

# **Independent Examination of Peak District National Park Development Management Policies**

## **Peak District National Park Authority Responses to Matters and Issues**

**NB, existing modifications are highlighted in red with suggested new changes shown with strikethrough and underline.**

### **Matter 13 – Minerals and Waste**

**Issue 1:** Are the policies consistent with the Framework?

**Issue 2:** Are the policies consistent with the Core Strategy?

**Issue 3:** Are the policy requirements sufficiently clear?

**Issue 4:** Would the policy requirements be effective?

### **Policy DMMW1: The justification for mineral and waste development**

- 1 Policy MIN1 of the Core Strategy restricts new mineral extraction other than in exceptional circumstances as provided for by national policy. Policy DMMW1 does not include such a requirement but requires evidence of need for, and viability of the development. This partly reflects the criteria in paragraph 116 of the Framework.**

**Should the policy state the requirement that major development will be refused except in exceptional circumstances?**

Modification M11.3 redrafts paragraph 11.1 as 'The policies in this DPD provide a further level of policy detail for all minerals and waste related developments alongside the Core Strategy policies. Applications that are acceptable in principle with core strategy policy will need to be sequentially assessed against these DMP policies'. For clarity the exceptional circumstance aspect could be reiterated in this paragraph if considered necessary, but the Authority feels the current content is sufficient.

**Should there be a definition either in the policy or the supporting text as to what is meant by 'major development'?**

Major development will be determined on a case by case basis, taking into account scale, but also impacts on valued characteristics of specific

location. Modification M1.4 provides clarity on the approach set out in National Planning Practice Guidance to major development in National Parks which is also supported by legal views offered from the South Downs National Park (EB10). It is not therefore appropriate to provide a quantitative definition of 'major'.

**2 Should the policy include requirements for restricting production of aggregates, limestone and shale for cement manufacture, limestone for industrial and chemical products and large scale building and roofing stone as provided for in the Core Strategy?**

The Authority considers this would repeat the contents of the Core Strategy and is therefore not considered necessary.

**3 Should the requirement of Core Strategy policy GSP1 that there would be significant net benefit to the National Park be made clear and should this be elaborated upon?**

The Authority considers that in principle policies of the Core Strategy and Development Management Policies document should be read together and as such there is no need to repeat GSP1 content.

**4 The policy applies to all minerals development including fluorspar and local building stone and its detailed requirements do not distinguish between the different types of mineral. Should the detailed policy requirements for each mineral differ?**

The Authority believes that to achieve consistency with Core Policy MIN1, detailed requirements should be the same for all mineral types.

**5 Criterion (ii) is similar to (i). Could these be combined?**

Criterion i is intended to mean tangible minerals that exist, whereas criterion ii is mineral which is theoretically available and therefore its appropriate to retain them separately. If necessary, further supporting text could be offered to make this clearer.

**6 What is the justification for (iii) in terms of proximity of the mineral to the end user market?**

This is an important principle in upholding National Park purposes. It is inappropriate for the National Park to be providing minerals and waste resources to meet the need of the nation outside the National Park. The provision of resources to meet demand outside the National Park also has impacts on the National Park in relation to transportation.

- 7 Criterion (iv) requires that high quality materials are retained. Should this be more specific in stating how and where the materials would be retained and for what specific use?**

As drafted the Authority believes the policy allows flexibility, whilst ensuring an efficient use of stone which does not unnecessarily lead to overworking of the National Park landscape. However further supporting text could be added to give examples of high quality uses, e.g. industrial/chemical uses, building stone, dimensional stone. More simply this could state 'non-aggregate uses'.

- 8 What evidence would be required to demonstrate viability?**

The principle evidence that would be anticipated would be the cost of extraction versus the profitability of the operation in order to ensure that the development can be concluded and that restoration will take place.

- 9 The policy applies to both minerals and waste sites. As the only waste facilities allowed by policy CC3 of the Core Strategy are small-scale local facilities what is the justification for criterion (iii) 'proximity of the waste operation to the supply-chain'? Should this be explained further?**

This will be relevant in dealing with proposals near to the edge of the National Park and surrounding populations.

#### **Policy DMMW4: Waste management facilities**

- 10 Should part A of the policy make clear that it does not apply to on-farm anaerobic digestion as provided for by Core Strategy policy CC4?**

Yes, the Authority agrees that an exception for CC4 development is required for clarity.

#### **Policy DMMW7: Safeguarding local building and roofing stone resources and safeguarding existing permitted minerals operations from non-mineral development**

- 11 As the policy only requires safeguarding within the Mineral Safeguarding Areas what is the policy requirement of the DMP for the Building Stone and Roofing Stone Safeguarding Areas shown on the Policies Map?**

Modification M11.25 proposes to deal with this issue.

**12 Does the absence of a policy for safeguarding building and roofing stone conflict with policy MIN4 of the Core Strategy?**

Yes. See Modification M11.25.

**13 Should the policy refer to the Framework requirement (paragraph 143) to encourage prior extraction of minerals where practicable?**

Yes. See Modification M11.25