ROMP for Hindlow Quarry

Planning Statement

May 2021

TARMAC
A CRH COMPANY

Heatons
Planning Environment Design

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1 Introduction

1.1 Purpose of this Report

1.1.1 This document is the Planning Application Supporting Statement, submitted on behalf of Tarmac Cement and Lime Ltd PLC (The Applicant), which accompanies a First Periodic Review of the Old Mineral Permission (ROMP) application and submission of modern planning conditions pertaining to planning permission CHA/1156/23 dated 26th March 1957 for the winning and working of minerals and disposal of mineral waste at Hindlow Quarry. It has been prepared in support of the ROMP application for the 'Determination of New Planning Conditions' under the provisions of Section 96 of the Environment Act 1995.

1.1.2 The review is a requirement of the Environment Act 1995 that requires conditions regulating operations at active quarries to be reviewed at 15 year intervals. The Environmental Statement prepared includes appendices containing specialist technical reports as well as a draft schedule of planning conditions for consideration by the Mineral Planning Authority which are proposed to control the ongoing mineral operations at Hindlow Quarry for the proposed phased extraction up to 2042.

1.1.3 The Initial ROMP permission was granted in 1998 (ES Volume 1 Appendix 1).

1.1.4 Condition No.3 of this permission states that the extraction of minerals and the deposit of mineral waste from the site shall cease by 22nd February 2042. The Review process does not allow this date to be extended but the economic reserves remaining at the quarry goes well beyond this deadline and this is set out in the 5 phases of working (Figures B to F) included in this Supporting Statement.

1.1.5 A geological appraisal has been undertaken by the applicant involving two major campaigns of site investigation at Hindlow in order to prove the presence, quality and quantity of remaining limestone reserves. In 2016 and 2019, 40 boreholes were drilled (32 and 8 respectively). Chemical analysis was performed on samples collected in all site investigation campaigns. This was to assess mineral quality and suitability for lime manufacture.

1.1.6 The block model estimation indicates relatively consistent and low Fe, Mg and Si levels throughout phased extraction. Variation has been noted in some attributes, such as Pb Mn, however these are manageable with sufficient blending. No areas have been identified which would not be suitable for lime manufacture.

1.1.7 In situ mineral volumes have been calculated for each phase of mineral extraction to the complete final quarry design. The total reserves are included in Table 3.2 (ES Volume 1) and amounts to 182 million tonnes.

1.1.8 Until recently, quarrying operations at Hindlow had been mothballed (although lime production has continued throughout) but due to the increased demand from projects such as HS2 it is now proposing to ramp up production to around 2 million tonnes per annum. Assuming that production levels continue at around 2million tonnes per year, the company anticipate that reserves would remain at Hindlow up to the beginning of the next century. However, this ROMP Application considers the phasing operations up to 2042.

1.1.9 Taking into account these reserves, Hindlow Quarry represents a site of key national importance in delivering significant quantities of both construction and industrial aggregates for the long term utilising the existing infrastructure on site (lime works and rail link for sustainable transportation of product).

1.1.10 This Planning Statement will consider how this proposed development accords with the existing planning policy framework both nationally and locally.

1.2 The Applicant

1.2.1 Tarmac is one of the UK's leading sustainable building materials companies. Its innovative products, solutions and services not only deliver infrastructure needed to grow the UK economy today but also enable a more sustainable built environment for the country's long term future.

1.2.2 Tarmac currently employs almost 7,000 people across the UK, and manages a wide range of sites across the country. Tarmac resources include 120 quarries, 74 asphalt plants, 100 ready-mix concrete plants, 22 contracting offices, 3 cement and 2 lime plants. The company also manage 330 strategically located sites across the UK.

1.2.3 Tarmac has contributed to some of the UK's biggest construction projects, including Wembley Stadium, Heathrow Terminal 5, The Shard, and the London 2012 Olympic and Paralympic Games. It also provides environmental stewardship for thousands of acres of the UK's countryside and has built up a wide ranging conservation portfolio based on award-winning restoration of quarry workings. Strong partnerships have been forged with wildlife trusts and other leading conservation bodies in the UK.

1.2.4 Safety is at the core of its operations, beginning with a commitment to provide a safe environment for employees and extending to contractors and communities around

its sites. This facility will provide a unique location whereby the operatives of Tarmac will be able to experience a practical "real life" quarrying experience combined with classroom facilities to develop their operational skills and aid in gaining operator qualifications.

1.2.5 Since August 2015, Tarmac now form part of the CRH Group and engage in the manufacture and supply of a wide range of building materials across the world. For more information regarding the company visit www.tarmac.com.

1.3 Planning History

Relevant Site Planning History

1.3.1 The site was established during the first half of the twentieth century with the single permission for the site being granted in March 1957 (reference CHA/1156/23) for the winning and working of minerals and disposal of mineral waste.

1.3.2 Derbyshire County Council, acting as the Mineral Planning Authority, required an Initial Review of the site's mineral planning permission under Schedule 13 of the Environment Act 1995. The Initial Review (code number 1.776.R) was approved on 28th April 1998 and a set of 50 planning conditions were issued with the Review (ES Volume 1 Appendix 1).

1.3.3 A Section 96A Non-Material Amendment to permission CHA/1156/23 was sought by the client and was approved on 27 November 2014. The Non-Material Amendment introduced a new condition requiring the carrying out of an ecological survey of the Phase 1 working area prior to the resumption of quarrying in that area. The new condition stated:

> *"Prior to resumption of winning and working of minerals in Phase 1, the developer shall commission an ecological survey of the Phase 1 working area and submit a report of the survey to the Mineral Planning Authority. Where a new ecological interest is recorded, no extraction shall commence before the developer has submitted a scheme of ecological mitigation measures and that scheme has received the approval in writing of the Mineral Planning Authority. The mitigation measure shall be implemented as approved."*

1.3.4 Several of the 1998 planning conditions required further information to be submitted to, and approved by, the Council prior to any mineral extraction operations recommencing. In 2017, details were therefore submitted to DCC for approval in order to facilitate the recommencement of mineral extraction operations.

Information was submitted in relation to conditions 8 (scheme of extraction), 11 (scheme detailing the methodology and sequence for removal or recycling of material from Siberia Tip), 27 (noise monitoring scheme), 32 (scheme to minimise air over pressure from blasting), 33 (blasting monitoring scheme). The information submitted in respect of these conditions was approved by DCC on 20 July 2017.

1.3.5 Recent planning history for the site includes Notification for Prior Approval (Application Code NO. PD 17/1/70) relating to the development of a new extended rail siding at Hindlow Quarry, Buxton. The development was approved under delegated powers by the MPA under the provisions of Part 17 (Class B) of the Town and Country Planning (GPD) Order 2015 on 8th August 2019.

1.3.6 Following the Initial Review, the first Periodic Review date for permission CHA/1156/23 was due to take place within 15 years of the Initial Review (i.e. by 28 April 2013).

1.3.7 However, the Company requested a postponement of the first review date. The reasons for this deferral related to the new provisions for greater flexibility in the scheduling of reviews of mineral permissions which was set out in the Growth and Infrastructure Act 2013. Furthermore where current planning conditions remain satisfactory as was the case for Hindlow, it would appear to be appropriate to seek a longer postponement of the first review next Periodic Review for Hindlow Quarry was therefore due by 28 April 2020.

1.3.8 On the 20th January 2020 a request was sent to the MPA seeking the further postponement of the submission of the first periodic review until 28th April 2021. This request was granted by letter dated 19th February 2020. A further request was made on 3rd March 2021 to extend the deadline until 30th June 2021.

1.4 Site Location and Overview of Quarry

1.4.1 Hindlow Quarry is one of four large limestone quarries (the others being Hillhead, Brierlow, and Dowlow Quarries) which lie close to the A515 Buxton to Ashbourne Road (see Location Plan Figure A) located within the administrative boundary of Derbyshire County Council. The site is situated between Brierlow Quarry to the north-west and Dowlow Quarry to the south-east and abuts both. The north-eastern boundary of the ROMP Application area is the A515 and the south-western, a green lane which runs to the rear of the three quarries.

1.4.2 The site area is 132 hectares and is bisected in two parts by a railway line which serves the quarry. The two areas are connected by a bridge. The extraction area lies to the west of the railway line and includes a processing plant, lime manufacturing equipment for the production of lime and a rail siding. The area to the east of the railway line is currently a mix of pastureland, coniferous woodland and playing field, some of which will eventually form part of the quarry's approved tipping area.

1.4.3 The two closest settlements to Hindlow Quarry are the villages of Sterndale Moor on the east side of the A515 opposite the quarry entrance and Earl Sterndale to the south west of the quarry. Earl Sterndale lies in the Peak District National Park and is approximately 475m away from the quarry boundary. There are a number of isolated properties north of Earl Sterndale which are located slightly closer to the quarry.

1.4.4 The access into the existing quarry is via its own dedicated access road taking vehicles from the A515. The quarry is also directly served by a rail connection which was previously used to import limestone from Tunstead Quarry to continue the lime manufacturing process at Hindlow Quarry.

1.4.5 The Public Rights of Way drawing (Figure J) shows the location of rights of way within and around the quarry.

1.4.6 Footpath HP14/4/1 runs along a green lane which forms the western boundary of the quarry.

1.4.7 Footpath HP 14/8/1 travels north east from Footpath HP14/4/1 along the boundary with Brierlow Quarry until it meets the railway line and travels south east along the railway line until it crosses the line using an accommodation bridge. This footpath then splits into two. Firstly, Footpath HP 14/8/2 which travels in a northerly direction until it meets the A515 and secondly Footpath HP 14/7/1 which travels south along the railway line and them north easterly towards the A515. This footpath connects with Footpath HP 14/5/1 on the opposite side of the A515 passing through Sterndale Moor.

1.4.8 Footpath HP 14/134/1 travels along the railway line which serves Dowlow Quarry and then travels in a northerly direction up to the A515.

Overview of Quarry

1.4.9 Extraction of limestone at Hindlow started towards the end of the 19th Century for the purpose of lime manufacturing from kilns on the site. The quarry began to develop through the first half of the twentieth century, along with other neighbouring quarries, which recognised the quality and benefits of utilising the limestone geology present in the ridge stretching north to south, to the south west of Buxton.

1.4.10 The Cromford and High Peak Railway was constructed during the early part of the 19th century as a means of transport in this south Buxton area. This railway was realigned and improved to assist in distribution of products from the quarries and lime manufacturing plants that were developing to the south of Buxton.

1.4.11 In the late 1980s it was decided to halt quarrying at Hindlow but continue with the established lime manufacturing on the site. The limestone raw materials were imported by rail from Tunstead. All lime products have previously and will continue to be transported off site by road going vehicles.

1.4.12 More recently extraction has restarted at Hindlow Quarry, both to supply the onsite modern lime manufacturing facility and to meet anticipated demand for construction materials. So at the moment the import of limestone has ceased and the established rail network is now being used to distribute construction aggregates. Lime products will continue to be distributed by road.

1.4.13 It is planned to continue the extraction of the limestone in a phased manner to exhaust the currently permitted reserves of limestone. It is also intended to rework some of the existing mounds of previously quarried material that are present within the quarry footprint. These were created as a result of quarrying the limestone and are surplus materials including overburden and scalpings from the crushing and screening that occurred historically on site. Some of these materials will now meet specifications for construction aggregates.

1.4.14 As quarrying continues it is inevitable that there will be further surplus materials from the processing activities. These materials will have to be stored in a manner that will not prevent the future extraction of all the permitted reserves and also be available as a restoration medium that will be used to restore and improve the landscape of the quarry during the phased extraction and following cessation of extraction. As part of the continuing development of the quarry it will be necessary to permanently place some of these surplus materials on the fields between the railway and the A515 to create a landscaped landform. This is referred to as the North East landform and is in

an area that the planning permission for the site designates for future placement of such surplus materials.

1.4.15 Full details of the quarrying activities, surplus materials placement and restoration are provided in this document

1.4.16 The strategic importance of Hindlow Quarry relates to the range of lime products produced by the modern lime production facility which is now supplied directly from raw materials extracted at the quarry. The uses of these products are described below.

1.4.17 Lime is a basic dosing chemical for the majority of water treatment plants in the developing world. The Buxton range of quicklime products is designed for treatment of dewatered and digested biosolid sludges. Sewage and biosolids are frequently recycled to farmland following treatment by lime.

1.4.18 In many parts of the UK large areas of land are unsuitable for construction because the land is too wet or too weak to provide a stable base. Wet conditions and weak clay soils are stabilised by rotating specially formulated quicklime into the soil. These processes enable contractors to maximise the use of all site materials and obtain the properties that they need without removing unsuitable material from site and importing aggregates reducing overall cost and waste as well as transport movements and carbon emissions. The applicants soil stabilisation products have been proven on major projects such as the Channel Tunnel Rail link, Terminal 5 at Heathrow Airport and numerous retail and industrial parks throughout the UK.

1.4.19 Lime solutions play an important role in generating energy from household, municipal and clinical waste by ensuring that the gases that are released into the atmosphere are free from pollutants that can damage the environment. Injecting flue gases with lime is a highly effective way of neutralising harmful acidic substances. The process is similar to flue gas desulphurisation in coal fired power stations.

1.4.20 Lime is also used in the production of essential materials ranging from construction projects to iron, steel, plastic, glass, pharmaceuticals, animal feed and toothpaste.

1.4.21 As well as the above industrial limestone products the quarry produces construction aggregates used as base material for roads, railways, construction of buildings and drainage works.

2 Environmental Impact Assessment

2.1.1 In accordance with good practice and the guidance provided in The National Planning Practice Guidance (NPPG) Paragraph 058 (Reference ID 4-058-20140306), the Applicant has sought the Mineral Planning Authority's (MPA) Scoping Opinion. To assist the MPA in their judgment a report was prepared which provided an outline of the development proposal and broad consideration of its likely impacts. The Scoping Opinion was requested from the MPA in June 2019.

2.1.2 The MPA responded to this request on 31st July 2019 (see Appendix 2 of the ES Volume 1) where they agreed that the proposals constituted EIA development, and set out their formal Scoping Opinion. In summary the topics to be assessed in the Environmental Impact Assessment are:

- Alternatives
- Socio Economic Assessment
- Soil Resources and Land Use
- Noise and vibration
- Air Quality and Dust
- Traffic and Transportation
- Archaeology
- Built Heritage
- Landscape and Visual Considerations
- Ecology
- Hydrology, Hydrogeology and Flood Risk Assessment
- Rights of Way
- Climate Change Adaptation
- Cumulative Impact

2.1.3 In preparation of the ES, consultation with statutory bodies on the main issues has been undertaken and has informed the relevant environmental assessment work.

2.1.4 The technical reports for the above assessment work are contained within the Technical Appendices to the Environmental Statement in Volume 2. Accordingly this Planning Application has been prepared in parallel to an Environmental Impact

Assessment (EIA) and is accompanied by an Environmental Statement (ES). The ES assesses the main or significant environmental effects to which the development is likely to give rise and has been done on an iterative basis. The ES has been prepared to comply with the requirements of Schedule 4 of the Regulations, 2017.

2.1.5 This Planning Statement identifies the context for the proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies taking into account the findings of the ES.

3 Description of Development

3.1 Phasing and Working Scheme

3.1.1 The First Periodic Review is required by the Environment Act 1995 which places the requirement on the mineral owner/operator to submit to the Mineral Planning Authority (MPA) for approval, a scheme to demonstrate how the development of the 'mining site' (i.e. Hindlow Quarry) can be carried out in an environmentally acceptable manner. The overarching aim of the ROMP is to ensure that new conditions are consistent with modern environmental standards and working practices.

3.1.2 The Initial Review, which was granted planning permission in 1998 (ES Volume 1 Appendix 1) contains 50 planning conditions controlling operations at Hindlow. These conditions have been reviewed as part of the Environmental Impact Assessment process in terms of the new phasing arrangements up to 2042 and a revised schedule of conditions proposed (ES Volume 1 Appendix 3).

3.1.3 At present, there are approximately 182 Million tonnes of permitted reserves of limestone remaining unworked at Hindlow Quarry. At the predicted rate of 2 million tonnes per annum this will take extraction operations well beyond the current 2042 deadline for completion of extraction up to 2108.

3.1.4 A series of 5 working phases has been devised which sets out the full extraction of the permitted reserves:

- Phase 1 – up to 2028;
- Phase 2 – up to 2035;
- Phase 3 – up to 2042;
- Phase 4 – up to 2072; and
- Phase 5 – up to 2108

3.1.5 This ROMP application will consider Phases 1 to 3 up to the year 2042.

3.1.6 The detailed description of the phasing operations is set out in Chapter 4 of the Environmental Statement (Volume 1). The development proposals include a conceptual restoration scheme (ES Volume 1 Figure G) following the completion of the fifth phase of workings which is for information purposes at this stage.

4 Planning Policy

4.1 Introduction

4.1.1 Section 38(6) Planning and Compulsory Purchase Act 2004 states that determination must be made in accordance with the Development Plan unless material considerations indicate otherwise.

4.1.2 In reaching a decision on this application, the first consideration is therefore whether the proposals accord with the Development Plan. Having done this, it is then necessary to have regard to all other material considerations, which include all relevant policy considerations contained in the emerging Development Plan as well as National Planning Policy Guidance.

4.2 The Development Plan

4.2.1 In the case of the proposals, the Development Plan consists of the following documents:

- Saved policies from the Derby and Derbyshire Minerals Local Plan (adopted 2000 and updated in 2002)
- The High Peak Borough Council Local Plan (adopted 2016)

Derby and Derbyshire Minerals Local Plan

4.2.2 The minerals plan for the county was adopted in 2000 and later updated in 2002. The plan covered the period up to 2006 and now controls development in the county through its saved policies. Due to the plans adopted pre-NPPF there should be carefully considered weight given to the policies against the guidelines set by the NPPF.

4.2.3 The following saved policies are relevant and have been used to assess the appropriateness of this application:

4.2.4 A proposal must not have detrimental impacts to the environmental aspects of the county. The proposal must be sympathetic and acceptable socially in terms of: Noise, Dust, Vibration and Pollution in respect of the local community and receptors. Strictly environmental aspects which must be considered include: agricultural land loss, visual amenity, landscape character of the area and its quality including trees, hedgerows, woodland and topography. Features in the area which relate to

archaeology or have significance in relation to geology should not be impacted upon detrimentally. Finally, transport should be of an acceptable scale and level of traffic.

Policy MP2: The Need for Mineral Development

4.2.5 In order for a mineral proposal to obtain permission where there are adverse environmental impacts resulting from development, there must be sufficient need for the development taking into account: demand on local, regional and national scale, availability of alternative sources or materials, the nature of the mineral deposit in that location which necessitates its extraction and implication for the employment, investment and economy of the community.

Policy MP3: Measures to Reduce Environmental Impact

4.2.6 This policy is a reinforcement of that outlined within Policy MP1. Any adverse effects arising from the development proposals must be reduced to an acceptable level in regard to: the duration of operations, extent of use of materials to minimise waste and environmental impacts. Also, there must be proposals for reclamation of land and appropriate after-use including providing a benefit environmentally which would offset adverse impacts.

Policy MP4: Interests of Acknowledged Environmental Importance

4.2.7 Proposals shall not be granted where they will result in irreplaceable or unacceptable damage to the following environmental aspects:

- *Agricultural* – Loss of BMV agricultural land (grades 1, 2 and 3a).
- *Landscape* – Development which is damaging to a Special Landscape Area, National Park, area of Local Landscape Importance
- *Nature Conservation* – Development which is damaging to Special Protection Areas, Special Areas of Conservation, Sites of Special Scientific Interest, National Nature Reserves, Local Nature Reserves, County Wildlife Sites, Regionally Important Geological Sites and habitats of rare endangered species.
- *Heritage* – Development which adversely affects heritage sites of importance or their settings shall not be permitted.
- *Water Resources* – Proposals adversely affecting water, with regard to pollution, supply or drainage shall not be permitted.

- *Transport* – There must not be an unacceptable impact to road safety, highway capacity or road traffic. Any issues which arise must be satisfactorily mitigated.
- *Cumulative Impact* – The cumulative impacts of the aspects listed above must not be harmful to the environment overall. But on a wider scale the proposals must be considered in line with the impacts of other mineral developments in the county occurring either concurrently or successively.

Policy MP5: Transport

4.2.8 Between 80 and 90% of all the county's mineral output is by road. Future proposals for mineral development which involve the transport of mineral by road will be permitted provided there is no feasible alternative which would be more environmentally friendly. The proposed access must be deemed satisfactory to accommodate the traffic movements and arrangements. Also, the wider impacts of transport associated with the mineral development must not have adverse impacts on the environment. The Mineral Planning Authority seek the use of rail, waterway, conveyor and pipeline as means of transporting instead of road wherever possible. Hindlow has a rail facility.

Policy MP6: Nature Conservation – Mitigation Measures

4.2.9 Policy MP6 protects areas of importance for nature conservation from adverse impacts that would arise from inappropriate development in the local vicinity. If the MPA deem a proposal will potentially impact upon a site of importance that a field evaluation and impact assessment shall be required. Following a successful application, the MPA will seek planning obligations or impose conditions to minimise the impact of development.

Policy MP7: Archaeology – Mitigation Measures

4.2.10 There are over 8000 sites of archaeological importance identified within Derbyshire. Any proposal which has the potential to adversely impact upon a site of importance must be satisfactorily mitigated or refused. The Mineral Planning Authority shall seek an archaeological evaluation and impact assessment and mitigation proposals *prior* to determining the application.

Policy MP8: Planning Conditions

4.2.11 Conditions will be imposed on successful planning permissions for mineral workings and operations. These will endeavour to ensure the impacts of the development on the environment are acceptable; to ensure the restoration and reclamation of the site is acceptable with an appropriate after-use and take advantage of opportunities to provide enhancement.

Policy MP9: Planning Obligations

4.2.12 The council will seek agreements through s.106 in order to secure obligations in respect of matter which cannot be achieved by the use of the planning conditions.

Policy MP10: Reclamation and After-use

4.2.13 Proposals must provide details for a suitable reclamation and after-use plan. This should include aspects such as the removal of plant machinery as well as measures to enhance the natural environment through planting of trees and woodland, creation and strengthening of habitats and the improvement of public access to reclaimed land.

Policy MP12: Mineral Related Development

4.2.14 For mineral related development permission will be granted where there are net environmental benefits linked between the industrial and mineral uses; providing that development is sited, designed and landscaped to minimise adverse effect on environment and traffic. Conditions attached to permission would be to ensure mineral used is produced mainly on site and on completion of use all plant and machinery is removed and site reclaimed.

Policy MP23: Crushed Rock for Aggregates

4.2.15 Policy MP23 states that proposals for extraction of crushed rock from new sites will not be permitted except where proven need would not be met elsewhere. Regarding the extension or variation of existing crushed rock quarries, permission would be granted on proposals which result in significant net environmental benefits without significantly increasing level of permitted reserves.

<u>The High Peak Borough Council Local Plan</u>

4.2.16 The High Peak Local Plan was adopted in 2016 and is the plan which controls development within the High Peak authority boundary, excluding minerals. However,

due to the nature of this application relating to minerals only the policies aimed at safeguarding the environment and landscape are relevant to this proposal.

Policy EQ2 – Landscape Character

4.2.17 Through policy EQ2 the council will seek to protect, enhance and restore the landscape character of the plans area. Proposals must ensure they maintain the aesthetic and biodiversity qualities of the landscape. There must be care and consideration given to the distinctive landscape character, historic characterisation, sensitivity and impact on the setting. This is achieved through measures within the proposals to enhance and protect the environment.

Policy EQ5 – Biodiversity

4.2.18 Policy EQ5 seeks to conserve and enhance biodiversity and geological resources within the plan area wherever possible.

Policy EQ7 – Built & Historic Environment

4.2.19 The council will protect heritage assets and their setting. Namely, this includes Listed Buildings and Scheduled Ancient Monuments. Any impacts to their setting must be mitigated and considered within the proposal. Loss or damage of an asset and its setting shall be prevented.

Policy EQ8 – Green Infrastructure

4.2.20 Proposals must aim to, where appropriate, contribute to creation of new and enhancement of the borough's green infrastructure and ecological networks. No development can have detrimental impacts on the amount or function of existing green infrastructure unless there are suggested replacement provisions.

Policy EQ9 – Trees, Woodland & Hedgerows

4.2.21 The council will protect their existing trees, woodland and hedgerow stock. Healthy trees, woodland and hedgerows are to be retained and integrated into developments unless it can be proven that benefit of removal outweighs the loss.

4.3 National Planning Policy

4.3.1 At a national level, planning policy on minerals matters is set out in section 17 of the NPPF. Paragraph 203, as the opening to section 17, advises that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and

can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

4.3.2 NPPF advises that in determining planning applications minerals should not only be considered to be beneficial but to '*give great weight to the benefits of mineral extraction, including to the economy.*' (paragraph 205).

NPPF Policies

Sustainable development

4.3.3 The purpose of the planning system remains one of contributing to sustainable development. The planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- An economic objective
- A social objective
- An environmental objective

Presumption in favour of sustainable development

4.3.4 At the heart of NPPF lies a presumption in favour of sustainable development. This is promoted 'so that sustainable development is pursued in a positive way' (paragraph 10).

c) For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- The application of policies in this framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.

4.3.5 This national level presumption in favour of sustainable development is therefore of paramount importance in determining the proposed development and forms the basis of why planning permission should be granted.

4.3.6 Paragraph 170 of the NPPF states that planning policies and decisions should enhance and contribute towards the natural and local environment by *taking into account "*Wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland".

4.3.7 NPPF sets out a number of national policies for mineral planning, covering environmental protection issues such as sustainable transport; the protection of heritage and countryside providing the most protection to those sites or species of national or international importance; maintain an adequate supply of minerals for the economy and society; environmental protection, minimising the environmental impacts of development on sensitive areas, protecting public amenity; encouraging the efficient use of minerals; and taking the opportunity to appropriately restore mineral working and enhance the overall quality of the environment and the wider benefits that may be achieved. Policies also promote the safeguarding of mineral reserves.

4.3.8 Facilitating the sustainable use of minerals is specifically addressed at paragraphs 203-206 inclusive, and in the context of the NPPF as a whole, the section starts with the statement, "It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs."

4.3.9 Among the matters to be considered when determining planning applications, paragraph 205 requires planning authorities to give weight to the following:

- The benefits of the mineral extraction, including to the economy;
- As far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites, scheduled monuments and conservation areas;
- Ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety and take account of the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
- Ensure that unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source and establish appropriate noise limits for extraction in proximity to noise sensitive properties.

4.3.10 In planning for future aggregate supply the NPPF (at paragraph 207) advises Mineral Planning Authorities to use landbanks of aggregate mineral reserve, principally as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans. The NPPF requires Mineral Planning Authorities to make provisions to maintain landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised.

4.3.11 In conclusion, the NPPF seeks to facilitate development and growth. Moreover, the importance of minerals to supporting the economy and the quality of life is fully recognised.

4.4 Other Relevant Documents And Emerging Policy

4.4.1 In preparing and considering these proposals for Hindlow Quarry it is appropriate that, besides the Development Plan and other planning policy documents, consideration is given to any other documents that are potentially material to the development.

Derbyshire Local Transport Plan Three

4.4.2 In April 2011 Derbyshire adopted their Local Transport Plan Three which covers Derbyshire's transport goals up to 2026. Regarding mineral extraction 6.1.4 reference is made to the emerging Minerals Plans goal of promoting sustainable modes of transport for mineral other than road, for example rail.

Derbyshire Local Aggregate Assessment 2019

4.4.3 The Local Aggregate Assessment (LAA) for Derbyshire was published in 2019 featuring data from 2018. The LAA is used to ensure that the mineral planning authority, in this case Derbyshire County Council (in partnership with Peak District National Park and Derby City Council), are planning for a steady and adequate supply of aggregates in accordance with the NPPF.

4.4.4 Mineral planning authorities must plan for a steady and adequate supply of minerals by a number of means, including making provision for the maintenance of landbanks. In the case of Crushed Rock, a landbank of 10 years must be maintained, whilst ensuring the capacity of operations to supply a wider range of materials is nor compromised.

4.4.5 The current landbank for crushed rock in Derbyshire stands at 60 years as of the end of 2018 according to the latest LAA. This is broken down into a total of 1091 million tonnes. It is estimated that 346 million tonnes is industrial grade reserve. There is therefore an aggregate use reserve of 745 million tonnes (670mt on limestone within Derbyshire). Hindlow contains both an industrial and aggregate reserve.

National Planning Practice Guidance (PPG)

Minerals (17th October 2014)

4.4.6 Paragraph 001 identifies that planning for the supply of minerals has a number of special characteristics not present in other development, including:

- Minerals can only be worked where they naturally occur;
- Working is a temporary use of the land;
- Working often has adverse environmental effects that can be mitigated;
- Land should be restored to make it suitable for beneficial after use.

4.4.7 Paragraph 010 identifies the individual merits to be taken into account when considering extensions to existing sites or planning for new sites, they are:

- The need for the specific mineral;
- Economic considerations (ability to extract the resource, job retention, utilisation of existing plant and other infrastructure);
- Positive and negative environmental impacts (including the feasibility of a strategic approach to restoration); and
- The cumulative impact of proposals in the area.

4.4.8 Paragraph 013 explains that mineral planning authorities should address the various associated environmental issues. In relation to this site, it includes:

- Noise associated with the operation;
- Dust;
- Air quality.

4.4.9 Paragraph 015 states mineral operators should seek to minimise the impact of development upon properties and the local environment.

Crushed Rock for Aggregate Background Paper

4.4.10 In December 2017 a background paper on Crushed Rock for Aggregates was produced. It detailed current provision and demand to be met as well as reserves available. The report finds that Limestone production within Derbyshire remains important beyond a regional level as 67% of limestone worked within Derbyshire supplies markets outside the region, most notably the North West (22%).

Industrial Limestone Background Paper

4.4.11 Also in December 2017 a background paper on Industrial Limestone was produced. There are no national demand figures for industrial limestone production. The industry is market led and production is closely related to demands in the manufacturing industries; indeed some industrial mineral producers are also major manufacturers. Of the total production of industrial mineral approximately 50% is not sold on the open market but used captively in the manufacture of value-added products.

New Minerals Local Plan

4.4.12 The MPA are currently working to produce a new Minerals Local Plan to replace the out of date Mineral Plan. The new plan will cover the period up to 2036 setting out mineral need, site allocations and planning policies against which future proposals shall be assessed against. The most recent consultation was on the full new Mineral Plan in March to May 2018. The plans vision is to provide a steady and adequate supply of minerals to meet its share of local and national needs. Relevant policies included within are as follow:

Policy SMP1: General Principles

4.4.13 The council will take a positive approach to the presumption of sustainable development. They strive to work closely with applicants to ensure well designed schemes and developments which improve the economic, social and environmental conditions in the plan area. It reinforces the implementation of policies within the NPPF.

Policy SMP2: Economic, Social and Environmental Principles for Minerals Development in Derbyshire and Derby

4.4.14 Minerals proposals will be supported providing they maintain sustained production of minerals within the plan area to support the economy; alternative transport to road have been considered; there has been assurance that no harm will come to the

natural environment and designated heritage / archaeological environment. There must be high standards of working, restoration and aftercare.

Policy SMP3: Climate Change

4.4.15 Climate change factors are a key challenge which proposals must address. This includes the use of low carbon energy sources, design of the facilities minimising greenhouse gas emissions and ensuring there will not be detrimental impacts off site.

Policy SMP4: Sustainable Transport Modes

4.4.16 Proposals for mineral development, including the restoration proposals should minimise transport movements and where possible increase use of alternative methods to road transport. Where possible development should be located, designed and operated to enable transport by rail, water, pipeline and conveyor.

Policy SS1: Spatial Strategy

4.4.17 This is the overarching strategy for the entire plan area incorporating requirements for all development proposals throughout the plan period. Proposals will be supported, providing they adhere to the following spatial principles:

- Mineral proposals must show gains in all three sustainability principles of the NPPF, giving priority to extension of sites.
- Take into account the use of secondary material as alternative to primary mineral.
- Utilise sustainable modes of transport.
- The development is located in areas which minimise unacceptable adverse impact to environment and local communities.
- Sites must be restored at the earliest opportunity and in the most appropriate manner for the area resulting in beneficial after uses.

Policy MP4: The Provision of Aggregate Crushed Rock

4.4.18 Derbyshire and Derby will ensure an adequate supply of Crushed Rock is maintained throughout the plan period in line with the up to date Local Aggregate Assessments. This ensures a 10 year supply of Crushed Rock.

Policy MS5: The Provision of Sites for Aggregate Crushed Rock

4.4.19 Planning permission will only be granted for new reserves of aggregate either as extensions to existing quarries or new quarries if demonstrated that there will be

material planning benefits to local community and environment with adequate mitigation.

Policy MS8: Industrial Limestone Provision

4.4.20 Proposals for the extraction of industrial limestone will be supported where additional reserves are identified to meet an identified need for the mineral and where they are required because of their particular chemical or physical properties and where the recovery of minerals is maximised to meet the particular need.

Policy SG1: Safeguarding Mineral Resources

4.4.21 All crushed rock reserves will be safeguarding including a 500m buffer zone.

Policy SG3: Safeguarding Minerals Related Infrastructure

4.4.22 Existing, planned and potential rail heads, rail links to quarries, sites for concrete batching and processing and distribution of recycled and secondary aggregate within quarries are safeguarded to ensure that they are taken into account when other forms of development are planned in or around the facility.

Policy CP1: Cumulative Impacts

4.4.23 Mineral developments will be permitted where it is demonstrated that there would not be unacceptable cumulative impacts on the environment and community both socially and economically. Cumulative effects are calculated through the single development, similar developments, other forms of development running concurrently and future development.

Policy R1: Restoration and After-Use of Mineral Sites

4.4.24 Planning proposals for mineral extraction schemes will have to demonstrate that provision has been made for the restoration and after-use of the site. There is a series of 15 requirements listed in connection with the policy outlining restoration criteria.

Policy R3: Restoration of Carboniferous Limestone Quarries

4.4.25 Much like Policy R1 there are a list of principles which a proposal must meet in its restoration scheme. This policy is specific to Carboniferous Limestone quarries however contains some crossover criteria with the more generic Policy R1 requirements.

Development Management Policies

4.4.26 The plan acknowledges that monitoring of the extant minerals plan for the region indicates the development management policies included in the current extant plan have been effective in delivering and maintaining supply whilst also protecting the environment.

4.4.27 Due to the fact the extant plan was created and adopted prior to the adoption of the first publication of the NPPF in 2012, these policies have had to updated in areas to fall in line with current national policy. As a general overview however, their content is very transferable. Therefore, the overview provided for the extant policy document is sufficient to cover the proposed policies. These updated policies are as follows:

- Policy DM1 – Development Management Criteria: Summary policy of criteria contained within the other development management policies and principles of development within the plan area. It covers the protection and enhancement of the environment, resources and community.
- Policy DM2 – Planning Conditions and Obligations: Combines and replaces policies MP8 and MP9.
- Policy DM3 – Transport: Replaces policy MP4 and MP5.
- Policy DM4 – Landscape and Green Infrastructure: Replaces policy MP3 and MP4
- Policy DM5 – Biodiversity: Enhances measures from Policy MP1, 3, 4, 6 and 7. Biodiversity is a key factor post NPPF publication and this chapter brings previous policy in line through ensuring proposals provide a net gain in biodiversity and any harm to biodiversity is either mitigated sufficiently or permission refused.
- Policy DM6 – Replaces policy MP7
- Policy DM7 – Replaces water management aspect of policy MP4.

Policy DM8: Extension to Sites

4.4.28 This policy relates in part to MP23 in the extant plan regarding extensions to existing mineral sites. These sites will be permitted in preference to new sites provided they satisfy all environmental, social and economic criteria specified in the development management policies of the plan.

4.5 Key Policy Considerations and Conclusions

4.5.1 Having regard to the location, nature, scale and extent of the working to Hindlow Quarry, the Development Plan identifies the following key considerations to be taken into account, as follows:

- Need and maintaining supply of aggregate and industrial limestone ;
- Achieving timely restoration;
- Landscape and visual impact – ensuring that the proposed development can be worked in a manner that does not cause an unacceptable impact upon the landscape or have an impact upon the visual amenity of nearby residents or users of the area;
- Impact upon ecology – including the protection and strengthening of habitats and the protection of species;
- Ensuring that minerals development does not give rise to adverse impact upon highway safety;
- Protection of soils and the promotion of an appropriate land use following mineral extraction;
- Protection of the water environment – ensuring that there is no pollution of groundwater or surface water resources, managing water resources and ensuring that there is no increase in flood risk.
- Protection of amenity – Use of planning conditions to protect, enhance and secure funding for environmental benefits.

4.5.2 The subsequent chapters of this PES focus on the key planning policy considerations including the need and mineral supply considerations; the economic and growth considerations; and the acceptability of the development within the environment. The consideration of the relevant planning policies provides the reasoned justification for granting Planning Permission.

5 Main Considerations

5.1 Development, Growth and Economic Considerations

5.1.1 NPPF paragraph 203 recognises that minerals are essential to support sustainable economic growth and quality of life. Furthermore minerals can only be worked where they are found. Paragraph 204 goes on to advise that local planning authorities should safeguard mineral resources and adapt appropriate policies so that the known locations of specific mineral resources of local and national importance are not sterilised by non-mineral development.

5.1.2 NPPF paragraph 205 emphasises the need for local authorities to give **great weight** to the benefits of mineral extraction including to the economy when determining planning applications.

5.1.3 With an anticipated increase in demand for construction aggregates and a readily useable rail connection, the company have re-commenced the mineral extraction at Hindlow Quarry to continue the manufacture of lime products, supplying construction aggregates along with increasing the working of the existing stockpiles of scalping's for aggregate production.

5.1.4 The mineral reserve at Hindlow Quarry currently stands at approximately 182 million tonnes (that is, reserves identified in 2020 in accordance with the proposed phasing programme). Due to the increased demand from projects such as HS2 it is proposing to ramp up production to around 2 million tonnes per annum. This increase in demand in the construction market makes it viable to produce lime raw material at Hindlow rather than importing, to use by-product aggregate in the construction market, whilst maximising the amount of materials in Derbyshire area that leave all sites by rail rather than road.

5.1.5 Assuming that production levels continue at around 2 million tonnes per year, the company anticipate that reserves would remain up to the beginning of the next century. This site therefore represents an important, long term strategic facility supplying both industrial and construction aggregates for the remaining part of this century.

5.1.6 In terms of employees, Hindlow Quarry has around 35 full time employees on site albeit due to their shift patterns not all of them are on site at the same time. On a

typical day there is around 20-25 people on site. With regard to the hauliers / drivers, they are not based at site and are all employees of contract hauliers .

5.1.7 The number of employees at the site provide a valuable contribution to local employment and economy. This would not only have a direct effect in terms of paid employment for 35 employees, many of whom are local residents, but also indirect benefits gained from 'intermediate consumption', where a business spends money on both capital investment goods and operating costs in order to generate its own outputs. The effects of such purchases of goods and services will have an effect which extends beyond the local area. Additionally, there are 'induced effects', which arise from the income earned by local employees being spent on household and personal goods and services within the local economy. Such benefits would be achieved over a significant period of time during the operational life of the quarry extension.

5.1.8 The economic benefits of the proposed extraction of the mineral would extend to all parties within the supply chain from its initial working, transport, processing and sale. Significant economic benefit of the mineral would also be gained from the use of the mineral in the end products as well as the supply chain associated with those materials.

5.2 Need and landbank issues

5.2.1 The NPPF requires Mineral Planning Authorities to plan for a steady and adequate supply of aggregates by:

- Preparing an annual Local Aggregate Assessment (LAA), either individually or jointly, to forecast future demand;
- Participating in an Aggregate Working Party;
- Making provision for the requirements of the LAA, including identifying specific aggregate supply sites;
- Securing aggregate supply by maintaining a sufficient landbank of permitted aggregate reserves (at least 10 years for crushed rock); NPPF – 15 years for limestone for the cement industry – Lime and industrial minerals….
- Ensuring that large landbanks tied up in very few sites do not stifle competition.

5.2.2 In accordance with the requirements of the NPPF, Derbyshire County Council (DCC) and the Peak District National Park (PDNP) has prepared a LAA (2019) utilising 2018 data.

5.2.3 Derbyshire combined with the Peak District National Park (PDNP), is one of the largest producers of aggregate grade crushed rock in this country. According to the Derbyshire Local Aggregate Assessment 2019, "*it is crucial that Derbyshire County Council and the PDNPA, as MPA's for the area, are able to ensure a steady and adequate supply of mineral to realise these growth aims and to maintain the infrastructure already developed. Since the area also supplies a significant amount of aggregate to a large part of the country, particularly crushed rock, this need to maintain a steady and adequate supply of mineral applies to this much wider area*".

5.2.4 Derbyshire and the PDNP is one of the largest producers of aggregate grade crushed rock in this country. Crushed rock for aggregate is supplied from Derbyshire and the PDNP overwhelmingly from the carboniferous limestone in the Buxton locality. Quarries within these two local authority areas produced over 12.8 million tonnes of aggregate grade crushed rock.

5.2.5 Derbyshire is also a very important "industrial" mineral where its chemical properties make it a valuable mineral for a wide range of industrial/manufacturing uses. Recently around 3 million tonnes were quarried annually within Derbyshire and the Peak Park. One such use for this industrial mineral involves the calcination (heating) of limestone which is used in the production of lime.

5.2.6 Although limestones occur widely in England, many are unsuitable for industrial use because of their chemical and physical properties. The carboniferous limestones of Derbyshire and the Peak Park are one of the most important resources of industrial limestone in England. The Bee Low limestones are units of consistently high purity and uniform chemistry. The Bee Low limestones at Hindlow are suitable for the existing lime works and will avoid the importation of this type of stone.

5.2.7 In the Derbyshire LAA 2018, the overall landbank of crushed rock in the area is estimated at around 1,258 million tonnes of which it is estimated that 347 MT is industrial grade (180 MT Derbyshire and 167 MT PDNP) and aggregate use 910 MT (670 MT Derbyshire and 238 MT PDNP). The landbank excludes dormant sites (where no minerals development may be carried out lawfully until such time as a new scheme of conditions has been submitted and approved) but includes active and inactive sites such as Hindlow. This landbank is based on a provision rate of 11.1 MT per annum (Derbyshire 8.08 MT, PDNP 2.98MT).

5.2.8 The LAA states from 2018 to 2035, Derbyshire and PDNP makes provision for 199.08 MT of aggregate crushed rock (11.06 x 18 years) assuming no further permissions, the LAA then goes on to calculate that there will still be an aggregate landbank of 711 MT by 2035 sufficient to last around 65 years at current average production rates. It is considered that this figure is optimistic at this stage because none of the operational or inactive sites in Derbyshire and PDNP landbank do not have Planning Permission beyond 2042 for these reserves and will have to apply again to secure consent (including sites in the Peak Park with the exceptional circumstance test).

5.2.9 A number of the larger Buxton quarries apart from Tunstead have a relatively short remaining life after 2042, even assuming that permission is granted for the post 2042 tonnage. This position after 2042 reflects the importance of the Hindlow tonnage going forward beyond 2042 to support this DCC/PDNP landbank and the supply of aggregate beyond 2042.

Supply from adjacent MPA areas

Staffordshire

5.2.10 There are no undetermined Planning Applications for limestone extraction at Staffordshire. A ROMP application and extension to quarrying is currently being prepared for the two adjoining quarries at Cauldon which is the only operational limestone quarry in Staffordshire. No details of the tonnages are available at present. The quarries provide both industrial and construction aggregate product.

Nottinghamshire

5.2.11 Nether Langwith quarry contains the only permitted limestone reserves in the County. This quarry supplies construction aggregate product only.

Leicestershire

5.2.12 The 10-year average sales figure used in the Leicestershire Local Aggregate Assessment for crushed rock is 13.93 MT per annum. The current production figures from the operational sites fall short of this figure. The only current operational site in Leicestershire with Planning Permission to operate beyond 2042 is Bardon Quarry. Therefore, beyond 2042, there is likely to be a significant shortfall of crushed rock provision.

5.2.13 As a result, there have been concerns raised from the South East and London AWP's to the most recent Leicestershire LAA over the longevity of reserves and being able to meet crushed rock demand long term. Crushed rock supply from Leicestershire is

at maximum capacity with annual production from the rail linked quarries meeting the annual production requirement. This results in significant vulnerability to meeting supply needs if demand increases.

5.2.14 The availability of the rail infrastructure at Hindlow which allows the sustainable transportation of mineral products to wider markets again reflects the importance of the Hindlow site.

South Yorkshire

5.2.15 The 10-year average sales figure used in the South Yorkshire (Barnsley / Rotherham / Doncaster) for crushed rock Local Aggregate Assessment is 2.3 MT per annum. The current production figures meet the provision until 2027 when Holme Hall Quarry (2.4MT per annum) ceases production. From this date there is likely to be a significant shortfall of crushed rock provision in South Yorkshire.

Greater Manchester

5.2.16 The Joint Local Aggregate Assessment for Greater Manchester, Merseyside and Halton and Warrington was published in January 2018 (data for the period up to December 2016).

5.2.17 There were 6 active crushed rock aggregate quarries in the sub-region during 2016. In total, 0.87 million tonnes of crushed rock was sold from these quarries in 2016, a 10% increase from the previous year. The predicted annual requirement for crushed rock is 0.85 million tonnes (mt), down 0.47mt on the 2005 – 2020 annual apportionment requirement of 1.32mt.

5.2.18 The total reserves of crushed rock were 19.59 million tonnes at the end of 2016. This would provide for a total of 23.1 years of sales based on the average sales over the most recent 10-year period.

5.2.19 Most sites for the production of land-won material are located in Greater Manchester, which has seen one recent site closure and one new consent. However the general trend has been one of declining reserves within the sub-region due in large part to the heavily urban nature of the area and the lack of workable aggregates resources within the region.

5.2.20 The LAA states “that the sub-region remains compliant with its land-bank obligations for crushed rock for the moment, it is likely to become more challenging to maintain this position over time” and acknowledges that “the sub region imports considerable amounts of aggregate.”

Conclusion on supply from adjacent authorities

5.2.21 It is clear from the analysis, that Derbyshire is going to play an increasing role in supplying crushed rock to adjacent authorities and much wider markets in other regions. Rail linked quarry sites are going to play a vital role in delivering this product to these wider markets. Sites such as Hindlow, with rail access, with significant permitted reserves should be considered as nationally strategic sites which will have the infrastructure and capability of serving these local, regional and national markets in accordance with the requirements of Policy MP2 of the Minerals Local Plan (the need for the development).

Industrial Limestone Provision

5.2.22 The MPA are currently working to produce a new Minerals Local Plan to replace the out of date Mineral Plan. The new plan will cover the period up to 2036 setting out mineral need, site allocations and planning policies against which future proposals shall be assessed against. The most recent consultation was on the full new Mineral Plan in March to May 2018.

5.2.23 Policy MS8 (Industrial Limestone Provision) of the new plan states that "*Proposals for the extraction of industrial limestone will be supported where additional reserves are identified to meet an identified need for the mineral and where they are required because of their particular chemical or physical properties and where the recovery of minerals is maximised to meet the particular need".*

5.2.24 The geological chapter of ES Volume 1 (Chapter3) sets out the chemical analysis undertaken at Hindlow of the samples taken from the 2016 and 2019 campaigns of site investigation.

5.2.25 The block model estimation indicates relatively consistent Iron (Fe), Magnesium (Mg) and Silicon (Si) levels throughout phased extraction. Variation has been noted in some attributes, such as Lead (Pb) and Manganese (Mn), however these are manageable with sufficient blending and selective working. No areas within the quarry have been identified which would not be suitable for lime manufacture although it will be necessary to blend from different faces to ensure quality control is met, and significant quantities of construction aggregates will be created in the process of making Lime Kilnstone.

5.2.26 Lime kiln production at Hindlow works has been taking place for many years. Whilst production was not taking place at Hindlow, industrial limestone was imported by rail from Tunstead to supply lime kiln production. With the commencement of

production again at Hindlow this will allow the direct supply of lime kiln product from the quarry.

5.2.27 In reviewing the background papers and Local Aggregate Assessment the available information for the split between industrial and aggregate use at individual quarries in Derbyshire and the Peak Park is inconsistent. The LAA estimates that of the 1,258 MT landbank that 347 MT is industrial, and 911 MT is aggregate based in Derbyshire and the PPNP. This represents a 28%/72% industrial aggregate split overall. As explained in paragraph 5.2.4 this landbank figure is considered optimistic and does not reflect the situation beyond 2042 when Planning permission is required to operate beyond this date.

Conclusion on Industrial limestone Provision

5.2.28 Although the latest landbank data in the Derbyshire and Peak Park LAA suggests a figure of 347 MT of industrial limestone provision going forward it is considered that further assessment is required in the forthcoming review of the Local Plan to accurately define this provision and the future supply required.

5.2.29 Lime kiln production at Hindlow works has been taking place for many years. Limestone blasted from the faces is processed to create lumpstone of a specific coarse size, suitable for use in the Maerz kilns on site. No areas within the quarry have been identified which would not be suitable for lime manufacture although it will be necessary to blend from different faces to ensure quality control is met.

5.2.30 Therefore, the Hindlow site would accord with draft policy MS8 in providing reserves of a particular chemical and physical property to meet the lime kiln production requirements on site and negating the need for this material to be imported into the site.

5.2.31 Furthermore, the availability of the rail infrastructure at Hindlow which allows the sustainable transportation of mineral products (both industrial and construction aggregates) from the site to wider markets which again reflects the importance of the Hindlow site.

5.3 Environmental and Technical Considerations

Landscape and Visual Impact

5.3.1 A Landscape and Visual Impact Assessment has been carried out in respect of the Proposed Development. The assessment has been carried out in accordance with the Landscape Institute and Institute of Environmental Management Guidelines for Landscape and Visual Impact Assessment (GLVA3).

5.3.2 The site is not located within a nationally designated landscape. Its western and north eastern boundaries do however abut the Peak District National Park and areas of the National Park have intervisibility with the site.

5.3.3 The current site development effects have been assessed on this character type along with the Derbyshire Upland Limestone pastures and Peak District National Park's Upland Plateau Pastures, Limestones Hills and Slopes and Limestone Village Farmlands. It is concluded that the existing site development is resulting in Significant Adverse Effects on the Derbyshire Plateau Pastures Character Area (Notable Adverse), and that the Significance of Effect will continue throughout the life of the operation development. The reasons for these adverse effects being the main current quarry features of the plant site, rail sidings, tips, engineered quarry faces and progressive soil stripping, combined with the proposed tip removal and construction of the North Eastern landform. It is assessed that none of the other identified character areas will be significantly adversely affected.

5.3.4 In respect of visual matters, a combination of existing local landform topography and the location of potential visual receptors, limits both the potential geographical visual envelope and the level of potential Magnitude of Effect to representative visual receptors.

5.3.5 Visual mitigation measures to be fully integrated into the scheme include maintaining the current limit of extraction to retain areas of higher land to the west, north and south of the quarry, and thus limit potential views of mineral extraction. New native woodland landscape and screen planting to the western and / or eastern boundary of the rail line. The progressive removal of visually prominent tips from west to east, behind potential receptor views. The establishment of a North Eastern Landform which will both screen some potential views of the quarry from receptors in the east, along with the localised topographic construction of soil screening bunds.

5.3.6 It is therefore concluded that overall, the proposed future development during its operational period will result in a general continuation of existing effects on

landscape and visual receptors, within a relatively restricted geographical area to the immediate boundary and east of the site. These adverse effects reducing in intensity / level and number of receptors receiving them as tips are removed from the skyline / eastern locations, and the North Eastern Landform is created and established. With beneficial effects resulting at Post Restoration to visual receptors.

5.3.7 Given the above assessment and the historic quarrying context at Hindlow Quarry, together with the site not being located within the Peak District National Park, we conclude that the proposed development would not conflict with the original purposes of the national park designation (as defined by the Environment Act 1995) or its special qualities (as defined in PDNP Management Plan 2012-2017). In particular, "*the flow of landscape character across and beyond the national park boundary*" would not be significantly adversely effected.

5.3.8 It is also considered that the application development scheme is acceptable and appropriate in Landscape and Visual terms, and in accordance with the identified landscape orientated designations and policies within Derbyshire.

Nature Conservation and Ecology

5.3.9 As the extant Development Plan was adopted long before the creation of the NPPF, its policies reflect guidance set out within national policy and guidance prior to 2000. This includes the Minerals Planning Guidance notes and UK Strategy for Sustainable Development 1994. The emerging Development Plan does propose policies informed by the narrative within NPPF and recent PPGs. The policies seek to protect species and habitats and, through restoration, provide replacement and enhanced habitats. In addition, the policies seek to ensure appropriate restoration for the site with regard to its location.

5.3.10 A Preliminary Ecological Appraisal (PEA) and Ecological Impact Assessment (EcIA) have been prepared. The baseline conditions consist of the built development on site, regarding the rail sidings and plant site, as well as the previously extracted area and undisturbed land, particularly to the north of the site. There was also assessment into the presence of Designated Sites both within and surrounding the site.

5.3.11 Evaluation of the baseline concluded that there are four Sites of Special Scientific Interest (SSSI), six Local Wildlife Sites (LWS) and five Grade 3 Sites within 2km of the site.

5.3.12 Without mitigation measures in place, it was assessed that the quarry would largely only negatively impact ecology at site level. These impacts are then reduced to

negligible once mitigation outlined within the ES Chapter 8 and Technical Appendix B ES Volume 2, in line with the goals set in extant plan policy MP6 (Nature Conservation Mitigation measures). Regarding statutory and non-statutory sites of nature conservation or ecological value, no significant impacts are anticipated. In accordance with policies MP3 and MP4 of the extant plan, policies DM4 and DM5 of the emerging plan; the impacts on habitats and designations were assessed in relation to operational time and post restoration and reclamation.

5.3.13 The policy approach of protecting ecological and nature conservation interests within NPPF, the Development Plan and other material policy considerations, such as EIA regulations are met.

Impact of Noise

5.3.14 The Noise Assessment carried out for the ROMP application was informed by guidance in the NPPF and PPG as well as the Noise Policy Statement for England (NPSE). It is noted that planning conditions imposed in the Initial Review 1998 Planning Permission (Reference No.1.776.3) guidance relating to noise was in accordance with Minerals Planning Guidance Note 11. The technical aspects within this guidance are largely carried through to current guidance relating to noise emissions.

5.3.15 This assessment has considered the potential for the phased extraction operations to impact upon the noise environment in the vicinity of the Application Site. An assessment has been made of the baseline situation and the potential impact of quarry operations at a number of existing noise sensitive receptors.

5.3.16 Operational noise levels generated on site were predicted using the method outlined in Annex F of British Standard BS 5228-1:2009+A1:2014, as well as predictions made from discussion with site operators and observations from site visits. These are detailed in Table 2 of Technical Appendix C ES Volume 2. The assessment concludes that there will be no unacceptable impacts on receptors as a result of noise pollution from quarrying operations.

5.3.17 At each of the sensitive receptors that monitoring took place, recorded data showed noise levels below permitted levels set out in the Initial Review 1998 Planning Permission in all areas, some receptors were more than 10dB below the conditioned limit. It was also demonstrated that temporary short term operations, such as soil stripping, would remain below the 70dB limit.

5.3.18 In light of the above it is considered that the objectives of NPPF, Planning Practice Guidance, the Development Plan and other material policy considerations are met.

Impact upon Air Quality and Dust

5.3.19 An Air Quality Assessment was undertaken and measures recommended to minimise the effects of dust and particulate matter. With the implementation of these measures, the impact of the proposed phasing operations on dust emissions is considered to be 'not significant' in accordance with IAQM guidance.

5.3.20 The assessment concluded that it is unlikely there will be significant decrease in the local air quality as a result of operations at Hindlow. The dust control recommendations shall limit chance of a dust event occurring. The sources of dust have been assessed and mitigation has been outlined to reduce potential impact to receptors. The impact has been assessed as no higher than low risk / slight adverse effect at any receptor.

5.3.21 In relation to air quality levels; PM_{10} and $PM_{2.5}$ levels will remain acceptable and in accordance with national guidance throughout the life of the quarry.

5.3.22 In light of the above it is considered that the objectives of NPPF, Technical Guidance to the NPPF, the Development Plan and other material policy considerations are met.

Blasting

5.3.23 A Blasting and Vibration Assessment has been conducted as part of the ROMP in respect of ground borne vibration and air overpressure. The full report can be found in Technical Appendix E of the ES Volume 2.

5.3.24 Sensitive residential receptors in proximity to the existing site were identified in order to assess the impact upon them as a result of potential blasting operations. It is considered that measures proposed within the Blasting Assessment are sufficient to control the impacts of ground borne vibration and air over pressure. A production blast was carried out in 2020, the results of which were in accordance with the vibration limits specified in the Initial Review 1998 Planning Permission.

5.3.25 A Blast Monitoring Protocol Scheme was approved in May 2017 which ensures best practice is followed regarding blasting on site. It is recommended that this scheme remain in place to ensure best practice is followed moving forward.

5.3.26 Mitigation proposed will ensure there is acceptable impact upon the natural and built environment in line with extant policy MP3.

5.3.27 In light of the above it is considered that the objectives of NPPF, the Development Plan and other material policy considerations are met.

Archaeology and Cultural Heritage Impact

5.3.28 An assessment of the Cultural Heritage relating to Hindlow was conducted as part of the ROMP. The Desk Based Assessment, Heritage Statement and Geophysical Survey can be found at Technical Appendix F in ES Volume 2. The assessment was carried out in accordance with the NPPF, PPGs and the Local Development Framework.

5.3.29 As identified by the Desk Based Assessment there are 19 known archaeological remains or findspots within the ROMP area, a list of which is provided in Table 12.1 of Chapter 12 of the ES. It was identified that due to the nature of the existing site being a mineral operation, continuing this operation will result in a 'neutral' impact.

5.3.30 The Desk Based Assessment identified nine known elements of the historic built environment within the ROMP area. A list of which can be found in Table 12.2 in Chapter 12 of the ES. It was assessed that three of the heritage assets are associated with operations on site therefore impact is deemed 'neutral'.

5.3.31 In addition, impacts to Scheduled Ancient Monuments (SAM) within 5km were assessed. It was assessed that operations would have a Slight Adverse impact through Phases 1 to 3 on eight SAM. One SAM would see Slight Beneficial impacts from Phases 1 and 2. There will also be Slight Adverse impacts to three SAM outside the study area.

5.3.32 Some heritage assets that could potentially be affected by the quarry were found in the surrounding area. It was concluded that there would be Slight Adverse impacts to two Grade II listed buildings and Moderate Adverse during at a Grade II* listed church which reduces to Slight Adverse in summer. Regarding Heritage Landscape character, operations on site would have a 'neutral' impact on local character.

5.3.33 Mitigation measures are set out in paragraph 12.2.22 and Tables 12.4, 12.5 and 12.6 of the ES Volume 1 to address the impacts caused by the development in line with extant plan policy MP7. It has been recommended that an updated condition is included on the First Review Planning Permission requiring archaeological observation prior to the development of undisturbed areas of the site. Also a Written Scheme of Investigation is to be approved by the MPA before operation on undisturbed land on site is carried out.

5.3.34 No unacceptable direct or indirect impact have been identified which are considered significant when assessed against EIA regulations. Furthermore, the objectives of NPPF, the Development Plan and other material policy considerations are satisfied.

The Water Environment Impact

5.3.35 Both a Hydrogeological Impact Assessment and Flood Risk Assessment have been carried out as part of the ROMP application.

5.3.36 There are no watercourses in the immediate vicinity of Hindlow Quarry.

5.3.37 Throughout Phases 1 and 2 working will take place above the water table, so until Phase 3 there will be no impacts on groundwater. From Phase 3 onwards dewatering will be required. A condition has been recommended requiring the operator to submit a dewatering scheme to the MPA prior to commencing Phase 3 of operations.

5.3.38 Flood risk has been assessed as low or negligible therefore requiring no specific mitigation measures. The surface water within the site will run into the quarry void and filter through the limestone within the quarry, therefore posing no threat to the wider water resource regime in line with requirements on plan policy MP4.

5.3.39 There are potential impacts on groundwater quality from accidental chemical or fuel spills. Mitigation measures have been proposed to ensure that in the unlikely event of a spill impacts to water quality will be negligible.

5.3.40 In light of the above, the proposed phasing scheme is considered to satisfy the flood risk requirements of the NPPF and associated technical guidance.

Transportation and Traffic

5.3.41 The Transport Assessment has been prepared, in accordance with NPPG and PPG, to establish whether residual transport impacts of the proposed development are likely to be 'severe'.

5.3.42 The Transport Assessment concludes that Proposed Development will not result in any permanent moderate or major significant adverse residual effects, in accordance with paragraph 109 of the NPPF.

5.3.43 Combined transportation of the mineral extracted via rail and HGV supports the sustainable transport initiatives of the NPPF and local planning policy MP5 of the extant Derby and Derbyshire Minerals Local Plan, as well as policies SMP4 and DM3 of the emerging New Minerals Local Plan, in which a preference is placed on rail related development and facilitating freight movement through county and rail

networks. Rail connection enables the transportation of final quarry products to wider than local markets without having HGV's on the road.

5.3.44 As outlined in paragraph 4.1.2 of the TA (Technical Appendix F ES Volume 2), the proposed development would generate minimal number of additional vehicle movements on the local highway network resulting in negligible impact on highway performance and safety. This is in line with requirements of policy MP5 of the extant plan, and requirements of emerging plan policy DM3, for satisfactory access and adequate highway network.

5.3.45 On the basis of the above, the development is fully in accordance with both national and local policy and the impact of the development is not unacceptable.

Impact upon Soils, Land Quality and Agriculture

5.3.46 The Soils and Agricultural Report produced considers the effect of the proposed development on agricultural land and soil resources. Policy MP4 of the extant Derby and Derbyshire Minerals Local Plan is resistant to development on land grades 1, 2 and 3a. However, the site is assessed as having 86% grade 4 land and 14% non-agricultural.

5.3.47 Part of the mineral operation process will involve the disturbance of soils within the ROMP boundary. This loss of land is classed as a medium magnitude and negligible impact.

5.3.48 Mitigation for removal and placement of soil resources requires the adoption of a Soil Management Plan, in line with existing condition 41 of the Initial Review 1998 Planning Permission, this will ensure the negligible impact of development.

5.3.49 In light of the above it is considered that the objectives of NPPF, the Development Plan and other material policy considerations are met with regard to soil resources.

Rights of Way

5.3.50 The proposed development will result in the diversion of footpaths HP 14/8/1 and HP 14/7/1 that run close to operations. Due to the proximity of these footpaths to operations there will be views from these footpaths into the quarry workings. This shall be the case throughout Phases 1 to 3. A 1.5m high soil bund will be constructed for screening purposes. These diverted footpaths shall become the permanent footpath routes due to the phasing of operations.

5.3.51 All impacts upon the amenity of users of the PROW in close proximity to the site will be mitigated to the highest standard possible to ensure that the development has minimal effect upon the continued use of the diverted PROW.

5.3.52 Taking account of the proposed diversion and potential mitigation measures, the proposed development can be worked without posing unacceptable harm to users of the PROW network.

Cumulative Impacts

5.3.53 The assessment of cumulative impact has had regard to positive and negative effects to ensure that an overall balanced judgement is reached. The potential positive impacts are particularly relevant when considering the combined effects from the same development. Care has been taken to ensure that any positive effects have not been double counted in the assessment work. It is therefore considered that a 'proper assessment' of cumulative impact has been carried out.

5.3.54 The assessment of successive effects has concluded that no significant adverse cumulative impact would occur from the proposed mineral working.

5.3.55 The assessment of simultaneous effects has concluded that the impact potentially arising from the proposed site is only likely to marginally increase the degree of overall impact. No objectionable concurrent effects are therefore likely to arise.

5.3.56 In terms of the combined effects, none of the environmental impacts are considered to come close to the thresholds of being objectionable. Given that none of the features are close to the thresholds of objectionability and having regard to the fact that none of the environmental features have a synergistic effect, their combined impact is not objectionable.

5.3.57 In summary the proposals have been assessed against other committed and proposed quarrying developments in the area and there are no cumulative impacts that will arise from the scheme in combination either within itself or with other existing / proposed developments that would render the proposed quarry phasing unacceptable.

6 Conclusions

6.1.1 This document is the Planning Application Supporting Statement, submitted on behalf of Tarmac Cement and Lime Ltd PLC, which accompanies a First Periodic Review of the old mineral permission application and submission of modern planning conditions pertaining to planning permission CHA/1156/23 dated 26th March 1957 for the winning and working of minerals and disposal of mineral waste at Hindlow Quarry. It has been prepared in support of the ROMP application for the 'Determination of New Planning Conditions' under the provisions of Section 96 of the Environment Act 1995.

6.1.2 The Initial ROMP permission at Hindlow was granted in 1998 (ES Volume 1 Appendix 1).

6.1.3 Condition No.3 of this permission states that the extraction of minerals and the deposit of mineral waste from the site shall cease by 22nd February 2042. The economic reserves remaining at the quarry goes well beyond this deadline and this is set out in the 5 phases of working (Figures B to F) included in this Supporting Statement.

6.1.4 A geological appraisal has been undertaken by the applicant involving two major campaigns of site investigation at Hindlow in order to prove the presence, quality and quantity of remaining limestone reserves. The total reserves are included in Table 3.2 (ES Volume 1) and amounts to 182 million tonnes.

6.1.5 Until recently, quarrying operations at Hindlow had been mothballed (although lime production has continued throughout) but due to the increased demand from projects such as HS2 it is now proposing to ramp up production to around 2 million tonnes per annum. Assuming that production levels continue at around 2million tonnes per year, the company anticipate that reserves would remain at Hindlow up to the beginning of the next century. However, this ROMP Application considers the phasing operations up to 2042.

6.1.6 Taking into account these reserves, Hindlow Quarry represents a site of key national importance in delivering significant quantities of both construction and industrial aggregates for the long term utilising the existing infrastructure on site (lime works and rail link for sustainable transportation of product).

6.1.7 NPPF paragraph 203 recognises that minerals are essential to support sustainable economic growth and quality of life. Furthermore minerals can only be worked where

they are found. NPPF paragraph 205 emphasises the need for local authorities to give **great weight** to the benefits of mineral extraction including to the economy when determining planning applications.

6.1.8 The economic benefits of the proposed extraction of the mineral would extend to all parties within the supply chain from its initial working, transport, processing and sale of product. Significant economic benefit of the mineral would also be gained from the use of the mineral in the end products as well as the supply chain associated with those materials.

6.1.9 In terms of employees, Hindlow Quarry has around 35 full time employees on site albeit due to their shift patterns not all of them are on site at the same time. On a typical day there is around 20-25 people on site. With regard to the hauliers / drivers, they are not based at site and are all employees of contract hauliers but are indirectly employed by the quarry.

6.1.10 The number of employees at the site provide a valuable contribution to local employment and economy. This would not only have a direct effect in terms of paid employment for 35 employees, many of whom are local residents, but also indirect benefits gained from 'intermediate consumption', where a business spends money on both capital investment goods and operating costs in order to generate its own outputs. The effects of such purchases of goods and services will have an effect which extends beyond the local area.

6.1.11 Derbyshire and the PDNP is one of the largest producers of aggregate grade crushed rock in this country. Crushed rock for aggregate is supplied from Derbyshire and the PDNP overwhelmingly from the carboniferous limestone in the Buxton locality. Quarries within these two local authority areas produced over 12.8 million tonnes of aggregate grade crushed rock.

6.1.12 Derbyshire is also a very important "industrial" mineral where its chemical properties make it a valuable mineral for a wide range of industrial/manufacturing uses. Recently around 3 million tonnes were quarried annually within Derbyshire . One such use for this industrial mineral involves the calcination (heating) of limestone which is used in the production of lime from facilities such as Hindlow.

6.1.13 Although limestones occur widely in England, many are unsuitable for industrial use because of their chemical and physical properties. The carboniferous limestones of Derbyshire and the Peak Park are one of the most important resources of industrial limestone in England. The Bee Low limestones are units of consistently high purity

and uniform chemistry. The Bee Low limestones at Hindlow are therefore suitable for the existing lime works and will avoid the importation of this type of stone.

6.1.14 Therefore, Hindlow Quarry accords with draft policy MS8 in providing reserves of a particular chemical and physical property to meet the lime kiln production requirements on site and negating the need for this material to be imported into the site.

6.1.15 Furthermore, the availability of the rail infrastructure at Hindlow which allows the sustainable transportation of mineral products (both industrial and construction aggregates) from the site to wider markets which again reflects the importance of the Hindlow site.

6.1.16 Analysis has been undertaken of potential supplies of crushed rock (construction and industrial) from adjoining authorities and it is clear that Derbyshire is going to play an increasingly important role in supplying crushed rock to adjacent authorities and much wider markets in other regions. Rail linked quarry sites are going to play a vital role in delivering this product to these wider markets. Sites such as Hindlow, with rail access, with significant permitted reserves should be considered as strategic sites which have the infrastructure and capability of serving these local, regional and national markets in accordance with the requirements of Policy MP2 of the Minerals Local Plan (the need for the development).

6.1.17 This Supporting Statement has considered the acceptability of the proposals in line with the Development Plan and has concluded that overall the proposed development is considered to be in accordance with the Development Plan and is a suitable use of the site in accordance with the National Planning Policy Framework. The need and benefits of the proposed development, coupled with the alternatives available, add weight to the requirement for the proposed development.

6.1.18 A separate Environmental Statement (ES) has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017. The ES has assessed the baseline and background environmental information and also sets out the details of the development having regard to the location, scale and nature of the extraction and processing works continuing at this site.

6.1.19 The ES has also found the continued operation to be compliant with the main planning policy tests set out in the development plan and advice set out in national planning policy.

6.1.20 A Landscape and Visual Impact Assessment has been carried out in respect of the quarrying operations. It is considered that the development scheme is acceptable and appropriate in Landscape and Visual terms, and in accordance with the identified landscape orientated designations and policies within Derbyshire.

6.1.21 An Ecological Impact Assessment has been undertaken and the policy approach of protecting ecological and nature conservation interests within NPPF, the Development Plan and other material policy considerations, such as EIA regulations are met by the continued activity of the site.

6.1.22 Assessments on Noise, Air Quality and Blasting and Vibration have been undertaken and it is considered that the objectives of NPPF, Planning Practice Guidance, the Development Plan and other material policy considerations are met.

6.1.23 Both a Hydrogeological Impact Assessment and Flood Risk Assessment have been carried out as part of the ROMP submission.

6.1.24 It was concluded that no mitigation was required throughout Phases 1 and 2 working which will take place above the water table. A condition has been recommended requiring the operator to submit a dewatering scheme to the MPA prior to working below the water table.

6.1.25 A Transport Assessment has been prepared to establish whether residual transport impacts of the proposed development are likely to be 'severe'.

6.1.26 The Transport Assessment concludes that continued operations will not result in any permanent moderate or major significant adverse residual effects, in accordance with paragraph 109 of the NPPF.

6.1.27 Combined transportation of the mineral extracted via rail and HGV supports the sustainable transport initiatives of the NPPF and local planning policy MP5 of the extant Derby and Derbyshire Minerals Local Plan, as well as policies SMP4 and DM3 of the emerging New Minerals Local Plan, in which a preference is placed on rail related development and facilitating freight movement through county and rail networks. Rail connection enables the transportation of final quarry products to wider than local markets without having HGV's on the road.

6.1.28 A soils and agricultural assessment has been undertaken and it is considered that the objectives of NPPF, the Development Plan and other material policy considerations are met with regard to soil resources.

6.1.29 The continued development will result in the diversion of footpaths Footpath HP 14/8/1 and HP 14/7/1 that run close to operations. Due to the proximity of these

footpaths to operations there will be views from these footpaths into the quarry workings.

6.1.30 Taking account of the proposed diversion and potential mitigation measures, it is considered that continuing the development can be worked without posing unacceptable harm to users of the PROW network.

6.1.31 A cumulative Impacts assessment has been undertaken and the proposals have been assessed against other committed and proposed quarrying developments in the area and there are no cumulative impacts that will arise from the scheme in combination either within itself or with other existing / proposed developments that would render the proposed quarry phasing unacceptable.

6.1.32 In overall conclusion, it is considered that the proposal is environmentally acceptable and supports the economic, social and environmental roles of sustainable development required in NPPF. Where adverse impacts do arise they are not significant and appropriate mitigation can be promoted that will be capable of further reducing the effects of any such impact. All mitigation can be formalised as appropriate through the imposition of the proposed schedule of planning conditions appended to ES Volume 1. The potential environmental and local amenity impacts are therefore considered acceptable and the proposal accords with Development Plan policy.

6.1.33 Where proposals conform with the definition of sustainable development in NPPF and comply with Section 38)6) of the Planning and Compulsory Purchase Act 2004 (i.e. that have regards to the development plan), NPPF paragraph 11 advises that it is national level policy that in decision making, such development proposals should be approved without delay. Accordingly, the findings of the ES suggest that overall, the development will be environmentally acceptable and will accord with the development plan. In line with paragraphs 11 of the NPPF, it is respectfully requested that the proposed schedule of conditions is approved.