PLANNING POLICY REPORT

for

Proposed Western Extension to Mouselow Quarry.

Wienerberger Ltd,

Mouselow Quarry,

Glossop,

Derbyshire.

Date of Report: April 2018

Written by [redacted]

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Appendices

1 INTRODUCTION

This Planning Policy Report has been prepared in association with a full planning application by Wienerberger Ltd ('the Applicant') which seeks permission for a westerly extension to the existing Mouselow Quarry near Glossop in Derbyshire.

This report provides an assessment of the application scheme in the light of relevant policies in the Statutory Development Plan and other material considerations. It demonstrates that the proposed development is in accordance with local and national policy and there are not considered to be any material considerations that would justify any determination other than to approve the planning application.

The report provides an assessment of other relevant policy issues and shows that the development on the site can proceed in a sustainable manner and that any likely impacts of the scheme do not outweigh the benefits.

2 SITE DESCRIPTION AND PLANNING HISTORY

Mouselow Quarry is located 1.5 kilometres (km) to the north-west of Glossop and 20km east of Manchester city centre in the High Peak District of Derbyshire. The Peak District National Park lies approximately 2km to the east of the site.

The site is bounded by an active railway line to the west, Dinting Road to the south and farmland to the north and east. Access to the site is directly from Dinting Road along a private, surfaced road. The main A57 road lies 1km to the west along Dinting Road and Shaw Lane and is used by vehicles travelling between the site and the Denton brickworks.

The surrounding land to the north, east and south consists of improved pasture fields with hedgerows, stonewalls and small woodland blocks.

The location of the application site is shown at **Figure 1** below.

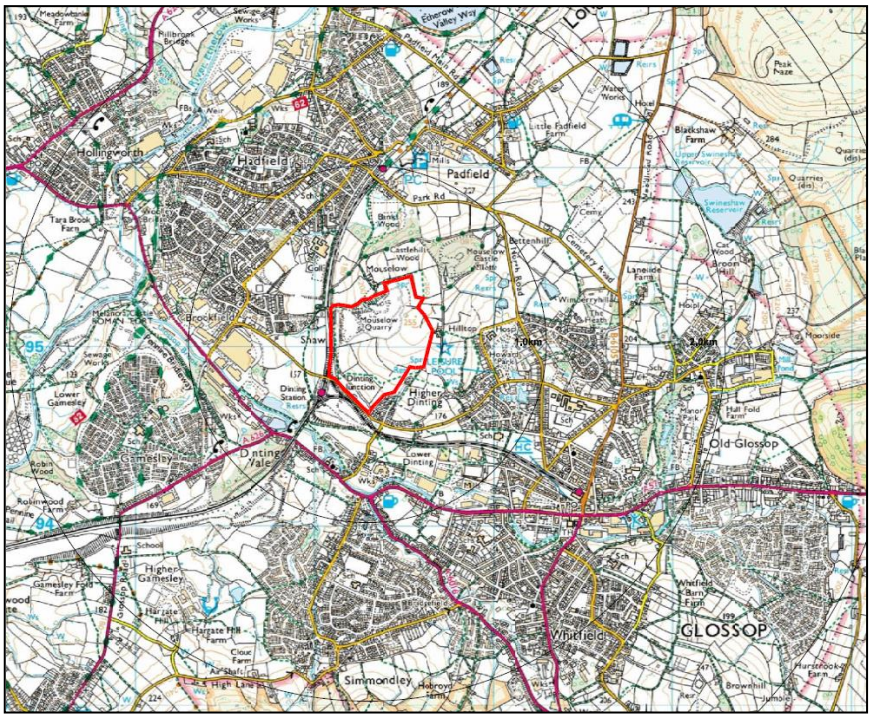

Figure 1: Site Location

There are a number of public rights of way in the vicinity of the site, some of which cross the planning permission area although none cross the operational parts of the quarry. The rights of way are securely fenced off from the operational areas.

The proposal is for a western extension to the quarry within the existing quarry permission area but outside of the current permitted extraction area. Details of the application site boundary (red line), the proposed extension area (green line) and the Applicant's land ownership (red and blue lines) are shown in **Figure 2** below.

The proposal site consists of an area of fields and woodland owned by the Applicant which are currently used for grazing.

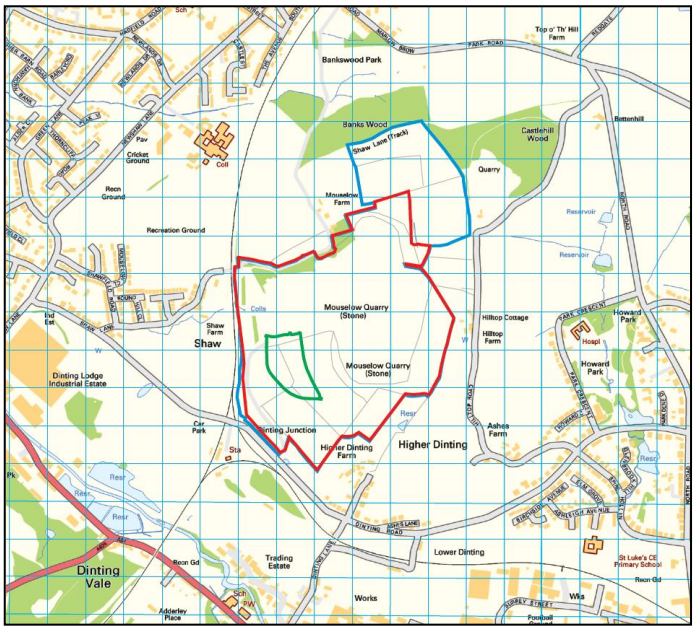

Figure 2: Site Boundaries

Mouselow Quarry has been operational since at least since 1840, and there have been a number of planning permissions for shale extraction and associated activities since 1949.

Modern planning conditions were established for the site in 2010 as a consequence of the planning review required under the Environment Act 1995. A full EIA was submitted to accompany the planning review.

The existing quarry operates in compliance with planning permission reference CM1/0214/62 granted by Derbyshire County Council (DCC) in December 2014 and which continued the modern planning conditions from 2010.

The Planning Permission for the site allows the extraction of reserves of shale clay and sandstone at the Quarry until 2042.

3 PROPOSED DEVELOPMENT

The planning application seeks consent for a small Western Extension to Mouselow Quarry, Glossop.

The existing shale reserves at the quarry consist of Upper Shales, which make up the majority of the material extracted annually, and Lower Shales which have a higher sulphur and carbon content and have only been used in small quantities to blend with the better quality shales. Shales are taken to the Denton brickworks to produce a variety of high quality bricks.

The Upper Shales are currently the main source of brick making material. Below these Upper Shales lie high sulphur and carbon Lower Shales which have historically been blended with the Upper Shales but it is increasingly difficult for the Denton brickworks to meet its strict air quality requirements if the Lower Shales are used. In order to improve sustainability, the Applicant proposes to seek consent for an extension to the Quarry where Upper Shales can be extracted, replacing the Lower Shales.

The existing planning permission for the site allows for the extraction of brickmaking shale at depth from the quarry floor and beneath the water table. This Lower Shale material is of poor quality for brickmaking due to high sulphur and carbon levels.

A bed of sandstone also occurs below the Upper Shale. The sandstone is used as a high quality building stone with a minor amount, which is not suitable for use as building stone, being used as a construction aggregate. Sandstone has already been removed from more than half the extraction area.

It is the intention to develop an extension area where there would be no extraction beneath the sandstone beds and water table therefore relinquishing the planning permission to extract the deeper, high sulphur Lower Shale material if planning permission is granted.

The quarry extension area amounts to 1.52 hectares and contains approximately 850,000 tonnes (470,000 cubic metres) of high quality Upper Shale material suitable for brick manufacture at the Denton brickworks.

There is no anticipated increase in output in the immediate future, however it is hoped that output may increase in the medium and long term as the economic conditions improve and demand increases. The future output is anticipated to be in the region of 25,000 to 30,000 cubic metres of shale per year.

There are 100,000 cubic metres of Upper Shale reserves remaining at the existing site, which is sufficient to last for only four years. The extension area would provide 470,000 cubic metres of Upper Shale which would replace the Lower Shale reserves of 600,000 cubic metres and would be sufficient for almost 19 years at a rate of 25,000 cubic metres per year.

There is no processing of shale carried out on site and no blasting is carried out. There are also no alterations proposed to the method of extraction, working hours or associated activities at the site.

The current approved restoration scheme contains a large, deep, water body as a consequence of extracting the Lower Shales below the water table. As a result of the proposed development, the water body would not be produced. A revised Restoration Concept is proposed for the site which includes agricultural grassland on the quarry floor with woodland, hedgerows, grassland and field ponds. It is considered that the revised restoration scheme

provides greater biodiversity potential than the approved scheme in a more practical and safer environment.

The planning application has been submitted following discussions with a number of statutory bodies and pre-application discussions with Derbyshire County Council Planning Officers. Further details of the proposed development are included within the accompanying Environmental Statement (ES) and shown on the accompanying plans.

4 PLANNING POLICY FRAMEWORK

This Section contains a summary of relevant national and local planning policy.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission shall be determined in accordance with the development plan, unless material considerations indicate otherwise. Conversely, applications that are not in accordance with relevant policies in the plan should not be allowed unless material considerations justify a grant of planning permission.

Paragraph 215 of the National Planning Policy Framework (NPPF) confirms that following a period of 12 months from the day of publication of the NPPF due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the development plan are to the policies in the Framework, the greater the weight may be given).

In this case the Statutory Development Plan comprises:

- The policies of the of the Derby and Derbyshire Mineral Local Plan (DDMLP) which were saved by the direction of the Secretary of State (Adopted 2000, Policies saved 2007); and
- High Peak Borough Council Local Plan (Adopted 2016).

The Saved Policies of the DDMLP pre-date the introduction of the NPPF, therefore weight should be afforded to these policies dependent upon their consistency with the NPPF. The policies of the DDMLP are considered to be sufficiently consistent with the NPPF and, until replaced by new policies in the emerging Minerals Local Plan, are considered to be appropriate policy guidance in the determination of new mineral planning applications.

The policies contained within the High Peak Local Plan have been adopted since the NPPF came in to force, their provisions will therefore be in accordance with that of the NPPF.

Therefore, the above planning policy documents are the primary consideration in the determination of the planning application. Material policy considerations include the emerging Derby and Derbyshire Minerals Local Plan (2018) and; the NPPF (March 2012), which is supported by the National Planning Practice Guidance (NPPG, March 2014).

4.1 Derby and Derbyshire Mineral Local Plan (2000)

The DDMLP was adopted by Derby City Council and Derbyshire County Council in April 2000. The policies in this section are policies that remain 'saved' following a direction from the Secretary of State in 2007. The saved policies will eventually be replaced by policies within subsequent development plan documents.

Mouselow Quarry is not specifically identified for any particular use or purpose within the DDMLP. Policies MP18 and MP32 are however identified as being of direct relevance to the proposals.

Policy MP18 relates to extensions to sites and states that

"Proposals for extensions to established mineral working sites will be permitted in preference to new sites provided they can be accommodated in an environmentally acceptable manner".

The accompanying ES demonstrates that the proposed development would not result in any unacceptable environmental impacts and can proceed in an environmentally acceptable manner.

Policy MP32 relates to Clay and states:

"Proposals for the working of clay will be permitted provided:

1) *the mineral is needed to enable the continuation of production and employment in the clay products industries, or as a raw material in the construction of waste disposal facilities, and*

2) *the proposal would not have an unacceptable impact on the environment and is designed to secure the rapid working and reclamation of the site.*

Planning permission will not be granted where the stocking of clay on the mineral site would significantly delay the reclamation of the site".

In terms of the need for the development, the Denton Brickworks currently has an active product range of 49 different products. Mouselow Upper Shale is in used in the manufacturing of 35 of these products. The percentage of total volume of products manufactured with Mouselow Upper Shale in is in excess of 80% of all products made at the site. As a result, the Denton Brickworks is highly reliant upon the Mouselow Upper Shale.

Wienerberger currently employs over 50 staff across the Brickworks and quarry operation. The Brickworks has an expenditure of approximately £7.5 million per year, with much of this expenditure being made locally on the likes of purchases, transport, fuel, wages and business rates. In recent years the factory has been subject to a £1.5 million investment and receives over £0.5 million in capital investment every year.

Wienerberger is a key employer of local people, providing employment for a range of skill sets. The proposed development is required in order to sustain the existing employment at the site and ensure investment within the business can continue to occur.

The proposed development is required in order to sustainably manage haulage costs (both economic and environmentally) by sourcing minerals within a close distance to the existing Brickworks. This is necessary in order to ensure that the cost of the final product remains competitive

Ensuring that the source of extraction is within close proximity to the Brickworks also means haulage costs can be reduced and the company is less susceptible to supply chain issues such as traffic congestion or adverse weather conditions. This ensures that the price of the final product is more competitive, less expenditure is used on haulage and more can be re-invested in to the company.

The development is also necessary on an environmental level, with the short distance between the factory and the point of extraction resulting in reduced environmental impacts associated with haulage, for example, emissions and fuel consumption can be managed and maintained at existing levels.

At present, the Lower Shales are extracted at the existing quarry site. This Lower Shale material is of poor quality for brickmaking due to high sulphur and carbon levels. These high levels of sulphur and carbon also impact air quality at the Brickworks. The proposed development is required in order to allow the existing business at the Brickworks to continue to operate in a manner that would still allow it to meet the required standards of the Environmental Permit for air quality. By using the Mouselow Upper Shale, air quality emissions around the Brickworks site can be maintained, avoiding any impact on public health.

The accompanying ES demonstrates that the proposed development would not result in any unacceptable environmental impacts and can proceed in an environmentally acceptable manner. A revised Restoration Concept is proposed for the site which includes agricultural grassland on the quarry floor with woodland, hedgerows, grassland and field ponds. The large, deep water

body would be avoided. It is considered that the revised restoration scheme provides greater biodiversity potential than the approved scheme in a more practical and safer environment.

The proposed development therefore accords with the provisions of Policy MP18 AND MP32 of the DDMLP. **The principle of the development is considered to be acceptable.**

A review of other policies within the DDMLP which are considered relevant to the application is provided within the remainder of this section.

Policy MP1 relates to the environmental impact of mineral development and states that proposals for mineral development will be permitted provided that their impact on the environment is acceptable having regard to a number of criteria. Each of the criteria are considered below:

the effect on local communities and neighbouring land uses by reason of noise, dust, vibration or other pollution or disturbance

There are no changes proposed to the existing site in terms of the working methodology, site access, quarry output, working hours or the end date for the site. Quarrying in the extension area would be carried out using the same working methods as are currently employed at the site and which do not generate unacceptable impacts upon amenity. No processing of shale is carried out on site and no blasting is proposed at the site, therefore vibration is not considered to be an issue.

Various assessments in relation to amenity, for example, dust, noise and visual impact have been included within the accompanying ES. The conclusions of which are that the proposed development would not result in an unacceptable impact upon local communities and their environs.

the effect on agricultural interests including the extent and quality of agricultural land loss and the feasibility of achieving a high standard of restoration

The land at the application site is considered to be of a low classification as demonstrated in the evidence paper for the emerging Minerals Local Plan[1]. The proposed development is therefore not considered to result in a loss of good quality agricultural land.

the visual effect of the proposals

A Landscape and Visual Impact Assessment (LVIA) has been undertaken for the site, the details of which are included within the accompanying ES. As detailed within the LVIA Chapter, the development is not considered to be unacceptable in terms of visual impacts when viewed from the surrounding area and would be seen in conjunction with the existing Quarry. The visual impact would be temporary with the lands being restored to a mix of grassland and woodland following the completion of operations. The proposed development is therefore not considered to result in any unacceptable impact in terms of visual amenity.

the effect on the character and quality of the landscape including the effects on trees, hedgerows woodland and topographical features

The site is not located within any specific area which is designated or allocated for landscape protection purposes. A LVIA has been undertaken for the site, the details of which are included within the accompanying ES. The LVIA has considered the extent to which the site contributes towards the setting of the local landscape (including the Peak District National Park, located approximately 2km away). The assessment has been undertaken both in visual and landscape character terms. As detailed within the LVIA

[1] Derbyshire and Derby Minerals Local Plan Site Assessment Maps: Mouselow (Dec, 2016) Map 9.

Chapter, the proposed development at the site is not considered to pose an unacceptable impact upon the character of the landscape.

The site is proposed to be restored to include agricultural grassland on the quarry floor with woodland, hedgerows, grassland and field ponds. The impacts of the operational phase of development upon the landscape would therefore only be temporary and contained to the period of working.

the effect on sites and features of wildlife or geological/ geomorphological importance

The site is not specifically allocated or designated for any wildlife/geological purposes. A Phase 1 Ecology Survey and Walkover has been undertaken for the site, the details of which are included within the accompanying ES together with further specific species surveys. There are no statutory ecological sites within 2km of the site although there are a number of non-statutory wildlife sites. The chapter concludes that the proposed development would not result in any unacceptable impacts upon habitats or biodiversity.

The geology chapter within the accompanying ES also provides a breakdown of the geological/geomorphological setting of the site. The chapter describes how there are no geological/geomorphological features of particular importance at the site. The development therefore would not pose an unacceptable impact upon any sites or features of ecological or geological importance.

the effect on sites of archaeological importance and their setting

The impact of the proposed development upon archaeological features has been fully considered within the Cultural Heritage chapter of the accompanying ES. A geophysical survey has been carried out over the proposed extension area and has not identified any features of potential archaeological interest. The chapter concludes that the proposed

development would not result in an unacceptable impact upon any archaeological features.

the effect on the built environment and especially features of architectural, historical or heritage importance, and their settings

The impact of the proposed development has been fully considered within the Cultural Heritage chapter of the accompanying ES. The chapter concludes that the proposed development would not result in an unacceptable impact upon any designated or non-designated historical assets.

the transport implications, and in particular the scale and nature of traffic likely to be generated, and its implications for site access, highway capacity, road safety, and the environment generally

A Transport Assessment has been undertaken for the site, the details of which are included within the accompanying ES. There are no proposed changes to the level of output, operating hours, types of vehicles, access road or market area.

The Transport Chapter of the ES describes how the proposed development would not result in any unacceptable impacts in terms of traffic generation or highways safety as a result of the proposed development.

the effect on public rights of way and areas of importance for formal or informal recreation

There are a number of public rights of way in the vicinity of the site, some of which cross the planning permission area although none cross the operational parts of the quarry. The rights of way are securely fenced off from the operational areas and signs warning of the presence of the quarry placed at regular intervals. The proposed development will not involve the re-routing of any of the existing footpaths which run across the site.

The application site is located within privately owned land and due to the nature of the operations, the site currently offers no opportunity for formal or informal recreation. The development therefore would not result in any unacceptable impact upon any public right of way or recreational land.

the effect on the quality and quantity of water resources including the ecology of water courses and wetlands, and on water supply and flood protection interests

A hydro-geological assessment and flood risk assessment has been undertaken for the site, the details of which are included within the Hydrology chapter of the accompanying ES. The assessment considers the setting of the site and the impacts of the development with relation to flood risk, hydrogeology, drainage and water quality. Given the conclusions reached, the proposed development is considered unlikely to pose an unacceptable impact upon the water environment.

Having considered the above, the proposed development is considered to be in accordance with the criteria set out in Policy MP1 of the DDMLP.

Policy MP2 relates to the need for development and states that proposals for mineral development will be permitted provided that where there is an adverse environmental impact, there is sufficient need for the development.

As demonstrated in the accompanying ES, the proposed development is not considered likely to result in any adverse impacts upon the environment. Notwithstanding, there is a clear need for the proposed development as detailed earlier in this section.

The proposed development is therefore considered to be in accordance with Policy MP2 of the DDMLP.

Policy MP3 relates to measures to reduce environmental impact and states that proposals for mineral development will be permitted provided that any adverse effects on the environment can be eliminated or reduced to an acceptable level.

The accompanying ES has assessed the impacts upon the environment as a result of the proposed development. Where any adverse effects have been identified, suitable mitigation measures have been proposed in order to reduce the effects to suitable levels. As a result, the proposed development is considered to be in accordance with Policy MP3 of the DDMLP.

Policy MP4 relates to the long term damage of proposals and states that development will not be permitted where it would result in irreplaceable or unacceptable damage.

As demonstrated in the accompanying ES, the proposed development would not result in any irreparable or unacceptable impact particularly in relation to the points raised within the policy (i.e. agricultural land; landscape; nature conservation; heritage; water resources; transport; cumulative impact). The proposed development is therefore considered to be in accordance with Policy MP4 of the DDMLP.

Policy MP5 relates to transport with the aim of the policy to ensure that proposals do not pose an unacceptable impact upon the highway in terms of traffic and safety.

As referred to above, the Transport Chapter of the ES describes how the proposed development would not result in any unacceptable impacts in terms of traffic generation or highways safety. The proposed development is therefore considered to be in accordance with Policy MP5 of the DDMLP.

Policy MP6 relates to nature conservation. The aim of the policy is to ensure appropriate mitigation measures are provided where proposals would result in an impact upon nature conservation.

The Ecology chapter in the accompanying ES concludes that the proposed development would not result in any unacceptable impacts upon habitats or biodiversity. Where any impacts have been identified, suitable mitigation measures have been proposed. The proposed development is therefore considered to be in accordance with Policy MP6 of the DDMLP.

Policy MP7 relates to archaeology. The aim of the policy is to ensure appropriate mitigation measures are provided where proposals would result in an impact upon areas of archaeological importance.

The Cultural Heritage chapter in the accompanying ES concludes that the proposed development would not result in any unacceptable impacts to any known archaeological assets. Where any impacts have been identified, suitable mitigation measures have been proposed. The proposed development is therefore considered to be in accordance with Policy MP7 of the DDMLP.

Policy MP10 relates to reclamation and after use and states that proposals for mineral development will be permitted only where satisfactory provision has been made for the reclamation and after-use of the site as soon as practicable.

The current approved restoration scheme for the Quarry contains a large, deep, water body as a consequence of extracting the Lower Shales below the water table. As a result of the proposed development, the water body would not be produced. A revised Restoration Concept is proposed which includes agricultural grassland on the quarry floor with woodland, hedgerows, grassland and field ponds. It is considered that the revised restoration scheme provides greater biodiversity potential than the approved scheme in a more

practical and safer environment. The proposed development is therefore considered to be in accordance with Policy MP10 of the DDMLP.

Policy MP23 relates to Crushed Rock for Aggregates. The aim of the policy is to ensure that proposals for the extraction of crushed rock is only permitted where there is a required need which would not otherwise be met and their impact on the environment is acceptable.

As detailed earlier in this section, the need for the shale extraction from the site is evident. A bed of sandstone occurs below the Upper Shale. The sandstone is used as a high quality building stone with a minor amount, which is not suitable for use as building stone, being used as a construction aggregate. Sandstone has already been removed from more than half the extraction area. The removal of sandstone is considered to be ancillary to the primary purpose of the site which is for the extraction shales. Given that the Upper Shales are extracted to the level of sandstone bed and that the site is being actively worked, the extraction of sandstone is considered to be appropriate in this instance, with its removal posing significantly less impacts due to the ongoing operations than extraction elsewhere.

Policy MP34 relates to Building Stone. The policy states that proposals for the extraction of rock for use as building stone will be permitted provided that there is a need for the mineral and that the scale of the proposal is such that its impact on the environment can be kept to a minimum. This is ancillary to the primary use of the site which is for the extraction of shales and for which there is an identified need. The production of a small amount of building stone is considered to be appropriate in this instance, with its removal posing significantly less impacts due to the ongoing operations than extraction or working elsewhere.

4.2 High Peak Local Plan (2016)

The High Peak Local Plan (HPLP) was adopted by High Peak Borough Council in April 2016 and seeks to direct development within the Borough and form the policy basis against which planning applications will be determined.

The policies of the DDMLP are largely reiterated within similar policies within the HPLP and therefore this section seeks to focus on policy which is not already covered by the DDMLP.

The application site is located within an area designated as Green Belt as identified on the adopted Proposals Map. An extract from the Proposals Map is provided at **Figure 3** below.

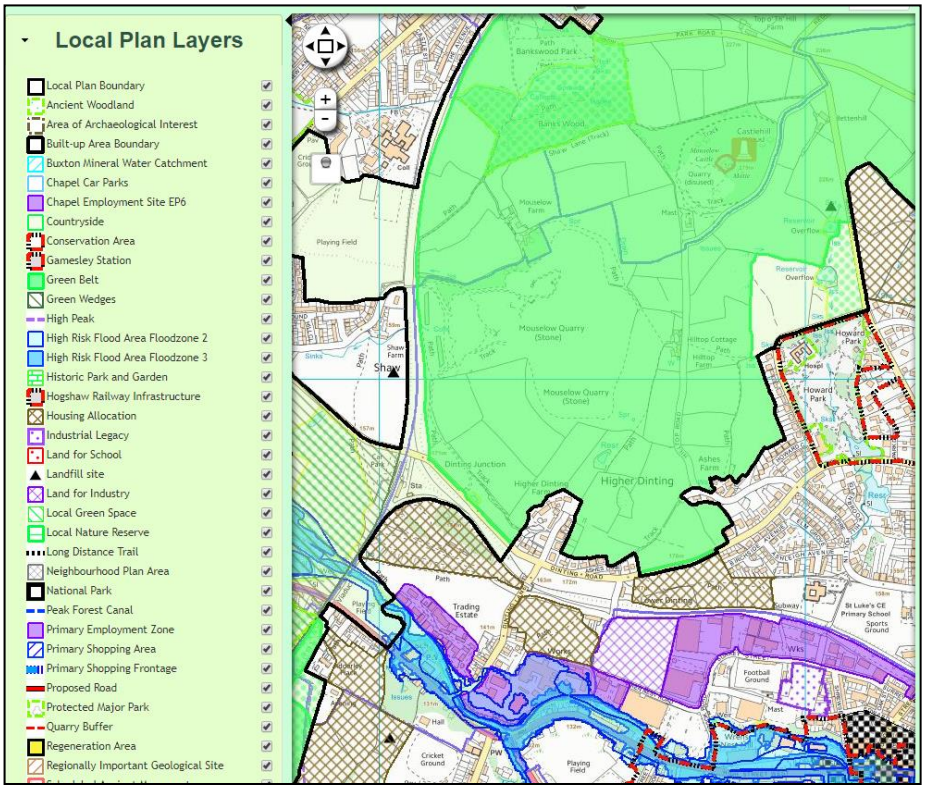

Figure 3: HPLP Proposals Map Extract

Policy EQ4 states that the Council will seek to protect the Green Belt and maintain its openness and permanence. Within the Green Belt, planning permission will not be granted for development unless it is in accordance with national planning policy.

As described at Section 4.4, the proposed development accords with the provisions of the NPPF in relation to Green Belt. Therefore, the proposed development is considered to be in accordance with Policy EQ4 of the HPLP.

Policies S1 and S1a relate to sustainable development and reflects the overall presumption in favour of sustainable development as set out within the NPPF. The extent to which the proposed development accords with the presumption in favour of sustainable development is also set out in detail at Section 4.4 of this report. The proposed development is considered to be in accordance with Policy S1 and S1a of the HPLP.

Policy S5 relates to the Glossopdale Sub-area of the Borough and states that the Council will seek to promote the sustainable growth of Glossopdale. The proposed development will support the existing business, providing job security and local employment. The proposed development is therefore considered to be in accordance with Policy S5 of the HPLP.

Policy EQ1 relates to climate change. The aim of the policy is to adopt strategies to mitigate and adapt to climate change. The Application site is located directly adjacent to the existing Quarry and shales are transported to the nearby Denton Brickworks, avoiding the need to import materials from further afield, leading to a reduction in emissions and fuel consumption. The proposed development has also been designed with consideration paid to climate change in terms of the land-form, layout, landscaping and restoration. The proposed development is considered to be in accordance with Policy EQ1 of the HPLP.

Policy EQ2 relates to landscape character. The aim of the policy is to protect, enhance and restore the landscape character of the Plan Area. The accompanying ES demonstrates that the proposed development would not pose an unacceptable impact upon the character of the landscape. The proposed development is considered to be in accordance with Policy EQ2 of the HPLP.

Policy EQ3 relates to rural development. The aim of the policy is to restrict development outside of settlement limits. Minerals can only be worked where they are found. The existing rural location is considered to pose the best opportunity for mineral extraction given its location directly adjacent to the existing extraction area and within the original planning application boundary for the site. The rural location of the development is therefore considered appropriate.

Policy EQ5 relates to biodiversity. The aim of the policy is to protect the biodiversity and geological resources of the Plan Area. As detailed in the ES, the development would not give rise to unacceptable impacts upon geology or biodiversity. The proposed development is considered to be in accordance with Policy EQ5 of the HPLP.

Policy EQ6 relates to design. The aim of the policy is to achieve high design standards for new developments within the Borough. The designs for the Quarry have been prepared by a suitably qualified engineer with input from various technical specialists, as a result, the development as proposed within the Application is considered to be well-designed and sympathetic to its location and setting whilst still remaining functional. The proposed development is considered to be in accordance with Policy EQ6 of the HPLP.

Policy EQ7 relates to the built and historic environment. The aim of the policy is to conserve heritage assets within the Borough. As demonstrated in the accompanying ES, the proposed development would not give rise to any unacceptable impacts upon historic assets. The proposed development is considered to be in accordance with Policy EQ7 of the HPLP.

Policy EQ10 relates to pollution control and unstable land. The aim of the policy is to protect people and the environment from unsafe, unhealthy and polluted hazards. The accompanying ES demonstrates that the development would not pose an unacceptable impact upon the amenity of residential

properties in the local area. The proposed development has been designed by a suitably qualified engineer to ensure that it accords with relevant Quarrying Regulations and health and safety legislation. The proposed development is considered to be in accordance with Policy EQ10 of the HPLP.

Policy EQ11 relates to flood risk management. The aim of the policy is to avoid development in areas of flood risk and reduce the risk of flooding elsewhere. Given the conclusions reached within the flood risk assessment, the proposed development is considered unlikely to pose an unacceptable impact upon the water environment. The proposed development is considered to accord with Policy EQ11 of the HPLP.

Policy E1 relates to new employment development and states that new business and industrial developments in sustainable locations that contribute towards the creation and retention of a wide range of jobs, education and training opportunities will be supported. The proposed development will support current employment at the Quarry site and the Denton Brickworks which relies upon the mineral. The company provides a range of jobs for differing skill sets and the proposed development will sustain this employment into the future with a proposed end date of ca. 2040. The proposed development is considered to accord with Policy E1 of the HPLP.

Policy CF6 relates to accessibility and transport and states that the Council will seek to ensure that development can be safely accessed in a sustainable manner. As demonstrated in the accompanying ES, the development site has been demonstrated to not pose any unacceptable impact upon highway safety or levels of traffic. The proposed development is considered to accord with Policy CF6 of the HPLP.

4.3 Emerging Derby and Derbyshire Minerals Local Plan (2018)

The new Minerals Local Plan (being prepared jointly by Derbyshire County Council and Derby City Council) will replace the existing Minerals Local Plan.

It will guide mineral-related development within Derby and Derbyshire (outside the Peak District National Park) until 2030 by setting out where they expect quarrying and mining to take place and the principles they will use to decide planning applications over this period.

Public Consultation on the Draft Minerals Plan has been undertaken in Spring 2018.

Paragraph 7.3.48 of the Draft Local Plan states that the proposed approach proposes to make provision for the supply of brick clay through existing permitted reserves; it also includes a criteria policy against which proposals for additional reserves will be considered and it will propose the allocation of any sites promoted by operators and considered acceptable for working, in principle, to commence during the Plan period to 2030..

The Plan makes specific provisions with respect to the Mouselow site with **Draft Policy SA3** stating:

"Land is allocated for mineral extraction at Mouselow Quarry shown on Map below.

Proposals for the extraction of mineral from allocated sites will be permitted provided that:

1) *the distribution of material produced at the site will be carried out via the established and permitted access and transport arrangements unless there are significant benefits in alternative arrangements*
2) *the proposed extraction will follow on after the cessation of extraction from existing permitted areas unless there are significant benefits in alternative phasing".*

A copy of the Map as referenced in the draft policy is provided at **Figure 4** overleaf.

In terms of the requirements of the policy, the proposed development will be carried out via the established and permitted access and transport arrangements for the existing site. The Applicant does not seek permission to alter these arrangements.

In terms of the phasing, the accompanying plans show how the site will be worked in phases to include the proposed extension area. By its very nature the proposed extraction from the extension area at the site will result in amended phasing to that previously approved at the site.

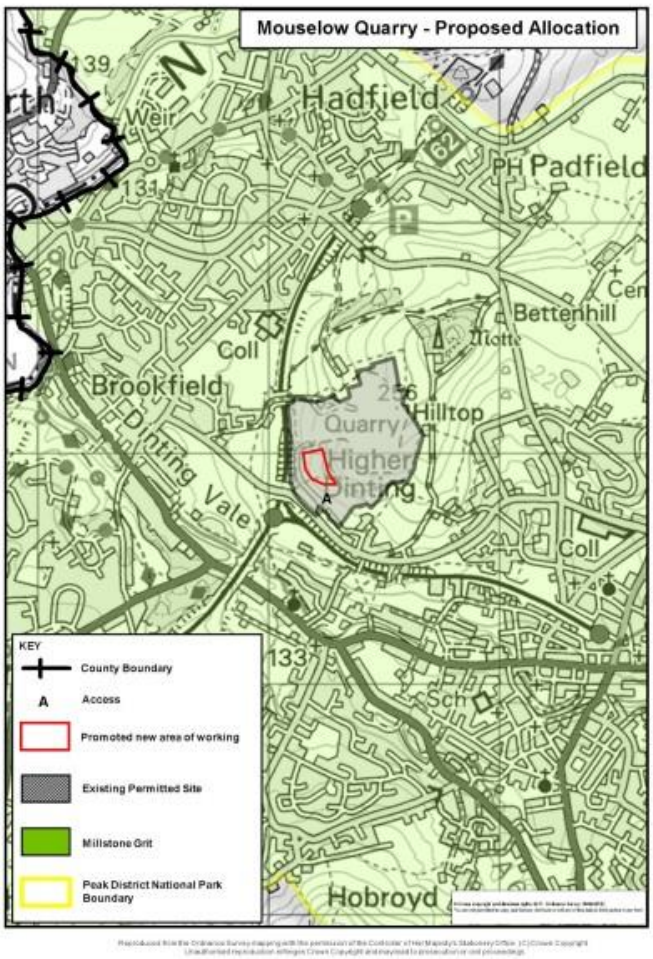

Figure 4 : Draft Minerals Local Plan (2018) extract

As described in Section 3 of this statement, there are clear and demonstrable benefits arising from the proposed development.

It is increasingly difficult for the Denton brickworks to meet its strict air quality requirements if the Lower Shales are used. In order to improve sustainability, the Applicant proposes to seek consent for an extension to the Quarry where Upper Shales can be extracted, replacing the Lower Shales.

It is the intention to develop an extension area where there would be no extraction beneath the sandstone beds and water table therefore relinquishing the planning permission to extract the deeper, high sulphur Lower Shale material if planning permission is granted.

The current approved restoration scheme contains a large, deep, water body as a consequence of extracting the Lower Shales below the water table. As a result of the proposed development, the water body would not be produced. A revised Restoration Concept is proposed for the site which includes agricultural grassland on the quarry floor with woodland, hedgerows, grassland and field ponds. It is considered that the revised restoration scheme provides greater biodiversity potential than the approved scheme in a more practical and safer environment.

The nearby Denton Brickworks is reliant upon shale extracted at Mouselow. The Quarry and Brickworks bring a significant financial benefit to the economy through salaries, taxes, business rates, purchases and payments to key suppliers. Over the last years the Brickworks and Quarry operations have contributed over £7.5 million to the economy, providing employment for over 50 people

It is therefore considered that the amended phasing required in order to work the extension area as shown in the accompanying plans would generate significant benefits in terms of air quality, hydrogeology, ecology and restoration. The proposed development is therefore considered to accord with the provisions of Draft Policy SA3.

Paragraph 14.4.17 of the draft plan states that an allocation in the Plan is **acceptance in principle** that a site is suitable for working to commence during the Plan period, subject to satisfying detailed planning requirements

Paragraph 14.4.18 states that The MPA consider that mineral extraction from the proposed allocated site is likely to be acceptable in planning terms subject to the following issues having been addressed satisfactorily. This includes:

- an assessment of how the site would be developed and operated in such a way that the local community and environment are protected from significant adverse impacts;

- an ecological assessment of the designated sites, habitats, fauna and flora present on or adjacent to the site and/or potentially impacted by the site's development, and an evaluation of the impact of development upon species and habitats present on or adjacent to the site, and on the wider ecological network;

- an assessment of the effects on the historic environment including designated sites and settings and archaeological remains;

- an assessment of the effects of the development on the water environment;

- an assessment of the landscape and visual impact of the site including the provision of suitable landscaping measures;

- a transport assessment including an assessment of the existing access arrangements and the potential impact upon the Strategic Road Network; and

- an account of the mitigation and compensation measures required to address environmental impacts, and of the biodiversity enhancement

opportunities arising from the development, including its restoration and aftercare.

As demonstrated throughout the accompanying ES, the proposed development would accord with the planning issues as identified in the accompanying text as set out in the draft plan. Each of the planning issues above have been fully assessed within the accompanying ES, with the statement concluding that the proposed development would not result in any unacceptable impact.

In identifying the application site as a draft allocation in the Draft Minerals Plan, The Mineral Planning Authority have prepared an assessment of the Mouselow site (see appended at **Appendix 1**). The assessment provides a description of the site's background and an assessment in terms of economic, environmental and social criteria which will be used as part of the evidence base to support the emerging plan and any potential future extension allocation.

The assessment identifies a number of key positive factors favouring a future extension allocation of the site:

- Mouselow Quarry clay and shale is essential for the continued operation of the brickworks at Denton. The quarry operator and brickworks owner Wienerberger is one of the leading brick manufacturers in the UK and markets are nationwide.

- The quarry is also an important supplier of high quality building stone. Markets are nationwide, generally to high value projects in major cities.

- Important local employer (both quarry and brickworks) and provider of wealth to local economy in a semi-rural area where mining is a traditional important local employer

The assessment also identifies a number of potentially negative factors against allocating the site, however these are considered to be far outweighed by the benefits. Paragraph 14.4.15 of the draft plan states that:

“Following consideration of the key negative factors that would constrain the allocation of the site and having regard to more detailed pre-application discussions it is considered that the site should be put forward for allocation in the Proposed Approach”.

The plan has not yet undergone public examination, however it may be afforded some weight in the decision making process, in accordance with the provisions of the NPPF.

4.4 National Planning Policy Framework

The NPPF was adopted by the Government in March 2012. It consolidates and streamlines previous national policy statements into a single document. Paragraph 2 (and 196) confirms that planning law requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions in that regard.

Paragraph 6 states that the purpose of the planning system is to contribute to the achievement of sustainable development. **Paragraph 7** explains that there are three dimensions to ‘sustainable development’:

- An economic role – helping to build a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- A social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

- An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimize waste and pollution, and mitigate and adapt to climate change.

Paragraph 8 describes how these roles should not be undertaken in isolation, because they are mutually dependent, rather, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

Paragraph 9 states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

Paragraph 10 states that plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

Paragraph 14 of the NPPF explains that there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means that:

- Local Planning Authorities (LPAs) should positively seek opportunities to meet the development needs of their area;

- LPAs should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: - Any adverse impacts would outweigh the benefits; or - Specific policies in the NPPF indicate development should be restricted.

For decision-taking this means:

- Approving proposals that accord with the development plan without delay;

- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless: -

    - Any adverse impacts would outweigh the benefits;
    - or - Specific policies in the NPPF indicate development should be restricted.

Footnote 9 confirms the policies where development should be restricted. These include:

- those policies relating to sites protected under the Birds and Habitats Directives; and/or

- designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

Paragraph 15 advises that policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay.

With regards to the presumption in favour of sustainable development, the proposed development can be seen to accord with each of the three dimensions which contribute towards the meaning of sustainable development as defined by paragraph 7 as outlined below.

With regards to the economic dimension, the quarry has been in operation since at least the 1840's, most recently supplying shale for use in the nearby Denton Brickworks. The site is strategically well placed, less than 9 miles away from the Brickworks. This allows for the efficient movement of material from the point of extraction to the Brickworks. The number of direct employees at the Quarry and the reliant Brickworks is over 50, providing employment for a range of staff including those working in transport, admin and support functions. The factory has an expenditure of over £7.5 million per annum with a proportion of this expenditure being made locally on the likes of purchases, transport, fuel, wages and business rates.

In terms of the social dimension, one of the UK Government's key aims is to increase housebuilding with a target of delivering one million new homes by 2020 announced by Housing Minister Brandon Lewis in September 2015[2]. The proposed development would provide the raw materials (shale) required to manufacture bricks, which would in turn be required to deliver the new homes the Government is seeking. The supply of bricks and other building materials is essential to meeting the needs of present and future generations in terms of the built environment, infrastructure and services.

The proposed development offers long term, stable, full-time employment prospects at a local level and provides opportunities for promotion and advancement though training and experience. The applicant has also invested in local communities in terms of training, educating, employment contributions, economic advancement, sponsorship and charitable support.

[2] DCLG and PMO, Press Release- 12th October 2015

In terms of the environmental role, the application represents the most efficient use of natural resources and seeks to minimise waste and pollution. The ES confirms that there would be no unacceptable environmental impacts arising from the development that would adversely affect the local area or the amenity of local residents. The restoration plans for the site make provision for agricultural grassland on the quarry floor with woodland, hedgerows, grassland and field ponds. It is considered that the revised restoration scheme provides greater biodiversity potential than the approved scheme in a more practical and safer environment.

The proximity of the Quarry to the Brickworks means that the mineral would not have to be transported to the site from greater distances, leading to a reduction in emissions produced by vehicles and overall fuel consumption.

The proposed development would also result in Upper Shales being extracted from the site as opposed to Lower Shales which have a higher carbon and sulphur content. The benefit is that when the Upper Shales are used at the Denton Brickworks, due to their lower sulphur and carbon content, there will be less impact on air quality.

The proposed development is therefore considered to accord with the provisions of the NPPF in relation to the three dimensions of sustainable development.

Paragraph 17 sets out 'core planning principles' that underpin both plan making and decision taking. Planning should *inter alia*:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving places that the country needs;

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

- encourage the effective use of land by reusing previously developed land, providing it is not of high environmental value;

- conserve heritage assets in a manner appropriate to their significance; and

- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

Paragraphs 18 and 19 state that the Government is committed to securing economic growth in order to create jobs and prosperity and ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to economic growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system.

As described above, the proposed development will encourage economic growth through the maintenance of brick production, capital investment, employment, payment of taxes and business rates. Therefore, in accordance with paragraphs 18 and 19, these considerations should be given significant weight in the determination of the planning application.

Paragraph 28 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should *inter alia*:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;

- promote the development and diversification of agricultural and other land-based rural businesses;

The proposed development will allow for the sustainable continuation of Mouselow Quarry and will support the existing Denton Brickworks.

In respect of transport, **Paragraph 32 of** the NPPF advises that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether *inter alia* safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The provisions are reflected in local transport policies (Policies MP1 and MP5 of the DDMLP and CF6 of the HPLP) which are assessed above. The proposed development is considered to be in accordance with the provisions of the NPPF in terms of transport.

Section 7 of the NPPF relates to achieving good design with paragraph 56 stating that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

The provisions of the NPPF in relation to good design are reflected in local planning policies (Policy EQ6 of the HPLP) and as described above, the proposed development is considered to achieve acceptable standards in good design.

Section 9 of the NPPF relates to Green Belt land with Paragraph 79 describing how the Government attaches great importance to Green Belts.

Paragraph 80 lists the five purposes for Green belt:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 88 describes how when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 90 states that certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. One such use as identified within the policy is mineral extraction.

As demonstrated in the Landscape chapter of the accompanying ES, the proposed development would not impact upon the openness of the Green Belt. The proposed development would consist of a small extension to the existing quarry with the site being restored to grassland following the completion of operations at the site.

In terms of any potential conflict with the five purposes of the Green Belt, the proposed development is not considered to conflict with any of the purposes

set out at Paragraph 80. The development would not prevent the Green Belt from restricting the sprawl of urban developments, it would not result in towns merging, in would not result in an encroachment in to the countryside, it would not impact the setting and special character of any special town and it would not discourage urban regeneration.

As a result of the above, the proposed development is considered to accord with the provisions of the NPPF in relation to Green Belt.

Paragraph 100 relates to flood risk and states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere

The provisions of the NPPF in relation to flood risk are reflected in local planning policies (Policy EQ11 of the HPLP) and as described above, it is considered the proposed development would not result in an increased risk of flooding on-site or elsewhere.

Paragraph 109 confirms that the planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, geological interests and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soils, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The provisions of the NPPF in relation to biodiversity are reflected in local planning policies (Policies MP1 and MP6 of the DDMLP and Policy EQ5 of the HPLP) and as described above, it is considered the proposed development would not result in an unacceptable impact upon biodiversity.

Paragraph 112 relates to agricultural land and states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, Local Planning Authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

The provisions of the NPPF in relation to the protection of the best and most versatile land are reflected in local planning policies (Policy MP2 of the DDMLP). As described above, whilst the development would result in the loss of a small area of agricultural land the revised restoration scheme would replace a similar area of land, it is considered that the benefits associated with the development outweigh any potential impacts.

Paragraph 120 states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Paragraph 121 states that planning policies and decisions should also ensure that the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities.

The provisions of the NPPF in relation to ground conditions and instability are reflected in local planning policies (Policy MP1 of the DDMLP and EQ6 of the HPLP) and as described above, the proposed development plans have been designed by a suitably qualified engineer and development will be undertaken in accordance with the approved plans. The proposed development therefore would not result any issues related to ground conditions or land instability or any other breach of health and safety guidance.

Paragraph 123 states that planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;

- mitigate and reduce to a minimum, other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;

- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and

- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

The provisions of the NPPF in relation to protecting amenity are reflected in local planning policies (Policy MP1 of the DDMLP and EQ10 of the HPLP) and as described above, it is considered the proposed development would not result in an unacceptable impact upon the amenity of residents within the local area.

Paragraph 132 states that 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. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled

monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraphs 133 -136 provide guidance on how planning authorities should deal with proposals dependent upon their level of harm upon a heritage asset.

The provisions of the NPPF in relation to protecting the historic environment are reflected in local planning policies (MP1 and MP7 pf the DDMLP and Policy EQ7 of the HPLP). As described above, it is considered the proposed development would not result in an unacceptable impact upon the historic environment.

Paragraph 142 states that minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.

Paragraph 144 confirms that when determining planning applications, local planning authorities should *inter alia*:

- **give great weight to the benefits of the mineral extraction**, including to the economy;

- as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites, Scheduled Monuments and Conservation Areas;

- ensure, in granting planning permission for mineral development, 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 for extraction in proximity to noise sensitive properties;

- not grant planning permission for peat extraction from new or extended sites;

- provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances;

- not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes;

- consider how to meet any demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking account of the need to protect designated sites; and

- recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.

The above provisions in relation to minerals development are reflected in a number of local planning policies in both the DDMLP and the HPLP. An

assessment of these policies is provided earlier in this report and concludes that the proposed development would not result in any unacceptable adverse effects, as a result, the proposed development is considered to accord with the provisions of paragraph 144 of the NPPF.

Paragraph 146 states that Minerals Planning Authorities should plan for a steady and supply of industrial minerals. For brick or clay products a 25 year stock of permitted reserves of brick clay should be maintained to support the level of actual and proposed investment required to maintain or improve an existing plant or provide a new kiln.

Regarding decision making, **paragraph 187** of the NPPF indicates that LPAs should look for solutions rather than problems, and decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 203 states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 206 states that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

4.5 National Planning Practice Guidance (March 2014)

The National Planning Practice Guidance (NPPG) provides detailed guidance notes to be used by applicants when preparing planning applications and for LPA's in determining planning applications. In relation to minerals development, the NPPG provides a range of detailed guidance which due to

its extensive nature, is not repeated in full in this report. The pertinent points in relation to the proposed development are briefly outlined below.

The NPPG describes how minerals make an essential contribution to the country's prosperity and quality of life and that minerals developments have special characteristics, for example, they can only be worked where they are found. The guidance also describes how working is a temporary use of the land and where adverse effects are predicted, these can often be addressed through mitigation.

The guidance describes how any significant effects which would arise as a result of the development should be addressed within the planning application. An ES has been prepared and accompanies this planning application. The ES assesses the likelihood for the development to result in significant environmental effects. Where any significant environmental effects are predicted, the ES identifies how suitable mitigation measures may be used to reduce or avoid any harm being posed by the development.

NPPG states that minerals operators should look to agree a programme of work with the mineral planning authority which takes into account, as far as is practicable, the potential impacts on the local community and local environment (including wildlife), the proximity to occupied properties, and legitimate operational considerations over the expected duration of operations.

The guidance states that recognition should be given to any marked differences in geology, physical and chemical properties, markets and supply demand between different minerals which can have implications for their extraction. It also stresses the economic importance of industrial minerals for downstream industries; the loss of supply of one mineral may jeopardise the whole manufacturing process.

The accompanying plans demonstrate how the site would be worked in phases, therefore reducing any impacts the proposed development may have on the surrounding area.

The NPPG goes on to provide detailed guidance in relation to noise, dust, restoration, landscaping, land banks and the use of Planning Orders.

Following a review of the guidance, it is considered that the proposed development accords with the guidance as set out within the NPPG, where specific technical guidance is provided, for example with relation to noise, this has been included and addressed within the accompanying ES. As a result, the proposed development is considered to be in accordance with the guidance in relation to minerals development as set out within the ES.

5 CONCLUSIONS

This Planning Policy Report has been prepared in association with a full planning application by Wienerberger Ltd which seeks permission for a westerly extension to the existing Mouselow Quarry, near Glossop, Derbyshire.

The existing planning permission for the site allows for the extraction of brickmaking shale at depth from the quarry floor and beneath the water table. This Lower Shale material is of poor quality for brickmaking due to high sulphur and carbon levels.

It is the intention to develop an extension area where there would be no extraction beneath the water table therefore relinquish the planning permission to extract the deeper material.

There are 100,000 cubic metres of Upper Shale reserves remaining at the existing site, which is sufficient to last for only four years. The extension area would provide 470,000 cubic metres of Upper Shale which would replace the Lower Shale reserves of 600,000 cubic metres and would be sufficient for almost 19 years at a rate of 25,000 cubic metres per year.

There is no processing of shale carried out on site and no blasting is required. There are also no alterations proposed to the method of extraction, working hours or associated activities at the site.

The nearby Denton Brickworks is reliant upon shale extracted at Mouselow. The Quarry and Brickworks brings a significant financial benefit to the economy through salaries, taxes, business rates, purchases and payments to key suppliers. Over the last years the Brickworks and Quarry operations have contributed over £7.5 million to the economy, providing employment for over 50 people.

The aim of both national and local mineral planning policies is to achieve a balance between the economic benefits associated with the development and the potential environmental effects. The assessment of the potential effects of the development are provided within the accompanying ES.

The proposed development has been assessed in the light of prevailing local and national planning policy, namely:

- The policies of the of the Derby and Derbyshire Mineral Local Plan (DDMLP) which were saved by the direction of the Secretary of State (Adopted 2000, Policies saved 2007); and

- High Peak Borough Council Local Plan (Adopted 2016).

Material policy considerations include the emerging Minerals Local Plan (2018); the National Planning Policy Framework (NPPF, March 2012), which is supported by the National Planning Practice Guidance (NPPG, March 2014).

The site is not allocated for any particular use or purpose within the DDMLP. Policies contained within the DDMLP allow for the extension of existing sites and for the working of clay so long as there is a need and it does not result in any unacceptable impacts.

This report, in conjunction with the accompanying ES has demonstrated that there is a clear need for the proposed development and that the extension to the site would not result in an unacceptable impact upon the environment.

The site is located within a Green Belt designation as identified on the HPLP Adopted Proposals Map. This report has demonstrated that the development would accord with Green Belt policy as set out in the NPPF and would not conflict with the five purposes for Green Belt designations.

The proposed development would contribute significantly towards the Council's requirement to plan for a 25 year supply of Brick Clay.

As a result, the principle of the development is considered to be established.

The site is identified as a potential allocation in the emerging Minerals Local Plan. This statement has demonstrated that the proposed development would be in accordance with the draft policy for the site. In identifying the site as a potential allocation DCC have assessed the site and concluded that in principle, it would be suitable for future development.

This report has demonstrated that the development accords with local and national policies with relation to the historic and natural environment, amenity, flood risk, contamination, design, land stability, transport and water management.

Where any impacts have been identified, appropriate mitigation measures have been suggested in order to address any potential adverse effects.

The planning application has been submitted following formal pre-application discussions with DCC Planning Officers.

The report demonstrates that the development would generate a number of economic, environmental and social benefits and any potentially adverse impacts that the development would have, would be far outweighed by the considerable benefits. As a result, it is concluded that there should be no planning policy reasons as to why the proposed development should not be approved.

Appendices

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Appendix 1

Draft Minerals Plan Site Assessment (Dec, 2017)

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DERBYSHIRE AND DERBY MINERALS LOCAL PLAN

Towards a Minerals Local Plan:

Spring 2018 Consultation

Site Allocations:

Revised Initial Site Assessment

Mouselow

December 2017

DERBYSHIRE County Council

Derby City Council

Contents

1. Introduction and Background

1.1 The allocation of specific sites for mineral working forms part of the proposed way of planning for an adequate and steady supply of brick clay, as set out in Chapter 7 of the Proposed Approach. The implementation of this approach requires the Plan to allocate suitable sites that will commence working during the Plan period to 2030.

1.2 In order to assess the suitability of sites the MPAs have developed a Site Assessment Methodology which has been refined following previous consultations. Further information can be found in the following Background Paper.

Towards a Minerals Local Plan: Spring 2018 Consultation

Revised Site Assessment Methodology Hard Rock Quarries, December 2017

1.3 The revised Site Methodology has been used to carry out a revised Initial Assessment on the 'hard rock' sites that have been promoted for working during the Plan period. This Paper contains a Revised Initial Assessment of the promoted extension site at Mouselow Quarry.

2. Mouselow Quarry

2.1 Mouselow Quarry, operated by Wienerberger Ltd, lies on the Millstone Grit Group which consists of an interbedded sequence of shales, mudstones and sandstones. The quarry is worked primarily to extract shale for use in brick making. Sandstone is also extracted; the majority is used as a high quality building stone whilst small amounts of lesser quality stone is used for aggregate purposes. The Brick Clay is used exclusively to supply

Wienerberger UK's Denton Brickworks, in east Manchester. Mouselow clay and shale supplies over 50% of the brick making material used at the Denton plant and is essential for the continued operation of the brick works.

2.2 Recent brick clay production at Mouselow is around 45,000 tonnes per annum (tpa); there is no anticipated increase in output in the immediate future however output may increase to approximately 54,000 tpa in the medium to longer term if the economy improves. Sandstone extraction is anticipated to remain at approximately 10,000 tpa.

2.3 A key factor in the suitability of the shale for brick making purposes is the level of sulphur and carbon. The Upper Shales are the main source of brick making material. Below these shales lie the Lower Shales which are high in sulphur and carbon. Historically these have been blended with the Upper Shales but it is increasingly difficult for the Denton Brickworks to meet increasingly strict air quality requirements if the Lower Shales are used. The Company has decided to use the Upper Shales only which means that the existing approved reserves of 180,000 tonnes will only last 4 years. The Company are therefore are promoting a small extension to the quarry (1.5 Ha) that would generate an additional 850,000 tonnes of high quality brick making shale and last approximately for 19 years. Planning permission to extract the Lower Shales would be relinquished. The combination of the existing reserves and the promoted extension sites would last for approximately 23 years in total, resulting in a planned end date for the quarry of 2040.

2.4 The promoted extension site is smaller (in area and tonnage) than that previously promoted by Wienerberger and which was the subject of an Initial Assessment in 2016/2017. The smaller site will now be the subject of this revised Initial Assessment.

3 Sources of Information for Assessment

3.1 The following documents provide the main sources of information used to assess the site:

Derbyshire and Derby MLP Questionnaire for promoted sites

Email containing additional supporting information from Wienerberger dated 28 1 2015

Planning application CM1/0214/162 - variation of condition to CM1/0310/24 to allow for an extension of time for working, January 2014 and supporting documents – granted 18/12/2014

EM1 0617 16 Request for Pre Application Advice for the extension of Mouselow Quarry and supporting documents, June 2017

3.2 More detail about the sources of information used to inform the assessment can be found in the following Background Paper:

Towards a Minerals Local Plan: Spring 2018 Consultation

Revised Initial Site Assessment Background Information: Mouselow, December 2017

3.3 The following information has been mapped:

Site location, resource, noise and indicator zones, public rights of way and transport features, water designations, nature and heritage assets, landscape character, predictive agricultural land

The site assessment should be read alongside the mapped information which can be found in the following Paper:

Towards a Minerals Local Plan: Spring 2018 Consultation

Revised Initial Site Assessment Maps, Mouselow,

December 2017

4. Site Assessment

Initial Assessment of Sites

The Initial Assessment involves an assessment of each promoted site against the economic, social and environmental criteria set out in Table 1. The purpose of this Initial Assessment is to discover any positive factors that would support the allocation of the site and any negative factors that would constrain its' allocation. These factors are then categorised as having a major or minor impact. In some cases the criteria have been categorised has only having a minor impact on the potential allocation of the site from the outset; no other weightings will be applied to the criteria. The assessment criteria will be applied on an individual basis and therefore what is considered a major impact for one criterion should not be compared to a major impact for another criterion. The Initial Assessment is not intended to be a stop/go process hence even where negative factors have been identified further detailed assessment will take place to ascertain if those factors can be mitigated or avoided to enable a site to progress towards allocation.

The Initial Assessment will be undertaken by appropriately qualified personnel specifically identified to conduct assessments based on their respective professional fields. Much of the Assessment is desk based using existing data and information. A field visit has also been undertaken to view the site in the context of its surroundings.

The main generic sources of information are:

- Relevant environmental, infrastructure and land use GIS datasets,
- Mineral resource information reports, maps and survey data,
- Current and historic planning permissions and planning applications, and

- Landscape Character Study assessments, Biodiversity Action Plans, Historic Environment Record (Sites and Monuments record)
- Local Transport Plan
- District Council prepared Local Plans

Scale of Impact
The scale of impact is recorded as follows:

PMAJ - Major positive factor in favour of allocation

PMIN - Minor positive factor in favour of allocation

NMIN - Minor negative factor against favouring an allocation

NMAJ – Major negative factor against favouring an allocation

None/Few/Some/Many
For some indicators the Assessment provides an indication of the number of properties affected by a criterion by using the general terms none, few, some and many. These general terms have been assigned numbers to provide an indication of the number of properties involved.

None – 0, Few – 1-5, Some – 6-19, Many 20+

Sensitive Receptors
For some indicators the Assessment refers to impacts on sensitive receptors; examples of such receptors are set out below:

Visual sensitive receptors: Residences, Retirement Homes, Hospitals, Community Facilities, Hotels, Footpath/Trail users etc

Noise Sensitive receptors: Residences, Retirement Homes, Hospitals, Schools, Places of Worship, Offices, Farms, Hotels etc

Dust Sensitive receptors: Residences, Retirement Homes, Hospitals, Schools, Farms, Hotels, Some industries such as food processing, hi-tech etc

Additional Note

The Criteria Numbers in Table 1 have changed from previous consultation versions of Table 1 as criteria have been added or deleted.

Table 1: Revised Initial Assessment

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
Economic Criteria					
Need for mineral	01	NPPF requires that local plans should plan for an adequate and steady supply of industrial minerals. Additionally for some industrial minerals, especially those used in cement production and brick clay the NPPF sets out specific requirements for providing a stock of permitted reserves (land bank). Is there an identified need for additional reserves to maintain supply throughout the Plan period?	PMAJ PMIN NMAJ	Detailed evidence to support the need for additional reserves to be worked at that quarry over the Plan period Some evidence to support the need for additional reserves to be worked at that quarry over the Plan period Insufficient evidence to support the need for additional reserves to be worked at that quarry over the Plan period	PMAJ (See Map 1) The Company has submitted detailed evidence to justify the need for additional reserves of Upper Shales from Mouselow to support brick making. Current reserves of this quality total 180,000 tonnes and will only last for 4 years i.e. not until the end of the plan period, 2030.
Quality/yield of mineral	02	NPPF requires that local plans should plan for an adequate and steady supply of industrial minerals. In order to assess whether a site will meet an identified need it is important to determine the scale and nature of the promoted mineral resource. Has the operator provided sufficient information about the quality/yield of the resource?	PMAJ PMIN NMAJ	Detailed geological evidence to support the quality/yield of the deposit (boreholes) Some geological evidence to support the quality/yield of the deposit (mapped) Insufficient evidence to support the quality/yield of the deposit	PMAJ The Company has provided detailed resource information in the promotion of the site for working.

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
Use of mineral resources	03	NPPF recognises that minerals are a finite resource and therefore it is important to make the best use of them in order to ensure their long term conservation. Is the end use proposed appropriate for the type of mineral?	PMAJ PMIN NMAJ	Detailed evidence provided to justify that the end use is appropriate for the mineral Some evidence provided to justify that the end use is appropriate for the mineral Insufficient evidence provided to justify that the end use is appropriate for the mineral	PMAJ The Company has submitted detailed evidence to justify the end use of the extracted minerals i.e. shales for brick making purposes; sandstone for building stone use and less quality sandstone for aggregate uses.
Location of site to market areas	04	Market areas vary greatly for minerals depending on their type from international, national or more local. Where relevant, an assessment will be made on the appropriateness of the location of the site for its intended market. Is the site appropriately located in relation to the market areas it is intended to serve?	PMIN NMIN	The site is well located to serve its intended market The site is not well located to serve its intended market	PMIN Denton Brickworks is approximately 10 miles away and principally serves the Manchester conurbation. Mouselow quarry clay and shale is essential for the continued operation of the brickworks. The quarry operator and brickworks owner Wienerberger is one of the leading brick manufacturers in the UK and markets are nationwide. Markets for the high quality sandstone are nationwide, generally for high value projects in major cities.
Existing Infrastructure	05	Mineral processing plant/infrastructure can be expensive to develop and therefore NPPG states that economic considerations such as the utilisation of existing plant and infrastructure should be taken into account in considering the suitability of new sites and extensions to existing sites. Is there existing infrastructure that would be utilised by the proposed operation to process the mineral?	PMIN NMIN	Yes existing infrastructure exists on or adjacent to the site No - new infrastructure would be required to process the mineral	PMIN Mobile infrastructure exists on site to process the sandstone for aggregates. The shale is processed at Denton. The sandstone blocks are processed off site at Woodkirk Quarry (Leeds).
Conservation of Resources	06	NPPF recognises that minerals are a finite resource and therefore it is important to make the best use of them in order to ensure their long-term conservation. In some cases it might be that if a site isn't allocated to be worked as part of a current	PMIN NMIN	Yes The site is likely to remain unworked if not allocated No The site is likely to be worked if not allocated due to its scale/location	PMIN Hard rock quarries are expensive to develop and therefore if this site isn't worked as an extension to the existing quarry it is unlikely to be worked in the future.

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
		operation its' scale or location would affect the likelihood of it being worked in the future. If the site wasn't allocated is it likely that the site would remain unworked due to its location/scale?			
Employment	07	The minerals industry can provide an important source of local employment. NPPG states that economic considerations such as the retention of jobs should be taken into account in considering the suitability of new sites and extensions to existing sites. Would the proposal create new jobs? Would the proposal lead to the retention of jobs at a currently operational site? Would the proposal create new jobs but lead to job losses elsewhere?	PMAJ PMIN	A new operation which would result in the creation of new jobs The continuation of an operation leading to the retention of existing jobs or a new operation which would result in the creation of new jobs but which would result in job losses elsewhere.	PMIN Working of the site would enable the continuation of employment at the quarry and additionally secure direct and indirect employment at the Denton Brickworks which supports over 60 employees. Additional employment is generated through the sandstone extraction which is used as high grade building stone by the Park Royal Group.
Social Criteria					
Duration of mineral extraction	08	NPPF requires the cumulative impact of proposals to be taken into account. The duration of the operation should be a consideration as it will affect the overall scale of impact on local communities. What is the intended timeframe for working the site in addition to any existing permitted reserves?	PMAJ PMIN NMIN NMAJ	Short term 0-10 years Medium term 10-20 years Long term 20-30 years Very long term 30+ years	NMIN Working the site is a long term proposal estimated to be around 23 years.
Visual Intrusion	09	NPPF requires that mineral operations do not have unacceptable adverse visual impacts. Visual intrusion covers impact of the workings in relation to visually sensitive receptors e.g. nearby communities, PROW users The Assessment makes a judgement on the visual impact of working on 'sensitive receptors'. The assessment takes into account as far as possible; proximity to sensitive receptors, topography of site and existing screening measures.	PMAJ PMIN NMIN NMAJ	The site has few or no visually sensitive receptors and/or only small parts of the site will be visible from them. The site has few visually sensitive receptors but large parts (or more than one part) of the site will be visible from them. The site has some visually sensitive receptors and/or some parts of the site will be visible from them. The site has many visually sensitive receptors and/or large parts (or more than one part) of the site will be visible from them.	NMIN (See Map 2) The nearest residential properties are located to the south of the quarry at Higher Dinting, to the west of the railway line off Shaw Lane and to the east at Howard Park. There are also isolated farm properties close to the site to the north and east. The site is well screened in this direction by existing woodland and vegetation and no parts of the site will be visible from nearby sensitive receptors. The greatest visual impact of the promoted allocation area, however, would be on the higher ground receptors to the south and west within 3km of the site. This includes parts

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
					of the Peak District National Park but the views are part of a wider panorama. Whilst the existing quarry site is already visible the removal of some of the hillside to the south west would only marginally increase the visual exposure of the existing quarry and this will be offset by the progressive restoration of the existing quarry void. There will be views of the working from PROW; particularly from footpaths 102 and 133 which lie to the south and east of the quarry.
Noise	10	NPPF requires that mineral operations do not have unacceptable adverse noise impacts. At the planning application stage it is likely that a Noise Assessment study will need to be undertaken. At this stage however it is possible to indicate where noise might be an issue by assessing the number of noise sensitive receptors and their distance from the site. In the absence of detailed information about the sources of noise the site boundary has been used from which to measure potential impacts. The assessment takes into account the number of 'noise sensitive receptors' within 200 and 500m of site.	PMAJ PMIN NMIN NMAJ	The site has no noise sensitive receptors within 500m of the boundary of the site The site has no or few noise sensitive receptors within 200m of the boundary of the site and some within 500m The site has no or few noise sensitive receptors within 200m of the boundary of the site and many within 500m The site has many noise sensitive receptors within 200m of the boundary of the site	NMIN (See Map 3) The site has no or few noise sensitive receptors within 200m of the site and few within 500m. The nearest sensitive receptors to the site lie to the north east at Shaw. About half a dozen properties at Shaw lie close to the 200 m boundary, with the remaining properties at Shaw within 500m. Properties at Higher Dinting to the south east of the site lie within 200 – 500 metres. A few isolated properties around Mouselow Farm and Hilltop Farm also lie within this zone.
Dust	11	NPPF requires that mineral operations do not have unacceptable adverse dust impacts. NPPG sets out further guidance on this matter. At the planning application stage it is likely that a Dust Assessment Study will need to be undertaken. At this stage, however, it is possible to indicate where dust might be an issue by assessing the number of dust sensitive receptors and their distance from the site. The IAQM study[1] has been used to classify receptors has having high/medium/low sensitivity to dust. In the	PMAJ PMIN NMIN NMAJ	The site has no high/medium dust sensitive receptors within 400m of the boundary of the site The site has no or few high/medium dust sensitive receptors within 100m of the boundary of the site and some within 400m The site has no or few high/medium dust sensitive receptors within 100m of the boundary of the site and many within 400m The site has many high/medium dust sensitive receptors within 100m of the boundary of the site	NMIN (See Map 4) The site has no or few dust sensitive receptors within 100m of the site and many within 400m. The nearest sensitive receptors to the site lie to the north east at Shaw where many properties lie beyond 100 metres but within 400 metres of the site. Many properties at Higher Dinting to the south east of the site lie also lie within 100 – 400 metres. A few isolated properties around Mouselow Farm and Hilltop Farm also lie within this zone.

[1] Guidance on the Assessment of Mineral Dust Impacts for Planning, IAQM, May 2016 (v1.1)

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
		absence of detailed information about the sources of dust the site boundary has been used from which to measure potential impacts. Dust arising from a quarry can reduce amenity in the local community due to visible dust plumes and dust soiling. The generally coarser dust that leads to these effects may, therefore, be referred to as 'dis-amenity dust'. The smaller dust particles can remain airborne longer, potentially increasing local ambient concentrations of suspended particulate matter (e.g. PM10 and to a lesser extent PM2.5), which is associated with a range of health effects. Mineral site impacts are more likely to result in PM10 particulates rather than PM2.5 matter. The IAQM study states that adverse dust impacts are uncommon beyond 400m of hard rock quarries. The greatest potential for high rates of dust deposition and elevated PM10 concentrations will be within 100m of a source and this can include both large (>30um) and small dust particles. Intermediate sized particles (10um to 30um) may travel up to 400m, with occasional elevated levels of dust deposition and PM10 possible. Particles of less than PM10 have the potential to persist beyond 400m but with minimal significance due to dispersion. These bands have been used to define indicators for assessment.			
Dust - Air Quality/ Human Health	12	NPPG advises that additional measures to control PM10s might be necessary if the actual source of the emission is in close proximity to any residential property or sensitive use. PM10s make up a small proportion of dust emitted from most mineral workings but can travel up to 1km.	PMIN NMIN NMAJ	Site does not lie within 1000 m of an AQMA Site lies within 1000m of an AQMA Site lies within an AQMA	PMIN The site does not lie within 1000m of an AQMA

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
		NPPG sets out an assessment framework for analysing the impacts of PM10s. The initial step is to ascertain if sensitive receptors lie within 1km of the site activity and/or PM10 levels are likely to exceed Air Quality Objectives (AQO). These objectives relate to the protection of human health and include maximum levels of PM10s. A detailed analysis of dust sources and/or PM10 levels would need to be undertaken at the planning application stage. We do, however, know the location of Air Quality Management Areas which are designated because Air Quality Objectives) are not being met. Unacceptable levels of PM10s are one factor that may result in the establishment of an Air Quality Management Area to address the problem. The presence of an AQMA is an indicator that air quality is poor which might constrain the location of additional dust generating development. Given that PM10s can travel up to and over 1000m, this distance has been used as a cut-off point.			
Transport – Local Amenity	13	NPPF requires that mineral operations do not have unacceptable adverse traffic impacts. The movements of minerals and importation of fill material for restoration can generate large volumes of traffic, mainly heavy goods vehicle (HGVs). Such traffic can impact on communities causing problems such as public safety, noise and vibration, air pollution and visual intrusion. These problems are most severe where HGVs use roads unsuited to their weight and size, where they pass through sensitive areas and at the access to the site from the public highway. Will associated mineral traffic pass through sensitive areas on the way to the strategic	PMAJ PMIN NMIN NMAJ	HGVs would have to pass no sensitive receptors between the site and the start of the local strategic network (A Class Road or designated freight routes) HGVs would have to pass few sensitive receptors between the site and the start of the local strategic network (A Class Road or designated freight routes) HGVs would have to pass some sensitive receptors between the site and the start of the local strategic network (A Class Road or designated freight routes) HGVs would have to pass many sensitive receptors between the site and the start of the local strategic network (A Class Road or designated freight routes)	PMIN (See Map 5) The HGV route to the strategic network passes a small number of residential properties fronting Dinting Road and Shaw Lane. It is unclear how many additional trips the expansion would generate, however, trips generated by existing operations are negligible (~11 HGV movements per day), therefore the impact associated with movements of this order are also likely to be small. The A57 at Shaw Lane experiences significant peak hour congestion and delay. Again, the anticipated relatively small vehicle movements generated by this operation are unlikely to contribute significantly to the existing situation. There are no recorded safety issues on this route.

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
		road network?			
Transport - Safe and effective access to and from the site	14	What are the existing or proposed access arrangements for the site?	PMAJ NMIN NMAJ	Existing approved access to current highway standards Existing approved access not to current highway standard but no pattern of existing collisions at access location or no existing access , but subject to agreement with local highway authority new access likely to be accepted Existing approved access not to current highway standard and current pattern of existing collisions at access location or no existing access and subject to agreement with local highway authority new access unlikely to be acceptable.	PMAJ The purpose built existing site access appears to conform to current highway standards with no safety issues evident.
Transport – Export route (vehicular)	15	What is the main export route (vehicular) from the site?	PMAJ PMIN NMIN NMAJ	Direct onto the strategic road network (I.e. and A class road or a road that is a designated freight route. Direct onto a B class road with short haul to strategic road network Direct onto a B class road but with long haul to strategic road network Direct on to minor roads unsuitable for HGVs	PMIN The route to the strategic network (A57) is around 1 km. Although not designated, the route via Dinting Road and Shaw Lane appears suitable for the anticipated number of HGVs. Vehicles routeing to the east of the site via Dinting should be avoided as this route is unsuitable for HGVs.
Transport - Capacity for sustainable transport options	16	NPPF promotes the use of alternatives to road transport provided that they are environmentally preferable. This helps to reduce carbon emissions thus reducing the impacts on the climate. Is an alternative mode of transport to road proposed?	PMAJ PMIN NMIN	All material would be transported by rail or canal Some material would be transported by rail or canal All material would be transported by road	NMIN As with existing operations, it is anticipated that all material would be transported by road.
Environmental Criteria					
Water Environment – Flood Risk	17	NPPF requires that mineral operations do not have unacceptable adverse impacts on flood risk. The EA designates flood zones which are susceptible to different risks of flooding. Zone 1 has the lowest probability of flooding and Zone 3 the highest. NPPG advises that a risk-based sequential test should be applied to proposals with the aim of steering new development to areas at the lowest probability of flooding. It classifies land uses according to their vulnerability to flooding; mineral workings (other than sand and gravel workings) are classed as 'less	PMAJ PMIN NMIN NMAJ	Site lies within flood zone 1- lowest probability of flooding Site lies within flood zone 2- medium probability of flooding Site lies within flood zone 3a- high probability of flooding Site lies within flood zone 3b- functional flood plain	PMAJ (See Map 6) The site lies in flood zone 1 which has the lowest probability of flooding.

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
		vulnerable' development which is appropriate development in zones 1, 2 and 3a. However, mineral working should not increase flood risk elsewhere and needs to be designed, worked and restored accordingly. It sets out that it may be possible to locate ancillary facilities such as processing plant and offices in areas at lowest flood risk. Sequential working and restoration can be designed to reduce flood risk by providing flood storage and attenuation.			
Water Environment –groundwater	18	NPPF requires that mineral operations do not have unacceptable adverse impacts on groundwater. The EA designates Groundwater Source Protection Zones for important groundwater abstraction sources such as wells, boreholes and springs used for drinking water supply, and defines them according to the groundwater travel time to an abstraction. It is important within these Zones not to interrupt the flow or to pollute the groundwater. In principle, source protection zones 1 are the most important to protect form harmful development.	PMAJ PMIN NMIN NMAJ	Site lies outside a groundwater protection zone Site lies within a groundwater protection zone 3 Site lies within a groundwater protection zone 2 Site lies within a groundwater protection zone 1	PMAJ (See Map 6) The site lies outside a groundwater protection zone
Water Environment - aquifer protection	19	NPPF requires that mineral operations do not have unacceptable adverse impacts on groundwater. Permeable rock deposits that store groundwater are known as aquifers. The EA designates two types of aquifer, superficial drift and bedrock deposits. Aquifers are further classified as Principal or Secondary. Principal aquifers usually provide a high level of water storage and may support water supply and/or river base flow on a strategic scale. Consequently they require the greatest protection from development that might be harmful to them.	PMIN NMIN NMAJ	Site lies on a Non Aquifer Site lies on a Secondary Aquifer Site lies on a Principal Aquifer	NMIN (See Map 7) The site lies on a secondary aquifer.

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
Ecology – existing impacts from mineral extraction	20	NPPF requires that mineral operations do not have unacceptable adverse impacts on protected wildlife or geodiversity sites. Distinctions should be made between the hierarchy of international, national and locally designated sites. So that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks. Is there a presence or absence of existing impacts from mineral extraction?	PMAJ PMIN NMIN NMAJ	Over a wide area habitats have been fragmented by mineral extraction or habitats of limited quality have been created through mineral extraction but have potential to make a major contribution to biodiversity targets Localised but moderate to high impacts Only localised, limited impacts associated with mineral extraction on habitats within or adjacent to the site None or insignificant impacts from mineral extraction on habitats within or adjacent to the site	NMIN The proposed extraction area would form a modest extension to the existing Mouselow Quarry. Whilst the existing quarry has affected habitats within its site boundary, it does not appear to have significantly affected surrounding land, including the proposed extension area. Quarrying activities have not been particularly extensive in the surrounding area
Ecology – UK, regional and local BAP priority species and habitats	21	NPPF requires that mineral operations do not have unacceptable adverse impacts on protected wildlife or geodiversity sites. Distinctions should be made between the hierarchy of international, national and locally designated sites. So that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks. Is there a presence or absence of existing priority habitats and species as identified by UK, regional and local BAPs?	PMAJ PMIN NMIN NMAJ	Extensive areas of degraded or biodiversity poor habitats that provide a context for possible allocation with an emphasis on habitat creation contributing to UK priority habitats Some areas of degraded or biodiversity poor habitats that provide a context for possible allocation with an emphasis on habitat restoration or creation contributing to UK and local priority habitats Some areas of positive ecological value including UK or local priority habitats or species which should be considered for protection/conservation Extensive areas of positive ecological value including UK priority habitats or species which should be considered for protection/conservation	PMIN (See Map 8) The land within the proposed extension area is not known to support any habitats or species of ecological value. The habitats on site appear to consist of agriculturally improved grassland
Ecology – ecological coherence: Natural Areas/ Wildlife Corridors/linkages	22	NPPF requires that mineral operations do not have unacceptable adverse impacts on protected wildlife or geodiversity sites. Distinctions should be made between the hierarchy of international, national and locally designated sites. So that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks. Does the site have strong ecological coherence?	PMAJ PMIN NMIN NMAJ	The proposed site no longer accords with the established habitats over a wider area. The proposed site has few characteristics that accord with the established habitats over a wider area and its internal ecological coherence is poor OR coherence of the wider area is poor The proposed site generally accords with the established habitats over a wider area (or in part) but the condition of habitats is poor OR few features within the site but encompassed by landscapes which have ecological coherence The proposed site accords with the established habitats over a wider area and habitat pattern is strong	PMIN The improved grasslands within the extension area are consistent with land use in the wider area, but not with higher quality habitats nearby

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
Ecology – Habitat Creation	23	NPPF requires that mineral operations do not have unacceptable adverse impacts on protected wildlife or geodiversity sites. Distinctions should be made between the hierarchy of international, national and locally designated sites. So that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks. Does the site provide opportunities for habitat creation?	PMAJ PMIN NMIN NMAJ	The proposed site offers excellent opportunities to create or enhance UK priority habitats within the site and offers biodiversity benefit over a wider area e.g. by enhancing a habitat corridor. The site offers some opportunities to create or enhance UK or local priority habitats within its boundaries, making overall habitat gain, but may not make appropriate linkages to wider area. Existing habitats are intact and habitat creation would only provide limited biodiversity enhancement within the site or the wider area. Existing habitats are intact and make a strong contribution to priority biodiversity targets for conservation and there is strong ecological coherence within the site; habitat creation would not enhance the site or the wider area.	PMIN The restoration of the extension area has the potential to deliver restoration targeting habitats complimentary to those proposed for the restoration of the existing site.
Landscape-existing impacts from mineral extraction	24	NPPF requires that mineral operations do not have unacceptable adverse impacts on the landscape character of an area. What are the existing impacts on the landscape from any nearby mineral extraction?	PMAJ PMIN NMIN NMAJ	A landscape of complex character with many landscape characteristics that can be employed in the satisfactory mitigation/restoration of the site A landscape of varied character with some landscape characteristics that can be employed in the satisfactory mitigation/restoration of the site A simple landscape with few landscape characteristics that can be employed in the satisfactory mitigation/restoration of the site An open and simple landscape with very few landscape characteristics that can be employed in the satisfactory mitigation/restoration of the site	PMIN There are localised moderate to high impacts associated with past mineral extraction however phased restoration is mitigating and reducing the impact with the infilling of old quarry, seeding and the establishment of advanced planting.
Landscape – Strength of Landscape Character	25	NPPF requires that mineral operations do not have unacceptable adverse impacts on the landscape character of an area. Is the character of the landscape strong and visually coherent?	PMAJ PMIN NMIN NMAJ	The proposed site no longer accords with the established landscape character and the restoration of a 'new' landscape is required (Restore/create) The proposed site has few characteristics that accord with the established landscape character and the condition is poor (Enhance) The proposed site generally accords with the established landscape character (or in part) but the condition could be enhanced (Conserve and enhance) The proposed site accords with the established landscape character and is in good condition (Conserve)	NMIN (See Map 9) The allocation of all the proposed site would remove a parcel of land that is currently down to pastoral farming and a small section of existing woodland. Although this land accords with the established landscape character of the wider area it is well contained by a low hill landform, woodland, and drystone walls. In the wider area the landscape is generally intact and in good condition in places but includes detracting areas of disturbed land associated with the urban fringe.

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
Landscape – impact on the Peak District National Park	26	NPPF requires that mineral operations do not have unacceptable adverse impacts on nationally protected landscapes (including National Parks). Many of the hard rock quarries within the Plan area lie in close proximity to the Peak District National Park (PDNP). Would working the site impact on the PDNP?	PMAJ PMIN NMIN NMAJ	The site is not close to the PDNP boundary and no part of the site will be visible from it The site is not close to the PDNP boundary although parts of the site may be visible from it The site lies in close proximity to the PDNP boundary forming part of the wider setting and/or large parts of the site will be visible from it The site abuts the PDNP boundary forming part of its immediate setting and/or large parts of the site will be clearly visible from it	PMIN The site is not close to the PDNP boundary although parts of the site may be visible from it
Historic Environment –designated sites and settings	27	NPPF requires that mineral operations do not have unacceptable adverse impacts on the historic environment. It requires that heritage assets are conserved in a manner appropriate to their significance, and places great weight on the conservation of designated heritage assets. Would working the site impact on a designated heritage asset/site and/or its setting? .	PMIN NMIN NMAJ	No perceivable impact on a designation and/or its setting Impact on Grade II Listed Building/Registered Historic Park and Garden, Conservation Area and/or its setting Impact on Grade I or II* Listed Building/Registered Historic Park and Garden, Scheduled Monument, World Heritage Site and/or its setting.	PMIN (See Map 10) The scheduled Monument of Mouselow Castle is c800m to the north west but the current quarry in between. Unlikely to have any impact on setting. Howard Park Conservation Area c600m to the east, unlikely to have any impact but should be considered in any application.
Historic Environment – Archaeology	28	NPPF requires that mineral operations do not have unacceptable adverse impacts on the historic environment including archaeological assets. What is the archaeological importance of the site?	PMAJ PMIN NMIN NMAJ	Few or no known earthworks and/or known archaeology with low potential for buried archaeology Occasional or localised earthworks (may not be visually evident) and/or known archaeology with limited potential for buried remains Frequent, visible and interpretable earthworks and/or some known archaeology with significant potential for buried remains Extensive, visible and interpretable earthworks and/or known archaeology with high potential for buried remains.	PMAJ Nothing recorded on the site or immediate vicinity and no visible earthworks. May still be some potential for buried remains.
Historic Environment –historic landscape	29	NPPF requires that mineral operations do not have unacceptable adverse impacts on the historic environment including historic landscape character. Is the historic character of the landscape strong?	PMAJ PMIN NMIN NMAJ	Historic field pattern largely gone Remnant field patterns with significant boundary loss Recognisable field patterns with some boundary loss Evidence of multi-period landscape and/or intact field pattern (as indicated by 1st edition OS or earlier)	PMIN Some of the field system represented in the proposed area remains to the east but it has largely been comprised by earlier developments.
Best and most versatile agricultural land	30	NPPF requires that the long term potential of the best and most versatile agricultural should be safeguarded from the impacts of mineral working.	PMAJ PMIN	The site lies within an area where there is a low likelihood of bmv land (less than 20% of the land is likely to be bmv). The site lies within an area where there is a moderate likelihood of bmv land (20-60% of the land is likely to be	PMIN (See Map 11) The site lies within an area where there is a moderate likelihood of bmv land (20-60% of the land is likely to be bmv).

Criteria	Criteria Ref.	Considerations	Scale of impact	Indicators	Assessment
		At this stage we do not have detailed working and restoration proposals to assess how much BMV land will be affected, neither do we have detailed information about the location of BMV land. We have decided to use DEFRA's predictive agricultural land classification map to indicate whether the site lies within an area where there is a high, moderate or low likelihood of BMV land being present. In principle areas of BMV land should be protected. What is the likelihood of the site containing best and most versatile (BMV) agricultural land?	NMIN	bmv). The site lies within an area where there is a high likelihood of bmv land (more than 60% is likely to be bmv).	
Conformity with other local plans (policies and allocations)	31	NPPF requires local planning authorities to co-operate on strategic cross border issues which includes ensuring that local plans are compatible Is the site in conformity with other local plans?	PMAJ NMIN NMAJ	The site is in conformity with other local plans The site is not in conformity but the issue is likely to be resolvable The site is not in conformity with other local plans and the issue is unlikely to be resolved	PMAJ The site is in conformity with other local plans.

5. Conclusions

Revised Initial Assessment

5.1 The following commentary seeks to identify those key factors that favour the allocation of the site and those that would constrain the site's allocation. In many cases the impacts are judged to be minor. A tabular summary of the assessment findings is set out below.

5.2 The following matters have been assessed as key positive factors favouring allocation: The following matters have been assessed as key positive factors favouring allocation:

- Mouselow quarry clay and shale is essential for the continued operation of the brickworks at Denton. The quarry operator and brickworks owner Wienerberger is one of the leading brick manufacturers in the UK and markets are nationwide.
- The quarry is also an important supplier of high quality building stone. Markets are nationwide, generally to high value projects in major cities.
- Important local employer (both quarry and brickworks) and provider of wealth to local economy in a semi-rural area where mining is a traditional important local employer

5.3 The following matters have been assessed as key negative factors against allocation:

- Working would extend the duration of the quarry to around 2049
- The greatest visual impact of the promoted allocation area would be on the higher ground receptors to the south and west within 3km of the site. This includes parts of the Peak District National Park but the views are part of a wider panorama. Whilst the existing quarry site is already visible the removal of some of the hillside to the south west would only marginally increase the visual exposure of the existing quarry and this will be offset by the progressive restoration of the existing quarry void.

- The allocation of the promoted sites would remove a parcel of land that is currently down to pastoral farming and a small section of existing woodland. Although this land accords with the established landscape character of the wider area it is well contained by a low hill landform, woodland, and drystone walls. In the wider area the landscape is generally intact and in good condition in places but includes detracting areas of disturbed land associated with the urban fringe.

Summary of Revised Initial Assessment – Mouselow

Criteria	PMAJ	PMIN	NMIN	NMAJ	Criteria	PMAJ	PMIN	NMIN	NMAJ
Economic Criteria					**Environmental Criteria**				
01Need for mineral	*				17Water Environment – Flood Risk	*			
02Quality/yield of mineral	*				18Water Environment –groundwater	*			
03Use of mineral resources	*				19Water Environment-aquifer protection			*	
04Location of Processing Plant		*			20Ecology – existing impacts from mineral extraction			*	
05Existing Infrastructure		*			21Ecology – UK, regional and local BAP priority species and habitats		*		
06Sterilisation of Resources		*			22Ecology – ecological coherence: Natural Areas/ Wildlife Corridors/linkages		*		
07Employment		*			23Ecology – Habitat Creation		*		
Social Criteria					24Landscape- existing impacts from mineral extraction		*		
08Duration of mineral extraction			*		25Landscape – Strength of Landscape Character			*	
09Visual Intrusion			*		26Landscape – impact on the Peak District National Park		*		
10Noise			*		27Historic Environment –designated sites and settings		*		
11Dust			*		28Historic Environment – Archaeology	*			
12Air Quality/ Human Health		*			29Historic Environment –historic landscape		*		
13Transport – Local Amenity		*			30Best and most versatile agricultural land		*		
14Transport - Safe and effective access to and from the site	*				31Conformity with other local plans (policies and allocations)	*			
15Transport – Export route (vehicular)		*							
16Transport - Capacity for sustainable transport options			*						

Further Assessment

5.4 The MPA has set out that where potential negative impacts have been identified it would carry out further detailed work, in consultation with appropriate bodies, to ascertain if that impact could be mitigated or avoided to enable the site to progress forward for allocation.

5.5 Whilst there are several key negative factors that have been identified in the initial assessment, the Company has submitted information in support of their pre application enquiry (EM1/0617/16) for the promoted site and has had preliminary site visits with the MPA to discuss matters of concern.

5.6 Key negative aspects requiring further assessment:

Duration of operation

5.7 Whilst working the promoted area would prolong the life of the site to around 23 years, this timescale is in line with NPPF policy which requires landbanks for brick clay to be maintained at a minimum of 25 years to support investment in the maintenance and improvement of plant.

Landscape and Visual impacts on sensitive visual receptors and PDNP

5.8 At the 2016/2017 Consultation stage a larger area was promoted for allocation and this was assessed as having a major negative impact in terms of impacts on sensitive visual receptors, landscape and the PDNP. Of particular concern was the removal of the entire hillside which would expose large parts of the existing quarry to visual receptors on the higher ground to the south and west of the site. These receptors lie some distance away but includes parts of the PDNP. In response to this concern a reduced area is now being promoted which would see less of the hillside removed; it has reassessed as having a minor negative impact which would not constrain the site from going forward for allocation.

5.9 Following consideration of the key negative factors that would constrain the allocation of the site and having regard to more detailed pre application

discussions it is considered that the site should be put forward for allocation in the Proposed Approach.

6. Outcome for the Proposed Approach

6.1 Allocate the promoted extension at Mouselow Quarry for mineral extraction to commence during the Plan period.

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Quarry
plan
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