EREWASH CORE STRATEGY

INFORMATION IN RELATION TO INSPECTOR’S QUESTION -

Matter 10: Climate Change, the Environment and Resources

Main Issue – Whether the Core Strategy makes appropriate provision to address climate change, for the protection or enhancement of the natural and built environment and for the safeguarding of resources.

e) Is the Core Strategy consistent with the need to protect coal reserves?

Derby City Council and Derbyshire County Council (the Councils) are working together to prepare a Joint Minerals Plan covering the period to 2030 which will replace the existing Derby and Derbyshire Minerals Local Plan adopted April 2000 – Incorporating the First Alteration: Chapter 13 – Coal November 2002. The Minerals and Waste Development Scheme is currently under review and it is anticipated a revised scheme will be taken to the Cabinets of both Councils in summer 2013.

The following information is provided to assist the Inspector in relation to the points made by the Coal Authority and the Confederation of UK Producers and the Councils confirm that a member of the Minerals Development Plans Team is available to attend the hearing as requested by the Inspector.

The responsibility for defining Minerals Safeguarding Areas in accordance with paragraph 143 of the National Planning policy Framework (NPPF) rests with the Mineral Planning Authority which, in respect of the area covered by Erewash Borough, is Derbyshire County Council. This particular matter will be addressed through the ongoing preparation work on the replacement Derby and Derbyshire Minerals Plan.

Referring to the definition of “Minerals Safeguarding Area” in the glossary of the NPPF, there is a need to identify those mineral resources “which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development”. An issue for defining Mineral Safeguarding Areas in the Minerals Plan area will be to determine which mineral resources in the city and the county need to be safeguarded. As part of this issue, the approach to the safeguarding of the surface coal resource will need to be addressed.
Furthermore, in line with the NPPF paragraph 143, the Derby and Derbyshire Minerals Plan will need to reflect a policy approach such that “known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development.” and that the prior extraction of minerals is encouraged where practicable and environmentally feasible, in advance of other development taking place.

The Derby and Derbyshire Minerals Plan is not yet at such an advanced stage that the proposals for possible minerals safeguarding areas for the surface coal resource or the policy approaches relating to the prior extraction and sterilisation impacts of coal have been fully explored and developed with all stakeholders. It is anticipated these issues will be covered in the next “Towards a Mineral Plan for Derby and Derbyshire” public consultation in the summer of 2013.

The Councils are aware that the Erewash Core Strategy has been developed in consideration of the saved policies of the existing Derby and Derbyshire Minerals Local Plan, which forms part of the development plan, including Policy MP 17: Safeguarding Resources and Policy MP 27: Coal Extraction and Colliery Spoil Disposal. Both policies seek to safeguard a mineral resource and ensure that economically workable mineral deposits are extracted in advance of other development, unless this would give rise to unacceptable impacts or lead to excessive delays for the development. Co-operation has taken place in respect of this, for example, the issues of mineral sterilisation and prior extraction in relation to the Stanton strategic regeneration site have been discussed with Erewash Borough Council in relation to all possible mineral resources likely to be found on the site, not just surface coal.

Having regard to the existing Derby and Derbyshire Minerals Local Plan as part of the Development Plan and in accordance with paragraph 7.7 of that Plan, Erewash Borough Council consults the Mineral Planning Authority on proposals which could have the effect of sterilising mineral deposits. When consulted, the Mineral Planning Authority provides an opinion on the weight to be attached to any mineral sterilisation issue affecting a particular site/proposal including, whether the minerals that might be sterilised should be extracted prior to non-mineral development taking place. This includes the area of the surface coal resource in Erewash Borough.

Erewash Borough Council has worked with the Councils in developing the Erewash Core Strategy. It is also the case that Erewash Borough Council (along with other Derbyshire District and Borough Councils) is working proactively with the Councils on the development of the Derby and Derbyshire Minerals Plan, including “two tier” minerals related development management policy formulation. This work is in the early stages and is being taken forward over the spring/summer period of 2013.

In view of the above, the approach to be taken to minerals safeguarding, the mapping of minerals safeguarding areas and the policy approach to minerals sterilisation (including impacts and effects), the issue of prior extraction should rest with the Mineral Planning Authority through the development of the emerging Derby and Derbyshire Minerals Plan.
with all relevant stakeholders, including the Coal Authority, the Confederation of UK Producers, Erewash Borough Council and other Derbyshire Districts and Borough Councils.

However, whilst it is considered substantive policies dealing with these matters should not be replicated in the Erewash Core Strategy, there would be no objection to a minor addition/alteration to the text, which cross references the Erewash Core Strategy and the Derby and Derbyshire Minerals Plan. This would assist in clarifying these matters and be helpful for all users of the Core Strategy document. Such text, could draw attention to the importance of the need to consider the Minerals Safeguarding Areas and minerals sterilisation and prior extraction policies in the Derby and Derbyshire Minerals Plan in the context of both framing proposals and the development management process, as suggested by the Coal Authority.