Public

Agenda Item No.3.1

DERBYSHIRE COUNTY COUNCIL

REGULATORY – PLANNING COMMITTEE

7 December 2020

Report of the Director – Economy, Transport and Environment

1 APPLICATION FOR THE DEVELOPMENT OF A LATERAL EXTENSION TO THE SOUTH-WEST OF THE EXISTING PERMITTED OPERATIONS TO PROVIDE THE WINNING AND WORKING OF MINERALS, ASSOCIATED ANCILLARY OPERATIONS AND AMENDED RESTORATION SCHEME AT SLINTER TOP QUARRY, CROMFORD, DERBYSHIRE
APPLICANT: SLINTER MINING COMPANY LIMITED
CODE NO: CM3/0817/40

3.114.23

Introductory Summary This application seeks permission to extend Slinter Top Quarry into 3.9 hectares of land (extraction area 2.5 hectares) immediately south-west of the existing quarry. The proposed extension would involve the extraction of approximately 1,320,000 tonnes of mineral and extend the mineral working operations to 2033 with restoration of the whole site completed in 2037. The extension would be worked as a series of benches over four extraction phases using blasting, excavators and a pecker (mechanical hammer), with mobile crushing and screening plant operating within the quarry void.

The existing quarry has permission for the extraction of vein minerals and crushed rock for aggregates, together with the infilling of the void with inert waste material, with extraction required to end in 2021 and restoration required to be completed in or before 2032. It is proposed to amend the restoration of the existing part of the site and to reduce the amount of imported inert waste to accommodate the restoration of the extension area. The final restoration phase would see the completion of infilling and the return of the existing quarry area to agricultural use whilst the extension area would be restored to nature conservation.

Objections have raised concerns in relation to noise and visual amenity impacts in Bonsall and the adverse effects such impacts could have on tourism and associated local businesses, and on the Peak District National Park.

As detailed in the report below, having considered the issues raised, and having regard to the information set out in the application, including the

proposed mitigation measures, I am satisfied that the proposed development could be carried out without causing unacceptable impacts on the environment and local amenity. I also consider that it would provide socio-economic benefits through contributing to the supply of nationally important mineral resources, continued employment and economic contributions to the wider local economy. The application is therefore considered to represent sustainable development and is recommended for approval subject to the recommended conditions set out at the end of the report.

(1) **Purpose of Report** To enable the Committee to determine the application.

(2) **Information and Analysis** This report relates to an application for planning permission for an extension to Slinter Top Quarry, Cromford.

Planning Background

Quarrying has taken place at Slinter Top Quarry from over 50 years ago, with the quarry having been worked under a series of time limited permissions. Initially undertaken as a vein mineral working operation, the quarry has also produced limestone for use as aggregate. The existing quarry has now been excavated to its full lateral extent. Inert waste materials are imported for restoration of the quarry void by infilling, the materials are deposited under an Environmental Permit issued by the Environment Agency.

In 1997, planning permission CM3/496/5 consolidated all previous permissions. A further time extension was approved in 2005 under planning permission CM3/901/76. At the same time, retention of a temporary access road and remedial quarry face stabilisation works were approved by planning permission CM3/1203/163, and the operator also relinquished part of the previously consented extraction area to compensate for the additional stone won as a result of the stabilisation works. In 2013, planning permission CM3/0507/30 granted an extension of time to 2021 for the completion of the quarry development and to 2032 for the infilling and restoration. This is the current controlling permission for the quarry.

In 2017, approval reference PD17/3/63 was granted under Part 17C of the Town and Country Planning (General Permitted Development) (England) Order 2015 for a scheme of emergency stabilisation measures to make safe an area where the quarry face and land beyond had subsided and slipped into the quarry void. The stabilisation works are ongoing, cover an area of approximately 0.59 hectare (ha), and involve the development of a quarry access ramp (within the current planning boundary), a temporary haul road for soils, stripping and storage of soils, and development of a top bench. In total, approximately 30,000 – 40,000 tonnes of material (overburden, vein minerals and limestone) will be removed during these works. Should this current extension application be unsuccessful, an application will be submitted for a more comprehensive mitigation scheme for the slippage area.

Site and Surroundings

The existing quarry occupies 5.97ha of land on the hillside west of Cromford, with Middleton by Wirksworth to the south, and Bonsall to the north across the valley of the Via Gellia. Access to the quarry is off the B5036 (Cromford Hill). This access is shared with Dene Quarry so that vehicles have to pass through Dene Quarry to reach Slinter Top.

The proposed extension area land (the site) is immediately south-west of the existing quarry workings, parcelled into small fields by drystone walls, and is used for grazing.

The nearest groups of residential properties lie approximately 450 metres (m) to the west of the site (at Cromford) and at a similar distance to the north (at Bonsall). A number of other properties, mainly commercial, are located along the valley bottom of the Via Gellia 200m – 400m north of the site.

The Via Gellia Woodlands and Rose End Meadows Sites of Special Scientific Interest (SSSI), and the Peak District Dales Special Area of Conservation (SAC) all lie in close proximity to the site. The quarry is in the buffer zone of the Derwent Valley Mills World Heritage Site (DVMWHS), and is 150m from the DVMWHS, and the Cromford Conservation Area which contains a significant number of listed buildings. Bonsall Conservation Area is at its nearest point 600 metres from the site. The quarry is also visible from areas of the Peak District National Park (PDNP).

Around Slinter Top Quarry and across the surrounding open countryside, there are a number of public rights of way. Footpath 13 from Cromford has been diverted temporarily (for the duration of the existing quarry operations) around the eastern outer edge of the site and re-joins its permanent route on the northern side. The surrounding landscape is characterised by dry stone walls enclosing small rectilinear fields, some of which contain remnants of historic mining and quarrying activity. Trees have established intermittently along these boundaries and are visually prominent in the landscape.

The Application

The existing quarry is now close to being worked out (notwithstanding the current emergency stabilisation works), and the operator proposes to extend into 3.9ha of land (extraction area 2.5ha) immediately south-west of the existing quarry workings. The proposed extension, as revised in 2020, would yield approximately 1,320,000 tonnes of mineral for sale and export and extend the mineral working operations up to 2033, with infilling and restoration of the whole quarry being completed in 2037.

Mineral extraction would be carried out as a series of benches over four extraction phases using blasting and excavators and peckers and processed with mobile crushing plant within the quarry void, with a fifth phase for the completion of infilling and restoration followed by a 5 year aftercare period.

The quarry in being extended would continue to be accessed from Cromford Hill via Dene Quarry. The landfilling with imported inert waste currently taking place in the existing quarry void would not be extended into the proposed extension area. To achieve this, a wall of unquarried rock would provide a bund between the existing quarry and the extension. Consequently, the volume of the area currently expected to be restored by infilling would be reduced by approximately 10% of the remaining permitted volume, which corresponds to around 100,000 fewer tonnes of imported material. Part of the infill in the area would be profiled to slope down towards the bund instead of the area being filled to surrounding ground levels.

Phase 1 would take approximately 1 year to complete and would incorporate the remaining safety works. Initially, a 2.5m high screening bund would be constructed, soils and subsoils would be stripped, and an access ramp from the existing quarry processing area constructed This would then be followed by commencement of extraction within the extension area to 230m above ordnance datum (AOD). Restoration of the upper benches (above 245m AOD) would follow extraction and be completed during Phase1. Restoration of a drystone wall around Rose End Meadows SSSI would also be completed in this phase.

Phase 2 would take between one year and two years and would see the removal of the screening bund/rock wall and the opening of the 230m AOD bench to the existing quarry. Restoration of the extension area to 230m AOD would also be completed in this phase.

Phase 3 would take approximately two years with extraction progressing to 230m AOD.

Phase 4 would take approximately eight years with final extraction at depth, in the extension area to 190m AOD, and in the existing quarry to the permitted depth of 160m AOD.

Phase 5 would be the restoration phase and would cover the remaining four years. It would see the completion of infilling of the main quarry void with inert waste, replacement of soils, and the final of the restoration of the site.

Environmental Statement

The application is accompanied by an Environmental Statement (ES) prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. The ES includes background information on environmental impact assessment methodologies, descriptions of the site and surrounding area, local geology, and the proposed development, together with a summary of what the applicant considers to be the relevant local and national policies relating to the proposal. The ES sets out the potential effects of the development in terms of landscape and visual

impact, ecology, geology/geotechnics, hydrology/hydrogeology, archaeology/ cultural heritage, noise, blasting and vibration, dust, transport and access, socio-economic, and cumulative effects.

Post Application Submissions
In August 2018, the applicant submitted further and additional information comprising of a Hydrological Risk Assessment Report, an Archaeological Evaluation Report, an Assessment of the potential Landscape and Visual Impacts of the development on the setting of the PDNP. In December 2018, the applicant submitted an amended Figure 1.2 correctly showing the vehicle access, and an additional Figure 1.4 Quarry Void and Access Corridor, and a letter providing clarification on issues raised during the consultation process.

In June 2020, the applicant submitted further and additional information comprising an ES Addendum which includes a Revised Scheme of Working, a further Noise Assessment, and an Addendum to the Landscape and Visual Impact Assessment.

The potential significant environmental effects of the proposals are discussed in more detail in the 'Planning Considerations' section below.

Consultations

Local Member
Councillor Ratcliffe provided the following comments.

"I have valued the deferment that the Council agreed to following my request regarding concerns from residents from Bonsall and echoed, by Bonsall Parish Council.

It has allowed for an environmental assessment more monitoring time, along - side investment by the applicant to address the concerns expressed at first by Residents and Bonsall Parish Council and a much improved redesign noted by PDNPA.

I am reassured that the Council's Monitoring and Enforcement is robust enough to ensure that residents living nearby will not be exposed to any higher levels of noise than that permitted by Government's levels for the Quarrying Industry...

I have seen all the comments on the County website all have come from residents living in Bonsall Parish but I have not seen nor had any representation from Cromford residents or their Parish Council at this time.

In ensuring that the views of the residents and that of Bonsall Parish Council have been taken into account I wish to thank the Planning Officer for the time he has taken in answering my many questions that I have put to him over the

life of this application and it is a very much improved application going to the Planning Committee for their decision".

Derbyshire Dales District Council - Planning
Derbyshire Dales District Council (DDDC) has no objections to the application and has advised the County Council to have full regard to the impact of the quarry extension on the open countryside whilst taking into account the economic benefits associated with the development.

The DDDC letter also conveyed comments from DDDC Councillor Garry Purdy which referred to the issue of mud on the road and spillages from heavy goods vehicles (HGVs) on the Hill at Cromford.

Derbyshire Dales District Council – Environmental Health Officer
The Environmental Health Officer (EHO) provided several responses. The final response concluded that a noise management plan be required by condition and that all bunding structures and soundproofing be in place when work are in progress and be maintained throughout the development. It is also recommended that noise monitoring takes place soon after commencement to ensure that the noise limits set out in the application are observed.

Cromford Parish Council
Cromford Parish Council has no objections. It has, however, expressed reservations about the feasibility/stability of the 1 in 2 slope within the extension area of the restoration scheme, and wishes to see a formal agreement between the owners/operators of Slinter Quarry and Dene Quarry to ensure the continued availability and use of a wheel-wash for the site.

Note: The applicant has provided the Mineral Planning Authority (MPA) with copies of its existing agreements with the owners of Dene Quarry.

Bonsall Parish Council
In response to the initial consultation, Bonsall Parish Council (BPC) had no objections. However, following the second consultation, the Parish Council made the following comments.

'…the Parish Council considered that the proposed development would have an adverse impact on the visual amenity of the village for residents and visitors, in particular in relation to the important views from the upper part of the village and the Limestone Way. Tourism in the Park forms an important part of the Bonsall economy and helps support a number of local businesses. The Parish Council supported the comments on this that had been submitted by the Peak District National Park Authority.'

In response to the further consultations, BPC offered these further comments: *'It is noted that in the 3rd December 2018 submission that Slinter Mining have agreed to restrict pneumatic hammering noise to after 9.00am and to restrict*

the use of pneumatic hammering in upper areas. Bonsall PC are disappointed that sound levels have not been monitored in affected areas, and calculations provided in the Environmental Impact Assessment, and more detailed sound levels agreed. This statement indicates that hammering noise will be an ongoing issue.'

'Bonsall PC reiterate the concerns of residents at the lack of consultation and engagement over aspects of the planning application, in particular noise. Bonsall residents and Parish Council maintain that contrary to section 3.14a of the EIA they were not consulted prior to the publication of the EIA. In the year that the consultation process has been open there has been ample opportunity for Bonsall resident's concerns to be addressed by Slinter Mining. On the 20th November 2018 Bonsall PC resolved to ask Slinter Mining to allow Bonsall residents to visit the works with a view to understanding the issues. Slinter Mining at the Quarry Liaison Meeting held on the 21st November 2018 declined this request.'

In August 2020, BPC provided a further response which focused on the ES Addendum. The comments are extensive and so are summarised as follows:

BPC further reiterates its criticism of consultation on the application stating its disappointment that the public and, in particular, Bonsall residents have not been involved with or kept informed of the processes as prescribed in the Derbyshire Minerals and Waste Development Framework, Statement of Community Involvement.

BPC considers there to be a number of inaccurate statements with the ES Addendum relating to the applicant meeting with officers of the Council and representatives of BPC.

BPC welcomes the commitment by the applicant to agree appropriate planning conditions to control the outward effects of its operations.

BPC questions how effective screening bunds would be and how their effectiveness can be calculated. It also noted the lack of calculations to support the conclusions of the applicant's noise consultant.

BPC welcomes reference to the Noise Policy Statement for England (NPSE) but notes that the document does not set out how these aims can be achieved.

BPC expects that noise limits to reflect the noise levels generated by the quarry prior to the commencement of emergency works.

BPC notes that no further consideration has been given by the applicant to the effect of noise on Bonsall's Conservation Area, the SSSIs and the DVMWHS, and the socio-economic impact on businesses based in Bonsall which are

sensitive to noise. It also states that these impacts could far exceed any benefits from extended quarrying.

BPC notes the commitment by the applicant to only use the pecker when strictly necessary and questions whether this means that constant use after blasting will no longer be the case.

BPC considers that the ES Addendum does not give a clear method statement of how '*quarrying in noise sensitive processes will be carried out*'.

BPC considers the applicant's conclusion that the ES Addendum demonstrates that the proposals, as amended, would not result in significant adverse noise effects to be hypothetical and without adequate support. It also states that it would welcome further submissions and dialogue on matters raised.

Peak District National Park Authority
The Peak District National Park Authority (PDNPA) has not objected to the proposal. It has, however, provided extensive comments on the history of the quarry, the nature of the mineral resource within the existing quarry and the proposed extension area, mineral planning policy, and the landscape and visual impact of the proposal on the Peak Park. The most recent comments welcome revisions provided by the applicant to the proposed phasing, rollover design and timescale, and final restoration and conclude that the proposed development would not have a significant visual, landscape or other environmental impact on the setting of the PDNP.

The PDNPA has no objection to the planning application, subject to the revisions and the imposition on any approval of suitable planning conditions for:

- the implementation of the development in an environmentally sensitive manner;
- the protection of the landscape setting to the National Park; and
- to secure the implementation of the significantly improved restoration and landscaping proposals in this Revised Phased Quarry Development Scheme to the extent that those proposals have been negotiated and agreed by or may otherwise be specified by your Authority.

The Environment Agency
The Environment Agency noted that the proposal would not affect the footprint of the existing permitted landfill area, and had no objections subject to the imposition of conditions relating to dewatering and the protection of the underlying principal aquifer.

Derbyshire Wildlife Trust
Derbyshire Wildlife Trust (DWT) had no objections but did advise that conditions be imposed in relation to protected species and ecological and landscape management and mitigation.

The Highway Authority
The County Council as the local highway authority has no objections to the proposal. It notes that the proposal does not intensify the scale or volume of vehicular movements related to the site and states that it is unlikely that there will be any notable traffic related effects.

Severn Trent Water
No objection but recommended a condition to control surface water drainage and foul water be attached to any permission.

Natural England
Advised that the decision should be guided by national and local planning policy together with the advice of the PDNPA. Natural England did not advise that a Habitats Regulations Assessment/Appropriate Assessment would be required.

Historic England and County Council as Lead Local Flood Authority
No comments to make.

Middleton by Wirksworth Parish Council, Western Power and Cadent Gas
No responses received.

Publicity
The application was publicised by site notices and a notice in the Matlock Mercury, with an opportunity for observations to be submitted to the Authority up to 17 September 2017. Successive submissions by the applicant of further information to comply with the EIA Regulations were also publicised with opportunities for observations to be submitted to the authority up to 1 October 2018, 10 January 2019, and 25 June 2020 respectively.

46 representations have been received from 21 individuals in response to the publicity, all but one of which raise objections. The issues raised in the objections can be summarised as follows:

- Unacceptable noise and dust impacts in and around Bonsall from the quarrying operations (current emergency stabilisation works).
- Noise monitoring carried out in inappropriate locations in the Via Gellia, Bonsall area.
- Adverse visual impacts in the Bonsall area from the extension to the quarry,

- Visual and noise impacts affecting users of some public rights of way around Bonsall, including the Limestone Way
- Adverse effects on amenity and tourism in Bonsall including the tourist economy, particularly around the Clatterway
- Adverse impacts on the Peak District National Park.
- There is not a need for the limestone that would be quarried from the extension.
- Concerns regarding disturbance by noise to people living nearby understood to be retired or working from home
- impacts on mental health
- The extension area does not contain vein minerals.
- The proportion of the tonnage of mineral extracted from the existing quarry that is vein mineral is very low
- The application and subsequently submitted further information are hard to understand.
- Lack of effectiveness in consultation meetings involving the applicant; official publicity not effective.

Some of the representations suggested that verbal commitments provided by the applicant, at a meeting with local residents in Bonsall, to restrict use of the pecker to after 0900 hours and to restrict loading, breaking and pecking to the lower levels of the quarry, should form the basis of conditions to be placed on any new planning permission. These representations also requested that the restriction on the use of the pecker be extended to Saturdays, and that the setting of the DVMWHS, the PDNP and nearby SSSI/SAC should be maintained.

It should be noted that nine objections received in early 2020, and included in the total above, in part referred to noisy pecking operations that were subsequently found to be taking place at nearby Dene Quarry.

Planning Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In relation to this application, the relevant policies of the development plan are contained in the saved policies of the adopted Derby and Derbyshire Minerals Local Plan (DDMLP), the adopted Derby and Derbyshire Waste Local Plan (DDWLP) and the adopted Derbyshire Dales Local Plan (DDLP). The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are also material considerations.

Derby and Derbyshire Minerals Local Plan

The main policies of the DDMLP which are relevant to the determination of this proposal are:
MP1: The Environmental Impact of Mineral Development.

MP2: The Need for Mineral Development.
MP3: Measures to Reduce Environmental Impact.
MP4: Interests of Acknowledged Environmental Importance.
MP5: Transport.
MP6: Nature Conservation – Mitigation Measures.
MP7: Archaeology – Mitigation Measures.
MP10: Reclamation and After-Use.
MP14: Disposal of Non-Mineral Waste in Association with Mineral Development.
MP16: Maintenance of Landbanks.
MP18: Extensions to Sites.
MP19: Additional Sites.
MP23: Crushed Rock for Aggregates.
MP33: Vein Minerals.

Derby and Derbyshire Waste Local Plan
The relevant policies of the DDWLP are:
W5: Identified Interests of Environmental Importance.
W6: Pollution and Related Nuisances.
W7: Landscape and Other Visual Impacts.
W8: Impact of the Transport of Waste.
W9 Protection of Other Interests.
W10 Cumulative Impact.
W11: Need for Landfill.
W12: Reclamation and Restoration.

The relevance of these policies is due to the use of imported waste material to backfill the existing extraction void and the reduction in volume and change to the restoration of this infilling that would be brought about by the proposed development.

Derbyshire Dales Local Plan
The relevant policies of the DDLP are:
S1: Sustainable Development principles.
S4: Development in the Countryside.
PD2: Protecting the Historic Environment, Biodiversity and the Natural Environment.
PD5: Landscape Character.
PD8: Flood Risk Management and Water Quality.
PD9: Pollution Control and Unstable Land.
EC1: New and Existing Employment Development.

National Planning Policy Framework
The revised NPPF was published in February 2019. It maintains the threads of the earlier statements and importantly, recognises the statutory requirement that applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. It maintains that the

purpose of the planning system is to help achieve sustainable development and adds that there should be a presumption in favour of sustainable development. The term sustainable development is not defined as such, but it does indicate that it can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. It also reiterates that achieving sustainable development means that the planning system has overarching economic, social and environmental objectives.

The economic aspect of sustainable development is stated as contributing to the economy by providing sufficient land of the right type, in the right place and at the right time. The social role is to support strong and vibrant communities by providing for the needs of the community whilst fulfilling the environmental role of protecting and enhancing the natural, built and historic environment, using natural resources prudently, minimising waste and pollution, and adapting to climate change, including moving to a low carbon economy.

With regard to facilitating the sustainable use of minerals, the NPPF states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs and recognises that minerals are a finite resource that can only be worked where they are found and that the best use needs to be made of them to secure their long term conservation.

The NPPF includes advice to MPAs concerning the role of planning policies. Of particular relevance are that these should:

- Provide for the extraction of mineral resources of local and national importance.
- Take account of the role that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary minerals, whilst aiming to source minerals supplies indigenously.
- Set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality.
- When developing noise limits, recognise that some noisy short term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate mineral extraction.
- Ensure that land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare on mineral sites takes place.
- Use landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply.

- Ensure that large landbanks bound up in very few sites do not stifle competition

The NPPF states that when determining applications for mineral development, MPAs should give great weight to the benefits of mineral extraction, including to the economy. It states also that in considering proposals for mineral extraction, MPAs should (of relevance to this proposal):

- ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
- ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits from extraction in proximity to sensitive properties; and
- provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions

The NPPF also indicates that bonds or other financial guarantees to underpin planning conditions should only be required in exceptional circumstances.

The NPPF at paragraph 172 highlights that National Parks have the highest status of protection in relation to conservation and enhancement of landscape and scenic beauty.

Planning Practice Guidance

The PPG was first published in 2014 and is updated periodically. It reiterates much of the policy guidance of the NPPF in terms of the need for and how to plan for mineral extraction. It recognises the contribution of minerals to our economy and overall quality of life, but also acknowledges that they are a finite resource and need to be used prudently to ensure their continued availability for future generations. It recognises that mineral can only be worked where they naturally occur but that the means of obtaining them can have economic, social and environmental impacts which need to be balanced. The advice on how to plan for a steady supply of aggregates repeats the guidance in the NPPF referred to above.

The Minerals Section of PPG (Paragraph:010 Reference ID:27-010-20140306 Revision dated 6 March 2014), states that the suitability of each proposed site, whether an extension to an existing site or a new site, should be considered on its individual merits, taking into account issues such as:

- need for the specific mineral;

- economic considerations (such as being able to continue to extract the resource, retaining jobs, being able to utilise 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 an area.

The main issues for the determination of this proposal are therefore, the need for the mineral, as assessed against the latest demand/supply information, the environmental acceptability of the proposed method of working at this site, the economic, social and environmental benefits associated with the proposal, and whether or not there would be any significant adverse effects associated with the development, including cumulative effects.

Need for the Mineral

The DDMLP sets out that need considerations vary according to the type of mineral concerned. For vein minerals, special emphasis is given to their importance as a national resource, the availability of alternative sources of the mineral and the environmental impact of the development. For aggregates, need is assessed by considering current ongoing demand.

The issue of need is addressed in the Supporting Statement submitted with the planning application. Following advice from the MPA, and taking into account the scale of the existing aggregates landbank, it states that the additional limestone, which would be quarried as a result of this proposal, would not significantly increase the overall landbank in Derbyshire. It considers that it would result in a significantly improved scheme of working and restoration, bring about significant net environmental benefits, allow the extraction of a nationally important vein mineral, and bring about socio-economic benefits.

Focusing on the need for vein minerals, the Supporting Statement refers to the quarry having supplied a nearby processing facility (at Cavendish Mill) with 800,000 tonnes of vein mineral since the 1970s, and how indigenous supplies of vein minerals are scarce and are currently only extracted in Derbyshire (including PDNP). It considers that there is a ready market for these minerals and that the quarry has the right infrastructure, together with a workforce with the necessary skills and expertise to undertake the extraction of the mineral in a sustainable and environmentally acceptable way. It states that the continuation of extraction operations into the proposed extension would prevent the effective sterilisation of nationally important vein minerals, and at the same time would allow the continued supply of aggregate to local and regional construction projects. It also states that approval would also result in the continuation of local direct and indirect employment and investment into the local economy, the continuation of traditional skills and experience in mineral extraction, and ensure that the quarry can continue to make a positive contribution to the economy of the local area.

Vein Mineral Assessment

The term ‘vein mineral’ refers to a distinct sheet-like body of crystallised mineral within a host rock and can be applied to a wide variety of minerals. In Derbyshire, the most common vein minerals are Fluorspar, Barytes and Calcite. All are used as raw materials in a variety of industrial processes and in the production of a diverse range of products from solar panels to paper. Vein minerals are recognised by the NPPF as a resource of national importance because current demand is mostly met by imports. Because vein minerals occur in association with limestone, extraction almost always necessitates the removal of a substantial amount of the host limestone. In some cases, such as at Slinter Top, the limestone has also been sold as an aggregate.

Policy MP33 Vein Minerals of the DDMLP states that proposals for the working and processing of vein minerals will be permitted only where:

1) the duration and scale of the operations is limited to the minimum necessary to meet a proven need for the vein mineral;
2) the development can be carried out in an environmentally acceptable way and the least damaging means of production are employed;
3) the proposals are designed to avoid damage in the form of subsidence or landslips; and
4) the waste disposal arrangements are acceptable, particularly in relation to slurry from processing plants.

Criteria 1 relates to meeting an identified need at an appropriate timescale. The information set out in the MPA’s Background Paper Vein Minerals (2017) illustrates that, whist some of the industrial uses of vein minerals are in decline, overall demand significantly exceeds the domestic supply and, as a consequence, there is a heavy reliance on imports. Despite this being the situation, economic and practical constraints remain for the extraction of domestic vein minerals and, as a consequence, production is limited.

In recent years, nationally the extraction of vein minerals has primarily been from within the PDNP where permitted reserves are in excess of 2 million tonnes. The reserves found so far at Slinter Top have historically produced around 250 tonnes per year. Should permission for the extension area be granted, this may change, and possibly increase, but even if it were to do so, it would not be a significant tonnage when set against the scale of those permitted reserves. However, the two existing permitted sites in the PDNP are underground mining operations that have been worked only intermittently in recent years and the extent to which the reserve in the PDNP is currently being worked is not known. In an earlier consultation response, the PDNPA questioned the applicant’s calculation of the vein mineral reserve in the proposed extension and offered an alternative, if unsubstantiated, calculation. In its final response the PDNPA had no comments on the vein mineral resource.

The timescale for extraction appears to be governed by the quarry operator's established business model and level of resources: plant, equipment, workforce, together with the constraints of working a relatively small quarry site, and the demands of the local market. Taking into account the historic rates of extraction, method of working and constraints of the site, I am satisfied that this is not an unreasonable timescale for the extraction of the mineral.

I am satisfied that there is a proven need for the vein mineral from the site, but also acknowledge that the contribution to meeting the national need for vein minerals would be relatively small. However, neither the development plan nor the NPPF place a production threshold below which the contribution of a particular site to meeting the national need for vein minerals should not be considered significant. Therefore I am satisfied that the proposal meets Criterion 1 of MP33.

Criterion 2 relates to the environmental acceptability of the proposal which is considered in the discussion of the Environmental Statement (ES) below. Criteria 3 and 4 relate to on site processing activities and, as the vein minerals from Slinter Top are and would continue to be processed elsewhere, these criteria are not relevant to the determination of this proposal.

Aggregates Assessment

Policy MP23: Crushed Rock for Aggregate from the DDMLP provides the development plan policy approach to considering any aggregate production at the site. The policy states that:

"Having regard to national and regional guidance on aggregates and the level and availability of permitted reserves, proposals for the extraction of crushed rock from new sites will not be permitted except where they are required to meet a proven need which would not otherwise be met and their impact on the environment is acceptable. Proposals for extensions or variations to the boundaries of existing operations will be permitted only where they would result in significant net environmental benefits without significantly increasing the level of permitted reserves."

The issue of need, in terms of the current circumstances and data available and national guidance, has moved on significantly since the DDMLP was adopted. In particular, the NPPF now indicates that consideration should be given to levels of existing reserves in order to ensure maintenance of sufficient 'landbanks' for meeting demand pressures. The latest information available relating to market need for aggregates is set out in the current Local Aggregates Assessment (LAA), from 2019, and is considered below. The further requirement under MP23 for the provision of significant net environmental benefits is also not set out in the NPPF and so not echoed directly in current national policy. However, the environmental effects of

mineral development are considered in other policies of the DDMLP and other paragraphs of the NPPF.

Policy MP2: The Need for Mineral Development of the DDMLP considers wider criteria in relation to need, and whilst it also makes reference to the (now out of date) local and national demand criteria, it also considers:

- the availability of alternative sources of supply or alternative minerals;
- the nature and extent of the mineral deposit and the necessity for the mineral to be worked in that location; and
- the implications for employment, investment and economy, and for providing other relevant benefits to the community.

The NPPF expects a landbank of permissions for aggregate crushed rock that may be predicted to be sufficient for at least 10 years to be 'maintained' by a MPA at all times. The current total permitted reserves of rock for aggregate crushed rock in Derbyshire provide a landbank for Derbyshire outside the PDNP that is estimated to be more than 600 million tonnes.

The County Council has prepared a joint LAA in collaboration with Derby City Council and the PDNPA. The Joint LAA sets out the current and future situation in Derbyshire, Derby and the PDNPA with regard to all aspects of aggregate supply, in particular, setting out the amount of land won aggregate that the area will need to provide. The most recent LAA was published in 2019.

The LAA is part of the current Managed Aggregate Supply System (MASS) which sets out the current position regarding aggregate demand and supply and is reviewed on an annual basis. The Derbyshire and Derby LAA 2019 reports that Derbyshire and the PDNPA produced 12.8 million tonnes of aggregate grade crushed rock in 2018, and that if production were sustained at such a level, the landbank for aggregate would last for approximately 60 years.

Derbyshire and the PDNPA are working together to reduce aggregate extraction from the National Park. This implies that with quarries ceasing to working in the National Park the supply of product will transfer progressively to sites outside the National Park, including sites in Derbyshire. With this approach the supply aggregate grade rock from quarries in Derbyshire can be expected to increase as a proportion of the overall total as time progresses.

The proposed extension would see annual production at Slinter Top continue at around 100,000 tonnes, which equates to less than 1.5% of the LAA annual total for Derbyshire. The total of 1.3 million tonnes from the proposed extension would equate to an increase of 0.2% in the assessed total aggregate landbank reserve for Derbyshire. The NPPF states that MPAs should use landbanks of aggregate minerals reserves principally as an

indicator of the security of supply, and as an indicator of the level of need to make further supply provision. It also states that the existence of large landbanks (as is undoubtedly the case with this aggregate landbank, according to the LAA) should not be allowed to stifle competition. However there does not appear to be any current particular issue of any lack of competition in the market for aggregate as it relates to Derbyshire. The NPPF does not preclude the approval of new applications or extensions simply because a substantial landbank of permitted aggregates exists. Therefore the benefit of the aggregate element of the application must be also be taken into account, in line with s the NPPF and Policy MP2 of the DDMLP.

The LAA monitors the ongoing demand/need for aggregates and Slinter Top Quarry has an established but modest role in supplying aggregate. I have no reason to believe that this role would not continue for the duration of the proposed quarry extension, if it is granted permission. The aggregates would be extracted in conjunction with the vein minerals and this is the prevailing factor in the necessity of the limestone mineral being worked in the particular location. The availability of the limestone mineral extracted in conjunction with the vein mineral to provide aggregate to be put to useful purposes is nevertheless also a consideration t in favour of the application. I therefore consider that the obtaining of aggregate element of the mineral extraction under the proposed extension to Slinter Top Quarry would be in accordance with the relevant parts of Policy MP2 and with the requirements of the NPPF.

Other Policies of the Derby and Derbyshire Minerals Local Plan
In terms of other saved policies of the DDMLP, the site would, as an extension to an existing working site, accord with the provisions of DDMLP Policy MP18 which gives preference to such sites over new ones, provided they can be accommodated in an environmentally acceptable manner. Although the NPPF does not prioritise extensions over new sites, the PPG does set out a number of mineral related criteria which relate to consideration of applications on their own merits.

The proposal involves an extension to an established site, and use of plant which would be retained within the existing established site for initial processing of extracted mineral, as well as mineral transportation to the public highway via a route through the existing established site. The proposed development would therefore become the main part of a single working mineral quarry complex featuring the remaining working element of the existing site, together with the new extraction site.

The proposal also accords in principle with the requirements of DDMLP PolicyMP10 which states that mineral development will only be permitted where satisfactory provision is made for appropriate reclamation and after-uses as soon as practicable. It makes provision for part of the site to be returned to agricultural use on a progressive basis with the remainder restored to nature conservation.

The use of the existing access/egress arrangements onto the B5036 also means that the proposal accords in principle with the requirements of Policy MP5.

Environmental Effects

A description of the site and the potential environmental receptors are provided earlier in the report; the ES sets out the main environmental impacts relevant to this proposal. They include impacts on the amenity of the local residents through the effects of noise and dust, landscape and visual impacts, and impacts on the cultural heritage, ecology, hydrology and flood risk, which have been considered in depth in the ES and are addressed below.

Policies MP1 and MP3 of the DDMLP provide support respectively for development proposals where their environmental impact is acceptable, having regard to environmental factors, and where any adverse impacts can be eliminated or reduced to an acceptable level. These factors as specified in the policies include noise, dust, vibration or other pollution or disturbance; effects on agricultural interests; visual effects; effects on landscape quality and character; effects on biodiversity, archaeology and the built environment, transport implications, effects on public rights of way and recreation, and effects on the water regime. Measures to be taken into account which reduce impacts include mitigation proposals, duration of the development, the efficient use of materials, reclamation and after-use proposals and wider environmental benefits. Policy PD9 of the DDLP also sets out a series of similar requirements in relation to the environmental effects of development.

The NPPF emphasises that MPAs should ensure that new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

The following sections address individual topics in the order they are reported in the ES.

Landscape and Visual Assessment

In addition to DDMLP policies MP1 and MP3, other relevant policies for this issue are included in the DDLP which, through Policy D4, seeks to preserve and/or enhance the character, appearance and local distinctiveness of the landscape and landscape setting of the PDNP, and protect the Outstanding Universal Value of the DVMWHS and its buffer zone.

The assessment of the landscape and visual effects associated with the proposals acknowledges that the direct impacts on the fabric of the landscape within the extension area would be major adverse. It recognises that it lies within a landscape of high sensitivity as a consequence of its defining characteristics and proximity to the PDNP, and that it would result in a large

magnitude of change. The assessment concludes that on restoration, these adverse effects would reduce to a moderate level.

The existing quarry void would continue to be infilled with waste and then reinstated back to pasture, enclosed by walls, including areas of neutral grassland to help increase the ecological potential of the site. The extension area would not be infilled and so would remain as a void. The most visually prominent upper areas would be restored by a rollover slope to the 230m AOD level to soften the quarry margin and help to integrate the site with the surrounding landscape.

I consider that the overall combination of the landfill restoration and the rollover would, in the fullness of time, reinstate the greater part of the quarry back to a viable end use that would be consistent with the established character of the landscape. A void area would remain within the extension site with the floor of the void restored to ephemeral wetland/grassland. The restoration scheme constitutes a considered response to the identified adverse visual and landscape effects associated with extending the quarry into this area of agricultural land and is appropriate to the character of the surrounding landscape. Subject to a condition requiring the submission of a detailed planting scheme, I am satisfied that the proposed restoration of the site would be in accordance with the character of the local landscape.

The Landscape and Visual Impact Assessment assesses the potential for adverse visual effects from 8 locations around the site representing a range of visual receptors. Overall I am satisfied that these represent the main locations from where views of the site would be obtained. The site is generally well screened by existing vegetation especially the extensive woodland that runs along the Via Gellia dale to the north of the site. Views from the south are generally screened by the landform so that the main direction of views is from the north-west, north and north-east. The majority of locations identified in the Landscape and Visual Impact Assessment are medium to long distance viewpoints and over these distances, it is assessed that the main visual impacts are likely to occur in the Phases 1 and 2 of the proposed development and would be no worse than moderate adverse.

In this context, the most noticeable changes, and therefore the greatest visual effects, are likely to be from viewpoints 4 (Masson Hill) and 6 (Starkholmes), where the current site presents a fairly limited visual intrusion in these particular views, but would be greater as the south-west extension developed. However, as the site is progressively restored, these impacts would lessen so that a very narrow rock face would be visible above the landfilled area and below the rollover.

Overall, there would be some significant adverse effects on landscape character in the short term as the full lateral extension is developed, but these effects would diminish over time as the rollover slope is created and the

existing quarry void is infilled. There would be some long term adverse effect on landscape character as a result of the final void that would remain on completion of the works. However, this effect would be localised and limited to the immediate area adjacent to the remaining void. Visually, there would be some short term increase in the visual impacts associated with the quarry, although short range views are very limited. The magnitude of change in viewpoints at 4 (Masson Hill) and 6 (Starkholmes) is likely to increase as the extension area develops and the visual footprint of the site increases, but on final restoration, I am satisfied that the majority of these adverse effects would be mitigated as a result of the restoration scheme which is considered to be consistent with the site's landscape context.

I consider it appropriate to maintain controlling conditions on the locations of plant, cabins and mineral stockpiles in order to ensure that their visual and landscape impacts are minimised.

In considering all of the factors referred to above, I am satisfied that the proposals meet the requirements in relation to landscape and visual impacts of policies MP3 and MP4 of the DDMLP, and Policy PD5 of the DDLP.

Ecology

In addition to DDMLP policies MP1 and MP3, other relevant policies for this issue are included in the DDLP which, through Policy PD3, seeks to ensure that development proposals will not result in harm to biodiversity or geodiversity interests.

The ES contains a comprehensive chapter on ecology and the applicant has subsequently submitted a report providing further details of the ecological surveys undertaken in preparation for this application. I am satisfied that the suite of ecological surveys undertaken are appropriate to this proposal in this location, and that surveys have been undertaken by appropriately qualified and experienced individuals, to suitable standards and methodologies. I am also content that the Ecological Impact Assessment (EcIA) process has also been undertaken in accordance with best practice guidance, and am content with its judgements and conclusions.

In essence, the most significant ecological impact arising as a result of the proposals is the loss of approximately 2.8ha of species rich neutral grassland from within the site. This grassland is not only of value in its own right, but also as habitat for invertebrates and as a foraging resource for various other species including mammals and birds. In considering the value and importance of this grassland, it is necessary to consider its context, surrounded by the Rose End Meadows SSSI and associated grasslands, with the Via Gellia Woodlands SSSI and other ecological receptors also nearby. The EA suggests that the loss of this grassland would be adequately compensated for through the creation of around 5.2ha of neutral/calcareous grassland within the restored site. Other impacts include the loss of a small

number of trees, and impacts on invertebrates and potentially birds foraging bats and reptiles, principally through habitat loss. Again, site restoration is intended to deliver mitigation and compensation for these impacts.

Given the location of this site, surrounded by and in close proximity to a number of statutorily designated sites, the issue of the potential for impacts on designated sites is significant. However, the EcIA concludes that with the implementation of mitigation and compensation measures, the designated sites should not experience any significant adverse effects, and I am content with this assessment.

The scheme proposes that the impacts on habitats within the application area, particularly grassland, would be compensated for through the provision of a larger area of grassland upon restoration. The loss of these existing scarce grassland habitat areas cannot be avoided if this proposal is to go ahead, the site restoration offers the scope to compensate, as indicated in the ecological sections of the ES. It will, however, be imperative that the site restoration and habitat creation is undertaken to the highest standard, if it is going to satisfactorily compensate for these losses and impacts and ensure that the proposal can meet the requirements in relation to ecology of policies MP3 and MP4 of the DDMLP, and Policy PD3 of the DDLP. I consider this can be ensured by using appropriate conditions.

The application anticipates use of an off-the-shelf wildflower mix for grassland creation, as well as husbandry of stripped soil. DWT has recommended various techniques including turf stripping and placement, or the use of locally sourced seed/hay to achieve a better and more locally appropriate restoration. DWT's suggestions are considered to be reasonable. Given the ecologically significant nature of the habitats and the unique location of the site, it is also considered that any permission for the proposal should be subject to a condition requiring the submission and undertaking of a turf translocation and grassland re-creation scheme.

The Water Environment - Geology and Geotechnics, Hydrology and Hydrogeology

In addition to DDMLP policies MP1 and MP3, other relevant policies for this issue are included in the DDLP which, through Policy PD8, seeks to manage flood risk and maintain water quality.

The assessments included in these sections of the ES state that the site is within Flood Zone 1 (least risk of flooding), as defined on the Environment Agency's Flood Map with no significant risk of a flood event associated with the proposed extension. It states that the existing quarrying and landfill operation have not had any adverse impact on the water environment and that the extension would be operated in the same way as the existing quarry and therefore, there is no reason that it would be likely to have any adverse effects

on ground water or the prevailing hydrogeological conditions as the excavations would be well above the level of the local aquifer.

Paragraphs 155 - 165 of the NPPF set out the Government's policy that inappropriate development in areas at risk of flooding should be avoided. The accompanying PPG sets out a checklist for a Site-Specific Flood Risk Assessment that should be applied in relation to flood risk when considering new proposals.

The applicant has carried out an assessment to consider the impact of the proposals on surface and groundwater. A study of the local water environment produced a baseline description of the surface and subsurface water regimes, and the inter-relationship between them. The assessment concluded that the proposed mineral working and restoration would have no noticeable effect upon groundwater-supported features, including available water resources, existing abstractions, surface water flow and water related habitats.

A Hydrological Risk Assessment concluded that the conceptual site model for the site demonstrates that there is no potential for the water table to be intersected by the base of the proposed development. It is also concluded that the current groundwater monitoring regime is considered suitable and adequate for the environmental sensitivity of the site setting in relation to both the current operations and the proposed extension.

I consider that the risks to the water environment associated with the proposals are very low and that the existing and proposed monitoring and mitigation measures are appropriate. Therefore, I am satisfied that the proposals meet the requirements in relation to water resources of Policy MP4 of the DDMLP and Policy PD8 of the DDLP.

Cultural Heritage and Archaeology

The NPPF sets out that the impact of proposed developments on the significance of the setting of a World Heritage Site should be considered and that any harm to, or loss of significance should require clear and convincing justification. World Heritage Sites are internationally recognised to be of Outstanding Universal Value and are an irreplaceable resource, and therefore should be conserved in a manner appropriate to their significance.

Policy PD2 of the DDLP seeks to conserve heritage assets in a manner appropriate to their significance, taking into account the desirability of sustaining and enhancing their significance and ensuring that development proposals contribute positively to the character and appearance of the built and historic environment. It promotes protection of designated and non-designated heritage assets and their settings, including inter alia, listed buildings, CAs and archaeological sites or heritage features.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in the determination of this application, 'special regard' is had to 'the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.'

Paragraph 190 of the NPPF expects local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). Paragraphs 191 to 202 set out a range of criteria to be considered in this regard.

As the NPPF indicates, in considering a development proposal, what has to be assessed with regard to the setting is the effect that any change to the setting from the development would have on the heritage significance of the asset concerned. Paragraph 193 states: "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*"

According to paragraphs 193 and 194 of the NPPF, where there would be harm to the heritage asset (including through potential effects on the setting of the heritage asset), there should be a clear and convincing justification for the development to take place at the location and, if this is demonstrated, the harm weighed against the public benefits of the proposal.

At Paragraph 196, the NPPF directs that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

A small section of the proposed extension area site lies in the DVMWHS Buffer Zone (the site is approximately 150m from the DVMWHS and Cromford Conservation Area). Most of this area would not be excavated but would instead be used for the temporary storage of stripped soils from the site to be used in the restoration. The Assessment considers the impact of this aspect of the development on the setting of the DVMWHS and concludes that it would have a slight to moderate adverse effect on that small area of the buffer zone during the operational phase and that this would become a slight adverse effect during restoration. On completion of the restoration and with the reinstatement of drystone wall field boundaries, it considers that the final long term effect on this area would be beneficial. As the restoration of the extension would not return that area to former ground levels, the impact on the adjacent area of the buffer zone is considered to be negative. For the Core Area of the DVMWHS the Assessment considers it unlikely that there would be any visual impacts as a result of the proposal.

The proposed extension and the existing quarry are located on the shoulder of the high limestone plateau, and I am satisfied that, in this elevated but otherwise unobtrusive location, they are sufficiently separated from the DVMWHS and other local heritage assets so as to ensure that they would have little or no effect on the significance of these assets.

I am therefore satisfied that any harm to any of these assets would be at or close to the negligible end of 'less than substantial' harm. Whilst giving great weight to the preserving the designed heritage assets their settings and features, and also giving full consideration to the relationship of the proposal with the DVMWHS, I am also satisfied that the benefits of obtaining a nationally important resource and supporting the local economy and employment can and do outweigh the impacts on these assets, which I assess as being less than significant and likely to be negligible. In reaching this conclusion I have had special regard to the desirability of preservation of the setting of the listed building (as required by Section 66), and having regard to the other impacts associated with the development as referred to in this report.

Therefore, having regard to both the Heritage Assessment and the Landscape and Visual Impact Assessment, I am satisfied that the proposal would have less than substantial harm on the DVMWHS and its setting, Cromford Conservation Area and the Listed Buildings within it, Bonsall Conservation Area and the heritage assets within the PDNP.

Paragraph 189 of the NPPF states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

In addition to DDMLP policies MP1 and MP3, Policy MP7 requires the evaluation of features of potential archaeological importance and where appropriate implementation of mitigation measures. DDLP Policy PD2 also supports protection of the historic environment.

The applicant has provided the results of an archaeological evaluation of the site comprising trial trenching of features identified through geophysical survey and wider sampling of the site. The evaluation has identified evidence of activity connected with lead mining, including a possible shaft and areas of tipped spoil, along with some undated post-holes, probably of post-medieval era. The pottery recovered from the evaluation is dominated by 'modern' material but does include small quantities of medieval and post-medieval wares. The archaeology on site can be characterised as of local importance, and can therefore be managed through a condition requiring archaeological supervision and monitoring during the proposed site stripping operation. This would allow areas of lead mining activity to be characterised and recorded,

and any small foci of prehistoric activity to be identified in accordance with the requirements of the NPPF.

I am satisfied that the assessments of the cultural heritage and archaeological impacts associated with the proposal are sufficient. Subject to a condition requiring the submission and performance (as approved) of an archaeological Written Scheme of Investigation that incorporates the measures set out above, I do not consider there would be an unacceptable impact on cultural heritage as a result of the development. Accordingly, I consider that it would then accord with the requirements of polices MP1, MP3 and MP7 of the DDMLP.

Noise

Policy MP1 of the DDMLP permits proposals for mineral development where the effect on local communities and neighbouring land uses as a result of noise is acceptable. Policy MP3 permits mineral development provided that any adverse effects on the environment, including noise, can be eliminated or reduced to an acceptable level.

Paragraph 180 of the NPPF states that planning application decisions should ensure that new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should seek to mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and the quality of life.

The NPPF also states that when determining planning applications, planning authorities should ensure that any unavoidable noise emission are controlled, mitigated or removed at source, and should establish appropriate noise limits for extraction in proximity to noise sensitive properties.

PPG points out that MPAs take account of the prevailing acoustic environment and, in doing so, consider whether or not noise from the proposed operations would:

- give rise to a significant adverse effect;
- give rise to an adverse effect; and
- enable a good standard of amenity to be achieved.

To keep in line with the Noise Policy Statement for England, and its Explanatory Note, this should include identifying whether the overall effect of the noise exposure would be above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation.

PPG goes on to set out guidance for MPAs on the assessment of noise of mineral developments. It states that authorities should aim to establish a noise limit to avoid an increase on background noise levels at noise sensitive properties by no more than 10dB(A) subject to an upper limit of 55dB(A). It also contains clarification on potential exceptions to such an established limit so as to not place unreasonable burdens on a developer. It advises that exceptional limits of more than 10dB(A) above background may be acceptable but that these should not allow noise levels exceeding 55dB(A) for normal operations during standard working hours (0700 hours – 1900 hours).

For short term operations such as soil stripping, the formation of soil storage mounds, and in restoration works, the NPPF states that an increased daytime noise limit of 70dB(A) for periods of up to eight weeks a year at noise sensitive properties should be considered to facilitate essential site preparation and restoration work, where it is clear that this will bring longer term environmental benefits to the site or its environs.

The NPPF expects MPAs to recognise, when developing noise limits, that some noisy short term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate mineral extraction. However, it also expects MPAs to ensure that any unavoidable noise emissions are controlled, mitigated or removed at source, and to establish appropriate noise limits for extraction in proximity to noise sensitive properties.

A noise impact assessment was submitted as part of the ES. Following reports of noise from the stabilising works affecting amenity in areas of Bonsall, further noise monitoring was undertaken at locations within Bonsall. In 2020, an updated Noise Assessment was submitted together with, and taking account of, the revised phasing plans. This is the assessment discussed below.

The noise impact assessment carried out on behalf of the applicant consisted of day time noise surveys at locations selected to represent noise sensitive premises closest to the site. These were: The Bungalow on the Via Gellia; Duke Street, Middleton; Rose End Avenue, Cromford, Clatterway Cottage, Bonsall and Rose Cottage, Bonsall.

Noise measurements taken at these locations were then used to establish the current ambient noise levels in the area, and to formulate a prediction of noise levels likely to be experienced at these locations from the proposed quarrying activities.

The assessment was undertaken with regard to established standards and guidelines, and a noise prediction model was formulated using worst-case total activity noise levels for each proposed phase of the operations and associated vehicle movements.

The assessment concludes that the maximum predicted noise levels at the nearest noise sensitive receptors, as a result of the proposed activities, would be within the acceptable levels set out in the noise standards for mineral development set out in the PPG.

As set out in the table below, the predicted noise levels at the identified sensitive receptors are less than 10dB(A) above the background levels which is the criteria applied by PPG.

Location	**Average Measured Background Noise Level $L_{A90,1h}$ (free-field)**	**PPG Minerals Criterion LA90 + 10 dB(A) (to maximum of 55 dB $L_{A90,1h}$)**	**Predicted Worst Case Site Noise Level dB $L_{A90,1h}$ (free-field)**	**Difference between predicted Site Noise Level and LA90 + 10 dB(A) Limit**
The Bungalow, Via Gellia	40	50	45	-5
Duke Street, Middleton	35	45	44	-1
Rose End Avenue, Cromford	39	49	44	-5
Clatterway Cottage, Bonsall	43	53	46	-7
Rose Cottage, Bonsall	38	48	43	-5

Given the significant concerns raised about the noise impacts, some of which relate in part to local experiences of noise during of the temporary stabilisation works being undertaken at the site during the consideration of this application, the Council commissioned an independent review of the noise assessment submitted with the application and updated in the ES Addendum. Sharps Acoustics LLP (SAL) was commissioned to carry out the review. SAL considered that the noise surveys and projected noise calculations have been undertaken in accordance with recognised standards for noise assessments and that the conclusions were reasonable.

SAL undertook computer modelling using LIDAR topographical data, together with the applicant's updated noise assessment and the data on which the assessment was based and concluded that the predicted noise emission levels in the application are accurate within reasonable calculation accuracies. SAL had some criticism of the calculation method used by Vibrock but was able to agree with the assessment findings.

The DDDC EHO has no criticism of the updated Noise Assessment and recommends the development of a Noise Management Plan that incorporates the mitigation measures set out in the Noise Assessment. The applicant has indicated, both to the local community and to my officers, that it is willing to adopt further noise reduction measures including restricting the use of the pecker until after 0900 hours, to not use it at all on Saturdays and to restrict its use to at or below 230m AOD elevation. In response to comments from the EHO, the applicant would also restrict the use of crushing and screening plant to at or below 230m AOD and to construct bunds around the working plant areas in order to reduce noise emissions.

I consider that such measures would manage the effects of noise from the proposed extension to satisfactory levels so that noise would be within the noise limits set out in the NPPF, and recommend that these measures be required under appropriate conditions, including a Noise Management Plan.

I am satisfied that the Noise Assessment, submitted as part of the ES Addendum, has provided a competent assessment of the noise that would be generated by the proposed development and that the proposed mitigation measures are consistent with best practice at mineral sites. In considering the proximity of sensitive noise receptors and residential properties to the site, I am satisfied that the noise generated at the site would not have an unacceptable effect on the amenity of the area.

Whilst it is necessary for the Noise Assessment to identify representative noise sensitive locations, this does not mean that subsequent monitoring must only be carried out at these locations; noise monitoring can be carried out at any noise sensitive location including other locations in Bonsall. Taking into account the concerns relating to the monitoring of noise, particularly in Bonsall, I recommend a condition for the applicant to carry out noise monitoring at any location as required by the MPA.

The policy requirement set out in the NPPF is that noise levels from mineral development should be managed and mitigated as much as is reasonably possible and should not, other than in exceptional circumstances, exceed 10dB(A) above background levels. I am satisfied that the noise assessment has demonstrated that this can be achieved. I therefore consider that, subject to conditions to control the effects of noise on surrounding noise sensitive areas, the proposal is in accordance with the requirements in relation to noise from mineral developments set out in the NPPF and PPG, and would meet the requirements of policies MP1 and MP3 of the DDMLP and Policy PD9 of the DDLP.

Blasting and Vibration Assessment

The blasting and vibration assessment recommends a continuation of the existing limits for blasting at the existing quarry. It states that vibration would be within the levels set for blast induced vibration and human perception

considered to be satisfactory by British Standard Guide BS 6472-2 (2008). It states that ground vibration levels and accompanying air overpressure levels would be very low, if occasionally perceptible at the closest properties.

I am satisfied that the ES demonstrates that the vibration and air over-pressure, associated with blasting undertaken as part of the development, would be within the guidance limits set out in the NPPF and the PPG, and subject to appropriate controlling conditions would therefore not conflict with the provisions of Policy MP1 of the DDMLP.

Air Quality Assessment

In addition to DDMLP policies MP1 and MP3, other relevant policies for this issue are included in the DDLP which, through Policy PD9, which seeks to protect people and the environment from any unacceptable adverse effects of development, including air pollution. The NPPF requires that MPAs should ensure that any unavoidable dust and particle emissions are controlled, mitigated or removed at source. It also requires proposals to comply with the relevant limits or national objectives for pollutants taking into account the presence of any Air Quality Management areas.

An Air Quality Assessment, submitted as part of the ES, considered the potential air quality impacts of the development, specifically the potential of the development proposals to generate dust and the potential impact of this dust on sensitive residential receptors and environment.

The assessment recorded dust deposition rates of between 10mg/m^2 and 42mg/m^2 per day and noted that these levels were well below the commonly accepted nuisance level of dust deposition of 200mg/m^2 per day. The potential for increased nuisance dust impacts at the nearest existing or proposed residential receptors arising from the continued operation and development of the quarry were considered to be negligible. The assessment also set out a range of measures that could be implemented to ensure effective day to day dust management during extraction, infilling and processing operations, including the temporary cessation of activities in the event of unacceptable dust emissions in the vicinity of sensitive receptors.

The assessment provides an analysis of the potential dust emissions arising from the development and sets out a range of measures that would be implemented to ensure effective day to day dust management during site operations. The proposed mitigation measures include on site speed limits, damping down of haul roads during dry weather conditions and keeping handling operations and drop heights to a minimum. The potential for nuisance dust impacts at the nearest residential receptors arising from the development is considered to be negligible.

I am satisfied that the ES has sufficiently identified all likely sources of dust emissions and acknowledges that the current and proposed mitigation

measures are considered best practice, and that they would be able to control impacts associated with dust satisfactorily. In considering the proximity of sensitive ecological sites and residential properties to the site, I am satisfied that dust emissions to air would be relatively low and would not adversely affect the amenity of the area.

I am mindful that the proposal is one where the method of operation would remain the same as those carried out under the existing and previous planning permissions, maintaining the same general rates of production, hours of operations and on-site practices and procedures. Site management procedures for the control of fugitive dust would also continue as at present. I am also mindful that the quarry has been in operation for some years providing a substantial base of monitoring information to support the assessments and conclusions for the current proposal.

Taking these factors into account, and with the provision through a condition of a dust monitoring and management scheme, would ensure the ongoing management and mitigation of dust generating activities at the quarry. I am satisfied that the proposals would be in accordance with the guidance set out in the NPPF and the PPG, and would therefore not conflict with the requirements of policies MP1 and MP4 of the DDMLP and Policy PD9 of the DDLP.

Transport and Access

The transport of minerals from quarries can impact on local amenity, and cause public safety concerns, and environmental problems such as noise, vibration and air pollution. In addition to DDMLP policies MP1 and MP3, Policy MP5, which is specifically about transport, is also relevant. It allows for the transport of mineral by road provided there is no feasible alternative which would be environmentally preferable, the access arrangements would be satisfactory and the highway network is adequate to accommodate the traffic generated and it would not be detrimental to road safety or have an unacceptable impact on the environment. The policy adds that the MPA will seek to use legal agreements to prevent HGVs associated with mineral operations from using unsuitable roads.

The applicant's highways assessment considers that the site access off the B5036, which is shared with Dene Quarry, represents a high standard industrial access connection, has a good safety record and that the geometric layout is suitable to accommodate the HGV traffic accessing and leaving the site. Traffic levels on local road network were reviewed and found to be acceptable in terms of its safety record and also found to retain significant levels of reserve capacity, including during the peak hours of the day. It was also found that the quarry traffic represents only a small part of the overall traffic and HGV volumes currently travelling along the road network.

The assessment notes that it is not proposed to vary the operating hours, production methods, hourly, daily, monthly or annual traffic movements beyond those currently permitted at the existing quarry. Having established through the surveys undertaken that the traffic associated with the quarry represents only a small proportion of the overall daily volumes, the assessment concludes that the traffic and highways impacts associated with the continuation of operations by the quarry extension would not be significant.

The assessment acknowledges that, whilst the proposal would see the continuation of the current levels of HGV traffic for the existing quarry, the existing planning permission requires the cessation of quarrying at the end of 2021, with landfill HGV movements continuing to 2032. Therefore, the proposed HGV movements for the export of mineral after 2021 would be additional to those currently expected after that date under the existing permission.

The assessment analysed data from a typical month of operations at the quarry (November 2016). This recorded average daily HGV movements for the month at 54 (27 in 27 out). From this, it modelled 'Busy Day' HGV movements for all operations at the quarry. It predicts a total of 78 (39 in 39 out) HGV movements on the busiest days if production increases slightly from current levels, as predicted in the application.

Where possible, the operator employs a 'back-loading' strategy where, after making deliveries of aggregates from the existing quarry, HGVs pick up a load destined for the landfill operations, often from the delivery site. During the survey period more than 60% of infill material transported to the existing quarry void was transported in 'backloaded' HGVs. In applying this factor to the predicted 'Busy Day' HGV movements, the assessment considers that the total would be reduced to 60 (30 in 30 out).

As there would be a continuation of the current levels of HGV movements associated with the quarry, there are no objections to the proposals by the Council as Local Highway Authority, and it is not seeking any limits on overall vehicle movements.

As stated in the DDDC response, there are concerns regarding material being deposited by and spilled from HGVs travelling along the B5036, particularly at and on the approaches to the junction with the A6 at the bottom of Cromford Hill. The comments state that Slinter Mining is not considered to be responsible for these incidents and investigations by Council officers concur with this analysis. Officers continue to investigate these matters. Whilst it remains important to maintain proper controls in order to ensure that the development does not have an unacceptable impact on the road network and local amenity, I do not consider any additional controls in this regard would be required in this instance.

Having considered the analysis set out in the highways assessment, I am satisfied that the proposals would accord with the requirements of DDMLP policies MP1 and MP5.

Socio-Economic Assessment

The relevant policy to assess socio-economic matters against is saved policy MP2 from the DDMLP, which provides a range of criteria relating to the need for mineral development. These criteria include the implications for employment, investment and the economy.

Saved Policy MP18 from the DDMLP is also applicable in that it gives preference to extensions to existing sites over new ones, subject to environmental acceptability. NPPF does not prioritise extensions over new sites, whilst PPG mentions that need for the mineral and economic considerations should be taken into account. Such considerations include being able to continue to extract the mineral, retaining jobs and utilising existing plant and infrastructure.

The applicant's socio-economic assessment identifies three key socio-economic benefits of the proposal. The first relating to employment and investment via the maintenance of 24 jobs (currently all employees live within 5 miles of the site) with associated benefits to the local economy, the maintenance of a local skills base, use of local sub-contractors, and the payment of local business rates. The second relates to the continued supply of local building products, ready mix concrete and asphalt. The third relates to contributing to the supply of nationally important vein minerals.

The applicant considers that the relatively small scale of the quarry, together with its general low level of visibility from surrounding areas, would mean that there are, and would continue to be, very limited amenity or environmental impacts associated with the site, and consequently that the continued operation of the quarry is unlikely to have an adverse impact on tourism or visitors to the area.

Following the noise disturbance experienced in Bonsall from the emergency stabilisation works, concerns have been raised regarding the potentially negative effect of noise, from the development of the extension, could have on tourism.

The NPPF, at Paragraph 205, states that *'when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy'.* Paragraph 83 of the NPPF states that planning decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. Paragraph 172 of the NPPF seeks to protect landscape and scenic beauty in areas such as National Parks. Whilst the proposed extension does not lie within the PDNP, it is acknowledged that some sensitive receptors in the vicinity of the site are

within the Park. Whilst not directly applicable to this site, it does indicate that consideration should be given to the effects of development on the local economy and recreation (together with environmental and landscape effects which are discussed above), and the extent to which such effects could be moderated.

The balancing of the positive and negative economic effects of development is not a well-defined process; there is no absolute calculation of either, and no policy on whether this should be a simple sum of revenue, jobs, or some other factor, or whether there should be a particular weighting, other than the '*great weight*' given to the benefits of mineral extraction. The potential negative economic effects of this proposal are closely linked to its environmental effects, which are considered above. If these are considered to be acceptable, then I consider the potential negative socio-economic effects would be likely to also be minimised. I am, therefore, satisfied that in terms of socio-economic considerations, the proposal accords with the relevant part of Policy MP2 of the DDMLP, and is considered to accord with the economic and social elements of sustainability as set out in the NPPF.

Cumulative Assessment

The NPPF requires that in considering the socio-environmental impacts of the development, account should be taken of any cumulative impacts from individual sites and/or from a number of sites in the locality.

The applicant has made an assessment of the potential cumulative impacts of the development. The assessment notes that there would be no significant cumulative impacts if the proposed development were to take place.

The assessment also considers other existing operational quarries in the area; Dene Quarry, Ball Eye Quarry and Hoptonwoodstone Quarry [of which only Dene Quarry is currently operational] and concludes that there would be no significant cumulative effects from these quarries.

I concur with the applicant's analysis in that, due to the relatively small scale of the quarry, even with the proposed extension, the quarry would not be likely to have a significant cumulative impact together with other quarry sites.

The analyses of the potential environmental effects associated with the development, such as noise and dust emissions, have demonstrated that these effects are individually within accepted limits. Therefore, I do not consider there to be any significant potential for a combination or accumulation of these effects to be unacceptable.

I am satisfied that there would not be any unacceptable cumulative effects associated with the proposed development.

Conclusion
I consider that permission for the proposed extension development, subject to necessary conditions, would be in conformity with the policies set out in the NPPF, the saved adopted DDMLP policies, and the other relevant policies of the development plan. The evidence supports the economic need for additional reserves to be worked to maintain the supply of vein minerals at Slinter Top Quarry and demonstrates that the working of the extension area is designed to maximise recovery of materials to meet that identified need for vein minerals.

I am also satisfied that the development , could be worked in an environmentally acceptable manner, subject to imposition under a grant of planning permission of the conditions requirements detailed in this report, and on the basis of the complementary operation of other regulatory regimes, including compliance with environmental permit requirements. It therefore represent a sustainable form of development and would support sustainable economic growth. It would not give rise to unacceptable impacts on the environment and amenity.

I consider that the proposal represents an efficient means of obtaining mineral resources including scarce vein minerals, and the benefits which that supply entails. I do not consider that there are any material considerations that would outweigh the benefits.

(3) **Financial Considerations** The correct fee of £7,605 has been received.

(4) **Legal Considerations** This is an application submitted under Part III of the Town and Country Planning Act 1990 which falls to this Authority to determine as the Mineral Planning Authority.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, in the determination of this application in so far as it affects buildings and/or their settings, 'special regard' is had to 'the desirability of preserving each listed building its setting or any features of special architectural or historic interest which it possesses.

Section 11A of the National Parks and Access to the Countryside Act 1949 requires that the authority in determining of this application, so far as this is an exercise of a function relating to or affecting land in the PDNP, to have regard to the purposes of (a) conserving and enhancing the natural beauty wildlife and cultural heritage of the PDNP area and (b) of promoting opportunities for the understanding and special enjoyment of the special qualities of the PDNP area. This section further requires that if it appears that there is a conflict between the purposes (a) and (b), greater weight is attached to (a).

(5) **Environmental and Health Considerations** As indicated in the report.

Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, property, social value and transport considerations.

(6) **Background Papers** File 3.114.23

Application documents received from the applicant's agents dated 31 July 2017, and submissions of further information collated under covering letter dated 19 June 2018 and 3 December 2018 and June 2020.
Email from the Derbyshire Dales District Council Environmental Health Officer dated 14 February 2019 and 24 July 2020.
Letter from Derbyshire Dales District Council dated 7 August 2020.
Emails from the Clerk to Bonsall Parish Council dated 20 September and 23 November 2017, 20 September 2018, 16 January 2019 and 22 August 2020.
Letters from Historic England dated 22 August 2017 and 4 September, 11 December 2018 and 8 July 2020.
Letter from Derbyshire Wildlife Trust dated 21 September, 1 December 2017 and 14 July 2020.
Emails from Cromford Parish Council dated on 21 October 2017 and 17 August 2020.
Letters from the Environment Agency dated 31 August and 27 October 2017, 19 March 2018 and 4 June 2020.
Letters from the Peak District National Park Authority dated 12 March 2018 and 28 August 2020.
Emails from Natural England dated 27 September 2017 and 9 January 2019.
Email from the Highways Authority dated 11 September 2017 and 1 June 2020.
Letter from Derbyshire Dales District Council dated 8 December 2018.
Emails from the County Archaeologist dated 22 August 2017 and 19 April and 28 September 2018.
Emails from the Lead Local Flood Authority dated 4 September 2017, 24 December 2018 and 30 June 2020.
Email from the County Ecologist dated 21 December 2017 and 2 October 2018.
Email from the County Built Heritage advisor dated 19 June 2020.
Emails from the County Landscape Architect dated 18 October 2017, 17 September 2018, 8 January 2019 and 16 June 2020.
Email from Severn Trent Water dated 9 January 2019.
Email from Councillor Ratcliffe dated 3 September 2018 and 19 November 2020.
Emails and letters from members of the public dated August 2017 to August 2020.
Report from Sharps Acoustics LLP dated 1 October 2020.

(7) **OFFICER'S RECOMMENDATION** That the Committee resolves that planning permission be **granted** subject to a set of conditions to be drawn up

by the Head of Planning that are substantially to the effect of the following draft conditions:

Section 1: General Principles Duration

Time Limits

1) All mineral extraction operations hereby approved shall have ceased by 31 December 2033 and excavations shall have been in-filled in accordance with the approved details and the whole site, including all areas occupied by plant, machinery, structures, buildings, access and haul roads, shall have been restored in accordance with the further conditions to this permission by 31 December 2037.

   Reason: To control the duration of the development in the interests of the local landscape and the environment, and to comply with Part 1 of Schedule 5 of the Town and Country Planning Act 1990 that requires all planning permissions for mineral working to be subject to a time limit condition.

Implementation of Development

2) Insofar as development, which is granted permission by this planning permission and has not already commenced (under the safety works approved under approval reference PD17/3/63), it shall be begun before the expiration of three years from the date of this permission. The Mineral Planning Authority shall be given at least 14 days prior written notice of the date the development commenced.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Access

3) The sole access to and from the site shall be via the existing Dene Quarry entrance from Cromford Hill. The access road through Dene Quarry into the quarry shall be used solely by plant, machinery and vehicles associated with the extraction of minerals and infilling, the restoration of Slinter Top Quarry and the removal for reuse of materials recovered from the imported waste.

   Reason: To control the means of access to the development and the traffic that utilises the access.

Approved Details and Use

4) The development hereby permitted shall be carried out in accordance with the application for planning permission received on 3 August 2017 from Stephenson Halliday, and the addendum to the ES and accompanying documents received on 21 May 2020 from Stephenson

Halliday, except as maybe modified by other conditions of this permission. In particular the following drawings and documents:

Figure 1.1: Location Plan;
Figure 1.2: Site Plan;
Figure A: Revised Phased Quarry Development Scheme: The Existing Situation (Jan 2020 Survey);
Figure B: Revised Phased Quarry Development Scheme: Soil Stripping and Preparation for Phase 1;
Figure C: Revised Phased Quarry Development Scheme: Phase 1 Quarry Working;
Figure D: Revised Phased Quarry Development Scheme: Phase 2 Quarry Working;
Figure E: Revised Phased Quarry Development Scheme: Phase 3 Quarry Working;
Figure F: Revised Phased Quarry Development Scheme: Phase 4 Quarry Working;
Figure G: Revised Phased Quarry Development Scheme: Phase 5 Quarry Restoration;
Figure 13.1: Blasting Receptor Locations- Figure 14:1: Air Quality Receptor Locations;
Slinter Top Quarry: Environmental Statement. Prepared by Stephenson Halliday Limited (July 2017);
Slinter Top Quarry: Planning Statement. Prepared by Stephenson Halliday Limited (July 2017);
Hydrogeological Risk Assessment Review 2018 for Slinter Top Landfill Site. Caulmert Ltd. (Document reference: 2161.20.SLI.SV.AGS.A0);
Environmental Impact Assessment Addendum incorporating amended quarry scheme.

Reason: To make it clear what constitutes the development approved by the planning permission.

5) There shall be no mineral extraction, storage or tipping of materials, movement or parking of lorries or plant, siting of structures or buildings, nor any other activities or disturbance associated with the approved development, outside the solid red line shown on the approved plan: Figure 1.2: Site Plan.

Reason: To contain the impacts of the development within the site and to protect the amenity of the area.

6) The crushing and screening plant on the site shall be used solely for the processing or treatment of minerals extracted from Slinter Top Quarry, and the screening for reuse of imported waste. No minerals shall be imported to the site for processing, treatment or storage.

Reason: To contain the impacts of the development within the site and to protect the amenity of the area.

Section 2: Ancillary Development

Restriction on Permitted Development Rights

7) Notwithstanding the provisions of Schedule 2, Part 17 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any subsequent replacement order, no plant or machinery, buildings or structures shall be placed or erected on the site except as authorised or required by this permission, or unless otherwise approved in writing in advance by the Mineral Planning Authority.

Reason: To contain the impacts of the development within the site and to protect the amenity of the area.

Siting of Ancillary Development

8) No ancillary development, including site cabins, tanks, drums and other vessels for the storage of oils, fuels and chemicals, shall be sited on or along the corridor of the HGV and Light Vehicle Access route, and the quarry access road along the eastern boundary of the application site as shown on the approved drawing: Figure 1.2: Site Plan.

Reason: To contain the impacts of the development within the site and to protect the amenity of the area.

9) The use of a mobile concrete batching plant and silos shall only take place within the quarry void as shown on Figure 1.4. The batching plant and silo shall be permanently removed from the site no later than the date of completion of mineral extraction operations.

Reason: To contain the impacts of the development within the site and to protect the amenity of the area.

External Appearance

10) The finished colour of the external faces of all structures, plant and buildings on the site shall be grey to BS.00A05 and/or to BS.18B21 or similar, or in accordance with an alternative colour that has first been submitted to and approved in writing by the Mineral Planning Authority.

Reason: To contain the impacts of the development within the site and to protect the amenity of the local area.

Section 3: Environmental Protection

Working Hours

11) Except in emergencies to maintain safe quarrying practices (which shall be notified to the Mineral Planning Authority as soon as practicable):

a) No extraction of minerals, operation of drilling, crushing and screening plant, infilling and restoration of worked areas, formation and subsequent removal of material from soil storage mounds, waste recovery, and associated operations shall be carried out at the site except between the following times:

- between 0730 hours and 1800 hours Mondays to Fridays; and
- between 0730 hours and 1500 hours Saturdays.

b) No lorries shall enter or leave the site, or be loaded, and no servicing, maintenance and testing of plant shall take place except between the following times:

- between 0600 hours and 1900 hours Mondays to Fridays; and
- between 0600 hours and 1500 hours Saturdays.

c) No operations shall take place on Sundays or Public Holidays.

Reason: To protect the amenity of the local area.

Noise
Attenuation Measures

12) At all times during the carrying out of the approved operations, all practicable noise suppression measures shall be applied to the operation of mobile plant and vehicles, drilling rigs, and crushing and screening plant. All vehicles, plant and machinery operated on the site shall be maintained in accordance with manufacturers' specifications at all times, and shall be fitted with and use effective silencers. Save for the purposes of maintenance, no machinery shall be operated with the covers open or removed.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Site Noise Levels

13) The free field noise levels from the site operations expressed as a 1 hour LAeq as measured outside any of the noise sensitive properties identified on Figure 2: Assessment Locations of the ES Addendum Noise Assessment and set out in the table below, shall not exceed the following levels between the hours of 0730 hours to 1800 hours Mondays to Fridays and 0730 hours to 1500 hours on Saturdays: Noise

levels, as measured at any other noise sensitive properties nominated by the Mineral Planning Authority, shall not exceed the background (L90) level plus 10dBA or 55dBA, whichever is the lesser, during these times. At all other times noise levels from the site operations shall not exceed 42dBA.

Location	LA90 + 10 dB(A)
The Bungalow, Via Gellia	50
Duke Street, Middleton	45
Rose End Avenue, Cromford	49
Clatterway Cottage, Bonsall	53
Rose Cottage, Bonsall	48

Noise levels as measured at any other noise sensitive properties nominated by the Mineral Planning Authority, shall not exceed the background (L90) level plus 10dBA or 55dBA, whichever is the lesser, during these times. At all other times noise levels from the site operations shall not exceed 42dBA.

In the event of complaint about noise, the operator shall, if requested by the Mineral Planning Authority, undertake the monitoring of site noise levels at the appropriate noise sensitive property and submit the results to the Mineral Planning Authority.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

14) During noisy short term activities at the site, the received noise limits set out in Condition 13 above may be exceeded between the hours of 0800 hours and 1800 hours Mondays to Fridays, and 0800 hours and 1300 hours on Saturdays for periods not exceeding a total of eight weeks in any period of 12 months throughout the duration of the development. During these periods, the received noise levels shall not exceed 70dB(A) LAeq, 1 hour, free field. For the purposes of this condition, noisy, short term activities are considered to be such activities as 'soil-stripping, the construction and removal of baffle mounds, soil storage mounds and spoil heaps, construction of new permanent landforms and aspects of site road construction and maintenance' as referred to in the Planning Practice Guidance.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Noise Management Plan

15) Within three months of the date of this permission, a scheme, which sets out those noise mitigation measures which shall be implemented to ensure that emissions of noise from the site are controlled and ensure,

so far as is reasonably practicable, that the operations carried out within the site do not give rise to nuisance at nearby residential properties, shall be submitted to the Mineral Planning Authority for approval in writing. The scheme shall be implemented as approved.

Reason: To ensure that appropriate noise mitigation measures are implemented and to minimise the impacts of the development on the local environment and to protect the amenity of the area.

Use of Pecker/Rock Breaking

16) No pecker or other percussive mechanical hammer shall be used above the elevation of 230 metres AOD, or be operated before 0900 hours on any day from Monday to Friday or at any time on a Saturdays or Sunday or on a public or bank holiday.

Reason: To minimise the impact of noise from the development in the interests of the amenity of the area.

Audible Alarms

17) Audible alarms used on plant and vehicles on the site shall be either non-audible, ambient related or low tone devices.

Reason: To minimise the impact of noise from the development in the interests of the amenity of the area.

Dust

18) At all times during the carrying out of operations authorised or required by this permission, water bowsers, sprayers, whether mobile or fixed, or similar equipment shall be used to minimise the emission of dust from the site. At such times as the prevention of dust nuisance by these means is not possible, minerals and waste processing and movements of minerals, soils and overburden shall temporarily cease until such time as weather conditions improve.

Reason: To control dust resulting from the site operations in the interests of local and residential amenity, and the local environment.

Dust Monitoring and Control Scheme

19) Within six months from the date of this permission, a scheme for the suppression and control of dust (including PM_{10} particles) and the monitoring and recording of dust levels, shall be submitted to the Mineral Planning Authority for its written approval.
The scheme shall include:
   I. the measures to be taken to suppress and control dust;
   II. the qualifications and experience of the personnel to be engaged in undertaking the monitoring and recording;

III. the equipment to be used to monitor dust levels and the arrangements for calibration;
IV. the number and location of monitoring points;
V. the frequency of monitoring and reporting to the Mineral Planning Authority; and
VI. the steps to be taken in the event that complaints due to dust are received by the developer, including the triggers for action up to and including the temporary suspension of operations.

The results of the monitoring and records of any complaints received by the developer, due to dust, shall be maintained and made available for inspection by the Mineral Planning Authority between reporting intervals at the site office during normal site operating hours.

The scheme shall be implemented as approved in writing by the Mineral Planning Authority.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Quarry Blasting
Scheme of Blasting

20) Ground blasting operations and the resultant vibration and air overpressure at the site shall be monitored in accordance with a scheme that has been submitted to and received the written approval of the Mineral Planning Authority. The scheme shall be submitted no later than six months from the date of this permission, and shall include details of the following:

I. blast monitoring locations and frequency of monitoring;
II. Maximum acceptable values for vibration and air overpressure as measured at monitoring locations
III. the monitoring equipment to be used; and
IV. presentation of results to the Mineral Planning Authority

A process by which measures to bring future vibration and air overpressure from blasting operations within the values provided under above II would be delivered in the event of any measurement from monitoring showing any exceedance of any of those values. The scheme shall then be implemented as approved by the Mineral Planning Authority.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Times of Blasting

21) No blasting shall be carried out on the site except between the following times:

- 1000 hours to 1600 hours Mondays to Fridays.

There shall be no blasting on Saturdays, Sundays or Public Holidays. This condition shall not apply in cases of emergency when it is necessary to carry out blasting operations in the interests of safety. The Mineral Planning Authority shall be notified in writing immediately of the nature and circumstances of any such event.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

22) An audible warning shall be given in advance of every blast.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Ground Vibration

23) Ground vibration from any individual blasting event shall be designed not to exceed a peak particle velocity of 12 mm/second at or in close proximity to any of the vibration sensitive buildings or residential premises as shown on Figure 13.1: Blasting Receptor Locations, and in any period of 12 months shall not exceed a peak particle velocity of 6 mm/second for 95% of all blasting events during those 12 months.

In the event of complaint, the operator shall undertake the monitoring of ground vibration at the appropriate vibration sensitive property at the request of, and shall submit the results to, the Mineral Planning Authority. In all cases, the measurement of the ground vibration shall be the maximum of three mutually perpendicular directions taken at the ground surface at any vibration sensitive building.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Air Overpressure

24) The operator shall take steps to minimise the effects of air overpressure arising from blasting operations in accordance with a scheme which has been submitted to and received the written approval of the Mineral Planning Authority. The scheme, which shall be submitted no later than six months from the date of this permission, shall have regard to blast design, methods of initiation, and the weather conditions prevailing at the time and shall be implemented as approved.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Secondary Blasting

25) No secondary blasting shall be carried out on the site except in accordance with a scheme that has first been submitted to and approved in writing by the Mineral Planning Authority.

The scheme shall then be implemented as approved by the Mineral Planning Authority.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Mineral Stocking

26) Except for the storage of stone walling material for use in the site restoration, there shall be no stocking of minerals other than within the working quarry void area as set out on Figures 2.1 – 2.5. The base of any stockpile shall not be above 230 metres AOD and no stockpile shall be greater than 5 metres in height.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Smoke and Fumes

27) There shall be no burning of rubbish or wastes on the site.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Rubbish and Scrap Materials

28) All rubbish, debris, scrap and other waste material generated on the site shall be regularly collected and disposed of within the tipping area of the excavations if the materials are suitable for such a method of disposal, or otherwise removed from the site, so as to keep the surface of the land tidy.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Parking Plant and Vehicles

29) No mobile plant or HGVs shall be parked outside the excavations other than during the approved operational hours. During those hours, the operators shall minimise parking outside the excavations to that necessary for operational purposes.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

Highway Cleanliness

30) The loads of all vehicles transporting material from the site shall be securely sheeted before entering the public highway.

Reason: In the interests of highways safety, to minimise the impacts of the development on the local environment, and to protect the amenity of the area.

31) Throughout the duration of the approved development, the operators shall take all necessary steps to prevent mud, dirt, mineral, rock, or waste material being taken from the site and deposited on the public highway. Facilities for keeping the public highway clean and to prevent the spillage of materials, including wheel and vehicle underside and carriage side washing equipment, shall be provided and used at all times whilst Slinter Top Quarry is operational.

Reason: In the interests of highways safety, to minimise the impacts of the development on the local environment, and to protect the amenity of the area.

Drainage and Pollution Control

32) There shall be no discharge of foul or contaminated drainage from the site into the ground, groundwater or any surface waters, whether direct or via soakaways. All necessary measures shall be taken to prevent effluents, oil, fuel or lubricant being discharged to any watercourse, ground water system, underground strata or disused mineshafts.

Reason: To prevent pollution of the water environment and ensure the protection of the underlying Principal Aquifer.

33) Any facilities for the storage of oils and fuels shall be provided with secondary containment that is impermeable to oil, fuel and water. The minimum volume of the secondary containment, should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment, the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment.

The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment and ensure the protection of the underlying Principal Aquifer.

Section 4: Conservation

Archaeology

34) Any historic or archaeological features not previously identified by the archaeological evaluation as detailed in the report: "An Archaeological Evaluation at Slinter Top Quarry, Cromford, Derbyshire" (ARS Ltd Report 2018/51) which are revealed when carrying out the development hereby permitted, shall be retained in-situ and reported in writing to the Mineral Planning Authority within 10 working days. Works shall be halted in the area of the site affected until provision has been made for the retention and/or recording in accordance with details submitted to and approved in writing by the Mineral Planning Authority. Works shall resume and continue only in accordance with the approved details.

Reason: In the event of the discovery of archaeological remains, to help protect and thereafter to provide for the recording of the features of archaeological interest, in accordance with Policy MP7 of the Derby and Derbyshire Minerals Local Plan and Section 16 of the National Planning Policy Framework (2019).

Preservation of Trees and Site Boundary Features

35) All of the existing trees, hedges, walls and fences on and in the vicinity of the site boundary shall be made stockproof and retained and protected as such thereafter. Should the operators seriously damage or destroy any of these features, they shall be replaced and treated in accordance with such details as may be approved or required by the Mineral Planning Authority.

Reason: To ensure that these features are properly maintained and managed for the duration of the development.

Protection of Species and Habitats

36) No removal of hedgerows, trees or shrubs shall take place between 1 March and 31 August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the Mineral Planning authority and then implemented as approved.

Reason: To minimise the impacts of the development on the local environment and to protect the amenity of the area.

37) There shall be no works affecting or requiring the excavation of badger setts within or adjacent to the approved Application Site boundary, as shown on Figure 1.2: Site Plan, unless a badger activity survey has first been undertaken by a suitably competent ecologist to determine the presence of badgers. The results of this survey and any recommendations or mitigation measures shall be submitted to and approved in writing by the Mineral Planning Authority. Any recommended mitigation measures shall be carried out strictly in accordance with the approved badger activity survey recommendations.

Reason: To ensure the adequate protection of badgers and their setts in accordance with Policy MP6 of the Derby and Derbyshire Minerals Local Plan.

38) Prior to any soil stripping or excavations hereby approved, a reptile mitigation method statement, in relation to the quarry extension development hereby permitted, shall be submitted to the Mineral Planning Authority for approval in writing. The development shall be implemented in accordance with the approved details.

Reason: In the interest of nature conservation and to comply with Policy MP6 of the Derby and Derbyshire Minerals Local Plan.

Soil Conservation: Stripping and Storage

39) All soil derived from the site shall be retained on the site. Topsoil and subsoil shall be stored separately during all phases of development in the areas designated on the approved plans: Figures B, C, D and E, unless otherwise approved in writing by the Mineral Planning Authority.

Reason: To ensure that all the available topsoil and subsoil is retained on site for final restoration.

Soil Conservation: Soil Handling

40) The stripping, movement, deposition, lifting and re-spreading of topsoil shall only take place during periods of dry weather when the full depth of soil to be stripped or replaced, or otherwise transported is in a suitably dry and friable soil moisture condition. Soil handling and movement shall not be carried out between the months of October to March. The applicant shall give the Mineral Planning Authority advance notice of any period of soil handling operations.

Reason: To ensure that monitoring arrangements for soil stripping and storage are in place, to prevent unnecessary trafficking of soil by heavy equipment and vehicles that may damage the soil, and to prevent damage to soils by avoiding movement whilst soils are wet or excessively moist.

Section 5: Working Method

Scheme Detailing the Method of Construction of the Rollover Feature

41) Construction of the Rollover Feature shall not commence until a scheme detailing the method of construction has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include details of the depth of excavations, including cross sections, the direction of excavations, timescales, and details of the plant to be used. The construction of the rollover feature shall be carried out as approved.

Reason: To ensure the development is carried out as approved by the Mineral Planning Authority.

Extent and Depth of Quarrying

42) There shall be no quarry development including excavations below 160m AOD or the natural groundwater table within or adjacent to the site if this is higher, as specified in the Hydrogeological Risk Assessment Review 2018 (2161.20.SLI.SV.AGS.A0) by Caulmert Limited.

Reason: To ensure the protection of the underlying Principal Aquifer and groundwater dependent water features in the area.

43) No dewatering shall be undertaken except in accordance with details that have been submitted to and approved by the Mineral Planning Authority.

Reason: To ensure that the protection of groundwater and surface water, as well as safeguard the interests of nearby designated habitat and wildlife sites.

Imported Materials

44) The importation of fill materials for the restoration of the site shall be carried out in accordance with a detailed scheme that has been submitted to and approved in writing by the Mineral Planning Authority in advance of any excavation working of the lateral extension.

Reason: To ensure that infilling with imported materials is limited to inert waste only.

45) The export of recovered waste materials from Slinter Top Quarry shall not exceed a maximum of 25 heavy goods vehicle movements per week leaving the site.

Reason: To ensure the development is carried out as approved by the Mineral Planning Authority.

Fill Surface Levels

46) Before 31 December 2027, the developer shall submit a review of the tonnages of imported inert materials used for infilling of the void, since the date of issue of this planning permission, and a forecast of infilling rates for the remaining period the development, to the Mineral Planning Authority.

Reason: To ensure that the site is reclaimed and landscaped in accordance with detailed schemes approved by the Mineral Planning Authority and in the interests of local amenity and the environment.

Fill Surface Treatment

47) The final surface of the fill materials shall, prior to the spreading of soils, be graded, ripped and stone picked in accordance with such details as may be specified by a representative of the Mineral Planning Authority in consultation with Natural England. No boulders, rocks or stones which exceed 230mm in any direction, and no bind or other deleterious materials shall be placed within 1 metre of the surface of the refilled excavations, and the top 0.6 metre of the fill shall be relatively stone free.

Reason: To ensure that the site is reclaimed and landscaped in accordance with detailed schemes approved by the Mineral Planning Authority and in the interests of local amenity and the environment.

Soil Replacement and Treatment

48) Following the completion of each phase of infilling, all available soil making materials and subsoil shall be spread to a uniform depth over the fill, and shall then be ripped and stone picked.

Reason: To ensure that the site is reclaimed and landscaped in accordance with detailed schemes approved by the Mineral Planning Authority and in the interests of local amenity and the environment.

49) After spreading and treatment of the soil making materials and subsoil, all available topsoil shall be re-spread evenly over the surface. The topsoil shall then be ripped, stone picked and otherwise treated in accordance with such details as may be specified by a representative of the Mineral Planning Authority in consultation with Natural England.

Reason: To ensure that the site is reclaimed and landscaped in accordance with detailed schemes approved by the Mineral Planning Authority and in the interests of local amenity and the environment.

Section 6: Restoration, Landscaping and Aftercare

Grassland Habitat Restoration

50) Prior to the commencement of any quarrying or mining works in Phase 1, a detailed scheme for grassland restoration and creation shall be submitted to the Mineral Planning Authority for its written approval. The scheme shall set out the methods and actions necessary to restore the existing grassland habitat from within the Extension Area within or nearby to Slinter Top Quarry. The scheme shall include specific actions and methods aimed at preserving or augmenting any grassland habitat including:

- the translocation and management of the existing grass sward in cut turves as the primary and optimal method;
- the use of green hay from local sites; and
- the sourcing of grassland seeds of appropriate species and provenance
- specification of any seed mixes to be used.

The scheme shall be based on the design set out on drawing number produced by Figure G: Phase 5 Quarry Restoration and shall include the sequence and phasing of reclamation showing its relationship to the working scheme.

Reason: To ensure the implementation of a satisfactory scheme of ecological compensation / mitigation in respect of the area of existing species grassland habitat to be removed under the development.

Restoration of Ancillary Areas

51) At such time as they are no longer required in connection with the approved development, all plant, machinery, structures and buildings, and the internal access road shall be removed from the site and the areas occupied by them shall then be reinstated to former ground levels, including the replacement and treatment of soils, consistent with the contours of the surrounding land and to facilitate natural drainage, in accordance with such details that have been submitted to and approved in writing by the Mineral Planning Authority.

Reason: To ensure that the site is reclaimed and landscaped in accordance with detailed schemes approved by the Mineral Planning Authority and in the interests of local amenity and the environment.

Reinstatement of Boundaries and Natural Features

52) The schemes detailing a management programme for the control of scrub on and around Alabaster Lane on land in the control of the applicant, a programme of repairs to drystone-walling on land adjacent to the site in control of the applicant, and for the reinstatement and provision of natural features on the site and on land in control of the

applicant, submitted on 20 March 2014 and approved on 8 May 2014, shall be carried out as approved.

Reason: To ensure that the site is reclaimed and landscaped in accordance with detailed schemes approved by the Mineral Planning Authority and in the interests of local amenity and the environment.

Detailed of Restoration

53) Detailed schemes for restoration of the site to agriculture, woodland and nature conservation, including the landscaping requirements of each of the four phases shall be submitted to the Mineral Planning Authority for its written approval three months prior to the completion of quarrying operations within each phase. The schemes shall be based on the design set out on drawing Figure G: Phase 5 Quarry Restoration, and shall where appropriate to each phase of development include details of the following:

1) In respect of ground restoration:
   a) the sequence and phasing of reclamation showing its relationship to the working scheme;
   b) a restoration contour plan;
   c) the establishment of woodland and scrub development;
   d) formation of ephemeral wetland habitat;
   e) calcareous scrub from natural regeneration of quarry benches;
   f) establishment of 'roll over' features within the southern quarry;
   g) depths of soil replacement proposed for neutral grassland pasture areas, tree, scrub and hedgerow planting, woodland areas and wetland margins;
   h) provision of woodland in accordance with local landscape character;
   i) provision for nature conservation, including the grassland habitats;
   j) the route of Cromford Footpath No 70 (formerly No 12) across the site;
   k) a programme of implementation.

2) In respect of landscaping:
   a) ground preparation prior to planting (ripping, seeding);
   b) the location, species (which shall include a percentage of stock of local provenance), size and spacing of trees and shrubs;
   c) protection of newly planted stock and provision for removal of tree guards when no longer required;
   d) seed mixtures, fertilisers (if necessary) and weed killers to be used and their rate of application;
   e) a programme of drystone walling based on the document titled Slinter Top Quarry Stone Walling Restoration June 2013,
   f) fencing and gates; and

g) a programme of implementation.

The schemes shall be implemented as approved.

Reason: To ensure the implementation of a comprehensive scheme of restoration and landscaping for the site, in the interests of landscape character and visual amenity.

54) Prior to the implementation of the restoration scheme(s) as approved under condition 53 above, all land to be incorporated in the restoration phase, shall be surveyed for protected species (particularly badger and reptiles) and an appropriate mitigation strategy submitted to the Mineral Planning Authority. Any restoration mitigation measures shall be approved by the Mineral Planning Authority prior to the commencement of the restoration scheme and implement as approved thereafter.

Reason: To ensure the adequate protection of protection species in accordance with Policy MP6 of the Derby and Derbyshire Minerals Local Plan.

Aftercare Scheme

55) The restored site shall be subject to a programme of aftercare in accordance with a scheme or schemes which has/have been submitted to and approved in writing by the Mineral Planning Authority. The scheme for the whole site, or any part of the site, shall be submitted no later than 12 months prior to the programmed completion of restoration of any part of the site in accordance with the scheme(s) submitted for the purposes of Condition 53 above. The submitted scheme(s) shall provide for such steps as may be necessary to bring the land to the required standard for use for agriculture, woodland and nature conservation during a five year aftercare period and shall include details of:

a) In the case of land used for agriculture:
(i) soil treatments, including stone picking, soling and subsoiling, and the removal of any stone exceeding 150mm in any dimension, any wire or other object which would impede the cultivation of the land;
(ii) fertiliser applications based on soil analysis;
(iii) cultivations, cropping pattern, seeding and crop management;
(iv) shelter belts and hedges;
(v) pruning regimes of hedgerows;
(vi) weed control;
(vii) field drainage;
(viii) field water supplies;
(ix) grazing and other management; and
(x) protection from poaching by grazing animals.

b) In the case of land restored for use for woodland:
(i) cultivation practices;
(ii) secondary soil treatments;
(iii) fertiliser applications based on soil analysis;
(iv) drainage; and
(v) weed control.

c) In the case of land to be restored for use for nature conservation and amenity:
(i) a Nature Conservation Management Plan which provides for habitat development and maintenance;
(ii) grassland establishment and maintenance;
(iii) fertiliser applications, if necessary, based on soil analysis;
(iv) cultivation practices;
(v) watering and draining;
(vi) wetland margin establishment and wetland maintenance.

The scheme(s) shall then be implemented as approved by the Mineral Planning Authority.

Reason: To ensure that those parts of the site that have been restored are subject to a programme of aftercare that has been approved by the Mineral Planning Authority in the interests of agricultural land quality, woodland, nature conservation and amenity.

56) For the first five years following new planting of any trees or shrubs, all planting shall be maintained in accordance with the principles of good forestry and husbandry and any stock which dies or becomes seriously damaged, diseased or is missing, shall be replaced with plants of the same species or such alternative species as have been approved by the Mineral Planning Authority (for the avoidance of doubt, 100% replacement is required).

Reason: To ensure the successful establishment of the landscaping at the site.

Premature Permanent Cessation

57) If the Mineral Planning Authority and all the persons with an interest in the site agree that mining operations have ceased permanently, such as not to permit the reclamation of the site in accordance with Condition 53, the site shall be reclaimed in accordance with a scheme which has the approval in writing of the Mineral Planning Authority. The scheme shall be based on the principles of Condition 53 and shall include a programme of implementation. The scheme shall be submitted not later than six months from the date of agreement that quarrying has ceased and shall be implemented within a timescale approved by the Mineral Planning Authority.

Reason: To ensure the satisfactory restoration of the site in accordance with approved scheme(s) in the event that implementation of the approved restoration scheme for the site or parts thereof is rendered impracticable by premature cessation of quarrying.

Aftercare Records

58) Records of all aftercare operations shall be kept by the operators throughout the period of aftercare and the records, together with an annual review of performance and proposed operations for the coming year, shall be submitted to the Mineral Planning Authority between 31 October and 31 December of each year.

Reason: To ensure that the site is reclaimed and landscaped in accordance with detailed schemes approved by the Mineral Planning Authority and in the interests of local amenity and the environment.

Aftercare Meetings

59) Provision shall be made by the operators for annual meetings with the Mineral Planning Authority, which shall be held between March and May each year, to determine the detailed annual programmes of aftercare which shall be submitted for each successive year having regard to the condition of the land and progress in its rehabilitation.

Reason: To ensure that the site is reclaimed and landscaped in accordance with detailed schemes approved by the Mineral Planning Authority and in the interests of local amenity and the environment.

Notes to Applicant

Control of Operations

1 This planning permission incorporates updated and new conditions which are necessary to control the development and protect the environment and landscape in accordance with contemporary standards.

2 The applicant is reminded of the high conservation value of much of the surrounding countryside, the historical and landscape interest of the area and the public footpath. Because the site lies in a Special Landscape Area and adjoins a World Heritage Site, it is important that the operations remain small scale, relatively short term, benefit from progressive restoration and do not cause irreparable damage to the inherent quality of the landscape. These considerations are reflected in the limitations and requirements of the conditions attached to this permission.

Transport

3 With reference to Condition 11 to this permission, the applicant is requested to instruct all haulage operatives serving the site to travel to

or from the site, including the use of the access road between the site and Dene Quarry, only during the approved times.

4 With reference to Condition 12 to this permission, it is expected that vehicles using the Dene Quarry works and other internal roadways will, at all times, comply with the noise emission standards contained within the current Motor Vehicles (Construction and Use) Regulations.

5 With reference to Condition 33 to this permission, the Mineral Planning Authority expects all vehicles carrying minerals from Slinter Top to use the washing facilities provided at the entrance to Dene Quarry.

6 Definitive Public Right of Way Footpath No.13 (former Urban District of Matlock) which crosses the site has, by Order dated 19 October 1989, been temporarily diverted on the alternative route shown on the attached Plan No. DCC/3.114.12A to enable to development hereby approved to take place. However, part of the route of the footpath which has not been diverted runs parallel to the access track to the site, and the footpath crosses that track to link to the alternative route at Point A shown on the plan.

This permission does not convey any rights to interfere with, obstruct, stop-up or divert Footpath No 13 on its former and diverted route outside the site. Precautions should be taken as necessary to safeguard the users of Footpath No 13, and in the interests of pedestrian safety the applicants are requested to advise all hauliers visiting the site of the presence of the footpath and point of crossover.

Statement of Compliance with Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015
The Authority worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in the processing of planning applications in full accordance with this Article.

Tim Gregory
Director – Economy, Transport and Environment

Location Plan