

REPORT TO:	ENVIRONMENT AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	20 APRIL 2022	CATEGORY: DELEGATED
REPORT FROM:	ALLISON THOMAS, STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	RICHARD GROVES (01283) 595738 richard.groves@southderbyshire.gov.uk	DOC: S:/Local Plans/Committee Reports/EDS43
SUBJECT:	DRAFT DERBYSHIRE AND DERBY MINERALS LOCAL PLAN	REF:
WARD(S) AFFECTED:	All Wards	TERMS OF REFERENCE: EDS17

1.0 Recommendations

- 1.1 That the Committee agrees the Council's proposed response to Derby City Council and Derbyshire County Council's Draft Minerals Local Plan (MLP) consultation by objecting to:
- (i) the use of out-of-date average annual sales data to calculate the requirement for sand and gravel and as a consequence significantly overstating the extent of need for these resources over the remainder of the plan period.
 - (ii) the allocation of more sites than are needed to meet the need for sand and gravel over the plan period based upon a forecast using the most recent annual average sales data in accordance with the National Planning Policy Framework (NPPF).
 - (iii) the allocation of the Sudbury sand and gravel site, on the basis that there has to date been no investigation as to whether the working of minerals on this site in isolation, or in combination with the proposed Foston allocation, could lead to an increase in flood risk in the Lower Dove Valley. Any flooding could have a potential detrimental impact on considerable economic interests in the area as well as communities. Furthermore, the absence of flood risk evidence at the allocation stage means that any assessment to be submitted in support of a subsequent planning application that shows unacceptable adverse impacts may potentially lead to refusal. The site cannot therefore be relied upon to contribute toward meeting sand and gravel needs over the plan period.
 - (iv) the allocation of the Foston sand and gravel site on the basis that there has to date been no assessment of whether the working of minerals on this site, in combination with the adjoining proposed Sudbury allocation, could lead to an increase in flood risk in the Lower Dove Valley. Any flooding could have significant potential detrimental impacts as referred to in point (iii). Furthermore, the absence of such flood risk evidence at the allocation stage means that any assessment that may be submitted in

[Type here]

support of a subsequent planning application that shows unacceptable adverse impacts may potentially lead to refusal. The site cannot therefore be relied upon to contribute toward meeting sand and gravel needs over the plan period.

(v) the allocation of the proposed Foston and Sudbury sand and gravel sites on the grounds that a precedent would be set in recent times for sand and gravel extraction in the Dove Valley, which would inevitably and irreversibly alter the character of the area.

(vi) the wording of the principal planning requirement in respect of each of the proposed new sand and gravel sites stating (at point 8 in each case) that restoration should take account of the Restoration Strategy for the Trent Valley should be strengthened as follows:

*“The Mineral Planning Authority will **establish formal arrangements to work with communities and mineral operators and other stakeholders well in advance of the submission of any planning applications** to help ensure that proposals for mineral working in the Trent, Derwent and Lower Dove Valleys show how the **mitigation, restoration and aftercare** of sand and gravel sites will fit in with this long term restoration strategy for ~~sand and gravel sites in the river valleys.~~”*

(vii) the plan of the Trent Valley Restoration Study Area included in the Draft MLP (page 181) as it excludes the proposed Foston and Sudbury allocations and should be amended to fully accord with the policy requirement referred to in point (vi) above.

(viii) the application of the site assessment methodology for the reasons set out in paragraph 8.21.

2.0 Purpose of Report

- 2.1 The purpose of the report is to agree the Council’s response to the ‘Draft Derbyshire and Derby Minerals Local Plan Consultation’.

3.0 Executive Summary

- 3.1 The report explains the background of the emerging MLP to date and describes aspects of the plan likely to be of most interest to South Derbyshire, these being:

- strategic policies addressing sustainable minerals development;
- climate change;
- the supply of recycled and secondary aggregates;
- the assessment of the extent of need for sand and gravel over the plan period;
- proposed allocations for the production of sand and gravel;
- the supply of aggregate and building stone;
- coal extraction
- and the supply of hydrocarbons.

- 3.2 The adequacy and validity of the processes underpinning the formulation of the Draft MLP policies and the implications of the proposals for South Derbyshire are considered in section 8 of the report, ‘Conclusions’. Consideration is given to:

[Type here]

- the basis of the calculations for assessing the future need for sand and gravel;
- the absence of sufficient evidence concerning the possibility of flood risk impacts arising from the proposed Foston and Sudbury sand and gravel allocations;
- the application of the sand and gravel site assessment methodology and
- matters relating to unconventional hydrocarbon production.

3.3 The recommendations are to object to:

- the basis for the calculation of sand and gravel need;
- the allocation of more sites than are needed to meet the actual sand and gravel need;
- the proposed Foston and Sudbury allocations on the grounds of inadequate flood risk investigations having taken place and the setting of a precedent in recent times for sand and gravel extraction in the Lower Dove Valley, altering its character;
- the wording of the principal planning requirement for local sand and gravel allocations relating to the Restoration Strategy for the Trent Valley and errors in the accompanying plan
- the application of the sand and gravel site assessment methodology.

4.0 Detail

- 4.1 The MLP is being prepared jointly by Derbyshire County Council and Derby City Council, the Minerals Planning Authorities (MPAs) for their respective areas and will replace the current Derby and Derbyshire MLP, adopted in 2000 (partially revised in 2002). It will encompass the City and County, with the exception of the Peak District National Park, and will cover the period to 2038.
- 4.2 Following this consultation responses will be considered, alongside other relevant material, in preparing a final Draft Plan. This will be subject to further consultation before an independent examination takes place.
- 4.3 The National Planning Policy Framework (NPPF) requires that sufficient land is brought forward in the right location and at the right time to enable the provision of a steady and adequate supply of minerals. It sets out requirements for maintaining supplies of the various types of mineral.
- 4.4 For aggregate minerals, including sand and gravel, MPAs are required to prepare annual Local Aggregate Assessments (LAAs) to identify future demand. Non-aggregate mineral supply is determined by market demand.
- 4.5 Minerals of interest that are present in South Derbyshire comprise sand and gravel in the Trent, Dove and Derwent valleys; coal in the South Derbyshire Coalfield (which lies in the south of the District); sandstone and gritstone in the Ticknall, Melbourne and Stanton-by-the-Bridge area and shale deposits in the far north-west of the District.
- 4.6 The Committee may recall that consultation exercises at previous stages in the preparation of the emerging MLP were reported to previous meetings of this Committee. Most recently these have dealt with:

[Type here]

- a previous draft version of the MLP, reported to the meeting of 19th April 2018 (minute EDS/86 refers). In its response the Council requested minor changes to the wording of policies concerned with coal extraction and hydrocarbon exploitation.
- the Sand and Gravel Consultation, reported to the meeting of 12 November 2020 (minute EDS/62 refers). In its response the Council raised objections to the method used for calculating future sand and gravel needs; the allocation of land to the west of Scropton (the 'Foston' site) on the grounds of potential flooding and local character impacts (also requesting robust arrangements for community involvement were the site to be allocated); and aspects of the site assessment methodology.

4.7 The following represents a summary of the elements of the current Draft MLP of most interest to the District Council.

Sustainable Minerals Development (Policy SP1)

4.8 This sets out the high level policy requirements that minerals and minerals related development proposals will be required to meet, covering a wide range of issues including the need to contribute towards achieving the economic, social and environmental objectives of sustainable development.

Climate Change (Policy SP2)

4.9 This policy sets out how proposals for mineral development are required to contribute to climate change mitigation and build resilience to the effects of climate change.

4.10 Minerals development should be located to avoid areas of vulnerability to flood risk. Where this is not possible, it must be planned, designed and operated to avoid, reduce and manage potential flood risk, including the risk of increasing flooding elsewhere.

4.11 Mineral working can also affect water supply and groundwater and such impacts must be appropriately assessed and mitigated.

4.12 The policy states that restoration of sand and gravel quarries can contribute towards reducing the risk and scale of flooding and can also provide opportunities for the creation of habitats for species affected by climate change.

The Supply of Recycled and Secondary Aggregates (Policy SP3)

4.13 Recycled aggregates are those sourced from the processing of materials previously used in construction and secondary aggregates are those derived from industrial wastes.

4.14 On the basis of historical data the MPAs estimate that the Plan area is likely to make an annual contribution of 3 million tonnes (mt) of such material to the overall aggregate requirement over the Plan period. This figure is not particularly robust and is to be kept under review as part of the annual LAA preparation. It should be noted that the overall need calculation excludes recycled and secondary aggregates on the basis that these are excluded from the rolling ten year average sales figures upon which the need calculation is based due to their unreliability.

- 4.15 To ensure the supply of recycled and secondary aggregates, this plan wide criteria-based policy is intended to enable and encourage the development of recycling and secondary aggregate production facilities/operations in appropriate locations in response to the market.

Sand and Gravel (Policies SP4, SP5, SP6)

- 4.16 The NPPF indicates that need for sand and gravel should be calculated on the basis of a rolling average of sales data over ten-years, other relevant local information and an assessment of all supply options. The Draft MLP calculates average sales based on the ten-year period 2010-2019 yielding a figure of 0.99mt per annum. This translates to a requirement of 18.81mt for the period 1 January 2020 to 31st December 2038.
- 4.17 To help meet this need five new allocations are proposed under Policy SP5, the boundaries of each of which are included at Annexe A:
- Elvaston (an extension to the permitted but currently non-operational Elvaston quarry site)
 - Foston (to the west of Scropton)
 - Swarkestone North (an extension to the existing Swarkestone site, North of the Trent and South of Twyford Road)
 - Swarkestone South (an extension to the existing Swarkestone site to the South of the Trent which lies to the East, also referred to as Swarkestone SW extension)
 - Sudbury (within Derbyshire Dales District, but adjoining the Foston site)
- 4.18 Policy SP5 states that extraction from the proposed sites at Swarkestone and Elvaston will be supported where the extensions follow cessation of mineral working within the existing working area, unless it has been demonstrated that there are operational reasons why this is not practicable or there would be significant environmental benefits to be gained from alternative phasing.
- 4.19 Policy SP6 provides for other unallocated sites to be brought forward if required to meet an identified need or address a shortfall in the landbank and/or to sustain production capacity to meet current or anticipated need as identified in the LAA.
- 4.20 Other sites within South Derbyshire which already have planning permission are as follows:
- Elvaston (currently non-operational)
 - Shardlow (currently in operation)
 - Swarkestone (currently in operation)
 - Swarkestone South West Extension (currently in operation)
 - Willington (currently in operation)
- 4.21 In addition there is an operational sand and gravel extraction site outside South Derbyshire at Mercaston.
- 4.22 The MLP sets out a delivery schedule for the proposed and currently permitted sites, included at Annexe B. This shows, for each of the sites, the years during which sand

[Type here]

and gravel would be worked and the quantity that would be produced per annum over the plan period. It can be seen that total production would be 20.27mt over the period 1 January 2020 to 31 December 2018, thus exceeding the forecast demand of 18.81mt by 1.46mt.

- 4.23 The Principal Planning Requirements for each of the new sites are set out at Annexe C. The main considerations relating to the sites are summarised below.

Elvaston

- 4.24 The 50-hectare site is proposed as an extension to the existing quarry. It is located within the Green Belt to the north-west of the site, which received planning permission for sand and gravel extraction in 2013. The site comprises unimproved pasture to the north and south with arable fields in the central area. The estimated yield would be 1.5mt tonnes. With a proposed annual output of around 0.3mt, this would give a lifespan for the site of approximately five years (as shown at Annexe B). The site would be worked through the existing plant utilising existing access arrangements. All lorries would leave the plant site via the existing access road and would turn right onto London Road. No delivery vehicles would pass through Shardlow, or travel on Ambaston Lane or the B5010 to Borrowash. Restoration is likely to be mainly to water-based uses with a high nature conservation/biodiversity component.

Foston

- 4.25 This greenfield site is situated just to the west of Scropton village north of the railway. It is about 71 hectares in size and is predominantly arable land. A public footpath runs parallel to Leathersley Lane through part of the site. It has estimated sand and gravel reserves of around 3.1mt and would be worked at around 0.4-0.5mt per annum (as shown at Annexe B) over a six-year period from around 2030. The plant site and access may be located towards the western part of the site, subject to more detailed consideration. All heavy goods vehicles would be routed to the west to join the A50 at the Sudbury roundabout. A wetland/water-based biodiversity restoration scheme is proposed with improved public access.
- 4.26 As was highlighted in the report to the meeting of this Committee of 12 November 2020, the Environment Agency (EA) had previously objected to this proposal regarding the potential impact on the Lower Dove Flood Alleviation scheme. A revised boundary has since been proposed by the mineral operator, which the Draft MLP states will ensure the protection of the flood defence barrier. A potential flood storage scheme has been proposed to help reduce the impact of flooding on the local area. On the basis of these changes the EA has withdrawn its objection, subject to the submission of an appropriate assessment at the planning application stage (which has been reviewed by a Reservoir panel engineer). This will consider the impact on the operation of the reservoir and on fluvial flood risk resulting from any proposed extraction area.

Swarkestone North

- 4.27 This is a proposed extension to the operational Swarkestone Quarry to the North of the River Trent. The site is 100 hectares in size and is situated between the existing quarry to the east and Twyford village to the west. It is currently in agricultural use with a mix of arable and grazing uses. It is estimated that this site would yield 4.5mt of sand and gravel with an estimated annual output of 0.32mt (as shown at Annexe B)

[Type here]

although it is not expected to be worked before 2037 following on from the Swarkestone South site. This means it is expected to contribute only 064mt to supply within the Plan period. It is proposed to continue to use the existing processing plant and access road. The access joins the A5132 and lorries would generally then travel east onto the A514 before joining the A50. The site would be restored to mainly water-based end uses, with a focus on nature conservation and wildlife biodiversity.

Swarkestone South (identified as SW extension in Annexe B)

- 4.28 This 79 hectare is an extension to the west of the currently active Swarkestone Quarry to the south of the River Trent and production here would follow on from the existing site. It is in agricultural use, predominantly for grazing. It is estimated that the site would yield over 2.5mt of sand and gravel with annual output estimated at 0.32mt (as shown at Annexe B). The lifespan of the site is estimated at around eight to nine years. It is proposed that the existing processing plant and the existing access road onto the A5132 would be used. The mineral would be transported across the River Trent using the existing temporary bridge. It is estimated that there would be about 110 lorry movements per day from/to the site. The site would be restored to mainly water-based end uses, with a focus on nature conservation and wildlife biodiversity.

Sudbury

- 4.29 This 79.3 hectare site is situated outside South Derbyshire in Derbyshire Dales District, but is of interest to this Council as it directly adjoins the proposed Foston sand and gravel allocation to the East. It lies to the north of the railway and the River Dove and is mainly in arable and pasture use. There is a wildlife site in the south-western part of the site. The site would yield around 2mt of sand and gravel, with an annual output of 0.25mt (as shown at Annexe B) extracted over a period of seven to eight years. The access is likely to be close to the junction of Leathersley Lane with the A515 in the north west corner of the site. The processing plant is also likely to be in the north west part of the site to minimise product haulage distance and flood risk. Restoration is likely to be mainly to water-based uses with a high nature conservation/ biodiversity component.
- 4.30 A flood defence embankment runs through the site, along a north-west to south-east axis, constructed by the EA and representing part of the Lower Dove Flood Risk Management scheme, which defends Scropton, Hatton, Egginton and other villages downstream from flooding.

Aggregate and Building Stone (Policies SP7 and SP9)

- 4.31 These resources are produced at quarries in the central and northern parts of the County. There are sufficient reserves of hard rock for use as aggregate to last well beyond the Plan period and the MPAs anticipate the continued use of existing sites rather than permitting further sites, except in special circumstances. Building stone is worked on a small scale and mainly used for the preservation of heritage assets. The MLP contains plan-wide criteria based policies for the consideration of any proposals that may come forward.

Coal Extraction and Colliery Spoil Disposal (Policy SP16)

- 4.32 It is unlikely that coal will be extensively worked again over the plan period but, as the Plan area still contains substantial resources which could be extracted, it includes a policy approach for any proposals that do come forward.

[Type here]

- 4.33 The responsibility for developing individual proposals would be with the mining industry and all the remaining coal resources would be subject to consideration in accordance with the policies in the plan. This avoids the potential for planning blight arising from the identification of specific sites or areas for future coal working.

Supply of Conventional and Unconventional Hydrocarbons and Gas from Coal (Policy SP17)

- 4.34 The geological conditions where oil and gas are found has resulted in two categories, conventional and unconventional. Conventional oil and gas reserves can be typically exploited by drilling a well, whereas unconventional deposits are contained in impermeable rocks, such as shale or coal deposits and extracted using techniques such as hydraulic fracturing (fracking).
- 4.35 Studies demonstrate that shale bearing gas is present in the County, including parts of the north-west of South Derbyshire, although the scale of resources available and their commercial viability are very uncertain. It should be noted that from November 2019, the Government imposed a moratorium on issuing Hydraulic Fracturing Consents following seismic events at Cuadrilla's Preston New Road site, Lancashire.
- 4.36 Other forms of unconventional hydrocarbon extraction are Underground Coal Gasification (UCG) and coalbed methane (CBM). USG involves the controlled combustion of unworked coal seams and the recovery of the resulting gas. CMB involves extraction of gas from unworked coal seams. Research has demonstrated that the South Derbyshire Coalfield does not form a UCG resource due to the extensive nature of former underground workings and the need to stand off from these, whilst prospects for CMB are also poor due to low seam gas content and uncertainty about the permeability of the coal.
- 4.37 In view of the lack of knowledge about the location and scale of economically viable oil and gas resources the Draft MLP adopts a plan wide policy approach which allows for their exploration, appraisal and production subject to meeting a detailed set of criteria.

Mineral Safeguarding and Consultation Areas (Policies SP18 and SP19)

- 4.38 The NPPF requires that all mineral planning authorities define Mineral Safeguarding Areas (MSAs) so that known locations of specific mineral resources are not sterilised by non-mineral development, such as housing or industry. Where it is considered necessary for non-minerals development to take place, prior extraction of the mineral should be undertaken where practical and environmentally feasible.
- 4.39 Mineral Consultation Areas (MCAs) identify the geographical areas based on an MSA, where the district or borough council are required to consult the MPA for any proposals for non-minerals development, other than those for less significant development such as householder applications.
- 4.40 Safeguarded minerals in South Derbyshire comprise sand and gravel, surface mined coal and sandstone and gritstone. The geographical extent of each of these is shown on plans at Annexe D.

- 4.41 The NPPF also sets out that local planning authorities should safeguard existing, planned and potential sites for the bulk transport, handling and processing of minerals; the manufacture of concrete and other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material. The infrastructure to be protected within South Derbyshire, comprising ready mix concrete sites and aggregate recycling facilities, are listed after Policy SP19.

Restoration of Sites in the River Valleys (Policy SP20)

- 4.42 The Draft MLP identifies that the Trent, Derwent and Dove Valleys face increasing pressure from new development and that the identification of further sites for mineral extraction will place further demands on the landscape.
- 4.43 In the past, sand and gravel workings have been restored to after-uses with an approach that has concentrated on the requirements of the specific site rather than also considering its context within the wider surrounding river corridors. This has gradually altered the overall environmental and cultural integrity of the landscape.
- 4.44 A long term strategy for the restoration of sand and gravel workings in the Trent, Derwent and Lower Dove Valleys is now proposed to help achieve the long-term vision for the area, as set out in the emerging Trent Valley Vision which is being developed by the County Council. Adjoining authorities, through which the River Trent flows, are either in the process of developing or considering similar approaches. Authorities will work together to ensure that the strategies are coordinated across the valleys. The Trent Valley Restoration Study Area is shown on the plan at Annexe E.

Development Management Policies

- 4.45 The development management policies provide more detailed criteria against which proposals for mineral development and mineral related development will be assessed.

5.0 Financial Implications

- 5.1 There are no direct financial implications for the Council.

6.0 Corporate Implications

Employment Implications

- 6.1 None identified.

Legal Implications

- 6.2 The requirements for preparing the Minerals Local Plan are set out in Town and Country Planning Act 1990.

Corporate Plan Implications

- 6.3 The emerging Minerals Plan has implications for the following key aims of the Corporate Plan:

- “Enhance biodiversity across the District”, in that the reclamation of minerals workings often provides opportunities to enhance biodiversity through the creation of new habitats.

- “Attract and retain skilled jobs in the District”, in that the minerals industry provides local employment.
- “Influence the improvement of infrastructure to meet the demands of growth” in that minerals’ development can often provide infrastructure benefits as part of a mitigation package.

Risk Impact

6.4 None identified.

7.0 Community Implications

Consultation

7.1 This is a consultation exercise being conducted by Derbyshire County Council and Derby City Council.

Equality and Diversity Impact

7.2 Minerals extraction can provide employment, but can also impact the amenity of local communities.

Social Value Impact

7.3 Minerals extraction is necessary to support the construction industry and in turn the wider economy.

Environmental Sustainability

7.4 Any potential harm to the natural environment that may potentially result from minerals extraction must be addressed through appropriate mitigation measures.

8.0 Conclusions

Assessment of Future Demand for Sand and Gravel

8.1 As described in para 4.8, the NPPF requires that future demand should be calculated using past annual sales based on a ten-year rolling average. In calculating the extent of need for sand and gravel over the plan period the Draft MLP uses average annual sales of primary aggregate over the period from 2010-2019, yielding a figure of 0.99mt per annum. The requirement for the remainder of the plan period (2020-2038) is therefore calculated to be 0.99mt per annum. However, sales figures for 2020 are available and are set out in Fig 6.2.2 of the Draft Local Plan and in the LAA 2021. To be compliant with national policy, the ten-year period for calculating the annual average should therefore be 2011-2020. This gives an annual average of 0.94mt per annum. These calculations are illustrated below.

Annual Sales of Sand and Gravel (million tonnes)

2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Av.
1.04	1.1	0.81	0.82	0.95	1.13	1.29	0.94	1.05	0.78		0.99
	1.1	0.81	0.82	0.95	1.13	1.29	0.94	1.05	0.78	0.57	0.94

8.2 Using the previous annual average sales figure of 0.99mt, the total production requirement for the period from 1 January 2020 to 31st December 2038 would be 18.81mt (0.99mt x 19). After deducting the 2020 sales figure of 0.57mt, this yields a

[Type here]

total requirement for the period 1 January 2021 to 31 December 2038 of **18.24mt**. Using the current annual average sales figure of 0.94mt the total production requirement for the period 1 January 2021 to 31 December 2038 (0.94×18) is **16.92mt**. It can be seen that the Draft MLP overstates demand for sand and gravel for the period 1 January 2021 to 31 December 2038.

- 8.3 Casting further doubt on the forecast of future need is the inclusion in the Local Aggregates Assessment 2021 of a table showing that over most of the ten-year period 2011-2021 production of sand and gravel has exceeded sales, generally by some 0.2-0.3mt. The table is reproduced at Annexe F. There is nothing to suggest that this pattern will change going forwards.

Proposed Supply of Sand and Gravel

- 8.4 The proposed supply of sand and gravel over the plan period, set out in the table at Annexe B, shows a total of 20.27mt. Excluding the sales figure for 2020 of 0.57mt (which should now form part of the ten-year rolling average of past sales), this gives a total for the period 1 January 2021 to 31 December 2038 of 19.7mt. Given the need for 16.92mt this would indicate an excess supply of **2.78mt**.

Proposed Sand and Gravel Allocations (Policy SP5)

- 8.5 In its response to the 2020 Sand and Gravel consultation the Council made reference to the assessment of prospective sites that resulted in them being ranked and identified as having 'high', 'medium' or 'low potential'. This resulted in four sites being ranked in the 'high' category whilst a fifth site, Foston, was ranked as having 'medium' potential. The Council objected to the allocation of sites other than the four assessed as having 'high' potential in the MLP on the grounds that these alone were able to provide more than sufficient capacity to meet sand and gravel needs over the plan period.
- 8.6 As part of the process for identifying sites for inclusion in the Draft MLP this process was repeated taking more recent information into account and identified the Swarkestone North, Sudbury and Elvaston sites as falling within the 'high' category whilst the Foston and Swarkestone South sites were found to fall within the 'medium' category. The summary table is reproduced at Annexe G.
- 8.7 Since the sites now falling within the "high" category no longer offer sufficient reserves to meet identified need, regardless of how it is calculated, there is no longer considered to be merit in pursuing the previous objection. However, it should be noted that the excess supply of 2.78mt, as referred to in para 8.4, exceeds anticipated production within the plan period from four of the five proposed individual allocations, suggesting that only four of these would be needed.
- 8.8 In its response to the Sand and Gravel consultation 2020 the Council objected to the proposed allocation at Foston on the grounds of:

“(a) a potentially significant increase in flood risk and risk to the recently constructed flood defences of the Lower River Dove, as identified by the Environment Agency (EA), with potential detrimental impact on considerable economic interests in the area as well as communities.

(b) the setting of a precedent in recent times for sand and gravel extraction in the Dove Valley, which would inevitably and irreversibly alter the character of the area.”

- 8.9 The Foston site lies within a flood storage area, constructed by the EA as part of the Lower Dove Flood Risk Management scheme in 2012/13. In a letter to Derbyshire County Council, dated 19 December, 2019, the EA indicated that the site boundary and indicative proposed working location encroached upon the area where the reservoir dam and spillway had been constructed. It stated that these flood risk assets were essential infrastructure under the jurisdiction of the EA, in accordance with the Reservoirs Act and that the proposed extraction area had the potential to both result in an increase in flood risk and result in dam failure. The EA therefore stated that it had major concerns with the site being allocated for sand and gravel extraction on flood risk grounds.
- 8.10 The EA further indicated that any resubmission of the site would have to be supported by a report undertaken by a Reservoir Panel Engineer and a site-specific Flood Risk Assessment. It stated that any allocation of the site without being supported by a detailed assessment, might result in a proposal which was likely to be subsequently demonstrated as not being feasible. For the reasons set out in para 4.26 of this report the EA has subsequently withdrawn its objection.
- 8.11 The acceptance of an appropriate assessment at the planning application stage, rather than as part of the MLP preparation process, represents a significant change from the EA's earlier position and indicates a sufficient degree of confidence in the revised proposals to accept the allocation without further flood risk evidence at this stage. Notwithstanding this, the adjoining Sudbury allocation has since been proposed and has not yet been subject to any investigation as to whether it could lead to increased flood risk in the Lower Dove Valley. It would seem probable that the addition of this site would require consideration of the flood risk impacts of the Foston and Sudbury sites in combination and it is therefore proposed to continue to object to the allocation of the Foston site on flood risk grounds.
- 8.12 The validity of the second part of the Council's previous objection to the Foston site, on the grounds of setting a precedent for sand and gravel extraction in the Dove Valley has been underscored by the proposal to allocate the adjoining Sudbury site. This objection has not been resolved in the Draft MLP and it is therefore considered that the Council should maintain its objection to the Foston site on these grounds and to extend it to include the Sudbury site.
- 8.13 The Sudbury site is one that was put forward by an operator in response to the Sand and gravel consultation of 2020 and as such has not been the subject of any previous formal consultation exercise. An embankment almost 1km in length, representing part of the Lower Dove flood defence infrastructure, crosses the site yet there is no indication in the Draft MPA that there has been any consideration of the potential for any increase in flood risk in the Lower Dove Valley nor of whether or how any such risk could be mitigated. The absence of such evidence means that its proposed allocation cannot be supported. Furthermore, as referred to in para 8.11, the site adjoins the proposed Foston allocation and whilst the EA has withdrawn its objection to that site in isolation, this does not necessarily mean that the two sites in

combination would not give rise to concerns and it seems probable that further investigation is required.

- 8.14 As part of its response to the Sand and Gravel consultation in 2020, the Council also requested that, notwithstanding the objection to the proposed Foston site, if the MPAs decided to proceed with this allocation, no development should be progressed in advance of the establishment of a community-focused body to ensure a strategic and co-ordinated approach to mitigation, restoration and aftercare in respect of any minerals related development in the Dove Valley.
- 8.15 The principal planning requirements in respect of each of the proposed new sand and gravel sites, as set out at Annexe C, state (at point 8 in each case) that the restoration strategy for the site should take account of the Restoration Strategy for the Trent Valley to ensure that the wider context of the valley is taken into account in developing a coordinated and strategic approach to the restoration of the site. This would appear to go some way toward addressing the Council's request, but could be strengthened as per the proposed wording set out in point (vi) of the recommendation.
- 8.16 It is noted that the map of the Trent Valley Restoration Study Area on page 181 of the Draft MLP, although highly diagrammatic, excludes both the proposed Foston and Sudbury sites. It is therefore proposed that the County Council be requested to amend the plan to show that the two sites do indeed fall within the Restoration Study Area.
- 8.17 The three proposed sand and gravel sites at Elvaston, Swarkestone North and Swarkestone South did not give rise to objections from the Council when they were considered as part of the Sand and Gravel consultation of 2020. The considerations relating to these sites remain substantially unchanged in the Draft MPA and it is not therefore proposed to raise any objections to them in response to this consultation.

Site Assessment Methodology

- 8.18 The site assessment methodology incorporates a wide range of considerations including amenity impacts arising from visual intrusion, noise and dust; landscape impacts; flood risk; the transport impacts of heavy goods vehicles travelling to and from the sites; economic benefits; ecological impacts and opportunities; heritage impacts and the need to minimise the risk of aircraft bird strike.
- 8.19 In its response to the Sand and Gravel consultation the District Council made the point that the standardised methodology for site selection should not be the sole basis for decision and that planning and other factors should also be taken into consideration. In particular it was noted that the potential for mitigation should be accounted for.
- 8.20 In their Report of Representations the MPAs state that *"the assessments show the potential that the sites have for mineral working and therefore whether they can be included as allocations in the MLP. It is acknowledged that most impacts of sand and gravel extraction can be mitigated to some extent. Details of mitigation are addressed at the time that a planning application is considered for the sites. If a "showstopper" issue had arisen at the time the sites were being assessed this would have been highlighted and the site would have been ruled out from further consideration. This situation did not arise."*

[Type here]

- 8.21 This response does not take account of the potential for mitigation considerations to affect site selection at the plan-making stage. Allocating the sites that score the most highly through the assessment effectively rules out the granting of planning permission on lower ranked sites that may have performed better had mitigation been taken into account. The point about a “showstopper” arising at the time the sites were assessed is pertinent to the consideration of any potential flood risk impacts relating to the Sudbury site, plus to the Sudbury and Foston sites in combination, which have not been investigated to date (see para 8.13). It is therefore proposed to maintain the objection to the application of the sand and gravel site assessment methodology.
- 8.22 In its response to the Sand and Gravel consultation the Council also noted inconsistencies in some of the site assessments. In the Report of Representations the MLAs state that these have been addressed and this does indeed appear to be the case.
- 8.23 Finally, the Council made the point that it was likely that some evidence would change during plan preparation process and this should be fed into the assessments to ensure they remain up to date and robust. The MLAs state that the assessments have been updated to reflect the latest information available at the time.

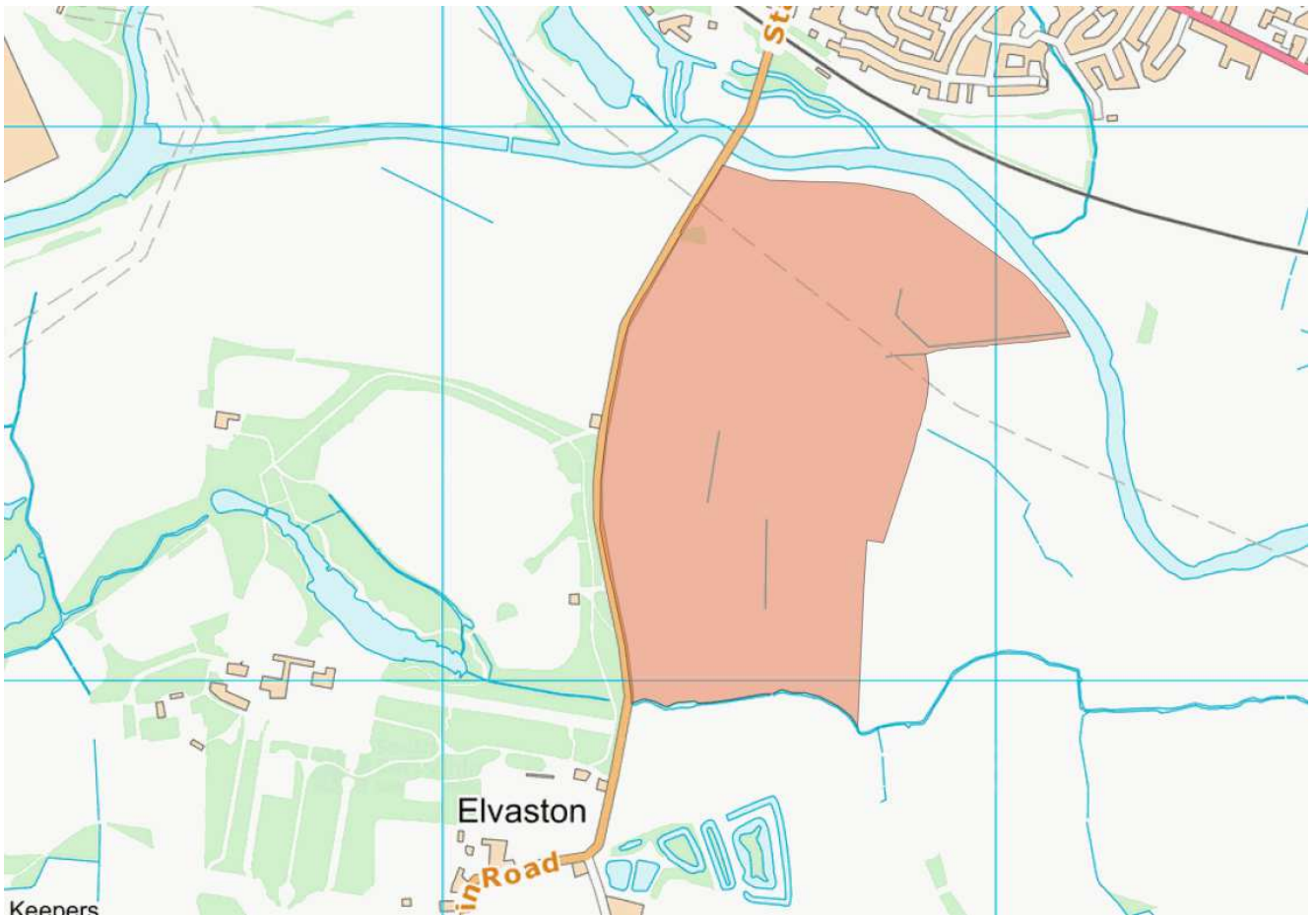
Supply of Conventional and Unconventional Hydrocarbons and Gas from Coal (Policy SP17)

- 8.24 In responding to the previous draft version of the MLP at the meeting of this Committee on 19 April 2018, it was proposed that in addressing unconventional hydrocarbon production MLP policy should include criteria requiring that there should be no adverse impact on geological structure nor on the openness of the Green Belt. The latter point reflected the fact that the part of South Derbyshire that may hold potential for unconventional hydrocarbon production lies within the Green Belt, in the Elvaston, Ambaston and Sharlow area. It was further proposed that such policy should include reference to the three tenets of sustainability, these being environmental, social and economic.
- 8.25 Policy SP17 of the MLP addresses conventional and unconventional hydrocarbon production and does include a criterion requiring that it be demonstrated that proposals would have no unacceptable adverse impact on the integrity of the underlying geological structure; including disturbance to features such as shafts and seams associated with former coal mining or other mining activity and that measures would be included to avoid induced seismicity.
- 8.26 Whilst Policy SP17 does not in itself make reference to sustainability and the Green Belt, the Draft MLP does make clear that in assessing development proposals all policies of the Plan and their criteria will apply where relevant. Within this context the Plan includes an overarching Green Belt policy, DM11, which requires that the openness of the Green Belt should be maintained. In regard to the issue of sustainability, Policy SP1 states that proposals should contribute toward the economic, social and environmental objectives of sustainable development. It can therefore be concluded that the Council’s previously expressed concerns have been satisfactorily addressed.

9.0 Background Papers

"Derbyshire and Derby Draft Minerals Plan"	Derbyshire County Local Plan", Derby City Council, December 2021
"Background Paper – Sand and Gravel Site Assessments"	Derbyshire County Council, Derby City Council, December 2021
"Sand and Gravel Assessment Methodology"	Derbyshire County Council, Derby City Council, August 2020
"Developing the Proposed Draft Plan-Sand and Gravel"	Derbyshire County Council, Derby City Council, December 2021
"Local Aggregates Assessment"	Derby City Council, Derbyshire County Council, Peak District National Park Authority, 2021
"National Planning Policy Framework"	Ministry of Housing Communities and Local Government, 2021

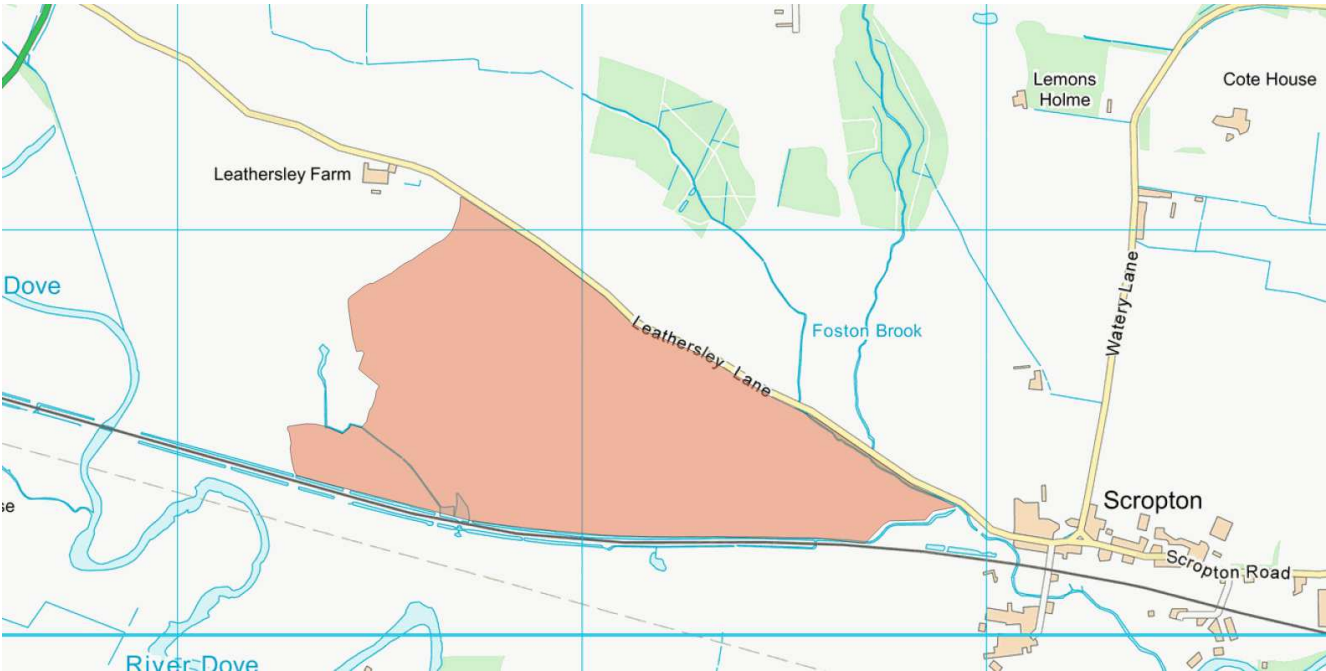
Elvaston



© Crown copyright and database rights (2022) Ordnance Survey 100019461

[Type here]

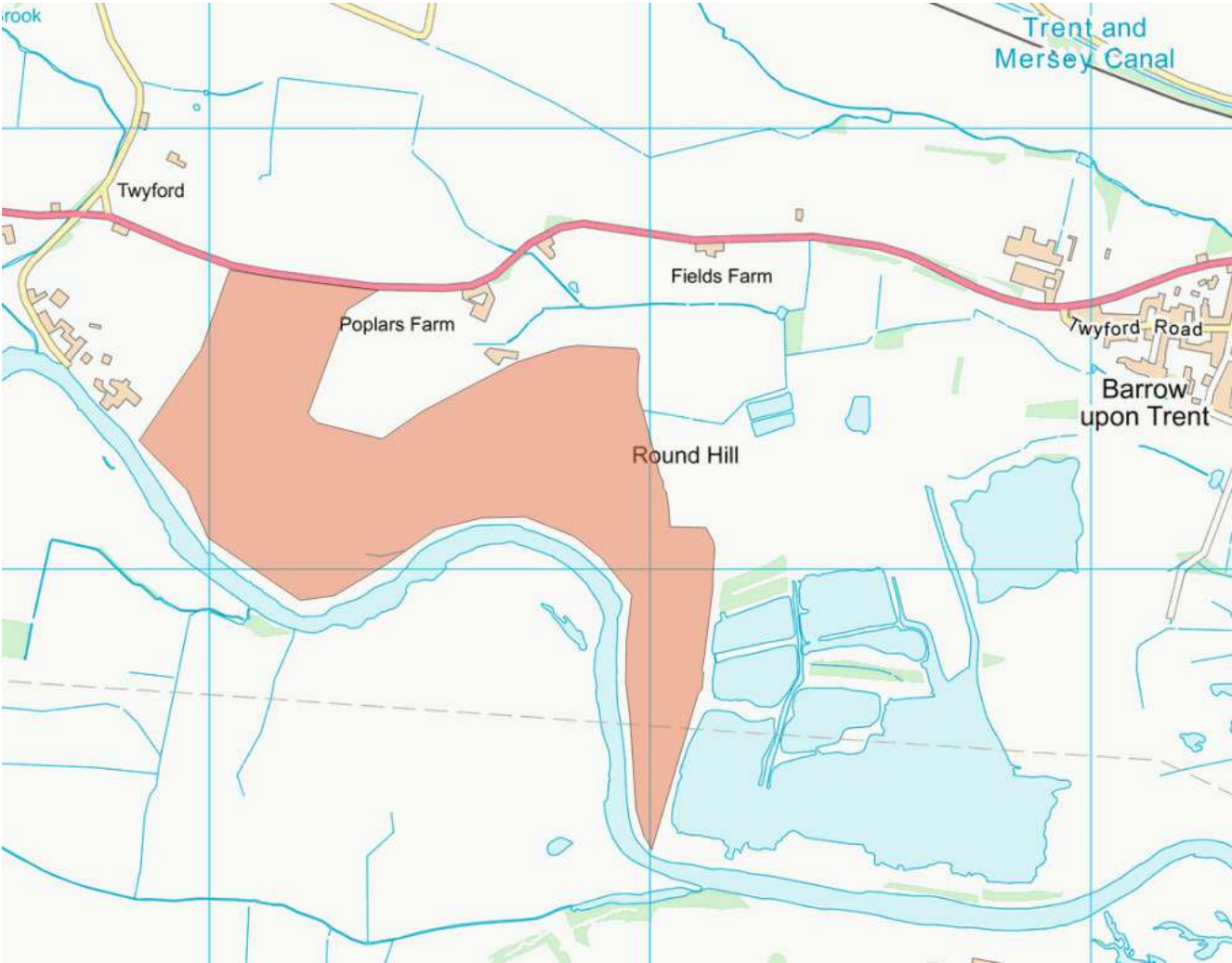
Foston



© Crown copyright and database rights (2022) Ordnance Survey 100019461

[Type here]

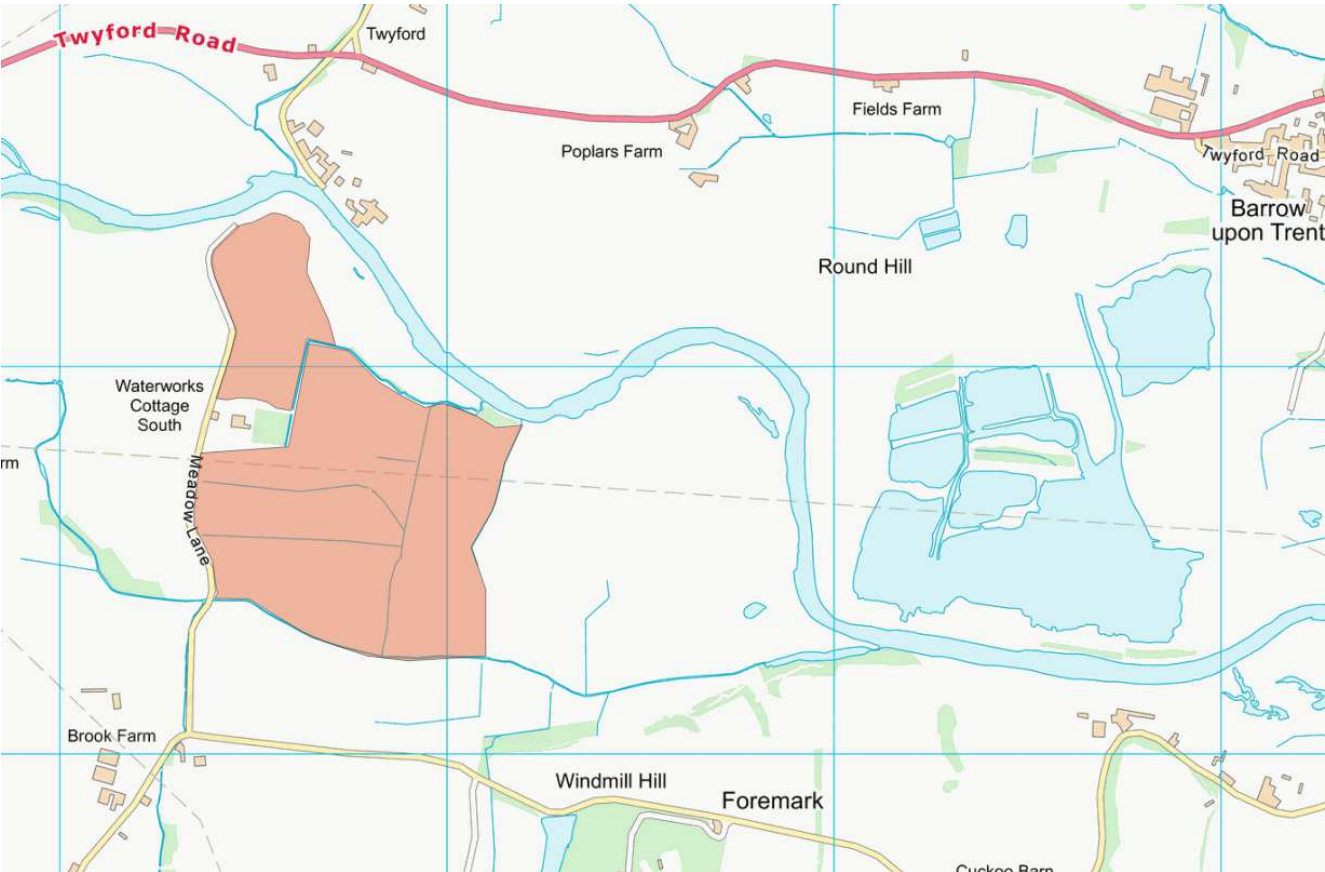
Swarkestone North



© Crown copyright and database rights (2022) Ordnance Survey 100019461

[Type here]

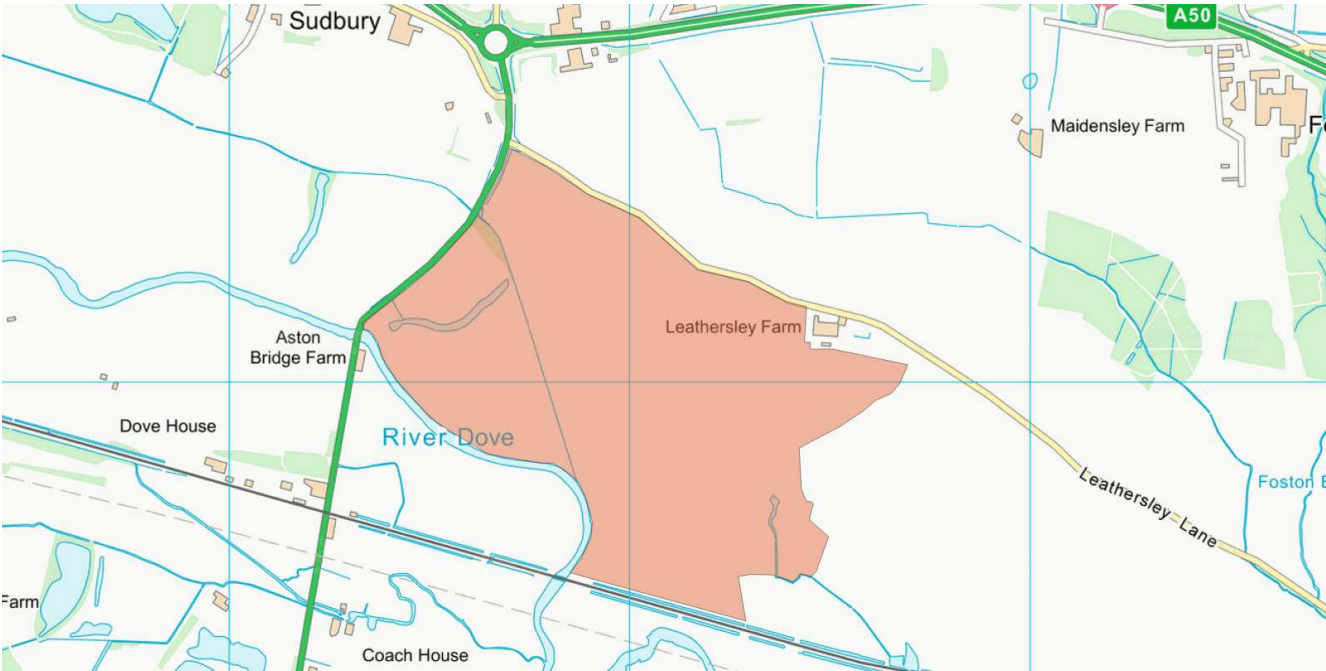
Swarkestone South



© Crown copyright and database rights (2022) Ordnance Survey 100019461

[Type here]

Sudbury



© Crown copyright and database rights (2022) Ordnance Survey 100019461

[Type here]

[Type here]

Sand and Gravel Deliverability Schedule

Total Estimated Production 20.27mt

SITE	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038
Shardlow (Permission)	200	350	350	350	350	350	350	350	350	350									
Sudbury						250	250	250	250	250	250	250	250						
Foston											400	400	400	400	400	400	400	300	
Swarkestone (Permission)	0	320	320	320	320	320	320	320	200										
Swarkestone (SW extension)										320	320	320	320	320	320	320	320		
Swarkestone North																		320	320
Willington (Permission)	320	350																	
Willington (Extension)			350	350	200														
Elvaston (Permission)									300	300	300	300	300	300					
Elvaston (Extension)															300	300	300	300	300
Mercaston	50	70	70	70	70	70	70	70	70	70	70	70	70	70	70	70	70	70	70
Reserves likely to be worked in Plan period	570	1090	1090	1090	940	990	990	990	1170	1290	1340	1340	1340	1090	1090	1090	1090	990	690

Principal Planning Requirements for new sand and gravel allocations (reproduced from Draft Minarals Local Plan Appendix A)

Elvaston

1) An assessment of how the site would be developed and operated in such a way that the local community and environment are protected from significant adverse impacts, taking into account the location of the site within the Green Belt and therefore the need to maintain the openness of area. Some properties on the southern edge of Borrowash, may have views across the northern part of the site. Beechwood camping/caravan site which lies to the south of the site would be screened by trees/hedgerows on its northern boundary. There are open views from several residential properties and from the main entrance to Elvaston Castle and Country Park which lie immediately across the road which forms the western boundary.

2) An ecological assessment of any designated sites, habitats, fauna and flora present on or adjacent to the site and/or potentially impacted by the site's development, and an evaluation of the impact of development upon species and habitats present on or adjacent to the site, and on the wider ecological network. There is unimproved pasture and remnant hedgerows on the northern part of the site adjacent to the River Derwent. Arable fields are in the centre of the site and improved pasture to south. There are occasional scattered trees of varying age and condition and a group of willows and evidence of lost hedgerows. The condition of hedgerows is generally variable. There are no records of designated wildlife sites.

3) An assessment of the effects on the historic environment, including designated sites and settings and archaeological remains. In terms of designated sites and settings, Elvaston Castle Country Park is situated across the road from the site's western boundary and forms a well-used and valuable local recreational amenity. The Castle and Gardens are Grade II* Listed Buildings. The Eastern Avenue, which adjoins the southern boundary is an integral component of the gardens. In terms of archaeology, there are some remnants of ridge and furrow adjacent to the river. There are vestigial remains elsewhere of once very extensive open fields. There are palaeochannels adjacent to the river which may have considerable potential.

4) An assessment of the effects of the development on the water environment. The site lies in flood zone 3 which has the highest possibility of flooding but in accordance with PPG, sand and gravel working is classed as water compatible development, which is classified appropriate development in flood zone 3.

5) An assessment of the landscape and visual impact of the site, including the provision of suitable landscaping measures. The northern part of the site directly south of the River Derwent and north-east of Elvaston Castle comprises of unimproved pasture with remnant hedgerows. The central area is predominantly arable fields with improved pasture to the south. There are occasional scattered trees of varying age and condition, a group of willows and evidence of lost hedgerows. Hedgerow condition is very variable. The proposed site has a few characteristics that accord with the established character of the Riverside Meadows and the condition is considered to be generally poor.

[Type here]

6) A Transport Assessment would need to accompany any application to assess the access to this site and the impact of traffic generated by the site on the surrounding highway network. It is expected that this site would be worked through the existing plant and access arrangements so the impact on the surrounding area in this respect is likely to be unchanged.

7) An account of the mitigation and compensation measures required to address environmental impacts, and of the biodiversity enhancement opportunities arising from the development, including its restoration and aftercare.

8) The restoration of the site should take into account the Restoration Strategy for the Trent Valley, as set out in Policy SP25 to ensure that the wider context of the valley is taken into account in developing a coordinated and strategic approach to the restoration of the site

Foston

1) An assessment of how the site would be developed and operated in such a way that the local community and environment are protected from significant adverse impacts – The nearest communities are the villages of Scropton and Foston, which lie approximately 200 metres away to the east and 1km north of the site respectively. Leathersley Farm is located approximately 185m to the north west of the site.

2) An ecological assessment of the designated sites, habitats, fauna and flora present on or adjacent to the site and/or potentially impacted by the site's development, and an evaluation of the impact of development upon species and habitats present on or adjacent to the site, and on the wider ecological network. The site is dominated by arable farming, and historic mapping would suggest that agricultural intensification has resulted in the removal of many internal hedges previously present on site. The remnant hedgerows on site do contain some hedgerow trees which may be of some interest, although the hedgerows otherwise appear to be intensively managed. Small areas of semi-natural habitat may persist at the southern end of the site, although there are no notable habitats or designated sites recorded within or immediately adjacent to the site. Protected and notable species records are very limited within and around the site, with only one old record for water vole seemingly relevant.

3) An assessment of the effects on the historic environment including designated sites and settings and archaeological remains. There are two records for cropmarks within the site, suggestive of Iron Age/Romano-British field systems and enclosures. A number of palaeo-channels are also mapped. Two records of ridge and furrow appear to be ploughed out. The Dove Valley is associated with deep alluvial deposits which can blanket archaeological and palaeoenvironmental remains, so the surface-visible resource may underestimate the true extent and complexity of buried remains. In terms of historical sites and settings, Leathersley Farmhouse (Grade II Listed) is 210m from the western end of the site. Tutbury Castle draws upon long views across the Dove floodplain, and the site may well be visible from here. Sudbury Hall and Estate are about 1km from the western boundary of the site and although are generally screened from the site, the sensitivity of this historic area means the potential impact should be considered.

4) An assessment of the effects of the development on the water environment. The site lies in flood zone 3 which has the highest possibility of flooding but in accordance with PPG sand and gravel working is classed as water compatible development which is appropriate development in zone 3. A geotechnical assessment of the potential impact of the development on the flood defences will be undertaken. This includes the Reservoir Flood [Type here]

Defence Embankment adjacent to the eastern boundary of the site and the part of the site which is included within the Lower Dove Flood Storage Scheme. Appropriate standoffs will be proposed as a result to ensure the protection of the flood defences. of internal hedgerows.

5) An assessment of the landscape and visual impact of the site, including the provision of suitable landscaping measures. The proposed allocation is located within the Riverside Meadows LCT; a landscape typically farmed as permanent pasture. Evidence suggests that there has been significant boundary loss as a result of agricultural intensification and today this site is comprised of a small number of very large arable fields. Hedgerows are well managed but lack hedgerow trees. In terms of visual impact, although Leathersley Farm is located approximately 185m to the NW and Scropton is approx. 190m to the east, the site is generally well contained by existing vegetation and would not be visible from these areas to any significant extent. Two residential properties on the western edge of Scropton lie about 200m from the eastern edge of the site and are the only properties that may have direct views onto a proportion of the site (the eastern third of the site). Views of the site are predominantly from Leathersley Lane and Brooms Lane and the railway, which runs along the southern boundary of the site. A public footpath also runs parallel to Leathersley Lane through part of the site from where views of the site would be evident. Views from Foston and the A50 to the north are obscured by dense woodland. Tutbury Castle and grounds, which is a scheduled monument and lies on higher ground to the south, could, potentially, have distant views of the site. Overall, there are some/few visual receptors and potentially large parts of the site would be visible given the lack of internal hedgerows.

6) A Transport Assessment would need to accompany any application to assess the impact of traffic generated by the site on the surrounding highway network, particularly A515/A50 junction and include details of proposed measures to ensure that HGV traffic generated by the development did not turn right out of the site. Leathersley Lane is within an area wide Weight Restriction and forming an access within the limit will give any HGV the legitimate right to 'access' the site via any of the routes throughout the restricted area. The means of access would therefore need to be located outside of the restriction, to direct HGVs via the suitable routes of A50 and A515. With the restriction starting immediately on entering Leathersley Lane, this is likely to require a modification to the existing order, which would be subject to public consultation.

7) An account of the mitigation and compensation measures required to address environmental impacts, and of the biodiversity enhancement opportunities arising from the development, including its restoration and aftercare.

8) The restoration of the site should take into account the Restoration Strategy for the Trent Valley, as set out in Policy SP25 to ensure that the wider context of the valley is taken into account in developing a coordinated and strategic approach to the restoration of the site.

Swarkestone North

1) An assessment of how the site would be developed and operated in such a way that the local community and environment are protected from significant adverse impacts. There are several properties which have the potential to be affected by the working of this site. There are properties in Twyford to the north-west and several individual residential properties to the north of the site, including a number of dwellings at the converted Poplars Farm and Fields

[Type here]

Farm, which stand close to the northern site boundary of the site. Part of the site is also visible from properties in Ingleby to the south.

2) An ecological assessment of any designated sites, habitats, fauna and flora present on or adjacent to the site and/or potentially impacted by the site's development, and an evaluation of the impact of development upon species and habitats present on or adjacent to the site, and on the wider ecological network. The majority of site is arable land with localised improved pasture adjacent to Twyford and possibly semi-improved in field by the river with palaeochannels. There are limited mature/veteran trees in centre of the site. There are no records for priority habitats on this site.

3) An assessment of the effects on the historic environment, including designated sites and settings and archaeological remains. In terms of designations, an upstanding Round Barrow, designated as a Scheduled Monument is located in the northern part of the site. Consideration will need to be given to the setting of this monument. In terms of archaeology, Cropmarks are recorded north and south of the scheduled monument. Localised palaeochannels are present and evident along the southern fringe of the site, visible as an existing stream line.

4) An assessment of the effects of the development on the water environment. The site lies in flood zone 3 which has the highest possibility of flooding but in accordance with PPG sand and gravel working is classed as water compatible development which is appropriate development in flood zone 3.

5) An assessment of the landscape and visual impact of the site, including the provision of suitable landscaping measures. In terms of the landscape, the site crosses two Landscape Character Types but is poorly representative of each. The majority of the land is usually down to arable with some localised pasture associated with smaller fields adjacent to Twyford and immediately adjacent to the River Trent. Hedgerows are generally poor, in some places missing and generally species poor. There is a general lack of tree cover associated with field boundaries and the river. Trees are mostly associated with the semi improved areas near the river. The overall condition of the site is considered to be average to poor. There is an isolated burial mound and some localised ridge and furrow (poor condition) within the site. In terms of visual impact, there are several properties from which the site is visible. There are properties in Twyford to the north-west and several individual residential properties to the north of the site, including properties at Poplars Farm and Fields farm on Twyford Road, close to the northern site boundary of the site. Part of the site is also visible from properties in Ingleby to the south.

6) Transport Assessment would need to accompany any application to assess the access to this site and the impact of traffic generated by the site on the surrounding highway network. It is expected that this site would be worked through the existing plant and access arrangements so the impact on the surrounding area in this respect is likely to be unchanged.

7) An account of the mitigation and compensation measures required to address environmental impacts, and of the biodiversity enhancement opportunities arising from the development, including its restoration and aftercare.

8) The restoration of the site should take into account the Restoration Strategy for the Trent Valley, as set out in Policy SP25 to ensure that the wider context of the valley is taken into account in developing a coordinated and strategic approach to the restoration of the site.

[Type here]

Swarkestone South

- 1) An assessment of how the site would be developed and operated in such a way that the local community and environment are protected from significant adverse impacts, taking account of the following. Properties at Twyford have partial views across the river of part of the site. A residential nursing home adjoins the site to the west and has open views of the western part of the site. There are seven properties at the converted Old Waterworks and three at the converted New Waterworks which have open views of the site. There are also views from Anchor Church (historic caves) to the south-east of the site boundary and from a few properties in Ingleby and Foremark, including Foremark Preparatory School and also from Ingleby Road. A Public Right of Way (PROW) runs along the eastern boundary of the site and this forks to the north-west through the site. Meadow Lane is also a PROW, which is used on a frequent basis. The majority of the site is visible from these PROW.
- 2) An ecological assessment of any designated sites, habitats, fauna and flora present on or adjacent to the site and/or potentially impacted by the site's development, and an evaluation of the impact of development upon species and habitats present on or adjacent to the site, and on the wider ecological network. Hedgerows are intact and close cut, but are species poor, lacking notable hedgerow trees. Prominent trees and mixed species hedge (oak and some poor ash) associated with the green lane on the eastern boundary of the site. A stream runs west to east, lined with mature alder/willow. Some palaeochannels exist in improved pasture. Although limited in extent there remain some valuable characteristic habitats of a Natural Area.
- 3) An assessment of the effects on the historic environment, including designated sites and settings and archaeological remains. In terms of designated sites, Grade II Listed 'Anchor Church' is close to the site, with designed views over the extraction site associated with the cave's re-interpretation within the 18th century park at Foremark Hall. In terms of archaeology, there is possibly some remnant ridge and furrow and indications of the parish boundary. There are also visible palaeochannels within the site.
- 4) An assessment of the effects of the development on the water environment. The site lies in flood zone 3 which has the highest possibility of flooding but in accordance with PPG, sand and gravel working is classed as water compatible development, which is classified appropriate development in flood zone 3.
- 5) An assessment of the landscape and visual impact of the site, including the provision of suitable landscaping measures. In terms of the landscape, the site is poorly representative of the established character of the Riverside Meadows Landscape Character Type, with large parts of the site now down to arable or improved pasture. Hedgerows are mostly intact and close cut, generally species poor and lacking in notable hedgerow trees. The most prominent trees (oak and some poor quality ash) are associated with the green lane on the eastern boundary of the site and connects to the river. There is some localised ridge and furrow and palaeochannels within areas of improved pasture and a small section of mixed species hedgerow associated with the green lane. Overall, the landscape character is considered to be weak, although there are some attractive features, some of which are in good condition. In terms of visual impact, there are a number of residential properties in close proximity to the site which will need to be considered. The undulating topography to the south screens the majority of site from Repton and Milton. A Public Right of Way (PROW) runs along the eastern boundary of the site and this forks through the north-west section of the site. Meadow

[Type here]

Lane, which forms the western boundary of the site is also a PROW. The majority of the site is visible from both of these public rights of way.

6) A Transport Assessment would need to accompany any application to assess the access to this site and the impact of traffic generated by the site on the surrounding highway network. It is expected that this site would be worked through the existing plant and access arrangements so the impact on the surrounding area in this respect is likely to be unchanged.

7) An account of the mitigation and compensation measures required to address environmental impacts, and of the biodiversity enhancement opportunities arising from the development, including its restoration and aftercare.

8) The restoration of the site should take into account the Restoration Strategy for the Trent Valley, as set out in Policy SP25 to ensure that the wider context of the valley is taken into account in developing a coordinated and strategic approach to the restoration of the site.

Sudbury

1) An assessment of how the site would be developed and operated in such a way that the local community and environment are protected from significant adverse impacts – The nearest community is the village of Sudbury 300m to the north west of the site. Leathersley Farm is located adjacent to the north east boundary of the site. Given the flat topography, large tracts of the site would be visible from these and other individual properties in the surrounding area, although visibility would be less from receptors to the west as a result of the lines of willow trees in the south west section of the site. There could also be higher level views from Tutbury Castle, which is a scheduled monument. No public rights of way cross the site.

2) An ecological assessment of any designated sites, habitats, fauna and flora present on or adjacent to the site and/or potentially impacted by the site's development, and an evaluation of the impact of development upon species and habitats present on or adjacent to the site, and on the wider ecological network. The site assessment showed that the site has limited priority ecological value with the exception of the Wildlife Site (a feature which could be enhanced). There are some established hedgerows, though not generally species rich and some mature oak and ash – possible veterans.

3) An assessment of the effects on the historic environment including designated sites and settings and archaeological remains. Leathersley Farmhouse (Grade II Listed) immediately adjacent. Sudbury Hall (Grade I Listed) is within 1km, with its Grade II Registered Park at around 740m. The proposal could have an impact on Sudbury conservation area and the setting of the Grade I Sudbury Hall and its Grade II Registered Historic Park and Garden. In terms of archaeology, there are HER records for earthwork ridge and furrow within the site although there is evidence this appears to have been ploughed out. The Dove is a very active floodplain with substantial alluviation, and there is consequently potential for geo-archaeology (palaeochannels etc) with wellpreserved remains and early archaeology beneath the alluvium.

4) An assessment of the effects of the development on the water environment. The site lies in flood zone 3 which has the highest possibility of flooding but in accordance with PPG sand and gravel working is classed as water compatible development which is considered to be appropriate development in flood zone 3. The site straddles a flood defence embankment
[Type here]

which controls flows into a flood storage area, constructed by the Environment Agency as part of the Lower Dove Flood Risk Management scheme in 2012/13. This scheme defends Scropton, Hatton and other villages downstream from flooding. A detailed assessment of the potential impact of the development on these flood defences will have to be undertaken as part of any submission for the development of this site.

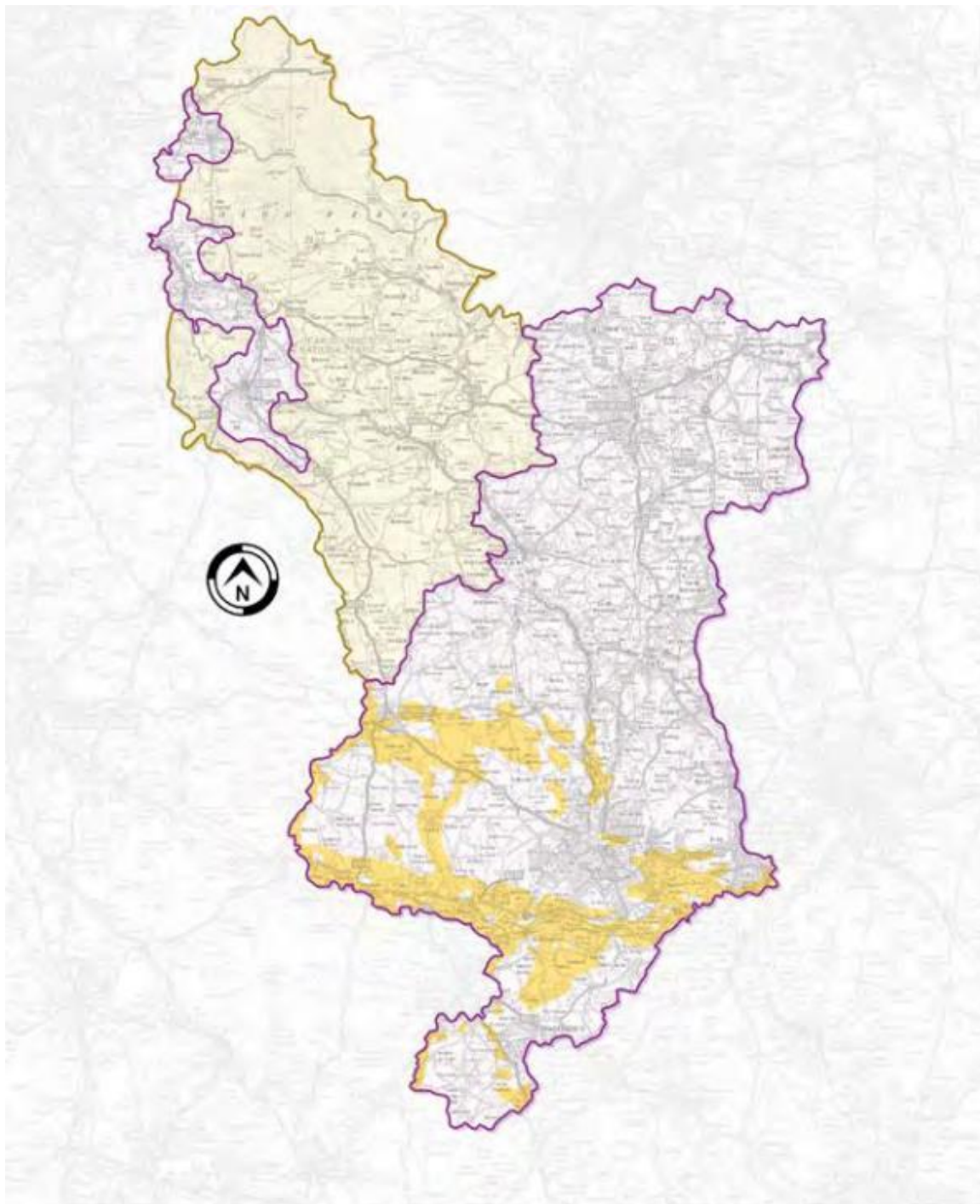
5) An assessment of the landscape and visual impact of the site, including the provision of suitable landscaping measures. The site is dominated by small scale arable fields enclosed by hedgerows with scattered hedgerow trees. The site retains a strong landscape character with an intact network of small fields, albeit land use has changed from meadow to arable with the loss of associated ridge and furrow. In terms of visual impact, given the flat topography, large tracts of the site would be visible from the properties and roads close to the site, although visibility would be less from receptors to the west as a result of the lines of willow trees in the south west section of the site. There could also be higher level views from Tutbury Castle, which is a scheduled monument.

6) A Transport Assessment would need to accompany any application to assess the impact of traffic generated by the site on the surrounding highway network, particularly the A515/A50 junction and include details of proposed access measures to ensure that HGV traffic generated by the development did not turn right out of the site along Leathersley Lane towards Scropton. Leathersley Lane is within an area wide Weight Restriction and forming an access within the limit will give any HGV the legitimate right to 'access' the site via any of the routes throughout the restricted area. The means of access would therefore need to be located outside of the restriction, to direct HGVs via the suitable routes of A50 and A515. With the restriction starting immediately on entering Leathersley Lane, this is likely to require a modification to the existing order, which would be subject to public consultation. Leathersley Lane also carries the route of the National Cycle Network and therefore use of the road by HGVs should be minimised.

7) An account of the mitigation and compensation measures required to address environmental impacts, and of the biodiversity enhancement opportunities arising from the development, including its restoration and aftercare.

8) The restoration of the site should take into account the Restoration Strategy for the Trent Valley, as set out in Policy SP25 to ensure that the wider context of the valley is taken into account in developing a coordinated and strategic approach to the restoration of the site.

Sand and Gravel Safeguarding Area

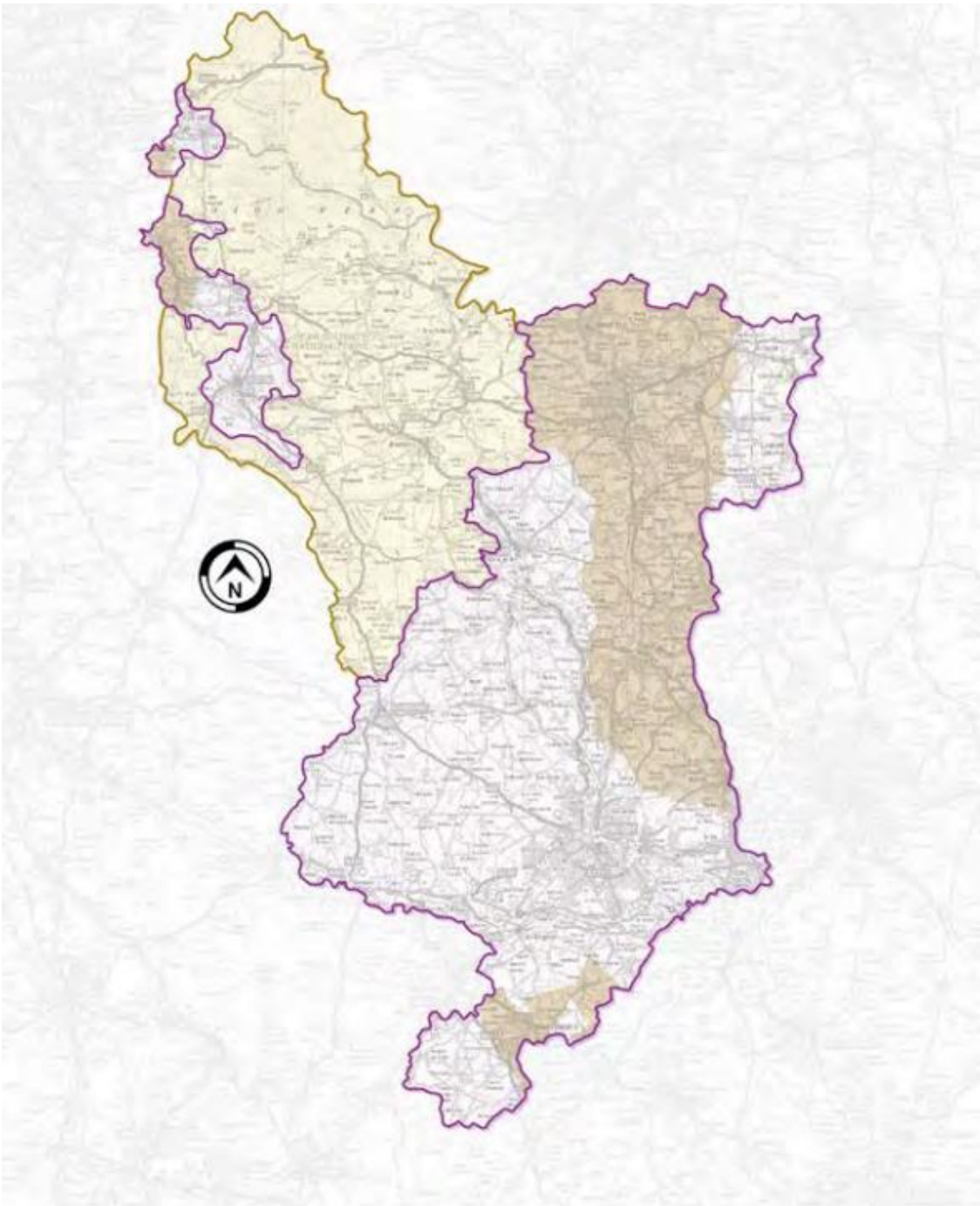


-  Plan Area
-  Peak District National Park Area
-  Sand and Gravel Safeguarding Area

© Crown copyright and database rights (2022) Ordnance Survey 100019461

[Type here]

Surface Coal Safeguarding Area

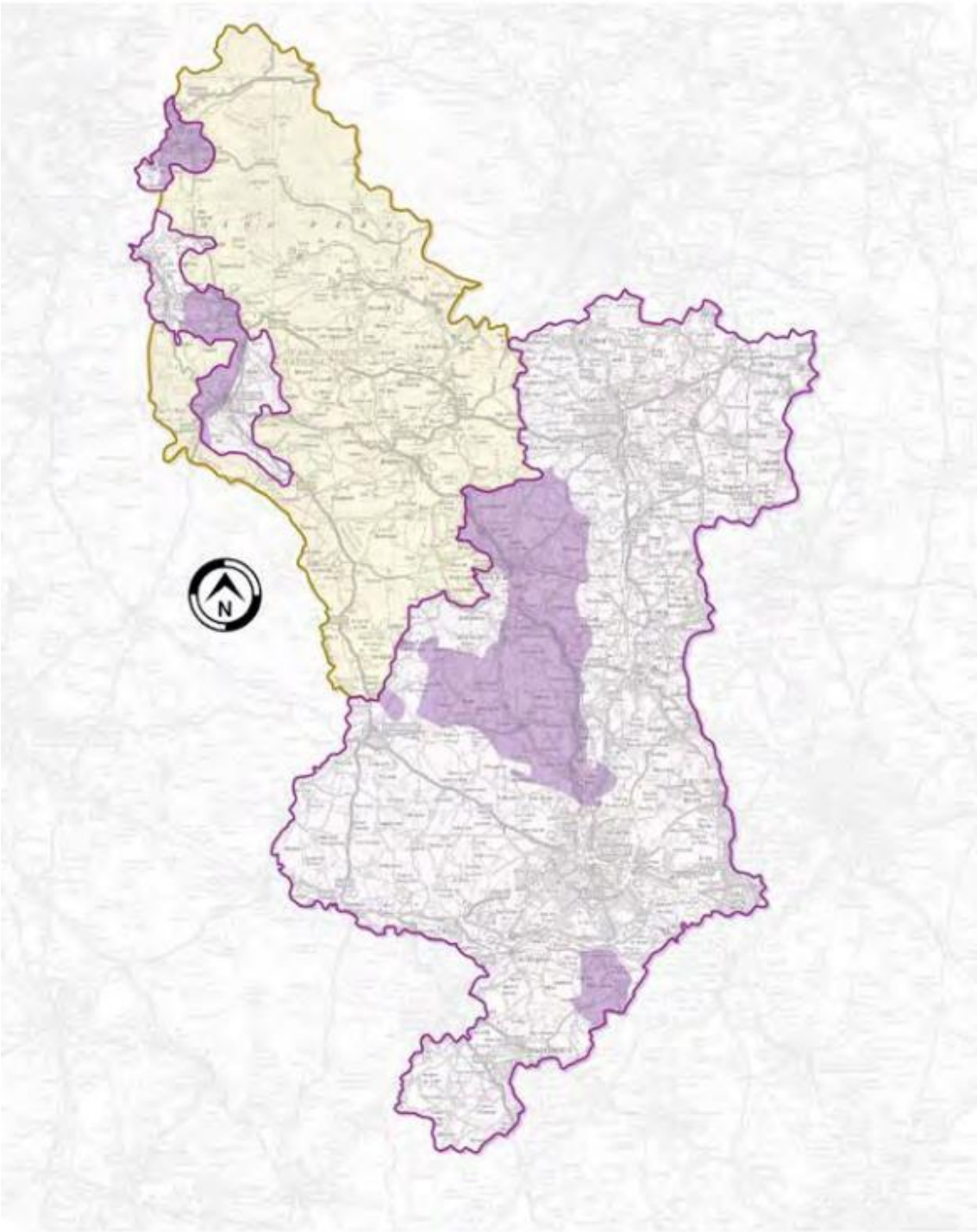


- Plan Area
- Peak District National Park Area
- Surface Coal Safeguarding Area

© Crown copyright and database rights (2022) Ordnance Survey 100019461

[Type here]

Sandstone/Gritstone Safeguarding Area



- Plan Area
- Peak District National Park Area
- Sandstone/Gritstone Safeguarding Area

© Crown copyright and database rights (2022) Ordnance Survey 100019461

[Type here]

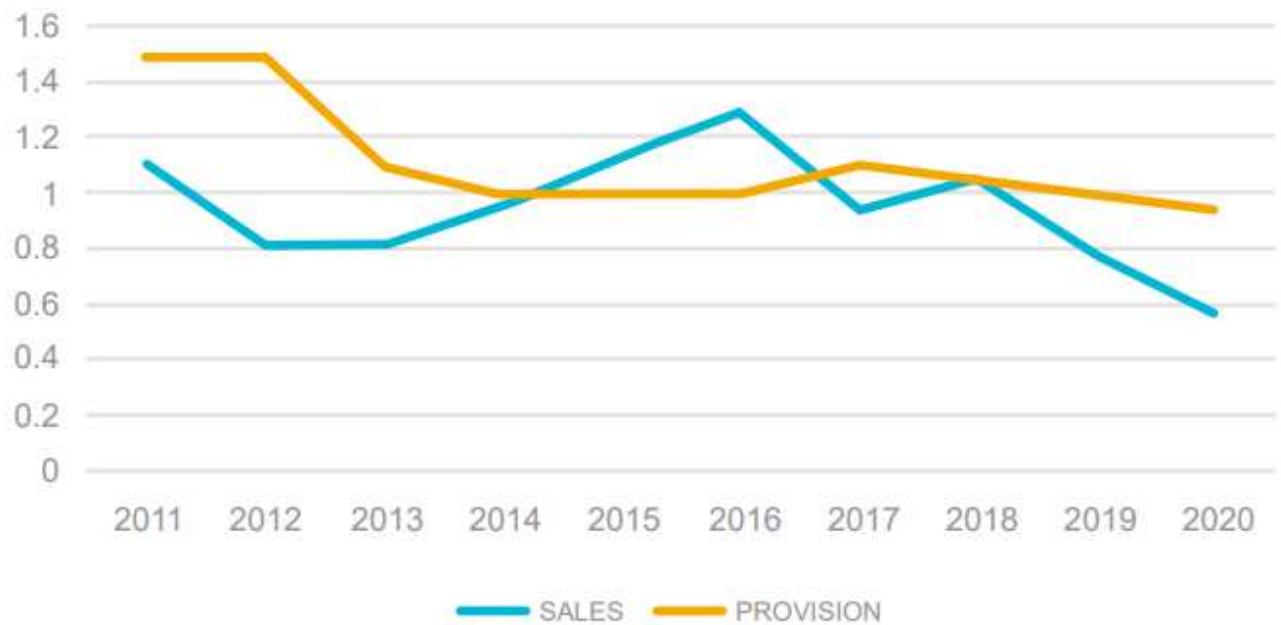
Trent Valley Restoration Study Area



© Crown copyright and database rights (2022) Ordnance Survey 100019461

[Type here]

FIGURE 3: SALES OF SAND & GRAVEL 2011-2020 AGAINST PAST AND CURRENT PROVISION RATE (FIGURES IN MILLION TONNES)



Sand and Gravel Site Assessment Summary

Ref.	Site	Economic score	Economic ranking	Social score	Social ranking	Environment score	Environment ranking	Combined ranking total	Overall potential for working
SG02	Swarkestone North	16	7.5	29	2	12	8	17.5	High
SG09	Sudbury	15	5	32	7.5	4	4	16.5	High
SG04	Elvaston	16	7.5	30	4	4	4	15.5	High
SG06	Foston	13	1.5	31	6	6	6	13.5	Medium
SG05	Swarkestone South	15	5	30	4	4	4	13	Medium
SG03	Twyford (incl. Swarkestone N)	13	1.5	30	4	8	7	12.5	Medium
SG08	Foremark	14	3	32	7.5	2	2	12.5	Medium
SG07	Egginton	15	5	28	1	1.5	1	7	Low

Low potential for working= 3-8

Medium potential for working = 9-14

High potential for working = 15-20