

DERBYSHIRE AND DERBY MINERALS LOCAL PLAN (2022 – 2038) (the Plan)

Post Hearings Note 20 August 2026

Purpose of Note

- To provide the Councils with the views of the Inspectors regarding certain elements of the work programme identified in the July 2026 update. In addition, the note identifies those areas of ongoing work where emerging evidence needs to be provided to the Inspectors.

Inspectors concerns, queries and required actions

- The Inspectors are increasingly concerned at the lack of progress with the SFRA. A considerable time period has now elapsed since this work was commissioned and it is disappointing that progress appears to be stalled.
- As the Councils will be aware, the Inspectors raised concerns during the hearings regarding the site assessment method and how it fits together with the Sequential Test, the SA and the Strategic Environmental Sensitivity work and requested that the Councils revisit the site assessments. Although it is noted that finalised assessments are to be reviewed w/c 17 August 2026, without the completed SFRA the Inspectors consider that the work on assessing sites cannot be completed. Furthermore, while the sites submitted following the Call for Sites are proposed to be assessed, it is necessary for the sites already proposed to be allocated in the Plan to be subject to the same assessment criteria, particularly with regard to the SFRA, to ensure consistency. The delay to the flood risk work is therefore concerning, as it is likely to have implications for the overall timetable.
- It is pleasing to note that the call for sites work and the provisional assessment indicates that a 7 year landbank for sand and gravel would be maintained at the end of the Plan period. Although it is noted that the landbank may slightly dip below the 7 years during the Plan period it will be necessary to ensure that the relevant policies can cater for any 'windfall' submissions that may be required to address this shortfall.
- It is noted that the 2026 LAA is being finalised for discussion with EMAWP. It will likely be necessary for the Plan to take into account any relevant outputs arising from the 2026 LAA in considering the aggregate requirement over the Plan period.
- It is pleasing to note the Statements of Common Ground (SoCG) are nearing agreement with the MPA and the PDNPA. The Inspectors wish to see progress on

these continuing at pace and a finalised agreed SoCG should be submitted as soon as possible.

- Although the Plan is being examined under the provisions of the 2023 National Planning Policy Framework (NPPF) , The Councils will be aware of the publication of the August 2026 version of the NPPF. Whilst most of the mineral related guidance in the new NPPF remains relatively consistent with the 2023 version, there are some differences particularly in respect of coal. The new NPPF will be a material consideration in the determination of future planning applications submitted to the councils for mineral development. Although the policies in the Plan need to be consistent with the 2023 version of the NPPF, it may be worth checking the wording of the policies proposed in the Plan to ensure that any planning applications submitted would not fall foul of the guidance provided in the 2026 NPPF.
- The above matters suggest that current version of the Gantt Chart is likely to be already out of date. The need for the completion of the SFRA work needs to be stressed as this has a significant influence on the future programme of the Plan through to adoption. Revisions to the Gantt Chart are therefore likely to be necessary. It is important that the dates of the revised hearing sessions are firmed up as soon as possible after completion of the SFRA to ensure Inspector availability. Can the Councils therefore please provide a revised copy of the Gantt Chart, taking account of the above delay to the SFRA and the consequential effect on other work?

Stephen Normington and Martha Savage

INSPECTORS