

6. REVIEW OF MINERAL PERMISSION (ROMP) – FIRST PERIODIC REVIEW – FOR HOPE LIMESTONE QUARRY, PINDALE ROAD, HOPE (NP/HPK/1223/1527)

APPLICANT: MR JONATHON GARBUTT ON BEHALF OF BREEDON CEMENT LTD

Summary

1. Hope Cement Works Limestone Quarry comprises a site of 162.1ha. It is located approximately 1.7km to the southwest of Hope and forms part of the wider Hope cement complex which also includes Hope Shale Quarry and Hope Cement Works.
2. The ROMP process has been designed to allow mineral planning permissions to be updated with modern conditions to ensure extraction operations take place in line with current environmental standards. The extant planning permission relating to the Limestone Quarry (ref. NP/HPK/0403/037) was granted in 2006, subject to 51 planning conditions.
3. A ROMP is not a typical planning application, the principle of the development is not up for determination and the Authority cannot refuse the ROMP. The legislation governing the ROMP process is clear that the Authority cannot apply conditions that would restrict the economic viability or asset value of the site.
4. The Authority's Standing Orders require officers to seek delegated authority from Planning Committee to agree a final schedule of conditions with the applicant. This is a streamlined report that covers the overarching themes and objectives of the submission and highlights what, if any, changes will be provided to the updated schedule of conditions to ensure appropriate standards of environmental protection and mitigation. A full assessment of the technical information presented in the Environmental Statement (ES) submitted with the application has taken place in the preparation of this report.
5. Appendix A contains the areas to be covered by the Scheme of Conditions, the full wording of which is proposed to be agreed with the applicant (subject to determination of the application in accordance with the recommendation), which are considered to offer a modern standard of environmental protection without impacting the economic viability or asset value of the site.

Review of Mineral Permissions (ROMPs)

6. The Environment Act 1995 introduced the Review of Mineral Permissions (ROMPs) as a mechanism to update older mineral permissions and for subsequent Periodic Reviews of all mineral permissions thereafter. The operation of mineral sites can change significantly through the course of the extraction and such operations can take place across significant periods of time and so there can be a need to review the conditions to ensure that modern environmental standards are applied.
7. It is important to note that when determining conditions differing from those proposed by the applicant, the Mineral Planning Authority (MPA) should not restrict working rights and should not prejudice adversely to an unreasonable degree either the

economic viability of operating the site or the asset value of the site. An applicant whose interests have been adversely affected by the restrictions imposed in such a manner may be entitled to claim compensation. An exception to the working rights restriction are conditions relating to the restoration and aftercare.

8. The ROMP process is very similar to that for processing planning applications except that the Scheme of Conditions cannot be refused. The proposals must be checked and registered, and consultations sent out. The Scheme of Conditions must be considered in light of any representations received; the Planning Policy Guidance (PPG); the National Planning Policy Framework (NPPF) and the Development Plan. The process is also subject to Environmental Impact Assessment.

Proposal

9. This report seeks the Planning Committees delegated authority for officers to agree a final Schedule of Conditions to govern the operation of the Hope Limestone Quarry.

Background

10. This application for the first periodic review of the scheme of conditions relating to the Hope Limestone Quarry was validated by the Authority in February 2024 accompanied by an ES. Mineral operations are currently carried out under planning permission NP/HPK/0403/037 dated 17th October 2006, which is subject to 51 planning conditions and allows mineral extraction to take place until 21 February 2042, with restoration to be completed no later than 21 February 2047 or from five years following the completion of the extraction, whichever is the sooner.
11. A list of proposed conditions accompanies the ES, which has been informed by the assessments and findings of the ES. Some minor changes and re-wordings have already been provisionally agreed following consultation response and officers' consideration, pending the agreement of Planning Committee to grant delegated authority for a final schedule of conditions to be agreed.
12. The applicant has provided operational details in relation to the quarry. Limestone continues to be extracted from the south-western corner of the quarry and is being worked to a depth of up to 223 metres AOD. The quarry is now at its full footprint, with the final soil strip being completed in April 2025. The remaining reserves will be worked from the faces in a south-westerly direction until the final reserves are extracted, after which the restoration landforming will be completed.
13. The limestone is blasted from the working faces before being transported by dumper truck to the crusher, which is located in the north-eastern corner of the site. The material is then crushed and blended, and put onto a covered conveyor using a front loader and transported to Hope Cement Works (HCW), where it is fed directly into the cement making process.
14. The chemistry of the limestone varies throughout the remaining reserves, meaning that multiple benches are needed to be worked at anyone time to allow the operator to response to the needs of the HCW by carefully blending the limestone to ensure it has the appropriate chemical properties needed for cement production.

15. Condition 7 of the extant consent limits the volume of mineral to be extracted from the site 47 million dry tonnes of Limestone. The reserves have been worked continuously since the consent was granted. The operator has submitted confidential remaining reserve estimates to the Authority. In order to keep this commercially sensitive information confidential, it is proposed that the wording of the new schedule of conditions retains the original figure of 47 million tonnes but specifies that this volume is from the date of the original consent.
16. Existing hours of operation are restricted by condition 14 to between 07:00 and 22:00 Monday to Friday, and 07:00 to 13:00 on Saturdays and Sundays. No change to the working hours is proposed.
17. A restoration scheme was approved in 2006 as part of planning permission NP/HPK/0403/037. The restoration of the Limestone Quarry will provide a graded valley landform in north-eastern and central portion of the quarry void. The south-western portion of the quarry retain the lower benches, with placement of waste mineral at the upper benches to provide a graded landform, albeit with some bench features retained. The restoration planting of the approved restoration scheme is a combination of tree-planting, natural regeneration and species rich grasslands.
18. The proposed restoration scheme follows the general principles of the approved scheme, with the main difference being the establishment of a more holistic roll-over slope around the southwestern rim of the quarry, which will be progressively restored through the two phases of the proposed working strategy. This roll-over slope will be planted with a mosaic of scrub and species rich grasslands to provide the best visual assimilation with the surrounding landscape. The planting around the rest of the site will be focused on delivering structured habitats that support and enhance the biodiversity of the site and the surrounding ecological receptors.
19. A review of Restoration and Management Schemes within the Limestone quarry has been submitted to accompany the ROMP in accordance with Condition 48 of planning permission NP/HPK/0403/037, and the requirement to monitor progress with restoration and ongoing management of habitats created on the site at five yearly intervals will continue.
20. Condition 51 of the extant consent sets out the requirement to submit a detailed 5-year aftercare scheme for approval no later than 21 February 2047. No change is proposed to this requirement.

Environmental Impact Assessment

21. An ES accompanies the planning application, in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As the determining authority, PDNPA is required to assess the applicant's ES. The impacts examined within the accompanying Environmental Impact Assessment (EIA) are: Landscape and Visual Impact; Noise; Climate Change; Water Resources; Cultural Heritage and Archaeology; Air Quality; Vibration; Soil Resources; Biodiversity; Human health; Risk of major accidents or disasters; and an assessment of residual and cumulative effects of the development.

22. The specialist reports have assessed potential impacts and have concluded that the impacts of the proposals can continue to be successfully mitigated, either through quarry design or working practices, to reduce impacts further.
23. As part of the application process further information was requested and subsequently submitted under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The further information was submitted to supplement the ES, and included further information on Biodiversity/Ecology, Restoration and Landscape, and Cultural Heritage and Archaeology.

Site and Surroundings

24. The limestone quarry is located on the north-east facing hillside of Bradwell Moor, overlooking the valley of the River Noe approximately 2km north-east of the quarry. The south-western rim of the quarry is at approximately 400m AOD and it slopes down to approximately 250m AOD in the north-east before the landform drops steeply to the cement works, which is at approximately 200m AOD.
25. The quarry is surrounded by undulating moorland and pasture with fields enclosed with drystone walls, and scattered woodlands. There are three designated ecological sites for which the Limestone Quarry is located within their respective Impact Risk Zones, which are: South Lees Meadow SSSI; Castleton SSSI, and; Bradwell SSSI.
26. The site is surrounded by several designated and non-designated heritage assets. The ES submitted alongside this application identified 16 Schedule Monuments, 17 Listed Buildings and 39 non-designated heritage assets within the Zone of Theoretical Visibility of the site. The closest heritage asset is New Venture Mine just outside the south-western boundary of the site.

Relevant Planning History

27. HCW has been in existence at its current site in some form since 1929, and as such pre-dates both the modern planning system introduced by the Town and Country Planning Act 1947 and the formation of the Peak District National Park in 1951.
28. 1948 Permission Ref. 1986/9/3. Formal consent for HCW was first granted under the Ministerial decision on 21 December 1948. The application area encompassed the cement works and the associated limestone and shale quarries from which the works drew its feedstock as one single planning unit.
29. 1961 Planning Permission No. NP/BAR/861/29 granted for extension of the limestone quarry and the first diversion of Castleton Lane westwards.
30. 1990 Planning Permission No. NP/WED/488/158 granted for diversion of Castleton Lane to its current route, and variation of the limestone quarry (to replace old consents from 1948 and 1961).
31. 2006 Permission Ref. NP/HPK/0403/037 which consolidated two existing permissions and amendment to limit of quarrying by inclusion of 10.93ha extension.

32. 2011 Planning Permission No. NP/DIS/0403/037. Discharge of conditions attached to NP/HPK/0403/037 relating to the protection measures for New Venture Mine. Partially discharged July 2011.
33. Since 2011 there have been numerous submissions made to discharge conditions relating to issues including: Soil stripping; Archaeological recording; Ecological Assessments, and; Restoration landscaping.

Consultation

34. The following is a summary of the responses received during consultation on this application and includes any modifications or changes to consultation responses as a result of further information submitted in response to the PDNPA's request for further information under Regulation 25 of the EIA Regulations. Full copies of responses can be made available to Members on request.
35. **Historic England (HE)** – No Objection, however raises concerns relating to setting of scheduled monuments adjacent to, and affected by the ongoing quarrying:
 - i. Highlight that the existing impacts on setting already have and will continue to cause harm to the significance of a number of the surrounding heritage assets.
 - ii. The proposed restoration scheme would be an improvement and have a beneficial impact when compared to the existing situation.
 - iii. State the existing impacts on setting from the permitted quarry scheme (including restoration) already have and / or will continue to cause harm to the significance of a number of the surrounding heritage assets.
 - iv. Recommend it is considered if there are any opportunities now or in the future to help reduce the level of harm, improve condition or enhance significance of the heritage assets affected by the quarry.
 - v. Highlights Review of Mitigation Measures could be undertaken.
 - vi. Encourage Improving the Condition of the Heritage Assets.
36. **Natural England (NE)** – No Objection Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Natural England's generic advice on other natural environment issues is set out at Annex A General Advice.
37. **Environment Agency (EA)** – no objections. The EA notes from the perspective of controlled waters protection, the supporting information indicates that the current control measures in place are appropriate to mitigate the impacts of quarrying. There is no proposed change to the current wording for the relevant water resources conditions, and the EA agree the conditions on the current permission related to water protection remain appropriate (conditions 8, 33, 34 and 35).

38. **DCC Flood Risk Management** – No Objection in principle providing surface water is managed in accordance with the Flood Risk Assessment Report (April 2023) and Chapter 9 (water Resources) of the EIA.

39. **DCC as Local Highway Authority** – no objections, given that there would not be an unacceptable impact on highway safety or a severe impact on congestion.

40. **High Peak Borough Council Environmental Health -**

Initial Response

Noise

- Seeking clarification regarding operating hours, whether this is currently 19:00 or 22:00 for the limestone quarry as documents refer to condition 14 restricting hours of operation to 19:00. If there is a proposal to extend this to 22:00 where this is not currently permitted, further assessment against background sound levels will be required. (No proposal to extend operating hours beyond existing consented area)
- While the proposed noise limit is considered the upper limit, there is no assessment against background sound levels included within the environmental assessment, where sounds levels greater than 10dB over background could occur, particularly in the evening (19:00 to 22:00). Therefore, further assessment/ clarification of impacts is required in this evening period that is not already subject to noise limits to include assessment of sound levels over background and justification if this is greater than 10dB.
- Noise condition currently states measured outside living/ bedroom. Access is therefore only possible in agreement with residents. Consideration to use of “measured or calculated....”.

Vibration

- Main concern is levels of vibration anticipated at Black Rabbit Cottage, moderate adverse impact predicted.
- Current vibration condition permits up to 10mm/s at a 95% confidence level, which results in a moderate adverse impact. The majority of premises, with the exception of Black Rabbit Cottage fall well below this criteria and a reduced blast limit should therefore be considered appropriate, with additional controls put in place to reduce the vibration levels at Black Rabbit Cottage, to also achieve a reduced vibration limit.

Air Quality/Dust

- 10.6.8 refers to dust gauges at Sterndale Moor. Can clarification be provided by site plan of the locations.
- Table 10.8 – how has pathway effectiveness been determined. ESR 2 and 3 appear to have equivalent values to ESR 4, yet described as ineffective and moderately effective respectively. Can this be clarified?
- ESR4 shown to be moderately adverse impact – This is identified as High sensitivity – residential – can this be clarified that this is a residential receptor?

- It is noted that a dust management plan is not in place. Clarification on the dust complaint and investigation procedure is requested. It is recommended that for inclusion on any planning consent there is a requirement to undertake the investigation of complaints about dust notified in writing by the LPA. To follow a procedure agreed by the LPA, which may include sampling and monitoring of dust. Recommend a condition to require no visible emissions of dust beyond the permission boundary as identified in plan NT15279/400/Figure 10.1 Rev A, 16/09/2021.

Comment following submission of additional information

The EHO confirmed that the additional assessment and information demonstrates that the operation can continue without generating unacceptable impacts on noise, dust and vibration, subject to conditions. It is noted that Black Rabbit Cottage is highlighted in the assessment as possibly being subject to moderate adverse impact by way of vibration from continued blasting during the working of the remaining reserves. Further consideration is required in relation to vibration.

41. **Bamford with Thornhill Parish Council** – no response.
42. **Bradwell Parish Council** – support the application.
43. **Brough and Shatton Parish Meeting** – no response.
44. **Castleton Parish Council** – no response.
45. **Derwent and Hope Woodlands Parish Council** – no response.
46. **Edale Parish Council** – no response.
47. **Hathersage Parish Council** – no response.
48. **Hope with Aston Parish Council** – no response.
49. **Tideswell Parish Council** – unable to comment due to the content of the application being difficult to understand.
50. **CPRE Friends of the Peak District** – no response.
51. **Ramblers Association** – Made the following comments:
 - I. Bradwell Bridleway 30 and Footpath 32 should remain unaffected at all times, including the path surface. Both Rights of Way continue from Michlow Lane;
 - II. Surface improvements to the RoW, particularly from flooding, would be welcome;
 - III. The majority of Rights of Way within the site are in the High Peak District;
 - IV. The creation of further Rights of Way both before and after 2042 would be welcome.
52. **Campaign for National Parks** – no response.

53. **Derbyshire Wildlife Trust** – no response.

54. **PDNPA Archaeology** – (Response dated 29/12/2025, based on additional information provided following the Regulation 25 Request made by the Authority in May 2024).

Assessment Summary and Recommendation:

- a) The revised Cultural Heritage ES chapter provides sufficient information to allow assessment of significance of affected assets and the magnitude of impact and harm.
- b) The current stage of archaeological work associated with the relevant conditions (32,38 and 39) is summarised.
- c) Revised condition wording and some additional conditions are recommended.

Suggested revised wording of conditions:

Condition 32 recommend that the condition is retained on any updated decision notice with updated wording to ensure that it explicitly includes New Venture West as well as New Venture Mine.

Condition 38 requires updating to *“Within a period of 12 months of the issuing of this consent, the final and outstanding stages of dissemination of the results of the archaeological works undertaken in accordance with the relevant approved Written Schemes of Investigation (set out below) and subsequent archive deposition shall have been secured in accordance with the provision set out in those documents.*

The relevant approved Written Schemes of Investigation are:

Hope Limestone Quarry, Castleton, Derbyshire Written Scheme of Investigation for Archaeological Works May 2018 Compiled by: Michelle Burpoe and Robin Holgate MCIfA, - (covers the trial trenching)

Hope Limestone Quarry, Castleton, Derbyshire Written Scheme of Investigation for Archaeological Works January 2019 Compiled by: Antony Brown MCIfA – (covers the final strips and earthwork survey of the limekiln)

This condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the above-named documents, to the written satisfaction of the local planning authority.

55. **PDNPA Ecology** – no objections.

We are satisfied that matters relating to ecology have been satisfactorily addressed:

- Updates have been made to the description of habitats to which the site is to be restored and referred to further details in the Restoration and Management Schemes Ecology Review document (BSG Ecology, 2025), as requested.
- We agree biodiversity enhancement is proportionate to the ROMP
- Additional management/enhancement/creation measures relating to dew ponds (i.e. over and above the ROMP) are considered separately as part of the proposed limestone quarry extension application.
- Reference is made to avoiding the application of fertiliser for habitats requiring low nutrient status for example on the species rich hay meadow restoration areas in the aforementioned Restoration and Management Schemes Review document (BSG Ecology, 2025).

Suggested mitigation/condition/footnotes:

No permanent floodlighting towers shall be erected without the prior written approval of the MPA. Should there be a need for permanent lighting or more frequent use of lighting, then details shall be submitted to and approved by the MPA.

56. PDNPA Landscape – no objections.

Initial Response

Required further assessment from additional viewpoints to be included in the LVIA from Bamford Edge and Stanage Edge, and for the photomontages to show the proposed restoration scheme. The comments also required an update to the plans to show which areas have already been restored.

More detail required to the proposed restoration and cross-section plans, to mirror the level of detail presented in the 2006 plans. Also, further detail required on the proposed phasing plans to show details included restoration planting, again mirroring the 2006 plans.

Response following further information

The level of proposed treatment on the roll-over slope still unacceptable. Concerns that the proposed grassland planting would give the restored slope a sterile visual appearance. Recommended the inclusion of varying densities of scrub to form a mosaic habitat that would be more reflective of a natural dale side. This needs to be included in the supporting text on the restoration plan. Suggested wording:

“Selective small scale scrub planting may be appropriate in some locations on the rollover slopes. Existing species rich grassland areas will be avoided. Ahead of any planting consideration will be given to the aspect and favouring the use of species poor areas typically defined by where more nutrient rich soils have previously been placed. In advance of any planting, a suitably experienced ecologist and landscape architect will attend site to mark out the appropriate locations in due course. Stockproof fencing will initially enclose the scrub planting to protect it from grazing management and allow establishment. Following establishment then the fencing may be removed to facilitate a more natural grassland-scrub mosaic on the relevant rollover slope areas.”

Representations

57. There have been no representations made by members of the public.

Main Development Plan Policies and other material considerations relevant to this decision

58. The development plan policies relevant to the determination of this application are listed below:

Local Development Framework Core Strategy (2011-2026) (adopted October 2011)

GSP1:	Securing National Park purposes and sustainable development
GSP2:	Enhancing the National Park
GSP4:	Planning conditions and legal agreements
L1:	Landscape character and valued characteristics
L2:	Sites of biodiversity or geodiversity importance
L3:	Cultural heritage assets of archaeological, architectural, artistic or historic significance
CC5:	Flood risk and water conservation
MIN1:	Minerals development

Development Management Policies Development Plan Document (adopted May 2019)

DM1:	The presumption of sustainable development in the context of National Park purposes
DMC1:	Conservation and enhancement of nationally significant landscapes
DMC5:	Assessing the impact of development on designated and non-designated heritage assets and their settings
DMC6:	Scheduled Monuments
DMC11:	Safeguarding, recording and enhancing nature conservation interests
DMMW2:	The impact of minerals and waste development on amenity
DMMW3:	The impact of minerals and waste development on the environment

59. The Local Plan for the Peak District National Park is currently being reviewed under the 'current' plan-making system. To date the Local Plan Review process has been subject to several non-statutory consultations, and two statutory consultations: Issues and Options; and Preferred Approach. Following Authority Committee approval of the Draft Plan in the summer 2026, the Draft Plan will be subject to a final Regulation 19 Consultation exercise, after which it will be submitted to the Secretary of State by the end of 2026.

60. Policies in emerging plans do not have the same statutory weight in the decision making process as that accorded to policies in adopted development plans under Section 38(6) of the Planning and Compulsory Purchase Act 2004. However, they can be material considerations in decision making, and NPPF paragraph 49 provides guidance on determining the degree of weight that can be given depending upon the stage of preparation of the emerging plan, the extent to which there are unresolved objections and the degree of consistency with the NPPF. The more advanced stage of preparation the more a plan can be afforded weight in decision-making. Given the

emerging Local Plan has not yet been subject to examination, it is considered little weight can be attributed to it.

61. Other material planning considerations relevant to the determination of this application are listed below:

National Planning Policy Framework (NPPF) (updated December 2024)

Paragraph 11: Presumption in favour of sustainable development

Paragraph 189: Great weight to conserving and enhancing landscape and scenic beauty in National Parks

Paragraph 207: Proposals affecting heritage assets

Paragraph 213-215: Considering potential impacts on designated heritage assets

Paragraph 224: Great weight to benefits of mineral extraction

National Planning Practice Guidance

Minerals, Review of minerals planning conditions (October 2014)

62. The Ministry of Housing, Communities and Local Government has recently undertaken a consultation on a revised version of the NPPF. The consultation ended on 10th March 2026, the feedback is currently being analysed and the final version is expected to be published later in 2026. The proposed revised NPPF represents a fundamental change in format and is regarded as the most significant overhaul of national planning policy since the NPPF was introduced in 2012, however given it is currently in draft form and therefore subject to change, holds little weight in the decision-making process.

Assessment

63. Having given careful consideration to the proposed Scheme of Conditions, the environmental and other information, including the environmental information subsequently received, consultee comments, the relevant development plan policies and the other material considerations, referred to above, the key issues are considered to be:

- Purpose of the review process; and
- The site-specific development plan policy considerations – impact on cultural heritage and archaeology, ecology and landscape, and amenity impacts; and
- The need to update the planning conditions and whether the proposed Scheme of Conditions will provide for the operation of the quarry in accordance with modern environmental standards.

Purpose of the review process

64. The ROMP process is designed to ensure that historic mineral permissions are updated with a schedule of conditions that reflect modern standards of environmental protection, safety, mitigations and best practices. The principle of development in this

case is already established since the application site already benefits from an extant consent granted in 2006.

65. The Core Strategy was adopted in 2011 and paragraph 14.15 references the guidance contained within MPS1 (now withdrawn) on restoration of minerals site, and states the importance of opportunities for enhancing the overall quality of the environment and the wider benefits that sites may offer, including nature and geological conservation and increased public accessibility. Paragraph 14.33 goes on to state that the restoration of mineral workings is a significant opportunity to achieve National Park Authority outcomes for achieving amenity (nature conservation) after-use for the sites, enhancing landscape and biodiversity and providing recreational opportunities. Part 2 of the Local Plan, the Development Management Policies (DMP) document, was adopted in 2019 and Policies DMMW2 and DMMW3 seek to ensure that mineral sites operate to the highest possible standards in terms of reducing adverse impacts on amenity and the environment are reduced to an acceptable level or eliminated. Policy DMMW5 requires the restoration and aftercare of minerals development to contribute to the enhancement of the National Park.

66. Paragraph 14.9 of the Core Strategy states that:

“The Authority considers the major limestone and shale quarrying and cement making at Hope in principle to be fundamentally incompatible with national park purposes. The current approach to cement making at Hope is to commit to assisting the owners to retain modern and efficient operations there until the current consents expire.”

67. The periodic review of the mineral permission being considered in this report does not constitute a planning application but rather to agree an updated Schedule of Conditions to replace the existing planning conditions covering the mineral working and restoration operations at Hope Limestone Quarry. As such, planning permission already exists for the quarrying activities and therefore any new conditions must not have an adverse impact on the economic viability of the further working quarry as this may give rise to compensation claims. Paragraph 13 of Schedule 14 of the Environment Act 1995 explains that Mineral Planning Authorities cannot impose new or amended conditions that restrict working rights of the original permission which includes: size of the site; depth of the extraction; height of any mineral deposit; extraction rates; the final cessation date of the permission; and total quantity of mineral to be extracted.

68. Having regard to the Development Plan and the other material planning considerations referred to above, it is reasonable to conclude that the agreement of a new Schedule of Conditions is an important opportunity to update and replace the existing planning conditions covering the mineral working and restoration to ensure that the site can operate to high environmental standards and to bring the conditions into line with current policies and practices.

69. The submitted ES assesses the impacts of the likely effects of the development on the environment. The assessment is made by quantifying the sensitivity of any sensitive receptors of those impacts and the likely magnitude of the development's environmental effects. A draft Schedule of Conditions has been amended through discussion with the applicant, pending the Planning Committees decision to grant

delegated authority to officers to issue a final Schedule of Conditions. These conditions have been amended in light of the data and findings presented in the ES and the comments made by specialist and expert consultees, to mitigate any potentially harmful impacts of the development, enhance its potential benefits and ensure the site is restored appropriately in accordance with development plan policies.

The site-specific development plan policy considerations

Impact on cultural heritage and archaeology

70. Paragraph 207 of the NPPF states that:

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance”.

71. Paragraph 189 of the NPPF provides advice within a National Park context, stating that:

“The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads”.

72. Core Strategy policy L3 requires development to conserve and where appropriate enhance or reveal the significance of archaeological assets and their settings. Development Management Policies DPD policies DMC5 and DMC5 add operational detail to Core Strategy policy L3. Furthermore, Development Management Policies DPD policy DMMW3 seeks to minimise impacts on cultural heritage assets and the setting of these assets.

73. The cultural heritage chapter of the ES provides an assessment of the impacts upon cultural heritage which are predicted to result from the continuation of quarrying, and whether the conditions attached to the extant consent are sufficient to ensure heritage assets are protected and, in the case of archaeology, are accurately recorded.

74. The assessment provides a baseline dataset which includes a history of the archaeological assets that have been recorded on site thorough the working life of the quarry, which has included many different soil strips. The assessment also details the designated and non-designated heritage assets beyond the planning application boundary that fall within the Zone of Theoretical Visibility (ZTV), which includes 16 Schedule Monuments, 17 Listed Buildings and 39 non-designated heritage assets. The assessment highlighted 4 Conservation Areas that could potentially be impacted by the continuation of quarrying, along with the impact to the setting of well-preserved medieval strip fields or other areas of “Ancient Enclosures”. A number of designated and non-designated assets were recorded within areas of the landscape identified as “High Priority” lead mining sites in the “Updated Inventory of Important Metal and Gangue Mining Sites in the Peak District”.

75. The methodology of the assessment weighed the different magnitudes of change to the assets against their value/sensitivity using a significance of effects matrix. As this

application is simply a review of the conditions that govern the working of the quarry, and there are very limited changes to working or operational practice proposed, the general finding of this assessment was that the proposals will result in “negligible adverse” magnitude of impacts, which is considered to be at the lower end of the scale. As such, the broad theme of the assessment was that impact on the significance of assets would be neutral.

76. The assessment identified that of the 17 Scheduled Monuments assessed, neutral effects were predicted at seven assets; neutral to slight adverse effects were predicted at seven assets, and slight adverse effects were predicted at three assets. For the 17 assessed Listed Buildings, neutral effects were predicted at 12 of the assets, either neutral or potentially slight adverse effects were predicted at four of the assets, and slight adverse effects at one of them only. Neutral effects were predicted at all of the non-designated assets assessed. In addition, of the four Conservation Areas that were assessed, neutral effects were predicted at one, whilst effects that could range from neutral to slight adverse were identified at three. Potential effects of up to slight adverse impact on significance were also identified for elements of the historic landscape characterised as ‘Ancient Enclosure’.
77. The assessment identified roll over slopes as a mitigation measure to minimise the external visual impact of the development and reduce colour contrast, thus reducing the impact on the setting of assets within the ZTV. Furthermore, it is noted that this review will not result in any excavations outside of the application boundary area. The consultation responses from Historic England and the PDNPA Conservation Officer both agree that this visual mitigation will help prevent harm to the setting of the designated assets over the medium and long term, although there will continue to be some impact on the landscape setting of the heritage assets as the quarry progresses through the proposed phases. Given this application is simply a review of conditions which cannot consider the principle of continued mineral extraction on the site, it is considered that this mitigation strategy for preventing significant harm to the setting of designated heritage assets is acceptable and accords with the requirements of Policy DMC5 and Policy DMC7.
78. However, HE identified that there could be opportunities to further reduce the level of harm, improve the condition or enhance the significance of the heritage assets affected by the quarry. As such, a condition is proposed that requires a further assessment into the possibility of the above, and the implementation of further mitigation that may be considered appropriate and any further improvements/enhancements that are reasonably achievable.
79. The proposed conditions set out by the applicant requires the remaining quarrying and restoration process to take place in strict accordance with the approved methodology for the protection of New Venture Mine (including New Venture Mine West), which was approved by NP/DIS/0511/0391. The PDNPA Archaeologist has agreed to proposed wording of this condition. This condition will ensure the protection of New Venture Mine, which is a significant heritage asset which provides understanding of the mining heritage of the area, in-keeping with the strategic objectives of Policy L3. The approved methodology was informed by an appropriate assessment proportionate to the heritage value of the asset, in accordance with the requirements of Policy DMC5. By incorporating this methodology into the working strategy for the site, the proposals are compliant with the requirements of Policy DMC3 insofar as the design of the quarry has been altered to ensure the protection of a significant heritage asset.

80. The proposed conditions require the final and outstanding dissemination of the results of the archaeological works undertaken in accordance with the relevant Written Scheme of Investigation within 12 months of the date of the consent. The PDNPA Archaeologist has recommended the wording of this condition to ensure the information gathered from on-site investigation is disseminated to the appropriate bodies. By ensuring this information is shared, the condition will serve to increase the understanding of the archaeology on site, and thus of the cultural heritage of the area more broadly, in-keeping with the strategic objectives of Policy L3.
81. It should be noted that the proposed Schedule of Conditions omits the requirement for the operator to notify the MPA prior to commencement of any soil stripping activities, which was required by Condition 39 of the extant consent. As the final soil strip for the site has now been completed, this condition is no longer relevant and so, with the agreement of the PDNPA archaeologist, is to be removed from the proposed schedule of conditions.
82. The proposed amendments to the conditions detailed above are considered to maintain the same level of protection for archaeological assets as was provided through the conditions of the extant consent, with the potential for further protection and enhancement. Officers will ensure that the final amended Schedule of Conditions retains the appropriate level of protection for the identified heritage assets.
83. There are no extant conditions that relate specifically to the protection or conservation of Listed Buildings or any non-designated buildings of historical merit. The PDNPA Conservation office noted in their consultation response that the quarry is visible from two listed buildings, Highfield Head Farmhouse and Aston Hall, and that the continued quarrying operation will disrupt the historic landscape and therefore have a small degree of less than substantial harm.
84. Policy DMC7 is clear that development would not be permitted in the event that it would lead to the harm of the setting of Listed Buildings unless it can be justified that less than substantial harm would be offset by the public benefit of approving the development. As this review submission cannot consider the principle of continued quarrying on the site, it is the Authority's assessment that the less than substantial harm caused to the Listed Building has already been permitted, so assessment against the criteria of Policy DMC7 is not necessary.
85. The impact on the setting of the Listed Buildings will be directly and inextricably linked to the overall landscape impact of the development and so the visual mitigation and overall restoration of the site detailed in the proposed conditions will also help to minimise the impact on the Listed Buildings.
86. The proposed schedule of conditions and the subsequent modifications recommended by the expert consultees is therefore assessed as providing the same level of protection for heritage assets as the conditions attached to the extant consent, and in the case of landscape impact affecting the setting of Listed Buildings enhances that protection.
87. It is therefore concluded that the review of the Schedule of Conditions will ensure appropriate protection and mitigation of heritage assets in a manner than accords with the strategic objectives of Policies DMC3, DMC5, DMC6, DMC7 and Policy L3.

Impact on ecology

88. Paragraph 187 of the NPPF states that decisions should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; and
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.

89. Paragraph 189 of the NPPF, referred to earlier in this report, is also relevant in terms of impact on ecology within the national park context.

90. Core Strategy policy L2 establishes that development must conserve and enhance any sites or features of geodiversity importance, and any sites, features or species of biodiversity importance and where appropriate their settings. Development Management Policies (DPD) policy DM11 adds operational detail to Core Strategy policy L2, and requires proposals to achieve net gains to biodiversity or geodiversity as a result of development.

91. Planning Practice Guidance states that planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering planning applications (Natural Environment, dated June 2025). Mandatory Biodiversity Net Gain (BNG) in England, which requires a minimum 10% increase in biodiversity value, applies to most new mineral planning applications. ROMPs are specifically excluded from these statutory requirements since they do not require planning permission under the Town and Country Planning Act.

92. The ES that was submitted with this application contains a chapter and appendices relating to ecology on site and within the zone of influence surrounding the site. The ecological chapter of the ES was prepared by BGS Ecology, who are a suitably qualified consultancy. The recommendations set out in this chapter are underpinned by a series of desk-based assessments and site surveys, which have been reviewed by the PDNPA Ecologist and Natural England.

93. The methodology of the ecological assessment sought to address the following issues as a means to understanding the effectiveness or requirement of the conditions attached to the extant consent:

- i. Has the planning condition been fully delivered and, as such, no further consideration is necessary?

- II. Is the implementation of the planning condition ongoing and does it continue to be relevant to the operational life of the limestone quarry in terms of potential for future or new significant ecological impacts?
 - III. Does the planning condition relate to ongoing progressive restoration of the limestone quarry and, as such, remains relevant in terms of potential for ecological impact and restoration delivery?
 - IV. Are the ecological mitigation, compensation and enhancement measures set out in the 2003 ES still relevant and do they adequately address the potential for significant ecological impacts given the current ecological baseline?
 - V. Are there any additional ecological measures required, over and above those provided for in the existing planning conditions, taking into account the current ecological baseline to address the potential for future, new or additional significant ecological impacts?
94. The ecological assessment of the site, its surroundings and the likely impacts of continued quarrying found that there were two aspects of ecological protection that could be improved through this review process, which are:
- Temporally established grassland habitats within the quarry site, and;
 - The protection of Great Crested Newts.
95. The Regulation 25 request that was sent to the applicant in May 2024 related to some aspects of the ecological assessment which the PDNPA Ecologist considered to need additional information before an informed decision could be reached. The Regulation 25 Request related to:
- Review of the lighting strategy for the area of the site that operates 24 hours a day in a bid to minimise sky glow;
 - Additional information relating to original phasing plans, asking for clarity and expansion of the plans key (these plans have since been superseded);
 - Further information to define the type of restoration and the habitats to be created. The overall aim should be to promote area of structurally diverse open species-rich grassland;
 - Biodiversity could be enhanced in the north/northwest section of the extraction site by managing and maintaining the dew ponds in the area, which are an important habitat for amphibians.
96. The applicant subsequently provided the additional information, which the PDNPA Ecologist reviewed and agreed was acceptable, subject to the inclusion of a condition relating to the submission of a lighting strategy for the site and a strategy for the protection of Great Crested Newts and enhancement of the dew ponds.
97. Having regard to the relevant development plan policies referred to above, it is reasonable to conclude that the review of the Scheme of Conditions has provided an opportunity to update the conditions to raise environmental standards and bring them into line with current policies and practices. The combination of the existing planning

conditions which remain fit for purpose, and the modifications and addition of new planning conditions, it is not anticipated that there will be any further significant effects on ecological features that require additional compensation.

98. Furthermore, the amendments to the proposed restoration scheme and the associated Restoration and Habitat Management Plan, which includes the provision of structurally complex habitats to support biodiversity on-site and to help create habitat corridors between designated sites surrounding the quarry provide certainty in relation to the delivery of the biodiversity mitigation measures and nature recovery across the remaining life-span of the operation and subsequent restoration of the site.
99. Following the advice of the expert consultees, an amended Schedule of Conditions will be agreed that ensures the protection and enhancement of ecological receptors, habitats and species in such a manner as to accord with the requirements and strategic objectives of Policies L2 and DM11.

Landscape and visual impact

100. Paragraph 187 of the NPPF states that decisions should contribute to and enhance the natural and local environment by:
- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)
101. Paragraph 189 of the NPPF goes on to clarify:
- “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues”.
102. Core Strategy policy L1 incorporates a landscape character led approach which requires all development to conserve and enhance the valued characteristics and landscape character of the National Park, as identified within the Landscape Strategy and Action Plan. Development Management Policies DPD policy DMC1 requires development proposals beyond the edge of settlements to provide a landscape assessment using the Landscape Strategy and Action Plan to assess whether the character and quality of the landscape will be conserved and enhanced by the development. Alternative approaches should be considered if development would not conserve the character and quality of the landscape.
103. The submitted Landscape and Visual Impact Assessment (LVIA) identifies and assesses the effects of the continuing operation of the limestone quarry on the landscape character and landscape resource, and on the visual amenity of the site and surrounding area, in accordance with good practice guidance. In terms of direct physical impacts on landscape fabric, the LVIA concludes continued extraction within the existing quarry would have a negligible magnitude of change giving rise to non-significant effects, and at final restoration the effects would be beneficial overall with the creation of new features and elements characteristic of a dale side environment, most significantly the creation of a roll-over slope around the western rim of the quarry

incorporating a sensitive and appropriate planting strategy that compliments the surrounding landscape character. No significant adverse effects on landscape character are identified as a result of the continued operations. Therefore, in terms of landscape effects, the LVIA concludes that the existing quarry would not give rise to impacts that would significantly affect the special qualities of the National Park, in fact the final restoration would give rise to minor beneficial effects on views from the designated area.

104. The LVIA assesses visual effects with reference to the various viewpoints chosen for the assessment. The continued extraction operations would lie wholly within the visual envelope of the existing quarry and be perceived within that context. The LVIA concludes no significant effects are predicted for occupiers of residential properties within the 5km study area as a result of the continued extraction.
105. The focus of comments from PDNPA Landscape Officer relate to the need to ensure that the planting strategy for the roll-over slope is led by a landscape priority strategy, rather than prioritising ecological benefits, due to visual significance of this feature from vantage points outside of the quarry. The comments made by the PDNPA Landscape Officer have been incorporated into the most recent iteration of plans, with a mosaic of grassland and scrub planting proposed which will allow for visual assimilation with the surround landscape. The initially proposed grassland habitat had been carefully devised to provide a diverse assemblage of botanical species, but the inclusion of scrub planting on areas of deeper soil will also provide biodiversity enhancements as well as aiding visual assimilation.
106. Plans showing Phase 0 (Current Situation April 2025), Phase 1 and Phase 2 (Maximum Void) have been revised to include indicative development dates, and additional annotations (including stockpiles and habitat creation) and to show how the remaining mineral reserves will be worked. It is noted that final position of faces and benches at the end of each phase are indicative due to need for the limestone to be worked according to the chemistry needed for its use in the cement making process. The amended schedule of conditions will retain the requirement for the operator to submit a final Restoration Plan for approval by the MPA no later than February 2040 which will detail the final restoration profile informed by the progress of extraction and by the volumes of quarry waste that have been generated up to that point. This condition will give the Authority a level of control and the ability to make an informed assessment of final restoration landform given the uncertain nature of the exact manner in which the remain extraction will take place due to the need to source the appropriate mineral chemistry for the kiln feed mix.
107. The final Restoration Plan (Revision F) has been updated with the proposed wording from the PDNPA Landscape Officer which relates to the small-scale scrub planting in some locations on the rollover slope.
108. PDNPA Landscape have confirmed their support for the revised plans. No changes to conditions are considered necessary other than the updating of plan reference numbers.
109. Having regard to the relevant development plan policies referred to above, it is reasonable to conclude that the review of the Scheme of Conditions has provided an opportunity to request revised quarry development plans to reflect the modern

standards of landscape protections and implementation of progressive restoration in line with current policies and practices.

Amenity and environmental impacts

110. Paragraph 224 of the NPPF states that when determining proposals for mineral extraction, mineral planning authorities should:
- “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”
111. Paragraph 013 of National planning practice guidance on minerals sets out the principal issues that mineral planning authorities should address, bearing in mind that not all issues will be relevant at every site to the same degree, and the guidance goes on to explain how minerals development proposals should seek to control or mitigate environmental issues such as noise and dust emissions.
112. Development Management Policies DPD policy DMMW2 seeks to reduce adverse impacts of minerals and waste development on amenity to an acceptable level or eliminated in relation to local amenity including noise (including noise of a level, type, frequency and duration, likely to have negative impacts on areas of tranquillity) and dust.
113. The applicant has explained in the submission that there are no proposals to alter the existing hours of working which are controlled by condition number 14. All plant and quarry vehicle movements associated with the limestone quarry will continue to be contained within the site travelling between the working faces and the primary crusher, after which the mineral is transported to the Works complex by covered conveyor.
114. The EHO has assessed the most recent submission made by the applicant which addresses and clarifies gaps and discrepancies in the assessment contained within the ES relating to noise, air quality and vibration, notwithstanding the matters discussed below. The EHO is satisfied that this latest set of data and commentary clearly demonstrates that, subject to the retention of the relevant planning conditions, the site will continue to operate in a manner that protects the amenity and well-being of local residents and visitors.
115. Both the vibration assessment submitted with the ES and the subsequent comment from the EHO highlighted that a property known as Black Rabbit Cottage may suffer moderate adverse impacts as a result of continued blasting as the remaining reserves are worked.
116. The extant conditions restrict the levels of vibration caused by blasting, measured as peak particle velocity (PPV), to 10mm/second in 95% of all blasts measured over a 12-month period and to 12mm/second in any one individual blast, when measured at or near the foundations of a vibration sensitive building or residential premises. These limits are in line with the advice given in Minerals Planning Guidance 14 which is the most recent detailed government guidance on blasting and

vibration, which is still a material planning consideration, although this has now been replaced by Planning Practice Guidance which is silent on the matter.

117. The Authority is not aware of any recent complaints from Black Rabbit Cottage relating to blasting at the Limestone Quarry, with the operator generally achieving 6mm/second at 95% of blasts across a 12-month period. Considering the above and given the limits comply with those specified in the former MPG14 it is not considered necessary to reduce the limits via condition at this time and to do so could potentially adversely affect the operators existing working rights and leave the Authority vulnerable to a compensation claim under section 13 of Schedule 13 of the Environment Act 1995 given that a reduced blast limit could compromise the rate at which the mineral may be extracted.
118. However, the operator has agreed to the inclusion of a condition to require a Blasting Impact Assessment to be conducted with a view to implementing further mitigation measures if they are deemed necessary. The findings of the assessment and the requirement for any potential mitigation will be agreed with the MPA in consultation with the EHO and implemented accordingly.
119. Revised conditions in relation to dust monitoring and control will also be included in the schedule to be agreed as recommended by the EHO.
120. The EHO is otherwise satisfied that the ES and subsequent submissions made by the applicant have demonstrated that the operation of the quarry can continue without having a harmful impact on sensitive receptors, subject to the retention of the relevant conditions.
121. The Environment Agency and Derbyshire County Council Flood Risk Team have offered no objection to the proposed review of conditions and do not require any significant changes to the wording of the extant conditions in relation to ground and surface water. The continued protection of ground and surface waters from pollution, and the lack of flood risk posed by the continued extraction means that the amended Schedule of Conditions will continue to protect the environmental amenity of residents and visitors to the National Park, in accordance with the requirements of Policy DMMW2 and Policy DMMW3.
122. Having regard to the relevant development plan policies referred to above, it is reasonable to conclude that the review of the Schedule of Conditions has provided an opportunity to update the conditions to raise environmental standards particularly in terms of the impact of blasting and noise and dust emissions to bring them up-to-date with current policies and practices.

Consideration of alternatives

123. This is a review application and therefore no alternative sites were investigated by the applicant.

Cumulative impact

124. Schedule 4 of the EIA Regulations 2017 requires an ES to offer an assessment of the cumulative effects of the proposals alongside existing uses within an appropriate distance. The submission addresses the cumulative impact of the proposed development to examine if continued operation of the limestone quarry, when combined with other developments and activities in the area, could collectively impose a significant impact on the environment. It concludes that there are no cumulative impacts that will arise in combination either within itself or with other existing/proposed developments that would render the proposal unacceptable.
125. Officers note that the Authority is currently determining an application for the lateral extension of the Limestone Quarry. Any additional cumulative impact generated through an extension of the Limestone Quarry will be carefully considered in the determination of that application. It is not appropriate to consider the potential additional cumulative impact of the extension in this ROMP, because the continued extraction of mineral under this consent is already permitted.

Conclusion

126. The ROMP process is designed to ensure MPAs are able to agree a Schedule of Conditions with operators to ensure historic permissions are carried out in accordance with modern environmental standards, without prejudice to existing working rights. An ES has been submitted to the MPA, and the conclusions of each technical chapter of the ES informed the proposed Schedule of Conditions that accompanied the submission. Through the consultation process some wording of the proposed conditions will be modified, and some new conditions will be added to the schedule following responses from consultees, with the agreement of the applicant.
127. Taking the relevant up-to-date Development Plan policies as a whole and having consideration to the proposed Schedule of Conditions, the supporting and environmental information, including the information subsequently received, the consultee comments and the other material considerations, all referred to above, it is reasonable to conclude that the draft Schedule of Conditions, as modified would:
- ensure that the site can operate and be restored to higher environmental standards;
 - bring the conditions into line with current policies and best practice; and
 - not prejudice to an unreasonable degree the economic viability of the operation or the asset value of the site.

Recommendation

- 128. That the Scheme of Conditions set out in Appendix A are agreed in principle, and that delegated authority is granted to the Head of Planning and Conservation to determine the final wording of the Scheme of Conditions following discussions with the Applicant.**

Appendix A

Proposed headings for Schedule of Conditions:

1. Commencement
Officers will agree conditions that ensures compliance with the requirements of the Town and Country Planning Act 1990 and provide clarity on when the consent came into effect.
2. Duration
Officers will agree conditions that ensure the end date for mineral extraction of 21st February 2042 is maintained
3. Working Scheme and Operating Programme
Officers will agree conditions that ensure the approved plans are accurately listed to provide clarity for the MPA and the operator as to how the development must be carried out
4. Type of Mineral
Officers will agree conditions that restrict the extraction operations to the winning and working of Limestone in accordance with the purpose of the extant consent.
5. Production
Officers will agree conditions that preserve the restriction for the original permitted volume of mineral to be won.
6. Depth of Working
Officers will agree conditions that maintain the restriction on the permitted working depth to 223m AOD.
7. Site Access and Surfacing
Officers will agree conditions that ensure the safety of the highway throughout the remaining operational life-span of the site.
8. Vehicle Cleaning
Officers will agree conditions that ensure the safety and cleanliness of the highway throughout the remaining operational life-span of the site.
9. Lorry Sheeting
Officers will agree conditions that ensure the safety and cleanliness of the highway throughout the remaining operational life-span of the site.
10. Number of Vehicle Movements
Officers will agree conditions that ensure the safe operation of the highway and prevent congestion throughout the remaining operational life-span of the site.
11. Restriction of Permitted Development Rights

Officers will agree conditions that maintain the restriction of permitted development rights which will allow the MPA a level of control over any additional or ancillary development on site, which in turn will help protect the landscape and the amenity of residents and visitors to the National Park.

12. Hours of Working

Officers will agree conditions that maintain the restriction of working hours for the site which will protect ecological receptors and the amenity of residents and visitors.

13. Soil Stripping, Handling and Storage

Officers will agree conditions that ensure the careful handling of soil and soil forming materials which are a valuable resource to be used in the restoration of the site, in turn protecting the landscape and ecological receptors.

14. Waste

Officers will agree conditions that ensure the safe storage and removal of waste produced on site which will help prevent pollution escaping the site and will protect ecological receptors and the amenity of residents and visitors.

15. Floodlighting

Officers will agree conditions that ensure the MPA has control over floodlighting, ensuring it is necessary and is carefully designed, in turn protecting ecological receptors.

16. Fencing

Officers will agree conditions that ensure the site is properly and securely fenced for public safety and to prevent livestock from entering the site.

17. Dust

Officers will agree conditions that ensure the appropriate dust management strategies are adhered to throughout the remaining life-span of the operation, which in turn will prevent harm to ecological receptors and will protect human health and amenity

18. Noise

Officers will agree conditions that ensure dB level limits are in place to prevent undue harm to human health and amenity, and to protect the tranquillity of the National Park

19. Blasting

Officers will agree conditions that sets clear and demonstrable vibration limits that are a resulting of blasting mineral on site, which in turn will protect amenity and human health.

Officers will agree a condition requiring the submission of a blasting impact assessment in relation to Black Rabbit Cottage and secure the implementation of any mitigation measures that may be deemed necessary.

20. Safeguarding Adjacent Land and Features – New Venture Mine

Officers will agree conditions that ensure the approved management plan for the protection of New Venture Mine is adhered to throughout the remaining life-span of the operation

21. Water Protection and Pollution Control

Officers will agree conditions that ensure the water resources are adequately protected from the danger of pollution or contaminants escaping the site.

22. Visual Impact

Officers will agree conditions that ensure the visual mitigation strategy is adhered to and implemented in a phased manner through the remaining life-span of the operation.

23. Cultural Heritage and Archaeology

Officers will agree conditions that require the outstanding dissemination of information and findings gathered through the archaeological investigations on site, protecting and enhancing the understanding of the National Park's cultural heritage.

Officers will agree conditions that require a further assessment into the possibility of additional mitigation measures to further reduce the level of harm to heritage assets and whether there are opportunities to further improve the state of the assets or enhance their setting. Any reasonable opportunities identified will be implemented within a practical timescale to be agreed.

24. Geology/Speleology

Officers will agree conditions that ensure the MPA is notified in the event of geological or speleological findings on site, which in turn will better the understanding of geological and speleological condition of the site.

25. Ecology and Wildlife

Officers will agree conditions that ensure the appropriate protection and enhancement of habitats and species (including GCNs) on and around the site.

26. Landscaping

Officers will agree conditions that ensure the visual mitigation and nature recovery strategy is adhered to and implemented in a phased manner through the remaining life-span of the operation.

27. Walling

Officers will agree conditions that ensure the drystone walls that have been repaired by the operator are maintained in good order through the remaining life-span of the operation, in turn protecting the visual amenity and distinctiveness of the locality.

28. Restoration, Aftercare and Afteruse

Officers will agree conditions that ensure the restoration and aftercare strategy is adhered to and implemented in a phased manner through the remaining life-

span of the operation, in turn protecting the landscape and ensuring nature recovery and biodiversity enhancement.

Officer will agree a condition to require the submission of a final proposed restoration plan in 2040.