

**CONSULTATION ON CORE STRATEGY
ISSUES AND OPTIONS
SPRING 2007**

**Sheet 5
Minerals**



Peak District National Park Authority

Aldern House
Baslow Road
Bakewell
Derbyshire
DE45 1AE

Tel: (01629) 816 200
Text: (01629) 816 319
Fax: (01629) 816 310
Email: customer.service@peakdistrict.gov.uk
Website: www.peakdistrict.gov.uk

Your comments and views on this options paper are welcomed up to 29 June 2007. Enquiries can be directed to Brian Taylor, Policy Planning Manager on 01629 816 303. This report is also accessible from our website located under www.peakdistrict.gov.uk/plansandpolicies.htm .

We are happy to provide this information in alternative formats on request where reasonable.

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Issue	<ol style="list-style-type: none"> 1. Confirming that the general direction of policy is to work towards a gradual reduction of Minerals activity (including oil and gas operations) and its impact across the National Park 2. Clarifying the national need for fluorspar 3. The future of cement production in the Hope valley 4. Meeting the need for “conservation grade” building stone and roof slate in the least environmentally damaging way 5. The need within policy to formally recognise the Authority’s developing best practice in the review of old mineral permissions 6. The need for stronger powers, better finance and clear commitment or support by other bodies. 7. Need for more clarity on the preferred end uses for minerals sites
Evidence	<p>National</p> <p>The Environment Act 1995:</p> <ul style="list-style-type: none"> • introduced requirements to review old mineral permissions (ROMP*). • assumed that sites with planning permission, would not require Environmental Impact Assessments (EIA) under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1990: <p>(* The ROMP procedure would simply modernise the operating conditions).</p> <p>Court judgements in 1999:</p> <ul style="list-style-type: none"> • established that EIA's are required but created a loophole which means that: <ul style="list-style-type: none"> • sites considered 'active' under the ROMP can continue to operate under old mineral permissions with very little control. • modern working conditions cannot be imposed until the applicant carries out an Environmental Impact Assessment. • there is no enforceable timescale for submission of Environmental Statement <p>(Government now proposes to close the loophole to enable suspension of active planning permissions if an applicant fails to supply EIA information within 6 months.</p> <p>MPS1 and RSS8:</p> <ul style="list-style-type: none"> • Support the reduction of aggregate and mineral extraction in protected landscapes including National Parks and the increased reliance on winning minerals from elsewhere. • Give no clear guidance on the relative importance of need for fluorspar against the need to conserve the National Park. (business versus environmental considerations)

4-point plan (produced by major aggregate companies and National Park Authorities and issued via the Quarry Products Association)

- Accepts the need to reduce output in National Parks
- Led to some aggregate quarry sites being given up.
- Led to the planned closure of others.

However, the British Aggregates Association, which often represents small, independent aggregate companies, does not have such a policy.

Local

Planning appeals

- Planning inspectors support the Authority principle that “the need for minerals justifies employment but the need for employment does not justify mineral extraction for the National Park”.

Independent expert analysis (**commissioned by the National Park Authority**)

- There is no overriding national need for fluorspar that justifies new planning permissions within the National Park. (This is challenged in detail by the industry)

National Park Authority officers:

- Eight sites in the National Park have not had their permissions reviewed because they have failed to submit EIA. There is no enforceable timescale for submission of EIA. Modern working conditions cannot be imposed until the applicant carries out an EIA.
- suspect that Lafarge may seek extensions at the Hope Valley Cement Works (rather than making plans to develop alternative sites outside the National Park to replace permissions that expire in 35 years time)
- see conflict where stone for conservation of buildings can only be sourced from areas of particular conservation value such as those with an internationally important wildlife designation).
- consider that National Park designation and the environmental carrying capacity of the area is incompatible with the ability of operators to seek increased output of dimensional/building stone for regional and national markets.(e.g Stanton Moor)
- struggle to prevent permissions being granted for inadequately controlled limestone working (for chemical/industrial purposes)
- struggle to prevent high grade material being extracted and then used as low grade aggregate even though policy does not permit extraction for low grade aggregate (e.g. Tunstead Old Moor)

National Park Authority audit of former sites where specialised, distinctive types of stone were quarried:

- shows substantial existing permitted reserves of building stone in the National Park and the extent to which they might meet demand.
- identifies similar sites outside the National Park where similar, if not identical, stone can be found.

(the audit has not been done by surrounding authorities so we don't know how much suitable stone lies in surrounding areas. This puts undue pressure on sites inside the National Park)

Friends of the Peak District and Council for National Parks Report into the impacts of old mineral permissions and the problems of stalled sites.

- The Authority has successfully consolidated or exchanged old mineral permissions rather than applying the mineral review procedure site by site: (an approach that has been supported by the courts).
- Problems might best be resolved by revoking or modifying old mineral permissions or by challenging the operator's interpretation of their meaning. (this course of action can be expensive if compensation is deemed appropriate)

Help shape the Future consultation (Staff workshop 2004)

- Seek more planning gain so not just an equal trade off.
- Balance the needs of the economy fairly and allow reasonable development (with planning gain) but don't promote NIMBYISM as sustainable development.
- Devise a means of assessing 'landscape value' (i.e. the need to preserve fluorspar in Lead rakes rather than allowing it to be mined)
- We need a definition of national need which can be consistently used to assist committee decisions.
- Follow a precautionary line where other designations exist. We shouldn't let National Park designation override internationally designated sites. (this did raise the question as to the purpose of Parks as opposed to other areas of the countryside)
- Outside of areas with designations, we should consider on case by case basis based on landscape impact and other usual considerations.
- Give designations a weighting that we all understand to help us reach decisions.
- Undertake research with local operators on potential for alternative materials which may utilise less/ different materials
- Seek to source stone from as near to the end user as possible

- Lobby government for tightening up/revocation of old permissions.
- Seek ecological positives wherever possible through conditions and emphasise the potential of any development whether through planned restoration or through 'natural regeneration'
- Only seek traditional building materials where they are specifically required for valued buildings. Elsewhere, we should consider alternative sources and types of material.
- On new builds we should consider the sustainability of traditional styles both in terms of material used and the on costs to the occupier in energy usage)
- A controlled re-use of derelict buildings would be more sustainable than new quarrying. As long as the archaeologist have the evidence and the foundations e.g. on walls, there is no reason to resist landscape changes to reflect changes in society.

[2004 survey results](#)

Total number of responses = 388

Where do these people live?

- 63.1% described themselves as visitors to the park.
- 34.3% described themselves as residents of the park.
- 2.6% gave no response.

To what extent should quarrying continue within the National Park?

- 48.5% felt quarrying should continue 'As now'
- 43.6% felt quarrying should be 'Reduced'
- 3.4% felt quarrying should be 'Increased'
- 3.6% had 'No opinion'

Are the environmental effects of quarrying acceptable on the National Park, its residents and visitors?

- 43.3% 'Yes'
- 40.7% 'No'
- 12.1% had 'No opinion'
- 4.1% did not reply

What is an acceptable end use for a quarry in a National Park?

- 30.7% 'Recreation'
- 85.3% 'Conservation and wildlife'
- 3.9% had 'No opinion'
- 2.8% did not reply

How visible is quarrying in the Park?

- 21.9% 'Too visible'
- 62.9% 'Aware of them'
- 12.6% 'Well hidden'
- 2.3% had 'No opinion'

Draft NPMP Question

What more do you think the National Park Authority could do to conserve the National Park landscape against the impacts of mineral extraction?

Responses

- Responder 36 Name: Hill, Mr Steve - Tarmac Limited
The current level of working is sustainable if done properly and within the purposes of the National Park
- Responder 47 Name: Stewart, Mr Jon - English Nature, Peak District & Derbyshire Team
The NPA hints at an action plan. It also needs a timetable for the review of permissions (under the 1995 Environment Act) and as appropriate under the Habitats Regulations 1994.
- Responder 59 Name: Shirley, Mr Andrew - Country Land and Business Association
They should concentrate less on preventing and restricting extraction and more on reducing impact and insure that consents are adhered to. There is also an opportunity to set up Fora as a conduit for communication between the quarry operators, local residents and the planning authority.
- Responder 60 Name: Potter, Mr R G - Peak District Sustainable Tourism Forum -
A diverse economy is a strong one. Don't spend too much time and money trying to prevent quarrying but seek a smaller well managed industry with higher standards of restoration. - Look at the potential for Eden type projects in old quarries to marry a longer tourist season with appreciation of the Peak District Landscape and its protection.
- Responder 64 Name: Cuff, Janet - Ramblers Association Manchester and High Peak area
Reduce activity and particularly vehicle movement to and from quarries. Impose rigorous conditions. Apply penalties and lobby government for measures to reduce demand e.g shelve road building plans, higher targets for re-cycling in construction work.
- Responder 67 Name: , - Hayfield Parish Council
but needs government support to control minerals industry. (as MPS1 probably gives now)
- Responder 75 Name: Stone, Jane - Outseats Parish Council
Reduce mineral working as soon as practicable and ask for bond or levy to ensure restoration by operators.
- Responder 78 Name: Doran, Matt - National Trust
Particular attention needed on after uses which need to improve biodiversity. Reduce worst impacts on the landscape. Perhaps a stronger reference in the outcome would help
- Responder 80 Name: Fyne, Jon - Pedal Pushers - The Sheffield Cycle Campaign
lobby government and use any surveys that show public support for your case
- Responder 83 Name: Plackett, Ann - English Heritage
Other measures needed include replacement of primary materials with secondary and re-cycled materials and monitoring of the extent of their use

- mitigation of the traffic impact of mineral extraction - compensation from government on old permissions.

- Responder 87 Name: Metcalfe, Michael - Carter Jonas LLP pp Stancliffe Stone Company Ltd
We support this statement and working together must allow for fairness and balance recognising the positives the industry can bring to the table.
- Responder Name: Cartledge, C J - Hathersage Parish Council
We are concerned at the lack of consideration given to jobs and the lack of thought towards restoration and the way in which this could create or sustain jobs.
- Responder 103 Name: Billings, Rachel - Groundwork Derby and Derbyshire
The NPA needs to influence the national and international information on sustainable building materials so that people are aware of the environmental impact of their choice of materials. You could do this through liaison with national body for green architects (info available on request) You would then be influencing organisations and businesses who are increasingly interested in greening the supply chain. ISO 14001, BS 8555 etc,. Groundwork runs a Compliance Navigator programme to assist people to navigate through environmental legislation and ensure compliance with legislation.
- Responder 105 Name: Hernon, John - National Planning Manager, Lafarge Cement UK
The question is value laden - The NPA should use the powers open to them to bring the rogue operators under control and not seek to penalise responsible operators who already work with you and the community to mitigate the worst impacts of mineral extraction.
- Responder 108 Name: Tennant, Edward - Coke, Turner and Co.
The NPA should engage more realistically with industry and residents to ensure a high level of understanding and knowledge exists. This will address the issues associated with the industry. You should set up forums.
- Responder 112 Name: Thorpe, Penny - Environment Agency
EA is exploring ways in which it can support NPA to deliver sustainable minerals extraction.

Question

- To what scale and extent do you consider mineral working should continue within the National Park in the future?

Responses

- Responder 36 Name: Hill, Mr Steve - Tarmac Limited
The perpetuation of mineral working at or around the current level will provide an important contribution to the economic and employment base of the Park (which is one of the purposes of the Management Plan)
- Responder 45 Name: Folkhard, Mr H L F - British Mountaineering Council
A dynamic extractive industry is not necessarily incompatible with a National Park
- Responder 47 Name: Stewart, Mr Jon - English Nature, Peak District & Derbyshire Team

There should be an active debate on this subject with stakeholders so that strategies can be put in place to address the consequences of decisions that may not be implemented for years because of the length of existing permissions and the likelihood that they will not be bought out by Government.

- Responder 59 Name: Shirley, Mr Andrew - Country Land and Business Association
Mineral working is an essential economic driver. It is perfectly fair that method of working and reinstatement provisions should be minutely examined. However this needs to be done with a view to seeing how the proposal could be permitted rather than seeking to find as many reasons as possible to refuse the application.
- Responder 64 Name: Cuff, Janet - Ramblers Association Manchester and High Peak area
Grant permissions for stone and slate quarrying only where it will supply local needs.
- Responder 65 Name: Murray, David - Council for National Parks
Strategy needed to ensure RSS commitment is met but only small scale for local need is acceptable for the Park unless exceptional circumstances of national need or no alternative.
- Responder 68 Name: , - Sheldon Parish Council
Small quarries for local need, strictly policed.
- Responder 75 Name: Stone, Jane - Outseats Parish Council
There will always be a need for small quarries supplying for local schemes.
- Responder 80 Name: Fyne, Jon - Pedal Pushers - The Sheffield Cycle Campaign
Shrink the industry continuously from now with a few to cessation within a few decades.
- Responder 83 Name: Plackett, Ann - English Heritage
Priority on granting planning permissions should go to small quarries supplying local building and roofing stone
- Responder 87 Name: Metcalfe, Michael - Carter Jonas LLP pp Stancliffe Stone Company Ltd
The scale in future depends on the demand and the ability to meet that in an environmentally acceptable way. If there is a national need that cant be met elsewhere and it can be won in an environmentally sensitive way - it should be allowed
- Responder 88 Name: Wilson, Pat - High Peak Borough Council
Mineral extraction should be small scale and intended for local construction or where there is an overwhelming national need and no alternatives.
- Responder 105 Name: Heron, John - National Planning Manager, Lafarge Cement UK
Application of the current tests would control the scale and extent of the industry. There will always be an acceptable level of working even in valued landscapes. You can only work them where they are found and subject to the need and availability elsewhere.
- Responder 108 Name: Tennant, Edward - Coke, Turner and Co.
Depends on national need , rigorous examination and assessment of alternatives. Don't pre-judge.
- Responder 114 Name: King, John - Friends of the Peak District
On a decreasing scale and extent and limited to those minerals that are

	<p>required on a local and regional scale (particularly building and roofing stone) and, exceptionally, needed nationally. Although we do not believe that the term ‘national need’ (as defined historically) can be usefully applied to fluorspar, we suggest it is more sustainable for UK requirements to be sourced indigenously than exporting environmental impacts and costs to other countries’ landscapes.</p>
Option 5.1.1	<p>Issue1: desire for a gradual reduction of minerals activity (including oil and gas operations) and its impact across the National Park</p> <ul style="list-style-type: none"> • Weaken control and reverse the National Park Authority’s declared “resolve.”
Option 5.1.2	<ul style="list-style-type: none"> • Maintain the current position
Option 5.1.3	<ul style="list-style-type: none"> • Strengthen policy to achieve an increased reliance on winning minerals outside the National Park. • Remove policy reference to an aggregates land bank • Removing Structure Plan safeguarding policy M6
Option 5.2.1	<p>Issue 2: Clarifying the national need for fluorspar</p> <ul style="list-style-type: none"> • Keep policy and criteria that allow possible fluorspar working
Option 5.2.2	<ul style="list-style-type: none"> • State in policy that there is no overriding national need for any mineral to be worked in the national park.
Option 5.3.1	<p>Issue 3: The future of cement production in the Hope valley</p> <ul style="list-style-type: none"> • Continue with an approach relevant only to the plan period rather than to the longer term future.
Option 5.3.2	<ul style="list-style-type: none"> • Introduce debate on the longer term issues
Option 5.4.1	<p>Issue 4: Sourcing “conservation grade” building stone and roof slate in the least environmentally damaging way?</p> <ul style="list-style-type: none"> • Continue current policy.
Option 5.4.2	<ul style="list-style-type: none"> • Source suitable stone outside the National Park wherever possible.

Option 5.5.1	<p>Issue 5: Should we formally recognise (in policy) the Authority’s developing best practice in the review of old mineral permissions</p> <ul style="list-style-type: none"> • Continue to apply current and future legislation in order to review old mineral permissions on a site by site basis.
Option 5.5.2	<ul style="list-style-type: none"> • Further promote the consolidation and/or exchange of old mineral permissions
	<p>Issue 6: Should we offer more certainty in policy for the preferred end use of mineral sites?</p>
Option 5.6.1	<ul style="list-style-type: none"> • Do not prescribe end uses and seek best solution for each site through course of negotiation
Option 5.6.2	<ul style="list-style-type: none"> • Establish a set of uses to ensure the end use of a quarry relates to matters that pursue the statutory purposes of the National Park, e.g. conservation and enhancement of wildlife habitat or creation of leisure focussed environments.

Do you have a preferred option or is there another option you would prefer to see.