suitable and more environmentally damaging than Shelford according to the Council's own Sustainability Appraisal.
8. Failing to allocate any sites which utilise more sustainable forms of transport in line with SP4 which states "maximise the use of sustainable forms of transport including barge." Deliveries of minerals to Colwick Wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport
9. Failing to provide any evidence to support the assertion that the Shelford Site is unsuitable because it is too large and therefore leading to limited provision in other parts of the

County supply.

I highlight a number of areas in my response and would like to have confidence the Council is acting with integrity, common sense and using thorough analysis in its decision making. The above shows this not to be true at the moment and a revision to the Plan essential. Please act responsibly.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

195

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Richard Holmes [3055]

Summary:

I am writing to you to object to the Minerals Local Plan in its current form which is both unsound and unjustified. In particular Strategic Objective SO1 and the allocation of site MP2p at Mill Hill nr Barton in Fabis under MP2 Sand and Gravel Provision are unsound and unjustified.

The County Council has failed to follow its own and government rules/guidelines and failed to adhere to a sound process in coming up with the current Plan, namely:

1. Not taking account of or undertaking a meaningful analysis of the pattern of demand for sand and gravel across market areas and the spatial pattern of mineral development or geographical spread of sites
2. Not taking account of all factors in the allocation of sites and in particular the impact on the natural environment (a very hot topic at the moment for our dying planet) or the impact on local communities
3. Not complying with paragraph 3.14 / 3.15 of the Council's own Statement of Community Involvement and failing to provide specific proposals to local communities
4. Not attempting to engage directly with communities in Nottingham City, Clifton and Clifton Village directly impacted by the proposals
5. Discriminating against residents with restricted mobility and in particular those living at Lark Hill Rise Retirement Village who will be affected
6. Not responding appropriately or respectfully to the communities you serve and the strategic issues raised by over 1,000 local people on the Draft Minerals Local Plan.
7. Including site MP2p Mill Hill nr Barton in Fabis and the removal of the alternative site at Shelford in the Plan. The Mill Hill site is less suitable and more environmentally damaging than Shelford according to the Council's own Sustainability Appraisal.
8. Failing to allocate any sites which utilise more sustainable forms of transport in line with SP4 which states "maximise the use of sustainable forms of transport including barge." Deliveries of minerals to Colwick Wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport
9. Failing to provide any evidence to support the assertion that the Shelford Site is unsuitable because it is too large and therefore leading to limited provision in other parts of the County supply.

I highlight a number of areas in my response and would like to have confidence the Council is acting with integrity, common sense and using thorough analysis in its decision making. The above shows this not to be true at the moment and a revision to the Plan essential. Please act responsibly.

Full text:

Dear Sir/Madam

I am writing to you to object to the Minerals Local Plan in its current form which is both unsound and unjustified. In particular Strategic Objective SO1 and the allocation of site MP2p at Mill Hill nr Barton in Fabis under MP2 Sand and Gravel Provision are unsound and unjustified.

The County Council has failed to follow its own and government rules/guidelines and failed to adhere to a sound process in coming up with the current Plan, namely:

1. Not taking account of or undertaking a meaningful analysis of the pattern of demand for sand and gravel across market areas and the spatial pattern of mineral development or geographical spread of sites
2. Not taking account of all factors in the allocation of sites and in particular the impact on the natural environment (a very hot topic at the moment for our dying planet) or the impact on local communities
3. Not complying with paragraph 3.14 / 3.15 of the Council's own Statement of Community Involvement and failing to provide specific proposals to local communities
4. Not attempting to engage directly with communities in Nottingham City, Clifton and Clifton Village directly impacted by the proposals
5. Discriminating against residents with restricted mobility and in particular those living at Lark Hill Rise Retirement Village who will be affected
6. Not responding appropriately or respectfully to the communities you serve and the strategic issues raised by over 1,000 local people on the Draft Minerals Local Plan.
7. Including site MP2p Mill Hill nr Barton in Fabis and the removal of the alternative site at Shelford in the Plan. The Mill Hill site is less suitable and more environmentally damaging than Shelford according to the Council's own Sustainability Appraisal.
8. Failing to allocate any sites which utilise more sustainable forms of transport in line with SP4 which states "maximise the use of sustainable forms of transport including barge." Deliveries of minerals to Colwick Wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport
9. Failing to provide any evidence to support the assertion that the Shelford Site is unsuitable because it is too large and therefore leading to limited provision in other parts of the County supply.

I highlight a number of areas in my response and would like to have confidence the Council is acting with integrity, common sense and using thorough analysis in its decision making. The above shows this not to be true at the moment and a revision to the Plan essential. Please act responsibly.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

191

Object

SO1: Improving the sustainability of minerals development

Respondent: Yasmin Holmes [3063]

Summary:

SO1: Improving the sustainability of minerals development is unsound and unjustified, in particular because:

The County Council's proposal does not reflect a proper analysis of the pattern of demand for sand and gravel across market areas to justify the proposed geographical location of sites, nor the spatial pattern of mineral development.

The impact on the natural environment hasn't been taken into account when evaluating and considering sites. Especially considering the current importance of protecting species and habitats which are declining at an alarming rate. I urge the County Council to really take stock and take a lead in protecting the natural environment. In years to come it will benefit us all. People all over the world are now protesting about the way in which government's are ignoring the very real threat to our planet and the urgency with which actions need to be taken both big and small. The Council needs to urgently consider its role with regard to this and pay greater attention in decision making to this vital factor.

There is also the impact on people who live in the area of potential sites and the detrimental impact on health and quality of life. Due weighting and consideration needs to be given to both the impact on the natural environment and communities.

Full text:

I write to you in regard to the Minerals Local Plan Consultation - Barton / Mill Hill Quarry

I am resident in the village of Barton in Fabis (full address below)

Having reviewed the information provided I ask that the Minerals Local Plan be withdrawn in its current form as the plan is unsound and unjustified.

S01: Improving the sustainability of minerals development is unsound and unjustified, in particular because:

The County Council's proposal does not reflect a proper analysis of the pattern of demand for sand and gravel across market areas to justify the proposed geographical location of sites, nor the spatial pattern of mineral development.

The impact on the natural environment hasn't been taken into account when evaluating and considering sites. Especially considering the current importance of protecting species and habitats which are declining at an alarming rate. I urge the County Council to really take stock and take a lead in protecting the natural environment. In years to come it will benefit us all. People all over the world are now protesting about the way in which government's are ignoring the very real threat to our planet and the urgency with which actions need to be taken both big and small. The Council needs to urgently consider its role with regard to this and pay greater attention in decision making to this vital factor.

There is also the impact on people who live in the area of potential sites and the detrimental impact on health and quality of life. Due weighting and consideration needs to be given to both the impact on the natural environment and communities.

The site MP2p Mill Hill nr Barton in Fabis has been included in the plan and the alternative site at Shelford removed. Why is this? This is also unsound and unjustified. There is a suggestion that the Shelford site is too large and would lead to limitations in other parts of the County supply but no evidence has been provided for this. Transportation from Shelford via Colwick wharf would be more sustainable and closer to major markets and therefore the CC is failing to allocate sites which use more sustainable transportation in line with the SP4 which states "maximise the use of sustainable forms of transport including barge". In fact, the County Council seems to have failed to allocate any sites which utilise more sustainable forms of transport. Again, why is this?

The Mill Hill nr Barton in Fabis site has already been proven by the Council's own Sustainability Appraisal to be less sustainable and more environmentally damaging than the Shelford site. Why then is it included? Remember your responsibilities to the planet and the people you serve!

And on that note how is it that the County Council has failed to comply with paragraphs 3.14 / 3.15 of its own Statement of Community Involvement and failed to provide information on specific proposals to communities? How is it that there have been no attempts to engage with communities in Nottingham City, Clifton and Clifton Village who would all be directly impacted by the proposals? Just because they are outside the County Council area? That does not seem responsible at all. It is incumbent on the County Council to engage with people about this including with those who are less mobile for example at Lark Hill Rise Retirement Village who will live close to the proposed quarry.

Finally, it is really sad that the County Council does not want to listen to what its residents have to say. Over 1,000 responses were sent from local people to the Draft Minerals Local Plan which have been inaccurately described as 'pro-forma letters'. Just because people are saying the same thing, or because people are trying to speak with one voice in order that you understand doesn't mean that their communication is invalid. Please be more responsible and make fair decisions. I appeal to your wiser selves to do the right thing and rise above self-interested parties as it is the Council's role to do. Importantly listen to what local people are saying and what we can see is happening.

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

193

Object

S05: Minimising impacts on communities

Respondent: Yasmin Holmes [3063]

Summary:

And on that note how is it that the County Council has failed to comply with paragraphs 3.14 / 3.15 of its own Statement of Community Involvement and failed to provide information on specific proposals to communities? How is it that there have been no attempts to engage with communities in Nottingham City, Clifton and Clifton Village who would all be directly impacted by the proposals? Just because they are outside the County Council area? That does not seem responsible at all. It is incumbent on the County Council to engage with people about this including with those who are less mobile for example at Lark Hill Rise Retirement Village who will live close to the proposed quarry.

Finally, it is really sad that the County Council does not want to listen to what its residents have to say. Over 1,000 responses were sent from local people to the Draft Minerals Local Plan which have been inaccurately described as 'pro-forma letters'. Just because people are saying the same thing, or because people are trying to speak with one voice in order that you understand doesn't mean that their communication is invalid. Please be more responsible and make fair decisions. I appeal to your wiser selves to do the right thing and rise above self-interested parties as it is the Council's role to do. Importantly listen to what local people are saying and what we can see is happening.

Full text:

I write to you in regard to the Minerals Local Plan Consultation - Barton / Mill Hill Quarry

I am resident in the village of Barton in Fabis (full address below)

Having reviewed the information provided I ask that the Minerals Local Plan be withdrawn in its current form as the plan is unsound and unjustified.

S01: Improving the sustainability of minerals development is unsound and unjustified, in particular because:

The County Council's proposal does not reflect a proper analysis of the pattern of demand for sand and gravel across market areas to justify the proposed geographical location of sites, nor the spatial pattern of mineral development.

The impact on the natural environment hasn't been taken into account when evaluating and considering sites. Especially considering the current importance of protecting species and habitats which are declining at an alarming rate. I urge the County Council to really take stock and take a lead in protecting the natural environment. In years to come it will benefit us all. People all over the world are now protesting about the way in which government's are ignoring the very real threat to our planet and the urgency with which actions need to be taken both big and small. The Council needs to urgently consider its role with regard to this and pay greater attention in decision making to this vital factor.

There is also the impact on people who live in the area of potential sites and the detrimental impact on health and quality of life. Due weighting and consideration needs to be given to both the impact on the natural environment and communities.

The site MP2p Mill Hill nr Barton in Fabis has been included in the plan and the alternative site at Shelford removed. Why is this? This is also unsound and unjustified. There is a suggestion that the Shelford site is too large and would lead to limitations in other parts of the County supply but no evidence has been provided for this. Transportation from Shelford via Colwick wharf would be more sustainable and closer to major markets and therefore the CC is failing to allocate sites which use more sustainable transportation in line with the SP4 which states "maximise the use of sustainable forms of transport including barge". In fact, the County Council seems to have failed to allocate any sites which utilise more sustainable forms of transport. Again, why is this?

The Mill Hill nr Barton in Fabis site has already been proven by the Council's own Sustainability Appraisal to be less sustainable and more environmentally damaging than the Shelford site. Why then is it included? Remember your responsibilities to the planet and the people you serve!

And on that note how is it that the County Council has failed to comply with paragraphs 3.14 / 3.15 of its own Statement of Community Involvement and failed to provide information on specific proposals to communities? How is it that there have been no attempts to engage with communities in Nottingham City, Clifton and Clifton Village who would all be directly impacted by the proposals? Just because they are outside the County Council area? That does not seem responsible at all. It is incumbent on the County Council to engage with people about this including with those who are less mobile for example at Lark Hill Rise Retirement Village who will live close to the proposed quarry.

Finally, it is really sad that the County Council does not want to listen to what its residents have to say. Over 1,000 responses were sent from local people to the Draft Minerals Local Plan which have been inaccurately described as 'pro-forma letters'. Just because people are saying the same thing, or because people are trying to speak with one voice in order that you understand doesn't mean that their communication is invalid. Please be more responsible and make fair decisions. I appeal to your wiser selves to do the right thing and rise above

self-interested parties as it is the Council's role to do. Importantly listen to what local people are saying and what we can see is happening.

Change to plan:

-

Legally compliant: No
Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

192

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Yasmin Holmes [3063]

Summary:

The site MP2p Mill Hill nr Barton in Fabis has been included in the plan and the alternative site at Shelford removed. Why is this? This is also unsound and unjustified. There is a suggestion that the Shelford site is too large and would lead to limitations in other parts of the County supply but no evidence has been provided for this. Transportation from Shelford via Colwick wharf would be more sustainable and closer to major markets and therefore the CC is failing to allocate sites which use more sustainable transportation in line with the SP4 which states "maximise the use of sustainable forms of transport including barge". In fact, the County Council seems to have failed to allocate any sites which utilise more sustainable forms of transport. Again, why is this?

The Mill Hill nr Barton in Fabis site has already been proven by the Council's own Sustainability Appraisal to be less sustainable and more environmentally damaging than the Shelford site. Why then is it included? Remember your responsibilities to the planet and the people you serve!

Full text:

I write to you in regard to the Minerals Local Plan Consultation - Barton / Mill Hill Quarry

I am resident in the village of Barton in Fabis (full address below)

Having reviewed the information provided I ask that the Minerals Local Plan be withdrawn in its current form as the plan is unsound and unjustified.

SO1: Improving the sustainability of minerals development is unsound and unjustified, in particular because:

The County Council's proposal does not reflect a proper analysis of the pattern of demand for sand and gravel across market areas to justify the proposed geographical location of sites, nor the spatial pattern of mineral development.

The impact on the natural environment hasn't been taken into account when evaluating and considering sites. Especially considering the current importance of protecting species and habitats which are declining at an alarming rate. I urge the County Council to really take stock and take a lead in protecting the natural environment. In years to come it will benefit us all. People all over the world are now protesting about the way in which government's are ignoring the very real threat to our planet and the urgency with which actions need to be taken both big and small. The Council needs to urgently consider its role with regard to this and pay greater attention in decision making to this vital factor.

There is also the impact on people who live in the area of potential sites and the detrimental impact on health and quality of life. Due weighting and consideration needs to be given to both the impact on the natural environment and communities.

The site MP2p Mill Hill nr Barton in Fabis has been included in the plan and the alternative site at Shelford removed. Why is this? This is also unsound and unjustified. There is a suggestion that the Shelford site is too large and would lead to limitations in other parts of the County supply but no evidence has been provided for this. Transportation from Shelford via Colwick wharf would be more sustainable and closer to major markets and therefore the CC is failing to allocate sites which use more sustainable transportation in line with the SP4 which states "maximise the use of sustainable forms of transport including barge". In fact, the County Council seems to have failed to allocate any sites which utilise more sustainable forms of transport. Again, why is this?

The Mill Hill nr Barton in Fabis site has already been proven by the Council's own Sustainability Appraisal to be less sustainable and more environmentally damaging than the Shelford site. Why then is it included? Remember your responsibilities to the planet and the people you serve!

And on that note how is it that the County Council has failed to comply with paragraphs 3.14 / 3.15 of its own Statement of Community Involvement and failed to provide information on specific proposals to communities? How is it that there have been no attempts to engage with communities in Nottingham City, Clifton and Clifton Village who would all be directly impacted by the proposals? Just because they are outside the County Council area? That does not seem responsible at all. It is incumbent on the County Council to engage with people about this including with those who are less mobile for example at Lark Hill Rise Retirement Village who will live close to the proposed quarry.

Finally, it is really sad that the County Council does not want to listen to what its residents have to say. Over 1,000 responses were sent from local people to the Draft Minerals Local Plan which have been inaccurately described as 'pro-forma letters'. Just because people are saying the same thing, or because people are trying to speak with one voice in order that you understand doesn't mean that their communication is invalid. Please be more responsible and make fair decisions. I appeal to your wiser selves to do the right thing and rise above self-interested parties as it is the Council's role to do. Importantly listen to what local people are saying and what we can see is happening.

Change to plan:

-

Legally compliant: No
Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

273

Object

Appendix 3: Policies Map

Respondent: HS2 Ltd (Mr Craig Rowbottom, Town Planning Manager) [7947]

Summary:

Thank you for consulting HS2 Ltd on the above matter, we have the following comments and observations to make on the document. In our response to the previous consultation, we set out the development of the High Speed 2 (HS2) project from the announcement of the preferred route in 2016 and the refinements that have subsequently been made. The latest Safeguarding Directions came into force on 6 June 2019, replacing those previously issued to local planning authorities on 27 September 2017.

These Safeguarding Directions have been issued in order to protect the entire preferred Phase 2b route of HS2 from conflicting development. Safeguarding is an established tool of the planning system designed for this purpose and aims to ensure that new developments along the route do not impact on the ability to build or operate HS2, or lead to excessive additional costs. The full package of supporting documents and guidance for local planning authorities can be downloaded from the HS2 dedicated safeguarding website pages at: <https://www.gov.uk/government/collections/hs2-safeguarding>.

The published HS2 guidance on Local Plans offered to Local Planning Authorities in advice accompanying the formal Safeguarding Directions. In line with this guidance, it is positive that the HS2 Safeguarded Area has been identified on the Policies Map in the Plan. Whilst HS2 is referenced in paragraph 2.5 of the Plan, we suggest the following matters are addressed:

- . That the points made in paragraph 25 of the Safeguarding Direction are included in the Plan, namely "Local Plans should state that the Safeguarding Directions have been made by the Secretary of State for Transport. They are not proposals of the LPA and the route in question will not be determined through the development plan process. The route will be considered in Parliament under hybrid Bill procedures, which will provide appropriate opportunities for petitions to be made to Parliament by those directly affected by the scheme".
- . Note that at this stage plans for the design and construction of the Phase 2b line are subject to ongoing work and refinement, with the associated limits of land subject to the Safeguarding Directions also subject to change.
- . Reference the fact that the safeguarded area (2019) is shown on the policies map (and amend key on the policies map to HS2 Phase 2b Safeguarded Area).

On related HS2 matters, we would like to make the following additional points:

. As an important part of the evidence base for the Plan, the Local Aggregates Assessment includes an estimate of the tonnes of aggregates needed for HS2 Phase 2b. As the route is subject to ongoing design and construction plans, the volume of material is yet to be determined so we are unable to provide any further details at this stage. To meet the overall requirements of the NPPF to ensure there is sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs, and the need for MPAs to plan for the steady and adequate supply of aggregates, we understand why this estimate has been made.

. The Phase 2b Working Draft Environmental Statement identifies the potential option for borrow pits to address the anticipated shortfall of acceptable engineering material to construct the railway embankments. Where needed, the location of these would be identified in the formal Environment Statement, and would be subject to the HS2 planning regime rather than the normal process. We expect this approach to be in line with the legislative provisions and environmental controls of the other phases of HS2. Whilst the NPPF would therefore not be applicable to the proposed Phase 2b scheme, for best practice and to achieve a sustainable scheme, the principles within the NPPF are being followed.

Full text:

Thank you for consulting HS2 Ltd on the above matter, we have the following comments and observations to make on the document.

In our response to the previous consultation, we set out the development of the High Speed 2 (HS2) project from the announcement of the preferred route in 2016 and the refinements that have subsequently been made. The latest Safeguarding Directions came into force on 6 June 2019, replacing those previously issued to local planning authorities on 27 September 2017.

These Safeguarding Directions have been issued in order to protect the entire preferred Phase 2b route of HS2 from conflicting development. Safeguarding is an established tool of the planning system designed for this purpose and aims to ensure that new developments along the route do not impact on the ability to build or operate HS2, or lead to excessive additional costs. The full package of supporting documents and guidance for local planning authorities can be downloaded from the HS2 dedicated safeguarding website pages at: <https://www.gov.uk/government/collections/hs2-safeguarding>.

The published HS2 guidance on Local Plans offered to Local Planning Authorities in advice accompanying the formal Safeguarding Directions. In line with this guidance, it is positive that the HS2 Safeguarded Area has been identified on the Policies Map in the Plan. Whilst HS2 is referenced in paragraph 2.5 of the Plan, we suggest the following matters are addressed:

. That the points made in paragraph 25 of the Safeguarding Direction are included in the Plan, namely "Local Plans should state that the Safeguarding Directions have been made by the Secretary of State for Transport. They are not proposals of the LPA and the route in question will not be determined through the development plan process. The route will be considered in Parliament under hybrid Bill procedures, which will provide appropriate opportunities for petitions to be made to Parliament by those directly affected by the scheme".

. Note that at this stage plans for the design and construction of the Phase 2b line are subject to ongoing work and refinement, with the associated limits of land subject to the Safeguarding Directions also subject to change.

. Reference the fact that the safeguarded area (2019) is shown on the policies map (and amend key on the policies map to HS2 Phase 2b Safeguarded Area).

On related HS2 matters, we would like to make the following additional points:

. As an important part of the evidence base for the Plan, the Local Aggregates Assessment includes an estimate of the tonnes of aggregates needed for HS2 Phase 2b. As the route is subject to ongoing design and construction plans, the volume of material is yet to be determined so we are unable to provide any further details at this stage. To meet the overall requirements of the NPPF to ensure there is sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs, and the need for MPAs to plan for the steady and adequate supply of aggregates, we understand why this estimate has been made.

. The Phase 2b Working Draft Environmental Statement identifies the potential option for borrow pits to address the anticipated shortfall of acceptable engineering material to construct the railway embankments. Where needed, the location of these would be identified in the formal Environment Statement, and would be subject to the HS2 planning regime rather than the normal process. We expect this approach to be in line with the legislative provisions and environmental controls of the other phases of HS2. Whilst the NPPF would therefore not be applicable to the proposed Phase 2b scheme, for best practice and to achieve a sustainable scheme, the principles within the NPPF are being followed.

Change to plan:

-

Legally compliant: Yes

Sound: No

Comply with duty: No

Appear exam: Written Representation

Attachments: None

78

Object

S01: Improving the sustainability of minerals development

Respondent: Mrs Helen Huffer [4095]

Summary:

S01 -"The County Council has failed to explain the demand for sand and gravel across market areas to justify the spread of sites. These sites should take into account the impact on communities, the natural environment and not how far minerals are transported.

Full text:

Dear Policy Team,

POLICY MP2 SAND AND GRAVEL PROVISION and INCLUSION OF SITE MP2p at MILL HILL near BARTON IN FABIS

I would wish to register my Strongest Objection to the above plan for Sand and Gravel extraction .

I believe that The Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form.

S01 -"The County Council has failed to explain the demand for sand and gravel across market areas to justify the spread of sites. These sites should take into account the impact on communities, the natural environment and not how far minerals are transported.

MP2 -The Mill Hill nr Barton in Fabis site is less sustainable and much more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal - so why select the Barton site rather than the Shelford site!

Not a scrap of evidence has been presented or communicated to justify that the Shelford site is too large and would lead to 'provision (being) limited in other parts of the county' supply

The removal of the Shelford site in the new minerals plan is unsound and unjustified!

No attempt to communicate or engage with the Clifton and Clifton Village people who will be dramatically impacted by these proposals but outside the County Council area. The County Council has utterly failed to comply with para 3.14/ 3.15 of the Statement of Community Involvement and responsibility to provide information on specific proposals to local communities.

Minerals delivered to Colwick Wharf from Shelford would be logistically nearer to major markets and provide a more sustainable pattern of efficient and less disruptive transport - a major consideration !!

I have previously written with my objections, along with, I am told over 1000 other objections, from local people to the draft Minerals Local Plan after which responses were incorrectly stated as 'a large number of pro-forma letters' - really!!

Yours Faithfully

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

80

Object

S05: Minimising impacts on communities**Respondent:** Mrs Helen Huffer [4095]**Summary:**

No attempt to communicate or engage with the Clifton and Clifton Village people who will be dramatically impacted by these proposals but outside the County Council area. The County Council has utterly failed to comply with para 3.14/ 3.15 of the Statement of Community Involvement and responsibility to provide information on specific proposals to local communities.

Minerals delivered to Colwick Wharf from Shelford would be logistically nearer to major markets and provide a more sustainable pattern of efficient and less disruptive transport - a major consideration !!

I have previously written with my objections, along with, I am told over 1000 other objections, from local people to the draft Minerals Local Plan after which responses were incorrectly stated as 'a large number of pro-forma letters' - really!!

Full text:

Dear Policy Team,

POLICY MP2 SAND AND GRAVEL PROVISION and INCLUSION OF SITE MP2p at MILL HILL near BARTON IN FABIS

I would wish to register my Strongest Objection to the above plan for Sand and Gravel extraction .

I believe that The Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form.
S01 -The County Council has failed to explain the demand for sand and gravel across market areas to justify the spread of sites.
These sites should take into account the impact on communities, the natural environment and not how far minerals are transported.

MP2 -The Mill Hill nr Barton in Fabis site is less sustainable and much more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal - so why select the Barton site rather than the Shelford site!

Not a scrap of evidence has been presented or communicated to justify that the Shelford site is too large and would lead to 'provision (being) limited in other parts of the county' supply

The removal of the Shelford site in the new minerals plan is unsound and unjustified!

No attempt to communicate or engage with the Clifton and Clifton Village people who will be dramatically impacted by these proposals but outside the County Council area. The County Council has utterly failed to comply with para 3.14/ 3.15 of the Statement of Community Involvement and responsibility to provide information on specific proposals to local communities.

Minerals delivered to Colwick Wharf from Shelford would be logistically nearer to major markets and provide a more sustainable pattern of efficient and less disruptive transport - a major consideration !!

I have previously written with my objections, along with, I am told over 1000 other objections, from local people to the draft Minerals Local Plan after which responses were incorrectly stated as 'a large number of pro-forma letters' - really!!

Yours Faithfully

Change to plan:

-

Legally No
compliant:

Sound: No

Comply with No
duty:

Appear exam: Appearance at the examination**Attachments:** None

79

Object

MP2p: Mill Hill nr Barton in Fabis**Respondent:** Mrs Helen Huffer [4095]**Summary:**

MP2 -The Mill Hill nr Barton in Fabis site is less sustainable and much more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal - so why select the Barton site rather than the Shelford site!

Not a scrap of evidence has been presented or communicated to justify that the Shelford site is too large and would lead to 'provision (being) limited in other parts of the county' supply

The removal of the Shelford site in the new minerals plan is unsound and unjustified!

Full text:

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These sites should take into account the impact on communities, the natural environment and not how far minerals are transported.

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Not a scrap of evidence has been presented or communicated to justify that the Shelford site is too large and would lead to 'provision (being) limited in other parts of the county' supply

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No attempt to communicate or engage with the Clifton and Clifton Village people who will be dramatically impacted by these proposals but outside the County Council area. The County Council has utterly failed to comply with para 3.14/ 3.15 of the Statement of Community Involvement and responsibility to provide information on specific proposals to local communities.

Minerals delivered to Colwick Wharf from Shelford would be logistically nearer to major markets and provide a more sustainable pattern of efficient and less disruptive transport - a major consideration !!

I have previously written with my objections, along with, I am told over 1000 other objections, from local people to the draft Minerals Local Plan after which responses were incorrectly stated as 'a large number of pro-forma letters' - really!!

Yours Faithfully

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:
Appear exam: Appearance at the examination
Attachments: None

103

Object

S01: Improving the sustainability of minerals development

Respondent: Mr MA Huffer [4162]

Summary:

S01 -The County Council has failed to explain the demand for sand and gravel across market areas to justify the spread of sites. These sites should take into account the impact on communities, the natural environment and not how far minerals are transported.

Full text:

Dear Policy Team, POLICY MP2 SAND AND GRAVEL PROVISION and INCLUSION OF SITE MP2p at MILL HILL near BARTON IN FABIS I would wish to register my Strongest Objection to the above plan for Sand and Gravel extraction . I believe that The Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form. S01 -The County Council has failed to explain the demand for sand and gravel across market areas to justify the spread of sites. These sites should take into account the impact on communities, the natural environment and not how far minerals are transported. MP2 -The Mill Hill nr Barton in Fabis site is less sustainable and much more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal - so why select the Barton site rather than the Shelford site! Not a scrap of evidence has been presented or communicated to justify that the Shelford site is too large and would lead to 'provision (being) limited in other parts of the county' supply The removal of the Shelford site in the new minerals plan is unsound and unjustified! No attempt to communicate or engage with the Clifton and Clifton Village people who will be dramatically impacted by these proposals but outside the County Council area. The County Council has utterly failed to comply with para 3.14/ 3.15 of the Statement of Community Involvement and responsibility to provide information on specific proposals to local communities. Minerals delivered to Colwick Wharf from Shelford would be logistically nearer to major markets and provide a more sustainable pattern of efficient and less disruptive transport - a major consideration !! I have previously written with my objections, along with, I am told over 1000 other objections, from local people to the draft Minerals Local Plan after which responses were incorrectly stated as 'a large number of pro-forma letters' - really!! Yours Faithfully

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:
Appear exam: Appearance at the examination
Attachments: None

105

Object

S05: Minimising impacts on communities

Respondent: Mr MA Huffer [4162]

Summary:

No attempt to communicate or engage with the Clifton and Clifton Village people who will be dramatically impacted by these proposals but outside the County Council area. The County Council has utterly failed to comply with para 3.14/ 3.15 of the Statement of Community Involvement and responsibility to provide information on specific proposals to local communities.

I have previously written with my objections, along with, I am told over 1000 other objections, from local people to the draft Minerals Local Plan after which responses were incorrectly stated as 'a large number of pro-forma letters' - really!!

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Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:
Appear exam: Appearance at the examination
Attachments: None

104

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mr MA Huffer [4162]

Summary:

MP2 -The Mill Hill nr Barton in Fabis site is less sustainable and much more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal - so why select the Barton site rather than the Shelford site! Not a scrap of evidence has been presented or communicated to justify that the Shelford site is too large and would lead to 'provision (being) limited in other parts of the county' supply The removal of the Shelford site in the new minerals plan is unsound and unjustified! Minerals delivered to Colwick Wharf from Shelford would be logistically nearer to major markets and provide a more sustainable pattern of efficient and less disruptive transport - a major consideration !!

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Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** None

278

Object

Nottinghamshire's Mineral Resource and Industry**Respondent:** IGas Energy (Abiail Forbes) [9186]**Summary:**

Section 2 on Nottinghamshire's mineral resource and industry identifies the range of minerals within the county. The section identifies sand and gravel, gypsum and clay as being all of national importance. Notwithstanding reference is made to shale gas (paragraph 2.26) as a potential resource which is thought to exist in the north and south of the county, it is considered that there should be a greater recognition of such as set out in national guidance and the recent Ministerial Written Statement (WMS) by the Secretary of State for Ministry of Housing, Communities and Local Government 23rd May 2019.

Full text:

See attachment

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

280

Object

S03: Addressing climate change**Respondent:** IGas Energy (Abiail Forbes) [9186]**Summary:**

IGas supports the Plan Strategic Objectives. However, S03: Addressing climate change should recognise the diversity of mineral operations and the fact that mineral extract on occurs and could occur from sites other than quarries and to which the same principles would apply.

Full text:

See attachment

Change to plan:

-

Legally compliant: Yes
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

279

Support

Strategic Policies**Respondent:** IGas Energy (Abiail Forbes) [9186]**Summary:**

IGas supports the strategic policies for the plan; they will establish the vision and objectives for development, including minerals, to 2036. IGas supports the intentions of paragraph 3.6 for minerals developments to minimise the impacts on climate change and transition to a low carbon economy. IGas is of the view that onshore oil and gas development is compatible with this vision, specifically through the development of an adequate supply of domestic minerals under a regulatory environment superior to that of countries from which the UK imports its minerals. It is also important that the plan recognises the need to combat climate change. A domestic oil and gas supply offers significant carbon savings over fuels, which otherwise would be imported from overseas, possibly without regulatory regimes as strong as those in the UK, generating much needed local jobs in fields such as engineering and contributing to the transition towards a low carbon economy.

Full text:

See attachment

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes

Appear exam: Appearance at the examination**Attachments:** http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

281

Object

Strategic Policies**Respondent:** IGas Energy (Abiail Forbes) [9186]**Summary:**

It is noted that policy SP1 - Sustainable Development, of the draft plan has been removed. In the absence of such a policy there is a risk that the Plan fails to comply with national policy that requires "a// plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally".

Full text:

See attachment

Change to plan:

It is considered the policy on sustainable development should be reinstated and support be given to developments that accord with the policies in the Plan.

Legally compliant: Yes
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

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Object

SP1: Minerals Provision**Respondent:** IGas Energy (Abiail Forbes) [9186]**Summary:**

Policy SP1 - Minerals Provision

IGas previously commented that this policy, as a strategic policy applying to all minerals, appears to be very aggregate orientated.

Full text:

See attachment

Change to plan:

IGas remains of the view that the policy could be more flexible in supporting other mineral types. IGas similarly remains of the view the term 'avoidance' in SP1 (2) should be replaced with 'minimisation' as avoidance may not be possible in the event national need may prevail. The supporting justification should recognise that some mineral operations such as exploration and appraisal of shale gas may only be carried out for a very limited period of time and which may not require the same long term mitigation measures or controls as a longer term mineral development (3.10).

Legally compliant: Yes
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

283

Support

SP3: Climate Change**Respondent:** IGas Energy (Abiail Forbes) [9186]**Summary:**

IGas supports the commitment to reducing the impact from development on climate change and the fact that it is the development that must reduce greenhouse gas emissions and move towards a low carbon economy (SP3(a)). IGas also supports the supporting justification that indigenous energy minerals have potential benefits in environmental and climate change terms. IGas is of the view that onshore oil and gas development is compatible with the policy through the development of an adequate supply of domestic minerals under a regulatory environment superior to that of countries from which the UK imports its minerals. A domestic oil and gas supply offers significant carbon savings over fuels, which otherwise would be imported from overseas, possibly without regulatory regimes as strong as those in the UK, generating much needed local jobs in fields such as engineering and contributing to the transition towards a low carbon economy.

Full text:

See attachment

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes

Appear exam: Appearance at the examination**Attachments:** http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

284

Object

SP4: Sustainable Transport**Respondent:** IGas Energy (Abiail Forbes) [9186]**Summary:**

IGas supports the policy to maximise the use of sustainable forms of transport of minerals and the inclusion of pipelines as an option as recommended in previous representations. IGas currently utilises pipelines in existing operations and which reduce the potential use of HGVs to transport oil and gas and will continue to do so where local circumstances permit.

IGas supports the policy to minimise traffic movements in the development of minerals where it is practical to do so. The onshore industry aims to maximise the reuse and recycling of materials and waste products from its operations, wherever it is feasible to do so. However, the policy must align with the principal that minerals, including oil and gas, can only be worked where they are found. IGas remains concerned that the policy requiring mineral workings and mineral related developments to be located 'within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation' remains unchanged and does not recognise this.

Full text:

See attachment

Change to plan:

Site specific traffic management plans would address local impacts, should they be identified. The policy should also recognise the short-term traffic impacts of some mineral developments, such as the exploration and appraisal stages of onshore oil and gas, where there may be more intense periods of traffic activity but only for a very limited time. Paragraph 3.41 of the Justification should make reference to pipelines to be consistent with the amended Policy SP4 (1).

Legally compliant: Yes
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

285

Object

SP5: The Built, Historic and Natural Environment**Respondent:** IGas Energy (Abiail Forbes) [9186]**Summary:**

IGas supports some of the changes made to the policy and justification from the consultation draft. However, IGas remains of the view that the policy continues to be onerous and does not recognise the weighting of all facets of sustainable development that should be applied when considering applications for development. Regarding hydrocarbon development, whilst there may be potential for environmental impact, the economic benefit of mineral extraction should be afforded 'great weight' (paragraph 205 of the NPPF). This is further ratified by the Joint MWS (17 May 2018).

The significance of impact depends on the significance of the asset it affects. Paragraph 171 of the NPPF states that Plans should, 'distinguish between the hierarchy of international, national and locally designated assets.' Paragraph 184 of the NPPF recognises a similar approach for the historic environment in that assets should be conserved in a manner appropriate to their significance.

Full text:

See attachment

Change to plan:

Paragraph 3.56 should recognise that not all mineral developments involve large areas of agricultural land. Onshore oil and gas operations use very small areas of land compared to aggregate developments.

Legally Yes

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

286

Object

SP6: The Nottinghamshire Green Belt

Respondent: IGas Energy (Abigail Forbes) [9186]

Summary:

Significant changes have been made to this policy. IGas supports the principle of the policy which, other than the omission of 'do not conflict,' has been taken from the from paragraph 146 b) of the NPPF: 'certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.' including minerals.

Full text:

See attachment

Change to plan:

Given the purpose of the Plan is to set out the policies against which a proposal will be assessed and would be subject to different decision making processes where different weight may be attached to compliance or otherwise with policies, it is considered that the term 'approved' should be replaced with 'supported'.

Legally Yes

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

287

Object

MP12: Oil and Gas

Respondent: IGas Energy (Abigail Forbes) [9186]

Summary:

IGas notes paragraphs 4.96 - 4.100 remain unchanged (other than the deletion of 'very intensive' from 4.100). IGas remains of the view that the approach being taken is not positively prepared and does not reflect the advice within NPPF or the Joint WMS of 17 May 2018 and WMS of 23 May 2019.

Whilst the introduction sets out the background and approach for shale gas and acknowledges there is a potentially significant shale gas resource within Nottinghamshire, IGas is concerned that the Plan continues to fail to make reference to the potential benefits of a shale gas industry within the UK or the Government support within the Planning Practice Guidance to the NPPF or the WMSs. There is a clear recognition of the contributions the shale gas industry could make towards a diversity of energy supplies at the national level and, for consistency, this should be reflected within the MLP.

The Planning Practice Guidance (PPG), originally published by the Department of Communities and Local Government (DCLG) in March 2014, at Minerals paragraph 91 (reference ID: 27-091-20140306) states that "as an emerging form of energy supply, there is a pressing need to establish - through exploratory drilling - whether or not there are sufficient recoverable quantities of unconventional hydrocarbons such as shale gas

... present to facilitate economically viable full scale production." A Government supported Ernst and Young supply chain report (Getting ready for UK shale gas, April 2014) indicated 'there could be significant benefits for jobs and growth from a successful UK Shale Industry: over 64,000 jobs at peak could be supported across the wider economy, with more than 6,000 jobs on shale pads themselves. Many of these would be highly skilled, high quality jobs, with above average pay.'

A combined shale gas and oil policy statement by DECC and DCLG (15 August 2015) states:

A national need to explore and develop our shale gas and oil in a safe, sustainable and timely way. Exploring and developing our shale gas and oil resources could potentially bring substantial benefits and help meet our objectives for secure energy supplies, economic growth and lower carbon emissions. The Government therefore considers that there is a clear need to seize the opportunity now to explore and test our shale potential.

These comments were reiterated within the JWMS 17 May 2018. There is a clear intention at Government level to seize the opportunity now to explore and test the country's shale potential and this support should be explicit within the Plan.

Whilst the changes to policy MP12: Hydrocarbon Minerals are welcomed, part 1b) still requires exploration and appraisal developments to be located where they will not have an unacceptable environmental impact. Such an approach is not in accordance with the NPPF as there is no weighting provided on the level of environmental asset and whether it is of international, national or local significance.

IGas welcomes the changes to the Justification in paragraph 4.104 which recognises the national need to explore and develop new domestic sources of oil and gas.

IGas notes that paragraph 4.110 continues to state, a PEDL 'allows a company to pursue a range of oil and gas exploration activities ...' which appears to have been derived from the UKOOG description of PEDLS. The PEDL licences actually place an obligation on the holder to explore and develop for hydrocarbons. In its current form, the paragraph suggests pursuing an interest is an option when in fact it is a requirement as set out in the guidance by the Oil and Gas Authority 1; this should be amended.

Full text:

See attachment

Change to plan:

Whilst the changes to policy MP12: Hydrocarbon Minerals are welcomed, part 1b) still requires exploration and appraisal developments to be located where they will not have an unacceptable environmental impact. Such an approach is not in accordance with the NPPF as there is no weighting provided on the level of environmental asset and whether it is of international, national or local significance.

IGas notes that paragraph 4.110 continues to state, a PEDL 'allows a company to pursue a range of oil and gas exploration activities ...' which appears to have been derived from the UKOOG description of PEDLS. The PEDL licences actually place an obligation on the holder to explore and develop for hydrocarbons. In its current form, the paragraph suggests pursuing an interest is an option when in fact it is a requirement as set out in the guidance by the Oil and Gas Authority 1; this should be amended.

Legally No

compliant:

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

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Object

DM1: Protecting Local Amenity

Respondent: IGas Energy (Abiail Forbes) [9186]

Summary:

Paragraph 5.18 has been introduced to the justification to Policy DM1. Whilst the content of the paragraph are not in dispute, it appears incongruous in the context of the justification and how it relates to mineral development.

Full text:

See attachment

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

289

Object

DM2: Water Resources and Flood Risk

Respondent: IGas Energy (Abiail Forbes) [9186]

Summary:

Whilst the changes to Policy DM2 and justification are noted, many of the requirements specified fall within the remit of the Environment Agency which is referred to in the justification. The Council is aware planning decisions should assume that other regulatory pollution control regimes will operate effectively. This is particularly the case in water resources and flood risk.

Full text:

See attachment

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

290

Object

DM5: Landscape Character

Respondent: IGas Energy (Abiail Forbes) [9186]

Summary:

IGas has previously commented on this policy. Whilst minor changes to the Policy have been made IGas remains of the view that the policy is seeking to place a weight on the impacts upon landscape character comparable to that of nationally designated landscapes (of which there are none in Nottinghamshire). The NPPF states (paragraphs 171 and 172):

171. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework⁵³; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are a/so important considerations in these areas, and should be given great weight in National Parks and the Broads⁵⁴. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development⁵⁵ other than in exceptional circumstances, a¹d where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

For the Plan to be sound, it is considered that the policy needs to be further amended to correctly reflect the guidance within NPPF.

Full text:

See attachment

Change to plan:

For the Plan to be sound, it is considered that the policy needs to be further amended to correctly reflect the guidance within NPPF.

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

291

Support

DM6: Historic Environment

Respondent: IGas Energy (Abiail Forbes) [9186]

Summary:

IGas previously commented on this policy. The changes to the policy and justification are now considered to be in line with the NPPF and are supported.

Full text:

See attachment

Change to plan:

-

Legally Yes
compliant:
Sound: Yes
Comply with Yes
duty:

Appear exam: Written Representation

Attachments: http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

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Support

DM8: Cumulative Impact

Respondent: IGas Energy (Abiail Forbes) [9186]

Summary:

The changes to the policy are supported.

Full text:

See attachment

Change to plan:

-

Legally Yes
compliant:
Sound: Yes
Comply with Yes
duty:

Appear exam: Written Representation

Attachments: http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

293

Object

DM10: Airfield Safeguarding

Respondent: IGas Energy (Abiail Forbes) [9186]

Summary:

Whilst IGas supports the intentions of the policy, paragraph 5.109 does not acknowledge the use of tall drill rigs used by the minerals industry and particularly the onshore oil and gas industry at the exploration and appraisal stages of development.

Full text:

See attachment

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

294

Support

DM12: Restoration, aftercare and after-use

Respondent: IGas Energy (Abiail Forbes) [9186]

Summary:

IGas supports the changes to the policy.

Full text:

See attachment

Change to plan:

-

Legally Yes
compliant:
Sound: Yes
Comply with Yes
duty:

Appear exam: Written Representation

Attachments: http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

295

Object

DM17: Mineral Exploration

Respondent: IGas Energy (Abiail Forbes) [9186]

Summary:

IGas supports the policy. However, notwithstanding the justification acknowledges most exploration can be carried out with the benefit of permitted development, the policy does not acknowledge that mineral exploration can be carried out with such. Geophysical surveys are also used for the exploration of coal, oil and gas (paragraph 5.163).

Full text:

See attachment

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination**Attachments:** http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf - http://www.nottinghamshire.gov.uk/media/2327546/igas-energy-10_10_2019_redacted.pdf

277

Object

MP12: Oil and Gas**Respondent:** INEOS Upstream Ltd (Mr Richard Longden) [9188]**Agent:** Felsham Planning and Development**Summary:**

Please see attached supporting statement.

We are pleased to note that policy MP12 provides a simple policy that makes a positive statement in support of onshore oil and gas.

We have concerns with one element of the draft policy. There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used.

We wish to object to this element of the policy, which we believe needs to change. In our view the terms used should be the same. Regardless of whether it is exploration or commercial production the tests should be equally relevant. Reference to unacceptable environmental impact should be changed to "significant unacceptable environmental impact" because as currently worded all impact can be read as unacceptable. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'Are located where they will not have a significant unacceptable environmental impact'.

Full text:

Please see attached supporting statement.

We are pleased to note that policy MP12 provides a simple policy that makes a positive statement in support of onshore oil and gas.

We have concerns with one element of the draft policy. There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used.

We wish to object to this element of the policy, which we believe needs to change. In our view the terms used should be the same. Regardless of whether it is exploration or commercial production the tests should be equally relevant. Reference to unacceptable environmental impact should be changed to "significant unacceptable environmental impact" because as currently worded all impact can be read as unacceptable. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'Are located where they will not have a significant unacceptable environmental impact'.

Please see attached supporting statement

We have concerns with one element of the draft policy MP12. There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used.

We wish to object to this element of the policy, which we believe needs to change. In our view the terms used should be the same. Regardless of whether it is exploration or commercial production the tests should be equally relevant. Reference to unacceptable environmental impact should be changed to "significant unacceptable environmental impact" because as currently worded all impact can be read as unacceptable. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'Are located where they will not have a significant unacceptable environmental impact'.

As noted above we are largely supportive of policy MP12. However, if it were to be suggested that policy MP12 should be significantly amended INEOS would wish to put forward revised text to the anticipated Minerals Plan Examination as set out in our earlier representations to the draft Minerals Plan

The issue raised is complex and we have found it helpful when responding to other plans for the matter to be debated. This was done most recently at East Riding of Yorkshire in January 2019 where the Inspector was able to hear the points raised on each side of the argument and to understand that there was in fact little between the parties in terms of principle. In our submission this may not have been fully apparent in reviewing written submissions and this was confirmed by the conduct of the Hearing where the Inspector thanked the parties for their frankness, helpfulness and courtesy. We anticipate that policy MP12 may be subject to scrutiny and we believe that it would be helpful for all parties to be able to come together to discuss the issues.

Change to plan:

Please see attached supporting statement

We have concerns with one element of the draft policy MP12. There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used.

We wish to object to this element of the policy, which we believe needs to change. In our view the terms used should be the same. Regardless of whether it is exploration or commercial production the tests should be equally relevant. Reference to unacceptable environmental impact should be changed to "significant unacceptable environmental impact" because as currently worded all impact can be read as unacceptable. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'Are located where they will not have a significant unacceptable environmental impact'.

As noted above we are largely supportive of policy MP12. However, if it were to be suggested that policy MP12 should be significantly amended INEOS would wish to put forward revised text to the anticipated Minerals Plan Examination as set out in our earlier representations to the draft Minerals Plan

Legally compliant: Yes**Sound:** No**Comply with duty:** Yes**Appear exam:** Appearance at the examination**Attachments:** INEOS Upstream Limited representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327547/ineos-upstream-limited-11_10_2019_redacted.pdf

126

Object

MP2p: Mill Hill nr Barton in Fabis**Respondent:** B Judd [9167]**Summary:**

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise

Impact on the natural environment, visual, nature designations, green belt.

Full text:

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise

Impact on the natural environment, visual, nature designations, green belt.

Change to plan:

-

Legally compliant: No**Sound:** No**Comply with duty:** No**Appear exam:** Appearance at the examination**Attachments:** None

124

Object

MP2p: Mill Hill nr Barton in Fabis**Respondent:** Nichola Judd [3746]**Summary:**

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise
Impact on the natural environment, visual, nature designations, green belt.

Full text:

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise
Impact on the natural environment, visual, nature designations, green belt.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

187

Object

S01: Improving the sustainability of minerals development

Respondent: Miss Harriet Kaczmarczuk [3525]

Summary:

Strategic Objective 1 is unsound and unjustified, because the Mineral Planning Authority has failed to present any relevant evidence base to justify the proposed geographical spread of sites. The Sustainability Assessment findings have been largely overridden by the 'spatial pattern of mineral development', despite the fact that this pattern is not justified by any credible evidence that it should be used to overrule the findings of the Sustainability Assessment.

Full text:

Strategic Objective 1 is unsound and unjustified, because the Mineral Planning Authority has failed to present any relevant evidence base to justify the proposed geographical spread of sites. The Sustainability Assessment findings have been largely overridden by the 'spatial pattern of mineral development', despite the fact that this pattern is not justified by any credible evidence that it should be used to overrule the findings of the Sustainability Assessment.

Policy MP2 in particular the inclusion of the Barton in Fabis Mill Hill site (MP2p) is unsound and unjustified

The inclusion of the Barton in Fabis (Mill Hill) site cannot be justified. The previous draft plan (which provided for significantly more sand and gravel extraction) rejected the site because it was one of the most environmentally damaging of those considered. This version provides for a lot less gravel, but purely on the grounds of 'geographical spread, the site is now considered as suitable. No credible explanation for this has been produced. No evidence has been produced to justify the statement that Shelford would produce too much gravel for the area, nor why the suitability of Shelford for barge transport has been overlooked.

The MPA has produced no evidence to justify its interpretation of the correct geographical spread (supply and demand for each sub area), and whilst we accept that there would be no sense in having all or most extraction confined to a limited geographic location, there is absolutely no justification for using this as the determining factor to override the Sustainability Assessment.

What the MPA was told by respondents at the Issues and Options stage appears under Policy MP2. We have underlined some key points

Responses were split between those who thought it was important to maintain a geographical spread of minerals. Reasoning given focuses on the need to minimise transportations distances, minimising environmental impacts, providing a steady and adequate supply of resources and ensuring that sites are located in relation to markets and demand (both within and outside the County).

- Other respondents thought that a geographical spread is just one factor that needs to be evaluated due to impacts on local residents, the availability of capacity on the highway network and the availability of recycled minerals in the main urban areas.
- Generally, respondents felt that prioritising specific geographic areas above others would not be appropriate, instead, each site should be judged on its own merits.
- Other suggestions included prioritising sites closest to the market, prioritising those with good transport links/access to barging or those that have the least impact on the local area.
- There was general agreement that the use of barges along the River Trent would provide a sustainable form of transport minimising minerals related HGV's. However there was an equal amount of concern regarding the actual financial viability of setting up the infrastructure needed for river barging particularly over a shorter distances.

The absence of any credible evidence to support the geographical spread of sites makes Policy MP2 (in particular MP2p) unjustified and unsound.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

188

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Miss Harriet Kaczmarczuk [3525]

Summary:

Policy MP2 in particular the inclusion of the Barton in Fabis Mill Hill site (MP2p) is unsound and unjustified

The inclusion of the Barton in Fabis (Mill Hill) site cannot be justified. The previous draft plan (which provided for significantly more sand and gravel extraction) rejected the site because it was one of the most environmentally damaging of those considered. This version provides for a lot less gravel, but purely on the grounds of 'geographical spread, the site is now considered as suitable. No credible explanation for this has been produced. No evidence has been produced to justify the statement that Shelford would produce too much gravel for the area, nor why the suitability of Shelford for barge transport has been overlooked.

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The absence of any credible evidence to support the geographical spread of sites makes Policy MP2 (in particular MP2p) unjustified and unsound.

Full text:

Strategic Objective 1 is unsound and unjustified, because the Mineral Planning Authority has failed to present any relevant evidence base to justify the proposed geographical spread of sites. The Sustainability Assessment findings have been largely overridden by the 'spatial pattern of mineral development', despite the fact that this pattern is not justified by any credible evidence that it should be used to overrule the findings of the Sustainability Assessment.

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The absence of any credible evidence to support the geographical spread of sites makes Policy MP2 (in particular MP2p) unjustified and unsound.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

183

Object

S01: Improving the sustainability of minerals development

Respondent: Paul Kaczmarczuk [3477]

Summary:

Strategic Objective 1 is unsound and unjustified, because the Mineral Planning Authority has failed to present any relevant evidence base to justify the proposed geographical spread of sites. The Sustainability Assessment findings have been largely overridden by the 'spatial pattern of mineral development', despite the fact that this pattern is not justified by any credible evidence that it should be used to overrule the findings of the Sustainability Assessment.

Full text:

We believe that the Minerals Local Plan is UNSOUND and UNJUSTIFIED as it presently stands, and should be withdrawn and rewritten.

Strategic Objective 1 is unsound and unjustified, because the Mineral Planning Authority has failed to present any relevant evidence base to justify the proposed geographical spread of sites. The Sustainability Assessment findings have been largely overridden by the 'spatial pattern of mineral development', despite the fact that this pattern is not justified by any credible evidence that it should be used to overrule the findings of the Sustainability Assessment.

Policy MP2 in particular the inclusion of the Barton in Fabis Mill Hill site (MP2p) is unsound and unjustified

The inclusion of the Barton in Fabis (Mill Hill) site cannot be justified. The previous draft plan (which provided for significantly more sand and gravel extraction) rejected the site because it was one of the most environmentally damaging of those considered. This version provides for a lot less gravel, but purely on the grounds of 'geographical spread, the site is now considered as suitable. No credible explanation for this has been produced. No evidence has been produced to justify the statement that Shelford would produce too much gravel for the area, nor why the suitability of Shelford for barge transport has been overlooked.

The MPA has produced no evidence to justify its interpretation of the correct geographical spread (supply and demand for each sub area), and whilst we accept that there would be no sense in having all or most extraction confined to a limited geographic location, there is absolutely no justification for using this as the determining factor to override the Sustainability Assessment.

What the MPA was told by respondents at the Issues and Options stage appears under Policy MP2. We have underlined some key points

Responses were split between those who thought it was important to maintain a geographical spread of minerals. Reasoning given focuses on the need to minimise transportations distances, minimising environmental impacts, providing a steady and adequate supply of resources and ensuring that sites are located in relation to markets and demand (both within and outside the County).

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The absence of any credible evidence to support the geographical spread of sites makes Policy MP2 (in particular MP2p) unjustified and unsound.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

184

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Paul Kaczmarczuk [3477]

Summary:

Policy MP2 in particular the inclusion of the Barton in Fabis Mill Hill site (MP2p) is unsound and unjustified

The inclusion of the Barton in Fabis (Mill Hill) site cannot be justified. The previous draft plan (which provided for significantly more sand and gravel extraction) rejected the site because it was one of the most environmentally damaging of those considered. This version provides for a lot less gravel, but purely on the grounds of 'geographical spread, the site is now considered as suitable. No credible explanation for this has been produced. No evidence has been produced to justify the statement that Shelford would produce too much gravel for the area, nor why the suitability of Shelford for barge transport has been overlooked.

The MPA has produced no evidence to justify its interpretation of the correct geographical spread (supply and demand for each sub area), and whilst we accept that there would be no sense in having all or most extraction confined to a limited geographic location, there is absolutely no justification for using this as the determining factor to override the Sustainability Assessment.

What the MPA was told by respondents at the Issues and Options stage appears under Policy MP2. We have underlined some key points

Responses were split between those who thought it was important to maintain a geographical spread of minerals. Reasoning given focuses on the need to minimise transportations distances, minimising environmental impacts, providing a steady and adequate supply of resources and ensuring that sites are located in relation to markets and demand (both within and outside the County).

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The absence of any credible evidence to support the geographical spread of sites makes Policy MP2 (in particular MP2p) unjustified and unsound.

Full text:

We believe that the Minerals Local Plan is UNSOUND and UNJUSTIFIED as it presently stands, and should be withdrawn and rewritten.

Strategic Objective 1 is unsound and unjustified, because the Mineral Planning Authority has failed to present any relevant evidence base to justify the proposed geographical spread of sites. The Sustainability Assessment findings have been largely overridden by the 'spatial pattern of mineral development', despite the fact that this pattern is not justified by any credible evidence that it should be used to overrule the findings of the Sustainability Assessment.

Policy MP2 in particular the inclusion of the Barton in Fabis Mill Hill site (MP2p) is unsound and unjustified

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because it was one of the most environmentally damaging of those considered. This version provides for a lot less gravel, but purely on the grounds of 'geographical spread, the site is now considered as suitable. No credible explanation for this has been produced. No evidence has been produced to justify the statement that Shelford would produce too much gravel for the area, nor why the suitability of Shelford for barge transport has been overlooked.

The MPA has produced no evidence to justify its interpretation of the correct geographical spread (supply and demand for each sub area), and whilst we accept that there would be no sense in having all or most extraction confined to a limited geographic location, there is absolutely no justification for using this as the determining factor to override the Sustainability Assessment.

What the MPA was told by respondents at the Issues and Options stage appears under Policy MP2. We have underlined some key points

Responses were split between those who thought it was important to maintain a geographical spread of minerals. Reasoning given focuses on the need to minimise transportations distances, minimising environmental impacts, providing a steady and adequate supply of resources and ensuring that sites are located in relation to markets and demand (both within and outside the County).

- Other respondents thought that a geographical spread is just one factor that needs to be evaluated due to impacts on local residents, the availability of capacity on the highway network and the availability of recycled minerals in the main urban areas.
- Generally, respondents felt that prioritising specific geographic areas above others would not be appropriate, instead, each site should be judged on its own merits.
- Other suggestions included prioritising sites closest to the market, prioritising those with good transport links/access to barging or those that have the least impact on the local area.
- There was general agreement that the use of barges along the River Trent would provide a sustainable form of transport minimising minerals related HGV's. However there was an equal amount of concern regarding the actual financial viability of setting up the infrastructure needed for river barging particularly over a shorter distances.

The absence of any credible evidence to support the geographical spread of sites makes Policy MP2 (in particular MP2p) unjustified and unsound.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

182

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Allan Kerr [4227]

Summary:

The County Council has failed to apply their site selection criteria appropriately resulting in the "unreasonable" decision to include Mill Hill/Barton in Fabis sand and gravel quarry in the plan.

The County Council has selected to include Mill Hill even though:

1. It scored worse in the sustainability appraisal than other viable alternative sites
2. It requires all material to be transported by road when other viable alternative sites would carry nearly half of the output by barge – a preferred method of transport
3. The site is too small to provide for the local area resulting in a deficit in supply. This would need to be filled by distant quarries causing unnecessary lorry movements
4. The County Council has failed to recognise the impact the quarry would have on the many thousands of residents in the neighbouring Nottingham City Council conurbation when other viable alternative sites have a much lower density of people in close proximity.

It is a concern that the Council has introduced a selection criterion (geographical spread) that has a poor relationship to sustainability to distort the site selection process. This has resulted in the inclusion of at least one inappropriate site (Mill Hill/Barton in Fabis).

Full text:

The County Council has failed to apply their site selection criteria appropriately resulting in the "unreasonable" decision to include Mill Hill/Barton in Fabis sand and gravel quarry in the plan.

The County Council has selected to include Mill Hill even though:

1. It scored worse in the sustainability appraisal than other viable alternative sites
2. It requires all material to be transported by road when other viable alternative sites would carry nearly half of the output by barge – a preferred method of transport
3. The site is too small to provide for the local area resulting in a deficit in supply. This would need to be filled by distant quarries causing unnecessary lorry movements
4. The County Council has failed to recognise the impact the quarry would have on the many thousands of residents in the neighbouring Nottingham City Council conurbation when other viable alternative sites have a much lower density of people in close proximity.

It is a concern that the Council has introduced a selection criterion (geographical spread) that has a poor relationship to sustainability to distort the site selection process. This has resulted in the inclusion of at least one inappropriate site (Mill Hill/Barton in Fabis).

Remove Mill Hill Barton in Fabis sand and gravel quarry from the plan and carry out a proper evaluation of site selection that maximises sustainable development.

Change to plan:

Remove Mill Hill Barton in Fabis sand and gravel quarry from the plan and carry out a proper evaluation of site selection that maximises sustainable development.

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

91

Object

S01: Improving the sustainability of minerals development

Respondent: Mrs M Knight [4106]

Summary:

S01: Sites should be judged on their own merits and consider the impact on local communities plus the natural environment including the impact on Attenborough Nature reserve

Full text:

I believe that the Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form.

S01: Sites should be judged on their own merits and consider the impact on local communities plus the natural environment including the impact on Attenborough Nature reserve

MP2: Sand and gravel provision is unjustified. The Mill Hill site near Barton in Fabis is less sustainable and more environmentally damaging than the Shelford site according to the Councils own Sustainability Appraisal.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

180

Object

S01: Improving the sustainability of minerals development

Respondent: Mrs M Knight [4106]

Summary:

S01 Improving the sustainability of minerals development is UNSOUND AND UNJUSTIFIED

Full text:

I am writing regarding the allocation of site MP2p at Mill Hill nr Barton in Fabis (under MP2 Sand and Gravel Provision) which is unsound and unjustified and should be removed .

The site will have an impact on the local natural environment Attenborough Nature Reserve in particular is at risk from noise and pollution from the proposed site..Deliveries of materials would be closer to major markets and be more sustainable If from Shelford to Colwick wharf.

S01 Improving the sustainability of minerals development is UNSOUND AND UNJUSTIFIED
MP2 Sand and Gravel provision is UNSOUND AND UNJUSTIFIED.

We are living at a time of crisis for the environment we need to be aware of environmental issues at all times .

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** None

181

Object

MP2: Sand and Gravel Provision

Respondent: Mrs M Knight [4106]

Summary:

MP2 Sand and Gravel provision is UNSOUND AND UNJUSTIFIED.

Full text:

I am writing regarding the allocation of site MP2p at Mill Hill nr Barton in Fabis (under MP2 Sand and Gravel Provision) which is unsound and unjustified and should be removed .

The site will have an impact on the local natural environment Attenborough Nature Reserve in particular is at risk from noise and pollution from the proposed site..Deliveries of materials would be closer to major markets and be more sustainable If from Shelford to Colwick wharf.

S01 Improving the sustainability of minerals development is UNSOUND AND UNJUSTIFIED
MP2 Sand and Gravel provision is UNSOUND AND UNJUSTIFIED.

We are living at a time of crisis for the environment we need to be aware of environmental issues at all times .

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** None

93

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mrs M Knight [4106]

Summary:

MP2: Sand and gravel provision is unjustified. The Mill Hill site near Barton in Fabis is less sustainable and more environmentally damaging than the Shelford site according to the Councils own Sustainability Appraisal.

Full text:

I believe that the Minerals Local Plan is unsound and unjustified and should be withdrawn in its current form.

S01: Sites should be judged on their own merits and consider the impact on local communities plus the natural environment including the impact on Attenborough Nature reserve

MP2: Sand and gravel provision is unjustified. The Mill Hill site near Barton in Fabis is less sustainable and more environmentally damaging than the Shelford site according to the Councils own Sustainability Appraisal.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination**Attachments:** None

179

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mrs M Knight [4106]

Summary:

I am writing regarding the allocation of site MP2p at Mill Hill nr Barton in Fabis (under MP2 Sand and Gravel Provision) which is unsound and unjustified and should be removed .

The site will have an impact on the local natural environment Attenborough Nature Reserve in particular is at risk from noise and pollution from the proposed site..Deliveries of materials would be closer to major markets and be more sustainable If from Shelford to Colwick wharf.

Full text:

I am writing regarding the allocation of site MP2p at Mill Hill nr Barton in Fabis (under MP2 Sand and Gravel Provision) which is unsound and unjustified and should be removed .

The site will have an impact on the local natural environment Attenborough Nature Reserve in particular is at risk from noise and pollution from the proposed site..Deliveries of materials would be closer to major markets and be more sustainable If from Shelford to Colwick wharf.

S01 Improving the sustainability of minerals development is UNSOUND AND UNJUSTIFIED
MP2 Sand and Gravel provision is UNSOUND AND UNJUSTIFIED.

We are living at a time of crisis for the environment we need to be aware of environmental issues at all times .

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

95

Object

S01: Improving the sustainability of minerals development

Respondent: Mr Will Lang [4116]

Summary:

Site allocation should be judged on their own merit such as the impact on the local community plus the natural environment such as attenborough nature reserve.

Full text:

I believe that the minerals local plan is unsound and unjustified and should be withdrawn in its current form.

Strategic objective S01 is unsound and unjustified. The allocation of site MP2q at Mill Hill near Barton in Fabis (under MP2 sand and gravel provision) is also unsound and unjustified and should be removed. The County Council has failed to conform to its own Statement of Community Involvement.

Site allocation should be judged on their own merit such as the impact on the local community plus the natural environment such as attenborough nature reserve.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

97

Object

S05: Minimising impacts on communities

Respondent: Mr Will Lang [4116]

Summary:

he County Council has failed to conform to its own Statement of Community Involvement.

Full text:

I believe that the minerals local plan is unsound and unjustified and should be withdrawn in its current form.

Strategic objective S01 is unsound and unjustified. The allocation of site MP2q at Mill Hill near Barton in Fabis (under MP2 sand and gravel provision) is also unsound and unjustified and should be removed. The County Council has failed to conform to its own Statement of Community Involvement.

Site allocation should be judged on their own merit such as the impact on the local community plus the natural environment such as attenborough nature reserve.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

96

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mr Will Lang [4116]

Summary:

The allocation of site MP2q at Mill Hill near Barton in Fabis (under MP2 sand and gravel provision) is also unsound and unjustified and should be removed.

Full text:

I believe that the minerals local plan is unsound and unjustified and should be withdrawn in its current form.

Strategic objective S01 is unsound and unjustified. The allocation of site MP2q at Mill Hill near Barton in Fabis (under MP2 sand and gravel provision) is also unsound and unjustified and should be removed. The County Council has failed to conform to its own Statement of Community Involvement.

Site allocation should be judged on their own merit such as the impact on the local community plus the natural environment such as attenborough nature reserve.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

150

Support

Overview, Vision and Strategic Objectives

Respondent: Leicestershire County Council (Mr Lonek Wojtulewicz, Head of Planning) [1432]

Summary:

We have no comments to raise regarding the Publication Version of the plan.

As set out in the Statement of Common Ground, Leicestershire will continue to co-operate with Nottinghamshire on monitoring minerals provision and on any cross boundary safeguarding issues that arise during the plan period.

Full text:

We have no comments to raise regarding the Publication Version of the plan.

As set out in the Statement of Common Ground, Leicestershire will continue to co-operate with Nottinghamshire on monitoring minerals provision and on any cross boundary safeguarding issues that arise during the plan period.

Change to plan:

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Appear exam: Written Representation

Attachments: None

151

Object

MP1: Aggregate Provision

Respondent: Lincolnshire County Council (Mr Richard Leonard, Senior Policy Officer (Waste and Minerals))
[1042]

Summary:

Lincolnshire County Council's Minerals and Waste Planning Policy Team objects to policy MP1 on the basis that the policy is not sound in its current form, because it does not make sufficient provision for sand and gravel extraction within Nottinghamshire over the plan period.

Policy MP1 has not been positively prepared: The provision is based on a Local Aggregate Assessment which has failed to objectively assess the needs of the County. This is because the proposed provision rate of 1.7mt per annum for sand and gravel is based on depressed average sales figures which do not take into account Nottinghamshire's increased reliance on imports of sand and gravel from Lincolnshire to meet demand. Our concerns in this regard have been well documented in our representations to earlier drafts of the emerging Nottinghamshire Minerals Local Plan and on-going correspondence with Nottinghamshire County Council.

Policy MP1 is not justified: There is no reasonable justification in the publication draft or the supporting Local Aggregate Assessment as to why Nottinghamshire County Council need to continue to rely on significant imports of sand and gravel from Lincolnshire, rather than making appropriate provision for a steady and adequate supply of aggregates from its own substantial indigenous resources. In this respect it should be pointed out that historically Nottinghamshire was the most important producer of sand and gravel in the East Midlands, and was only overtaken by Lincolnshire due to the aftermath of the recession when some mineral operators temporarily rationalised their operations close to the county boundary. The extent of the available sand and gravel resource in Nottinghamshire was demonstrated by the significantly greater number of sites originally proposed for allocation in the withdrawn submission draft Nottinghamshire Minerals Plan (Feb/March 2016).

Policy MP1 is not effective: In not addressing the above cross-boundary issues, the proposed sand and gravel provision is insufficient to meet demand in the County without substantial imports from Lincolnshire. This is masked by the current practice adopted in the Local Aggregate Assessment of basing the landbank on the "10-year average sales" approach which inflates the landbank calculations. This is deceptive in that it gives the impression that there are no supply issues in Nottinghamshire.

Policy MP1 is not consistent with national policy. In not addressing the above issues, the proposed sand and gravel provision rate is contrary to the NPPF as it fails to have due regard to this "other relevant local information".

Full text:

MP1

Lincolnshire County Council's Minerals and Waste Planning Policy Team objects to policy MP1 on the basis that the policy is not sound in its current form, because it does not make sufficient provision for sand and gravel extraction within Nottinghamshire over the plan period.

Policy MP1 has not been positively prepared: The provision is based on a Local Aggregate Assessment which has failed to objectively assess the needs of the County. This is because the proposed provision rate of 1.7mt per annum for sand and gravel is based on depressed average sales figures which do not take into account Nottinghamshire's increased reliance on imports of sand and gravel from Lincolnshire to meet demand. Our concerns in this regard have been well documented in our representations to earlier drafts of the emerging Nottinghamshire Minerals Local Plan and on-going correspondence with Nottinghamshire County Council.

Policy MP1 is not justified: There is no reasonable justification in the publication draft or the supporting Local Aggregate Assessment as to why Nottinghamshire County Council need to continue to rely on significant imports of sand and gravel from Lincolnshire, rather than making appropriate provision for a steady and adequate supply of aggregates from its own substantial indigenous resources. In this respect it should be pointed out that historically Nottinghamshire was the most important producer of sand and gravel in the East Midlands, and was only overtaken by Lincolnshire due to the aftermath of the recession when some mineral operators temporarily rationalised their operations close to the county boundary. The extent of the available sand and gravel resource in Nottinghamshire was demonstrated by the significantly greater number of sites originally proposed for allocation in the withdrawn submission draft Nottinghamshire Minerals Plan (Feb/March 2016).

Policy MP1 is not effective: In not addressing the above cross-boundary issues, the proposed sand and gravel provision is insufficient to meet demand in the County without substantial imports from Lincolnshire. This is masked by the current practice adopted in the Local Aggregate Assessment of basing the landbank on the "10-year average sales" approach which inflates the landbank calculations. This is deceptive in that it gives the impression that there are no supply issues in Nottinghamshire.

Policy MP1 is not consistent with national policy. In not addressing the above issues, the proposed sand and gravel provision rate is contrary to the NPPF as it fails to have due regard to this "other relevant local information".

It is recommended that an appropriate uplift is applied to the proposed sand and gravel provision rate in order to account for the demand that is currently driving imports from Lincolnshire.

Furthermore, given Nottinghamshire's importance as a sand and gravel producer, the level of provision should be based on the assumption that sales in Nottinghamshire will return to a similar proportion of total sales in the East Midlands achieved prior to the recession.

Representatives of Lincolnshire County Council's Planning Policy Team would like the opportunity to participate in the hearing sessions in order to discuss our concerns.

MP2

In conjunction with our comments in relation to Policy MP1, Lincolnshire County Council's Minerals and Waste Planning Policy Team objects to Policy MP2 because it does not make sufficient provision for sand and gravel extraction in Nottinghamshire over the Plan Period.

The number of sites allocated is based on a deflated provision rate as argued in relation to Policy MP1. As a consequence, we consider that the productive capacity of the proposed allocations does not provide sufficient flexibility to respond to increases in demand. Furthermore, when referring to the delivery schedule in Appendix 1 of the publication draft, it appears the majority of the proposed allocations could be worked out prior to the end of the plan period, which would further constrain productive capacity.

Allocating additional sites for sand and gravel extraction based on an increased provision rate would ensure a greater productive capacity for the duration of the plan period and allow sufficient flexibility to accommodate changes in demand, whilst in turn reducing the reliance on imports from Lincolnshire, for which there is no apparent justification, and ensuring Nottinghamshire remains an important provider of Sand and Gravel in the East Midlands.

Representatives of Lincolnshire County Council's Planning Policy Team would like the opportunity to participate in the hearing sessions in order to discuss our concerns.

Change to plan:

It is recommended that an appropriate uplift is applied to the proposed sand and gravel provision rate in order to account for the demand that is currently driving imports from

Lincolnshire.

Furthermore, given Nottinghamshire's importance as a sand and gravel producer, the level of provision should be based on the assumption that sales in Nottinghamshire will return to a similar proportion of total sales in the East Midlands achieved prior to the recession.

Legally compliant: Yes
Sound: No
Comply with duty: Yes
Appear exam: Appearance at the examination
Attachments: None

152

Object

MP2: Sand and Gravel Provision

Respondent: Lincolnshire County Council (Mr Richard Leonard, Senior Policy Officer (Waste and Minerals))
 [1042]

Summary:

In conjunction with our comments in relation to Policy MP1, Lincolnshire County Council's Minerals and Waste Planning Policy Team objects to Policy MP2 because it does not make sufficient provision for sand and gravel extraction in Nottinghamshire over the Plan Period.

The number of sites allocated is based on a deflated provision rate as argued in relation to Policy MP1. As a consequence, we consider that the productive capacity of the proposed allocations does not provide sufficient flexibility to respond to increases in demand. Furthermore, when referring to the delivery schedule in Appendix 1 of the publication draft, it appears the majority of the proposed allocations could be worked out prior to the end of the plan period, which would further constrain productive capacity.

Full text:

MP1
 Lincolnshire County Council's Minerals and Waste Planning Policy Team objects to policy MP1 on the basis that the policy is not sound in its current form, because it does not make sufficient provision for sand and gravel extraction within Nottinghamshire over the plan period.

Policy MP1 has not been positively prepared: The provision is based on a Local Aggregate Assessment which has failed to objectively assess the needs of the County. This is because the proposed provision rate of 1.7mt per annum for sand and gravel is based on depressed average sales figures which do not take into account Nottinghamshire's increased reliance on imports of sand and gravel from Lincolnshire to meet demand. Our concerns in this regard have been well documented in our representations to earlier drafts of the emerging Nottinghamshire Minerals Local Plan and on-going correspondence with Nottinghamshire County Council.

Policy MP1 is not justified: There is no reasonable justification in the publication draft or the supporting Local Aggregate Assessment as to why Nottinghamshire County Council need to continue to rely on significant imports of sand and gravel from Lincolnshire, rather than making appropriate provision for a steady and adequate supply of aggregates from its own substantial indigenous resources. In this respect it should be pointed out that historically Nottinghamshire was the most important producer of sand and gravel in the East Midlands, and was only overtaken by Lincolnshire due to the aftermath of the recession when some mineral operators temporarily rationalised their operations close to the county boundary. The extent of the available sand and gravel resource in Nottinghamshire was demonstrated by the significantly greater number of sites originally proposed for allocation in the withdrawn submission draft Nottinghamshire Minerals Plan (Feb/March 2016).

Policy MP1 is not effective: In not addressing the above cross-boundary issues, the proposed sand and gravel provision is insufficient to meet demand in the County without substantial imports from Lincolnshire. This is masked by the current practice adopted in the Local Aggregate Assessment of basing the landbank on the "10-year average sales" approach which inflates the landbank calculations. This is deceptive in that it gives the impression that there are no supply issues in Nottinghamshire.

Policy MP1 is not consistent with national policy. In not addressing the above issues, the proposed sand and gravel provision rate is contrary to the NPPF as it fails to have due regard to this "other relevant local information".

It is recommended that an appropriate uplift is applied to the proposed sand and gravel provision rate in order to account for the demand that is currently driving imports from Lincolnshire.

Furthermore, given Nottinghamshire's importance as a sand and gravel producer, the level of provision should be based on the assumption that sales in Nottinghamshire will return to a similar proportion of total sales in the East Midlands achieved prior to the recession.

Representatives of Lincolnshire County Council's Planning Policy Team would like the opportunity to participate in the hearing sessions in order to discuss our concerns.

MP2

In conjunction with our comments in relation to Policy MP1, Lincolnshire County Council's Minerals and Waste Planning Policy Team objects to Policy MP2 because it does not make sufficient provision for sand and gravel extraction in Nottinghamshire over the Plan Period.

The number of sites allocated is based on a deflated provision rate as argued in relation to Policy MP1. As a consequence, we consider that the productive capacity of the proposed allocations does not provide sufficient flexibility to respond to increases in demand. Furthermore, when referring to the delivery schedule in Appendix 1 of the publication draft, it appears the majority of the proposed allocations could be worked out prior to the end of the plan period, which would further constrain productive capacity.

Allocating additional sites for sand and gravel extraction based on an increased provision rate would ensure a greater productive capacity for the duration of the plan period and allow sufficient flexibility to accommodate changes in demand, whilst in turn reducing the reliance on imports from Lincolnshire, for which there is no apparent justification, and ensuring Nottinghamshire remains an important provider of Sand and Gravel in the East Midlands.

Representatives of Lincolnshire County Council's Planning Policy Team would like the opportunity to participate in the hearing sessions in order to discuss our concerns.

Change to plan:

Allocating additional sites for sand and gravel extraction based on an increased provision rate would ensure a greater productive capacity for the duration of the plan period and allow sufficient flexibility to accommodate changes in demand, whilst in turn reducing the reliance on imports from Lincolnshire, for which there is no apparent justification, and ensuring Nottinghamshire remains an important provider of Sand and Gravel in the East Midlands.

Legally compliant: Yes
Sound: No
Comply with duty: Yes
Appear exam: Appearance at the examination
Attachments: None

153

Object

Appendix 1: Delivery Schedules

Respondent: Lincolnshire County Council (Mr Richard Leonard, Senior Policy Officer (Waste and Minerals))
 [1042]

Summary:

In conjunction with our comments in relation to Policy MP1, Lincolnshire County Council's Minerals and Waste Planning Policy Team objects to Policy MP2 because it does not make sufficient provision for sand and gravel extraction in Nottinghamshire over the Plan Period.

The number of sites allocated is based on a deflated provision rate as argued in relation to Policy MP1. As a consequence, we consider that the productive capacity of the proposed allocations does not provide sufficient flexibility to respond to increases in demand. Furthermore, when referring to the delivery schedule in Appendix 1 of the publication draft, it appears the majority of the proposed allocations could be worked out prior to the end of the plan period, which would further constrain productive capacity.

Full text:**MP1**

Lincolnshire County Council's Minerals and Waste Planning Policy Team objects to policy MP1 on the basis that the policy is not sound in its current form, because it does not make sufficient provision for sand and gravel extraction within Nottinghamshire over the plan period.

Policy MP1 has not been positively prepared: The provision is based on a Local Aggregate Assessment which has failed to objectively assess the needs of the County. This is because the proposed provision rate of 1.7mt per annum for sand and gravel is based on depressed average sales figures which do not take into account Nottinghamshire's increased reliance on imports of sand and gravel from Lincolnshire to meet demand. Our concerns in this regard have been well documented in our representations to earlier drafts of the emerging Nottinghamshire Minerals Local Plan and on-going correspondence with Nottinghamshire County Council.

Policy MP1 is not justified: There is no reasonable justification in the publication draft or the supporting Local Aggregate Assessment as to why Nottinghamshire County Council need to continue to rely on significant imports of sand and gravel from Lincolnshire, rather than making appropriate provision for a steady and adequate supply of aggregates from its own substantial indigenous resources. In this respect it should be pointed out that historically Nottinghamshire was the most important producer of sand and gravel in the East Midlands, and was only overtaken by Lincolnshire due to the aftermath of the recession when some mineral operators temporarily rationalised their operations close to the county boundary. The extent of the available sand and gravel resource in Nottinghamshire was demonstrated by the significantly greater number of sites originally proposed for allocation in the withdrawn submission draft Nottinghamshire Minerals Plan (Feb/March 2016).

Policy MP1 is not effective: In not addressing the above cross-boundary issues, the proposed sand and gravel provision is insufficient to meet demand in the County without substantial imports from Lincolnshire. This is masked by the current practice adopted in the Local Aggregate Assessment of basing the landbank on the "10-year average sales" approach which inflates the landbank calculations. This is deceptive in that it gives the impression that there are no supply issues in Nottinghamshire.

Policy MP1 is not consistent with national policy. In not addressing the above issues, the proposed sand and gravel provision rate is contrary to the NPPF as it fails to have due regard to this "other relevant local information".

It is recommended that an appropriate uplift is applied to the proposed sand and gravel provision rate in order to account for the demand that is currently driving imports from Lincolnshire.

Furthermore, given Nottinghamshire's importance as a sand and gravel producer, the level of provision should be based on the assumption that sales in Nottinghamshire will return to a similar proportion of total sales in the East Midlands achieved prior to the recession.

Representatives of Lincolnshire County Council's Planning Policy Team would like the opportunity to participate in the hearing sessions in order to discuss our concerns.

MP2

In conjunction with our comments in relation to Policy MP1, Lincolnshire County Council's Minerals and Waste Planning Policy Team objects to Policy MP2 because it does not make sufficient provision for sand and gravel extraction in Nottinghamshire over the Plan Period.

The number of sites allocated is based on a deflated provision rate as argued in relation to Policy MP1. As a consequence, we consider that the productive capacity of the proposed allocations does not provide sufficient flexibility to respond to increases in demand. Furthermore, when referring to the delivery schedule in Appendix 1 of the publication draft, it appears the majority of the proposed allocations could be worked out prior to the end of the plan period, which would further constrain productive capacity.

Allocating additional sites for sand and gravel extraction based on an increased provision rate would ensure a greater productive capacity for the duration of the plan period and allow sufficient flexibility to accommodate changes in demand, whilst in turn reducing the reliance on imports from Lincolnshire, for which there is no apparent justification, and ensuring Nottinghamshire remains an important provider of Sand and Gravel in the East Midlands.

Representatives of Lincolnshire County Council's Planning Policy Team would like the opportunity to participate in the hearing sessions in order to discuss our concerns.

Change to plan:

Allocating additional sites for sand and gravel extraction based on an increased provision rate would ensure a greater productive capacity for the duration of the plan period and allow sufficient flexibility to accommodate changes in demand, whilst in turn reducing the reliance on imports from Lincolnshire, for which there is no apparent justification, and ensuring Nottinghamshire remains an important provider of Sand and Gravel in the East Midlands.

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: None

169

Object

SO1: Improving the sustainability of minerals development

Respondent: Mick George (Mr John Gough, Planning Manager) [2752]

Summary:

1. MGL objects to SO1. Whilst the aspiration in SO1 to increase the levels of aggregate recycling and the use of alternatives from secondary and recycled sources appears laudable it is not supported by the conclusions of the Notts LAA (Oct 2018) paragraphs 3.24 & 3.30. This remarks that national estimates suggest that around 80-90% of construction and demolition waste is re-used or recycled (in fact, in 2016 only 4% of mineral wastes in England which comprises 'typically construction materials such as bricks, stone and road planings that are converted into usable aggregates' were landfilled). Moreover, the LAA observes that availability of PFA and FBA is likely to disappear by 2025 (paragraph 3.28). The scope for material changes to the substitution of primary minerals needed for development by secondary and recycled sources in these circumstances is very low and the Plan should be realistic about what it can achieve. We therefore question whether increasing the levels of aggregate recycling should be a policy objective given that the potential is already saturated.
2. National policy instructs mpas to "take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials" (NPPF para 204b) and to make "an assessment of all supply options (including marine dredged, secondary and recycled sources)" in their LAAs (NPPF para 207a). However, there is no obligation to increase levels of recycling when all the evidence points to maximum uptake already and it is misleading to make this a major policy objective because it turns attention away from the urgent and pressing need for the extraction of more primary materials. This part of the policy objective should be deleted.
3. The objective to prioritise the improved use or extension of existing sites before considering new locations is also the subject of strong objection. This is misguided and contrary to national practice guidance. In answer to previous representations, the County council has said "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." (Consultation Summary Document page 4).
4. However, NPPF contains no such provision of a policy preference for extensions. In the absence of an explicit statement of national policy it remains to be seen if Planning Practice Guidance is of any help. Under the general heading of "Planning for Minerals" PPG (para 027-010-20140306) advises in answer to the question, "Under what circumstances would it be preferable to focus on extensions to existing sites rather than plan for new sites" that there are cons as well as pros when considering extensions and new sites, and that therefore "The suitability of each proposed site, whether an extension to an existing site or a new site, must be considered on its individual merits." That being the case, national guidance would appear to exclude the possibility of a policy preference for extensions; else how could an mpa show that it had considered and weighed the relative merits of extensions against new sites? In practice, a common policy bias against new sites results in a serious barrier to entry to the market which has been recognised in reports published by the Office of Fair Trading and the Competition Commission (now replaced by the Competition and Markets Authority).
5. The OFT raised concerns about competition between companies in the Aggregates Sector and its report published in 2011 (OFT 1358) said "Barriers to entry: both the aggregates sector and the cement sector feature high barriers to entry in terms of the difficulty of obtaining planning permission and physical capital requirements. Elements of the planning system for aggregates in particular create substantial barriers to entry by favouring incumbents over new entrants."
6. The Competition Commission's final report into the Aggregates and Concrete Sector concluded that because it was easier to get an extension "...this implies that existing producers have an incumbency advantage over new entrants by favouring extensions of existing quarries over developing new sites." (para 11.4)
7. However, national practice guidance remains clear that each applicant should be allowed to make a case for new working without being hamstrung by a policy bias in favour of extensions. MGL asserts that the claimed advantages of extensions over new sites must be demonstrated before a box if necessary)

Reason for proposed change: text is not consistent with national policy and guidance, is not effective and is not justified.

Full text:

See attached

Change to plan:

"Ensure more efficient exploitation and use of primary mineral resources by minimising waste, DELETE: 'increasing levels of aggregate recycling and the use of alternatives from secondary and recycled sources'. Secure a spatial pattern of mineral development that efficiently delivers resources to markets within and outside Nottinghamshire. DELETE: 'Prioritise the improved use or extension of existing sites before considering new locations'. Make use of sustainable modes of transport."

Legally compliant: Yes
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Mick George Limited representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327548/mick-george-ltd-10_10_2019_redacted.pdf

170

Object

S02: Providing an adequate supply of minerals

Respondent: Mick George (Mr John Gough, Planning Manager) [2752]

Summary:

MGL objects to the omission of any reference in the objective to the reservation of productive capacity which is essential to the provision of a steady and adequate supply of minerals in accordance with national policy. This is because provision may be concentrated in a few sites, or may not be available in the plan period, or may not be in right places, or may not endure for the duration of the plan. It is essential to preserve the ability of sites to produce at least the MLP average provision figure throughout the plan period

2. Reason for proposed change: text is not consistent with national policy.

Full text:

See attached

Change to plan:

Accordingly, S02 should be reworded as follows, Assist in creating a prosperous, environmentally sustainable and economically vibrant County through an adequate supply of all minerals to assist in economic growth both locally and nationally. Provide sufficient land to enable a steady and adequate supply of minerals over the plan period which at the least maintains the capacity of sites to meet forecast output levels in the Plan.

Legally compliant: Yes
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Mick George Limited representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327548/mick-george-ltd-10_10_2019_redacted.pdf

171

Object

S05: Minimising impacts on communities

Respondent: Mick George (Mr John Gough, Planning Manager) [2752]

Summary:

MGL objects to the lack of clarity in this objective where the various levels of policy protection are not indicated. We realise that this is covered in detail in the DM policies, but since this is a strategic policy it deserves to be more than a list of constraints. NPPF is clear that there is a hierarchy of nature conservation sites which merit different treatments and degrees of protection. Similarly, it acknowledges that heritage assets differ in terms of their significance. If this point is not addressed in the policy it risks oversimplifying national policy and being in conflict with other parts of the plan.

2. Reason for proposed change: text is not consistent with national policy.

Full text:

See attached

Change to plan:

Accordingly, S05 should be reworded as follows, All mineral development proposals will be required to deliver a high standard of environmental protection and enhancement to ensure that there are no unacceptable impacts on the built, historic and natural environment. The consideration of impacts will include effects on:

- Nature conservation (in accordance with the hierarchy of international, national and locally designated sites DELETE: 'designated and non-designated sites/species');
- Sites of geological interest;
- Heritage assets (in accordance with the significance of the asset DELETE 'designated and non-designated') and their setting and other cultural assets;
- Landscape and townscape character;
- Best and most versatile agricultural land and soils;
- Air quality;
- Water quality and supply;
- Flood risk;
- Highways;
- Infrastructure;
- Community amenity.

Legally compliant: Yes
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Mick George Limited representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327548/mick-george-ltd-10_10_2019_redacted.pdf

172

Support

S06: Protecting and enhancing natural assets

Respondent: Mick George (Mr John Gough, Planning Manager) [2752]

Summary:

MGL has identified a conflict between SO6 & SO8. Good planning is about the reconciling of competing objectives for land, and a good plan will highlight this and propose appropriate policies to manage the conflict. In Nottinghamshire, where a significant proportion of mineral bearing land is underlain by high quality soils, and where there is a shortage of fill material for restoration, there is a clear potential for conflict between the competing objectives of maximising net biodiversity gain, and one in which the long-term potential of best and most versatile agricultural soils is safeguarded, but this is not evident from the strategic objectives. In cases where there is a conflict, MGL proposes that the plan and the strategic objectives should identify this. Accordingly, MGL suggests a rewording of SO6,

2. The reason for the proposed change is that the text is not justified.

Full text:

See attached

Change to plan:

Accordingly, MGL suggests a rewording of SO6, "Conserve and enhance Nottinghamshire's natural environment including its distinctive landscapes, habitats, geology, wildlife species and ecological health of water bodies by

avoiding, minimising and mitigating potential negative impacts.

Maximise net biodiversity gain by enhancing and re-connecting existing habitat and creating new habitat through a landscape-scale approach safeguarding best and most versatile soils where appropriate. Support minerals development that provides long term enhancements to landscape character and avoids damaging the highest quality landscapes."

Legally Yes
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Mick George Limited representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327548/mick-george-ltd-10_10_2019_redacted.pdf

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Object

SP1: Minerals Provision

Respondent: Mick George (Mr John Gough, Planning Manager) [2752]

Summary:

Policy SP1 Mineral Provision

1. MGL opposes Policy SP1 – Mineral Provision and in particular part b) of the strategy which is to give priority to the extension of existing sites. Not only is this contrary to national guidance, but it also entrenches an uncompetitive market by preferring incumbent operators and raising barriers to entry to the local aggregates market to new firms, and it has not been shown to be justified by evidence.

2. PPG paragraph 27-010 specifically states in answer to the question, "Under what circumstances would it be preferable to focus on extensions to existing sites rather than plan for new sites?" that "The suitability of each proposed site, whether an extension to an existing site or a new site, must be considered on its individual merits..." There is therefore no allowance for a policy preference as the Plan seeks to have; all sites must be treated on their merits, and the evidence should be presented to be able to judge whether the comparative merits in each case have been examined. We suggest that the policy preference set out in this policy and explained in paragraph 3.10 is contrary to national guidance and should be removed.

Full text:

See attached

Change to plan:

Reason for proposed change: text is not consistent with national policy.

4. Accordingly,
 Policy SP1 – Minerals Provision

1. The strategy for the supply of minerals in Nottinghamshire is as follows:

a) Identify suitable land for mineral extraction to maintain a steady and adequate supply of minerals during the plan period;
 DELETE: 'b) Give priority to the extension of existing sites, where economically, socially and environmentally acceptable';
 c) Allow for development on non-allocated sites where a need can be demonstrated; and
 d) Ensure the provision of minerals in the plan remains in-line with wider economic trends through regular monitoring.

5. MGL also doubts that the level of provision has been arrived at with due regard to part d) of the strategy since the way the provision has been calculated fails to take account of such wider economic trends.

Legally Yes
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Mick George Limited representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327548/mick-george-ltd-10_10_2019_redacted.pdf

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Object

SP2: Biodiversity- Led Restoration

Respondent: Mick George (Mr John Gough, Planning Manager) [2752]

Summary:

MGL objects to Policy SP2 – Biodiversity-Led Restoration and in particular part 1 of the policy which does not clarify sufficiently the potential conflict with the type of restoration sought and the need to preserve the long term potential of best and most versatile soils. Although there is a useful and welcome mention in paragraph 3.14 of the recognition that agricultural afteruses might be compatible with biodiversity objectives, there is no discussion of the potential conflicts that occur with other environmental objectives or of the realities of mineral working in the justification text. For example, in paragraphs 3.23-3.25 there is a list of priority habitats but no recognition of how this might fit in with safeguarding BMV soils. Moreover, it is expected in the creation of open water areas will be minimised (paragraph 3.26) although in the absence of fill material with which to create land areas this will not be possible to achieve.

2. The confusion over policy objectives is also apparent in paragraph 5.130 of the Plan where it is said, "Where the proposed after use is to be one which requires little or no soil, e.g. a lake or a nature reserve requiring impoverished soil resources, it would be better for soils to be removed from site and used beneficially elsewhere." This requirement may not be a wise choice since surplus soils are often needed as fill for marginal lake habitats in order to create the biodiversity sought by national and local policy and to reduce areas of open water.

3. Furthermore, any reference to "soils" should make clear this relates to "topsoil". It would appear irrational to export subsoil materials offsite.

4. MGL is seeking the acknowledgement that agricultural afteruses are still important for the best soils for inclusion in the policy to aid clarification of potentially conflicting objectives.

5. The reason for the proposed changes is that the policy is not justified or effective.

Full text:

See attached

Change to plan:

Accordingly,
 Policy SP2 – Biodiversity-Led Restoration

1. Restoration schemes that seek to maximise biodiversity gains in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan will be supported. Best and Most Versatile Soils may be returned to an agricultural afteruse in appropriate cases.

Legally Yes
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Mick George Limited representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327548/mick-george-ltd-10_10_2019_redacted.pdf

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Object

SP4: Sustainable Transport

Respondent: Mick George (Mr John Gough, Planning Manager) [2752]

Summary:

Whilst the objective of the policy is laudable certain considerations are either not clear, or have been missed.

2. Firstly, the supporting text rather oversimplifies the provision of alternative transport for minerals by only mentioning the long distances over which rail is viable. For example, in addition to this requirement the provision of rail or barge transport absolutely requires immediate proximity to the transport route, the ability to provide loading facilities at the quarry, plus a network of receiving depots or a concentrated market location, a large output to support the investment and a large reserve to amortise the investment, none of which gets a mention. This results in a seriously misleading impression that not to offer alternatives to road transport is a matter of choice. Rail transport is extremely rare given that there are over 500 aggregate quarries only 30 or so of which are rail connected. Barge transport is even rarer. There is for the vast majority of cases no choice other than road transport and this needs to be firmly understood by planners and the public. It is proper to require consideration of rail and barge where appropriate but this should not be underestimated.

3. Secondly, minimising travel is a major consideration of national policy for sustainable transport (NPPF para 103). Therefore, it follows that in a local policy on sustainable transport similar considerations will apply. Not only does this relate to the use of alternative transport modes but also to that which reduces the levels of imports to an area, where local material

- can be used instead, which is a different point to sites being in close proximity to markets; this is about reducing the levels of material traded unnecessarily between areas. This is in accordance with the Plan which says that sand and gravel is a relatively low cost mineral and is not generally cost effective to transport over long distances. Thus where sand and gravel is transported over considerable distances (of up to 70 miles) it indicates there is a severe shortage of material in the market. The plan should actively seek to provide minerals supplies indigenously in accordance with national policy and should repatriate material imported from other areas, if it can be supplied locally.
4. Moreover, the policy should encourage the "backhauling" of materials such that site that utilise inert waste to aid in the restoration, should be encouraged to transport such material using the same material exporting mineral wherever practicable to do so. Such a proposal is wholly compliant with basic sustainable objectives reducing CO2 levels considerably.
 5. The observation that pipelines and conveyors can be used to transport minerals internally needs to be qualified by several practical realities. There are environmental advantages in the use of a conveyor over dumptrucks; it can be generally less obtrusive, quieter and less dusty. However, it could raise problems with maintenance, power supply, vulnerability to vandalism, and is relatively inflexible requiring the transport of large quantities of mineral from a fixed point to be economically viable. The use of pipeline is even more environmentally beneficial because it eliminates almost all forms of adverse environmental impact but clearly demands a wet working and substantial investment. The size of the site, its reserves, the distance to the processing plant, the nature of the mineral and the shape of the site plus its location all contribute towards decisions about whether alternative means of transport to dumptrucks is viable.
 6. It may be objected that such objections do not go to the issue of soundness. However, MGL would argue that if the Plan is to make references to alternative means of transport, it should not mislead by being oversimplistic in its explanations lest users of the plan get the wrong idea.
 7. The reasons for the proposed changes are that the policy and text is not justified or effective.

Full text:

See attached

Change to plan:

Accordingly,
Policy SP4 – Sustainable Transport

1. All mineral proposals should seek to maximise the use of sustainable forms of transport, including barge and rail where appropriate and viable.
 2. Where it can be demonstrated that there is no viable alternative to road transport, all new mineral working and mineral related development should be located as follows:
 - a) within close proximity to existing or proposed markets to minimise transport movement; and
 - b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation.
 3. Proposals requiring the bulk transport of minerals, minerals waste/fill or materials/substances used for the extraction of minerals by road will be required to demonstrate that more sustainable forms of transport are not viable.
- ADD:4. Proposals for mineral development will be supported where unnecessary imports are reduced or avoided.
- ADD: 5. Where a quarry development involves the importation of inert waste, "backhauling" of such material should be encouraged.
- Paragraphs 3.41-3.43
- 3.41 Wherever possible therefore, minerals sites should be located close to their end market in order to minimise overall transport distances. ADD: 'This means that unnecessary imports should be avoided where suitable mineral is available locally'. However, this will not always be feasible where the site is needed to supply a regional or national market and so the promotion of alternative, more sustainable forms of transport such as barge or rail transport is important.
- 3.42. Sand and gravel is a relatively low-cost mineral and is not generally cost effective to transport over long distances ADD: 'although it is increasingly being traded over long distances where there are acute shortages locally'. However, ADD: 'in favourable circumstances' it can be transported economically over long distances by water ADD: 'if suitable infrastructure is available and other criteria are satisfied'. Barge transport has historically been used to transport sand and gravel along the River Trent to Yorkshire and Humberside from Besthorpe quarry north of Newark. Studies have shown there is potential to increase water-borne freight on parts of the river. However, restrictions on barge sizes upstream of Cromwell Lock may restrict the viability of barging minerals downstream to Nottingham.
- 3.43. Rail transport of minerals is possible, but expensive, and therefore only likely to be viable over very long distances. Its potential use will also depend upon on ADD: 'a number of critical criteria including' DELETE: 'whether there is sufficient infrastructure and' capacity on the rail network, ADD: 'whether the source quarry is located on the rail network itself, whether a link can be created to the railway, whether there is space within the quarry to locate a siding, whether there is a network of receiving depots, and whether a high output and large reserves are present to support heavy investment. In some cases' Pipelines and conveyors can be used to move minerals on-site from the extraction area to the processing plant reducing the need to use heavy machinery minimising noise and dust ADD: 'but only if the quarry working scheme can accommodate a fixed point transport system in the long term over long distances. There are also security issues with fixed point transport systems which lack flexibility and potential problems in supplying power to remote locations'. In certain cases it may be possible to use conveyors or pipelines to import fill materials such as power station ash on to quarries as part of the restoration although this is only possible if the source of the material is close by.

Legally Yes
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Mick George Limited representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327548/mick-george-ltd-10_10_2019_redacted.pdf

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Object

SP5: The Built, Historic and Natural Environment

Respondent: Mick George (Mr John Gough, Planning Manager) [2752]

Summary:

Policy SP5 The Built, Historic and Natural Environment

1. MGL considers the policy and its supporting text to be deficient in a number of respects. These include statements relating to agricultural land quality and infrastructure. Policy SP5 does not deal with potential conflicts between different policy areas, or provides inaccurate statements or does not provide advice on where the balance lies when considering such conflicts.
2. Agricultural land quality (paragraphs 3.56 & 3.57) – the major concern is the conflict between a biodiversity led restoration policy approach, the need for mineral and the need to conserve best and most versatile soils. Apart from saying that the loss of agricultural land to wetland can be managed (paragraph 3.57) and that a balance can be found between mineral need and protection of the resource (paragraph 3.56) the plan is silent on how this can be achieved and what policy position would be taken when loss of agricultural land is unavoidable.
3. MGL believes what is needed is a statement about the level of acceptable losses of best and most versatile soils (say, limited to less than 20 ha) and an indication of how to minimise such losses even if this should be at the expense of less wetland habitat. The plan should also say that if restoration schemes can demonstrate that soil grade can be preserved so there is no permanent loss of agricultural land or its quality, then the policy preference for development of poorer quality land over higher quality land does not apply.
4. Paragraph 3.63 has the potential to conflict with other legislation and should be deleted. Conflict between most types of infrastructure and mineral is handled by the Mining Code and preserves the rights of land and mineral owners to receive compensation for the loss of mineral rights. This is a purely commercial consideration and should be avoided in the planning system since imposing standoffs for mineral from infrastructure can result in the rights of landowners being compromised. The procedure is that a mining company can serve a Notice of Approach to an undertaker to exercise mineral rights to extraction, and it is open to the undertaker to issue a counter notice and pay compensation or to otherwise act such as move the infrastructure. This applies to most pipelines, powerlines and even railways. If government wishes to override existing mineral rights the state must compulsorily acquire those mineral rights. This is an area where it does not behave the mpa to become involved and may be counterproductive in that it may strip landowners of legitimate rights and lead to unnecessary sterilisation of mineral. The text should be deleted.
5. The reason for the proposed changes to supporting text is that it is not justified or effective.

Full text:

See attached

Change to plan:

"3.56. Much of the County's land is in agricultural use. It is a vital natural and economic resource that needs to be protected from unsuitable development. Minerals can only be worked where they are found, and this can often involve large areas of agricultural land. This means that a balance has to be made between the need for the mineral and the protection of the agricultural land. ADD: 'However, mineral working can restore land back to its original quality so such land taken for mineral development can be seen as only a temporary loss of agricultural potential'.

3.57. Agricultural land quality varies from place to place and is often heavily influenced by the underlying geology. The Agricultural Land Classification (ALC) system provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system. The ALC system classifies land into five grades, with Grade 3 subdivided into Subgrades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a. The majority of sand and gravel extraction in the Trent and Idle Valleys will result in the substantial permanent loss of agricultural land to wetland because of a shortage of fill material which along, with other development pressures, is causing a continuous erosion of the County's finite agricultural resources. However, appropriate management and restoration of mineral workings can secure the safeguarding of best and most versatile soils. ADD: 'For example, limited loss of such land (to less than 20ha) or only temporary disturbance to high quality soils where soil quality can be demonstrated to be preserved or enhanced, will not be considered a permanent loss of agricultural land'.

DELETE: '3.63. Nottinghamshire has an extensive physical network of transport, communications, water, energy, and waste infrastructure. Mineral working provides the raw materials to maintain much of this essential infrastructure, but it is important that the process of mineral extraction does not compromise the operation of existing or planned future infrastructure. When considering development proposals, consultation with the utility companies, rail operators and other network providers will be required to identify potential risks and to ensure appropriate safeguards and/or mitigation measures. This is likely to include the need for appropriate stand-offs from overhead or underground transmission cables,

buried or surface pipelines and rail infrastructure.’”

Legally Yes
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Mick George Limited representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327548/mick-george-ltd-10_10_2019_redacted.pdf

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Object

MP1: Aggregate Provision

Respondent: Mick George (Mr John Gough, Planning Manager) [2752]

Summary:

Policy MP1: Aggregate Provision

1. MGL considers that the Local Plan severely under-provides for sand and gravel. The LAA proposes to retain use of the 10 year average to assess demand for S&G.
 2. MGL notes the following facts drawn from the latest Nottinghamshire LAA (2018) supplemented by other sources.
 - The MLP uses the 10 year average from 2016 for determining Local Plan provision.
 - This is 1.7 Million tonnes per year (Mtpa) for sand & gravel and 0.37Mtpa for Sherwood sandstone.
 - The LAA contains no forecast of aggregate demand.
 - The LAA reports (table 5) that exports have increased to Northants from 0 to 406 thousand tonnes (kt), and to South Yorks from 145kt to 386kt.
 - The LAA reports (table 6) that imports have grown from Lincolnshire (361kt) and Staffordshire (155kt).
 3. Comparing AM2009 with AM2014 imports of sand & gravel to Notts increased from 327ktpa to 583ktpa (a rise of 78%).
 4. It appears that the sum of Nott's sand & gravel used within the county has fallen from 750kt to 126kt between 2009 and 2014 (a drop of 84%). However, the LAA claims that unknown destinations should be added to this sum which reduces the difference but still indicates a fall of 23% between 2009 and 2014/18.
 5. When looking at future demand the LAA notes that
 - a. Population is forecast to increase by 9.6% during the plan period.
 - b. The house building programme is planned (i.e. Local Plan commitments) to increase from current 4695 units to 8025 units by 2020/1 falling to 3031 units by 2027/8 (not the whole plan period). This is an average of 5264 units per year. (table 12)
 - c. House building rates have risen by 71% since 2013/4 (fig 4).
 6. The LAA says that housebuilding is only a part of the aggregates market and that sand & gravel is used for other uses. However, if this is accepted it follows that a combination of a
 - a. 71% increase in housebuilding activity since 2013, plus
 - b. associated infrastructure/community/commercial/industrial development, plus
 - c. the major infrastructure project of the East Midlands Gateway Rail Freight Interchange,
 would have raised sand & gravel demand by a conservative 25%. However, figure 1 shows that the sand & gravel sales have flatlined.
 7. In addition, the LAA quotes with approval the MPA estimate of the use of 50 tonnes of aggregates for each new house. This figure is derived from a BGS document "The need for indigenous aggregates production in England" (Open Report ORJ08/026) Case Study 2: New Homes. This shows that in addition to the 60 tonnes of aggregates used in a typical new house, as much as 400 tonnes extra is need for associated infrastructure and roads. Not all of this will be sand and gravel, but a large proportion will be, as any visit to a local building site will verify.
 8. Increased aggregates demand but not supplied from Notts sources can be gauged by the steep increase in imports to the county from Lincolnshire (historically not a significant exporter to Notts) and from Staffordshire.
 9. Support for higher aggregates demand is the LAA's observation that quantities of CD waste have grown by an estimated 11% since 2011 indicating higher levels of construction (para 3.31).
 10. Support for higher aggregates demand also comes from the observation in the LAA that in the East Midlands sand & gravel sales rose from 5.5 Mtpa in 2009 to 6.96 Mtpa in 2016 falling slightly to 6.79 Mtpa in 2017 (para 5.8). This represents a regional growth in sand & gravel demand of 23%-26%. Only in Notts and Northants have sand & gravel sales flatlined.
 11. The evidence is clear that the sand & gravel sales in Notts have been constrained. The LAA says this is because of the recession and the replacement of worked out quarries has remained low. This puts Notts in a special position which means that sales do not fairly represent the demand for sand & gravel in the county. In this respect, it is like Oxfordshire which was recognised at Examination to have had suppressed sales because of commercial decisions during the recession to mothball sites. In Nottinghamshire's case, similar commercial decisions and an unreadiness to be able to replace sites is judged to have been the cause for low sales and make up of demand principally from imports. In short, this is an anomalous situation which should be recognised in the LAA and accounted for in planned provision.
 12. There are essentially three approaches to calculating forecast demand from data which counters the effects of the recession on the 10 year average and plans for future growth.
 - a. The last year house build rates were close to the planned average (5264 units) was in 2005 (4842 units) when sand & gravel sales were 3.08Mt. Allowing for higher planned rates of housing suggests sand & gravel provision should be at least 3.10Mtpa.
 - b. Using the approach adopted in Oxfordshire of calculating the % share of sand & gravel production before the recession and applying it to current conditions, gives the following result.
 - i. In the five year period prior to the recession (2004-2008) Notts sand & gravel sales (as a proportion of all England averaged 6.53%. In 2016 the proportion was 3.85%.
 - ii. If this is converted into a figure for the county linked to the current level of sales in England which in 2016 was 41.26 Million tonnes, then applying a pre-recession proportion of 6.53% gives a demand for Notts of 2.694 Million tonnes.
 - iii. Once an allowance for soft sand has been deducted, the like-for-like sand and gravel demand figure is about 2.32 Mtpa.
 - iv. Although this is lower than the first method, this is because all the Oxfordshire method does is restore the county to conditions as they were before the distorting effects of the recession; it does not explicitly take account of future growth.
 - c. Using a statistical approach, sand and gravel and soft sand sales and housing completions between 2007 and 2016 gives a Pearson Correlation Coefficient (PCC) of +0.700642 which is a statistically significant linear relationship at the 95% confidence level, and which has an equally strong basis as a causative effect. Applying the expected annual average planned housing completion rate for the county over the plan period of 5264 dwellings to that PCC using the forecast function in Excel gives a return sand and gravel/soft sand forecast of 3.03 Mt pa. Deducting a figure of 0.40 Mtpa for soft sand leaves a sand and gravel provision figure of 2.63 Mtpa.
 13. It is considered that the minimum level of provision should be to put the county back to where it was before the distorting effects of the recession were felt. This would involve allocating sites to produce 2.32 Mtpa over 19 years or 44.08Mt. Deducting current reserves of 28.5 Mt leaves a provision shortfall of 15.58Mt. The MLP allocates 11.8 Mt so there is a provision gap of at least 3.78 Mt.
 14. It is emphasised that this is minimum which does not take account of the significant growth over and above historic levels of demand which is planned for. In all likelihood sand & gravel demand will be nearer to the 2.63 Mt expected by statistical calculation if the planned levels of growth are to be provided for.
 15. The MLP delivery schedule (page 136) shows a serious shortfall in provision by year. The schedule presents two sets of figures. First, is the indicative outputs supplied by operators in the call-for-sites exercise. The second is the theoretical output supplied in planning applications if presented. The two figures represent the operators' current intentions and the sales the site can achieve.
 16. Analysing the schedule compared to the MLP provision figure shows that at no time will the sites reach the Local Plan annual provision level in terms of capacity using the first set of figures (see attached schedule and chart). Using the second set provision comes above Local Plan annual provision levels for 8 years from 2020 to 2027. Comparing with the alternative provision level suggested by MGL and set out in this analysis shows that the level of provision is entirely inadequate in terms of productive capacity using either set of figures.
 17. The reason for this is that if only the total quantum of shortfall is used to allocate sites then no attention is paid to that part of the allocation that will not be worked in the Plan period. In other words, the allocations should be increased even if no alteration is made to the provision level, in order to preserve capacity to produce at the average provision level.
 18. A further point is that the numbers of sites operating towards the end of the Plan period (falling to just five in total) cannot maintain the average level of production, so that more sites need to be provided for the end of the Plan period.
 19. Therefore, using the LAA's own data it is clear there is an underestimation of sand & gravel demand of between 0.62Mtpa and 0.93 Mtpa.
 20. Using the Draft MLP delivery schedule shows there is a gross under allocation of sites which will not reach a demand level for sand & gravel using the LAA's own data for a large part of the Plan period. The shortfall is even greater if a higher sand & gravel demand figure is used.
 21. Reliance on a bare 10 year average past sales as a forecast of future demand is clearly not appropriate given the evidence that conditions over the last 10 years have been anomalous. By basing future provision on such a figure the Council risks building in a permanent loss of capacity at a time of increased market demand, and expectations by communities for new houses and more jobs. If Nottinghamshire underprovides for its own needs, it will put strain on other areas to make up the shortfall.
- Possible Objections
22. There is a statement in the LAA that implies that one cannot use housing completions to forecast sand and gravel demand because it is only part of the overall demand and sand and gravel gets used for other construction projects. However, this is a red herring for two reasons. One, if there exists a statistically significant linear relationship between two variables which are causatively linked then knowing one variable leads to the prediction of the other variable. This is why statistically significant relationships are researched in all walks of life – to be able to make predictions. Therefore, it is irrelevant that sand and gravel is used for other things. The statistical relationship is all that is necessary to predict future sand and gravel demand knowing future housing completion rates. Two, construction of housing goes hand in hand with other types of development requiring sand and gravel such as commercial, retail, industrial and infrastructure, which are all related to population and economic growth. The driving force of sand and gravel demand is not housing per se but the underlying economic and population growth. Therefore, if it can be shown to be statistically significant then the relationship between sand and gravel and housing completions can be used as a proxy for all types of development.
- The Oxfordshire Situation Explained
23. The situation in Nottinghamshire is similar to that pertaining in Oxfordshire. Here, the onset of the recession led to the major operators mothballing sites and delaying implementation of planning permissions, just as in Nottinghamshire and transferring production to other sites outside of the county. These commercial decisions in Oxfordshire

reduced the 10 year rolling average below what it would have been had these commercial decisions not been taken. Oxfordshire took the view that it would be prudent to assume that this would only be a temporary market distortion and that as growth returned production would recommence at the affected sites. As such, the 10 year average would underestimate the true level of future demand.

24. Quantification of the effect was approached by considering how the county's sales had reduced compared to the whole of England during the baseline period. Given that the county and the country were subject to the same recession, it was reasonable to conclude that any differences between the percentages during the period reflected specific local factors.

Full text:

See attached

Change to plan:

The reason for the propose changes are that the policy is not in accordance with national policy, not justified and not effective.

2. Accordingly,

Policy MP1: Aggregate Provision

1. To meet identified levels of demand for aggregate mineral over the plan period (2018-2036) the following provision will be made:

- DELETE: '32.30' ADD '44.08' million tonnes of Sand and Gravel

- 7.03 million tonnes of Sherwood Sandstone

- 0.09 million tonnes of crushed rock

2. The County Council will make provision for the maintenance of landbanks of at least 7 years for sand and gravel, 7 years for Sherwood Sandstone and 10 years for crushed rock, whilst maintaining a steady and adequate supply over the plan period.

3. Proposals for aggregate extraction outside those areas identified in policies MP2, MP3 and MP4 will be supported where a need can be demonstrated.

Legally Yes

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Mick George Limited representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327548/mick-george-ltd-10_10_2019_redacted.pdf

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Object

MP2: Sand and Gravel Provision

Respondent: Mick George (Mr John Gough, Planning Manager) [2752]

Summary:

Policy MP2: Sand and Gravel Provision

1. Bearing in mind the previous analysis of MP1 there is a shortfall in allocated and sites and MGL proposes the addition of its Flash Farm site to the list of sand and gravel allocations.

Proposed Site Allocation – Flash Farm (see plan No F18/15/01)

2. MGL has no comment about the specifics of the allocations except to reiterate the need for more provision in the form of new quarries and a more equitable spread of sites among the industry. Thus MGL wishes to promote its own site at Flash Farm, Averham. This site was allocated in the former abandoned Plan in 2016, and clearly retains a number of advantages which make it suitable for working. This means that it has no overriding adverse environmental impacts and the only reason it appears not to have been included in this plan is the change of approach to local plan provision following the County Council elections of 2017.

3. This site located on the A617 at Averham west of Newark contains 3.08 Million tonnes and would produce about 200,000 tonnes of high quality aggregate a year for markets to the north of Nottingham, Ashfield, Mansfield and possibly Derbyshire beyond. Some material is also likely to be sold in the Newark area.

4. In response to NCC's call for sites in 2018 MGL submitted various environmental reports and working and restoration details to the Council to support its proposal of this site. These documents are assumed to be already in the Examination and are not repeated here. What follows is a summary of the environmental characteristics of the site and its advantages.

5. The environmental appraisals undertaken have raised no issues that would warrant refusal of the development proposals, which are in conformity with the emerging development plan and confirm that the site is eminently suitable as a Local Plan allocation.

6. The site is located partially within the western floodplain of the north-eastward flowing River Trent and consists of gravels and sandy gravels concealed in part by shallow deposits of alluvium. The mineral deposit is characterised by low fines content and high percentage of gravel. The gravel fraction is predominantly fine with occasional cobbles whilst the sand is medium grained and these consist primarily of quartz and quartzite with subordinate amounts of flint, chert and sandstone.

7. The site lies in the Trent Valley in the Trent Washlands Landscape Character Area and the proposed extraction area is largely flat lying at about 14m AOD and located in open countryside characterised by large fields, low hedges with sporadic hedgerow trees, and occasional blocks of woodland on higher ground to the north. It is also fairly isolated, with the property of Flash Farm itself, located 160 metres to the north. All other properties are at the villages of Averham and Kelham which are 540m and 660m to the south east and north east respectively.

The Flash Farm site comprises a number of agricultural fields, sub-divided primarily by fencing, under arable and pasture use.

9. The site is crossed by a 400 Kva overhead power line with three substantial stanchions within the land in question. The wider landscape is dominated by adverse detractors consisting of the Staythorpe Power Station (to the south) and power lines leading from it as well as the dominant flue stack from the sugar beet factory to the north-east.

10. As the mineral extraction area is not sub-divided by any hedgerows, the scheme of working therefore importantly does not require the removal of any sections of vegetation (i.e. hedgerow or trees) whatsoever.

11. The quarry has been designed to reinstate the land in a sensitive fashion seeking to apply best environmental practice and give practical effect to strategic government initiatives on protection of soil resources and habitat creation using importation of suitable inert material as a catalyst for the beneficial restoration of the land to be reinstated to its existing "best and most versatile" agricultural land status.

12. Moreover, the opportunity has afforded conditions to create bio-diversity action plan priority habitats such as species rich grassland and lowland wet grassland as well as some 2.3km of new hedgerows (which currently do not exist).

13. The proposed scheme of working has been devised to reflect current landscape improvement and nature conservation policies. Net biodiversity gain would be achieved through the creation of a cohesive network of new habitats, contributing to the Government's commitment to halt the overall decline in biodiversity. The application site itself is currently of limited ecological value with a majority of the site consisting of intensively managed fields with very limited hedgerows of variable quality within the site itself.

14. Accordingly, the scheme provides a high standard of mitigation by delivering net gain in environmental capital and strategic bio-diversity networks. Such benefits to bio-diversity are requirement of the National Planning Policy Framework and Planning Practice Guidance as well as emerging Mineral Local Plan policies which contains a "bio-diversity led" philosophy for the restoration of quarry workings.

15. Given the site's location the proposed scheme of working can readily provide effective protection against unreasonable noise and dust emissions with the site design carefully aimed to balance protection of the local environment with the requirement to extract and process mineral.

16. The site access will be directly onto the A617 upgrading an existing gated access. The A617 is part of the Strategic Highway Network and policy objectives (locally and nationally) support the use of such roads to transport goods and materials (including minerals).

17. The Flash Farm site lies to the west of Kelham Bridge which is ideally located to serve markets to the north and west. Without Flash Farm being present other quarries would have to transport material across Kelham Bridge to serve those same markets. Congestion around Kelham Bridge has been highlighted by the County Council and residents as being of concern although the A 617 is identified as part of the County's Core Road Network. Accordingly, Flash Farm would have a neutral effect as movements west over the bridge would be balanced by movements in the other direction.

18. As such, MGL commends the Flash Farm site to the Examination as a site specific allocation.

19. The Reason for the proposed change is that the site allocation policy is contrary to national policy and guidance, is not justified and not effective.

Full text:

See attached

Change to plan:

ADD: MP2q Flash Farm Averham 3.08mt

Legally Yes

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Mick George Limited representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327548/mick-george-ltd-10_10_2019_redacted.pdf

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Object

Vision

Respondent: Minerals Products Association (Senior Planning Advisor) [1517]

Summary:

Vision:
At paragraph 4 of the Vision change the term 'mineral reserves' in the paragraph on safeguarding to 'mineral resources' in line with BGS guidance and national policy. It is noted that the term 'resources' not 'reserve' is used in SO4.

We believe the vision should be stronger about meeting the growth needs of the community; i.e. providing a steady and adequate supply of minerals, as required by NPPF, to meet objectively assessed development needs, and then say you will also make an appropriate contribution to wider local and national needs.

Full text:

See attachment

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Minerals Products Association representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327549/mpa-mark-north-10_10_2019_redacted.pdf

160

Object

SO2: Providing an adequate supply of minerals

Respondent: Minerals Products Association (Senior Planning Advisor) [1517]

Summary:

SO2: Providing an adequate supply of minerals.
We support the principle of this objective but feel additional wording is required to make it effective as follows;

Full text:

See attachment

Change to plan:

Assist in creating a prosperous, environmentally sustainable and economically vibrant County through an adequate supply of all minerals to assist in economic growth both locally and nationally. Provide sufficient land to enable a steady and adequate supply of minerals ADD: 'and/or maintain productive capacity' over the plan period.

Legally No
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Minerals Products Association representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327549/mpa-mark-north-10_10_2019_redacted.pdf

161

Object

SO6: Protecting and enhancing natural assets

Respondent: Minerals Products Association (Senior Planning Advisor) [1517]

Summary:

SO6: Protecting and enhancing natural assets should include agriculture as an appropriate restoration outcome. This is required to make the Plan effective and positive.

Full text:

See attachment

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Minerals Products Association representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327549/mpa-mark-north-10_10_2019_redacted.pdf

162

Object

SO7: Protecting and enhancing historic assets

Respondent: Minerals Products Association (Senior Planning Advisor) [1517]

Summary:

SO7: Protecting and enhancing historic assets makes no distinction of the proportionate approach required by the NPPF appropriate to the asset's significance (NPPF para 126 and 128). This is unsound as not in line with national Policy.

Full text:

See attachment

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Minerals Products Association representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327549/mpa-mark-north-10_10_2019_redacted.pdf

163

Object

SP3: Climate Change

Respondent: Minerals Products Association (Senior Planning Advisor) [1517]

Summary:

It is suggested the policy is adjusted to consider the importance of agricultural restoration to make the plan effective

Full text:

See attachment

Change to plan:

Policy SP3 – Climate Change

1. All minerals development, including site preparation, operational practices and restoration proposals should minimise their impact on the causes of climate change for the lifetime of the development. Where applicable development should assist in the reduction of vulnerability and provide resilience to the impacts of climate change by:

- a) Being located, designed and operated to help reduce greenhouse gas emissions, withstand unavoidable climate impacts and move towards a low-carbon economy;
- b) Avoiding areas of vulnerability to climate change and flood risk. Where avoidance is not possible, impacts should be fully mitigated;
- c) Developing restoration schemes which will contribute to addressing future climate change adaptation, including through biodiversity and habitat creation, carbon storage, DELETE 'and' flood alleviation ADD: and agriculture to support food production.

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Minerals Products Association representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327549/mpa-mark-north-10_10_2019_redacted.pdf

164

Object

SP4: Sustainable Transport

Respondent: Minerals Products Association (Senior Planning Advisor) [1517]

Summary:

Paragraph 3.42 refers to the restrictions on barge sizes upstream of Cromwell Lock may (emphasis added) restrict the viability of barging of minerals downstream to Nottingham. While viability of operations is a matter for our members to argue the fact is that the restrictions on barge sizes will obviously restrict viability and this should be acknowledged in the text to make the plan effective.

Full text:

See attachment

Change to plan:

Policy SP5 – Sustainable Transport

1. All mineral proposals should seek to maximise the use of sustainable forms of transport, including barge and rail ADD: 'where practical and economic'.

2. Where it can be demonstrated that there is no viable alternative to road transport, all new mineral working and mineral related development should be located as follows:

- 2
- a) within close proximity to existing or proposed markets to minimise transport movement; and
- b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation.

DELETE: '3. Proposals requiring the bulk transport of minerals, minerals waste/fill or materials/substances used for the extraction of minerals by road will be required to demonstrate that more sustainable forms of transport are not viable'.

Part 3 of the policy is not necessary with the proposed additional wording in part 1.

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Minerals Products Association representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327549/mpa-mark-north-10_10_2019_redacted.pdf

165

Object

SP5: The Built, Historic and Natural Environment

Respondent: Minerals Products Association (Senior Planning Advisor) [1517]

Summary:

We welcome the acknowledgement in para 3.45 that the impact of mineral extraction on the natural and built environment is temporary in nature and that it can also bring about many environmental benefits.

However, the policy is UNSOUND as it does not follow national policy. In respect of the first bullet point the NPPF at paragraph 171 makes it clear that;

Plans should: distinguish between the hierarchy of international, national and locally designated sites;....

As currently drafted the first bullet point makes no such distinction and is UNSOUND. This issue also needs acknowledging in the supporting text.

The same principle applies to the third bullet point where no distinction is made between different qualities of heritage assets and recognised in paragraph 189 of the NPPF. This issue needs addressing in the supporting. As drafted the policy is UNSOUND.

Full text:

See attachment

Change to plan:

Paragraph 3.63 is not effective and needs words deleting as follows:

Nottinghamshire has an extensive physical network of transport, communications, water, energy, and waste infrastructure. Mineral working provides the raw materials to maintain much of this essential infrastructure but it is important that the process of mineral extraction does not compromise the operation of existing DELETE: 'or planned future' infrastructure. When considering development proposals, consultation with the utility companies, rail operators and other network providers will be required to identify potential risks and to ensure appropriate safeguards and/or mitigation measures. DELETE: 'This is likely to include the need for appropriate stand-offs from overhead or underground transmission cables, buried or surface pipelines and rail infrastructure'.

Mineral development should not be blighted by 'planned Infrastructure' which can be often 20 years or more in pipeline and still never happen. This is against the principles of sustainability and could lead to sterilising otherwise workable mineral.

The last sentence goes beyond the planning regime and such issues are dealt within the Mining Code. Having such a sentence in the plan will prejudice developers' rightful claims for sterilisation of workable reserves due to the presence of infrastructure which would be contrary to national policy which is to avoid potential overlap between regulatory regimes.

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Minerals Products Association representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327549/mpa-mark-north-10_10_2019_redacted.pdf

166

Object

SP7: Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure

Respondent: Minerals Products Association (Senior Planning Advisor) [1517]

Summary:

The policy as drafted is UNSOUND as it does not accord with National Policy, is not effective and is not positively prepared. NPPF para 204c requires;

...that known locations of specific minerals of local and national importance are not sterilised...

There is no reference to economically important mineral resources. The purpose of the safeguarding approach is to safeguard all known mineral resources for future generations. Economics change over time.

In addition, buffer zones should be put on both the MSA and the added value operations/mineral infrastructure sites. In addition, the mineral infrastructure sites should be listed by name and location as well as being identified on the policy map.

In addition, the agent of change principle should be incorporated as required by paragraph 182 NPPF.

All the above comments need to be recognised in the supporting text to this policy.

Full text:

See attachment

Change to plan:

It is suggested that the proposed policy be deleted totally and replaced by the following;

Policy SP7

The county council will safeguard known mineral resources from unnecessary sterilisation by non-mineral development by implementing Mineral Safeguarding Areas and Mineral Consultation Areas as indicated on the Policies Map.

Any proposals for non-mineral development which fall within the Mineral Safeguarding Areas and Mineral Consultation Areas (including a 250 m buffer around such areas), other than applications for development on the 'Safeguarding Exemption Criteria list' will be subject to consultation with the Minerals Planning Authority. The 'agent of change' principle will be applied by the County Council to all such development.

After consultation with the Mineral Planning Authority, the submission of a Mineral Resource Assessment may be required to establish the existence or otherwise of a viable mineral resource. Assessments shall be site specific and include geological survey data undertaken by a suitably qualified professional.

The Mineral Planning Authority will object to proposals for non-mineral development within the Mineral Safeguarding Areas and Mineral Consultation Areas, as shown on the Policies Map, unless it is clearly demonstrated to the Mineral Planning Authority that:

- mineral extraction is not environmentally acceptable; or
- the need for the non-mineral development clearly outweighs the need for the mineral resource and therefore sterilisation of the mineral resources; or
- the proposed development does not constrain potential future extraction i.e. playing fields or open land; or
- the development would not constrain future mineral extraction in the vicinity.

Prior extraction will be sought where practicable unless it is demonstrated that the mineral cannot practically be extracted in advance of the proposed development.

In these circumstances, full consideration should be given to the use of raised sand and gravel material on site in construction projects to reduce the need to import material as opportunistic use.

Minerals ancillary infrastructure safeguarding

Existing and planned minerals ancillary infrastructure sites identified on the Policies Map, with a 250m buffer zone, will be safeguarded against development which would prevent or frustrate the use of the site for minerals ancillary infrastructure purposes, unless:

- i) The need for the alternative development outweighs the benefits of retaining the site; and
- ii) Where minerals ancillary infrastructure is in active use on the land, a suitable alternative location can be provided for the displaced infrastructure; or
- iii) The site is not in use and there is no reasonable prospect of it being used for minerals ancillary infrastructure in the foreseeable future.

Where development, other than exempt development as defined in the Safeguarding Exemption Criteria list, is proposed within an identified buffer zone permission will be granted where adequate mitigation can, if necessary, be provided to reduce any impacts from the existing or proposed adjacent minerals ancillary infrastructure uses to an acceptable level, and the benefits of the proposed use outweigh any safeguarding considerations. The agent of change principle will apply to all such encroaching non-mineral development.

Transport infrastructure safeguarding

Railheads, rail links and wharves identified on the Policies Map, with a 250m buffer zone, will be safeguarded against development which would prevent or frustrate the use of the infrastructure for minerals or waste transport purposes, unless:

- i) The need for the alternative development outweighs the benefits of retaining the facility; and
- ii) Where the minerals or waste transport infrastructure is in active use on the land, a suitable alternative location can be provided for the displaced infrastructure; or
- iii) The infrastructure is not in use and there is no reasonable prospect of it being used for minerals or waste transport in the foreseeable future.

Where development, other than exempt development as defined in the Safeguarding Exemption Criteria list, is proposed within an identified buffer zone permission will be granted where adequate mitigation can, if necessary, be provided to reduce any impacts from the existing or proposed adjacent minerals or waste transport infrastructure uses to an acceptable level, and the benefits of the proposed use outweigh any safeguarding considerations. The agent of change principle will apply to all such encroaching non-mineral development.

The suggested Safeguarding Exemption Criteria list is as follows;

- Infilling in an otherwise built up frontage within a settlement
- Householder applications within the curtilage of a property
- Advertisement applications
- Reserved matters applications
- Applications for new or improved accesses
- Minor extensions/alterations to existing uses/buildings which do not fundamentally change the scale and character of the use/building 'Temporary' development (for up to five years)
- Agricultural buildings adjacent to existing farmsteads
- 'Minor' works such as fences, bus shelters, gates, walls, accesses.
- Amendments to current permissions (with no additional land take involved)
- Changes of use
- Applications for development on land which is already allocated in an adopted local plan where the plan took account of minerals and waste safeguarding requirements
- Listed Building Consent and applications for planning permission for demolition in a conservation area
- Applications for work on trees or removal of hedgerows
- Prior notifications for telecommunications, forestry, agriculture and demolition
- Redevelopment of previously developed land not increasing the footprint of the former development
- Certificates of Lawfulness of Existing Use of Development and • Certificates of Lawfulness of Proposed Use or Development

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Minerals Products Association representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327549/mpa-mark-north-10_10_2019_redacted.pdf

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Object

MP1: Aggregate Provision

Respondent: Minerals Products Association (Senior Planning Advisor) [1517]

Summary:

The publication version on the Mineral Plan has failed to properly forecast future aggregate demand as required by National Policy and is therefore UNSOUND. The reason for this is set out below.

The Minerals Local Plan has been produced using evidence contained within the published Local Aggregate Assessment published in October 2017 using the data period up to 31/12/2016. The MPA as members of the East Midlands Aggregate Working Party commented on the LAA. These comments were referenced in the MPA response to draft Plan consultation in July 2018 and for completeness and context are repeated below:

National policy says that forecasts of demand should be based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options. National practice guidance says that forecasts must not be based solely on the 10-year rolling average. It is essential, especially now that we have come out of the recession, for the County Council to use this other relevant information. We are aware that the Council's change of approach is politically motivated, but it is not sound, and it is not best practice. Several things have distorted the traditional relationship between development in Nottinghamshire and sand and gravel supplies. In your Issues and Options draft, you allude to the effects of the recession and to short term commercial decisions made by producers, which has resulted in large export volumes to Doncaster and large import volumes from

Lincolnshire, and to quarries being mothballed as producers adapted to vastly difficult market conditions. This does not represent a long-term sustainable supply pattern and should not be used to curtail future supply from the county, which still is the most important source of high-quality sand and gravel in the region.

Companies have only recently had the capacity to recapitalise mothballed sites, and to look for replacements for others which had become exhausted, which takes a long time to come to fruition, and is not yet reflected in the sales figures. There is already strong evidence of industry interest in the county returning to the county, indicated by the numbers of new sites proposed for the last Local Plan process. It would be a profound mistake for the County Council to fossilise the current abnormal conditions which if not corrected will undoubtedly lead to future under provision of mineral contrary to national policy.

The MPA commented on the failure to consider other relevant information as required by NPPF in our comment to the draft LAA in August 2017, which does not seem to have been heeded in the Draft MWLP.

The LAA is indicating an annual housing completion rate of 4,574. As a reality check, we can compare the forecast with the last time 4,574 dwellings were completed which was in 2005 when 4,842 dwellings were completed. The extraction rate of sand and gravel in that year was 3.08 Mt. This would seem to suggest that the LAA 10 year rolling average of only 1.7 Mtpa is inadequate. Furthermore, there appears to have been no consideration to other infrastructure project that may impact the County.

On this basis, the MPA considers that the County Council should plan for future sand and gravel demand of 3.0Mtpa for the plan period. By reference to your Table 2 this means that over the plan period (19 years) the requirement for sand and gravel will be 57 Mt. Deducting existing permitted reserves results in a shortfall to be proved by the Local Plan of 39.5 Mt. This means finding an additional 21.7 Mt than you have assumed.

In addition, the policy needs to make clear that landbanks should be maintained for at least 7 years for sand and gravel, at least 7 years for Sherwood Sandstone and at least 10 years for crushed rock. Furthermore, it should be made clear that these land banks should be maintained at the end of the plan period.

It was clearly identified from the above that there was a shortfall in provision of sand and gravel. This appears not to have been accepted or addressed in the publication draft on the mineral plan or for that matter in the current draft LAA for Nottinghamshire. Below is an analysis of the current draft LAA and the publication draft of the mineral plan which shows that the situation has not changed in respect of the under provision of mineral resources by Notts:

The Publication version of the Mineral Local Plan, subject of this consultation response uses the 10-year average from 2016 for determining Local Plan provision which is 1.7 Mtpa for sand and gravel and 0.37Mtpa for Sherwood Sandstone. The current draft LAA proposes to retain exclusively the use of the 10-year average to assess demand for sand and gravel which is 1.46 Mtpa.

As with previous LAAs the LAA contains no forecast of aggregate demand as required by National Policy.

The LAA remarks (table 5) that exports have increased to Northamptonshire from 0 to 406 kt, and to South Yorkshire from 145kt to 386kt. Furthermore the draft LAA reports (table 6) that imports have grown from Lincolnshire (361kt) and Staffordshire (155kt).

Comparing AM2009 with AM2104 imports of sand and gravel to Nottinghamshire has increased from 327ktpa to 583ktpa (a rise of 78%).

It appears that the sum of Nottinghamshire's sand and gravel used within the county has fallen from 750kt to 126kt (a drop of 84%). However, the LAA claims that unknown destinations should be added to this sum which reduces the difference but still indicates a fall of 23% between 2009 and 2014/18.

The LAA notes that population is forecast to increase by 9.6% during the plan period and, the house building programme is planned (i.e. Local Plan commitments) to increase from current 4695 units to 8025 units by 2020/1 and falling again to 3031 units by 2027/8 (not the whole plan period). This is an average of 5264 units per year (table 12).

Figure 4 shows that house building rates have risen by 71% since 2013/4 (fig 4). The draft LAA says that housebuilding is only a part of the aggregate's market and that sand and gravel is used for other uses. However, if this is accepted it follows that a combination of a

- 71% increase in housebuilding activity since 2013, plus
- associated infrastructure/community/commercial/industrial development, plus
- the major infrastructure project of the East Midlands Gateway Rail Freight Interchange,

would have raised sand and gravel demand by a conservative 25%. However, figure 1 shows that the sand and gravel sales have flatlined.

Increased aggregates demand but not supplied from Notts sources can be gauged by the steep increase in imports to the county from Lincolnshire (historically not a significant exporter to Nottinghamshire) and from Staffordshire.

Support for higher aggregates demand is the draft LAA's observation that quantities of construction and demolition waste have grown by an estimated 11% since 2011 indicating higher levels of construction (para 3.31).

Support for higher aggregates demand also comes from the observation of the LAA that in the East Midlands sand and gravel sales rose from 5.5 Mtpa in 2009 to 6.96 Mtpa in 2016 falling slightly to 6.79 Mtpa in 2017 (para 5.8). This represents a regional growth in sand and gravel demand of 23%-26%. Only in Nottinghamshire have sand and gravel sales apparently flatlined.

The evidence is clear that the sand and gravel sales in Nottinghamshire have been constrained. The draft LAA says this is because of the recession and the replacement of worked out quarries has remained low. This puts Nottinghamshire in a special position which means that sales do not fairly represent the demand for sand and gravel in the county. In this respect, it is like Oxfordshire which was recognised at Examination to have had suppressed sales because of commercial decisions during the recession to mothball sites. In Nottinghamshire's case, similar commercial decisions and an unreadiness to be able to replace sites, partly as a result of having no mineral plan in place, is judged to have been the cause for low sales and make up of demand principally from imports. In short, this is an anomalous situation which should be recognised in the mineral plan and draft LAA and accounted for in planned provision.

There are two possible approaches to calculating forecast demand from data which counters the effects of the recession on the 10-year average and plans for future growth.

d. The last year house build rates were close to the planned average (5264 units) was in 2005 (4842 units) when sand and gravel sales were 3.08Mt. Allowing for higher planned rates of housing suggests sand and gravel provision should be at least 3.10Mtpa.

Using the approach adopted in Oxon of calculating the % share of sand and gravel production before the recession and applying it to current conditions, gives the following result

- In the five-year period prior to the recession (2004-2008) Notts sand and gravel sales as a proportion of all England averaged 6.53%. In 2016 the proportion was 3.85%.
- If this is converted into a figure for the county linked to the current level of sales in England which in 2016 was 41.26 Million tonnes, then applying a pre-recession proportion of 6.53% gives a demand for Notts of 2.694 Million tonnes.
- Once an allowance for soft sand has been deducted, the like-for-like sand and gravel demand figure is about 2.32 Mtpa.

iv. Although this is lower than the first method, this is because all the Oxfordshire method does is restore the county to conditions as they were before the distorting effects of the recession; it does not explicitly take account of future growth and demand created by major infrastructure. It is emphasised that this is minimum which does not take account of the significant growth over and above historic levels of demand which is planned for. On a precautionary approach the provision should be at the higher estimate namely 3.1Mt per annum.

The limited use of the 10-year average and not considering other factors, as outlined above, and as required by NPPF means that Nottinghamshire will continue to see downward spiral of sales that will be a self-fulfilling prophecy. The mineral plan and draft LAA has failed to forecast properly for future aggregate.

As can be seen from above as drafted this mineral plan is set to fail in respect of providing a steady and adequate supply of aggregates as required by national policy and is therefore unsound.

Full text:

See attachment

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Minerals Products Association representation 10_10_2019 - http://www.nottinghamshire.gov.uk/media/2327549/mpa-mark-north-10_10_2019_redacted.pdf

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Object

MP12: Oil and Gas

Respondent: Misson Parish Council (Mr Mark Hooper, Clerk) [2351]

Summary:

With regard to hydrocarbons: inherent conflict between any form of extraction and SO3: minimise and mitigate impact on climate change, and national objective that planning supports transition to low-carbon economy. Now that coal has almost entirely been removed from electricity generation, any further development of oil or gas reserves is a increase in net contribution to climate change. Renewable forms of electricity generation are by now the largest growth area by far.

While on one hand the desire to treat all forms of oil or gas extraction equally makes sense on many levels, the document was presumably drafted before the recent seismic activity at Preston New Road. For shale gas, should there be a comment about such activity?

Full text:

The Minerals Local Plan was discussed at Misson Parish Council on the 2nd October

A summary of the discussion and feedback is below which bi hope is helpful:

Generally clear and well-written document

With regard to hydrocarbons: inherent conflict between any form of extraction and SO3: minimise and mitigate impact on climate change, and national objective that planning supports transition to low-carbon economy. Now that coal has almost entirely been removed from electricity generation, any further development of oil or gas reserves is a increase in net contribution to climate change. Renewable forms of electricity generation are by now the largest growth area by far.

While on one hand the desire to treat all forms of oil or gas extraction equally makes sense on many levels, the document was presumably drafted before the recent seismic activity at Preston New Road. For shale gas, should there be a comment about such activity?

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

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Support

Appendix 2: Site Allocation Development Briefs

Respondent: National Grid (Gas) (Hannah Bevins, Consultant town planner - Wood) [9077]
Agent: Wood Environment & Infrastructure Solutions UK Ltd

Summary:

Please see attachment for full detail on sites which are nearby to assets of the national grid.

Full text:

Please see attachment

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes
Appear exam: Appearance at the examination
Attachments: National Grid Gas representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327550/national-grid_gas-11_10_2019_redacted.pdf

14

Support

SP2: Biodiversity- Led Restoration

Respondent: Natural England (Mrs Roslyn Deeming, Land use adviser) [9157]

Summary:

Support policy but suggest update regarding likelihood that biodiversity net gain will become mandatory.

Full text:

Policy SP2 – Biodiversity-Led Restoration – support

Natural England supports the approach that this policy and the accompanying text sets out with regard to the restoration of mineral sites to maximise opportunities for the establishment or re-establishment of priority habitats at a landscape scale and for providing re-created linkages to strengthen and enhance ecological networks.

We welcome the inclusion at paragraph 2.12 of the requirement of the 25 year Environment Plan to embed environmental Net Gain into all developments. We suggest that this could now be updated to better reflect the recent government advise on this topic and the likelihood that biodiversity net gain will become mandatory in the proposed Environment Bill.

Change to plan:

-

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified
Appear exam: Not specified
Attachments: None

15

Object

DM4: Protection and enhancement of Biodiversity and Geodiversity

Respondent: Natural England (Mrs Roslyn Deeming, Land use adviser) [9157]

Summary:

Natural England welcomes the policy but advises that it should be strengthened in terms of its reference to Biodiversity Net Gain both within the policy wording and the accompanying text. Wording should be included which more closely reflects recent government guidance on this topic. A link to the latest version of the Defra Biodiversity Metrics has been included.

Full text:

Policy DM4: Protection and Enhancement of Biodiversity and Geodiversity

Natural England generally welcomes this policy however we suggest that the reference to Biodiversity Net Gain should be strengthened both in the policy wording itself and the accompanying text to better reflect the recent government advise on this topic and the likelihood that net gain will become mandatory in the proposed Environment Bill.

We acknowledge that biodiversity metrics have been referenced within paragraph 5.56 however it is written in terms of compensatory habitat and we would suggest that the Biodiversity Net Gain approach is broader than this.

Biodiversity net gain is a demonstrable gain in biodiversity assets as a result of a development project that may or may not cause biodiversity loss, but where the final output is an overall net gain. Net gain outcomes can be achieved both on and/or off the development site and should be embedded into the development process at the earliest stages.

The government has recently announced that it will mandate net gains for biodiversity on new developments in England to deliver an overall increase in biodiversity. Furthermore net gain is referenced in the National Planning Policy Framework (NPPF), and is included within the government's 25 year plan "A Green Future".

New Metrics have been developed for calculating the amount of biodiversity required to achieve net gain. The 'Biodiversity Metric 2.0' provides a way of measuring and accounting for biodiversity losses and gains resulting from development or land management change. The advantage of using a recognised metric to deliver net gain is that it provides a clear, transparent and evidence-based approach to assessing a project's biodiversity impacts that can assist with "de-risking" a development through the planning process and contribute to wider place-making. It can be found here 'Biodiversity Metric 2.0'

Change to plan:

Natural England suggest that Biodiversity Net Gain should be specifically mentioned in the policy wording, e.g.
 "All minerals development should seek to deliver a Net Gain in biodiversity and geodiversity"

Within the explanatory text a paragraph should be included which updates the current content to explain that Biodiversity Net Gain is a demonstrable gain in biodiversity assets as a result of a minerals development project that may or may not cause biodiversity loss, but where the final output is an overall net gain. Net gain outcomes can be achieved both on and/or off the development site and should be embedded into the development process at the earliest stages.

Legally compliant: Yes
Sound: No
Comply with duty: Yes
Appear exam: Not specified
Attachments: None

156

Support

SP1: Minerals Provision**Respondent:** Newark & Sherwood District Council (Mr Adrian Allenbury, Planner (Policy)) [8202]**Summary:**

The Council is supportive of the approach which allows for the expansion of existing sand and gravel quarries in the District rather than the development of new ones, this is a more sustainable approach and means that existing strategies for mitigating the impact of the minerals workings can be maintained

Full text:

Nottinghamshire Minerals Local Plan – Publication Version

The District Council considered the Nottinghamshire Minerals Local Plan at the Economic Development Committee on the 11th October 2019 and agreed the response contained within this letter.

The District Council welcomes the publication of the Nottinghamshire Minerals Local Plan which provides a long term sustainable plan to deliver the necessary minerals to support new development in the County.

The Council is supportive of the strategic approach that the County Council has set out in the Plan in particular the approach to calculating minerals provision. The Council is also supportive of the Biodiversity – Led approach to restoration of minerals workings and the policies ensuring that minerals extraction addresses the impact of climate change and protects residents from unnecessary traffic movements.

The Council is supportive of the approach which allows for the expansion of existing sand and gravel quarries in the District rather than the development of new ones, this is a more sustainable approach and means that existing strategies for mitigating the impact of the minerals workings can be maintained. The Council is also supportive of this approach in relation to the expansion of gypsum workings to the south of Newark.

Change to plan:

-

Legally Yes**compliant:****Sound:** Yes**Comply with** Yes**duty:****Appear exam:** Written Representation**Attachments:** None

154

Support

SP2: Biodiversity- Led Restoration**Respondent:** Newark & Sherwood District Council (Mr Adrian Allenbury, Planner (Policy)) [8202]**Summary:**

The Council is also supportive of the Biodiversity – Led approach to restoration of minerals workings and the policies ensuring that minerals extraction addresses the impact of climate change and protects residents from unnecessary traffic movements.

Full text:

Nottinghamshire Minerals Local Plan – Publication Version

The District Council considered the Nottinghamshire Minerals Local Plan at the Economic Development Committee on the 11th October 2019 and agreed the response contained within this letter.

The District Council welcomes the publication of the Nottinghamshire Minerals Local Plan which provides a long term sustainable plan to deliver the necessary minerals to support new development in the County.

The Council is supportive of the strategic approach that the County Council has set out in the Plan in particular the approach to calculating minerals provision. The Council is also supportive of the Biodiversity – Led approach to restoration of minerals workings and the policies ensuring that minerals extraction addresses the impact of climate change and protects residents from unnecessary traffic movements.

The Council is supportive of the approach which allows for the expansion of existing sand and gravel quarries in the District rather than the development of new ones, this is a more sustainable approach and means that existing strategies for mitigating the impact of the minerals workings can be maintained. The Council is also supportive of this approach in relation to the expansion of gypsum workings to the south of Newark.

Change to plan:

-

Legally Yes**compliant:****Sound:** Yes**Comply with** Yes**duty:****Appear exam:** Written Representation**Attachments:** None

155

Support

MP1: Aggregate Provision**Respondent:** Newark & Sherwood District Council (Mr Adrian Allenbury, Planner (Policy)) [8202]**Summary:**

The Council is supportive of the strategic approach that the County Council has set out in the Plan in particular the approach to calculating minerals provision.

Full text:

Nottinghamshire Minerals Local Plan – Publication Version

The District Council considered the Nottinghamshire Minerals Local Plan at the Economic Development Committee on the 11th October 2019 and agreed the response contained within this letter.

The District Council welcomes the publication of the Nottinghamshire Minerals Local Plan which provides a long term sustainable plan to deliver the necessary minerals to support new development in the County.

The Council is supportive of the strategic approach that the County Council has set out in the Plan in particular the approach to calculating minerals provision. The Council is also supportive of the Biodiversity – Led approach to restoration of minerals workings and the policies ensuring that minerals extraction addresses the impact of climate change and protects residents from unnecessary traffic movements.

The Council is supportive of the approach which allows for the expansion of existing sand and gravel quarries in the District rather than the development of new ones, this is a more sustainable approach and means that existing strategies for mitigating the impact of the minerals workings can be maintained. The Council is also supportive of this approach in relation to the expansion of gypsum workings to the south of Newark.

Change to plan:

-

Legally Yes**compliant:****Sound:** Yes**Comply with** Yes**duty:****Appear exam:** Written Representation**Attachments:** None

157

Support

MP7: Gypsum Provision**Respondent:** Newark & Sherwood District Council (Mr Adrian Allenbury, Planner (Policy)) [8202]**Summary:**

The Council is also supportive of this approach in relation to the expansion of gypsum workings to the south of Newark.

Full text:

Nottinghamshire Minerals Local Plan – Publication Version

The District Council considered the Nottinghamshire Minerals Local Plan at the Economic Development Committee on the 11th October 2019 and agreed the response contained within this letter.

The District Council welcomes the publication of the Nottinghamshire Minerals Local Plan which provides a long term sustainable plan to deliver the necessary minerals to support new development in the County.

The Council is supportive of the strategic approach that the County Council has set out in the Plan in particular the approach to calculating minerals provision. The Council is also supportive of the Biodiversity – Led approach to restoration of minerals workings and the policies ensuring that minerals extraction addresses the impact of climate change and protects residents from unnecessary traffic movements.

The Council is supportive of the approach which allows for the expansion of existing sand and gravel quarries in the District rather than the development of new ones, this is a more sustainable approach and means that existing strategies for mitigating the impact of the minerals workings can be maintained. The Council is also supportive of this approach in relation to the expansion of gypsum workings to the south of Newark.

Change to plan:

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Appear exam: Written Representation

Attachments: None

81

Support

S01: Improving the sustainability of minerals development

Respondent: Newark PAGE (Enquiries ., .) [2485]

Summary:

We find the proposed plan to be wholly compliant with all legal requirements and we are of the opinion that it is sound and appropriate to need and sustainability and welcome its emphasis on locating extraction nearest to the point of use and utilisation by extension, where appropriate, of existing sites of extraction.

Full text:

We find the proposed plan to be wholly compliant with all legal requirements and we are of the opinion that it is sound and appropriate to need and sustainability and welcome its emphasis on locating extraction nearest to the point of use and utilisation by extension, where appropriate, of existing sites of extraction.

We do not support however any subsequent new extraction site immediately north of Cromwell due to the significant adverse impact this would have on Carlton On Trent from associated HGV traffic.

Change to plan:

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Appear exam: Written Representation

Attachments: None

1

Support

Development Management Policies

Respondent: Newark Town Council (Mr Alan Mellor, Parish Clerk) [1573]

Summary:

No comment, supportive of the plan

Full text:

No comment

Change to plan:

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Appear exam: Written Representation

Attachments: None

3

Object

MP2: Sand and Gravel Provision

Respondent: Nottingham City Council (Mr Matthew Grant, Senior Planner (Policy)) [9151]

Summary:

There are serious concerns that the development could cause substantial harm to the Green Belt, habitat, ecology, the landscape, air quality, amenity of the public, rights of way and loss to Best and Most versatile Agricultural Land.

A balanced judgement needs to be made about all the conflicting issues and any potential adverse impacts on the natural and historic environment or human health in the allocation of minerals sites. The City Council is of the view that in light of these significant concerns, they are so substantive as to make the allocation of the Mill Hill site unjustified and unsound.

Full text:

The Mill Hill, Barton in Fabis allocation (MP2p) is being determined as a planning application by both Nottinghamshire County Council and Nottingham City Council (17/00930/PMFUL3) as the site straddles the boundaries between the two mineral authorities. Approx. 11 hectares of the site is within the City boundary which equates to approx. 12% of the whole proposed site.

There are numerous concerns raised in the consultation of the planning applications about the information submitted and the potential harm arising from the proposed development from a range of technical and statutory consultees including both Minerals Authorities determining the individual applications.

In the determination of the planning application recent letters have been sent by Nottinghamshire County Council as the lead mineral authority setting out identified harms of the development, inviting the applicant to address these matters as the application currently does not incorporate sufficient information to reach an informed conclusion regarding the significance of these environmental and amenity impacts.

Specifically, serious concerns are raised about the impact of the development in its current form on the Green Belt which is considered to be 'inappropriate development' and which is by definition harmful to the Green Belt. Strong concerns are also raised about habitat loss including impacts on Local Wildlife Sites and SSSIs in and close to the site. Further concerns are also raised about ecological impacts on protected species. The potential impacts on heritage assets also raises deep concerns including likely harm to setting of Clifton Hall (Grade 1) and its Registered Parks and Garden (Grade 2) both through the extraction and restoration phases of development. There are also concerns that the development could cause unacceptable landscape and visual impacts and lesser concern on air quality, public amenity, rights of ways and loss of some best and most versatile agricultural land.

It is acknowledged that a request has been made to the applicant to provide additional information and to amend the scheme to try and overcome these issues. The NPPF is also clear that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. However, a balanced judgement needs to be made about all the conflicting issues and any potential adverse impacts on the natural and historic environment or human health in the allocation of minerals sites. The City Council is of the view that in light of these significant strong concerns, they are so substantive as to make the allocation of the Mill Hill site unjustified and unsound.

Change to plan:

The Mill Hill site needs to be removed from the plan and the shortfall made up by alternative provision. Serious consideration needs to be given to the site at Shelford as a variable alternative which has the potential to be more sustainable with the use of barge for transportation of some mineral to an urban processing plant in Colwick. This site also has the potential to have less environmental impact both in the operational phase and less so in the long term following restoration as shown in the Sustainability Appraisal for the site.

The City Council does not agree with the conclusion in the Site Selection Methodology and Assessment report about the Shelford site that "In comparison with other sites, the Shelford site would provide a significant proportion of the entire County need and if it were allocated, provision would be limited in other parts of the County. This would not comply with the objective of maintaining a geographical spread of mineral sites across the County." It is acknowledged that this site is much larger than currently required but consideration could be given to phasing the development including beyond the plan period.

At Para 4.41 the text states that the "The site [Mill Hill] is expected to be operational in approximately 2019 and would be worked over a 12-15 year period." As this site has yet to gain planning approval, and is subject to a request by the applicant for further information and serious environmental and amenity concerns have been raised, even if approved, it is unlikely to become operational until at least 2021/22.

Legally compliant: Yes
Sound: No
Comply with duty: Yes
Appear exam: Not specified
Attachments: None

158

Object

MP12: Oil and Gas

Respondent: Nottingham Friends of the Earth (Mr Nigel Lee) [1261]

Summary:

Policy MP12: Oil & Gas

This policy is not sound on two main grounds – climate change and unconventional hydrocarbons. And it is not legally compliant on climate change.

Climate change

- 1) Although there is a separate policy on Climate Change (SP3), which we support, there are specific issues relating to oil and gas which should be added in Policy MP12.
 - 2) There is a legal requirement for Plan policies to reduce climate emissions (Planning & Compulsory Purchase Act 2004, s19(1A)). The Plan period will extend beyond 2030 so should be compatible with statutory climate emissions reductions targets set for 2030, and with carbon budgets through the Plan period. Policy MP12 should be redrafted to ensure that proposals for exploitation of hydrocarbon minerals are tested against this requirement.
 - 3) Plan policies should take a precautionary approach to climate emissions and should not approve any development which may cause leakage of methane in the short, medium or long term. In particular, any proposal which cannot reliably quantify and control methane leaks in the short, medium and long term should not be allowed. That should mean no new working of coal, oil or gas seams, given the impossibility with current technology of guaranteeing the integrity of well casings, etc. For the same reason, the Plan should continue to support capping of disused coal mines to prevent methane leaking to atmosphere.
 - 4) As an example, the Cumbria Minerals & Waste Local Plan adopted in September 2017 includes under Policy DC13 (Criteria for energy materials) a requirement that, for exploration and appraisal, "the impacts of the development have been considered in relation to impact on climate change"; and, for commercial exploitation, "the impact of the development has been considered in terms of contributing to the mitigation of climate change".
 - 5) The Kirklees Local Plan adopted in February 2019 includes under Policy LP42 (Proposals for production of hydrocarbons) a requirement that proposals "will be considered against the following criteria: ... h. Where a proposal demonstrates that it will have a net zero impact on climate change."
- Unconventional hydrocarbons
- 6) The statement in section 4.108 that "It is considered that there is no justifiable reason in planning policy terms to separate shale gas from other hydrocarbon development" is not sound.
 - 7) This has been demonstrated in public examination of the North Yorkshire Minerals & Waste Joint Plan in 2018 where a number of issues were considered requiring specific policies for hydraulic fracturing, including:
 - A definition of hydraulic fracturing suitable for the planning system: "Hydraulic fracturing is the process of opening and/or extending existing narrow fractures or creating new ones (fractures are typically hairline in width) in gas or oil bearing rock, which allows gas to flow into wellbores to be captured."
 - 500m separation distance.
 - Arguments for a maximum wellpad density and for financial guarantee.
 - 8) Similarly, the East Riding Joint Minerals Local Plan Policy EM6 Extraction of Shale Gas (Hydraulic Fracturing) includes criteria requiring "adequate provision of the supply of water", "measures to avoid pollution of ground water, aquifers, and potable water supplies", "measures to avoid unacceptable adverse impacts as a result of vibration and induced seismicity", "measures to avoid air pollution", etc.
 - 9) In the Nottinghamshire context, specific reference should be made to risks associated with former coalfield workings. Bassetlaw MP John Mann has urged consideration be given to a report by Geophysics Professor Peter Styles who has drawn attention to the importance of making use of high-resolution mapping of faultlines and recommended 500m separation of hydraulic fracturing from former mine workings and 850m from any fault lines.
 - 10) Specific reference should also be made to the importance of the Sherwood Sandstone Aquifer. The Water Framework Directive requires a precautionary approach, particularly to protect groundwater from all contamination. Particular care will be required to protect Sherwood sandstone aquifers used for drinking water and agriculture, and particularly in the former coal mining areas which are already subject to minor earthquakes and minewater pollution. (The biggest risk of earthquakes is to damage well linings and allow leakage of toxic fluids and gases.)
 - 11) As well as a risk of methane leakage affecting climate emissions, there is also a risk of venting carcinogenic gases such as benzene, toluene, ethylbenzene, xylene (BTEX) as well as radon which is radioactive, which may be a direct threat to public health. Diesel compressors which are necessary for high pressure hydraulic fracturing and vehicles also contribute to gasfield haze with particulates, nitrogen dioxide and ground-level ozone likely occupational hazards. Silica sand used in hydraulic fracturing may also be a major health hazard. A precautionary approach should therefore be taken, particularly to any proposal which may involve hydraulic fracturing.
 - 12) Policy MP12 should make clear that definition of site boundary must include (in 3-D) the full extent of any horizontal drilling underground. (As required by Town & Country Planning Act 1990 s55(1) which defines "development" to include "... building, engineering, mining or other operations in, on, over or under land ...")
 - 13) The scale and intensity of high volume hydraulic fracturing requires specific policies to protect Nottinghamshire's people and environment. Shale is not porous so the gas (and perhaps oil) that it contains does not flow to the well - to drain an extensive area it is necessary for fracturing to create artificial porosity. This has to be done across an area not at a single location requiring the construction of many originating well pads each of which is associated with a great deal of surface activity and infrastructure. During the time the Plan will be in force large parts of Notts could be turned into extensive gasfields – exploiting shale gas in Northern Notts and South Western Notts, and coal bed methane in Eastern Notts. The potential scale of industrialisation of the countryside is indicated in a briefing by Ineos showing upto 420 wells in each 10km square licence area (30 wellpads with upto 14 horizontal wells from each wellpad. This will require extensive roadways, pipelines, etc as well as the wellpads. While Ineos acknowledges that social and environmental constraints mean that the actual intensity of development will be less than this theoretical maximum, it is still anticipating perhaps 10 wellpads with 12 wells from each per 10km square – around 120 wells in total – which could result in over 1,000 wells just in Ineos' licenses around the Sherwood Forest area.

Background information

1) Fossil fuel extraction has been a major source of climate emissions through methane leakage, particularly over the last decade when high volume hydraulic fracturing has become established in the US and elsewhere. A NASA team recently calculated that fossil fuels have contributed about 12 to 19 teragrammes methane to the atmosphere each year since 2006, about half of the overall increase, the other half being due to biogenic sources. (John R Worden et al, Nature Communications 8, 2227, 20 December 2017. See: <https://earthobservatory.nasa.gov/IOTD/view.php?id=91564&src=ve>)

2) The planning authority has a responsibility to check that other regulators will be able to do their job. Planning Practice Guidance (Reference ID: 27-112-20140306) advises minerals planning authorities that "before granting planning permission they will need to be satisfied that these issues can or will be adequately addressed by taking the advice from the relevant regulatory body: ...

Mitigation of seismic risks...

Well design and construction...

Well integrity during operation...

Operation of surface equipment on the well pad...

Mining waste...

Chemical content of hydraulic fracturing fluid...

Flaring or venting...

Final off-site disposal of water...

Well decommissioning/abandonment..."

(As an example, the Planning Inspector in rejecting an appeal by Egdon Resources against refusal of planning permission for a conventional oil well at Wressle by North Lincolnshire

Council (APP/Y2003/W/17/3173530 & APP/Y2003/W/17/318060, 4 January 2018 <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?Caseid=3173530&ColD=0>) found that the required ground condition report had not been prepared and this did not seem to have been addressed by the Environment Agency in their Environmental Permitting decision document (para 24.)

In some cases, planning conditions may need to be used to ensure these issues are adequately addressed, particularly to protect ground and surface water and to minimise the impact on the causes of climate change in the short, medium and long term.

3) Regulatory failures include a failure by the Environment Agency to stop Cuadrilla dumping fracking wastewater from Preese Hall containing radioactivity into the Manchester Ship Canal. And Michael Hill, an engineer involved in fracking at Preese Hall, states that "the only well to have been fracked in the U.K.

suffered an integrity failure that the HSE were not aware of for up to THREE years,

suffered damage to the casing due to unpredicted induced seismicity, caused by the fracking, which neither HSE nor the DECC were aware of for over 12 months, was never inspected once by the HSE for well integrity, which may or may not have leaked into the surrounding formations (we do not know because the EA have not checked) and which has now been abandoned."

http://media.wix.com/ugd/b0aabf_5902a55b06fd4338a56db38dd8687240.pdf

4) A review of evidence on regulation by Watterson & Dinan of Stirling University (October 2016) concluded (<http://www.regulatingscotland.org/report/frackingandregulation.pdf>):

- the evidence base for robust regulation and good industry practice is currently absent. There are multiple serious challenges surrounding location, scale, monitoring and data deficits facing regulators overseeing onshore UGE and fracking in the UK;

- the evidence from peer-reviewed papers suggests fracking in the UK will not be effectively regulated. It is highly likely that regulatory agencies may lack the staffing and resources necessary to monitor and enforce effective regulation of the industry;

- US and UK peer-reviewed analyses and EU law identify both the precautionary principle and prevention as keys to dealing with fracking. This is underpinned by findings from the peer-reviewed public health literature that already identifies significant hazards and major potential risks from the industry.

5) UK government policy and guidance on high-volume hydraulic fracturing is based on out of date research, such as the Royal Society/Royal Academy of Engineering review (July 2012) and a report by Public Health England (although this was published in June 2014 it was not significantly changed from a 2013 draft which was based on evidence available upto 2012). This ignores more than 80% of the peer reviewed scientific literature on the environmental and health impacts of shale gas development which has been published since 2012: www.psehealthyenergy.org/our-work/shale-gas-research-library/ And only one out of 10 recommendations of the RS/RAE review had been implemented in full after 2 years: [http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(14\)60888-6/fulltext](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(14)60888-6/fulltext)

6) The most detailed research is probably that carried out by the State of New York's Department of Environmental Conservation which considered the available information on potential environmental impacts of high-volume hydraulic fracturing and possible mitigation measures and concluded (in June 2015): "In the end, there are no feasible or prudent alternatives that would adequately avoid or minimize adverse environmental impacts and that address the scientific uncertainties and risks to public health from this activity. The Department's chosen alternative to prohibit high-volume hydraulic fracturing is the best alternative based on the balance between protection of the environment and public health and economic and social considerations." (2015 SEQF Findings Statement, page 42: www.dec.ny.gov/energy/75370.html)

7) The most comprehensive review of peer reviewed studies on the impacts of fracking has been produced by the Concerned Health Professionals of New York. The sixth edition dated June 2019 (<https://concernedhealthy.org/compendium/>) lists the following emerging trends:

1. Regulations are simply not capable of preventing harm.
2. Fracking and natural gas are incompatible with climate solutions.
3. Fracking and the disposal of fracking waste threaten drinking water.
4. Drilling and fracking contribute to toxic air pollution and ground-level ozone at levels known to have health impacts.
5. Public health problems associated with drilling and fracking include poor birth outcomes, reproductive and respiratory impacts, and cancer risks.
6. Occupational health and safety risks for workers are severe and include both physical and chemical hazards.
7. Earthquakes are a proven consequence of both fracking and the underground injection of fracking waste.
8. Fracking infrastructure poses serious potential exposure risks to those living nearby.
9. Drilling and fracking activities bring naturally occurring radioactive materials to the surface.
10. Drilling and fracking activities harm wildlife through multiple pathways.
11. The risks posed by fracking in California are unique.
12. Fracking in Florida presents many unknowns.
13. The economic instabilities of fracking exacerbate public health risks.
14. Fracking raises human rights and environmental justice issues.
15. Health professionals are increasingly calling for bans or moratoria on fracking, based on a range of health hazards and as reviews of the data confirm evidence for harm.

Full text:

See attachment for full details.

Policy MP12: Oil & Gas

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In some cases, planning conditions may need to be used to ensure these issues are adequately addressed, particularly to protect ground and surface water and to minimise the impact on the causes of climate change in the short, medium and long term.

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- the evidence base for robust regulation and good industry practice is currently absent. There are multiple serious challenges surrounding location, scale, monitoring and data deficits facing regulators overseeing onshore UGE and fracking in the UK;

- the evidence from peer-reviewed papers suggests fracking in the UK will not be effectively regulated. It is highly likely that regulatory agencies may lack the staffing and resources necessary to monitor and enforce effective regulation of the industry;

- US and UK peer-reviewed analyses and EU law identify both the precautionary principle and prevention as keys to dealing with fracking. This is underpinned by findings from the peer-reviewed public health literature that already identifies significant hazards and major potential risks from the industry.

5) UK government policy and guidance on high-volume hydraulic fracturing is based on out of date research, such as the Royal Society/Royal Academy of Engineering review (July 2012) and a report by Public Health England (although this was published in June 2014 it was not significantly changed from a 2013 draft which was based on evidence available upto 2012). This ignores more than 80% of the peer reviewed scientific literature on the environmental and health impacts of shale gas development which has been published since 2012: www.psehealthyenergy.org/our-work/shale-gas-research-library/ And only one out of 10 recommendations of the RS/RAE review had been implemented in full after 2 years: [http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(14\)60888-6/fulltext](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(14)60888-6/fulltext)

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2. Fracking and natural gas are incompatible with climate solutions.

3. Fracking and the disposal of fracking waste threaten drinking water.

4. Drilling and fracking contribute to toxic air pollution and ground-level ozone at levels known to have health impacts.

5. Public health problems associated with drilling and fracking include poor birth outcomes, reproductive and respiratory impacts, and cancer risks.

6. Occupational health and safety risks for workers are severe and include both physical and chemical hazards.

7. Earthquakes are a proven consequence of both fracking and the underground injection of fracking waste.

8. Fracking infrastructure poses serious potential exposure risks to those living nearby.

9. Drilling and fracking activities bring naturally occurring radioactive materials to the surface.

10. Drilling and fracking activities harm wildlife through multiple pathways.

11. The risks posed by fracking in California are unique.

12. Fracking in Florida presents many unknowns.

13. The economic instabilities of fracking exacerbate public health risks.

14. Fracking raises human rights and environmental justice issues.

15. Health professionals are increasingly calling for bans or moratoria on fracking, based on a range of health hazards and as reviews of the data confirm evidence for harm.

Change to plan:

Suggested addition to Policy MP12 (Oil & Gas)

A condition should be added to Policy MP12 to ensure that any proposed development will not compromise the Council's duties in relation to climate change mitigation, and will be fully compatible with statutory climate emissions targets and carbon budgets during the Plan period.

Suggested additional Policy MP12a (Hydraulic fracturing)

Policy should be added to address problems specific to hydraulic fracturing, including:

- A definition of hydraulic fracturing suitable for the planning system, such as that discussed in the North Yorkshire Minerals & Waste Joint Plan Examination (“Hydraulic fracturing is the process of opening and/or extending existing narrow fractures or creating new ones (fractures are typically hairline in width) in gas or oil bearing rock, which allows gas to flow into wellbores to be captured.”)

- Minimum separation distance from homes and other sensitive sites.

- Minimum separation distance from former mine workings.

- Minimum separation distance from fault lines (and a requirement to make use of high resolution mapping, as recommended by Professor Peter Styles).

- The site boundary of the development to include in 3-D the full extent of any horizontal drilling.

- Maximum well-pad density.

- Financial guarantee.

- Protection of the Sherwood sandstone aquifer.

- Arrangements for adequate provision of water supply and disposal of toxic waste water.

- Measures to avoid unacceptable impacts of vibration and induced seismicity.

- Measures to avoid air pollution, including BTEX and radon.

- Measures to protect people working on site, for example from silica dust, radioactive water and gases, and emissions from compressors.

- A risk assessment to demonstrate that all reasonable scientific doubt that there is any risk of adverse impacts has been eliminated.

Legally No
compliant:
Sound: No
Comply with No

duty:**Appear exam:** Appearance at the examination**Attachments:** Nottingham Friends of the Earth representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327551/nottingham-friends-of-the-earth-11_10_2019_redacted.pdf

22

Object

Vision**Respondent:** Nottinghamshire Wildlife Trust (Janice Bradley) [1495]**Summary:**

The Vision is generally sound but needs further emphasis on the need for environmental sustainability of mineral working, in order to adequately reflect latest Government Policy as expressed in the 25 Year Environment Plan.

In addition, the use of "have regard to" is too weak to ensure a robust approach to the protection of environmental assets, as it is possible to have regard to a matter without either giving it due weight or acting upon it as an imperative.

Full text:

The Vision is generally sound but needs further emphasis on the need for environmental sustainability of mineral working, in order to adequately reflect latest Government Policy as expressed in the 25 Year Environment Plan.

In addition, the use of "have regard to" is too weak to ensure a robust approach to the protection of environmental assets, as it is possible to have regard to a matter without either giving it due weight or acting upon it as an imperative.

Change to plan:

Insert as follows:

2.30 "Over the plan period to 2036 minerals will continue to be used as efficiently as possible across Nottinghamshire. Minerals are a valuable natural resource and should be worked and used in an ENVIRONMENTALLY sustainable manner and where possible...."

"All mineral workings will contribute towards 'a greener Nottinghamshire' by ensuring that the County's diverse environmental assets are protected, maintained and enhanced through appropriate working, restoration and after-use and by ensuring that proposals TAKE RIGOROUS AND QUANTIFIABLE ACCOUNT OF Nottinghamshire's historic environment, townscape and landscape character, biodiversity, geodiversity, agricultural land quality and public rights of way...."

Legally No**compliant:****Sound:** No**Comply with** Yes**duty:****Appear exam:** Not specified**Attachments:** Nottinghamshire Wildlife Trust representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

108

Object

SP1: Minerals Provision**Respondent:** Nottinghamshire Wildlife Trust (Janice Bradley) [1495]**Summary:**

NWT do not consider this policy to be sound because of the inherent contradiction between the Plan-led approach whilst simultaneously making specific provision for development on non-allocated sites within Policy SP1. If the plan-making process has been robust and based on good data, then there should be no need for development on non-allocated sites. A robust plan review progress at fixed intervals may identify the need to bring new sites forward for further allocations in a proper manner, where the need has changed, in which case they can be compared to other potential sites in a rigorous way. It is not a rigorous process for a single operator's proposal to be brought forward at a particular point in time, and therefore not be subject to a proper comparative test against others prospective sites, including an SA.

Full text:

See attachments

Change to plan:

NWT therefore consider that bullet point SP1 c) should be deleted.

Legally Yes**compliant:****Sound:** No**Comply with** Yes**duty:****Appear exam:** Appearance at the examination**Attachments:** Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

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Object

SP2: Biodiversity- Led Restoration**Respondent:** Nottinghamshire Wildlife Trust (Janice Bradley) [1495]**Summary:**

NWT strongly support the biodiversity-led approach and we have worked closely with NCC to develop the principles, concepts and policy over several years, and have contributed substantively to the wording in the text and the site allocation briefs. We therefore support the inclusion of this policy in principle. Our concern, however, is that extra clarity is required that even excellent new habitat creation cannot replace existing high quality habitats, and would not reach a comparable quality even over several generations, and in some cases never. This is because the sources of propagules and colonising fauna for a new habitat are no longer available in many environments, so even the best new habitat creation cannot attract the diversity of fauna and flora that is present in a high value older habitat, and so this should not be used as a means to replace those existing habitats (and their associated species). In addition, it is extremely difficult to replicate the same edaphic conditions on which to establish the habitat, particularly using stored soils that have lost much of their microfauna. Without a specific statement to this effect, the policy is open to misinterpretation and therefore may not be sound. There is also a risk that by inadvertently appearing to support habitat creation over protection of existing BAP/Sn 41 habitats, this policy may be in breach of the NERC Biodiversity Duty.

In Nottinghamshire we have seen an example of exactly this, where an application has sought to claim that new habitats will replace existing high value designated habitats, so this is a real demonstrable risk, rather than a theoretical one.

Directly relevant is that para 3.49 describes the importance of the protection of habitats but then undermines this by the use of "as far as possible", which we do not consider to be a robust approach and can be used as a loophole for allowing unsustainable development and a further means to inadvertently undermine the excellent intent of the Policy. This is covered under a separate NWT representation form.

Full text:

See attachments

Change to plan:

Policy SP2 – Biodiversity-Led Restoration

1. Restoration schemes that seek to maximise biodiversity gains in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan will be supported, ADD: where they do not seek to justify the unacceptable loss of irreplaceable habitats, or habitats that cannot be reasonable replaced within a generation in terms of diversity and quality.

2. Where appropriate, schemes will be expected to demonstrate how restoration will contribute to the delivery of Water Framework Directive objectives.

3. Restoration schemes for allocated sites should be in line with the relevant Site Allocation Development Briefs contained within Appendix 2.

Legally compliant: No
Sound: No
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

107

Object

SP5: The Built, Historic and Natural Environment

Respondent: Nottinghamshire Wildlife Trust (Janice Bradley) [1495]

Summary:

Para 3.49-3.55

NWT strongly support the intent of this policy and the supporting text. Our concern, however, is that (as mentioned in our representation form for SP2), the wording of paragraph 3.49 needs strengthening by the removal of "as far as possible", which we do not consider to be a robust approach and can be used as a loophole for allowing unsustainable development and a therefore a means to inadvertently undermine the excellent intent of the Policy. Similarly we consider that, for the avoidance of doubt, there should be mention of the need to protect irreplaceable habitats also in this paragraph.

Without a specific statement to this effect, the policy is open to misinterpretation and therefore may not be sound. There is also a risk that by inadvertently appearing to support habitat creation over protection of existing BAP/Sn 41 habitats, this policy may be in breach of the NERC Biodiversity Duty .

The supporting text for the policy also omits mention of the possible impacts of air pollution on habitats. "Air" is listed as a topic in the Policy itself but does not appear to have supporting text. Mineral extraction has the potential to cause emissions that may be damaging to habitats (and their associated species) so this requires specific mention, in order to ensure that the policy can achieve its intent and therefore be considered sound.

Full text:

See attachments

Change to plan:

NWT therefore consider that for the avoidance of doubt, 3.49 should be amended as follows:

3.49. It is therefore important to ensure that new minerals development is correctly managed and that no adverse impacts occur to designated sites, or priority habitats and species, DELETE: 'as far as possible'. Policy DELETE 'SP3' SP2 promotes a biodiversity-led restoration approach which seeks to maximise the biodiversity gains resulting from the restoration of mineral sites, ADD: whilst protecting irreplaceable habitats and species.

In order to address the issue of air pollution, text is required that mentions relevant impacts, between paras 3.49-3.55, NWT would suggest:

"Mineral development can of result in emissions to air that can impact habitats. In particular, damage can be caused to habitats from NOx and other forms of Nitrogen that are derived from transport associated with mineral development, or from the use of generators and other plant. The impacts of nitrogen deposition on sensitive habitats are considered to be one of the greatest threats to habitats in Europe, which has been recognised in the designation of part of Nottinghamshire as a SNAP (Shared Nitrogen Action Plan) area by NE. All mineral development should therefore minimise emissions that cause air pollution and a robust assessment of the potential impacts of all forms of Nitrogen is required for all proposed mineral developments."

Legally compliant: No
Sound: No
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

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Object

MP1: Aggregate Provision

Respondent: Nottinghamshire Wildlife Trust (Janice Bradley) [1495]

Summary:

NWT do not consider this policy to be sound because of the inherent contradiction between the Plan-led approach whilst simultaneously making specific provision for development on non-allocated sites within Policy MP1. If the plan-making process has been robust and based on good data, then there should be no need for development on non-allocated sites. A robust plan review progress at fixed intervals may identify the need to bring new sites forward for further allocations in a proper manner, where the need has changed, in which case they can be compared to other potential sites in a rigorous way. It is not a rigorous process for a single operator's proposal to be brought forward at a particular point in time, and therefore not be subject to a proper comparative test against others prospective sites, including an SA.

By undermining the plan-led approach, it is possible that this policy could inadvertently breach the requirements of the NPPF and so may not be legally compliant.

Full text:

See attachments

Change to plan:

NWT therefore consider that for the avoidance of doubt, and to ensure soundness, bullet point 3 should be removed from Policy MP1

Legally compliant: No
Sound: No
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

90

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Nottinghamshire Wildlife Trust (Janice Bradley) [1495]

Summary:

NWT recognise the need to allocate sufficient land for future mineral needs, subject to accurate data and a regular review of actual sales and needs against predictions. NWT object strongly, however, to the allocation of a new site at Mill Hill nr Barton in Fabis. We believe that this allocation renders this area of the Plan unsound because it is fundamentally flawed, for the following reasons:

The proposed allocation would destroy all or part of 5 LWS, would indirectly damage a further 4 LWS which are in very close proximity and cause indirect damaging effects on 2 adjacent SSSI, a designated Ancient Woodland and a large area of BAP/Sn 41 priority habitat. This site is also known to host a significant number of protected species whose populations would be reduced or lost as a result of the scheme, as would several BAP/Sn 41 species. Allocating a site of such high existing biodiversity is therefore not compliant with

Policies S01 and SP5 and so is unsound. It is possible that such an allocation also breaches the MPA's Biodiversity Duty under the NERC Act and so may not be legally compliant.

This proposed site scored worse in the SA (-13 and -3) than nearly all other sites that were assessed, and has been allocated whilst other sites that did not score as badly have not. This fundamentally undermines the aims of SA as an independent tool for choosing between sites, and so also undermines the soundness of this Plan, particularly the stated intent to achieve sustainable development. The descriptive text for the environmental impacts predicted for this proposed site in the SA is clear in stating that there would both short and long term negative impacts on biodiversity and landscape (as well as other factors outside the remit of NWT). Indeed it makes clear that there would be a net loss of biodiversity if this site were to proceed.

It is also notable that in the Assessment of Multiple Environmental Sensitivities report, this proposed allocation has been assessed as being red – ie. a scheme would adversely impact several environmental assets.

The text is also inaccurate in stating that the quarry is predicted to start in 2019, this is not the case, as the applicant (having submitted a presumptive application in the absence of an allocation) has so far failed to produce adequate information to inform a proper determination by the MPA.

Full text:

See attachments

Change to plan:

NWT therefore consider that the Mill Hill nr Barton in Fabis allocation should be removed from Policy MP2.

Legally compliant: No
Sound: No
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

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Object

MP3d: Bestwood 2 North

Respondent: Nottinghamshire Wildlife Trust (Janice Bradley) [1495]

Summary:

NWT recognise the need to allocate sufficient land for future mineral needs, subject to accurate data and a regular review of actual sales and needs against predictions. NWT object strongly, however, to the allocation of MP3d Bestwood 2 North. We believe that this allocation renders this area of the Plan unsound because it is fundamentally flawed, for the following reasons:

The proposed allocation is entirely located within a LWS which would be destroyed as a result of extraction. The proposed site also lies with the ppSPA buffer zone and between two parts of the Sherwood Forest Important Bird Area, upon which any future Special Protection Area (SPA) designation may be based. Allocating a designated LWS is not compliant with Policies S01 and SP5 and so is unsound. It is possible that such an allocation also breaches the MPA's Biodiversity Duty under the NERC Act and so may not be legally compliant.

This proposed site scored poorly in the SA (-9 and -2) compared to several other sites that were assessed, and has been allocated whilst other sites that did not score as badly have not (eg. Coddington at -7, -2). This fundamentally undermines the aims of SA as an independent tool for choosing between sites, and so also undermines the soundness of this Plan, particularly the stated intent to achieve sustainable development. The descriptive text for the environmental impacts predicted for this proposed site in the SA is clear in stating that there would be short term "very negative" impacts on biodiversity and also on landscape when considered with Greenbelt impacts (as well as other factors outside the remit of NWT). Indeed there could be a net loss of biodiversity if this site were to proceed, as it is unlikely that new habitats created through restoration would be of a higher biodiversity value than those that currently exist, and there would be further indirect impacts on the habitats and species of the remainder of the LWS as a result of extraction operations.

Full text:

See attachments

Change to plan:

NWT therefore consider that the Bestwood 2 North (MP3d) allocation should be removed from Policy MP3.

Legally compliant: No
Sound: No
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

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Object

MP6: Brick Clay Provision

Respondent: Nottinghamshire Wildlife Trust (Janice Bradley) [1495]

Summary:

NWT do not consider this policy to be sound because of the inherent contradiction between the Plan-led approach whilst simultaneously making specific provision for development on non-allocated sites within Policy MP6. If the plan-making process has been robust and based on good data, then there should be no need for development on non-allocated sites. A robust plan review progress at fixed intervals may identify the need to bring new sites forward for further allocations in a proper manner, where the need has changed, in which case they can be compared to other potential sites in a rigorous way. It is not a rigorous process for a single operator's proposal to be brought forward at a particular point in time, and therefore not be subject to a proper comparative test against others prospective sites, including an SA.

By undermining the plan-led approach, it is possible that this policy could inadvertently breach the requirements of the NPPF and so may not be legally compliant.

Full text:

See attachments

Change to plan:

NWT therefore consider that for the avoidance of doubt, and to ensure soundness, bullet point 2 should be removed from Policy MP6.

Legally compliant: No
Sound: No
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

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Object

MP7: Gypsum Provision

Respondent: Nottinghamshire Wildlife Trust (Janice Bradley) [1495]

Summary:

NWT do not consider this policy to be sound because of the inherent contradiction between the Plan-led approach whilst simultaneously making specific provision for development on non-allocated sites within Policy MP7. If the plan-making process has been robust and based on good data, then there should be no need for development on non-allocated sites. A robust plan review progress at fixed intervals may identify the need to bring new sites forward for further allocations in a proper manner, where the need has changed, in which case

they can be compared to other potential sites in a rigorous way. It is not a rigorous process for a single operator's proposal to be brought forward at a particular point in time, and therefore not be subject to a proper comparative test against others prospective sites, including an SA.

By undermining the plan-led approach, it is possible that this policy could inadvertently breach the requirements of the NPPF and so may not be legally compliant.

In addition, NWT object to this Policy because we do not agree MP7c Bantycok Quarry South should be allocated as currently shown on the Plan, as the proposed site boundary includes an LWS and another lies immediately adjacent, which could be subject to damaging indirect impacts. This is recognised in the SA and is a significant reason for the -7, -1 score. Were the LWS to be removed from the proposed site allocation and the boundary moved further away from the adjacent LWS, then NWT could support this allocation.

Full text:

See attachments

Change to plan:

NWT therefore consider that for the avoidance of doubt, and to ensure soundness, bullet point 2 should be removed from Policy MP7.

In addition, the proposed site allocation boundary for Bantycok South should be amended to exclude the LWS, which would ensure the allocation is compliant with the NPPF and the NERC Act and thus also improve its SA score and make the allocation more defensible.

Legally compliant: No
Sound: No
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

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Object

MP8: Silica Sand Provision

Respondent: Nottinghamshire Wildlife Trust (Janice Bradley) [1495]

Summary:

NWT do not consider this policy to be sound because of the inherent contradiction between the Plan-led approach whilst simultaneously making specific provision for potential development on non-allocated sites within Policy MP8. If the plan-making process has been robust and based on good data, then there should be no need for development on non-allocated sites. A robust plan review progress at fixed intervals may identify the need to bring new sites forward for further allocations in a proper manner, where the need has changed, in which case they can be compared to other potential sites in a rigorous way. It is not a rigorous process for a single operator's proposal to be brought forward at a particular point in time, and therefore not be subject to a proper comparative test against others prospective sites, including an SA. Given the predicted life for Two Oaks Farm Quarry is 40 years, well beyond the recommended 10 year land bank for this resource, the inclusion of bullet point 2 is unnecessary and incongruous.

By undermining the plan-led approach, it is possible that this policy could inadvertently breach the requirements of the NPPF and so may not be legally compliant.

Full text:

See attachments

Change to plan:

NWT therefore consider that for the avoidance of doubt, and to ensure soundness, bullet point 2 should be removed from Policy MP8.

Legally compliant: No
Sound: No
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

100

Object

MP11: Coal

Respondent: Nottinghamshire Wildlife Trust (Janice Bradley) [1495]

Summary:

NWT do not consider this policy to be sound because it lags behind the national recognition of the climate emergency and the need to reduce the use of fossil fuels, the policy of allowing further coal extraction where need can be demonstrated is inconsistent with the Government's most recent target to reduce climate changing gas emissions by 2050 to 100% below 1990 levels as stated in The Climate Change Act 2008 (2050 Target Amendment) Order 2019. This Plan period encompasses the 4th and 5th Carbon Budget periods, with Government targets for cuts in CO2 emissions of 51% by 2025 and 57% by 2030, so there should be no new coal extraction from the County in the MLP in order to make Nottinghamshire's contribution to meeting those targets

Full text:

See attachments

Change to plan:

NWT consider that the MPA should clearly state that the future extraction of coal in Nottinghamshire is inconsistent with both Government policy and law with regard to carbon targets The Climate Change Act 2008 (2050 Target Amendment) Order 2019.

Legally compliant: No
Sound: No
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

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Object

MP12: Oil and Gas

Respondent: Nottinghamshire Wildlife Trust (Janice Bradley) [1495]

Summary:

NWT do not consider this policy to be sound because it lags behind the national recognition of the climate emergency and the need to reduce the use of fossil fuels. The policy should commit to a reduction in output of oil and gas over the plan period in order to be consistent with the Government's most recent target to reduce climate changing gas emissions by 2050 to 100% below 1990 levels as stated in The Climate Change Act 2008 (2050 Target Amendment) Order 2019. This Plan period encompasses the 4th and 5th Carbon Budget periods, with Government targets for cuts in CO2 emissions of 51% by 2025 and 57% by 2030, so there should be a reduction in oil and gas extraction from the County in the MLP in order to make Nottinghamshire's contribution to meeting those targets

In addition NWT object in principle to the premise of developing unconventional hydrocarbon resources, both for climate change reasons but specifically also where the short term and long term impacts are poorly understood in relation to Nottinghamshire's heavily fractured sandstone geology and aquifer.

Full text:

See attachments

Change to plan:

NWT consider that the MPA should clearly state that future extraction of oil and gas in Nottinghamshire in this Plan period should reduce, in order to be consistent with both Government policy and law with regard to carbon targets The Climate Change Act 2008 (2050 Target Amendment) Order 2019. There should also be a specific presumption against developing the unconventional hydrocarbon resource in the County.

Legally No
compliant:
Sound: No
Comply with Yes
duty:

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

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Object

DM4: Protection and enhancement of Biodiversity and Geodiversity

Respondent: Nottinghamshire Wildlife Trust (Janice Bradley) [1495]

Summary:

NWT strongly support the intent of this policy and the supporting text. Our concern, however, is that to remain sound when applied in real world situations, the wording of policy requires strengthening by the removal of references to unspecified reasons for why the need for a development might outweigh the biodiversity impacts. Experience in Nottinghamshire has demonstrated that it is difficult to quantify the value of different factors, such as the need for a common mineral versus the value of an irreplaceable habitat, and that this causes problems at a development management level, which can result in decisions that are contrary to policy. It is necessary therefore that either these references (which can be used as loopholes to evade the excellent intent of the policy) should be removed, or a robust framework for how that value is quantified and weighted should be agreed in order to ensure robust development management decisions.

It also essential that this policy reflects the Government's imperative to achieve net biodiversity gain in order to be complaint with the 25YEP and emerging Government policy.

Without these amendments, the policy is open to misinterpretation and therefore may not be sound. There is also a risk that the loopholes may inadvertently result in breaching the MPA's responsibilities under the NERC Biodiversity Duty.

Full text:

See attachments

Change to plan:

NWT therefore consider that for the avoidance of doubt, DM4 should be amended as follows:

DELETE: "b) ...except where the benefits of the development clearly outweigh the importance of the site and where no suitable alternative exists;

c) They are not likely to give rise to the loss or deterioration of Local Sites

(Local Wildlife Sites or Local Geological Sites) DELETE: except where the need for and benefits of the development in that location outweigh the impacts;

d) They would not result in the loss of populations of a priority species or areas of priority habitat. Development that would result in the loss or deterioration of irreplaceable habitats ADD: will be refused. DELETE: only be permitted where there are wholly exceptional reasons and a suitable compensation strategy exists.

5.56. Where compensation is required, this should ensure that ADD: net biodiversity gain is achieved DELETE: there is no net loss of habitat, ADD: including the need to provide like for like replacements of habitat (recognising that newly created habitats may take many years to reach the quality and diversity of established habitats), ADD: a greater priority Sn41 habitat resource overall, and also make up for any lost connections between habitats.

Where significant impacts on species are predicted, compensation schemes should also provide overall habitat improvements, in terms of quality or area, in comparison to the habitat that is being lost. Use of the DEFRA Biodiversity Metric may be helpful in undertaking assessments to determine the compensatory habitat required.

Legally Yes
compliant:
Sound: No
Comply with Yes
duty:

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

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Object

DM12: Restoration, aftercare and after-use

Respondent: Nottinghamshire Wildlife Trust (Janice Bradley) [1495]

Summary:

Para 5.135-5.136

NWT strongly support the intent of this policy and the supporting text and have worked very closely with NCC for several years to develop this biodiversity-led plan. NWT also strongly welcome the explicit recognition in this paragraph that habitat restoration will require extended aftercare periods, if the benefits for biodiversity (which are assumed in determining the applications) are to be achieved. Our concern, however, is that to remain sound when applied in real world situations, the wording of the supporting text requires strengthening by explicit reference to the need for habitat management to be properly funded for the extended aftercare period by the Operator, and that this must be agreed prior to determination.

Without this amendment, the policy is open to misinterpretation and therefore may not be sound. There is also a risk that the loopholes may inadvertently result in breaching the MPA's responsibilities under the NERC Biodiversity Duty, because if an assessment of the impacts of the proposed scheme is made which assumes benefits from long term high, quality habitats being created, then they must indeed be created and managed for at least 20 years to be effective.

Full text:

See attachments

Change to plan:

5.135. Different after-uses may require different periods of aftercare. The statutory aftercare period is 5 years or such other maximum period as may be prescribed and some uses such as nature conservation may benefit from an aftercare period of up to 20 years or more, whilst agriculture may only need a 5 year aftercare period. DELETE: 'Where possible and where appropriate, voluntary' Extended aftercare periods will be negotiated for those uses that would benefit from such longer periods and will be secured by condition.

5.136. It is important that management responsibilities are identified and agreed between the developer and those taking on the aftercare of the site to ensure that the proposed after-use can and will be delivered. Developers will be DELETE: 'encouraged to' enter into planning agreements to ensure that the appropriate aftercare provisions remain in effect for the required aftercare period ADD: and that they are adequately funded

Legally Yes
compliant:
Sound: No
Comply with Yes
duty:

Appear exam: Appearance at the examination

Attachments: Nottinghamshire Wildlife Trust representations 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327552/notts-wildlife-trust-11_10_2019_redacted.pdf

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Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Simon Orme [8773]

Summary:

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise
Impact on the natural environment, visual, nature designations, green belt.

Full text:

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise
Impact on the natural environment, visual, nature designations, green belt.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

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Object

S01: Improving the sustainability of minerals development

Respondent: Mr Richard Osborn [3299]

Summary:

'S01: Improving the sustainability of minerals development' is UNSOUND and UNJUSTIFIED

The council seems to have taken no consideration of the actual pattern of demand for sand and gravel in it's "spatial pattern of mineral development" i.e. the geographical spread of sites. It seems to have just put pins in a map to decide where to source sand and gravel. The concept of a 'geographical spread of sites' makes no sense and, instead sites should be chosen on their merits. It would be like choosing Councillors base on their geographical spread around the county, rather than the skills they can offer.

It seems the justification for the geographical spread suggested by the Council hinges, falsely, on reducing the distance sand and gravel has to travel once extracted. Although travel distance can be a factor in reducing environmental impact, so does the impact on communities and destruction of the natural environment have to be taken in to consideration. Plus, the concern of transportation by lorry could be completely negated by transporting by barge - as put forward by the Council's plan itself. However the only site with barge access for the removal of sand and gravel, Shelford, seems to have been removed for, as yet, unknown reasons?

Full text:

I believe that (for the reasons outlined below);

The Minerals Local Plan is UNSOUND and UNJUSTIFIED and should be withdrawn in its current form.

I also believe that (for the reasons outlined below);

The Strategic Objective S01 is UNSOUND and UNJUSTIFIED.

Further, I believe that (for the reasons outlined below);

The allocation of site MP2p at Mill Hill near Barton-in-Fabis (under the MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED and should be removed.

Finally, I believe that (for the reasons outlined below);

The County Council has FAILED to conform to its own Statement of Community Involvement.

I will now cover each of these statements in detail;

'S01: Improving the sustainability of minerals development' is UNSOUND and UNJUSTIFIED

The council seems to have taken no consideration of the actual pattern of demand for sand and gravel in it's "spatial pattern of mineral development" i.e. the geographical spread of sites. It seems to have just put pins in a map to decide where to source sand and gravel. The concept of a 'geographical spread of sites' makes no sense and, instead sites should be chosen on their merits. It would be like choosing Councillors base on their geographical spread around the county, rather than the skills they can offer.

It seems the justification for the geographical spread suggested by the Council hinges, falsely, on reducing the distance sand and gravel has to travel once extracted. Although travel distance can be a factor in reducing environmental impact, so does the impact on communities and destruction of the natural environment have to be taken in to consideration. Plus, the concern of transportation by lorry could be completely negated by transporting by barge - as put forward by the Council's plan itself. However the only site with barge access for the removal of sand and gravel, Shelford, seems to have been removed for, as yet, unknown reasons?

For these reasons, the Strategic Objective S01 is UNSOUND and UNJUSTIFIED

MP2: Sand and Gravel Provision is UNSOUND and UNJUSTIFIED

As mentioned above, for unknown and unsound reasons, the Shelford site has been removed from the Mineral Local Plan in this latest version. I find this particularly odd as, in the County Council's own words (in SP4), "maximum use of sustainable forms of transport, including barge" should be used. Shelford is the only site that had barge access and therefore, should have been top of the list of potential sites.

It appears that the justification for the removal of Shelford from the list of potential sites seems to be that (and I can't believe I am writing this) it is too large!! How can a yet to be developed site be too large? It would be like saying that a birthday cake is too large to eat! You just take a slice. And if you need more, you take another slice. This obvious solution should be the approach with Shelford. Start with a small excavation and, if more sand and gravel is required, increase the size of the excavation. Not only is the removal of Shelford because it is too large UNSOUND and UNJUSTIFIED, it is actually nonsensical! Who is making these decisions at the County Council? How can an, as yet undeveloped, proposed site be too large? I would like someone at the Council to explain this concept to me please.

Also, from the Council's own figures in the report, the site that has been included, Mill Hill near Barton-in-Fabis, would be the most environmentally damaging during the operational phase and the 3rd worst during the long term. How can a site that has this much potential environmental damage be chosen over a site (Shelford) that has the more environmentally friendly barge access available? Again, I would like to know who is making these flawed decisions and on what basis they are making them?

For these reasons, the allocation of site MP2p is UNSOUND and UNJUSTIFIED

Statement of Community Involvement

The County Council has also failed to comply with para 3.14 / 3.15 of it's Statement of Community Involvement. No attempt has been made to engage with the communities in Nottingham City, Clifton and Clifton Village. These areas directly border the proposed site at Mill Hill near Barton-in-Fabis and any potential excavation works will greatly impact these areas in terms of noise, dust and increased traffic.

The scant information that has been available has been difficult to access. Lark Hill Retirement Village, which directly neighbours the proposed site at Mill Hill have not been approached directly. Many of it's residents have accessibility issues and, from a moral and ethical perspective, it would seem only a matter of courtesy to inform them personally of the proposal, with a presentation at their location, for example. The fact that a potentially huge excavation site, creating large amounts of dust that, due to the prevailing wind direction, will be blowing directly in to their area is something they would need to know about. Especially as Lark Hill Retirement Village is more likely to have residents with compromised lung function, causing potential breathing problems for those residents.

I also understand that the Council received over 1,000 responses (objections) to the Draft Minerals Local Plan (mine was one of those) and yet the Council has seemingly chosen to ignore those due to their number. The Council cannot ignore the voices of the people just because there are many voices. To the contrary, it should take note of these voices and follow the will of the people. After all, the Council is an elected body, democracy should be at it's very core, not ignoring the comments made by so many.

For these reasons, The County Council has FAILED to conform to its own Statement of Community Involvement.

I know you will have a lot of response to this consultation but as I have taken the, quite considerable, time to research and write this response, I would appreciate it if someone from the Council would be courteous enough to answer the questions I have raised above. It is, after all, your responsibility to inform and educate your residents.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

87

Object

S05: Minimising impacts on communities

Respondent: Mr Richard Osborn [3299]

Summary:

The County Council has also failed to comply with para 3.14 / 3.15 of its Statement of Community Involvement. No attempt has been made to engage with the communities in Nottingham City, Clifton and Clifton Village. These areas directly border the proposed site at Mill Hill near Barton-in-Fabis and any potential excavation works will greatly impact these areas in terms of noise, dust and increased traffic.

The scant information that has been available has been difficult to access. Lark Hill Retirement Village, which directly neighbours the proposed site at Mill Hill have not been approached directly. Many of its residents have accessibility issues and, from a moral and ethical perspective, it would seem only a matter of courtesy to inform them personally of the proposal, with a presentation at their location, for example. The fact that a potentially huge excavation site, creating large amounts of dust that, due to the prevailing wind direction, will be blowing directly in to their area is something they would need to know about. Especially as Lark Hill Retirement Village is more likely to have residents with compromised lung function, causing potential breathing problems for those residents.

I also understand that the Council received over 1,000 responses (objections) to the Draft Minerals Local Plan (mine was one of those) and yet the Council has seemingly chosen to ignore those due to their number. The Council cannot ignore the voices of the people just because there are many voices. To the contrary, it should take note of these voices and follow the will of the people. After all, the Council is an elected body, democracy should be at its very core, not ignoring the comments made by so many.

For these reasons, The County Council has FAILED to conform to its own Statement of Community Involvement.

I know you will have a lot of response to this consultation but as I have taken the, quite considerable, time to research and write this response, I would appreciate it if someone from the Council would be courteous enough to answer the questions I have raised above. It is, after all, your responsibility to inform and educate your residents.

Full text:

I believe that (for the reasons outlined below);
The Minerals Local Plan is UNSOUND and UNJUSTIFIED and should be withdrawn in its current form.

I also believe that (for the reasons outlined below);
The Strategic Objective SO1 is UNSOUND and UNJUSTIFIED.

Further, I believe that (for the reasons outlined below);
The allocation of site MP2p at Mill Hill near Barton-in-Fabis (under the MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED and should be removed.

Finally, I believe that (for the reasons outlined below);
The County Council has FAILED to conform to its own Statement of Community Involvement.

I will now cover each of these statements in detail;
'SO1: Improving the sustainability of minerals development' is UNSOUND and UNJUSTIFIED

The council seems to have taken no consideration of the actual pattern of demand for sand and gravel in its "spatial pattern of mineral development" i.e. the geographical spread of sites. It seems to have just put pins in a map to decide where to source sand and gravel. The concept of a 'geographical spread of sites' makes no sense and, instead sites should be chosen on their merits. It would be like choosing Councillors base on their geographical spread around the county, rather than the skills they can offer.

It seems the justification for the geographical spread suggested by the Council hinges, falsely, on reducing the distance sand and gravel has to travel once extracted. Although travel distance can be a factor in reducing environmental impact, so does the impact on communities and destruction of the natural environment have to be taken in to consideration. Plus, the concern of transportation by lorry could be completely negated by transporting by barge - as put forward by the Council's plan itself. However the only site with barge access for the removal of sand and gravel, Shelford, seems to have been removed for, as yet, unknown reasons?

For these reasons, the Strategic Objective SO1 is UNSOUND and UNJUSTIFIED

MP2: Sand and Gravel Provision is UNSOUND and UNJUSTIFIED

As mentioned above, for unknown and unsound reasons, the Shelford site has been removed from the Mineral Local Plan in this latest version. I find this particularly odd as, in the County Council's own words (in SP4), "maximum use of sustainable forms of transport, including barge" should be used. Shelford is the only site that had barge access and therefore, should have been top of the list of potential sites.

It appears that the justification for the removal of Shelford from the list of potential sites seems to be that (and I can't believe I am writing this) it is too large!! How can a yet to be developed site be too large? It would be like saying that a birthday cake is too large to eat! You just take a slice. And if you need more, you take another slice. This obvious solution should be the approach with Shelford. Start with a small excavation and, if more sand and gravel is required, increase the size of the excavation. Not only is the removal of Shelford because it is too large UNSOUND and UNJUSTIFIED, it is actually nonsensical! Who is making these decisions at the County Council? How can an, as yet undeveloped, proposed site be too large? I would like someone at the Council to explain this concept to me please.

Also, from the Council's own figures in the report, the site that has been included, Mill Hill near Barton-in-Fabis, would be the most environmentally damaging during the operational phase and the 3rd worst during the long term. How can a site that has this much potential environmental damage be chosen over a site (Shelford) that has the more environmentally friendly barge access available? Again, I would like to know who is making these flawed decisions and on what basis they are making them?

For these reasons, the allocation of site MP2p is UNSOUND and UNJUSTIFIED

Statement of Community Involvement

The County Council has also failed to comply with para 3.14 / 3.15 of its Statement of Community Involvement. No attempt has been made to engage with the communities in Nottingham City, Clifton and Clifton Village. These areas directly border the proposed site at Mill Hill near Barton-in-Fabis and any potential excavation works will greatly impact these areas in terms of noise, dust and increased traffic.

The scant information that has been available has been difficult to access. Lark Hill Retirement Village, which directly neighbours the proposed site at Mill Hill have not been approached directly. Many of its residents have accessibility issues and, from a moral and ethical perspective, it would seem only a matter of courtesy to inform them personally of the proposal, with a presentation at their location, for example. The fact that a potentially huge excavation site, creating large amounts of dust that, due to the prevailing wind direction, will be blowing directly in to their area is something they would need to know about. Especially as Lark Hill Retirement Village is more likely to have residents with compromised lung function, causing potential breathing problems for those residents.

I also understand that the Council received over 1,000 responses (objections) to the Draft Minerals Local Plan (mine was one of those) and yet the Council has seemingly chosen to ignore those due to their number. The Council cannot ignore the voices of the people just because there are many voices. To the contrary, it should take note of these voices and follow the will of the people. After all, the Council is an elected body, democracy should be at its very core, not ignoring the comments made by so many.

For these reasons, The County Council has FAILED to conform to its own Statement of Community Involvement.

I know you will have a lot of response to this consultation but as I have taken the, quite considerable, time to research and write this response, I would appreciate it if someone from the Council would be courteous enough to answer the questions I have raised above. It is, after all, your responsibility to inform and educate your residents.

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

85

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mr Richard Osborn [3299]

Summary:

MP2: Sand and Gravel Provision is UNSOUND and UNJUSTIFIED

As mentioned above, for unknown and unsound reasons, the Shelford site has been removed from the Mineral Local Plan in this latest version. I find this particularly odd as, in the County Council's own words (in SP4), "maximum use of sustainable forms of transport, including barge" should be used. Shelford is the only site that had barge access and therefore, should have been top of the list of potential sites.

It appears that the justification for the removal of Shelford from the list of potential sites seems to be that (and I can't believe I am writing this) it is too large!! How can a yet to be developed site be too large? It would be like saying that a birthday cake is too large to eat! You just take a slice. And if you need more, you take another slice. This obvious solution should be the approach with Shelford. Start with a small excavation and, if more sand and gravel is required, increase the size of the excavation. Not only is the removal of Shelford because it is too large UNSOUND and UNJUSTIFIED, it is actually nonsensical! Who is making these decisions at the County Council? How can an, as yet undeveloped, proposed site be too large? I would like someone at the Council to explain this concept to me please.

Also, from the Council's own figures in the report, the site that has been included, Mill Hill near Barton-in-Fabis, would be the most environmentally damaging during the operational phase and the 3rd worst during the long term. How can a site that has this much potential environmental damage be chosen over a site (Shelford) that has the more environmentally friendly barge access available? Again, I would like to know who is making these flawed decisions and on what basis they are making them?

For these reasons, the allocation of site MP2p is UNSOUND and UNJUSTIFIED

Full text:

I believe that (for the reasons outlined below);
The Minerals Local Plan is UNSOUND and UNJUSTIFIED and should be withdrawn in its current form.

I also believe that (for the reasons outlined below);
The Strategic Objective SO1 is UNSOUND and UNJUSTIFIED.

Further, I believe that (for the reasons outlined below);

The allocation of site MP2p at Mill Hill near Barton-in-Fabis (under the MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED and should be removed.

Finally, I believe that (for the reasons outlined below);

The County Council has FAILED to conform to its own Statement of Community Involvement.

I will now cover each of these statements in detail;

'SO1: Improving the sustainability of minerals development' is UNSOUND and UNJUSTIFIED

The council seems to have taken no consideration of the actual pattern of demand for sand and gravel in its "spatial pattern of mineral development" i.e. the geographical spread of sites. It seems to have just put pins in a map to decide where to source sand and gravel. The concept of a 'geographical spread of sites' makes no sense and, instead sites should be chosen on their merits. It would be like choosing Councillors base on their geographical spread around the county, rather than the skills they can offer.

It seems the justification for the geographical spread suggested by the Council hinges, falsely, on reducing the distance sand and gravel has to travel once extracted. Although travel distance can be a factor in reducing environmental impact, so does the impact on communities and destruction of the natural environment have to be taken in to consideration. Plus, the concern of transportation by lorry could be completely negated by transporting by barge - as put forward by the Council's plan itself. However the only site with barge access for the removal of sand and gravel, Shelford, seems to have been removed for, as yet, unknown reasons?

For these reasons, the Strategic Objective SO1 is UNSOUND and UNJUSTIFIED

MP2: Sand and Gravel Provision is UNSOUND and UNJUSTIFIED

As mentioned above, for unknown and unsound reasons, the Shelford site has been removed from the Mineral Local Plan in this latest version. I find this particularly odd as, in the County Council's own words (in SP4), "maximum use of sustainable forms of transport, including barge" should be used. Shelford is the only site that had barge access and therefore, should have been top of the list of potential sites.

It appears that the justification for the removal of Shelford from the list of potential sites seems to be that (and I can't believe I am writing this) it is too large!! How can a yet to be developed site be too large? It would be like saying that a birthday cake is too large to eat! You just take a slice. And if you need more, you take another slice. This obvious solution should be the approach with Shelford. Start with a small excavation and, if more sand and gravel is required, increase the size of the excavation. Not only is the removal of Shelford because it is too large UNSOUND and UNJUSTIFIED, it is actually nonsensical! Who is making these decisions at the County Council? How can an, as yet undeveloped, proposed site be too large? I would like someone at the Council to explain this concept to me please.

Also, from the Council's own figures in the report, the site that has been included, Mill Hill near Barton-in-Fabis, would be the most environmentally damaging during the operational phase and the 3rd worst during the long term. How can a site that has this much potential environmental damage be chosen over a site (Shelford) that has the more environmentally friendly barge access available? Again, I would like to know who is making these flawed decisions and on what basis they are making them?

For these reasons, the allocation of site MP2p is UNSOUND and UNJUSTIFIED

Statement of Community Involvement

The County Council has also failed to comply with para 3.14 / 3.15 of its Statement of Community Involvement. No attempt has been made to engage with the communities in Nottingham City, Clifton and Clifton Village. These areas directly border the proposed site at Mill Hill near Barton-in-Fabis and any potential excavation works will greatly impact these areas in terms of noise, dust and increased traffic.

The scant information that has been available has been difficult to access. Lark Hill Retirement Village, which directly neighbours the proposed site at Mill Hill have not been approached directly. Many of its residents have accessibility issues and, from a moral and ethical perspective, it would seem only a matter of courtesy to inform them personally of the proposal, with a presentation at their location, for example. The fact that a potentially huge excavation site, creating large amounts of dust that, due to the prevailing wind direction, will be blowing directly in to their area is something they would need to know about. Especially as Lark Hill Retirement Village is more likely to have residents with compromised lung function, causing potential breathing problems for those residents.

I also understand that the Council received over 1,000 responses (objections) to the Draft Minerals Local Plan (mine was one of those) and yet the Council has seemingly chosen to ignore those due to their number. The Council cannot ignore the voices of the people just because there are many voices. To the contrary, it should take note of these voices and follow the will of the people. After all, the Council is an elected body, democracy should be at its very core, not ignoring the comments made by so many.

For these reasons, The County Council has FAILED to conform to its own Statement of Community Involvement.

I know you will have a lot of response to this consultation but as I have taken the, quite considerable, time to research and write this response, I would appreciate it if someone from the Council would be courteous enough to answer the questions I have raised above. It is, after all, your responsibility to inform and educate your residents.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

113

Object

SO1: Improving the sustainability of minerals development

Respondent: Mrs C E Parker [9165]

Summary:

a) Strategic Objective SO1 is Unsound and UNJUSTIFIED:

"SO1: Improving the sustainability of minerals development, is UNSOUND and UNJUSTIFIED

The County Council has completely failed to undertake any fruitful and meaningful analysis of the pattern of demand for both sand and gravel across the market areas to actually justify the proposed "spatial pattern of mineral development" or geographical spread of sites.

In the actual allocation of sites they should be judged completely on their own merits and take into account of all the factors including their impact on communities and the natural environment not just how far minerals are transported.

Full text:

I am writing to express my issues with The Minerals Local Plan because it is UNSOUND AND UNJUSTIFIED and should be withdrawn in its current form.

Reasons I believe for this are as follows:

a) Strategic Objective SO1 is Unsound and UNJUSTIFIED:

"SO1: Improving the sustainability of minerals development, is UNSOUND and UNJUSTIFIED

The County Council has completely failed to undertake any fruitful and meaningful analysis of the pattern of demand for both sand and gravel across the market areas to actually justify the proposed "spatial pattern of mineral development" or geographical spread of sites.

In the actual allocation of sites they should be judged completely on their own merits and take into account of all the factors including their impact on communities and the natural environment not just how far minerals are transported.

b) The allocation of site MP2p at Mill Hill near Barton in Fabis (under the MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED

"MP2: SAND AND Gravel Provision" is UNSOUND AND UNJUSTIFIED

The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan are unsound and justified.

Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide more sustainable pattern (both economically and environmentally) of transport for these goods.

The County Council has failed to identify and allocate any sites which utilises more sustainable forms of transport in line with SP4 "maximise the use of sustainable forms of transport including barge"

The Mill Hill site near Barton in Fabis is both less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal.

There has been NO evidence issued or presented to justify that the assertion of the Shelford site is too large and would lead to "provision (being) limited in other parts of the County's supply.

c) The Count Council has failed to conform to its own Statement of Community Involvement.

Statement of Community Involvement

The County Council has failed in its obligation to comply with para 3.14/ 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to all local communities.

Discrimination against residents, including those at the nearby Lark Hill Retirement Village, living close to the proposed quarry but unable to access some information boards located at Clifton Library due to restricted mobility they have.

There has been absolutely no attempt to engage directly with communities in the Nottingham City, Clifton, Clifton Village, Lark Hill Retirement Village, Toton, Chilwell, Beeston directly impacted by the proposals but outside the County Council area.

There is also no meaningful response to strategic issues raised in over 1,000 responses from local people to the Draft Mineral Local Plan.

The issues are the same for everyone affected by the Draft Mineral Local Plan which is why there are common statements by all those whom object.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

115

Object

S05: Minimising impacts on communities

Respondent: Mrs C E Parker [9165]

Summary:

c) The Count Council has failed to conform to its own Statement of Community Involvement.

Statement of Community Involvement

The County Council has failed in its obligation to comply with para 3.14/ 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to all local communities.

Discrimination against residents, including those at the nearby Lark Hill Retirement Village, living close to the proposed quarry but unable to access some information boards located at Clifton Library due to restricted mobility they have.

There has been absolutely no attempt to engage directly with communities in the Nottingham City, Clifton, Clifton Village, Lark Hill Retirement Village, Toton, Chilwell, Beeston directly impacted by the proposals but outside the County Council area.

There is also no meaningful response to strategic issues raised in over 1,000 responses from local people to the Draft Mineral Local Plan.

The issues are the same for everyone affected by the Draft Mineral Local Plan which is why there are common statements by all those whom object.

Full text:

I am writing to express my issues with The Minerals Local Plan because it is UNSOUND AND UNJUSTIFIED and should be withdrawn its current form.

Reasons I believe for this are as follows:

a) Strategic Objective SO1 is Unsound and UNJUSTIFIED:

"SO1: Improving the sustainability of minerals development, is UNSOUND and UNJUSTIFIED

The County Council has completely failed to undertake any fruitful and meaningful analysis of the pattern of demand for both sand and gravel across the market areas to actually justify the proposed "spatial pattern of mineral development" or geographical spread of sites.

In the actual allocation of sites they should be judged completely on their own merits and take into account of all the factors including their impact on communities and the natural environment not just how far minerals are transported.

b) The allocation of site MP2p at Mill Hill near Barton in Fabis (under the MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED

"MP2: SAND AND Gravel Provision" is UNSOUND AND UNJUSTIFIED

The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan are unsound and justified.

Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide more sustainable pattern (both economically and environmentally) of transport for these goods.

The County Council has failed to identify and allocate any sites which utilises more sustainable forms of transport in line with SP4 "maximise the use of sustainable forms of transport including barge"

The Mill Hill site near Barton in Fabis is both less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal.

There has been NO evidence issued or presented to justify that the assertion of the Shelford site is too large and would lead to "provision (being) limited in other parts of the County's supply.

c) The Count Council has failed to conform to its own Statement of Community Involvement.

Statement of Community Involvement

The County Council has failed in its obligation to comply with para 3.14/ 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to all local communities.

Discrimination against residents, including those at the nearby Lark Hill Retirement Village, living close to the proposed quarry but unable to access some information boards located at Clifton Library due to restricted mobility they have.

There has been absolutely no attempt to engage directly with communities in the Nottingham City, Clifton, Clifton Village, Lark Hill Retirement Village, Toton, Chilwell, Beeston directly impacted by the proposals but outside the County Council area.

There is also no meaningful response to strategic issues raised in over 1,000 responses from local people to the Draft Mineral Local Plan.

The issues are the same for everyone affected by the Draft Mineral Local Plan which is why there are common statements by all those whom object.

Change to plan:

-
Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

114

Object

MP2p: Mill Hill nr Barton in Fabis**Respondent:** Mrs C E Parker [9165]**Summary:**

b) The allocation of site MP2p at Mill Hill near Barton in Fabis (under the MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED

"MP2: SAND AND Gravel Provision" is UNSOUND AND UNJUSTIFIED

The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan are unsound and justified.

Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide more sustainable pattern (both economically and environmentally) of transport for these goods.

The County Council has failed to identify and allocate any sites which utilises more sustainable forms of transport in line with SP4 "maximise the use of sustainable forms of transport including barge"

The Mill Hill site near Barton in Fabis is both less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal.

There has been NO evidence issued or presented to justify that the assertion of the Shelford site is too large and would lead to "provision (being) limited in other parts of the County's supply.

Full text:

I am writing to express my issues with The Minerals Local Plan because it is UNSOUND AND UNJUSTIFIED and should be withdrawn its current form.

Reasons I believe for this are as follows:

a) Strategic Objective SO1 is Unsound and UNJUSTIFIED:

"SO1: Improving the sustainability of minerals development, is UNSOUND and UNJUSTIFIED

The County Council has completely failed to undertake any fruitful and meaningful analysis of the pattern of demand for both sand and gravel across the market areas to actually justify the proposed spatial pattern of mineral development" or geographical spread of sites.

In the actual allocation of sites they should be judged completely on their own merits and take into account of all the factors including their impact on communities and the natural environment not just how far minerals are transported.

b) The allocation of site MP2p at Mill Hill near Barton in Fabis (under the MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED

"MP2: SAND AND Gravel Provision" is UNSOUND AND UNJUSTIFIED

The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan are unsound and justified.

Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide more sustainable pattern (both economically and environmentally) of transport for these goods.

The County Council has failed to identify and allocate any sites which utilises more sustainable forms of transport in line with SP4 "maximise the use of sustainable forms of transport including barge"

The Mill Hill site near Barton in Fabis is both less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal.

There has been NO evidence issued or presented to justify that the assertion of the Shelford site is too large and would lead to "provision (being) limited in other parts of the County's supply.

c) The Count Council has failed to conform to its own Statement of Community Involvement.

Statement of Community Involvement

The County Council has failed in its obligation to comply with para 3.14/ 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to all local communities.

Discrimination against residents, including those at the nearby Lark Hill Retirement Village, living close to the proposed quarry but unable to access some information boards located at Clifton Library due to restricted mobility they have.

There has been absolutely no attempt to engage directly with communities in the Nottingham City, Clifton, Clifton Village, Lark Hill Retirement Village, Toton, Chilwell, Beeston directly impacted by the proposals but outside the County Council area.

There is also no meaningful response to strategic issues raised in over 1,000 responses from local people to the Draft Mineral Local Plan.

The issues are the same for everyone affected by the Draft Mineral Local Plan which is why there are common statements by all those whom object.

Change to plan:

-
Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

110

Object

SO1: Improving the sustainability of minerals development**Respondent:** Mr C. G Parker [3385]**Summary:**

Strategic Objective SO1 is Unsound and UNJUSTIFIED:

"S01: Improving the sustainability of minerals development, is UNSOUND and UNJUSTIFIED

The County Council has completely failed to undertake any fruitful and meaningful analysis of the pattern of demand for both sand and gravel across the market areas to actually justify the proposed II spatial pattern of mineral development" or geographical spread of sites.

In the actual allocation of sites they should be judged completely on their own merits and take into account of all the factors including their impact on communities and the natural environment not just how far minerals are transported.

Full text:

I am writing to express my issues with The Minerals Local Plan because it is UNSOUND AND UNJUSTIFIED and should be withdrawn its current form.

Reasons I believe for this are as follows:

a) Strategic Objective SO1 is Unsound and UNJUSTIFIED:

"S01: Improving the sustainability of minerals development, is UNSOUND and UNJUSTIFIED

The County Council has completely failed to undertake any fruitful and meaningful analysis of the pattern of demand for both sand and gravel across the market areas to actually justify the proposed II spatial pattern of mineral development" or geographical spread of sites.

In the actual allocation of sites they should be judged completely on their own merits and take into account of all the factors including their impact on communities and the natural environment not just how far minerals are transported.

b) The allocation of site MP2p at Mill Hill near Barton in Fabis (under the MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED

"MP2: SAND AND Gravel Provision" is UNSOUND AND UNJUSTIFIED

The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan are unsound and justified.

Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide more sustainable pattern (both economically and environmentally) of transport for these goods.

The County Council has failed to identify and allocate any sites which utilises more sustainable forms of transport in line with SP4 "maximise the use of sustainable forms of transport including barge"

The Mill Hill site near Barton in Fabis is both less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal.

There has been NO evidence issued or presented to justify that the assertion of the Shelford site is too large and would lead to "provision (being) limited in other parts of the County's supply.

c) The Count Council has failed to conform to its own Statement of Community Involvement.

Statement of Community Involvement

The County Council has failed in its obligation to comply with para 3.14/ 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to all local communities.

Discrimination against residents, including those at the nearby Lark Hill Retirement Village, living close to the proposed quarry but unable to access some information boards located at Clifton Library due to restricted mobility they have.

There has been absolutely no attempt to engage directly with communities in the Nottingham City, Clifton, Clifton Village, Lark Hill Retirement Village, Toton, Chilwell, Beeston directly impacted by the proposals but outside the County Council area.

There is also no meaningful response to strategic issues raised in over 1,000 responses from local people to the Draft Mineral Local Plan.

The issues are the same for everyone affected by the Draft Mineral Local Plan which is why there are common statements by all those whom object.

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: None

112

Object

S05: Minimising impacts on communities

Respondent: Mr C. G Parker [3385]

Summary:

c) The Count Council has failed to conform to its own Statement of Community Involvement.

Statement of Community Involvement

The County Council has failed in its obligation to comply with para 3.14/ 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to all local communities.

Discrimination against residents, including those at the nearby Lark Hill Retirement Village, living close to the proposed quarry but unable to access some information boards located at Clifton Library due to restricted mobility they have.

There has been absolutely no attempt to engage directly with communities in the Nottingham City, Clifton, Clifton Village, Lark Hill Retirement Village, Toton, Chilwell, Beeston directly impacted by the proposals but outside the County Council area.

There is also no meaningful response to strategic issues raised in over 1,000 responses from local people to the Draft Mineral Local Plan.

The issues are the same for everyone affected by the Draft Mineral Local Plan which is why there are common statements by all those whom object.

Full text:

I am writing to express my issues with The Minerals Local Plan because it is UNSOUND AND UNJUSTIFIED and should be withdrawn its current form.

Reasons I believe for this are as follows:

a) Strategic Objective SO1 is Unsound and UNJUSTIFIED:

"S01: Improving the sustainability of minerals development, is UNSOUND and UNJUSTIFIED

The County Council has completely failed to undertake any fruitful and meaningful analysis of the pattern of demand for both sand and gravel across the market areas to actually justify the proposed II spatial pattern of mineral development" or geographical spread of sites.

In the actual allocation of sites they should be judged completely on their own merits and take into account of all the factors including their impact on communities and the natural environment not just how far minerals are transported.

b) The allocation of site MP2p at Mill Hill near Barton in Fabis (under the MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED

"MP2: SAND AND Gravel Provision" is UNSOUND AND UNJUSTIFIED

The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan are unsound and justified.

Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide more sustainable pattern (both economically and environmentally) of transport for these goods.

The County Council has failed to identify and allocate any sites which utilises more sustainable forms of transport in line with SP4 "maximise the use of sustainable forms of transport including barge"

The Mill Hill site near Barton in Fabis is both less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal.

There has been NO evidence issued or presented to justify that the assertion of the Shelford site is too large and would lead to "provision (being) limited in other parts of the County's supply.

c) The Count Council has failed to conform to its own Statement of Community Involvement.

Statement of Community Involvement

The County Council has failed in its obligation to comply with para 3.14/ 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to all local communities.

Discrimination against residents, including those at the nearby Lark Hill Retirement Village, living close to the proposed quarry but unable to access some information boards located at Clifton Library due to restricted mobility they have.

There has been absolutely no attempt to engage directly with communities in the Nottingham City, Clifton, Clifton Village, Lark Hill Retirement Village, Toton, Chilwell, Beeston directly impacted by the proposals but outside the County Council area.

There is also no meaningful response to strategic issues raised in over 1,000 responses from local people to the Draft Mineral Local Plan.

The issues are the same for everyone affected by the Draft Mineral Local Plan which is why there are common statements by all those whom object.

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

111

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mr C. G Parker [3385]

Summary:

b) The allocation of site MP2p at Mill Hill near Barton in Fabis (under the MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED

"MP2: SAND AND Gravel Provision" is UNSOUND AND UNJUSTIFIED

The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan are unsound and justified.

Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide more sustainable pattern (both economically and environmentally) of transport for these goods.

The County Council has failed to identify and allocate any sites which utilises more sustainable forms of transport in line with SP4 "maximise the use of sustainable forms of transport including barge"

The Mill Hill site near Barton in Fabis is both less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal.

There has been NO evidence issued or presented to justify that the assertion of the Shelford site is too large and would lead to "provision (being) limited in other parts of the County's supply.

Full text:

I am writing to express my issues with The Minerals Local Plan because it is UNSOUND AND UNJUSTIFIED and should be withdrawn its current form.

Reasons I believe for this are as follows:

a) Strategic Objective SO1 is Unsound and UNJUSTIFIED:

"SO1: Improving the sustainability of minerals development, is UNSOUND and UNJUSTIFIED

The County Council has completely failed to undertake any fruitful and meaningful analysis of the pattern of demand for both sand and gravel across the market areas to actually justify the proposed spatial pattern of mineral development" or geographical spread of sites.

In the actual allocation of sites they should be judged completely on their own merits and take into account of all the factors including their impact on communities and the natural environment not just how far minerals are transported.

b) The allocation of site MP2p at Mill Hill near Barton in Fabis (under the MP2 Sand and Gravel Provision) is also UNSOUND and UNJUSTIFIED

"MP2: SAND AND Gravel Provision" is UNSOUND AND UNJUSTIFIED

The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan are unsound and justified.

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The Mill Hill site near Barton in Fabis is both less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal.

There has been NO evidence issued or presented to justify that the assertion of the Shelford site is too large and would lead to "provision (being) limited in other parts of the County's supply.

c) The Count Council has failed to conform to its own Statement of Community Involvement.

Statement of Community Involvement

The County Council has failed in its obligation to comply with para 3.14/ 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to all local communities.

Discrimination against residents, including those at the nearby Lark Hill Retirement Village, living close to the proposed quarry but unable to access some information boards located at Clifton Library due to restricted mobility they have.

There has been absolutely no attempt to engage directly with communities in the Nottingham City, Clifton, Clifton Village, Lark Hill Retirement Village, Toton, Chilwell, Beeston directly impacted by the proposals but outside the County Council area.

There is also no meaningful response to strategic issues raised in over 1,000 responses from local people to the Draft Mineral Local Plan.

The issues are the same for everyone affected by the Draft Mineral Local Plan which is why there are common statements by all those whom object.

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

185

Object

S01: Improving the sustainability of minerals development

Respondent: Mrs Angela Plowright [8307]

Summary:

Strategic Objective 1 is unsound and unjustified, because the Mineral Planning Authority has failed to present any relevant evidence base to justify the proposed geographical spread of sites. The Sustainability Assessment findings have been largely overridden by the 'spatial pattern of mineral development', despite the fact that this pattern is not justified by any credible evidence that it should be used to overrule the findings of the Sustainability Assessment.

Full text:

We believe that the Minerals Local Plan is UNSOUND and UNJUSTIFIED as it presently stands, and should be withdrawn and rewritten.

Strategic Objective 1 is unsound and unjustified, because the Mineral Planning Authority has failed to present any relevant evidence base to justify the proposed geographical spread of sites. The Sustainability Assessment findings have been largely overridden by the 'spatial pattern of mineral development', despite the fact that this pattern is not justified by any credible evidence that it should be used to overrule the findings of the Sustainability Assessment.

Policy MP2 in particular the inclusion of the Barton in Fabis Mill Hill site (MP2p) is unsound and unjustified

The inclusion of the Barton in Fabis (Mill Hill) site cannot be justified. The previous draft plan (which provided for significantly more sand and gravel extraction) rejected the site because it was one of the most environmentally damaging of those considered. This version provides for a lot less gravel, but purely on the grounds of 'geographical spread, the site is now considered as suitable. No credible explanation for this has been produced. No evidence has been produced to justify the statement that Shelford would produce too much gravel for the area, nor why the suitability of Shelford for barge transport has been overlooked.

The MPA has produced no evidence to justify its interpretation of the correct geographical spread (supply and demand for each sub area), and whilst we accept that there would be no sense in having all or most extraction confined to a limited geographic location, there is absolutely no justification for using this as the determining factor to override the Sustainability Assessment.

What the MPA was told by respondents at the Issues and Options stage appears under Policy MP2. We have underlined some key points

Responses were split between those who thought it was important to maintain a geographical spread of minerals. Reasoning given focuses on the need to minimise transportations distances, minimising environmental impacts, providing a steady and adequate supply of resources and ensuring that sites are located in relation to markets and demand (both within and outside the County).

- Other respondents thought that a geographical spread is just one factor that needs to be evaluated due to impacts on local residents, the availability of capacity on the highway network and the availability of recycled minerals in the main urban areas.
- Generally, respondents felt that prioritising specific geographic areas above others would not be appropriate, instead, each site should be judged on its own merits.
- Other suggestions included prioritising sites closest to the market, prioritising those with good transport links/access to barging or those that have the least impact on the local area.
- There was general agreement that the use of barges along the River Trent would provide a sustainable form of transport minimising minerals related HGV's. However there was an equal amount of concern regarding the actual financial viability of setting up the infrastructure needed for river barging particularly over a shorter distances.

The absence of any credible evidence to support the geographical spread of sites makes Policy MP2 (in particular MP2p) unjustified and unsound.

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

186

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mrs Angela Plowright [8307]

Summary:

Policy MP2 in particular the inclusion of the Barton in Fabis Mill Hill site (MP2p) is unsound and unjustified

The inclusion of the Barton in Fabis (Mill Hill) site cannot be justified. The previous draft plan (which provided for significantly more sand and gravel extraction) rejected the site because it was one of the most environmentally damaging of those considered. This version provides for a lot less gravel, but purely on the grounds of 'geographical spread, the site is now considered as suitable. No credible explanation for this has been produced. No evidence has been produced to justify the statement that Shelford would produce too much gravel for the area, nor why the suitability of Shelford for barge transport has been overlooked.

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- Generally, respondents felt that prioritising specific geographic areas above others would not be appropriate, instead, each site should be judged on its own merits.
- Other suggestions included prioritising sites closest to the market, prioritising those with good transport links/access to barging or those that have the least impact on the local area.
- There was general agreement that the use of barges along the River Trent would provide a sustainable form of transport minimising minerals related HGV's. However there was an equal amount of concern regarding the actual financial viability of setting up the infrastructure needed for river barging particularly over a shorter distances.

The absence of any credible evidence to support the geographical spread of sites makes Policy MP2 (in particular MP2p) unjustified and unsound.

Full text:

We believe that the Minerals Local Plan is UNSOUND and UNJUSTIFIED as it presently stands, and should be withdrawn and rewritten.

Strategic Objective 1 is unsound and unjustified, because the Mineral Planning Authority has failed to present any relevant evidence base to justify the proposed geographical spread of sites. The Sustainability Assessment findings have been largely overridden by the 'spatial pattern of mineral development', despite the fact that this pattern is not justified by any credible evidence that it should be used to overrule the findings of the Sustainability Assessment.

Policy MP2 in particular the inclusion of the Barton in Fabis Mill Hill site (MP2p) is unsound and unjustified

The inclusion of the Barton in Fabis (Mill Hill) site cannot be justified. The previous draft plan (which provided for significantly more sand and gravel extraction) rejected the site because it was one of the most environmentally damaging of those considered. This version provides for a lot less gravel, but purely on the grounds of 'geographical spread, the site is now considered as suitable. No credible explanation for this has been produced. No evidence has been produced to justify the statement that Shelford would produce too much gravel for the area, nor why the suitability of Shelford for barge transport has been overlooked.

The MPA has produced no evidence to justify its interpretation of the correct geographical spread (supply and demand for each sub area), and whilst we accept that there would be no sense in having all or most extraction confined to a limited geographic location, there is absolutely no justification for using this as the determining factor to override the Sustainability Assessment.

What the MPA was told by respondents at the Issues and Options stage appears under Policy MP2. We have underlined some key points

Responses were split between those who thought it was important to maintain a geographical spread of minerals. Reasoning given focuses on the need to minimise transportations distances, minimising environmental impacts, providing a steady and adequate supply of resources and ensuring that sites are located in relation to markets and demand (both within and outside the County).

- Other respondents thought that a geographical spread is just one factor that needs to be evaluated due to impacts on local residents, the availability of capacity on the highway network and the availability of recycled minerals in the main urban areas.
- Generally, respondents felt that prioritising specific geographic areas above others would not be appropriate, instead, each site should be judged on its own merits.
- Other suggestions included prioritising sites closest to the market, prioritising those with good transport links/access to barging or those that have the least impact on the local area.
- There was general agreement that the use of barges along the River Trent would provide a sustainable form of transport minimising minerals related HGV's. However there was an equal amount of concern regarding the actual financial viability of setting up the infrastructure needed for river barging particularly over a shorter distances.

The absence of any credible evidence to support the geographical spread of sites makes Policy MP2 (in particular MP2p) unjustified and unsound.

Change to plan:

-

Legally No compliant:

Sound: No

Comply with No duty:

Appear exam: Appearance at the examination

Attachments: None

74

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Dr Marion Potschin [3551]

Summary:

1. The rationale underlying the sustainability assessment as it relates to sand and gravel is inadequate and therefore the Plan is unsound on grounds of effectiveness. The identification of geographical spread and sustainable transport as factors shaping the allocation of sites is poorly explained and poorly applied. Certainly, identifying a spatially sustainable distribution of sites would include the analysis of proximity of resource to market, but it would also entail analysis of the environmental and social dimensions of sustainability to ensure that a balance between the three pillars of sustainability are considered adequately. The Plan uses geographical location as an overriding factor and ignores the results of the county's own sustainability assessment for the sites. Not only does it allocate one of the most damaging sites to the plan (Mill Hill Barton in Fabis) on the grounds of size and location, but it also fails to apply the other characteristic identified in the options section, namely, sustainable transport. No consideration is given to the use of barge to transport sand and gravel and the advantages this would have in serving the market. The proposal at Shelford, for example, was found to be less damaging and had the advantage of barge transport. The sustainability appraisal is supposed to look at the relative merits and disadvantages of sites – since it does not properly do this, the Plan is unsound.

2. The strategic objectives set for the plan are undermined by the allocation of the site at Mill Hill, Barton in Fabis, and so the Plan is unsound on grounds of justification. Either the policies set out in the first part of the Plan mean something or they are merely window dressing. I conclude the latter, because they are simply not used to guide the decision making. The allocation of the site at Mill Hill is contrary to almost all of the policy objectives. The ecological impact is significant, and the so-called biodiversity-led restoration plan provided by the promoters of this site fails to restore or compensate for what has been lost. The claims by the promoter that the ecological impact is minor is completely unfounded, as is evidenced by the considerably body of information provided by other stakeholders in relation to the recent planning application for this site. The Plan also needs to use the recognised mitigation hierarchy in developing a sustainably sound strategy. In addition, the impact on landscape and historic character is significant – and these cannot be restored.

The Plan is unsound because sites have not been considered on their own merits.

Full text:

1. The rationale underlying the sustainability assessment as it relates to sand and gravel is inadequate and therefore the Plan is unsound on grounds of effectiveness. The identification of geographical spread and sustainable transport as factors shaping the allocation of sites is poorly explained and poorly applied. Certainly, identifying a spatially sustainable distribution of sites would include the analysis of proximity of resource to market, but it would also entail analysis of the environmental and social dimensions of sustainability to ensure that a balance between the three pillars of sustainability are considered adequately. The Plan uses geographical location as an overriding factor and ignores the results of the county's own sustainability assessment for the sites. Not only does it allocate one of the most damaging sites to the plan (Mill Hill Barton in Fabis) on the grounds of size and location, but it also fails to apply the other characteristic identified in the options section, namely, sustainable transport. No consideration is given to the use of barge to transport sand and gravel and the advantages this would have in serving the market. The proposal at Shelford, for example, was found to be less damaging and had the advantage of barge transport. The sustainability appraisal is supposed to look at the relative merits and disadvantages of sites – since it does not properly do this, the Plan is unsound.

2. The strategic objectives set for the plan are undermined by the allocation of the site at Mill Hill, Barton in Fabis, and so the Plan is unsound on grounds of justification. Either the policies set out in the first part of the Plan mean something or they are merely window dressing. I conclude the latter, because they are simply not used to guide the decision making. The allocation of the site at Mill Hill is contrary to almost all of the policy objectives. The ecological impact is significant, and the so-called biodiversity-led restoration plan provided by the promoters of this site fails to restore or compensate for what has been lost. The claims by the promoter that the ecological impact is minor is completely unfounded, as is evidenced by the considerably body of information provided by other stakeholders in relation to the recent planning application for this site. The Plan also needs to use the recognised mitigation hierarchy in developing a sustainably sound strategy. In addition, the impact on landscape and historic character is significant – and these cannot be restored.

The Plan is unsound because sites have not been considered on their own merits.

Change to plan:

- 1) The rational and analysis of sustainable geographical patterns should be provided, and used as one factor in the allocation not the primary factor. More reference to sustainable forms of transport should be made in the analysis and allocation to be consistent with the Policy Framework of the Plan.
- 2) The site at Barton in Fabis should be removed.

Legally No compliant:

Sound: No

Comply with No

duty:
Appear exam: Written Representation
Attachments: None

123

Object

S05: Minimising impacts on communities**Respondent:** Mr J Potter [2108]**Summary:**

Mis-presenting representation(s) 'observed; and the County Council lack of involvement with, concerning the Clifton area committee(s).

Full text:

Unsound and unjustified publication minerals local plan; objections letter on policy MP2 proposal MP2p at Mill Hill Barton-in-Fabis. Objections: This representor's 2018, Issues and Options consultation comment, is to be reappraised an objection. • My (&) numerous - what are now MP2p-related - objections written in on the politically withdrawn minerals local plan, and on what is now a MP2p-related planning application, are essentially relevant concerning this consultation process; including my letter at 2018's Draft plan.

• The planning and environmental mal-cumulative - noting DM8 5.97. - everything else that's been foisted at the adjacent, rural parish - and out towards Lockington; where's the geographical spread in that. • Is it not somewhat volte-face - when the County Council tends to policy prefer site extensions - that Shelfo rd 's currently considered too sizeable.

A description to a local planning authority (LPA) is under way re where 'would not want to see what looks very damaging 'fracking'. The plan's (MP1) undertow throughout would be provision-linked to LPAs' negative urbanizing vision. • It is unsound and unjustified LPA &/or 'highways' (their): hard-surfacing too much, works degrading land, excessive demolition re buildings; so even down to MP5 recycling at Bunny, with regard to my local environment, the publication version is: failing, environmental-degradation complicit, encroaching, in a number of matters wasteful, environmentally unsound. • Mis-presenting representation(s) 'observed; and the County Council lack of involvement with, concerning the Clifton area committee(s).

Regarding the above, for the Examination Hearing Sessions, it is necessary I request participation.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

121

Object

MP1: Aggregate Provision**Respondent:** Mr J Potter [2108]**Summary:**

The plan's (MP1) undertow throughout would be provision-linked to LPAs' negative urbanizing vision

Full text:

Unsound and unjustified publication minerals local plan; objections letter on policy MP2 proposal MP2p at Mill Hill Barton-in-Fabis. Objections: This representor's 2018, Issues and Options consultation comment, is to be reappraised an objection. • My (&) numerous - what are now MP2p-related - objections written in on the politically withdrawn minerals local plan, and on what is now a MP2p-related planning application, are essentially relevant concerning this consultation process; including my letter at 2018's Draft plan.

• The planning and environmental mal-cumulative - noting DM8 5.97. - everything else that's been foisted at the adjacent, rural parish - and out towards Lockington; where's the geographical spread in that. • Is it not somewhat volte-face - when the County Council tends to policy prefer site extensions - that Shelfo rd 's currently considered too sizeable.

A description to a local planning authority (LPA) is under way re where 'would not want to see what looks very damaging 'fracking'. The plan's (MP1) undertow throughout would be provision-linked to LPAs' negative urbanizing vision. • It is unsound and unjustified LPA &/or 'highways' (their): hard-surfacing too much, works degrading land, excessive demolition re buildings; so even down to MP5 recycling at Bunny, with regard to my local environment, the publication version is: failing, environmental-degradation complicit, encroaching, in a number of matters wasteful, environmentally unsound. • Mis-presenting representation(s) 'observed; and the County Council lack of involvement with, concerning the Clifton area committee(s).

Regarding the above, for the Examination Hearing Sessions, it is necessary I request participation.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

119

Object

MP2p: Mill Hill nr Barton in Fabis**Respondent:** Mr J Potter [2108]**Summary:**

This representor's 2018, Issues and Options consultation comment, is to be reappraised an objection. • My (&) numerous - what are now MP2p-related - objections written in on the politically withdrawn minerals local plan, and on what is now a MP2p-related planning application, are essentially relevant concerning this consultation process; including my letter at 2018's Draft plan.

with regard to my local environment, the publication version is: failing, environmental-degradation complicit, encroaching, in a number of matters wasteful, environmentally unsound.

• The planning and environmental mal-cumulative - noting DM8 5.97. - everything else that's been foisted at the adjacent, rural parish - and out towards Lockington; where's the geographical spread in that. • Is it not somewhat volte-face - when the County Council tends to policy prefer site extensions - that Shelfo rd 's currently considered too sizeable

Full text:

Unsound and unjustified publication minerals local plan; objections letter on policy MP2 proposal MP2p at Mill Hill Barton-in-Fabis. Objections: This representor's 2018, Issues and Options consultation comment, is to be reappraised an objection. • My (&) numerous - what are now MP2p-related - objections written in on the politically withdrawn minerals local plan, and on what is now a MP2p-related planning application, are essentially relevant concerning this consultation process; including my letter at 2018's Draft plan.

• The planning and environmental mal-cumulative - noting DM8 5.97. - everything else that's been foisted at the adjacent, rural parish - and out towards Lockington; where's the geographical spread in that. • Is it not somewhat volte-face - when the County Council tends to policy prefer site extensions - that Shelfo rd 's currently considered too sizeable.

A description to a local planning authority (LPA) is under way re where 'would not want to see what looks very damaging 'fracking'. The plan's (MP1) undertow throughout would be provision-linked to LPAs' negative urbanizing vision. • It is unsound and unjustified LPA &/or 'highways' (their): hard-surfacing too much, works degrading land, excessive demolition re buildings; so even down to MP5 recycling at Bunny,

with regard to my local environment, the publication version is: failing, environmental-degradation complicit, encroaching, in a number of matters wasteful, environmentally unsound.
 • Mis-presenting representation(s) 'observed; and the County Council lack of involvement with, concerning the Clifton area committee(s).

Regarding the above, for the Examination Hearing Sessions, it is necessary I request participation.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

122

Object

MP5: Secondary and Recycled Aggregates

Respondent: Mr J Potter [2108]

Summary:

It is unsound and unjustified LPA &/or 'highways' (their): hard-surfacing too much, works degrading land, excessive demolition re buildings; so even down to MP5 recycling at Bunny,

Full text:

Unsound and unjustified publication minerals local plan; objections letter on policy MP2 proposal MP2p at Mill Hill Barton-in-Fabis. Objections: This representor's 2018, Issues and Options consultation comment, is to be reappraised an objection. • My (&) numerous - what are now MP2p-related - objections written in on the politically withdrawn minerals local plan, and on what is now a MP2p-related planning application, are essentially relevant concerning this consultation process; including my letter at 2018's Draft plan.

• The planning and environmental mal-cumulative - noting DM8 5.97. - everything else that's been foisted at the adjacent, rural parish - and out towards Lockington; where's the geographical spread in that. • Is it not somewhat volte-face - when the County Council tends to policy prefer site extensions - that Shelfo rd 's currently considered too sizeable.

A description to a local planning authority (LPA) is under way re where 'would not want to see what looks very damaging 'fracking'. The plan's (MP1) undertow throughout would be provision-linked to LPAs' negative urbanizing vision. • It is unsound and unjustified LPA &/or 'highways' (their): hard-surfacing too much, works degrading land, excessive demolition re buildings; so even down to MP5 recycling at Bunny, with regard to my local environment, the publication version is: failing, environmental-degradation complicit, encroaching, in a number of matters wasteful, environmentally unsound.
 • Mis-presenting representation(s) 'observed; and the County Council lack of involvement with, concerning the Clifton area committee(s).

Regarding the above, for the Examination Hearing Sessions, it is necessary I request participation.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

120

Object

MP12: Oil and Gas

Respondent: Mr J Potter [2108]

Summary:

A description to a local planning authority (LPA) is under way re where 'would not want to see what looks very damaging 'fracking'

Full text:

Unsound and unjustified publication minerals local plan; objections letter on policy MP2 proposal MP2p at Mill Hill Barton-in-Fabis. Objections: This representor's 2018, Issues and Options consultation comment, is to be reappraised an objection. • My (&) numerous - what are now MP2p-related - objections written in on the politically withdrawn minerals local plan, and on what is now a MP2p-related planning application, are essentially relevant concerning this consultation process; including my letter at 2018's Draft plan.

• The planning and environmental mal-cumulative - noting DM8 5.97. - everything else that's been foisted at the adjacent, rural parish - and out towards Lockington; where's the geographical spread in that. • Is it not somewhat volte-face - when the County Council tends to policy prefer site extensions - that Shelfo rd 's currently considered too sizeable.

A description to a local planning authority (LPA) is under way re where 'would not want to see what looks very damaging 'fracking'. The plan's (MP1) undertow throughout would be provision-linked to LPAs' negative urbanizing vision. • It is unsound and unjustified LPA &/or 'highways' (their): hard-surfacing too much, works degrading land, excessive demolition re buildings; so even down to MP5 recycling at Bunny, with regard to my local environment, the publication version is: failing, environmental-degradation complicit, encroaching, in a number of matters wasteful, environmentally unsound.
 • Mis-presenting representation(s) 'observed; and the County Council lack of involvement with, concerning the Clifton area committee(s).

Regarding the above, for the Examination Hearing Sessions, it is necessary I request participation.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

71

Object

S01: Improving the sustainability of minerals development

Respondent: Andrew Ramsey [8430]

Summary:

I believe that the Strategic Objective S01 is unsound and unjustified. The impact on nearby local communities and the particularly important natural environment has not been properly accounted for and assessed.

Full text:

Please register my objection to the Minerals Local Plan. Having seen the current proposals I believe the plan is not sound and is unjustified in its current form.

I also believe that the Strategic Objective S01 is unsound and unjustified. The impact on nearby local communities and the particularly important natural environment has not been properly accounted for and assessed.

The allocation of site MP2p at Mill Hill is also unsound and unjustified due to a multitude of environmental considerations and should be removed. Furthermore, the County Council has failed to conform to its requirements under its Statement Of Community Involvement.

The transport links to the MP2p site have not been fairly assessed in comparison to the Shelford site which has the advantage of utilising sustainable transport in the form of barge useage from Colwick Wharf. This option would reduce energy useage and road useage significantly reducing the impact of extraction in that locality.

No meaningful evidence has been presented to support the assertion that the Shelford site is 'too large' which in itself is a very poor argument for discounting that site as the ability to provide a good supply of minerals would surely make adoption of a site with the associated infrastructure more viable.

The Mill Hill site near Barton In Fabis is less sustainable and more environmentally damaging than the Shelford site according to the Councils own Sustainability Appraisal.

With regard to community involvement, the Council has failed to engage with my community in a meaningful way. I sent a response to the Draft Minerals Local Plan including details of local flooding issues and concerns about the effect on the environment around the proposed site including photos of local flooding around my home and specific information over flood levels we experience as residents living on the edge of the river bank. I also offered to engage further on this issue. I received no acknowledgement or response to that communication which was constructed in a carefully considered way with direct local knowledge as a resident living right on the edge of this dynamic section of river adjacent to the site that is well known to frequently overspill the banks during the winter months. I repeat my offer to engage further on this issue and I will be interested to observe whether this submission will justify a response.

Change to plan:

-
Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

73

Object

S05: Minimising impacts on communities

Respondent: Andrew Ramsey [8430]

Summary:

With regard to community involvement, the Council has failed to engage with my community in a meaningful way. I sent a response to the Draft Minerals Local Plan including details of local flooding issues and concerns about the effect on the environment around the proposed site including photos of local flooding around my home and specific information over flood levels we experience as residents living on the edge of the river bank. I also offered to engage further on this issue. I received no acknowledgement or response to that communication which was constructed in a carefully considered way with direct local knowledge as a resident living right on the edge of this dynamic section of river adjacent to the site that is well known to frequently overspill the banks during the winter months. I repeat my offer to engage further on this issue and I will be interested to observe whether this submission will justify a response.

Full text:

Please register my objection to the Minerals Local Plan. Having seen the current proposals I believe the plan is not sound and is unjustified in its current form.

I also believe that the Strategic Objective SO1 is unsound and unjustified. The impact on nearby local communities and the particularly important natural environment has not been properly accounted for and assessed.

The allocation of site MP2p at Mill Hill is also unsound and unjustified due to a multitude of environmental considerations and should be removed. Furthermore, the County Council has failed to conform to its requirements under its Statement Of Community Involvement.

The transport links to the MP2p site have not been fairly assessed in comparison to the Shelford site which has the advantage of utilising sustainable transport in the form of barge useage from Colwick Wharf. This option would reduce energy useage and road useage significantly reducing the impact of extraction in that locality.

No meaningful evidence has been presented to support the assertion that the Shelford site is 'too large' which in itself is a very poor argument for discounting that site as the ability to provide a good supply of minerals would surely make adoption of a site with the associated infrastructure more viable.

The Mill Hill site near Barton In Fabis is less sustainable and more environmentally damaging than the Shelford site according to the Councils own Sustainability Appraisal.

With regard to community involvement, the Council has failed to engage with my community in a meaningful way. I sent a response to the Draft Minerals Local Plan including details of local flooding issues and concerns about the effect on the environment around the proposed site including photos of local flooding around my home and specific information over flood levels we experience as residents living on the edge of the river bank. I also offered to engage further on this issue. I received no acknowledgement or response to that communication which was constructed in a carefully considered way with direct local knowledge as a resident living right on the edge of this dynamic section of river adjacent to the site that is well known to frequently overspill the banks during the winter months. I repeat my offer to engage further on this issue and I will be interested to observe whether this submission will justify a response.

Change to plan:

-
Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

72

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Andrew Ramsey [8430]

Summary:

The allocation of site MP2p at Mill Hill is also unsound and unjustified due to a multitude of environmental considerations and should be removed. Furthermore, the County Council has failed to conform to its requirements under its Statement Of Community Involvement.

The transport links to the MP2p site have not been fairly assessed in comparison to the Shelford site which has the advantage of utilising sustainable transport in the form of barge useage from Colwick Wharf. This option would reduce energy useage and road useage significantly reducing the impact of extraction in that locality.

No meaningful evidence has been presented to support the assertion that the Shelford site is 'too large' which in itself is a very poor argument for discounting that site as the ability to provide a good supply of minerals would surely make adoption of a site with the associated infrastructure more viable.

The Mill Hill site near Barton In Fabis is less sustainable and more environmentally damaging than the Shelford site according to the Councils own Sustainability Appraisal.

Full text:

Please register my objection to the Minerals Local Plan. Having seen the current proposals I believe the plan is not sound and is unjustified in its current form.

I also believe that the Strategic Objective SO1 is unsound and unjustified. The impact on nearby local communities and the particularly important natural environment has not been properly accounted for and assessed.

The allocation of site MP2p at Mill Hill is also unsound and unjustified due to a multitude of environmental considerations and should be removed. Furthermore, the County Council

has failed to conform to its requirements under its Statement Of Community Involvement.

The transport links to the MP2p site have not been fairly assessed in comparison to the Shelford site which has the advantage of utilising sustainable transport in the form of barge useage from Colwick Wharf. This option would reduce energy useage and road useage significantly reducing the impact of extraction in that locality.

No meaningful evidence has been presented to support the assertion that the Shelford site is 'too large' which in itself is a very poor argument for discounting that site as the ability to provide a good supply of minerals would surely make adoption of a site with the associated infrastructure more viable.

The Mill Hill site near Barton In Fabis is less sustainable and more environmentally damaging than the Shelford site according to the Councils own Sustainability Appraisal.

With regard to community involvement, the Council has failed to engage with my community in a meaningful way. I sent a response to the Draft Minerals Local Plan including details of local flooding issues and concerns about the effect on the environment around the proposed site including photos of local flooding around my home and specific information over flood levels we experience as residents living on the edge of the river bank. I also offered to engage further on this issue. I received no acknowledgement or response to that communication which was constructed in a carefully considered way with direct local knowledge as a resident living right on the edge of this dynamic section of river adjacent to the site that is well known to frequently overspill the banks during the winter months. I repeat my offer to engage further on this issue and I will be interested to observe whether this submission will justify a response.

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

70

Object

DM9: Highways Safety and Vehicle Movements/ Routing

Respondent: Ranskill Parish Council (Ms Mel Malcolm, Clerk to the Parish Council) [907]

Summary:

Ranskill Parish Council would like to re-iterate their concerns made in response to your original consultation on the draft Minerals Local Plan, as these have not been addressed in this latest version of the plan.

These relate to policy DM9 where you state:

"Proposals for minerals development will be supported where it can be demonstrated that...

c) Where appropriate, adequate vehicle routing schemes have been put in place to minimise the impact of traffic on local communities".

Ranskill Parish Council would refute that the above has taken place in relation to the community of Ranskill.

In your preamble regarding the supporting documents you state that your Strategic Transport Assessment (STA) "... has been completed to ensure that there are no unacceptable overall impacts on the highways network... and concludes "... that the highway impacts of new or extended mineral sites would be minimal..." Whilst the impact on the Highways network appears to have been adequately covered there is very little said in the STA about the impact on communities which you state is one of your key strategic objectives in policy DM9 of the plan (as noted above)

Ranskill Parish Council's concerns centre around the routing of HGV's from the sites close to Ranskill i.e.

MP2m - Scrooby North

MP3e - Scrooby Top North

MP3c - Scrooby Top

MP2j - Scrooby South also sometimes referred to as just Scrooby

MP2l - Scrooby Thompson Land

The STA in relation to these sites states in section 3.22 that "outbound HGV traffic will route towards the A1 (M) J34 by turning right out of the access onto the A638 before joining the B6045 (and subsequently the A634). Inbound HGV traffic would route vice versa and turn left into the site access. This does however pass through sensitive receptors in Ranskill and Blyth".

Ranskill Parish Council are extremely concerned about the impact of this on the community of Ranskill. The proposals estimate that an additional 72 HGV's will pass though Ranskill each day in addition to the traffic from the existing quarry. The junction of the A638 and B6045 is already a source of concern to residents with through traffic routinely speeding and jumping the traffic lights. The junction is right in the centre of the village as regards services, with the shop and pub on opposite sides of the junction. Planning permission has been granted for 32 dwellings to be built close to this junction with their main access being on to the A638. B6045 (Blyth Road) is a residential road and although it is stating the obvious it is a "B" road not a "A" road contrary to the summary given in the STA in relation to the Scrooby sites which state that the sites "route to the strategic network via local A roads". Although the Parish Council are fully aware that according to your STA summary "... all sites will require a detailed transport assessment at the planning application stage" they fear that the reality will be that this route, having been stated in the plan and it's supporting documents, will become accepted as the status quo without any investigation of alternative routings taking place.

Full text:

Ranskill Parish Council would like to re-iterate their concerns made in response to your original consultation on the draft Minerals Local Plan, as these have not been addressed in this latest version of the plan.

These relate to policy DM9 where you state:

"Proposals for minerals development will be supported where it can be demonstrated that...

c) Where appropriate, adequate vehicle routing schemes have been put in place to minimise the impact of traffic on local communities".

Ranskill Parish Council would refute that the above has taken place in relation to the community of Ranskill.

In your preamble regarding the supporting documents you state that your Strategic Transport Assessment (STA) "... has been completed to ensure that there are no unacceptable overall impacts on the highways network... and concludes "... that the highway impacts of new or extended mineral sites would be minimal..." Whilst the impact on the Highways network appears to have been adequately covered there is very little said in the STA about the impact on communities which you state is one of your key strategic objectives in policy DM9 of the plan (as noted above)

Ranskill Parish Council's concerns centre around the routing of HGV's from the sites close to Ranskill i.e.

MP2m - Scrooby North

MP3e - Scrooby Top North

MP3c - Scrooby Top

MP2j - Scrooby South also sometimes referred to as just Scrooby

MP2l - Scrooby Thompson Land

The STA in relation to these sites states in section 3.22 that "outbound HGV traffic will route towards the A1 (M) J34 by turning right out of the access onto the A638 before joining the B6045 (and subsequently the A634). Inbound HGV traffic would route vice versa and turn left into the site access. This does however pass through sensitive receptors in Ranskill and Blyth".

Ranskill Parish Council are extremely concerned about the impact of this on the community of Ranskill. The proposals estimate that an additional 72 HGV's will pass though Ranskill each day in addition to the traffic from the existing quarry. The junction of the A638 and B6045 is already a source of concern to residents with through traffic routinely speeding and jumping the traffic lights. The junction is right in the centre of the village as regards services, with the shop and pub on opposite sides of the junction. Planning permission has been granted for 32 dwellings to be built close to this junction with their main access being on to the A638. B6045 (Blyth Road) is a residential road and although it is stating the obvious it is a "B" road not a "A" road contrary to the summary given in the STA in relation to the Scrooby sites which state that the sites "route to the strategic network via local A roads". Although the Parish Council are fully aware that according to your STA summary "... all sites will require a detailed transport assessment at the planning application stage" they fear that the reality will be that this route, having been stated in the plan and it's supporting documents, will become accepted as the status quo without any investigation of alternative routings taking place.

Change to plan:

Ranskill Parish Council believe that in line with your policy DM9 to minimise the impact of traffic on local communities you need to investigate an alternative route from the Scrooby sites to the strategic network which would use the A638 going north to the A638/A614 junction where lorries could then take the A614 to the A1. This would allow laden HGVs leaving the site to do a left turn out of the site. Although it could be said to pass through Scrooby the A638 skirts the very edge of the village which unlike Ranskill is centred away from the A638. From there traffic could travel via the A614 to the A1 junction without passing through any other communities. Ranskill Parish Council are at a loss to understand why this route is not the first choice and why the County Council would prefer to route traffic through the centre of Ranskill and Blyth and use a "B" road.

The above routing suggestion was made as part of the Parish Council's submission in relation to the original consultation. However, this has not been addressed in this version of the plan and no correspondence on this issue has been received from yourselves on this matter in the interim period.

The STA summary in relation to the Scrooby sites needs correcting to reflect that you are proposing to route HGV's along a "B" road through a residential area. Not as stated in the summary routing "to the strategic network via local A roads"

In relation to MP21 - Scrooby Thompson Land, the Parish Council seek clarification for access to this site as this is unclear in the plans provided.

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Written Representation
Attachments: None

64

Object

S01: Improving the sustainability of minerals development

Respondent: Mrs Patricia Rice [3358]

Summary:

With regard to S01: Improving the sustainability of minerals development, I feel that as it is it is unsound and unjustified. There does not appear to have been any meaningful analysis of the pattern for sand and gravel across the wider market areas or the geographical spread of sites. Site allocation should be based on their own merits and additionally take in an account of all factors including their impact on communities and the natural environment. They should not just depend on how far minerals are transported.

Full text:

I believe that issues contained within the Minerals Local Plan are unsound and unjustified. The Minerals Plan needs to be withdrawn in its current form. With regard to S01: Improving the sustainability of minerals development, I feel that as it is it is unsound and unjustified. There does not appear to have been any meaningful analysis of the pattern for sand and gravel across the wider market areas or the geographical spread of sites. Site allocation should be based on their own merits and additionally take in an account of all factors including their impact on communities and the natural environment. They should not just depend on how far minerals are transported.

MP2: Sand and Gravel Provision is unsound and unjustified!

In including the MP2p Mill Hill site near Barton in Fabis, I don't feel that any consideration has been given to size of population in the surrounding areas and the impact that the extraction of sand and gravel will have on the noise and air pollution. A sizeable percentage of the population at Lark Hill Retirement Village and adjacent areas already suffer from serious lung conditions, myself included, having had COPD diagnosed recently. The increase in particles released into the surrounding air can only exacerbate the impact on the local community's health. Alongside this is the increased noise pollution from the workings and increased heavy traffic on a daily basis. This will also affect the surrounding natural environment. There are several SSSI's in close proximity. These and other important environmental factors do not seem to have been taken into consideration when selecting sites. According to the Council's own Sustainability Appraisal, the Mill Hill site is less sustainable and more environmentally damaging than the previously included Shelford site. The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford is unsound and unjustified. The County Council has not allocated sites which utilise more sustainable forms of transport. SP4 states "maximise the use of sustainable forms of transport including barge." Surely the Shelford site is perfect for fulfilling this statement, being close to Colwick Wharf, where deliveries of minerals would be closer to major markets and provide a more sustainable pattern of transport. No evidence has been presented to justify the claim that the Shelford site is too large and would lead to "provision (being) limited in other parts of the County" supply. Taking in to consideration that the Mill Hill site is closer to a larger area of population than Shelford, has consequently has more environmentally damaging factors than Shelford and additionally does not fulfil the sustainable mode of transportation that Shelford could, it is a complete mystery as to why the obviously more suitable site of Shelford has been withdrawn other than it was a purely political decision. Statement of Community Involvement The County Council has failed to comply with paragraph 3.14/3.15 of Statement of Community involvement and responsibility to provide information on specific proposals to local communities. There was no attempt to directly engage with the communities most directly affected, being in close proximity to the Mill Hill site, within the Nottingham City boundaries but outside the County Council area. Very few of us were made aware of the information boards at Clifton Library. I feel that there was even discrimination against residents, as those most affected by the Mill Hill quarry proposals at Lark Hill Retirement Village were not able to easily access the information boards due to restricted mobility. In conclusion there was also no meaningful response to over 1000 letters of objection from local people to the Draft Minerals Local Plan. Even though many of these were characterised as being on a pro forma letter this was incorrect as within the responses all included their individual reasons for objecting to an obviously unsound and unjustified decision.

Change to plan:

-
Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

66

Object

S05: Minimising impacts on communities

Respondent: Mrs Patricia Rice [3358]

Summary:

The County Council has failed to comply with paragraph 3.14/3.15 of Statement of Community involvement and responsibility to provide information on specific proposals to local communities. There was no attempt to directly engage with the communities most directly affected, being in close proximity to the Mill Hill site, within the Nottingham City boundaries but outside the County Council area. Very few of us were made aware of the information boards at Clifton Library. I feel that there was even discrimination against residents, as those most affected by the Mill Hill quarry proposals at Lark Hill Retirement Village were not able to easily access the information boards due to restricted mobility. In conclusion there was also no meaningful response to over 1000 letters of objection from local people to the Draft Minerals Local Plan. Even though many of these were characterised as being on a pro forma letter this was incorrect as within the responses all included their individual reasons for objecting to an obviously unsound and unjustified decision.

Full text:

I believe that issues contained within the Minerals Local Plan are unsound and unjustified. The Minerals Plan needs to be withdrawn in its current form. With regard to S01: Improving the sustainability of minerals development, I feel that as it is it is unsound and unjustified. There does not appear to have been any meaningful analysis of the pattern for sand and gravel across the wider market areas or the geographical spread of sites. Site allocation should be based on their own merits and additionally take in an account of all factors including their impact on communities and the natural environment. They should

not just depend on how far minerals are transported.

MP2: Sand and Gravel Provision is unsound and unjustified!

In including the MP2p Mill Hill site near Barton in Fabis, I don't feel that any consideration has been given to size of population in the surrounding areas and the impact that the extraction of sand and gravel will have on the noise and air pollution. A sizeable percentage of the population at Lark Hill Retirement Village and adjacent areas already suffer from serious lung conditions, myself included, having had COPD diagnosed recently. The increase in particles released into the surrounding air can only exacerbate the impact on the local community's health. Alongside this is the increased noise pollution from the workings and increased heavy traffic on a daily basis.

This will also affect the surrounding natural environment. There are several SSSI's in close proximity. These and other important environmental factors do not seem to have been taken into consideration when selecting sites. According to the Council's own Sustainability Appraisal, the Mill Hill site is less sustainable and more environmentally damaging than the previously included Shelford site.

The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford is unsound and unjustified.

The County Council has not allocated sites which utilise more sustainable forms of transport. SP4 states "maximise the use of sustainable forms of transport including barge."

Surely the Shelford site is perfect for fulfilling this statement, being close to Colwick Wharf, where deliveries of minerals would be closer to major markets and provide a more sustainable pattern of transport.

No evidence has been presented to justify the claim that the Shelford site is too large and would lead to "provision (being) limited in other parts of the County" supply.

Taking in to consideration that the Mill Hill site is closer to a larger area of population than Shelford, has consequently has more environmentally damaging factors than Shelford and additionally does not fulfil the sustainable mode of transportation that Shelford could, it is a complete mystery as to why the obviously more suitable site of Shelford has been withdrawn other than it was a purely political decision.

Statement of Community Involvement

The County Council has failed to comply with paragraph 3.14/3.15 of Statement of Community involvement and responsibility to provide information on specific proposals to local communities.

There was no attempt to directly engage with the communities most directly affected, being in close proximity to the Mill Hill site, within the Nottingham City boundaries but outside the County Council area.

Very few of us were made aware of the information boards at Clifton Library. I feel that there was even discrimination against residents, as those most affected by the Mill Hill quarry proposals at Lark Hill Retirement Village were not able to easily access the information boards due to restricted mobility.

In conclusion there was also no meaningful response to over 1000 letters of objection from local people to the Draft Minerals Local Plan. Even though many of these were characterised as being on a pro forma letter this was incorrect as within the responses all included their individual reasons for objecting to an obviously unsound and unjustified decision.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

65

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mrs Patricia Rice [3358]

Summary:

MP2: Sand and Gravel Provision is unsound and unjustified!

In including the MP2p Mill Hill site near Barton in Fabis, I don't feel that any consideration has been given to size of population in the surrounding areas and the impact that the extraction of sand and gravel will have on the noise and air pollution. A sizeable percentage of the population at Lark Hill Retirement Village and adjacent areas already suffer from serious lung conditions, myself included, having had COPD diagnosed recently. The increase in particles released into the surrounding air can only exacerbate the impact on the local community's health. Alongside this is the increased noise pollution from the workings and increased heavy traffic on a daily basis.

This will also affect the surrounding natural environment. There are several SSSI's in close proximity. These and other important environmental factors do not seem to have been taken into consideration when selecting sites. According to the Council's own Sustainability Appraisal, the Mill Hill site is less sustainable and more environmentally damaging than the previously included Shelford site.

The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford is unsound and unjustified.

The County Council has not allocated sites which utilise more sustainable forms of transport. SP4 states "maximise the use of sustainable forms of transport including barge."

Surely the Shelford site is perfect for fulfilling this statement, being close to Colwick Wharf, where deliveries of minerals would be closer to major markets and provide a more sustainable pattern of transport.

No evidence has been presented to justify the claim that the Shelford site is too large and would lead to "provision (being) limited in other parts of the County" supply.

Taking in to consideration that the Mill Hill site is closer to a larger area of population than Shelford, has consequently has more environmentally damaging factors than Shelford and additionally does not fulfil the sustainable mode of transportation that Shelford could, it is a complete mystery as to why the obviously more suitable site of Shelford has been withdrawn other than it was a purely political decision.

Full text:

I believe that issues contained within the Minerals Local Plan are unsound and unjustified. The Minerals Plan needs to be withdrawn in its current form.

With regard to SO1: Improving the sustainability of minerals development, I feel that as it is it is unsound and unjustified. There does not appear to have been any meaningful analysis of the pattern for sand and gravel across the wider market areas or the geographical spread of sites.

Site allocation should be based on their own merits and additionally take in an account of all factors including their impact on communities and the natural environment. They should not just depend on how far minerals are transported.

MP2: Sand and Gravel Provision is unsound and unjustified!

In including the MP2p Mill Hill site near Barton in Fabis, I don't feel that any consideration has been given to size of population in the surrounding areas and the impact that the extraction of sand and gravel will have on the noise and air pollution. A sizeable percentage of the population at Lark Hill Retirement Village and adjacent areas already suffer from serious lung conditions, myself included, having had COPD diagnosed recently. The increase in particles released into the surrounding air can only exacerbate the impact on the local community's health. Alongside this is the increased noise pollution from the workings and increased heavy traffic on a daily basis.

This will also affect the surrounding natural environment. There are several SSSI's in close proximity. These and other important environmental factors do not seem to have been taken into consideration when selecting sites. According to the Council's own Sustainability Appraisal, the Mill Hill site is less sustainable and more environmentally damaging than the previously included Shelford site.

The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford is unsound and unjustified.

The County Council has not allocated sites which utilise more sustainable forms of transport. SP4 states "maximise the use of sustainable forms of transport including barge."

Surely the Shelford site is perfect for fulfilling this statement, being close to Colwick Wharf, where deliveries of minerals would be closer to major markets and provide a more sustainable pattern of transport.

No evidence has been presented to justify the claim that the Shelford site is too large and would lead to "provision (being) limited in other parts of the County" supply.

Taking in to consideration that the Mill Hill site is closer to a larger area of population than Shelford, has consequently has more environmentally damaging factors than Shelford and additionally does not fulfil the sustainable mode of transportation that Shelford could, it is a complete mystery as to why the obviously more suitable site of Shelford has been withdrawn other than it was a purely political decision.

Statement of Community Involvement

The County Council has failed to comply with paragraph 3.14/3.15 of Statement of Community involvement and responsibility to provide information on specific proposals to local communities.

There was no attempt to directly engage with the communities most directly affected, being in close proximity to the Mill Hill site, within the Nottingham City boundaries but outside the County Council area.

Very few of us were made aware of the information boards at Clifton Library. I feel that there was even discrimination against residents, as those most affected by the Mill Hill quarry proposals at Lark Hill Retirement Village were not able to easily access the information boards due to restricted mobility.

In conclusion there was also no meaningful response to over 1000 letters of objection from local people to the Draft Minerals Local Plan. Even though many of these were characterised as being on a pro forma letter this was incorrect as within the responses all included their individual reasons for objecting to an obviously unsound and unjustified decision.

Change to plan:

-

Legally compliant: No
Sound: No

Comply with No
duty:
Appear exam: Appearance at the examination
Attachments: None

61

Object

S01: Improving the sustainability of minerals development

Respondent: Miss Heather Robson [9162]

Summary:

The strategic objectives S01 is unsound and unjustified. The county council has failed to undertake any meaningful analysis of the pattern of demand for sand and gravel across market areas to justify the proposed spatial pattern of mineral development or geographical spread of sites.

In allocating sites they should be judged on their own merits and take into account all factors including their impact on the community and the natural environment, not just how far minerals are transported.

To suggest that the environmental impact of creating a new quarry is justified here when analysis has not been completed on the demand, is shocking and extremely detrimental to the natural environment at risk. The location is situated in a protected nature area, the loss of which would be devastating to both animals and the community that use the area on a daily basis. This is not an unused piece of waist land this is a protected natural area used by its local community regularly.

Full text:

I am writing to object to the Minerals local plan because I believe it is unsound and unjustified and it should be withdrawn in its current form.

The strategic objectives S01 is unsound and unjustified. The county council has failed to undertake any meaningful analysis of the pattern of demand for sand and gravel across market areas to justify the proposed spatial pattern of mineral development or geographical spread of sites.

In allocating sites they should be judged on their own merits and take into account all factors including their impact on the community and the natural environment, not just how far minerals are transported.

To suggest that the environmental impact of creating a new quarry is justified here when analysis has not been completed on the demand, is shocking and extremely detrimental to the natural environment at risk. The location is situated in a protected nature area, the loss of which would be devastating to both animals and the community that use the area on a daily basis. This is not an unused piece of waist land this is a protected natural area used by its local community regularly.

The propose a new quarry site on one of the few natural areas on the edge of the Nottingham city boundary that holds one of the largest housing estates, of which the community uses the area under threat to walk, cycle, fish, ride, bird watch, and play with no full investigation into the impact to the local community is just shocking and unacceptable. More so when an already viable and in use quarry site is removed inexplicably from the shortlist of sites, Shelford.

The allocation of site MP2p at Mill Hill near Barton in Fabis (under MP2 Sand and Gravel Provision) Is also unsound and unjustified and should be removed. The inclusion of site MP2p Mill Hill me Barton in Fabis and the removal of an alternative sire at Shelford in the new Mineral Local Plan is unsound and unjustified. The local County Council has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 , "Maximise the use of sustainable forms of transport including barge" Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport. There has been no evidence presented to justify the assertion that Shelford site is too large and would lead to " provision being limited in other parts of the county" supply and to justify creating a new quarry at Barton in Fabis whilst a working quarry is still viable is unsound and disastrous for the natural environment at Mill Hill.

The County Councils own Sustainability Appraisal stated that creating a quarry at Mill Hill is less sustainable and more environmentally damaging than continuing with the already present Shelford site. The County Council has failed to comply with para 3.14 / 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities. There has been no attempt to engage directly with the communities held within the Nottingham City Council boundary including Clifton and Clifton Village areas who are directly impacted by the proposals but are actually covered by the City Council not the County Council.

There has been No meaningful response to strategic issues and concerns raised in over 1000 responses from local people to the Draft Mineral Local Plan, stating these were simply pro-forma letters. The letters may have contained similar items but they also contained personal comments from individual members of the community that would be directly affected by this plan and to undermine the publics reply's who will be directly affected by this is an absolute disgrace. I spoke to a large number of people who wrote letters to object and the amount of people completely unaware of the Councils plan to destroy their natural area near where they live was shocking, this only proves that the council failed to fulfilled their requirement to communicate with the local people about such plans.

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:
Appear exam: Appearance at the examination
Attachments: None

62

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Miss Heather Robson [9162]

Summary:

The allocation of site MP2p at Mill Hill near Barton in Fabis (under MP2 Sand and Gravel Provision) Is also unsound and unjustified and should be removed. The inclusion of site MP2p Mill Hill me Barton in Fabis and the removal of an alternative sire at Shelford in the new Mineral Local Plan is unsound and unjustified. The local County Council has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 , "Maximise the use of sustainable forms of transport including barge" Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport. There has been no evidence presented to justify the assertion that Shelford site is too large and would lead to " provision being limited in other parts of the county" supply and to justify creating a new quarry at Barton in Fabis whilst a working quarry is still viable is unsound and disastrous for the natural environment at Mill Hill.

The County Councils own Sustainability Appraisal stated that creating a quarry at Mill Hill is less sustainable and more environmentally damaging than continuing with the already present Shelford site. The County Council has failed to comply with para 3.14 / 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities. There has been no attempt to engage directly with the communities held within the Nottingham City Council boundary including Clifton and Clifton Village areas who are directly impacted by the proposals but are actually covered by the City Council not the County Council.

There has been No meaningful response to strategic issues and concerns raised in over 1000 responses from local people to the Draft Mineral Local Plan, stating these were simply pro-forma letters. The letters may have contained similar items but they also contained personal comments from individual members of the community that would be directly affected by this plan and to undermine the publics reply's who will be directly affected by this is an absolute disgrace. I spoke to a large number of people who wrote letters to object and the amount of people completely unaware of the Councils plan to destroy their natural area near where they live was shocking, this only proves that the council failed to fulfilled their requirement to communicate with the local people about such plans.

Full text:

I am writing to object to the Minerals local plan because I believe it is unsound and unjustified and it should be withdrawn in its current form.

The strategic objectives S01 is unsound and unjustified. The county council has failed to undertake any meaningful analysis of the pattern of demand for sand and gravel across market areas to justify the proposed spatial pattern of mineral development or geographical spread of sites.

In allocating sites they should be judged on their own merits and take into account all factors including their impact on the community and the natural environment, not just how far minerals are transported.

To suggest that the environmental impact of creating a new quarry is justified here when analysis has not been completed on the demand, is shocking and extremely detrimental to the natural environment at risk. The location is situated in a protected nature area, the loss of which would be devastating to both animals and the community that use the area on a daily basis. This is not an unused piece of waist land this is a protected natural area used by its local community regularly.

The propose a new quarry site on one of the few natural areas on the edge of the Nottingham city boundary that holds one of the largest housing estates, of which the community uses the area under threat to walk, cycle, fish, ride, bird watch, and play with no full investigation into the impact to the local community is just shocking and unacceptable. More so when an already viable and in use quarry site is removed inexplicably from the shortlist of sites, Shelford.

The allocation of site MP2p at Mill Hill near Barton in Fabis (under MP2 Sand and Gravel Provision) Is also unsound and unjustified and should be removed. The inclusion of site MP2p Mill Hill me Barton in Fabis and the removal of an alternative sire at Shelford in the new Mineral Local Plan is unsound and unjustified. The local County Council has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 , "Maximise the use of sustainable forms of transport including barge" Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide a more sustainable pattern of transport. There has been no evidence presented to justify the assertion that Shelford site is too large and would lead to " provision being limited in other parts of the county" supply and to justify creating a new quarry at Barton in Fabis whilst a working quarry is still viable is unsound and disastrous for the natural environment at Mill Hill.

The County Councils own Sustainability Appraisal stated that creating a quarry at Mill Hill is less sustainable and more environmentally damaging than continuing with the already

present Shelford site. The County Council has failed to comply with para 3.14 / 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities. There has been no attempt to engage directly with the communities held within the Nottingham City Council boundary including Clifton and Clifton Village areas who are directly impacted by the proposals but are actually covered by the City Council not the County Council. There has been No meaningful response to strategic issues and concerns raised in over 1000 responses from local people to the Draft Mineral Local Plan, stating these were simply pro-forma letters. The letters may have contained similar items but they also contained personal comments from individual members of the community that would be directly affected by this plan and to undermine the publics reply's who will be directly affected by this is an absolute disgrace. I spoke to a large number of people who wrote letters to object and the amount of people completely unaware of the Councils plan to destroy their natural area near where they live was shocking, this only proves that the council failed to fulfilled their requirement to communicate with the local people about such plans.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

125

Object

MP2p: Mill Hill nr Barton in Fabis**Respondent:** Dave Rodgers [3764]**Summary:**

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise
 Impact on the natural environment, visual, nature designations, green belt.

Full text:

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise
 Impact on the natural environment, visual, nature designations, green belt.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

58

Object

MP1: Aggregate Provision**Respondent:** Rushcliffe Borough Council (Mr John King, Planning Policy Officer) [969]**Summary:**

Policy MP1 part 1 states that 32.30 million tonnes of Sand and Gravel will be provided over the plan period to meet identified levels of demand. This amount is based solely on the Local Aggregates Assessment (LAA) published in October 2017 which is itself based on December 2016 data. In May 2019, Nottinghamshire County Council published an updated LAA (based on 2017 sales data) and Rushcliffe Borough Council (RBC) believes this data should underpin policy MP1. Using the most recent LAA complies with paragraph 31 of the NPPF, which states that: "The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals." Paragraph 207 parts a) and c) of the NPPF provides specific guidance on minerals planning. These require an annual assessment informs the selection of sites within plan, based on a rolling average 10 years' sales data. Given that an annual assessment is required and by implication the most up-to-date data used, RBC believes this most recent LAA should inform the provision of minerals to meet demand. The 2019 LAA identifies demand for 29.2 million tonnes of sand and gravel (based on average 10 years sales of 1.53 million tonnes x 19 (years)), 3.1 million tonnes less than that proposed in the plan. If the required provision is based solely on demand calculated within the LAA, in accordance with the NPPF, this should be based on the most up-to-date evidence of demand within the most recent LAA. Whilst the minerals planning authority can use other evidence to justify a different target (for example predicted market conditions and future developments), it must be justified. Policy MP1 part 2 states that the County Council will maintain a landbank of at least 7 years for sand and gravel. This complies with the NPPF and is supported by RBC. It should be noted that the most recent LAA (2019) identifies a landbank of permitted reserves of 17.89 million tonnes and this equates to 11.69 years (17.89/1.53). This also excludes the permission at Langford Quarry which was granted in 2018 for 3.6 million tonnes. If this is included it would increase the landbank to 14 years (21.49/1.53). This is double the required landbank required within the NPPF and provides flexibility when identifying suitable minerals reserves. The failure to use the most recent LAA data means the plan is not based on proportionate evidence and therefore is not justified. It is also inconsistent with the NPPF, which promotes the use of annual assessments to inform the plan. The use of an out of date LAA challenges this approach.

Full text:

See attached documents

Change to plan:

Policy MP1 Part 1 should state:
 "1. To meet identified levels of demand for aggregate mineral over the plan period (2018-2036) the following provision will be made:
 - 32.30 29.2 million tonnes of Sand and Gravel"
 Paragraph 4.10 should refer to the Local Aggregates Assessment published in May 2019 (2017 data) and Table 1 amended to include minerals production figures between 2008 and 2017 as set out in the May 2019 LAA.

Legally compliant: Yes
Sound: No
Comply with duty: Yes
Appear exam: Appearance at the examination
Attachments: Rushcliffe Borough Council representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327553/rbc-response-11_10_2019_redacted.pdf

56

Object

MP2: Sand and Gravel Provision**Respondent:** Rushcliffe Borough Council (Mr John King, Planning Policy Officer) [969]**Summary:**

As set out in our representation on Policy MP1 (Aggregate Provision), the provision of aggregate required to meet demand should be reduced to 29.2 million tonnes of sand and gravel. This reflects the most up-to-date evidence in the LAA (2019). Given this reduction the Minerals Planning Authority should, prior to publication, have reviewed its site selections and considered whether demand could be met through existing

permitted reserves and the expansion of existing sites.

The total amount of remaining reserves identified in policy MP2 (MP2a-j) amounts to 23.31 million tonnes (not 17.5 million tonnes as stated in paragraph 4.17) and proposed extensions to existing permitted quarries amounts to 8.8 million tonnes. Combined these total 32.11 million tonnes, 2.91 million more than is required within the most recent LAA. Policy SP1 within the publication draft sets out the strategy for the supply of minerals. It states that a) an adequate supply of minerals will be identified during the plan period and b) priority will be given to the extension of existing sites, where economically, socially, and environmentally acceptable. In accordance with this approach and considering the permitted reserves and extensions identified in Policy MP2, there does not appear to be a need for an additional new quarry at Barton Hill, or elsewhere. Its inclusion is therefore not justified.

Full text:

See attached documents

Change to plan:

Policy MP2 should be amended to reflect the latest data within the 2019 LAA. Part c should be removed in accordance with the strategic approach to minerals provision as set out within Policy SP1. It will have significant environmental effects on the area, harm the openness and purposes of the Green Belt. Consequently very special circumstances do not exist to allocate this site.

The justification should also be amended accordingly and the correct total of 23.31 million tonnes for remaining reserves (MP2a to MP2j) should be used to calculate the additional reserves required to deliver 29.2 million tonnes of sand and gravel during the plan period.

Legally Yes

compliant:

Sound: Yes

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Rushcliffe Borough Council representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327553/rbc-response-11_10_2019_redacted.pdf

57

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Rushcliffe Borough Council (Mr John King, Planning Policy Officer) [969]

Summary:

Notwithstanding RBC's position that there is no need to allocate a new quarry to meet demand, RBC has serious concerns regarding the environmental impacts of the proposed sand and gravel allocation at Mill Hill near Barton in Fabis (MP2p).

Green Belt and Landscape Impacts

As the site is within the Green Belt, and would require significant infrastructure to transport the mineral up Mill Hill to the loading area adjacent to Green Street, there is likely to be significant harm to the openness of the Green Belt and the Green Belt purpose which safeguards the countryside from encroachment. This concern is confirmed by the landscape appraisal of the allocation, which according to the Sustainability Appraisal and Site Assessment Methodology and Assessment document determines the landscape impacts to be very negative. Post-restoration, the landscape impacts are considered to remain very negative. The Landscape Character Assessment identifies the site as being the most sensitive site option (scoring 96/100 for both operational and long term effects).

As stated within the NPPF and draft policy SP6 (The Nottinghamshire Green Belt), mineral extraction is not inappropriate in the Green Belt, provided it preserves the openness and does not conflict with the purposes of including land within it. The supporting SA, landscape character assessment, and Site Assessment Methodology and Assessment all indicate that the quarry will significantly affect the openness of the Green Belt, especially the minerals transportation infrastructure which will extend up Mill Hill and the loading area on the summit. As these elements will not preserve the openness of the Green Belt, the allocation for minerals development should be considered inappropriate.

Consequently, in accordance with paragraph 144 of the NPPF, very special circumstances are required in order to allocate this site, these will not exist unless the potential harm to the Green Belt by reason of inappropriateness (impact on openness and encroachment into the countryside), and any other harm resulting from the proposal (see below), is clearly outweighed by other considerations. As substantial weight is given to any harm to the Green Belt and the quarry will have significant environmental impacts (see below) RBC does not believe very special circumstances exist. Critically the only other consideration that would outweigh these harmful effects, is the need to provide a geographical spread of sites as there is no need for a new quarry within the plan area according to the data within the 2019 LAA.

Given the importance of preserving the openness of the Green Belt, the MPA should have undertaken a Green Belt review of the sites to establish whether those allocations within the Green Belt would be inappropriate and, if so, whether very special circumstances exist.

Loss of Rights of Way and Impacts on Visual Amenity

Impacts on visual amenity are exacerbated by the number of rights of way that cross the site, including a bridleway and footpath to Barton in Fabis. The diversion of these routes and the enjoyment of them will be significantly affected whilst the quarry is in operation. The Trent Valley Way, an important regional trail, is on the opposite bank of the River Trent, within the Attenborough Nature Reserve. The enjoyment of this route is also likely to be affected. This is highlighted within the Landscape Character Assessment.

Impacts on Nature Conservation Assets

Located within the Trent Valley, the site includes or is immediately adjacent to the Barton Flash Local Wildlife Site (LWS), Barton Pond and Drain LWS, Brandshill Wood LWS, Brandshill Grassland LWS and Brandshill Marsh LWS. It is also in close proximity to Attenborough Gravel Pits and Holme Pit Site of Special Scientific Interest, and several more LWSs including Clifton Fox Covert, Burrows Farm Grassland and Clifton Wood. Page 235 of the SA Report highlights potential for direct and indirect impacts on these sites, during operations, through noise, dust, NOx and changes to hydrology and hydrogeology. Whilst restoration would include the creation of 62ha of priority habitat, the SA Report concludes that the allocation would still involve an overall reduction in BAP habitat and the loss and degradation of a number of LWSs and features used by protected species. The overall net reduction in priority habitat is a significant constraint.

Concerns regarding the surveys of protected and priority species have been raised, specifically Barn Owls which nest in the vicinity of the site. Given the known presence of this species, further surveys should be undertaken to establish the importance of the site for this species and whether breeding birds or their young would be disturbed (which is contrary to Wildlife and Countryside Act 1981).

Where such significant ecological impacts occur, in accordance with paragraph 175 of the NPPF, the 'mitigation hierarchy' should be applied. This favours avoidance (alternative sites (including extensions to existing quarries)) rather than mitigation or compensation (as is occurring here through restoration) as a last resort. If compensation would not avoid significant harm (as is the case with this allocation), the NPPF permits the refusal of development. As such the direct loss of LWS should be avoided and adequate avoidance and mitigation measures (such as buffers) put in place to ensure LWS and SSSIs in the vicinity are not adversely affected by noise, dust, NOx or changes in ground water quality and levels.

Impacts on Air Quality

The transportation by road and generation of dust raise air quality concerns, and the cumulative impact of this allocation and the adjacent Clifton Pastures employment and housing strategic urban extension must be considered. SA objective 11 seeks to protect and improve air quality, however the SA Report's assessment of Mill Hill (on page 239) does not examine the types and levels of pollution generated (only the number of lorry movements) and there is no considerations of cumulative effects with the neighbouring strategic urban extension. The only mitigation measures proposed is dust suppression.

As previously advised, any extension to existing quarries or use of new land for sand and mineral extraction should be accompanied by air quality assessments. These assessments should consider the air quality impact as a result of operations including land movements and the extraction of sand and gravel. As well as the impact on vehicle movements arriving and leaving the sites, this assessment should reference the IAQM guidance on Mineral Dust Impacts for Planning 2016 as well as LAQM Technical Guidance (TG16). The scope of works should be agreed with officers from Rushcliffe Borough Council before any assessments commence.

Noise and Vibration

As previously advised, any extension to existing quarries or use of new land for sand and mineral extraction should be accompanied by noise and vibration assessments. These assessments should be in line with MPG 11 – control of noise at surface mineral workings. The scope of works should be agreed with officers from Rushcliffe Borough Council before any assessments commence.

Contaminated Land

Due to the potential for land surrounding the areas of mineral works being highlighted as potentially contaminated land RBC recommend that at least a Phase 1 desk top study is submitted with any application to determine whether a source – receptor pathway exists.

Cumulative Effects

Given the proximity of the Clifton Urban Extension, other cumulative effects with non-minerals proposals, beyond the effects of the policies as a whole or quarries combined, should also be considered within the SA.

Impacts on Local Residents

In addition to environmental impacts, the SA recognises that the site is in close proximity to settlements, especially Barton in Fabis which is approximately 130m to the south and west, and that during the operational phase there could be an adverse effect resulting from noise, dust and traffic. In terms of visual amenity, there would be a significant adverse change to views for residents on the northern edge of Barton in Fabis with windows facing the site and riverside properties to the eastern edge of the River Trent. It concludes that the allocation would have a very negative adverse effect on the SA's 14th objective which requires the protection and improvement of human health and quality of life.

Sustainability Appraisal

Overall the allocation has a negative effect on 8 of the 14 SA objectives (4 of which are very negative) and only scored positively against those objectives that other sites would equally perform positively against (meeting mineral needs and local employment). Only the allocation's close proximity to the A453 and Nottingham are unique to this site and this appears to have led to the site's allocation.

Paragraphs 6.50 to 6.54 of the SA Report state that twenty two sand and gravel sites were assessed and it was found that those which scored most negatively in the operational period included Barton-in-Fabis (Mill Hill). This is a consequence not only of the issues above, but the site's location within flood zone 3, impact on the historic environment, loss of agricultural land, and loss of water quality (all of which result in a negative assessment in the SA). Furthermore the Areas of Multiple Environmental Sensitivity Study 2014, which has informed the SA, identifies the site as being High Environmental Sensitivity ('Red').

The negative impacts identified within the SA Report have been recognised within the Site Selection Methodology and Assessment which justifies the allocation of the site on the basis that a site must be found within the Nottingham area in order to meet growth anticipated during the plan period and to achieve a geographical spread of sites (page 61). It concludes

that of three possible sites in the area all would have very negative impacts, however this site has been selected due to its location adjacent to the A453. Evidence has not been provided that quarries within the Newark area, cannot however meet needs within Greater Nottingham.

Summary

RBC accepts that a geographical spread of minerals to meet needs across the county and beyond is preferable. However, due to the significant adverse effects upon the environment and local community of Barton in Fabis, the site's location within the Green Belt (which protects openness and Green Belt purposes) and critically the absence of any need for a new quarry (using the most recent LAA), this new site allocation should be removed from the plan. It is therefore not justified, taking into account reasonable alternatives (extensions to existing quarries only) and proportionate evidence (within the LAA).

Finally, the trajectory of mineral extraction from Mill Hill indicates that this will commence in 2019. This appears ambitious given that the submitted application has not yet been determined.

Full text:

See attached documents

Change to plan:

Policy MP2 should be amended to reflect the latest data within the 2019 LAA. Part c should be removed in accordance with the strategic approach to minerals provision as set out within Policy SP1. It will have significant environmental effects on the area, harm the openness and purposes of the Green Belt. Consequently very special circumstances do not exist to allocate this site.

The justification should also be amended accordingly and the correct total of 23.31 million tonnes for remaining reserves (MP2a to MP2j) should be used to calculate the additional reserves required to deliver 29.2 million tonnes of sand and gravel during the plan period.

Legally compliant: Yes
Sound: No
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: Rushcliffe Borough Council representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327553/rbc-response-11_10_2019_redacted.pdf

52

Object

S01: Improving the sustainability of minerals development

Respondent: John Sears [9036]

Summary:

The Strategic Objective S01 (Improving the sustainability of minerals development) is unsound and unjustified.

a. The County Council has failed to undertake any meaningful analysis of the pattern of demand for sand and gravel across market areas to justify the proposed "spatial pattern of mineral development" or geographical spread of sites.

b. Sites considered for allocation should be judged on their own merits and take account of all factors including their impact on communities and the natural environment, not just how far minerals are transported.

Full text:

I believe that:-

1. The Local Plan is unsound and unjustified and should be withdrawn in its current form.

2. The Strategic Objective S01 (Improving the sustainability of minerals development) is unsound and unjustified.

a. The County Council has failed to undertake any meaningful analysis of the pattern of demand for sand and gravel across market areas to justify the proposed "spatial pattern of mineral development" or geographical spread of sites.

b. Sites considered for allocation should be judged on their own merits and take account of all factors including their impact on communities and the natural environment, not just how far minerals are transported.

3. The allocation of site MP2p at Mill Hill near Baron in Fabis (under MP2 Sand and Gravel provision) is also unsound and unjustified and should be removed.

a. The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan is unsound and unjustified.

b. The County Council has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 "maximise the use of sustainable forms of transport including barge".

c. Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide a more sustainable form of transport.

d. No evidence has been presented to justify the assertion that Shelford site is too large and would lead to "provision (being) limited in other parts of the County supply".

e. The Mill Hill near Barton in Fabis site is less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal.

4. The County Council has failed to conform to its own Statement of Community involvement.

a. The County Council has failed to comply with para 3.14 / 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities.

b. It has made no attempt to engage directly with communities in Nottingham City, Clifton and Clifton Village which are directly impacted by the proposals but are outside the County Council area.

c. It has made no meaningful response to strategic issues raised in over 1000 responses from local people to Draft Minerals Local Plan. It incorrectly characterised them as "a large number of pro-forma letters".

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

54

Object

S05: Minimising impacts on communities

Respondent: John Sears [9036]

Summary:

The County Council has failed to conform to its own Statement of Community involvement.

a. The County Council has failed to comply with para 3.14 / 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities.

b. It has made no attempt to engage directly with communities in Nottingham City, Clifton and Clifton Village which are directly impacted by the proposals but are outside the County Council area.

c. It has made no meaningful response to strategic issues raised in over 1000 responses from local people to Draft Minerals Local Plan. It incorrectly characterised them as "a large number of pro-forma letters".

Full text:

I believe that:-

1. The Local Plan is unsound and unjustified and should be withdrawn in its current form.

2. The Strategic Objective S01 (Improving the sustainability of minerals development) is unsound and unjustified.

a. The County Council has failed to undertake any meaningful analysis of the pattern of demand for sand and gravel across market areas to justify the proposed "spatial pattern of mineral development" or geographical spread of sites.

b. Sites considered for allocation should be judged on their own merits and take account of all factors including their impact on communities and the natural environment, not just how far minerals are transported.

3. The allocation of site MP2p at Mill Hill near Baron in Fabis (under MP2 Sand and Gravel provision) is also unsound and unjustified and should be removed.

a. The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan is unsound and unjustified.

b. The County Council has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 "maximise the use of sustainable forms of transport including barge".

c. Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide a more sustainable form of transport.

d. No evidence has been presented to justify the assertion that Shelford site is too large and would lead to "provision (being) limited in other parts of the County supply".

e. The Mill Hill near Barton in Fabis site is less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal.

4. The County Council has failed to conform to its own Statement of Community involvement.

- a. The County Council has failed to comply with para3.14 / 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities.
- b. It has made no attempt to engage directly with communities in Nottingham City, Clifton and Clifton Village which are directly impacted by the proposals but are outside the County Council area.
- c. It has made no meaningful response to strategic issues raised in over 1000 responses from local people to Draft Minerals Local Plan. It incorrectly characterised them as "a large number of pro-forma letters".

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

53

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: John Sears [9036]

Summary:

- The allocation of site MP2p at Mill Hill near Baron in Fabis (under MP2 Sand and Gravel provision) is also unsound and unjustified and should be removed.
- a. The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan is unsound and unjustified.
 - b. The County Council has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 "maximise the use of sustainable forms of transport including barge".
 - c. Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide a more sustainable form of transport.
 - d. No evidence has been presented to justify the assertion that Shelford site is too large and would lead to "provision (being) limited in other parts of the County supply".

Full text:

I believe that:-

1. The Local Plan is unsound and unjustified and should be withdrawn in its current form.
2. The Strategic Objective SO1 (Improving the sustainability of minerals development) is unsound and unjustified.
 - a. The County Council has failed to undertake any meaningful analysis of the pattern of demand for sand and gravel across market areas to justify the proposed "spatial pattern of mineral development" or geographical spread of sites.
 - b. Sites considered for allocation should be judged on their own merits and take account of all factors including their impact on communities and the natural environment, not just how far minerals are transported.
3. The allocation of site MP2p at Mill Hill near Baron in Fabis (under MP2 Sand and Gravel provision) is also unsound and unjustified and should be removed.
 - a. The inclusion of site MP2p Mill Hill near Barton in Fabis and the removal of an alternative site at Shelford in the new Minerals Local Plan is unsound and unjustified.
 - b. The County Council has failed to allocate any sites which utilise more sustainable forms of transport in line with SP4 "maximise the use of sustainable forms of transport including barge".
 - c. Deliveries of minerals to Colwick wharf from Shelford would be closer to major markets and provide a more sustainable form of transport.
 - d. No evidence has been presented to justify the assertion that Shelford site is too large and would lead to "provision (being) limited in other parts of the County supply".
- e. The Mill Hill near Barton in Fabis site is less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal.
4. The County Council has failed to conform to its own Statement of Community involvement.
 - a. The County Council has failed to comply with para3.14 / 3.15 of Statement of Community Involvement and responsibility to provide information on specific proposals to local communities.
 - b. It has made no attempt to engage directly with communities in Nottingham City, Clifton and Clifton Village which are directly impacted by the proposals but are outside the County Council area.
 - c. It has made no meaningful response to strategic issues raised in over 1000 responses from local people to Draft Minerals Local Plan. It incorrectly characterised them as "a large number of pro-forma letters".

Change to plan:

-

Legally compliant: No

Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

234

Support

DM2: Water Resources and Flood Risk

Respondent: Severn Trent Water Ltd (Chris Bramley, Strategic Catchment Planner) [8571]

Summary:

Severn Trent are generally supportive of Policies to protect the environment and water resources, and agree with the principles outlined within the minerals plan to protect ground and surface water from the impacts of mineral extraction, to help to deliver Water Framework Directives, to mitigate the impacts of climate change and flooding, where possible.

Full text:

Thank you for the opportunity to comment on your consultation. Severn Trent are generally supportive of Policies to protect the environment and water resources, and agree with the principles outlined within the minerals plan to protect ground and surface water from the impacts of mineral extraction, to help to deliver Water Framework Directives, to mitigate the impacts of climate change and flooding, where possible.

There are a number of sites that are indicated to be located in close proximity or intersect with Severn Trent assets:

Potential Mineral Allocation Sites:

- MP2k (Bawtry Road West) – This site falls within a groundwater Source Protection Zone (SPZ) 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS (Environment Agency Catchment Abstraction Management Strategies) area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).
- MP2l (Scrooby Thompson Land) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).
- MP2m (Scrooby North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).
- MP3 (Scrooby Top North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).
- MP2n (Langford Lowfield North) – The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.
- MP2o (Besthorpe East) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.
- 2
- MP7c (Bantycok Quarry South) - the site is indicated to be in close proximity to Severn Trent surface water assets therefore it may be necessary to have discussions concerning extraction, to ensure that Severn Trent assets are not adversely effected by operations. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.
- MP3d (Bestwood 2 North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Lower Trent & Erewash EA CAMS

area and is also situated within a sub-area designated as 'Water Not Available for Licensing' (See Note1 below).

MP2p Mill Hill (near Barton in Fabis) – This minerals extraction site is indicated to be intersected by Severn Trent surface water assets, therefore discussions with Severn Trent should be held to ensure that impacts on Severn Trent are appropriately mitigated. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

All Permitted Sites April 2019:

MP2g (Girton) – The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2h (Langford Lowfields) – Indicated to be in close proximity to Severn Trent Surface Water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2f (Besthorpe) - Indicated to be in close proximity to Severn Trent Surface Water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2c (Sturton Le Steeple) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2a (Newington South) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing' (See Note1 below).

MP4a (Nether Langwith) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing' (See Note1 below).

MP7b (Bantycok Quarry) - the site is indicated to be in close proximity to Severn Trent assets it may be necessary to have discussions around the extraction, to ensure that Severn Trent assets are not adversely effected by operations. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP6b (Dorket Head – part a) - the site is bounded by Severn Trent assets; we strongly advise that Severn Trent Water is consulted during permitting to ensure that Severn Trent assets are not adversely effected by operations. The site does not fall in a groundwater

asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP3a (Burnstump) - the site is indicated to be intersected by Severn Trent assets, it is vital that discussions are held with Severn Trent to ensure that any impacts on Severn Trent assets are managed appropriately. The site falls within a groundwater SPZ 3 and is approximately 60 m from an SPZ 2 therefore there is a moderate chance it may pose a risk to groundwater assets. This site falls within the Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing' (See Note1 below).

MP6b (Dorket Head – part b) - the site is indicated to be intersected by Severn Trent assets, it is vital that discussions are held with Severn Trent to ensure that any impacts on Severn Trent assets are managed appropriately. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP7a (Marlaegis Mine) – the site is located in close proximity to Severn Trent assets it may be necessary to discuss these assets to prevent any detrimental impacts to the Severn Trent network. The site does not fall in a groundwater asset SPZ therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP8a (Two Oaks Farm) - the site is indicated to be bounded by Severn Trent assets, it may be necessary to discuss the site with Severn Trent to ensure that the development of the site does not have an adverse impact on Severn Trent assets. The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is also located within the Idle & Torne EA CAMS area and is designated as 'Water Not Available for Licensing' (See Note1 below).

MP10a (Yellowstone Quarry) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. This site falls within Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as 'Restricted Water Available for Licensing' (See Note1 below).

MP3b (Bestwood 2) - The site is indicated to be bounded by Severn Trent Assets, discussion We strongly recommend that you contact Severn Trent to ensure that Severn Trent assets are not adversely effected. The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing' (See Note1 below).

MP2i (East Leake) - the site is located in close proximity to Severn Trent assets it may be necessary to discuss these assets to prevent any detrimental impacts to the Severn Trent network. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2e (Cromwell) – This site is indicated to be in close proximity to Severn Trent surface water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP3c (Scrooby Top) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing' (See Note1 below).

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MP2j (Scrooby) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing' (See Note1 below).

MP2b (Finningley) - The site is located within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing' (See Note1 below).

MP2d (Bawtry Road) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing' (See Note1 below).

MP6a (Kirtton) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing' (See Note1 below).

South Muskham Archaeological Centre:

DM6 – The allocation around South Muskham is indicated to be in close proximity to Severn Trent surface water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

Note1 – The specific quarry sites designated above fall within an Environment Agency CAMS subareas which are marked as either “(Ground) Water Not Available for Licensing” or “Restricted (Ground) Water Available”. In such areas the EA is unlikely to grant new consumptive abstraction licences. Even in “(Ground) Water Available for Licensing” areas the EA would request that the WFD ‘No-Deterioration’ principles are followed.

Please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice.

For your information we have set out some general guidelines that may be useful to you.

Position Statement

As a water company we have an obligation to provide water supplies and sewage treatment capacity for domestic flows from future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues that would prevent the supply of water or sewerage. Where we consider there may be an issue we would discuss in further detail with the Local Planning Authority. Where quarries are proposed to be developed or extended, we do not anticipate there will be any significant need to supply water or sewerage due to the nature of development. If however you anticipate that there will be a requirement for Severn Trent to provide these services it is strongly advised that you contact us to ensure that capacity can be made available at the appropriate time.

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Sewage Strategy

Once detailed plans are available and we have modelled the additional capacity, in areas where sufficient capacity is not currently available and we have sufficient confidence that developments will be built, we will complete necessary improvements to provide the capacity. We will ensure that our assets have no adverse effect on the environment and that we provide appropriate levels of treatment at each of our sewage treatment works.

Surface Water and Sewer Flooding

Whilst we do not anticipate a significant increase in impermeable area, it may be necessary to pump water out of the minerals working area. Severn Trent would anticipate that this will be managed appropriately onsite and discharged through sustainable outfall, without the need to utilise public sewerage network. It is however anticipated that sewerage connections may be required for site offices and welfare facilities.

Groundwater

While most of the proposed locations do not appear to constitute a significant risk to water quality of our assets, there are a few that may constitute risks to groundwater assets.

Severn Trent strongly recommends that all appropriate EA guidance is followed with reference to site management and any future abstraction of water to ensure the WFD ‘No-Deterioration’ Principles are followed.

Water Quality

Good quality river water and groundwater is vital for provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that water quality of supplies are not impacted by our or others operations. The Environment Agency’s Source Protection Zone (SPZ) and Safe Guarding Zone policy should provide guidance on development. Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan for the Severn River basin unit as prepared by the Environment Agency.

Water Supply

Whilst it is not anticipated that water supply will be required for quarrying operations, we do anticipate some water supply needs for domestic activities associated with site offices and welfare facilities.

We would not anticipate capacity problems within the urban areas of our network, any issues can be addressed through reinforcing our network. However, the ability to support significant development in the rural areas is likely to have a greater impact and require greater reinforcement to accommodate greater demands.

We hope this information has been useful to you and we look forward in hearing from you in the near future.

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: None

240

Support

DM6: Historic Environment

Respondent: Severn Trent Water Ltd (Chris Bramley, Strategic Catchment Planner) [8571]

Summary:

DM6 – The allocation around South Muskham is indicated to be in close proximity to Severn Trent surface water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

Full text:

Thank you for the opportunity to comment on your consultation. Severn Trent are generally supportive of Policies to protect the environment and water resources, and agree with the principles outlined within the minerals plan to protect ground and surface water from the impacts of mineral extraction, to help to deliver Water Framework Directives, to mitigate the impacts of climate change and flooding, where possible.

There are a number of sites that are indicated to be located in close proximity or intersect with Severn Trent assets:

Potential Mineral Allocation Sites:

MP2k (Bawtry Road West) – This site falls within a groundwater Source Protection Zone (SPZ) 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS (Environment Agency Catchment Abstraction Management Strategies) area and is also situated within a sub-area designated as ‘Water Not Available for Licensing’ (See Note1 below).

MP2l (Scrooby Thompson Land) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as ‘Water Not Available for Licensing’ (See Note1 below).

MP2m (Scrooby North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as ‘Water Not Available for Licensing’ (See Note1 below).

MP3 (Scrooby Top North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as ‘Water Not Available for Licensing’ (See Note1 below).

MP2n (Langford Lowfield North) – The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.

MP2o (Besthorpe East) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.

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MP7c (Bantycok Quarry South) - the site is indicated to be in close proximity to Severn Trent surface water assets therefore it may be necessary to have discussions concerning extraction, to ensure that Severn Trent assets are not adversely effected by operations. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.

MP3d (Bestwood 2 North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as ‘Water Not Available for Licensing’ (See Note1 below).

MP2p Mill Hill (near Barton in Fabis) – This minerals extraction site is indicated to be intersected by Severn Trent surface water assets, therefore discussions with Severn Trent should be held to ensure that impacts on Severn Trent are appropriately mitigated. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

All Permitted Sites April 2019:

MP2g (Girton) – The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2h (Langford Lowfields) – Indicated to be in close proximity to Severn Trent Surface Water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2f (Besthorpe) - Indicated to be in close proximity to Severn Trent Surface Water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2c (Sturton Le Steeple) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2a (Newington South) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP4a (Nether Langwith) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP7b (Bantycok Quarry) - the site is indicated to be in close proximity to Severn Trent assets it may be necessary to have discussions around the extraction, to ensure that Severn Trent assets are not adversely effected by operations. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP6b (Dorket Head – part a) - the site is bounded by Severn Trent assets; we strongly advise that Severn Trent Water is consulted during permitting to ensure that Severn Trent assets are not adversely effected by operations. The site does not fall in a groundwater

asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP3a (Burnstump) - the site is indicated to be intersected by Severn Trent assets, it is vital that discussions are held with Severn Trent to ensure that any impacts on Severn Trent assets are managed appropriately. The site falls within a groundwater SPZ 3 and is approximately 60 m from an SPZ 2 therefore there is a moderate chance it may pose a risk to groundwater assets. This site falls within the Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP6b (Dorket Head – part b) - the site is indicated to be intersected by Severn Trent assets, it is vital that discussions are held with Severn Trent to ensure that any impacts on Severn Trent assets are managed appropriately. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP7a (Marlaegis Mine) – the site is located in close proximity to Severn Trent assets it may be necessary to discuss these assets to prevent any detrimental impacts to the Severn Trent network. The site does not fall in a groundwater asset SPZ therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP8a (Two Oaks Farm) - the site is indicated to be bounded by Severn Trent assets, it may be necessary to discuss the site with Severn Trent to ensure that the development of the site does not have an adverse impact on Severn Trent assets. The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is also located within the Idle & Torne EA CAMS area and is designated as "Water Not Available for Licensing" (See Note1 below).

MP10a (Yellowstone Quarry) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. This site falls within Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as "Restricted Water Available for Licensing" (See Note1 below).

MP3b (Bestwood 2) - The site is indicated to be bounded by Severn Trent Assets, discussion We strongly recommend that you contact Severn Trent to ensure that Severn Trent assets are not adversely effected. The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP2i (East Leake) - the site is located in close proximity to Severn Trent assets it may be necessary to discuss these assets to prevent any detrimental impacts to the Severn Trent network. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2e (Cromwell) – This site is indicated to be in close proximity to Severn Trent surface water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP3c (Scrooby Top) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP2j (Scrooby) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP2b (Finningley) - The site is located within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP2d (Bawtry Road) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP6a (Kirtton) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

South Muskham Archaeological Centre:

DM6 – The allocation around South Muskham is indicated to be in close proximity to Severn

Trent surface water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

Note1 – The specific quarry sites designated above fall within an Environment Agency CAMS subareas which are marked as either “(Ground) Water Not Available for Licensing” or “Restricted (Ground) Water Available”. In such areas the EA is unlikely to grant new consumptive abstraction licences. Even in “(Ground) Water Available for Licensing” areas the EA would request that the WFD “No-Deterioration” principles are followed.

Please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice.

For your information we have set out some general guidelines that may be useful to you.

Position Statement

As a water company we have an obligation to provide water supplies and sewage treatment capacity for domestic flows from future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues that would prevent the supply of water or sewerage. Where we consider there may be an issue we would discuss in further detail with the Local Planning Authority. Where quarries are proposed to be developed or extended, we do not anticipate there will be any significant need to supply water or sewerage due to the nature of development. If however you anticipate that there will be a requirement for Severn Trent to provide these services it is strongly advised that you contact us to ensure that capacity can be made available at the appropriate time.

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Sewage Strategy

Once detailed plans are available and we have modelled the additional capacity, in areas where sufficient capacity is not currently available and we have sufficient confidence that developments will be built, we will complete necessary improvements to provide the capacity. We will ensure that our assets have no adverse effect on the environment and that we provide appropriate levels of treatment at each of our sewage treatment works.

Surface Water and Sewer Flooding

Whilst we do not anticipate a significant increase in impermeable area, it may be necessary to pump water out of the minerals working area. Severn Trent would anticipate that this will be managed appropriately onsite and discharged through sustainable outfall, without the need to utilise public sewerage network. It is however anticipated that sewerage connections may be required for site offices and welfare facilities.

Groundwater

While most of the proposed locations do not appear to constitute a significant risk to water quality of our assets, there are a few that may constitute risks to groundwater assets. Severn Trent strongly recommends that all appropriate EA guidance is followed with reference to site management and any future abstraction of water to ensure the WFD ‘No-Deterioration’ Principles are followed.

Water Quality

Good quality river water and groundwater is vital for provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that water quality of supplies are not impacted by our or others operations. The Environment Agency’s Source Protection Zone (SPZ) and Safe Guarding Zone policy should provide guidance on development. Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan for the Severn River basin unit as prepared by the Environment Agency.

Water Supply

Whilst it is not anticipated that water supply will be required for quarrying operations, we do anticipate some water supply needs for domestic activities associated with site offices and welfare facilities.

We would not anticipate capacity problems within the urban areas of our network, any issues can be addressed through reinforcing our network. However, the ability to support significant development in the rural areas is likely to have a greater impact and require greater reinforcement to accommodate greater demands.

We hope this information has been useful to you and we look forward in hearing from you in the near future.

Change to plan:

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Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Appear exam: Appearance at the examination

Attachments: None

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Support

Appendix 2: Site Allocation Development Briefs

Respondent: Severn Trent Water Ltd (Chris Bramley, Strategic Catchment Planner) [8571]

Summary:

There are a number of sites that are indicated to be located in close proximity or intersect with Severn Trent assets:

Potential Mineral Allocation Sites:

MP2k (Bawtry Road West) – This site falls within a groundwater Source Protection Zone (SPZ) 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torme EA CAMS (Environment Agency Catchment Abstraction Management Strategies) area and is also situated within a sub-area designated as ‘Water Not Available for Licensing’ (See Note1 below).

MP2l (Scrooby Thompson Land) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torme EA CAMS area and is also situated within a sub-area designated as ‘Water Not Available for Licensing’ (See Note1 below).

MP2m (Scrooby North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torme EA CAMS area and is also situated within a sub-area designated as ‘Water Not Available for Licensing’ (See Note1 below).

MP3 (Scrooby Top North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torme EA CAMS area and is also situated within a sub-area designated as ‘Water Not Available for Licensing’ (See Note1 below).

MP2n (Langford Lowfield North) – The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.

MP2o (Besthorpe East) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.

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MP7c (Bantycok Quarry South) - the site is indicated to be in close proximity to Severn Trent surface water assets therefore it may be necessary to have discussions concerning extraction, to ensure that Severn Trent assets are not adversely effected by operations. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.

MP3d (Bestwood 2 North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as ‘Water Not Available for Licensing’ (See Note1 below).

MP2p Mill Hill (near Barton in Fabis) – This minerals extraction site is indicated to be intersected by Severn Trent surface water assets, therefore discussions with Severn Trent should be held to ensure that impacts on Severn Trent are appropriately mitigated. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

Note1 – The specific quarry sites designated above fall within an Environment Agency CAMS subareas which are marked as either “(Ground) Water Not Available for Licensing” or “Restricted (Ground) Water Available”. In such areas the EA is unlikely to grant new consumptive abstraction licences. Even in “(Ground) Water Available for Licensing” areas the EA would request that the

WFD "No-Deterioration" principles are followed.

Please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice.

Full text:

Thank you for the opportunity to comment on your consultation. Severn Trent are generally supportive of Policies to protect the environment and water resources, and agree with the principles outlined within the minerals plan to protect ground and surface water from the impacts of mineral extraction, to help to deliver Water Framework Directives, to mitigate the impacts of climate change and flooding, where possible.

There are a number of sites that are indicated to be located in close proximity or intersect with Severn Trent assets:

Potential Mineral Allocation Sites:

MP2k (Bawtry Road West) – This site falls within a groundwater Source Protection Zone (SPZ) 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS (Environment Agency Catchment Abstraction Management Strategies) area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP2l (Scrooby Thompson Land) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP2m (Scrooby North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP3 (Scrooby Top North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP2n (Langford Lowfield North) – The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.

MP2o (Besthorpe East) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.

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MP7c (Bantycok Quarry South) - the site is indicated to be in close proximity to Severn Trent surface water assets therefore it may be necessary to have discussions concerning extraction, to ensure that Severn Trent assets are not adversely effected by operations. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. No CAMS data is available from the EA for this site.

MP3d (Bestwood 2 North) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP2p Mill Hill (near Barton in Fabis) – This minerals extraction site is indicated to be intersected by Severn Trent surface water assets, therefore discussions with Severn Trent should be held to ensure that impacts on Severn Trent are appropriately mitigated. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

All Permitted Sites April 2019:

MP2g (Girton) – The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2h (Langford Lowfields) – Indicated to be in close proximity to Severn Trent Surface Water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2f (Besthorpe) - Indicated to be in close proximity to Severn Trent Surface Water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2c (Sturton Le Steeple) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2a (Newington South) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is located within the Idle and Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP4a (Nether Langwith) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP7b (Bantycok Quarry) - the site is indicated to be in close proximity to Severn Trent assets it may be necessary to have discussions around the extraction, to ensure that Severn Trent assets are not adversely effected by operations. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP6b (Dorket Head – part a) - the site is bounded by Severn Trent assets; we strongly advise that Severn Trent Water is consulted during permitting to ensure that Severn Trent assets are not adversely effected by operations. The site does not fall in a groundwater

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asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets.

CAMS data are not available from the EA for this site.

MP3a (Burnstump) - the site is indicated to be intersected by Severn Trent assets, it is vital that discussions are held with Severn Trent to ensure that any impacts on Severn Trent assets are managed appropriately. The site falls within a groundwater SPZ 3 and is approximately 60 m from an SPZ 2 therefore there is a moderate chance it may pose a risk to groundwater assets. This site falls within the Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as "Water Not Available for Licensing" (See Note1 below).

MP6b (Dorket Head – part b) - the site is indicated to be intersected by Severn Trent assets, it is vital that discussions are held with Severn Trent to ensure that any impacts on Severn Trent assets are managed appropriately. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP7a (Marlaegis Mine) – the site is located in close proximity to Severn Trent assets it may be necessary to discuss these assets to prevent any detrimental impacts to the Severn Trent network. The site does not fall in a groundwater asset SPZ therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP8a (Two Oaks Farm) - the site is indicated to be bounded by Severn Trent assets, it may be necessary to discuss the site with Severn Trent to ensure that the development of the site does not have an adverse impact on Severn Trent assets. The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site is also located within the Idle & Torne EA CAMS area and is designated as "Water Not Available for Licensing" (See Note1 below).

MP10a (Yellowstone Quarry) - The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. This site falls within Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as "Restricted Water Available for Licensing" (See Note1 below).

MP3b (Bestwood 2) - The site is indicated to be bounded by Severn Trent Assets, discussion We strongly recommend that you contact Severn Trent to ensure that Severn Trent assets are not adversely effected. The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within Lower Trent & Erewash EA CAMS area and is also situated within a sub-area designated as "Water Not Available for

Licensing" (See Note1 below).

MP2i (East Leake) - the site is located in close proximity to Severn Trent assets it may be necessary to discuss these assets to prevent any detrimental impacts to the Severn Trent network. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP2e (Cromwell) – This site is indicated to be in close proximity to Severn Trent surface water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

MP3c (Scrooby Top) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing" (See Note1 below).

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MP2j (Scrooby) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing" (See Note1 below).

MP2b (Finningley) - The site is located within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing" (See Note1 below).

MP2d (Bawtry Road) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing" (See Note1 below).

MP6a (Kirton) - The site falls within a groundwater SPZ 3 therefore it may pose a risk to groundwater assets. This site falls within the Idle & Torne EA CAMS area and is also situated within a sub-area designated as 'Water Not Available for Licensing" (See Note1 below).

South Muskham Archaeological Centre:

DM6 – The allocation around South Muskham is indicated to be in close proximity to Severn Trent surface water assets. The site does not fall in a groundwater asset Source Protection Zone therefore it is unlikely to pose a risk to groundwater assets. CAMS data are not available from the EA for this site.

Note1 – The specific quarry sites designated above fall within an Environment Agency CAMS subareas which are marked as either "(Ground) Water Not Available for Licensing" or "Restricted (Ground) Water Available". In such areas the EA is unlikely to grant new consumptive abstraction licences. Even in "(Ground) Water Available for Licensing" areas the EA would request that the WFD 'No-Deterioration" principles are followed.

Please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice.

For your information we have set out some general guidelines that may be useful to you.

Position Statement

As a water company we have an obligation to provide water supplies and sewage treatment capacity for domestic flows from future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues that would prevent the supply of water or sewerage. Where we consider there may be an issue we would discuss in further detail with the Local Planning Authority. Where quarries are proposed to be developed or extended, we do not anticipate there will be any significant need to supply water or sewerage due to the nature of development. If however you anticipate that there will be a requirement for Severn Trent to provide these services it is strongly advised that you contact us to ensure that capacity can be made available at the appropriate time.

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Sewage Strategy

Once detailed plans are available and we have modelled the additional capacity, in areas where sufficient capacity is not currently available and we have sufficient confidence that developments will be built, we will complete necessary improvements to provide the capacity. We will ensure that our assets have no adverse effect on the environment and that we provide appropriate levels of treatment at each of our sewage treatment works.

Surface Water and Sewer Flooding

Whilst we do not anticipate a significant increase in impermeable area, it may be necessary to pump water out of the minerals working area. Severn Trent would anticipate that this will be managed appropriately onsite and discharged through sustainable outfall, without the need to utilise public sewerage network. It is however anticipated that sewerage connections may be required for site offices and welfare facilities.

Groundwater

While most of the proposed locations do not appear to constitute a significant risk to water quality of our assets, there are a few that may constitute risks to groundwater assets. Severn Trent strongly recommends that all appropriate EA guidance is followed with reference to site management and any future abstraction of water to ensure the WFD 'No-Deterioration' Principles are followed.

Water Quality

Good quality river water and groundwater is vital for provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that water quality of supplies are not impacted by our or others operations. The Environment Agency's Source Protection Zone (SPZ) and Safe Guarding Zone policy should provide guidance on development. Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan for the Severn River basin unit as prepared by the Environment Agency.

Water Supply

Whilst it is not anticipated that water supply will be required for quarrying operations, we do anticipate some water supply needs for domestic activities associated with site offices and welfare facilities.

We would not anticipate capacity problems within the urban areas of our network, any issues can be addressed through reinforcing our network. However, the ability to support significant development in the rural areas is likely to have a greater impact and require greater reinforcement to accommodate greater demands.

We hope this information has been useful to you and we look forward in hearing from you in the near future.

Change to plan:

-

Legally Yes

compliant:

Sound: Yes

Comply with Yes

duty:

Appear exam: Appearance at the examination

Attachments: None

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Support

Minerals Provision Policies

Respondent: Shelford Against Gravel Extraction (SAGE) (Robin Whysall, Chair) [4912]

Summary:

No comment

Full text:

No reasons given

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes

Appear exam: Written Representation

Attachments: None

48

Support

MP2: Sand and Gravel Provision

Respondent: Shelford Against Gravel Extraction (SAGE) (Robin Whysall, Chair) [4912]

Summary:

Form is blank

Full text:

-

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with duty: Yes

Appear exam: Written Representation

Attachments: None

212

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Mr Phillip Spear [9158]

Summary:

I wish to object to the removal of the Shelford site from the New Nottinghamshire Minerals Local Plan and it's replacement with Mill Hill in Barton in Fabis. The Mill Hill site is on the Nottingham City Boundary and mining of sand and gravel in this area would have a detrimental effect on the Clifton area in terms of traffic congestion, additional air pollution and dust from sand and gravel aggregate. Clifton Estate and it's surrounding area South of the River Trent contains well over 20,000 households which will be adversely affected by these proposals. The Clifton East and West wards in Nottingham City currently have high than average rates of death from COPD related disorders and chronic levels of respiratory related infections. These will greatly increase if the proposal to replace Shelford with Mill Hill Barton in Fabis is approved. There will also be higher levels of noise and dust pollution, which will detrimentally effect residents across the Clifton, Wilford and Silverdale communities. Please accept this written submission as part of the wider consultation relating to the proposed new Nottinghamshire Minerals Local Plan.

Just to clear up any doubt, I would like to add that I do not believe that the replacement of Shelford by Mill Hill is justifiable at this moment in time.

Full text:

Objection to the Notts. Minerals Local Plan.

I wish to object to the removal of the Shelford site from the New Nottinghamshire Minerals Local Plan and it's replacement with Mill Hill in Barton in Fabis. The Mill Hill site is on the Nottingham City Boundary and mining of sand and gravel in this area would have a detrimental effect on the Clifton area in terms of traffic congestion, additional air pollution and dust from sand and gravel aggregate. Clifton Estate and it's surrounding area South of the River Trent contains well over 20,000 households which will be adversely affected by these proposals. The Clifton East and West wards in Nottingham City currently have high than average rates of death from COPD related disorders and chronic levels of respiratory related infections. These will greatly increase if the proposal to replace Shelford with Mill Hill Barton in Fabis is approved. There will also be higher levels of noise and dust pollution, which will detrimentally effect residents across the Clifton, Wilford and Silverdale communities. Please accept this written submission as part of the wider consultation relating to the proposed new Nottinghamshire Minerals Local Plan.

Just to clear up any doubt, I would like to add that I do not believe that the replacement of Shelford by Mill Hill is justifiable at this moment in time.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

47

Object

MP12: Oil and Gas

Respondent: Stapleford Town Council (Ms M C Downie, Clerk to the Town Council) [1609]

Summary:

The policy is not legally compliant as no future site-specific proposals for hydrocarbon extraction in the area are included in the emerging minerals plan. No sustainability appraisal (SA) has taken place specifically for Petroleum Exploration Licence (PEDL) areas.

Paragraph: 106 Reference ID: 27-106-20140306 states:

Criteria-based policies for each of the exploration, appraisal and production phases of hydrocarbon extraction. These policies should set clear guidance and criteria for the location and assessment of hydrocarbon extraction within the Petroleum Licensed Areas.

The policy is insufficiently clear in terms of guidance and criteria as it is reliant on the Environmental Impact assessment regulation (2011) which is generic for all developments. The objectives of the SA are more appropriate for aggregates than unconventional gas extraction. specifically:

Sustainability objective 11. Protect and improve local air quality.

5.13 and 5.14 do not cover all aspects of potential air pollution due to unconventional gas extraction. Methane leakage will be much harder to control and is far more serious. It is well established that air pollution is associated with unconventional oil and gas extraction; this includes primary emissions of nitrogen oxides (NOx), volatile organic compounds (VOCs) and dust, and secondary pollutants such as ozone.

Sustainability objective 12. Protect and improve water quality and promote efficient use of water. Vast amounts of water are required for unconventional gas extraction (circa 6 million gallons, which could mean 60m gallons per drilling site if there are 10 wells). The policy and supporting documents are insufficiently clear as to how they will ensure that a detrimental effect is avoided due to the abstraction of water (which may need to be transported from elsewhere). There is no clear definition of what classifies as an unacceptable impact in policy DM2

Sustainability objective 14. Protect and improve human health and quality of life. In addition to the safety risk to those site workers in the immediate area of unconventional gas extraction, examples from the US suggest that local residents could require evacuation. This is not a consideration covered by the policy.

The policy is not sound. In March 2016 the Government declared its intention to legislate for a zero carbon economy by 2050. The policy does not meet Sustainability Appraisal Objective 7 Minimise any possible impacts on, and increase adaptability to, climate change. The burning of fossil fuels contributes to climate change. Additionally promoting unconventional gas extraction would appear to be inconsistent with Sustainability Objective 10. Promote energy efficiency and maximise renewable energy opportunities from new or existing development.

Full text:

The policy is not legally compliant as no future site-specific proposals for hydrocarbon extraction in the area are included in the emerging minerals plan. No sustainability appraisal (SA) has taken place specifically for Petroleum Exploration Licence (PEDL) areas.

Paragraph: 106 Reference ID: 27-106-20140306 states:

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The policy is not sound. In March 2016 the Government declared its intention to legislate for a zero carbon economy by 2050. The policy does not meet Sustainability Appraisal Objective 7 Minimise any possible impacts on, and increase adaptability to, climate change. The burning of fossil fuels contributes to climate change. Additionally promoting unconventional gas extraction would appear to be inconsistent with Sustainability Objective 10. Promote energy efficiency and maximise renewable energy opportunities from new or existing development.

Change to plan:

To make the sustainability appraisal fit for purpose for hydrocarbon extraction, the criteria for the location and assessment of hydrocarbon extraction within the Petroleum Licence areas should include the following details relating to the NPPF requirement to maintain and promote healthy communities (paragraphs 69-78 and 109) and 210. When determining planning applications, minerals planning authorities should ensure that the integrity and safety of underground storage facilities are appropriate, taking into account the maintenance of gas pressure, prevention of leakage of gas and the avoidance of pollution.

Air borne contaminants

These gases must be accurately monitored and assessed. Methane emissions from gas extraction, processing and transport must be very accurately assessed and monitored, with measures in place to ensure they are minimal.

Water supply

Water supply will be a key issue and well heads should be located so that the vast volume of water required for each fracked well can be piped from trunk mains or abstracted from boreholes or rivers to reduce HGV road tanker movements.

Explosions

Wells should not be positioned where an explosion could endanger local residents or the general public. Appropriate expertise (e.g. major incident team with experience in well head fires) must be available to deal very swiftly with any such incident and the applicant companies made aware that they will be required to bear all attendant costs.

Waste

A strategic plan is necessary for dealing with the enormous volumes of contaminated water produced per well (circa 3million gallons per well, 30 million gals per drilling site). Methods used to treat this water must be established, along with the final means of disposal for the treated water. It appears that the capacity for treating fracking waste water may be very limited relative to the amounts likely to be produced (there is evidence for this in relation to the Lancashire fracking enquiry). Wastewater cannot be stored in the ground as it can lead to an increased risk of seismicity

The above recommendations by the Landscape Institute at the Meeting of the All Party Parliamentary Group on Shale Gas Regulation and Planning, Tuesday 7 June 2016.

To make the policy sound. Hydrocarbon extraction should be seen as a stop gap until renewable energy production has expanded to provide the energy needs of the market. Therefore, once current PEDL's have expired they should not be renewed and no new license granted.

Legally compliant: No
Sound: No
Comply with duty: Yes
Appear exam: Written Representation
Attachments: None

128

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: D Stapleton [8490]

Summary:

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise

Impact on the natural environment, visual, nature designations, green belt.

Full text:

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise

Impact on the natural environment, visual, nature designations, green belt.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

9

Support

Vision

Respondent: Sutton Parish Council (Mr Nigel Johnson, Parish Clerk) [9153]

Summary:

We support the vision in that sites will be available to support the economic, social and environmental benefits of sustainable growth.

Moreover the Parish Council support the fact that all mineral workings will contribute towards 'a greener Nottinghamshire' by ensuring that the County's diverse environmental assets are protected, maintained and enhanced through appropriate working, restoration and after-use and by ensuring that proposals have regard to Nottinghamshire's historic environment, townscape and landscape character,

Full text:

We support the vision in that sites will be available to support the economic, social and environmental benefits of sustainable growth.

Moreover the Parish Council support the fact that all mineral workings will contribute towards 'a greener Nottinghamshire' by ensuring that the County's diverse environmental assets are protected, maintained and enhanced through appropriate working, restoration and after-use and by ensuring that proposals have regard to Nottinghamshire's historic environment, townscape and landscape character,

Change to plan:

-

Legally compliant: Not specified

Sound: Not specified
Comply with Not specified
duty:
Appear exam: Not specified
Attachments: None

10

Support

Strategic Objectives

Respondent: Sutton Parish Council (Mr Nigel Johnson, Parish Clerk) [9153]

Summary:

The Parish Council supports the concept that an adequate supply of all minerals should be made to assist in economic growth both locally and nationally and provide sufficient land to enable a steady and adequate supply of minerals over the plan period but no more.
 The Parish Council supports SO5 in that mineral extraction minimises impacts on communities.

Full text:

The Parish Council supports the concept that an adequate supply of all minerals should be made to assist in economic growth both locally and nationally and provide sufficient land to enable a steady and adequate supply of minerals over the plan period but no more.
 The Parish Council supports SO5 in that mineral extraction minimises impacts on communities.

Change to plan:

-

Legally Not specified
compliant:
Sound: Not specified
Comply with Not specified
duty:
Appear exam: Not specified
Attachments: None

11

Support

SP1: Minerals Provision

Respondent: Sutton Parish Council (Mr Nigel Johnson, Parish Clerk) [9153]

Summary:

The Parish Council supports the concept that extending existing sites, is considered to be more sustainable and less intrusive than developing new sites and the environmental impacts are generally less than those associated with opening up a new site.

Full text:

The Parish Council supports the concept that extending existing sites, is considered to be more sustainable and less intrusive than developing new sites and the environmental impacts are generally less than those associated with opening up a new site.

Change to plan:

-

Legally Not specified
compliant:
Sound: Not specified
Comply with Not specified
duty:
Appear exam: Not specified
Attachments: None

12

Support

MP2: Sand and Gravel Provision

Respondent: Sutton Parish Council (Mr Nigel Johnson, Parish Clerk) [9153]

Summary:

The Parish Council supports Policy MP2 in that it generally promotes extensions of existing quarry sites with a single new "green field" site being promoted i.e. MP2p Mill Hill nr Barton in Fabis.
 Policy MP2, allocates 5 extensions to existing quarries (MP2k-o) and 1 new quarry (MP2p) which total 11.8 million tonnes.

Full text:

The Parish Council supports Policy MP2 in that it generally promotes extensions of existing quarry sites with a single new "green field" site being promoted i.e. MP2p Mill Hill nr Barton in Fabis.
 Policy MP2, allocates 5 extensions to existing quarries (MP2k-o) and 1 new quarry (MP2p) which total 11.8 million tonnes.

Change to plan:

-

Legally Not specified
compliant:
Sound: Not specified
Comply with Not specified
duty:
Appear exam: Not specified
Attachments: None

250

Object

Overview, Vision and Strategic Objectives

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

Paragraph 2.3 identifies the significant overlap of housing areas, business and employment between Nottingham and South Yorkshire as well as Lincolnshire, Leicestershire and Derby which is supported. However, recognition should also be made of the potential pull on mineral resources to meet the anticipated demands from these growth areas. Particularly given the proximity of active operations to County boundaries (Key Diagram). Conversely paragraph 2.4 acknowledges that growth within Nottingham could affect surrounding areas. This duty to cooperate is a key theme which should be given increased status within the Plan. There are concerns as outlined above in regard to the LAA that there is a general assumption that 'trends' for export/import will continue.
 Paragraph 2.27 identifies that Nottinghamshire has traditionally supplied large amounts of sand and gravel to neighbouring Authorities. The result of the high quality of the resource as well as a shortage of material in other areas. The paragraph identifies that this trend is likely

to continue. However, contradicts itself by referencing the resource depletion in the Idle Valley (north of the County) which could reduce the amount exported. Regardless of the location of active sand and gravel operations, the demand for mineral will still continue. Adjoining Authority areas such as Nottinghamshire where there are significant reserves of sand and gravel available (albeit not necessarily currently in active operations) will need to address this within their Plan under the requirements of Paragraph 25 of the NPPF. These are issues fundamental to securing steady and adequate supply of mineral from Nottinghamshire and should be given more prominence throughout the document.

Full text:

See attached

Change to plan:

It is considered that the cross boundary relationship with neighbouring authorities, particularly in regard to mineral supply should be identified taking into account:

1. cross boundary mineral supply from Nottinghamshire – e.g. to South Yorkshire, and Leicestershire in light of their identified lack of available sand and gravel resources and production capacity to meet demand over the Plan period
2. The lack of available crushed rock/limestone resource within the County and therefore the heavy reliance on import from adjoining Authority areas
3. The availability of infrastructure links - particularly good road network and therefore links to market in assisting to secure mineral supply
4. The overlap of housing, business, infrastructure and employment links with Derbyshire and Leicestershire are identified but there is currently no reference to an overlap of mineral supply issues

5. The relationship with other mineral authorities and duty to cooperate in Plan preparation should be elevated. The Duty to Cooperate document indicates that numerically there is sufficient reserve to meet anticipated demand. However, there are concerns with this approach based on operational constraints to permitted sites
6. The anticipated development needs for housing, employment and infrastructure provision (including HS2) which will have significant implications for the wider West Midlands aggregate markets

Legally compliant: No
Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

251**Object****S01: Improving the sustainability of minerals development**

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

Strategic Objective 1 and a locational strategy to securing mineral supply is supported. This approach maintains the spread of operations across the County and maintains a security in supply to the specific markets that these serve. As well as seeking to 'efficiently deliver resources', the objective should include 'effectively deliver' resources to ensure that operational capacity in addition to permitted reserves is available to meet anticipated demand.

Full text:

See attached

Change to plan:

As well as seeking to 'efficiently deliver resources', the objective should include 'effectively deliver' resources to ensure that operational capacity in addition to permitted reserves is available to meet anticipated demand.

Legally compliant: No
Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

252**Object****S02: Providing an adequate supply of minerals**

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

The principle of Strategic Objective 2 is supported. However, the title should be to provide a sufficient supply of minerals – this will encompass the requirement for adequate provision based on a review of anticipated demand over the Plan period as well as a steady supply of mineral to ensure that the operational capacity of operations can meet the annual production requirements as advocated by paragraph 203 of the NPPF.

Full text:

See attached

Change to plan:

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Legally compliant: No
Sound: No

Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

253**Object****SP1: Minerals Provision**

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

The general policy on minerals provision should ensure that the Plan maximises its flexibility to respond to changes in demand. As we have advocated through previous representations, the 10 years sales average alone does not give an accurate portrayal of the demand scenario for Nottinghamshire. Closure of long established sand and gravel quarries, nonreplenishment of reserves, continuing impact from the 2008 recession on production

capacity and production movements out of the County, have all impacted output from Nottinghamshire. The reduction in sand and gravel output over the 10 year period should not be translated into a long term reduction in demand in Nottinghamshire. Section (a) of Policy SP1 states that the strategy will be to identify 'suitable land for mineral extraction to maintain a steady and adequate supply of minerals during the Plan period'. This is not considered positively prepared or in accordance with the NPPF and is therefore unsound.

Full text:

See attached

Change to plan:

It is suggested that 'sufficient' (rather than 'suitable') is more appropriate in accordance with paragraph 203 of the NPPF.

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

254

Object

SP2: Biodiversity- Led Restoration

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

Whilst Tarmac support paragraph 3.11 and a 'restoration led approach' when considering mineral operations, it is considered that a biodiversity led approach/focus taken by Policy SP2 is overly onerous, not an effective strategy and is therefore unsound. As opposed to being categorical about 'significantly enhancing' biodiversity (paragraph 3.12), the policy should be supportive where it is 'possible' or 'appropriate'. The policy as worded makes no reference/acknowledgment to the beneficial use of land and the opportunities/potential aspirations of landowners to have land restored back to economic/commercial/agricultural after uses. Paragraph 3.14 goes part way to recognising that there needs to be a balance/weighting of restoration considerations but it neglects to reference the economic potential, instead referring only to social/recreation and environmental opportunities. Paragraph 3.14 discusses restoration for leisure or agriculture. Leisure and agricultural

restoration are the most common forms of restoration strategy. We agree with the sentiment that there are opportunities to incorporate biodiversity/habitat enhancement but there should not be emphasis on a biodiversity led approach.

This policy should be retitled to 'restoration led approach to minerals development' to provide emphasis on a restoration focus without being overly prescriptive of restoration type. In addition, the policy makes no acknowledgement of the long term financial burden on ecological management post restoration and who has to fund and manage these areas. Paras 3.23 to 3.25 should commence with the wording 'If restoration allows, priority habitats ...'. This would be more effective in delivering the Plan and strategy to reflect the comments made above.

Full text:

See attached

Change to plan:

As opposed to being categorical about 'significantly enhancing' biodiversity (paragraph 3.12), the policy should be supportive where it is 'possible' or 'appropriate'.

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

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Object

SP3: Climate Change

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

In accordance with the NPPF, new development should be directed to areas outside of flood zones. However, the policy as worded does not acknowledge that minerals can only be worked where they are found. In the case of sand and gravel and river sand and gravels working will often fall within areas of flood risk. Notwithstanding this, the policy and sub text should acknowledge that minerals development is considered an appropriate form of development within a flood zone in accordance with the planning practice guidance, Table 2: Flood Risk Vulnerability Classification, Paragraph: 066 Reference ID: 7-066-20140306. We do not object to the Policy but consider the above should be recognised within the sub text.

Full text:

See attached

Change to plan:

the policy and sub text should acknowledge that minerals development is considered an appropriate form of development within a flood zone in accordance with the planning practice guidance

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

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Object

SP4: Sustainable Transport

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

Whilst seeking to support the use of sustainable modes of transport, the policy should be worded to acknowledge/recognise the potential for impact upon the viability of mineral

extraction.

Minerals can only be worked where they are found. The requirement to be located close to proposed markets is overly onerous, not positively prepared or an effective strategy and is therefore considered to be unsound. The value of the product and the availability locally will determine the distance it needs to travel. The pull of resource into the South Yorkshire and Doncaster market areas is a good example of this. It is considered that this policy is overly onerous and discredits the geographical spread/location strategy which is being pursued by the Mineral Planning Authority.

Full text:

See attached

Change to plan:

Policy SP4 should therefore be amended to read:

1. All mineral proposals should seek to maximise the use of sustainable forms of transport, including barge, rail, conveyor and pipeline where possible and viable

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2. Where it can be demonstrated that there is no viable alternative to road transport, all new mineral working and mineral related development should be located as close as possible to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation.

The suggested amendments above will therefore negate the requirement for paragraph 3.41 within the policy justification. Alternative modes of transport will be supported within the provided that it can be demonstrated that to deliver it would not affect the viability/deliverability of mineral sites.

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

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Object

SP5: The Built, Historic and Natural Environment

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

Tarmac support the recognition within paragraph 3.45 that detrimental impact on the natural and built environment as a result of mineral extraction is temporary in nature and can bring about many environmental benefits. In addition, paragraph 3.51 acknowledges that in regard to heritage and cultural assets, mineral development provides major opportunities to understand the County's rich archaeological heritage.

Policy SP5 as worded is a repeat of other environmental policy and is not positively prepared and is therefore considered unsound. The policy as worded does not recognise the weighting of all facets of sustainable development that should be applied when considering applications for development. In regard to mineral extraction, whilst there may be potential for environmental impact, the economic benefit of mineral extraction should be afforded 'great weight' (paragraph 205 of the NPPF). In addition, the significance of impact depends on the significance of the asset it affects. Paragraph 171 of the NPPF states that Plans should, 'distinguish between the hierarchy of international, national and locally designated sites'. As such it is considered this policy is unnecessary and could be deleted.

Paragraph 3.63 should be deleted as issues associated with infrastructure is handled under the provisions of the Mining Code.

Full text:

See attached

Change to plan:

It is considered this policy is unnecessary and could be deleted.

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

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Object

SP7: Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

It is considered that Policy SP7 is not positively prepared, an effective strategy or consistent with the NPPF and is therefore unsound. Policy SP7 should refer to 'known' locations of specific mineral resource as opposed to 'economically important' in accordance with paragraph 204 of the NPPF. This would recognise that mineral resource is a finite resource. Extraction of resource may not be economically viable at one stage but may become so as reserves deplete.

It is considered that the Minerals Plan would be more effective if it was to define more specific Mineral Consultation Areas. The proposed approach to define consultation areas on the same scale as safeguarding areas could mean that large amounts of development will be

caught within an MSA/MCA which would be onerous on developers having to potentially submit minerals assessments and the MPA in assessing the potential for impact of development on mineral resource/mineral associated infrastructure.

As well as safeguarding mineral associated infrastructure, rail heads should be expanded to include rail heads at coal fired power stations. A wharf facility at Colwick is specifically referenced for safeguarding. Tarmac has existing river wharf facilities at Besthorpe Quarry (loading) and Cromwell Quarry (receiving) which are referenced on the Policies Maps and Tarmac supports this.

The importance of Local Plans (District and Borough Council) in understanding and appreciating the role of safeguarding and defining areas/sites within Local Development Plan Documents should be explained within the Mineral Plan. The planning system is a tiered system with the policies contained within the Mineral Plan and Local Plan pertinent to the consideration of Planning Applications at County and District level. The MPA has an important role in ensuring mineral safeguarding is not perceived as just a County function but guiding and supporting Local Authorities to appreciate they also have a role to play in

accordance with the Planning Practice Guidance.

In light of the above and the identification of safeguarding areas on the policies maps Plan 4 should not be required.

Paragraph 3.90 is contrary to the NPPF paragraph 204 (e) and should be deleted. Policies should safeguard all ancillary infrastructure and the NPPF does not distinguish that only strategic facilities should be safeguarded. Whilst it may be unnecessary to identify all facilities on policies maps, the policy wording itself ensures that these facilities will be safeguarded.

Policies regarding safeguarding should make reference to the 'agent of change' identified at paragraph 182 of the NPPF. This seeks to ensure that the onus is on Applicants for new development to put in place adequate mitigation to ensure that the development would not place unreasonable restrictions on existing businesses/operations.

Full text:

See attached

Change to plan:

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Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

262

Object

MP1: Aggregate Provision

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

Policy MP1 is not considered positively prepared and is therefore unsound.

Comments regarding the analysis of predicted aggregate demand have been presented within the section regarding the Local Aggregate Assessment above.

The 10 years average sales figures are not the most appropriate methodology for forecasting aggregate demand. Forecasts of demand should be based on a rolling average of 10 years sales data, other relevant information and through assessment of all other supply options.

The 10 years average sales are heavily influenced by the impact of the recession. This is particularly apparent given the picture across the East Midlands which in all other cases have seen increases in sales figures. Whilst, recycled and secondary aggregate has a role to play in meeting demand in some circumstances it cannot be relied upon for ensuring continuity in supply. In addition, given the location of the County it is unlikely that demand can be met from other sources (for example marine). Considering this, the other relevant local information is particularly important in forecasting future demand in the County.

Considering the above the Mineral Planning Authority is underproviding sufficient sand and gravel resource over the Plan period. We support the MPA in their previous approach which reviewed sales data pre and post-recession to give a greater appreciation of likely anticipated demand in recession and a period of economic growth.

The operational capacity of permitted operations within the County needs consideration to ensure that anticipated demand is met. A decline in sales is not necessarily an indication of a decline in demand. Production moving outside of the County will impact upon perceived sales figures as well as sites/resource not being replaced when exhausted.

A Delivery schedule has been prepared as Appendix 1 to the Draft Plan. Tarmac have enclosed an edited version (Appendix 1a) which shows the available production capacity from existing sites and proposed allocations as proposed within the Plan against the identified annual requirement for sand and gravel. The sites proposed for sand and gravel extraction including allocations are insufficient to even meet that depressed annual requirement. An edited version is also enclosed at Appendix 1b which shows how additional allocations could assist in meeting the identified shortfall.

Although the perceived landbank is sufficient at the start of the Plan period, sites will become exhausted during the Plan period and provision should be made for replacements. The Plan should not focus or specify a definitive/maximum amount of mineral provision. The sales data is an indication of current demand and should not be perceived as a maximum requirement. The Plan needs to provide flexibility to support additional sites/resources coming forward during the Plan period to meet demand/operational requirements to serve existing/future markets. Policy M1 should be updated to provide a more realistic sand and gravel provision figure which is reflective of economic growth at pre-recession levels. As a minimum the policy should be clear that the provision of sand and gravel, Sherwood Sandstone and Crushed Rock are minimum requirements.

Part 2 of the Policy or as a minimum the justification section should advocate the need for the Plan to be flexible and the ability to respond quickly and positively to upturns in demand.

Section 3 of the policy does not make any allowance for the benefit of sustainable extensions to existing operations in securing continued delivery of mineral as advocated by the Strategic Policy SP2.

Full text:

See attached

Change to plan:

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Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

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Object

MP2: Sand and Gravel Provision

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

It is considered that Policy MP2 is not positively prepared or an effective strategy and is therefore unsound. Insufficient sand and gravel reserves are being allocated to ensure a steady and adequate supply of sand and gravel.

Tarmac are supportive of the approach to work permitted reserves as well as allocating extensions to existing operations and through the provision of new greenfield sites. There needs to be allowance in the Plan for both extensions and new greenfield sites. However, the Plan should provide flexibility and policy should be supportive in securing extensions to existing operations, this ensures a continuation in supply without sterilising mineral reserves. The Plan needs to build in an element of flexibility to address the issue of long

term longevity of mineral operations in Nottinghamshire – only 4 sand and gravel sites identified in Policy MP2 have long term and significant production capacity. There should not be a reliance on a Review of the Plan to fill any identified need gaps during the Plan period. These should be addressed from the start to provide security/assurances to operators to secure investment. Potential 'Preferred Areas' or Areas of Search' may assist in the process.

We support the Council in adopting a locational approach to mineral development sites to ensure there is a spread in sites to meet anticipated demand. However, operational capacity constraints still apply (imposed by plant capacity, planning conditions or HGV routing agreements) which can limit production / distribution to meet demand in some market areas. These are all important considerations in locating new sites for mineral development. There should not be a sole reliance on their physical location in the County. Besthorpe Quarry and Girton Quarry (currently mothballed) for example have vehicle movement restrictions through S106 planning agreements which forces HGV routing northward. As a result, those sites are generally more aligned to the North Nottinghamshire / Doncaster / Humber side market areas as opposed to Newark.

Tarmac are very disappointed and surprised that the Botany Bay Quarry site has not been included as an allocation in the Plan. The permitted resource and proposed allocations do not at any time over the Plan period meet the proposed annual requirement for sand and gravel (1.7mt). The Tarmac revised Delivery Schedule (appendix 1a and 1b) clearly illustrates this point. Reference is made in the most recent LAA that sand and gravel reserves from the Idle Valley are depleting whilst recognising the important role they play in maintaining sand and gravel supply within and outside the County (paragraph 4.15 of the Draft MLP). Further commentary is provided in regard to the sustainability appraisal and site assessment document at the end of these representations. It is not clear what the justification is for removing Botany Bay as a suitable and deliverable allocation when the site has been included for allocation in previous Plan drafts. The MPA's Duty to Cooperate is stating that supply from Nottinghamshire to the South Yorkshire market will continue in the mid-long term. However, the delivery schedule is clear that there are insufficient reserves being allocated to meet this historic (411,000 tonnes per annum) supply. An assumption that Sturton will produce 500,000 tonnes per annum is not realistic and Tarmac have confirmed that tonnages from this site are unlikely to exceed much beyond 100,000 tonnes per annum.

There is a clear case for additional sand and gravel sites to be allocated in the north of the County.

There is also a clear case for additional allocation of green field sand and gravel sites to be allocated to come into production during the Plan period. The serious decline in sand and gravel reserves and projected production capacity in Leicestershire is clearly evidenced through the Leicestershire Mineral & Waste Local Plan review and sites have been promoted into the Nottinghamshire Local Mineral Plan review to meet that identified shortfall and the consequential need for alternative supply from adjoining authority areas. Tarmac's promoted site 'Great North Road (North)', near Kelham meets that objective and would deliver a long term sand and gravel production site with a sustainable output of 250,000 tonnes per annum to serve the Nottingham (potentially as a replacement to Cromwell) and North East Leicestershire market over the plan period to 2036. The Great North Road (North) site should therefore be allocated in the Plan. Again, Preferred Areas or Areas of Search may be a more effective strategy in regards to long term supply.

The Great North Road (South) site has a proven significant future sand and gravel resource which would provide a natural long term extension to the Great North Road (North) site.

The combined sand and gravel resources at the "North" and "South" sites would provide a stable long term supply facility to meet the likely strong demand for construction materials in the Nottingham / NE Leicestershire markets throughout and beyond the 2036 Plan period. In addition, Tarmac's proposed new green field extraction site at Burrigge Farm, which is proposed to use river barge transportation to feed sand and gravel to a proposed new processing plant at the former Cromwell Quarry site previously operated by Lafarge, would also provide some additional support production capacity in the second part of the Plan period. The Cromwell plant site is well situated with good access onto the A1 interchange at Cromwell. The Burrigge Farm site would not have capacity to operate at high output levels due to likely physical constraints on barge transportation along the River Trent through Cromwell Lock.

Full text:

See attached

Change to plan:

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Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

264

Object

MP3: Sherwood Sandstone Provision

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

The LAA recognises the high level of export to markets outside the County due to limited resources elsewhere. As per comments on sand and gravel, there is a need where resource

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exists to maintain production and operating capacity to meet demand. The Plan should identify appropriate extensions to existing operations or new sites to meet demand. Identified demand based on sales is a minimum requirement of the Plan and there should be flexibility built into the Plan to allow sites to come forward. The plan should address anticipated demand from outside of the County. As per comments on Policy MP2 an additional criteria regarding modest extensions should be included to ensure flexibility in the Plan and to allow the continued supply of Sherwood Sandstone which is not just important within Nottinghamshire.

The Plan should recognise the unique properties of the sand as well as markets. Colour variances as well as properties of the sand are also important factors and therefore additional reserves (as allocations or new sites) should not solely be based upon estimated demand based on sales figures.

Full text:

See attached

Change to plan:

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Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

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Object

MP4: Crushed Rock (Limestone) Provision

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

As with the case for sand and gravel there should not be a reliance/assumption that supply chains will continue. As worded the policy is not positively prepared and is therefore unsound.

It is likely that there is a wider demand for crushed rock within the County than that met by Nether Langwith. Crushed rock requirements are met from imports (Leicestershire 70% and Derbyshire). Policy should be flexible and supportive to increase indigenous crushed rock supply. The Plan should also be clear that Nottinghamshire is not self sufficient in crushed rock supply and is reliant on neighbouring East Midlands Authority areas to maintain supply. The crushed rock supply situation within the East Midlands should also be monitored closely as there are substantial reserves constrained in mothballed sites and those sites that benefit from rail link have limited production capacity to meet current demand levels. Any significant upturn in demand may result in crushed rock demand not being able to be met – particularly when competing with markets in the south east.

Full text:

See attached

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

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Support

MP5: Secondary and Recycled Aggregates

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

Tarmac support the MPA in seeking the use of alternative aggregates and the appreciation that there are limits on how far alternatives can substitute primary aggregate. Whilst support for alternative aggregate should be encouraged in the Plan, the contribution should be viewed as a 'bonus' over and above the required amount of primary aggregate. This is reflective of the NPPF (para 204 (b)) which states that local Plans should take account of the 'contribution that substitute or secondary and recycled materials and minerals waste would make'. The reduction in ash materials from coal fired power stations is also likely to increase the demand for primary aggregate over the Plan period to address this specific resource shortfall. The approach to recycled aggregates reflects the Mineral Products Association Long Term Aggregates Demand and Supply Scenarios Paper which indicates that the potential for recycling has reached an optimum level (approximately 28-30% volume).

Full text:

See attached

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

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Object

MP9: Industrial Dolomite Provision

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

Policy MP9 is not considered positively prepared and is therefore unsound. Reserves of industrial dolomite are of international importance and the resource itself is scarce with only a small number of sites within the UK. As such there will always be a need for the resource, therefore the policy should be reworded to state that: 'Proposals for industrial dolomite extraction will be supported providing that development does not give rise to any unacceptable levels of environmental impact'. Whilst additional resource areas do not need to be identified as an allocation, the resource within Nottinghamshire should be identified within the Plan and recognised as a proven resource to be safeguarded.

Full text:

See attached

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

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Object

DM4: Protection and enhancement of Biodiversity and Geodiversity

Respondent: Tarmac (Mr Stephen Cowan, Planning Operations) [9139]

Agent: Heaton Planning Ltd

Summary:

Policy DM4 – Protection and Enhancement of Biodiversity and Geodiversity
Policy DM4 is not an effective strategy and not in compliance with the NPPF, particularly in regard to the approach on local wildlife sites. It is therefore considered unsound. Paragraph 175 of the NPPF advises that 'if significant harm to biodiversity cannot be avoided...' then planning permission should be refused. Policy DM4 should be amended to reflect the significance of harm test to allow a judgement to be made as opposed to a blanket approach to all impacts and rating all ecological/biodiversity interests at the same level. The NPPF does not advocate a loss of local wildlife site to be unacceptable if the avoidance, mitigation and compensation tests have been met. In addition, there is no requirement in the NPPF for public benefit to justify an effect on ecological/biodiversity habitat except in the case of irreplaceable habitat. Impacts on populations of priority species or areas of priority habitat needing to be 'wholly exceptional' is not in accordance with the NPPF.

Part 3 of the policy should be reworded to maximise opportunities for securing net gains in biodiversity in accordance with paragraph 174 (part b) of the NPPF.

Full text:

See attached

Change to plan:

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Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: Tarmac representation 11_10_2019 - http://www.nottinghamshire.gov.uk/media/2327554/tarmac-11_10_2019_redacted.pdf

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Object

MP12: Oil and Gas

Respondent: Teversal, Stanton Hill and Skegby Neighbourhood Forum (Mr Andrew Jenkins, Member, MC) [8102]

Summary:

This view has been unanimously approved by the Neighbourhood Forum Managing Committee and confirmed by a meeting of Forum members. For more information see: <http://www.tssneighbourhoodplan.org/> and <http://www.tssneighbourhoodplan.org/Climate-Change/>
Our Neighbourhood Forum believes that this plan is not 'sound'.

1. This view has been formed because the plan has failed to consider the alternative of a separate fracking policy and a failure to comply with current national policy on climate change.
2. We in Teversal, Skegby and Stanton Hill live in a former industrial landscape with four coal mines and related railways working up to the 1990s. This has been transformed through trails and forest parks into a beautiful environment and we now have a growing tourism industry. The Minerals Plan should oppose the re-industrialisation of the landscape with: lorry movements, toxic gas haze, groundwater contamination, increased accident risk, occupational hazards, horizontal drilling – requiring a 3-D site boundary and complex mapping of fault lines, need for large amounts of water for fracking, need to dispose of toxic flowback water, need for a precautionary approach to protect groundwater – particularly the Sherwood Sandstone Aquifer, toxic air emissions, mapping to protect groundwater sources and sensitive sites, methane leaks making greenhouse gas emissions greater than for coal overall, seismic activity, particularly in former coalfield areas, difficulties of regulation due to scale, damage to farming and tourism.
3. We believe that fracking will not bring the price of gas down (latest research from the BGS suggests very limited reserves), it will provide very few local jobs, while destroying amenity based tourism jobs and businesses, it has ignored evidence of seriously destructive impacts to the health of local people, farm animals, wildlife, local economy, climate and local environment – which cannot be regulated away. We hope and trust you will take our carefully thought out and researched submission seriously.

Full text:

This view has been unanimously approved by the Neighbourhood Forum Managing Committee and confirmed by a meeting of Forum members. For more information see: <http://www.tssneighbourhoodplan.org/> and <http://www.tssneighbourhoodplan.org/Climate-Change/>
Our Neighbourhood Forum believes that this plan is not 'sound'.

1. This view has been formed because the plan has failed to consider the alternative of a separate fracking policy and a failure to comply with current national policy on climate change.
2. We in Teversal, Skegby and Stanton Hill live in a former industrial landscape with four coal mines and related railways working up to the 1990s. This has been transformed through trails and forest parks into a beautiful environment and we now have a growing tourism industry. The Minerals Plan should oppose the re-industrialisation of the landscape with: lorry movements, toxic gas haze, groundwater contamination, increased accident risk, occupational hazards, horizontal drilling – requiring a 3-D site boundary and complex mapping of fault lines, need for large amounts of water for fracking, need to dispose of toxic flowback water, need for a precautionary approach to protect groundwater – particularly the Sherwood Sandstone Aquifer, toxic air emissions, mapping to protect groundwater sources and sensitive sites, methane leaks making greenhouse gas emissions greater than for coal overall, seismic activity, particularly in former coalfield areas, difficulties of regulation due to scale, damage to farming and tourism.
We believe that fracking will not bring the price of gas down (latest research from the BGS suggests very limited reserves), it will provide very few local jobs, while destroying amenity based tourism jobs and businesses, it has ignored evidence of seriously destructive impacts to the health of local people, farm animals, wildlife, local economy, climate and local environment – which cannot be regulated away. We hope and trust you will take our carefully thought out and researched submission seriously.
1. We believe that Notts CC should consider that North Yorkshire's Draft Minerals and Waste Plan includes a number of protections for fracking proposals: defining hydraulic fracturing as any fracturing which allows gas to flow; a separation distance of 500m from homes; setting a maximum density of well pads; requiring a financial guarantee in case fracking companies go bust before cleaning up a site.
2. The Cumbria Minerals and Waste Plan requires any commercial exploitation of hydrocarbons to contribute to "mitigation of climate change"; the Kirklees Local Plan requires any production of hydrocarbons to have "net zero impact on climate change". An objective of our Neighbourhood Forum is to pursue policies and objectives that reduce the Neighbourhood's carbon emissions to a verifiably sustainable level. We urge Nottinghamshire County Council to adopt a similar objective within the Minerals Plan.
3. Fracking seismology expert Professor Peter Styles recommended 500m separation from former mine workings and 850m from any fault lines (supported by Bassetlaw MP John Mann – EDM#1303, May 2018). This recommendation should be incorporated in the Minerals Plan.
4. We also would like to raise an issue ignored in the previous consultation: a legal requirement for Plan policies to reduce climate emissions (Planning & Compulsory Purchase Act 2004, s19(1A)).

Change to plan:

1. We believe that Notts CC should consider that North Yorkshire's Draft Minerals and Waste Plan includes a number of protections for fracking proposals: defining hydraulic fracturing as any fracturing which allows gas to flow; a separation distance of 500m from homes; setting a maximum density of well pads; requiring a financial guarantee in case fracking companies go bust before cleaning up a site.
2. The Cumbria Minerals and Waste Plan requires any commercial exploitation of hydrocarbons to contribute to "mitigation of climate change"; the Kirklees Local Plan requires any production of hydrocarbons to have "net zero impact on climate change". An objective of our Neighbourhood Forum is to pursue policies and objectives that reduce the Neighbourhood's carbon emissions to a verifiably sustainable level. We urge Nottinghamshire County Council to adopt a similar objective within the Minerals Plan.
3. Fracking seismology expert Professor Peter Styles recommended 500m separation from former mine workings and 850m from any fault lines (supported by Bassetlaw MP John Mann – EDM#1303, May 2018). This recommendation should be incorporated in the Minerals Plan.
4. We also would like to raise an issue ignored in the previous consultation: a legal requirement for Plan policies to reduce climate emissions (Planning & Compulsory Purchase Act 2004, s19(1A)).

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

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Support

SP7: Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure

Respondent: The Coal Authority (Melanie Lindsley, Team Leader - Planning Liaison) [2853]

Summary:

The Coal Authority supports this policy.

Full text:

The Coal Authority supports this policy.

Change to plan:

-

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified

Appear exam: Not specified

Attachments: None

29

Support

MP11: Coal

Respondent: The Coal Authority (Melanie Lindsley, Team Leader - Planning Liaison) [2853]

Summary:

The Coal Authority supports this policy which sets out criteria against which proposals for surface coal extraction will be considered.

Full text:

The Coal Authority supports this policy which sets out criteria against which proposals for surface coal extraction will be considered.

Change to plan:

-

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified
Appear exam: Not specified
Attachments: None

30

Support

MP12: Oil and Gas

Respondent: The Coal Authority (Melanie Lindsley, Team Leader - Planning Liaison) [2853]

Summary:

The Coal Authority supports this policy against which proposals for oil and gas extraction will be considered. We are also pleased to see that PEDL areas are identified.

Full text:

The Coal Authority supports this policy against which proposals for oil and gas extraction will be considered. We are also pleased to see that PEDL areas are identified.

Change to plan:

-

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified
Appear exam: Not specified
Attachments: None

31

Support

DM13: Incidental Mineral Extraction

Respondent: The Coal Authority (Melanie Lindsley, Team Leader - Planning Liaison) [2853]

Summary:

The Coal Authority supports this policy which sets out criteria against which incidental mineral extraction will be considered.

Full text:

The Coal Authority supports this policy which sets out criteria against which incidental mineral extraction will be considered.

Change to plan:

-

Legally compliant: Not specified
Sound: Not specified
Comply with duty: Not specified
Appear exam: Not specified
Attachments: None

40

Support

Vision

Respondent: UK Onshore Oil and Gas (Mr Ken Cronin, Chief Executive) [8127]

Summary:

We support the vision for the minerals local plan, in that it recognises that, 'minerals are a valuable natural resource and should be worked and used in a sustainable manner and where possible reused to minimise waste' and we agree that, 'Mineral development will be designed, located, operated and restored to ensure that environmental harm and impacts on climate change are minimised'.

Full text:

RE: Nottinghamshire Minerals Local Plan - consultation
UKOOG is the representative body for the UK onshore oil and gas industry, including exploration and production.
We support the process of local plan making and want to ensure that any proposed plan with respect to onshore oil and gas is sound and meets with the criteria and policies outlined by Government in the NPPF, Planning Practice Guidance and related Written Ministerial Statements. In our view, minerals plans should establish clear criteria-based policies against which proposals can be transparently assessed on a case by case basis.
The planning process for onshore oil and gas is one of five regulatory processes that are required under the current policy framework set by government. Our view is that minerals plans should include a review of each regulatory function and identify those areas which fall outside of the planning process. PPG 012 and PPG 112 make clear that planning authorities are not responsible for matters covered by other regulatory regimes. MPAs "should assume that these regimes will operate effectively. Whilst these issues may be put before mineral planning authorities, they should not need to carry out their own assessment as they can rely on the assessment of other regulatory bodies." This planning policy principle has been re-confirmed in a number of legal cases including; Frack Free Balcombe Residents Association v West Sussex CC 2014.
Our comments on draft plan are as follows:
Vision
UKOOG Response:
We support the vision for the minerals local plan, in that it recognises that, 'minerals are a valuable

natural resource and should be worked and used in a sustainable manner and where possible reused to minimise waste' and we agree that, 'Mineral development will be designed, located, operated and restored to ensure that environmental harm and impacts on climate change are minimised'.

Specific Policies

SP2: Biodiversity-Led Restoration

UKOOG Response:

UKOOG supports the approach outlined in Policy SP2 with regard to restoration of sites, which states, 'Restoration schemes that seek to maximise biodiversity gains in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan will be supported'. The onshore industry supports biodiversity net-gain principles, but also recognises that for small shortterm exploration sites options for biodiversity enhancement might be more limited. For production sites there will be greater opportunity for biodiversity net-gain to be achieved.

SP3: Climate Change

UKOOG Response:

UKOOG is supportive of the approach outlined in Policy SP3 that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change', but we would like to point out that emissions associated with the extraction of oil and gas, including the flaring of waste gasses, are regulated by the Environment Agency through environmental permitting, which requires operators to use BAT (Best Available Techniques) to control emissions during operations. We note that the justification text in 3.31 states that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change, including flooding, where practicable'. This contradicts the wording of the policy itself, which uses the term 'minimise'. For consistency we believe that the term 'minimise' should be used in both the policy and the justification text.

We support the statement that, 'This policy does not presume against the future extraction of energy minerals. Indigenous mineral extraction has potential benefits in environmental and climate change terms', but for clarification the combustion or use of the final product (oil or gas) is not a consideration for assessing extraction focussed planning applications.

SP4: Sustainable Transport

UKOOG Response:

UKOOG recognise the importance of minimising traffic movement and utilising existing infrastructure where it is feasible to do so, and the onshore industry aims to maximise the reuse and recycling of materials and waste products from its operations to reduce transport movements.

In our view there would be merit in including a comment in the justification text that minerals, including oil and gas, can only be worked where they are found, as meeting the test in part 2 of the policy, '... all new mineral working and mineral related development should be located as follows: b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation', may not be feasible to meet.

SP5: The Built, Historic and Natural Environment

UKOOG Response:

Onshore oil and gas sites are temporary in nature and do provide a good opportunity, post decommissioning, to be restored to an enhanced environmental condition that maximises habitat creation and an overall net gain in biodiversity, which should be considered at application stage. Under UK regulation, oil and gas developments for the extraction of shale gas with the use of hydraulic fracturing is prohibited from Sites of Special Scientific Interest (SSSI), Areas of Outstanding Natural Beauty (AONB) and National Parks, other onshore oil and gas development proposals should be considered on a case by case basis, which aligns with the NPPF, Planning Practice Guidance and the WMS 2018.

MP12: Hydrocarbons

UKOOG Response:

UKOOG are supportive of policy MP12, which states;

'1. Exploration and appraisal of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located where this will not have an unacceptable environmental impact.

2. The commercial production of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located at the least sensitive location taking account of environmental, geological and technical factors.

3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found'.

There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used. In our view the terms should be the same regardless of whether it is exploration or commercial production, the tests should be equally relevant. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'will not have an unacceptable impact'.

Policy DM2: Water Resources and Flood Risk

UKOOG Response:

UKOOG recognise the importance of managing the water environment, but we would like to remind the council that the Environment Agency (EA) regulate many of aspects stated in Policy DM2 and supporting text, in particular the EA regulate groundwater activities through the Environmental Permitting Regulations.

Please do not hesitate to contact us if you have any questions.

Change to plan:

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Appear exam: Written Representation

Attachments: None

SP2: Biodiversity- Led Restoration

Respondent: UK Onshore Oil and Gas (Mr Ken Cronin, Chief Executive) [8127]

Summary:

UKOOG supports the approach outlined in Policy SP2 with regard to restoration of sites, which states, 'Restoration schemes that seek to maximise biodiversity gains in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan will be supported'.

The onshore industry supports biodiversity net-gain principles, but also recognises that for small shortterm exploration sites options for biodiversity enhancement might be more limited. For production sites there will be greater opportunity for biodiversity net-gain to be achieved.

Full text:

RE: Nottinghamshire Minerals Local Plan - consultation

UKOOG is the representative body for the UK onshore oil and gas industry, including exploration and production.

We support the process of local plan making and want to ensure that any proposed plan with respect to onshore oil and gas is sound and meets with the criteria and policies outlined by Government in the NPPF, Planning Practice Guidance and related Written Ministerial Statements. In our view, minerals plans should establish clear criteria-based policies against which proposals can be transparently assessed on a case by case basis.

The planning process for onshore oil and gas is one of five regulatory processes that are required under the current policy framework set by government. Our view is that minerals plans should include a review of each regulatory function and identify those areas which fall outside of the planning process. PPG 012 and PPG 112 make clear that planning authorities are not responsible for matters covered by other regulatory regimes. MPAs "should assume that these regimes will operate effectively. Whilst these issues may be put before mineral planning authorities, they should not need to carry out their own assessment as they can rely on the assessment of other regulatory bodies." This planning policy principle has been re-confirmed in a number of legal cases including; Frack Free Balcombe Residents Association v West Sussex CC 2014.

Our comments on draft plan are as follows:

Vision

UKOOG Response:

We support the vision for the minerals local plan, in that it recognises that, 'minerals are a valuable natural resource and should be worked and used in a sustainable manner and where possible reused to minimise waste' and we agree that, 'Mineral development will be designed, located, operated and restored to ensure that environmental harm and impacts on climate change are minimised'.

Specific Policies

SP2: Biodiversity-Led Restoration

UKOOG Response:

UKOOG supports the approach outlined in Policy SP2 with regard to restoration of sites, which states, 'Restoration schemes that seek to maximise biodiversity gains in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan will be supported'. The onshore industry supports biodiversity net-gain principles, but also recognises that for small shortterm exploration sites options for biodiversity enhancement might be more limited. For production sites there will be greater opportunity for biodiversity net-gain to be achieved.

SP3: Climate Change

UKOOG Response:

UKOOG is supportive of the approach outlined in Policy SP3 that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change', but we would like to point out that emissions associated with the extraction of oil and gas, including the flaring of waste gasses, are regulated by the Environment Agency through environmental permitting, which requires operators to use BAT (Best Available Techniques) to control emissions during operations. We note that the justification text in 3.31 states that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change, including flooding, where practicable'. This contradicts the wording of the policy itself, which uses the term 'minimise'. For consistency we believe that the term 'minimise' should be used in both the policy and the justification text.

We support the statement that, 'This policy does not presume against the future extraction of energy minerals. Indigenous mineral extraction has potential benefits in environmental and climate change terms', but for clarification the combustion or use of the final product (oil or gas) is not a consideration for assessing extraction focussed planning applications.

SP4: Sustainable Transport

UKOOG Response:

UKOOG recognise the importance of minimising traffic movement and utilising existing infrastructure where it is feasible to do so, and the onshore industry aims to maximise the reuse and recycling of materials and waste products from its operations to reduce transport movements.

In our view there would be merit in including a comment in the justification text that minerals, including oil and gas, can only be worked where they are found, as meeting the test in part 2 of the policy, '... all new mineral working and mineral related development should be located as follows: b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation', may not be feasible to meet.

SP5: The Built, Historic and Natural Environment

UKOOG Response:

Onshore oil and gas sites are temporary in nature and do provide a good opportunity, post decommissioning, to be restored to an enhanced environmental condition that maximises habitat creation and an overall net gain in biodiversity, which should be considered at application stage. Under UK regulation, oil and gas developments for the extraction of shale gas with the use of hydraulic fracturing is prohibited from Sites of Special Scientific Interest (SSSI), Areas of Outstanding Natural Beauty (AONB) and National Parks, other onshore oil and gas development proposals should be considered on a case by case basis, which aligns with the NPPF, Planning Practice Guidance and the WMS 2018.

MP12: Hydrocarbons

UKOOG Response:

UKOOG are supportive of policy MP12, which states;

'1. Exploration and appraisal of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located where this will not have an unacceptable environmental impact.

2. The commercial production of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located at the least sensitive location taking account of environmental, geological and technical factors.

3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found'.

There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used. In our view the terms should be the same regardless of whether it is exploration or commercial production, the tests should be equally relevant. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'will not have an unacceptable impact'.

Policy DM2: Water Resources and Flood Risk

UKOOG Response:

UKOOG recognise the importance of managing the water environment, but we would like to remind

the council that the Environment Agency (EA) regulate many of aspects stated in Policy DM2 and supporting text, in particular the EA regulate groundwater activities through the Environmental Permitting Regulations.

Please do not hesitate to contact us if you have any questions.

Change to plan:

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Appear exam: Written Representation

Attachments: None

42

Object

SP3: Climate Change

Respondent: UK Onshore Oil and Gas (Mr Ken Cronin, Chief Executive) [8127]

Summary:

UKOOG is supportive of the approach outlined in Policy SP3 that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change', but we would like to point out that emissions associated with the extraction of oil and gas, including the flaring of waste gasses, are regulated by the Environment Agency through environmental permitting, which requires operators to use BAT (Best Available Techniques) to control emissions during operations. We note that the justification text in 3.31 states that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change, including flooding, where practicable'. This contradicts the wording of the policy itself, which uses the term 'minimise'. For consistency we believe that the term 'minimise' should be used in both the policy and the justification text.

We support the statement that, 'This policy does not presume against the future extraction of energy minerals. Indigenous mineral extraction has potential benefits in environmental and climate change terms', but for clarification the combustion or use of the final product (oil or gas) is not a consideration for assessing extraction focused planning applications.

Full text:

RE: Nottinghamshire Minerals Local Plan - consultation

UKOOG is the representative body for the UK onshore oil and gas industry, including exploration and production.

We support the process of local plan making and want to ensure that any proposed plan with respect to onshore oil and gas is sound and meets with the criteria and policies outlined by Government in the NPPF, Planning Practice Guidance and related Written Ministerial Statements. In our view, minerals plans should establish clear criteria-based policies against which proposals can be transparently assessed on a case by case basis.

The planning process for onshore oil and gas is one of five regulatory processes that are required under the current policy framework set by government. Our view is that minerals plans should include a review of each regulatory function and identify those areas which fall outside of the planning process. PPG 012 and PPG 112 make clear that planning authorities are not responsible for matters covered by other regulatory regimes. MPAs "should assume that these regimes will operate effectively. Whilst these issues may be put before mineral planning authorities, they should not need to carry out their own assessment as they can rely on the assessment of other regulatory bodies." This planning policy principle has been re-confirmed in a number of legal cases including; Frack Free Balcombe Residents Association v West Sussex CC 2014.

Our comments on draft plan are as follows:

Vision

UKOOG Response:

We support the vision for the minerals local plan, in that it recognises that, 'minerals are a valuable natural resource and should be worked and used in a sustainable manner and where possible reused to minimise waste' and we agree that, 'Mineral development will be designed, located, operated and restored to ensure that environmental harm and impacts on climate change are minimised'.

Specific Policies

SP2: Biodiversity-Led Restoration

UKOOG Response:

UKOOG supports the approach outlined in Policy SP2 with regard to restoration of sites, which states, 'Restoration schemes that seek to maximise biodiversity gains in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan will be supported'.

The onshore industry supports biodiversity net-gain principles, but also recognises that for small shortterm exploration sites options for biodiversity enhancement might be more limited. For production sites there will be greater opportunity for biodiversity net-gain to be achieved.

SP3: Climate Change

UKOOG Response:

UKOOG is supportive of the approach outlined in Policy SP3 that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change', but we would like to point out that emissions associated with the extraction of oil and gas, including the flaring of waste gasses, are regulated by the Environment Agency through environmental permitting, which requires operators to use BAT (Best Available Techniques) to control emissions during operations. We note that the justification text in 3.31 states that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change, including flooding, where practicable'. This contradicts the wording of the policy itself, which uses the term 'minimise'. For consistency we believe that the term 'minimise' should be used in both the policy and the justification text.

We support the statement that, 'This policy does not presume against the future extraction of energy minerals. Indigenous mineral extraction has potential benefits in environmental and climate change terms', but for clarification the combustion or use of the final product (oil or gas) is not a consideration for assessing extraction focussed planning applications.

SP4: Sustainable Transport

UKOOG Response:

UKOOG recognise the importance of minimising traffic movement and utilising existing infrastructure where it is feasible to do so, and the onshore industry aims to maximise the reuse and recycling of materials and waste products from its operations to reduce transport movements.

In our view there would be merit in including a comment in the justification text that minerals, including oil and gas, can only be worked where they are found, as meeting the test in part 2 of the policy, '... all new mineral working and mineral related development should be located as follows: b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation', may not be feasible to meet.

SP5: The Built, Historic and Natural Environment

UKOOG Response:

Onshore oil and gas sites are temporary in nature and do provide a good opportunity, post decommissioning, to be restored to an enhanced environmental condition that maximises habitat creation and an overall net gain in biodiversity, which should be considered at application stage. Under UK regulation, oil and gas developments for the extraction of shale gas with the use of hydraulic fracturing is prohibited from Sites of Special Scientific Interest (SSSI), Areas of Outstanding Natural Beauty (AONB) and National Parks, other onshore oil and gas development proposals should be considered on a case by case basis, which aligns with the NPPF, Planning Practice Guidance and the WMS 2018.

MP12: Hydrocarbons

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UKOOG are supportive of policy MP12, which states;

'1. Exploration and appraisal of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located where this will not have an unacceptable environmental impact.

2. The commercial production of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located at the least sensitive location taking account of environmental, geological and technical factors.

3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found'.

There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used. In our view the terms should be the same regardless of whether it is exploration or commercial production, the tests should be equally relevant. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'will not have an unacceptable impact'.

Policy DM2: Water Resources and Flood Risk

UKOOG Response:

UKOOG recognise the importance of managing the water environment, but we would like to remind the council that the Environment Agency (EA) regulate many of aspects stated in Policy DM2 and supporting text, in particular the EA regulate groundwater activities through the Environmental Permitting Regulations.

Please do not hesitate to contact us if you have any questions.

Change to plan:

For consistency we believe that the term 'minimise' should be used in both the policy and the justification text.

Legally Yes

compliant:

Sound: Yes

Comply with Yes

duty:

Appear exam: Written Representation

Attachments: None

43

Object

SP4: Sustainable Transport

Respondent: UK Onshore Oil and Gas (Mr Ken Cronin, Chief Executive) [8127]

Summary:

UKOOG recognise the importance of minimising traffic movement and utilising existing infrastructure where it is feasible to do so, and the onshore industry aims to maximise the reuse and recycling of materials and waste products from its operations to reduce transport movements.

In our view there would be merit in including a comment in the justification text that minerals, including oil and gas, can only be worked where they are found, as meeting the test in part 2 of the policy, '... all new mineral working and mineral related development should be located as follows: b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation', may not be feasible to meet.

Full text:

RE: Nottinghamshire Minerals Local Plan - consultation

UKOOG is the representative body for the UK onshore oil and gas industry, including exploration and production.

We support the process of local plan making and want to ensure that any proposed plan with respect to onshore oil and gas is sound and meets with the criteria and policies outlined by Government in the NPPF, Planning Practice Guidance and related Written Ministerial Statements. In our view, minerals plans should establish clear criteria-based policies against which proposals can be transparently assessed on a case by case basis.

The planning process for onshore oil and gas is one of five regulatory processes that are required under the current policy framework set by government. Our view is that minerals plans should include a review of each regulatory function and identify those areas which fall outside of the planning process. PPG 012 and PPG 112 make clear that planning authorities are not responsible for matters covered by other regulatory regimes. MPAs "should assume that these regimes will operate effectively. Whilst these issues may be put before mineral planning authorities, they should not need to carry out their own assessment as they can rely on the assessment of other regulatory bodies." This planning policy principle has been re-confirmed in a number of legal cases including; Frack Free Balcombe Residents Association v West Sussex CC 2014.

Our comments on draft plan are as follows:

Vision

UKOOG Response:

We support the vision for the minerals local plan, in that it recognises that, 'minerals are a valuable natural resource and should be worked and used in a sustainable manner and where possible reused to minimise waste' and we agree that, 'Mineral development will be designed, located, operated and restored to ensure that environmental harm and impacts on climate change are minimised'.

Specific Policies

SP2: Biodiversity-Led Restoration

UKOOG Response:

UKOOG supports the approach outlined in Policy SP2 with regard to restoration of sites, which states, 'Restoration schemes that seek to maximise biodiversity gains in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan will be supported'.

The onshore industry supports biodiversity net-gain principles, but also recognises that for small shortterm exploration sites options for biodiversity enhancement might be more limited. For production sites there will be greater opportunity for biodiversity net-gain to be achieved.

SP3: Climate Change

UKOOG Response:

UKOOG is supportive of the approach outlined in Policy SP3 that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change', but we would like to point out that emissions associated with the extraction of oil and gas, including the flaring of waste gasses, are regulated by the Environment Agency through environmental permitting, which requires operators to use BAT (Best Available Techniques) to control emissions during operations. We note that the justification text in 3.31 states that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change, including flooding, where practicable'. This contradicts the wording of the policy itself, which uses the term 'minimise'. For consistency we believe that the term 'minimise' should be used in both the policy and the justification text.

We support the statement that, 'This policy does not presume against the future extraction of energy minerals. Indigenous mineral extraction has potential benefits in environmental and climate change terms'; but for clarification the combustion or use of the final product (oil or gas) is not a consideration for assessing extraction focussed planning applications.

SP4: Sustainable Transport**UKOOG Response:**

UKOOG recognise the importance of minimising traffic movement and utilising existing infrastructure where it is feasible to do so, and the onshore industry aims to maximise the reuse and recycling of materials and waste products from its operations to reduce transport movements.

In our view there would be merit in including a comment in the justification text that minerals, including oil and gas, can only be worked where they are found, as meeting the test in part 2 of the policy, '... all new mineral working and mineral related development should be located as follows: b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation', may not be feasible to meet.

SP5: The Built, Historic and Natural Environment**UKOOG Response:**

Onshore oil and gas sites are temporary in nature and do provide a good opportunity, post decommissioning, to be restored to an enhanced environmental condition that maximises habitat creation and an overall net gain in biodiversity, which should be considered at application stage. Under UK regulation, oil and gas developments for the extraction of shale gas with the use of hydraulic fracturing is prohibited from Sites of Special Scientific Interest (SSSI), Areas of Outstanding Natural Beauty (AONB) and National Parks, other onshore oil and gas development proposals should be considered on a case by case basis, which aligns with the NPPF, Planning Practice Guidance and the WMS 2018.

MP12: Hydrocarbons**UKOOG Response:**

UKOOG are supportive of policy MP12, which states;

1. Exploration and appraisal of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

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a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

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3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found'.

There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used. In our view the terms should be the same regardless of whether it is exploration or commercial production, the tests should be equally relevant. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'will not have an unacceptable impact'.

Policy DM2: Water Resources and Flood Risk**UKOOG Response:**

UKOOG recognise the importance of managing the water environment, but we would like to remind the council that the Environment Agency (EA) regulate many of aspects stated in Policy DM2 and supporting text, in particular the EA regulate groundwater activities through the Environmental Permitting Regulations.

Please do not hesitate to contact us if you have any questions.

Change to plan:

In our view there would be merit in including a comment in the justification text that minerals, including oil and gas, can only be worked where they are found

Legally Yes

compliant:

Sound: Yes

Comply with Yes

duty:

Appear exam: Written Representation

Attachments: None

44

Support

SP5: The Built, Historic and Natural Environment

Respondent: UK Onshore Oil and Gas (Mr Ken Cronin, Chief Executive) [8127]

Summary:

Onshore oil and gas sites are temporary in nature and do provide a good opportunity, post decommissioning, to be restored to an enhanced environmental condition that maximises habitat creation and an overall net gain in biodiversity, which should be considered at application stage. Under UK regulation, oil and gas developments for the extraction of shale gas with the use of hydraulic fracturing is prohibited from Sites of Special Scientific Interest (SSSI), Areas of Outstanding Natural Beauty (AONB) and National Parks, other onshore oil and gas development proposals should be considered on a case by case basis, which aligns with the NPPF, Planning Practice Guidance and the WMS 2018.

Full text:

RE: Nottinghamshire Minerals Local Plan - consultation

UKOOG is the representative body for the UK onshore oil and gas industry, including exploration and production.

We support the process of local plan making and want to ensure that any proposed plan with respect to onshore oil and gas is sound and meets with the criteria and policies outlined by Government in the NPPF, Planning Practice Guidance and related Written Ministerial Statements. In our view, minerals

plans should establish clear criteria-based policies against which proposals can be transparently assessed on a case by case basis.

The planning process for onshore oil and gas is one of five regulatory processes that are required under the current policy framework set by government. Our view is that minerals plans should include a review of each regulatory function and identify those areas which fall outside of the planning process. PPG 012 and PPG 112 make clear that planning authorities are not responsible for matters covered by other regulatory regimes. MPAs "should assume that these regimes will operate effectively. Whilst these issues may be put before mineral planning authorities, they should not need to carry out their own assessment as they can rely on the assessment of other regulatory bodies." This planning policy principle has been re-confirmed in a number of legal cases including; Frack Free Balcombe Residents Association v West Sussex CC 2014.

Our comments on draft plan are as follows:

Vision

UKOOG Response:

We support the vision for the minerals local plan, in that it recognises that, 'minerals are a valuable natural resource and should be worked and used in a sustainable manner and where possible reused to minimise waste' and we agree that, 'Mineral development will be designed, located, operated and restored to ensure that environmental harm and impacts on climate change are minimised'.

Specific Policies

SP2: Biodiversity-Led Restoration

UKOOG Response:

UKOOG supports the approach outlined in Policy SP2 with regard to restoration of sites, which states, 'Restoration schemes that seek to maximise biodiversity gains in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan will be supported'. The onshore industry supports biodiversity net-gain principles, but also recognises that for small shortterm exploration sites options for biodiversity enhancement might be more limited. For production sites there will be greater opportunity for biodiversity net-gain to be achieved.

SP3: Climate Change

UKOOG Response:

UKOOG is supportive of the approach outlined in Policy SP3 that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change', but we would like to point out that emissions associated with the extraction of oil and gas, including the flaring of waste gasses, are regulated by the Environment Agency through environmental permitting, which requires operators to use BAT (Best Available Techniques) to control emissions during operations. We note that the justification text in 3.31 states that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change, including flooding, where practicable'. This contradicts the wording of the policy itself, which uses the term 'minimise'. For consistency we believe that the term 'minimise' should be used in both the policy and the justification text.

We support the statement that, 'This policy does not presume against the future extraction of energy minerals. Indigenous mineral extraction has potential benefits in environmental and climate change terms', but for clarification the combustion or use of the final product (oil or gas) is not a consideration for assessing extraction focussed planning applications.

SP4: Sustainable Transport

UKOOG Response:

UKOOG recognise the importance of minimising traffic movement and utilising existing infrastructure where it is feasible to do so, and the onshore industry aims to maximise the reuse and recycling of materials and waste products from its operations to reduce transport movements.

In our view there would be merit in including a comment in the justification text that minerals, including oil and gas, can only be worked where they are found, as meeting the test in part 2 of the policy, '... all new mineral working and mineral related development should be located as follows: b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation', may not be feasible to meet.

SP5: The Built, Historic and Natural Environment

UKOOG Response:

Onshore oil and gas sites are temporary in nature and do provide a good opportunity, post decommissioning, to be restored to an enhanced environmental condition that maximises habitat creation and an overall net gain in biodiversity, which should be considered at application stage. Under UK regulation, oil and gas developments for the extraction of shale gas with the use of hydraulic fracturing is prohibited from Sites of Special Scientific Interest (SSSI), Areas of Outstanding Natural Beauty (AONB) and National Parks, other onshore oil and gas development proposals should be considered on a case by case basis, which aligns with the NPPF, Planning Practice Guidance and the WMS 2018.

MP12: Hydrocarbons

UKOOG Response:

UKOOG are supportive of policy MP12, which states;

'1. Exploration and appraisal of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located where this will not have an unacceptable environmental impact.

2. The commercial production of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located at the least sensitive location taking account of environmental, geological and technical factors.

3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found'.

There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used. In our view the terms should be the same regardless of whether it is exploration or commercial production, the tests should be equally relevant. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'will not have an unacceptable impact'.

Policy DM2: Water Resources and Flood Risk

UKOOG Response:

UKOOG recognise the importance of managing the water environment, but we would like to remind the council that the Environment Agency (EA) regulate many of aspects stated in Policy DM2 and supporting text, in particular the EA regulate groundwater activities through the Environmental Permitting Regulations.

Please do not hesitate to contact us if you have any questions.

Change to plan:

-

Legally compliant: Yes
Sound: Yes
Comply with: Yes

duty:

Appear exam: Written Representation

Attachments: None

45

Object

MP12: Oil and Gas**Respondent:** UK Onshore Oil and Gas (Mr Ken Cronin, Chief Executive) [8127]**Summary:**

UKOOG are supportive of policy MP12, which states:

'1. Exploration and appraisal of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located where this will not have an unacceptable environmental impact.

2. The commercial production of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

b. Are located at the least sensitive location taking account of environmental, geological and technical factors.

3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found'.

There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used. In our view the terms should be the same regardless of whether it is exploration or commercial production, the tests should be equally relevant. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'will not have an unacceptable impact'.

Full text:

RE: Nottinghamshire Minerals Local Plan - consultation

UKOOG is the representative body for the UK onshore oil and gas industry, including exploration and production.

We support the process of local plan making and want to ensure that any proposed plan with respect to onshore oil and gas is sound and meets with the criteria and policies outlined by Government in the NPPF, Planning Practice Guidance and related Written Ministerial Statements. In our view, minerals plans should establish clear criteria-based policies against which proposals can be transparently assessed on a case by case basis.

The planning process for onshore oil and gas is one of five regulatory processes that are required under the current policy framework set by government. Our view is that minerals plans should include a review of each regulatory function and identify those areas which fall outside of the planning process. PPG 012 and PPG 112 make clear that planning authorities are not responsible for matters covered by other regulatory regimes. MPAs "should assume that these regimes will operate effectively. Whilst these issues may be put before mineral planning authorities, they should not need to carry out their own assessment as they can rely on the assessment of other regulatory bodies." This planning policy principle has been re-confirmed in a number of legal cases including; Frack Free Balcombe Residents Association v West Sussex CC 2014.

Our comments on draft plan are as follows:

Vision

UKOOG Response:

We support the vision for the minerals local plan, in that it recognises that, 'minerals are a valuable natural resource and should be worked and used in a sustainable manner and where possible reused to minimise waste' and we agree that, 'Mineral development will be designed, located, operated and restored to ensure that environmental harm and impacts on climate change are minimised'.

Specific Policies

SP2: Biodiversity-Led Restoration

UKOOG Response:

UKOOG supports the approach outlined in Policy SP2 with regard to restoration of sites, which states, 'Restoration schemes that seek to maximise biodiversity gains in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan will be supported'.

The onshore industry supports biodiversity net-gain principles, but also recognises that for small shortterm exploration sites options for biodiversity enhancement might be more limited. For production sites there will be greater opportunity for biodiversity net-gain to be achieved.

SP3: Climate Change

UKOOG Response:

UKOOG is supportive of the approach outlined in Policy SP3 that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change', but we would like to point out that emissions associated with the extraction of oil and gas, including the flaring of waste gasses, are regulated by the Environment Agency through environmental permitting, which requires operators to use BAT (Best Available Techniques) to control emissions during operations. We note that the justification text in 3.31 states that, 'All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change, including flooding, where practicable'. This contradicts the wording of the policy itself, which uses the term 'minimise'. For consistency we believe that the term 'minimise' should be used in both the policy and the justification text.

We support the statement that, 'This policy does not presume against the future extraction of energy minerals. Indigenous mineral extraction has potential benefits in environmental and climate change terms', but for clarification the combustion or use of the final product (oil or gas) is not a consideration for assessing extraction focussed planning applications.

SP4: Sustainable Transport

UKOOG Response:

UKOOG recognise the importance of minimising traffic movement and utilising existing infrastructure where it is feasible to do so, and the onshore industry aims to maximise the reuse and recycling of materials and waste products from its operations to reduce transport movements.

In our view there would be merit in including a comment in the justification text that minerals, including oil and gas, can only be worked where they are found, as meeting the test in part 2 of the policy, '... all new mineral working and mineral related development should be located as follows: b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation', may not be feasible to meet.

SP5: The Built, Historic and Natural Environment

UKOOG Response:

Onshore oil and gas sites are temporary in nature and do provide a good opportunity, post decommissioning, to be restored to an enhanced environmental condition that maximises habitat creation and an overall net gain in biodiversity, which should be considered at application stage. Under UK regulation, oil and gas developments for the extraction of shale gas with the use of hydraulic fracturing is prohibited from Sites of Special Scientific Interest (SSSI), Areas of Outstanding Natural Beauty (AONB) and National Parks, other onshore oil and gas development

proposals should be considered on a case by case basis, which aligns with the NPPF, Planning Practice Guidance and the WMS 2018.

MP12: Hydrocarbons

UKOOG Response:

UKOOG are supportive of policy MP12, which states:

'1. Exploration and appraisal of oil and gas will be supported, provided the site and equipment:

a. Are not located in a protected area other than in exceptional circumstances where this does not compromise the reasons for the designation and the need for development can be demonstrated; and

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b. Are located at the least sensitive location taking account of environmental, geological and technical factors.

3. Proposals at each stage must provide for the restoration and subsequent aftercare of the site, whether or not oil or gas is found'.

There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used. In our view the terms should be the same regardless of whether it is exploration or commercial production, the tests should be equally relevant. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'will not have an unacceptable impact'.

Policy DM2: Water Resources and Flood Risk

UKOOG Response:

UKOOG recognise the importance of managing the water environment, but we would like to remind the council that the Environment Agency (EA) regulate many of aspects stated in Policy DM2 and supporting text, in particular the EA regulate groundwater activities through the Environmental Permitting Regulations.

Please do not hesitate to contact us if you have any questions.

Change to plan:

There is inconsistency between the terms used in 'part 1 b' for exploration and appraisal and 'part 2 b' for commercial production. In 'part 1 b' the term 'unacceptable environmental impact' is used, but in 'part 2 b' the term 'least sensitive location' is used. In our view the terms should be the same regardless of whether it is exploration or commercial production, the tests should be equally relevant. Furthermore the term 'least sensitive location' is subjective and therefore should be replaced with the term 'will not have an unacceptable impact'.

Legally Yes

compliant:

Sound: Yes

Comply with Yes

duty:

Appear exam: Written Representation

Attachments: None

46

Support

DM2: Water Resources and Flood Risk

Respondent: UK Onshore Oil and Gas (Mr Ken Cronin, Chief Executive) [8127]

Summary:

UKOOG recognise the importance of managing the water environment, but we would like to remind the council that the Environment Agency (EA) regulate many of aspects stated in Policy DM2 and supporting text, in particular the EA regulate groundwater activities through the Environmental Permitting Regulations.

Full text:

RE: Nottinghamshire Minerals Local Plan - consultation

UKOOG is the representative body for the UK onshore oil and gas industry, including exploration and production.

We support the process of local plan making and want to ensure that any proposed plan with respect to onshore oil and gas is sound and meets with the criteria and policies outlined by Government in the NPPF, Planning Practice Guidance and related Written Ministerial Statements. In our view, minerals plans should establish clear criteria-based policies against which proposals can be transparently assessed on a case by case basis.

The planning process for onshore oil and gas is one of five regulatory processes that are required under the current policy framework set by government. Our view is that minerals plans should include a review of each regulatory function and identify those areas which fall outside of the planning process. PPG 012 and PPG 112 make clear that planning authorities are not responsible for matters covered by other regulatory regimes. MPAs "should assume that these regimes will operate effectively.

Whilst these issues may be put before mineral planning authorities, they should not need to carry out their own assessment as they can rely on the assessment of other regulatory bodies." This planning policy principle has been re-confirmed in a number of legal cases including; Frack Free Balcombe Residents Association v West Sussex CC 2014.

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UKOOG Response:

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Specific Policies

SP2: Biodiversity-Led Restoration

UKOOG Response:

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SP3: Climate Change

UKOOG Response:

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We support the statement that, 'This policy does not presume against the future extraction of energy minerals. Indigenous mineral extraction has potential benefits in environmental and climate change terms', but for clarification the combustion or use of the final product (oil or gas) is not a consideration for assessing extraction focussed planning applications.

SP4: Sustainable Transport

UKOOG Response:

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In our view there would be merit in including a comment in the justification text that minerals, including oil and gas, can only be worked where they are found, as meeting the test in part 2 of the policy, '... all new mineral working and mineral related development should be located as follows: b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation', may not be feasible to meet.

SP5: The Built, Historic and Natural Environment

UKOOG Response:

Onshore oil and gas sites are temporary in nature and do provide a good opportunity, post decommissioning, to be restored to an enhanced environmental condition that maximises habitat creation and an overall net gain in biodiversity, which should be considered at application stage. Under UK regulation, oil and gas developments for the extraction of shale gas with the use of hydraulic fracturing is prohibited from Sites of Special Scientific Interest (SSSI), Areas of Outstanding Natural Beauty (AONB) and National Parks, other onshore oil and gas development proposals should be considered on a case by case basis, which aligns with the NPPF, Planning Practice Guidance and the WMS 2018.

MP12: Hydrocarbons

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Policy DM2: Water Resources and Flood Risk

UKOOG Response:

UKOOG recognise the importance of managing the water environment, but we would like to remind the council that the Environment Agency (EA) regulate many of aspects stated in Policy DM2 and supporting text, in particular the EA regulate groundwater activities through the Environmental Permitting Regulations.

Please do not hesitate to contact us if you have any questions.

Change to plan:

-

Legally Yes

compliant:

Sound: Yes

Comply with Yes

duty:

Appear exam: Written Representation

Attachments: None

130

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Malcolm Varley [3823]

Summary:

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise

Impact on the natural environment, visual, nature designations, green belt.

Full text:

We strongly object to unsound and unjustified allocation MP2p, proposed inclusion of site Mill Hill near Barton in Fabis, with this letter.

Impact on communities, for example dust and noise

Impact on the natural environment, visual, nature designations, green belt.

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: None

37

Object

S01: Improving the sustainability of minerals development

Respondent: Tim Vernon [8367]

Summary:

The impact on the local communities and the natural environment has not been properly accounted for or assessed.

Full text:

Good morning

I wish to raise further objections regarding the above plan and specifically in relation to the proposed plan for Mill Hill/ Barton in Fabis.

My objections are based on a number of factors and are summarised as follows:

You have failed to undertake any meaningful analysis of demand for sand and gravel to support the proposed geographical plan.

You seem to be ignoring the impact of proposed sites on local communities and environments.

The decision to exclude Shelford and include Mill Hill appears completely unjustified, although I am personally concerned that Shelford is the constituency of Kay Cutts.

It appears that the Mill Ste is less sustainable than Shelford and more environmentally damaging, this is according to the Council's own sustainability report. Additionally Shelford is closer to major markets and provides opportunity for more sustainable transport links.

I feel very annoyed that you have characterised previous responses as 'a large number of pro forma letters', not consulted with Clifton and Clifton Village residents (who would be affected), and discriminated against Lark Hill residents who find it difficult to gain access to the relevant information.

On this basis I believe that the Minerals local plan is unsound and unjustified . The S01 is unsound and unjustified, the allocation of site MP2p is also unsound and unjustified and that they should be withdrawn. I believe the council has also failed to conform to its own statement of community involvement.

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: None

38

Object

S05: Minimising impacts on communities

Respondent: Tim Vernon [8367]

Summary:

I believe the council has also failed to conform to its own statement of community involvement.

Full text:

Good morning

I wish to raise further objections regarding the above plan and specifically in relation to the proposed plan for Mill Hill/ Barton in Fabis.

My objections are based on a number of factors and are summarised as follows:

You have failed to undertake any meaningful analysis of demand for sand and gravel to support the proposed geographical plan.

You seem to be ignoring the impact of proposed sites on local communities and environments.

The decision to exclude Shelford and include Mill Hill appears completely unjustified, although I am personally concerned that Shelford is the constituency of Kay Cutts.

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On this basis I believe that the Minerals local plan is unsound and unjustified . The S01 is unsound and unjustified, the allocation of site MP2p is also unsound and unjustified and that they should be withdrawn. I believe the council has also failed to conform to its own statement of community involvement.

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: None

36

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Tim Vernon [8367]

Summary:

I wish to raise further objections regarding the above plan and specifically in relation to the proposed plan for Mill Hill/ Barton in Fabis.

My objections are based on a number of factors and are summarised as follows:

You have failed to undertake any meaningful analysis of demand for sand and gravel to support the proposed geographical plan.

You seem to be ignoring the impact of proposed sites on local communities and environments.

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Full text:

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My objections are based on a number of factors and are summarised as follows:

You have failed to undertake any meaningful analysis of demand for sand and gravel to support the proposed geographical plan.

You seem to be ignoring the impact of proposed sites on local communities and environments.

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On this basis I believe that the Minerals local plan is unsound and unjustified . The S01 is unsound and unjustified, the allocation of site MP2p is also unsound and unjustified and that they should be withdrawn. I believe the council has also failed to conform to its own statement of community involvement.

Change to plan:

-

Legally No

compliant:

Sound: No

Comply with No
duty:
Appear exam: Appearance at the examination
Attachments: None

33

Object

S01: Improving the sustainability of minerals development

Respondent: Susie Vincent [9002]

Summary:

I think that the Strategic Objective S01 is unsound and unjustified. The impact on the local communities and the natural environment has not been properly accounted for or assessed.

Full text:

Re: Minerals Local Plan Consultation

I write to register my objection to the Minerals Local Plan. Having seen the current proposals I believe that the plan is unsound and is unjustified in its current form. I also think that the Strategic Objective S01 is unsound and unjustified. The impact on the local communities and the natural environment has not been properly accounted for or assessed. The allocation of site MP2p at Mill Hill is also unsound and unjustified due to several environmental considerations and should be removed. Furthermore, the County Council has failed to conform to its requirements under its Statement Of Community Involvement. The transport links to the MP2p site have not been fairly assessed compared to the Shelford site which has the advantage of utilising sustainable transport in the form of barge usage from Colwick Wharf. This option would significantly reduce energy usage and road usage - reducing the impact of extraction in that particular locality. No meaningful evidence has been presented to support the assertion that the Shelford site is 'too large' which is a very poor argument for discounting that site as the ability to provide a good supply of minerals would surely make adoption of a site with the associated infrastructure more viable. The Mill Hill site near Barton In Fabis is less sustainable and more environmentally damaging than the Shelford site according to the Councils own Sustainability Appraisal. With regard to community involvement, the Council has failed to engage with my local community in any meaningful way. Having been a resident living on the river bank for fifteen years I am aware of local flooding issues and am very concerned about the effect this would have on the environment of the proposed site. You will already be aware of these issues as residents have pointed this out previously in response to the Draft Minerals Local Plan - including providing photographs of local flooding, why has this not been taken into account? These factors need to be considered including the impact on communities and on the natural environment.

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:
Appear exam: Appearance at the examination
Attachments: None

35

Object

S05: Minimising impacts on communities

Respondent: Susie Vincent [9002]

Summary:

With regard to community involvement, the Council has failed to engage with my local community in any meaningful way. Having been a resident living on the river bank for fifteen years I am aware of local flooding issues and am very concerned about the effect this would have on the environment of the proposed site. You will already be aware of these issues as residents have pointed this out previously in response to the Draft Minerals Local Plan - including providing photographs of local flooding, why has this not been taken into account? These factors need to be considered including the impact on communities and on the natural environment.

Full text:

Re: Minerals Local Plan Consultation

I write to register my objection to the Minerals Local Plan. Having seen the current proposals I believe that the plan is unsound and is unjustified in its current form. I also think that the Strategic Objective S01 is unsound and unjustified. The impact on the local communities and the natural environment has not been properly accounted for or assessed. The allocation of site MP2p at Mill Hill is also unsound and unjustified due to several environmental considerations and should be removed. Furthermore, the County Council has failed to conform to its requirements under its Statement Of Community Involvement. The transport links to the MP2p site have not been fairly assessed compared to the Shelford site which has the advantage of utilising sustainable transport in the form of barge usage from Colwick Wharf. This option would significantly reduce energy usage and road usage - reducing the impact of extraction in that particular locality. No meaningful evidence has been presented to support the assertion that the Shelford site is 'too large' which is a very poor argument for discounting that site as the ability to provide a good supply of minerals would surely make adoption of a site with the associated infrastructure more viable. The Mill Hill site near Barton In Fabis is less sustainable and more environmentally damaging than the Shelford site according to the Councils own Sustainability Appraisal. With regard to community involvement, the Council has failed to engage with my local community in any meaningful way. Having been a resident living on the river bank for fifteen years I am aware of local flooding issues and am very concerned about the effect this would have on the environment of the proposed site. You will already be aware of these issues as residents have pointed this out previously in response to the Draft Minerals Local Plan - including providing photographs of local flooding, why has this not been taken into account? These factors need to be considered including the impact on communities and on the natural environment.

Change to plan:

-

Legally No
compliant:
Sound: No
Comply with No
duty:
Appear exam: Appearance at the examination
Attachments: None

34

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Susie Vincent [9002]

Summary:

The allocation of site MP2p at Mill Hill is also unsound and unjustified due to several environmental considerations and should be removed. Furthermore, the County Council has failed to conform to its requirements under its Statement Of Community Involvement. The transport links to the MP2p site have not been fairly assessed compared to the Shelford site which has the advantage of utilising sustainable transport in the form of barge usage from Colwick Wharf. This option would significantly reduce energy usage and road usage - reducing the impact of extraction in that particular locality. No meaningful evidence has been presented to support the assertion that the Shelford site is 'too large' which is a very poor argument for discounting that site as the ability to provide a good supply of minerals would surely make adoption of a site with the associated infrastructure more viable. The Mill Hill site near Barton In Fabis is less sustainable and more environmentally damaging than the Shelford site according to the Councils own Sustainability Appraisal.

Full text:

Re: Minerals Local Plan Consultation

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The allocation of site MP2p at Mill Hill is also unsound and unjustified due to several environmental considerations and should be removed. Furthermore, the County Council has failed to conform to its requirements under its Statement Of Community Involvement.

The transport links to the MP2p site have not been fairly assessed compared to the Shelford site which has the advantage of utilising sustainable transport in the form of barge usage from Colwick Wharf. This option would significantly reduce energy usage and road usage - reducing the impact of extraction in that particular locality.

No meaningful evidence has been presented to support the assertion that the Shelford site is 'too large' which is a very poor argument for discounting that site as the ability to provide a good supply of minerals would surely make adoption of a site with the associated infrastructure more viable.

The Mill Hill site near Barton In Fabis is less sustainable and more environmentally damaging than the Shelford site according to the Councils own Sustainability Appraisal.

With regard to community involvement, the Council has failed to engage with my local community in any meaningful way. Having been a resident living on the river bank for fifteen years I am aware of local flooding issues and am very concerned about the effect this would have on the environment of the proposed site. You will already be aware of these issues as residents have pointed this out previously in response to the Draft Minerals Local Plan - including providing photographs of local flooding, why has this not been taken into account? These factors need to be considered including the impact on communities and on the natural environment.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

101

Object

MP12: Oil and Gas

Respondent: Ms Jackie Waggatt [9164]
Petition: 2 petitioners

Summary:

We are writing to you as members of the Ravenshead Frack Free Group.

We understand that the document dealing with the Nottinghamshire Minerals Plan contains no policy on Fracking in our area.

We would urge you to include such a policy in view of the disruption and damage that would be caused in order to extract shale gas using high volume hydraulic fracturing.

The consequence of this activity would surely be greenhouse gas emissions, ground water contamination, toxic flow back water, seismic activity in former mining areas and destructive impacts upon the health of local people, farm animals and wildlife.

We thank you in hope of your consideration of this very important matter.

Full text:

We are writing to you as members of the Ravenshead Frack Free Group.

We understand that the document dealing with the Nottinghamshire Minerals Plan contains no policy on Fracking in our area.

We would urge you to include such a policy in view of the disruption and damage that would be caused in order to extract shale gas using high volume hydraulic fracturing.

The consequence of this activity would surely be greenhouse gas emissions, ground water contamination, toxic flow back water, seismic activity in former mining areas and destructive impacts upon the health of local people, farm animals and wildlife.

We thank you in hope of your consideration of this very important matter.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No
Appear exam: Appearance at the examination
Attachments: None

218

Object

S05: Minimising impacts on communities

Respondent: Councillor Rex Walker [8270]

Summary:

Incompliant with Duty to Cooperate

The Council's approach to this round of consultation is at odds with its very purpose. The stated preferred method of response is via the Council's website that reads "we would encourage you to do so online via our website at www.nottinghamshire.gov.uk/minerals, using our interactive online representation system." This interactive system does not work. Whether deliberate or not, this makes it too hard for people to submit consultations.

The Council erred in dismissing over 1,000 responses to the Draft Minerals Plan as "a large number of pro forma letters." This is contrary to the duty to cooperate by failing to properly weight the volume of responses.

The Council has failed to directly engage with communities in Nottingham City, Clifton, Clifton Village and Lark Hill Retirement Village all of whom face direct impact from the Plan. This is particularly relevant given the cumulative impact of other known development in the area.

For these reasons I submit that the Plan is incompliant, unsound and not in accordance with the Statement of Community Involvement. It should be removed in its current form. The MP2p site should be removed.

Full text:

In response to the consultation on the Council's Mineral Plan, I consider it to be not legally compliant; unsound; and incompliant with the duty to cooperate. This is on the following bases:

Legal Compliance

The site MP2p near Barton in Fabis is identified in the Sustainability appraisal as being the most negative impact in the operational period yet has been included whilst the Shelford site has been omitted despite being assessed as having a less negative impact. The Plan is thus at odds with the Sustainability appraisal.

The Council have failed to adequately consider the relevance of the fact that the Barton site is located within the Green Belt. No mention or consideration is given to the cumulative impact on the green belt in this area from other known developments such as the outline planning permission granted for 3000 new homes at Fairham.

Contrary to SP4, the Plan does not allocate any sites, such as Shelford, that makes use of more sustainable forms of transport including barge.

Soundness

The Plan includes the Barton site and omits the previously included Shelford site despite the site appraisal scores indicating that the Barton site will have a more negative impact. What is the point of completing an appraisal if the results are to be ignored?

Prioritising the supposed need for a spatial pattern of mineral development over the actual strengths and weaknesses of the individual sites is unsound. These are in essence political decisions rather than material planning considerations.

There is no sound justification for the removal of the previously included site at Shelford. The Sustainability Appraisal reads "The size of the estimated reserves of this site would contribute very positively to meeting national and local demand for sand and gravel." In short, the size of the site is a strength, not a weakness and its removal, apparently on this basis, is thus unsound.

Incompliant with Duty to Cooperate

The Council's approach to this round of consultation is at odds with its very purpose. The stated preferred method of response is via the Council's website that reads "we would encourage you to do so online via our website at www.nottinghamshire.gov.uk/minerals, using our interactive online representation system." This interactive system does not work. Whether deliberate or not, this makes it too hard for people to submit consultations.

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The Council has failed to directly engage with communities in Nottingham City, Clifton, Clifton Village and Lark Hill Retirement Village all of whom face direct impact from the Plan. This is particularly relevant given the cumulative impact of other known development in the area.

For these reasons I submit that the Plan is non-compliant, unsound and not in accordance with the Statement of Community Involvement. It should be removed in its current form. The MP2p site should be removed.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

217

Object

MP2p: Mill Hill nr Barton in Fabis

Respondent: Councillor Rex Walker [8270]

Summary:

In response to the consultation on the Council's Mineral Plan, I consider it to be not legally compliant; unsound; and non-compliant with the duty to cooperate. This is on the following bases:

Legal Compliance

The site MP2p near Barton in Fabis is identified in the Sustainability appraisal as being the most negative impact in the operational period yet has been included whilst the Shelford site has been omitted despite being assessed as having a less negative impact. The Plan is thus at odds with the Sustainability appraisal.

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Full text:

In response to the consultation on the Council's Mineral Plan, I consider it to be not legally compliant; unsound; and non-compliant with the duty to cooperate. This is on the following bases:

Legal Compliance

The site MP2p near Barton in Fabis is identified in the Sustainability appraisal as being the most negative impact in the operational period yet has been included whilst the Shelford site has been omitted despite being assessed as having a less negative impact. The Plan is thus at odds with the Sustainability appraisal.

The Council have failed to adequately consider the relevance of the fact that the Barton site is located within the Green Belt. No mention or consideration is given to the cumulative impact on the green belt in this area from other known developments such as the outline planning permission granted for 3000 new homes at Fairham.

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Prioritising the supposed need for a spatial pattern of mineral development over the actual strengths and weaknesses of the individual sites is unsound. These are in essence political decisions rather than material planning considerations.

There is no sound justification for the removal of the previously included site at Shelford. The Sustainability Appraisal reads "The size of the estimated reserves of this site would contribute very positively to meeting national and local demand for sand and gravel." In short, the size of the site is a strength, not a weakness and its removal, apparently on this basis, is thus unsound.

Incompliant with Duty to Cooperate

The Council's approach to this round of consultation is at odds with its very purpose. The stated preferred method of response is via the Council's website that reads "we would encourage you to do so online via our website at www.nottinghamshire.gov.uk/minerals, using our interactive online representation system." This interactive system does not work.

Whether deliberate or not, this makes it too hard for people to submit consultations.

The Council erred in dismissing over 1,000 responses to the Draft Minerals Plan as "a large number of pro forma letters." This is contrary to the duty to cooperate by failing to properly weight the volume of responses.

The Council has failed to directly engage with communities in Nottingham City, Clifton, Clifton Village and Lark Hill Retirement Village all of whom face direct impact from the Plan.

This is particularly relevant given the cumulative impact of other known development in the area.

For these reasons I submit that the Plan is non-compliant, unsound and not in accordance with the Statement of Community Involvement. It should be removed in its current form. The MP2p site should be removed.

Change to plan:

-

Legally compliant: No
Sound: No
Comply with duty: No

Appear exam: Appearance at the examination

Attachments: None

39

Support

S01: Improving the sustainability of minerals development

Respondent: Weston Parish Council (Ms Clerk, Clerk to the Parish Council) [760]

Summary:

The Parish Council are particularly pleased to see that the plan focuses on promoting sustainable transport and where possible the use of the existing transport network. It is also noted that the plan aims for extraction would be centred on areas where the end product is required thus reducing the level of transportation.

Full text:

Dear Sir,

The above plan was discussed at a recent meeting and I have been asked to submit a comment on behalf of Weston Parish Council.

The Council are particularly pleased to see that the plan focuses on promoting sustainable transport and where possible the use of the existing transport network. It is also noted that the plan aims for extraction would be centered on areas where the end product is required thus reducing the level of transportation.

Change to plan:

-

Legally compliant: Yes
Sound: Yes

Comply with Yes
 duty:
 Appear exam: Written Representation
 Attachments: None

23

Object

Vision

Respondent: Mr Ben Wilson [8194]

Summary:

The vision makes little reference to the encouragement of use of recycled and secondary aggregates - it is focus on reducing waste during extraction and use.

Full text:

The vision makes little reference to the encouragement of use of recycled and secondary aggregates - it is focus on reducing waste during extraction and use.

Change to plan:

I think much more should be do here to encourage more-sustainable use of materials already in the construction supply chain.

Legally No
 compliant:
 Sound: No
 Comply with No
 duty:
 Appear exam: Not specified
 Attachments: None

24

Object

Strategic Objectives

Respondent: Mr Ben Wilson [8194]

Summary:

S01: proposes "a spatial pattern of mineral development that efficiently delivers resources to markets within and outside Nottinghamshire". However, there is no market demand analysis that could be considered meaningful to support or justify this approach.

Full text:

S01: proposes "a spatial pattern of mineral development that efficiently delivers resources to markets within and outside Nottinghamshire". However, there is no market demand analysis that could be considered meaningful to support or justify this approach.

Change to plan:

Each proposed site should be judge in totality - considering all the factors, impacts and opportunities they present. Securing a "spatial pattern" should not be the key factor.

Legally No
 compliant:
 Sound: No
 Comply with No
 duty:
 Appear exam: Not specified
 Attachments: None

26

Object

Strategic Objectives

Respondent: Mr Ben Wilson [8194]

Summary:

I was also disappointed to see that my previous consultation response to the Draft Minerals Local Plan was dismissed as one of "a large number of pro-forma letters" - this is a very poor response to community involvement, and demonstrates a genuine lack of willingness to engage properly with the community

Full text:

I was also disappointed to see that my previous consultation response to the Draft Minerals Local Plan was dismissed as one of "a large number of pro-forma letters" - this is a very poor response to community involvement, and demonstrates a genuine lack of willingness to engage properly with the community

Change to plan:

Proper community consultation

Legally No
 compliant:
 Sound: No
 Comply with No
 duty:
 Appear exam: Not specified
 Attachments: None

27

Object

MP2: Sand and Gravel Provision

Respondent: Mr Ben Wilson [8194]

Summary:

MP2 is unsound and unjustified. The Mill Hill nearBarton in Fabis site is less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal. Therefore its inclusion and the removal of an alternative site at Shelford in the new Minerals Local Plan is unsound and unjustified

Full text:

MP2 is unsound and unjustified. The Mill Hill nearBarton in Fabis site is less sustainable and more environmentally damaging than the Shelford site according to the Council's own Sustainability Appraisal. Therefore its inclusion and the removal of an alternative site at Shelford in the new Minerals Local Plan is unsound and unjustified

Change to plan:

The Council should follow its own Sustainability Appraisal

Legally No
 compliant:
 Sound: No
 Comply with No
 duty:
 Appear exam: Not specified
 Attachments: None

25

Object

Development Management Policies

Respondent: Mr Ben Wilson [8194]

Summary:

The policy references a Statement of Community Involvement (SCI) and states how "pre-application engagement can enable early identification of potential constraints and has the potential to improve the efficiency and effectiveness of the planning system."

However, the County Council has made little attempt to engage directly with communities in Clifton and Clifton Village (communities in Nottingham City) or those within touching-distance across the river (Attenborough, Beeston or Toton) - all directly impacted by the proposals but outside the County Council area.

Full text:

The policy references a Statement of Community Involvement (SCI) and states how "pre-application engagement can enable early identification of potential constraints and has the potential to improve the efficiency and effectiveness of the planning system."

However, the County Council has made little attempt to engage directly with communities in Clifton and Clifton Village (communities in Nottingham City) or those within touching-distance across the river (Attenborough, Beeston or Toton) - all directly impacted by the proposals but outside the County Council area.

Change to plan:

Proper community-wide consultation - not just limited to that small part that is the in NCC area.

Legally No

compliant:

Sound: No

Comply with No

duty:

Appear exam: Appearance at the examination

Attachments: None