

Examination of the Nottinghamshire Minerals Local Plan

Matter 5 – Site Development Briefs

Submission made by Heatons on behalf of Tarmac Trading Limited

Issue: Whether the Development Briefs are consistent with national policy, effective and otherwise sound.

MP2n: Langford Lowfields North

Question 67

The SA refers to loss of some high-quality agricultural land. Should this be covered in the Brief?

We do not object to the inclusion of agricultural land as a consideration within the development brief. However, the requirement for assessing the impact on best and most versatile agricultural land quality will be considered under Policy DM3. It is therefore a repeat of policy and should not be required.

Question 68

Is screening of Westfield Farm for noise, dust or visual amenity?

The development brief could be updated to state 'screening as required'. Whilst Westfield Farm is a sensitive receptor to potential mineral development, the significance of effect on visual amenity or by reason of noise and dust is yet to be determined. Once environmental assessment work has been carried out, appropriate mitigation (including screening if required) can be considered.

MP2o: Besthorpe East

Question 69

The SA refers to loss of some high-quality agricultural land. Should this be covered in the Brief?

As per comments above in regard to Langford Lowfields North. Whilst we do not object to inclusion of agricultural land quality as a consideration in the development brief, it is considered this is comprehensively covered by the requirements of Policy DM3.

Question 70

Are any mitigation measures needed to protect residential amenity, e.g in terms of noise and dust?

As per comments above on Langford Lowfield North. Identifying potential receptors in the development brief for consideration as part of any environmental assessment work is appropriate. However, until assessment work is carried out it is not possible to predict the significance of effect and therefore whether any mitigation is required. The development briefs should not predetermine any potential effects and require mitigation which may be unnecessary.

MP3d: Bestwood 2 North

Question 74

Paragraph 6.9 of the Habitats Regulations Assessment recommends either confirmation that the trees will be over 20 years old when the extension is developed, or if they are less than 20 years old,

a survey is undertaken for nightjar and woodlark. If these species are nesting creation of a replacement habitat is required. Should these detailed requirements be stated? Is the requirement to consider historic records of nightjar and woodlark sufficient?

An eastern extension to Bestwood II Quarry (to release 1.4mt of reserves) was granted planning permission in December 2018). The restoration of the quarry extension is intended to retain the existing void/excavation and create a variety of habitats incorporating:

- Seasonally wet and marshy areas;
- Heathland/acid grassland habitat with low nutrient sandy substrate;
- Areas allowed to regenerate naturally;
- Retention of elements of woodland plantation;
- Proposed woodland planting within the quarry;
- Establishment of areas of woodland planting using woodland soils directly placed from the initial soil strip; and
- Retention of exposed sandstone faces.

During determination of the planning application for the extension supplementary information was requested (Reg 25) and included ecology, the subject areas of which were as follows:

- Assessment of habitat value of the quarry which concluded, after additional ecological survey work that the existing woodland is generally poor in species diversity and habitat structure with little or no ground flora;
- Breeding Birds – the surveys of the quarry confirmed that the habitat is unsuitable for breeding nightjar and woodlark. It is recognised however that the location of the quarry is within two important bird areas and that nightjar may occasionally be present at the quarry but adjoining areas have much more favourable habitat. Tarmac’s ecological consultant considered the effect on the extension of the quarry on these species to be negligible.
- Notwithstanding the unfavourable habitat, acoustic fencing was proposed to further minimise any potential for impact.

The proposed northern extension affects the same woodland habitat – assessed as being unfavourable habitat for woodlark and nightjar. As part of any future planning application for the northern extension, the site will need to be resurveyed. However, given the proximity to active mineral workings and the unfavourable condition of the existing woodland - adjacent to areas of active mineral extraction - it is unlikely that conditions will improve to make the site more favourable to woodlark and nightjar. Consideration of these species as part of any assessment work is sufficient and mitigation incorporated as required. The development briefs should not be overly onerous or prescriptive that they are prohibitive to development.

Question 75

Should there be a requirement to consider effects on the Green Belt?

We are happy for the development brief to include consideration on the Green Belt.

Question 76***Is there a need for noise and dust mitigation for residential amenity?***

As per comments above on Langford Lowfields North and Besthorpe, consideration of potential mitigation is necessary as part of environmental assessment work. The development briefs should not predetermine that process. Whilst we accept that consideration of impact upon receptors could be included and receptors could be identified, there should be no recommendations/suggestion of mitigation that may be required.