



**Nottinghamshire  
County Council**

## **Nottinghamshire Minerals Local Plan**

# **Nottinghamshire County Council Statement in response to Matters, Issues and Questions**

### **MATTER 2 – VISION, STRATEGIC OBJECTIVES AND STRATEGIC POLICIES**

**Issue:** *Whether the vision, strategic objectives and strategic policies provide an appropriate basis for sustainable minerals development.*

**Questions 6 - 18**

## *Vision*

**Question 6. Please clarify the distinction between the terms 'mineral reserves' and mineral resources' in the context of the Vision and the document as a whole.**

1. In terms of land use planning, the term 'mineral reserve' identifies those minerals that have a valid planning permission for extraction (also referred to as permitted reserves). The term 'mineral resource' is used to refer to natural deposits of minerals that are found in sufficient quantities to be of likely economic interest and could be worked in the future. This is defined in national guidance on minerals Paragraph: 001 Reference ID: 27-001-20140306.
2. It is acknowledged that these terms have been interchanged in parts of the Plan. The Council is willing to suggest a modification to ensure consistent use throughout the document and to add these definitions to the glossary.

## *Strategic Policies*

**Question 7. In paragraph 3.5, does the inclusion of the phrase "unless material considerations indicate otherwise" detract from the clear statement of policy in sub paragraphs (a) and (b) of that paragraph?**

3. The inclusion of the phrase 'unless material considerations indicate otherwise' is considered to be relevant in this paragraph as it is intended to reflect the need to consider material considerations in reaching planning decisions as required under Paragraph 2 of the National Planning Policy Framework. This phrase could be removed if required for clarity, but it is not considered that it detracts from sub-paragraphs (a) and (b) of paragraph 2.5.

## *Policy SP1: Minerals Provision*

**Question 8. Please explain how the Plan's policies prioritise the extension of existing sites in preference to new sites.**

4. The Plan prioritises extensions of existing sites by allocating the bulk of its proposed mineral provision through existing sites and extensions. With the exception of one new sand and gravel quarry at Mill Hill nr Barton-in-Fabis, all of the additional reserves allocated through the Plan are extensions to existing sites.
5. These allocations help deliver Strategic Objective (SO1) to improve the sustainability of minerals development which includes prioritising the improved use or extension of existing sites before considering new locations. Policy SP1 (b) affirms this same point, but also indicates that this will be done "where economically, socially and environmentally acceptable".
6. In addition, Policy SP3 seeks to ensure that minerals development addresses climate change and this policy will influence the location, nature and size of new development – seeking to encourage new operational practices which may lead to greater focus on making best use of existing sites. Similarly, the application of

Policy SP4 to promote sustainable transport, may be best delivered through expansion of existing sites.

### *Policy SP4: Sustainable Transport*

#### **Question 9. Having regard to the lack of rail heads in the county, how would use of rail be facilitated?**

7. The MLP seeks to promote the use of more sustainable forms of transport such as rail or water, where practical. This is in line with national policy and the Plan's Vision and Strategic Objectives to reduce both congestion and carbon emissions from HGV transport
8. Part 1 of Policy SP4 aims to encourage operators to consider all forms of non-road transport, including rail, but recognises this may not always be viable. Part 2 of the Policy therefore allows for road transport to be used where it can be shown that there are no realistic, more sustainable, alternatives.
9. The Council acknowledges there are not currently any railheads within Nottinghamshire but wishes to ensure that suitable opportunities could be explored in future. The Minerals Products Association has stated that one aggregates train is able to carry the equivalent of 75 HGVs and that, over the last five years, the rail freight tonnage of minerals products has increased by 21% and is now the largest user of the rail freight network in terms of tonnes carried<sup>1</sup>.
10. The Government Rail Freight Strategy (2016) recognises the positive environmental and air quality benefits of rail freight for the UK. This approach is supported by the Minerals Products Association which works closely with the rail freight industry to promote the use of rail including supporting the development of rail networks and terminals with recent examples in Somerset and Yorkshire.
11. Any proposals for new rail loading facilities, put forward as part of a quarry development by the mineral operator/developer, would be supported by Policy SP4 subject to the relevant policies contained in the MLP. The Nottinghamshire Local Transport Plan would also support such proposals as the plan encourages the transfer of freight from road to rail (or barge) wherever possible as a way of reducing heavy lorry traffic on the county's roads, reducing the safety risk associated with heavy lorries and to reduce carbon emissions.

#### **Question 10. Please provide further information on the sustainability advantages of barge transport in comparison to road transport.**

12. As set out in the response to question 9 above, the Plan seeks to promote the use of sustainable transport to move minerals from quarry to market. Given that the River Trent flows through a large part of Nottinghamshire, this provides the opportunity to transport sand and gravel by barge along the river. Sand and gravel has previously been transported by barge along the river from Besthorpe Quarry near Newark to Wakefield in South Yorkshire and from a quarry near

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<sup>1</sup> Minerals Products Association Sustainable Development Report 2019 (published Jan 2020)  
[https://mineralproducts.org/documents/MPA\\_SD\\_Report\\_2019.pdf](https://mineralproducts.org/documents/MPA_SD_Report_2019.pdf)

Attenborough to the processing plant 2.5 miles away. Two existing wharfs at Colwick and Besthorpe have been safeguarded in policy SP7: 'Minerals safeguarding, consultation areas and associated minerals infrastructure'.

13. The potential advantages of barge transport include reduced congestion, noise, vibration, air pollution and road accidents. Case studies elsewhere in the UK have illustrated a number of potential sustainability benefits from transporting minerals by river barge compared to road transport. However, it should be noted that the ability and viability of barging sand and gravel will vary on a site by site basis as it will be subject to a variety of different local issues.
14. River barge is being used to transport mineral along the River Severn from Ripple Quarry in Worcestershire to a processing plant two miles away. The processed aggregates are then delivered a further 14 miles by barge to a ready mixed concrete plant. It is estimated this will remove approximately 340,000 lorry journeys from local roads. In this case it has been found that one barge can carry as much aggregate as 18 lorries and a single barge can potentially run for a year on the fuel used by one lorry in a week<sup>2</sup>. A grant was provided by the DfT Freight Facilities Grant to support the use of river barge.
15. Lea Quarry in Middlesex is situated half a mile from the Grand Union Canal. Sand and gravel is transported from the extraction site by conveyor and transferred to barges for the five mile journey to the operators depot. This is expected to save around 45,000 lorry movements over the life of the quarry<sup>3</sup>. Moving sand and gravel by barge did increase costs significantly however this was offset through a Freight Facility Grant and a London Waterway Partnership grant.

**Question 11. Should part 3 of the policy state that it applies to both operational and restoration phases of development?**

16. It is acknowledged that the policy should make clear that this applies to both operational and restoration phases of development. Part 3 of the policy, as currently worded, duplicates the provisions already set out in parts 1 and 2. The Council is willing to suggest a modification to delete part 3 of the policy and amend part 1 to clarify that this applies to both operational and restoration phases of development.

**Question 12. Is there a distinction between parts 1 and 3 in this respect or could they be combined?**

17. Please see response to Question 11 above.

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<sup>2</sup> Better by Barge – Cemex UK <https://mineralproducts.org/sustainability/case-studies.html>

<sup>3</sup> British Waterways: Waterways Inland Waterways and sustainable rural transport  
[http://www.britishwaterways.co.uk/media/documents/publications/Water\\_Ways\\_Sustainable\\_Rural\\_Transport.pdf](http://www.britishwaterways.co.uk/media/documents/publications/Water_Ways_Sustainable_Rural_Transport.pdf)

## *Policy SP5: The Built, Historic and Natural Environment*

### **Question 13. Is paragraph 3.54 consistent with national policy, in terms of referring to protection of “the most important” heritage assets?**

18. The text in paragraph 3.54 is intended to explain the approach set out within national policy at paragraph 1.84 of the NPPF which refers to assets being conserved in a manner ‘appropriate to their significance’. An alternative form of wording could be considered if required.

### **Question 14. In that paragraph, is “proportionate” balancing of need for the development against harm consistent with the Framework in terms of balancing harm against public benefits?**

19. The text here is intended to reflect paragraph 1.93 of the NPPF which states that great weight should be given to the asset’s conservation and that ‘the more important the asset, the greater the weight should be’. An alternative form of wording could be considered if required.

## *Policy SP7: Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure*

### **Question 15. The policy refers to safeguarding of associated minerals infrastructure and the supporting text states that wharves are safeguarded, but concrete batching plants, coated roadstone and other minerals infrastructure are not safeguarded. Is the policy sufficiently clear and is there a conflict between what the policy says and paragraphs 3.89 and 3.90?**

20. The term “Associated minerals infrastructure” in para 1 of Policy SP7 is explained further in the supporting text, and paragraphs 3.87 to 3.90 explain the two types of minerals infrastructure (wharves/railheads and secondary processing facilities) in Nottinghamshire. Paragraph 3.90 explains the reasons why it is not considered necessary to apply the safeguarding policy to secondary processing facilities in Nottinghamshire.
21. The Council considers that secondary processing facilities, which are not located within existing quarries, are already being safeguarded by virtue of their location on existing industrial estates/employment land. The Council’s reasoning for not safeguarding these facilities is explained further in the response to Question 16 below.
22. To help clarify the position, the Council is willing to suggest a modification to paragraph 3.90 to explain that it is these standalone processing facilities which are not intended to be safeguarded.

**Question 16. Please describe the justification for not safeguarding concrete batching plants, coated roadstone and other minerals infrastructure, with regard to paragraph 204 (e) of the Framework.**

23. Secondary processing facilities, which are not located within existing quarries, will normally be located on existing industrial estates and as such are generally safeguarded from loss to other uses through the application of employment policies within the relevant District Local Plan.
24. In Nottinghamshire applications for secondary processing facilities are matters which the District Council is responsible for rather than the Mineral Planning Authority. The District Council would also be the planning authority for any application which resulted in the loss of such a development. Thus, the District Council's own policies for employment areas would have regard to the need to safeguard such facilities in accordance with paragraph 204 (e) of the Framework.

**Question 17. Is this policy fully consistent with the Vision and Strategic Objective 4?**

25. The Council considers that that the policy is consistent with the Vision and Strategic Objective 4. However, for clarity the Council is willing to suggest a modification to amend the wording in the fourth paragraph of the Vision to refer to 'associated minerals infrastructure' rather than 'minerals related infrastructure' to avoid possible confusion over these terms.
26. As a consequential change, also related to Question 6, it is proposed to amend the title and wording of Strategic Objective 4 and part 1 of Policy SP4 to clarify that these also include permitted reserves (i.e. existing and unworked/mothballed sites). Paragraph four of the Vision will also be amended to include a reference to the mineral resource for consistency.

**Question 18. Should the policy refer to the 'agent of change' principle as described in paragraph 182 of the Framework in terms of any requirement for mitigation measures?**

27. Policy SP7 is intended to cover both the economic mineral resource, that could potentially be worked in the future, and existing permitted reserves that have yet to be worked within an active, unworked or mothballed site.
28. The Council acknowledges that the wording of this policy could be improved and that this should include a reference to the 'agent of change principle' in terms of possible mitigation measures that may be required.
29. It is suggested that part 1 of Policy SP7 could be amended to include a reference to existing 'permitted reserves' and that part 2 could be re-worded to require the provision of suitable mitigation before the development has been completed.
30. As a consequential change, additional justification text could be included in, or after, paragraph 3.80 to highlight the need for appropriate mitigation as part of the non-minerals development that is being sought.