Leicestershire County Council

Leicestershire **MINERALS** Development Framework

Core Strategy & Development Control Policies up to 2021

Leicestershire Minerals Development Framework

Core Strategy and Development Control Policies

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1. Introduction

The Minerals Development Framework

1.1 A Minerals Development Framework (MDF) is being prepared for the administrative area of Leicestershire (outside the City of Leicester) under the provisions of the Planning and Compulsory Purchase Act 2004. The Leicestershire Minerals Development Framework (LMDF) will replace the existing Leicestershire Minerals Local Plan Review 1995 in setting out the policies and proposals for the development and use of land for minerals within the framework area.

1.2 Development Frameworks are to be produced by all local planning authorities to guide decisions about planning applications and to provide a 'spatial plan' or 'geographic blueprint' to help shape the future of their areas. The Development Framework is a portfolio of development plan documents and other local development documents. An advantage of the new system is that individual documents can be reviewed separately, as necessary, and can be more easily adjusted to respond to changing circumstances than was the case before, when the whole plan had to be reviewed.

1.3 The new system also involves the phasing out of the Structure Plan. Regional Spatial Strategies (RSS) have been introduced (to replace Regional Planning Guidance) and together with the development plan documents will in future form the Development Plan.

1.4 The minerals development plan documents are to include:

- A Core Strategy, including Development Control Policies, which will set out the key principles to guide the future winning and working of minerals in the County, and the criteria against which planning applications for minerals development will be considered. It will include a spatial vision, spatial strategy, strategic objectives, core policies, and a monitoring framework.
- A Site Allocations document, which will identify sites and land suitable for mineral development and include specific proposals and policies for the provision of future minerals supply within the County.
- A Proposals Map will accompany these development plan documents to illustrate the policies and proposals within their geographic context and to identify areas of protection.

None of these documents should be read in isolation, as proposals for mineral development will be judged against all appropriate development plan policies.

1.5 Supplementary planning documents to expand policies or provide additional detail can also be produced, though a particular need for these has not been identified at this stage.

1.6 Other documents within the MDF include:

- A Statement of Community Involvement (SCI), which sets out the standards to be achieved by the County Council in involving the community in the preparation, alteration and continuing review of all development documents and the determination of planning applications. The SCI was formally adopted on 26th January 2007.
- Leicestershire County Council's Minerals and Waste Development Scheme (LMWDS), which sets out the programme for preparing the LMDF.
- An Annual Monitoring Report, which will be required to review actual plan progress compared with the programme set out in the Development Scheme, to assess the effectiveness of policies in meeting targets, to consider whether policies need adjusting or replacing and if so to determine what action should be taken.

1.7 To ensure that development plan documents are prepared with a view to contributing towards sustainable development, they must be subject to appraisal. In addition, the provisions of European Directive 2001/42/EC must be complied with, which requires formal strategic environmental assessment of certain plans and programmes. Therefore, the MDF is accompanied by:

- A Sustainability Appraisal (SA), which evaluates the social, environmental and economic effects of the strategies and policies of the development plan documents from the outset of the preparation process; and,
- A Strategic Environmental Assessment (SEA), which assesses the development plan documents for any likely significant effects on the environment that may occur. The SEA is incorporated within the SA.

1.8 In combination, these documents will seek to address the need to provide protection to the environment and the amenity of local residents, whilst ensuring a steady supply of minerals in accordance with Government policy and society's needs. They also provide controls relating to the beneficial reinstatement of land following mineral working, and aim to maximise the use of alternative materials in order to reduce the reliance on primary-won minerals, having regard to sustainability objectives.

The Scope and Nature of the Core Strategy and Development Control Policies

1.9 This document is the key element of the LMDF, providing the vision, objectives, spatial strategy and policies for minerals development in Leicestershire over the period to the end of 2021. It should provide the minerals industry, the general public, interest groups and all other interested parties with a clear understanding of the strategy in

Leicestershire regarding the future scale and pattern of mineral working, and how that will be controlled.

1.10 This document consists of a written statement which includes a reasoned justification in support of the policies and proposals. The Core Strategy has had regard to the need to contribute appropriately to national, regional and local requirements, especially in terms of aggregate provision, at the best balance of social, environmental and economic costs. The document also includes a monitoring framework which identifies the targets and indicators to review the effectiveness of the policies.

1.11 Please bear the following points in mind when reading the policies:

- the Minerals Development Framework is designed to be read as a whole;
- policies are not listed in any priority order;
- where a policy contains a list of criteria, factors or proposals, these are not in any order of importance or priority, unless the policy specifically states they are;
- individual policies need to be read in the context of other policies in the MDF and not interpreted in isolation;
- new development will be assessed against all relevant policies in the MDF and will be expected to be in conformity with those relevant policies unless other material planning considerations dictate otherwise;
- the interpretation of various phrases and terms is in many cases an important part of the policy. Phrases or terms with a particular meaning are defined in the Glossary.
- national policy is applicable but is not repeated.

2. Background

The Need to Plan for Minerals

2.1 Minerals have become an increasingly important factor in our every day lives. They play an essential role in contributing towards social and economic progress through their many uses. These include the provision of bulk and specialist materials for the construction and maintenance of road, rail and industrial infrastructure, the provision of raw materials and finished products in the building of homes, hospitals, schools and workplaces, and for use as fuels. Minerals are also consumed in processes connected with the manufacture of many products that we use and have come to desire and rely upon on a daily basis.

2.2 Minerals are a finite resource and are only available in a limited number of locations, often coinciding with some of our most attractive landscapes. The exploitation of mineral reserves is unlike other forms of development in that it can only take place where the mineral occurs and may result in adverse effects. The extraction and transportation of minerals also have the potential to give rise to environmental pollution affecting the amenity of local residents. Mineral extraction can however lead to benefits through the clearance of dereliction and amelioration of pollution sources, and through the enhanced restoration of sites, which may, for example, assist biodiversity and facilitate recreational after-uses.

Policy Context

National

2.3 A series of Mineral Planning Guidance Notes (MPGs) and Planning Policy Guidance Notes (PPGs) provide the Government's national land use planning policy and guidance. These documents must be taken into account in the preparation of local development documents. Government is currently reviewing its planning policy guidance and aims to separate out advice on practical implementation issues which, could be expressed as guidance rather than policy. A series of Mineral Planning Statements (MPS) and Planning Policy Statements (PPS) are being introduced to replace MPGs and PPGs.

Regional

2.4 The Regional Spatial Strategy (RSS) forms part of the development plan and sets out a broad development strategy for the East Midlands, to which the MDF must conform. The Regional Spatial Strategy for the East Midlands (RSS 8) was published in March 2009. Policy 37 of RSS 8 covers Regional Priorities for Minerals. RSS8 also includes the East Midlands sub-regional apportionments for aggregates for the period 2001-2016.

2.5 The East Midlands Regional Aggregates Working Party (EMRAWP) is a technical group providing information and advice to Government on the supply and demand for both primary aggregates and alternative materials. The EMRAWP also monitors sales of aggregates at a sub-regional level, and has facilitated sub-regional apportionment of the production guidelines identified in MPG6.

Local

2.6 The Leicestershire, Leicester and Rutland Structure Plan 1996 - 2016 (LLRSP) was adopted in March 2005. In relation to minerals, the LLRSP indicated that sufficient mineral workings would be permitted to meet needs provided any adverse environmental impacts can be kept to an acceptable level. It also included various policies that sought to protect and/or enhance amenity and environmental interests. The Structure Plan was a saved plan for a period of 3 years. It will be replaced where necessary by elements of the Regional Spatial Strategy and LDF documents.

2.7 The Leicestershire Minerals Local Plan was adopted in March 1995. Policies in the adopted Minerals Local Plan will be replaced by policies contained within this document. A table showing the relationship between the policies in this document and the Minerals Local Plan is set out in Appendix 2.

2.8 Leicestershire County Council is also in the process of preparing a Waste Development Framework with Leicester City (LLWDF) to replace the Leicestershire, Leicester and Rutland Waste Local Plan 1995-2006 (LLRWLP). It will set out policies and proposals for the development and use of land for waste management within Leicestershire and Leicester City. Consultation on the various stages of the LLWDF has been carried out in parallel with consultation on the LMDF.

2.9 Each of the District Councils will also produce their own Local Development Frameworks to provide policies and guidance for all other development and use of land in the local authority area other than minerals and waste.

2.10 Leicestershire County Council in conjunction with a wide range of organisations and partnerships that deliver public services in Leicestershire have come together to form 'Leicestershire Together', the Local Strategic Partnership for Leicestershire. The Partnership published a Community Strategy in 2003, which seeks to improve the quality of life for Leicestershire people and to improve the quality and co-ordination of public services in the County. The aims of the Community Strategy include, amongst other matters, members of the Partnership leading the community by demonstrating and promoting environmental good practice in the areas of: energy efficiency, waste minimisation, recycling, travel plans and by ensuring environmental and biodiversity considerations are considered in actions and strategies, and to promote sustainable energy sources and encourage local companies and organisations to minimise waste. The County Council is required to have regard to

any relevant issues raised in the Community Strategy when preparing the MDF.

2.11 The Community Strategy has recently been replaced by a new Sustainable Community Strategy for 2008 - 2013. This sets out a new set of priorities for Leicestershire relating to people, themes and places. Its vision is to make the County recognised for, amongst other matters, its attractiveness as a place to live and work, and its full contribution to a sustainable future for the world. One of its particular aims is the provision of an adequate and steady supply of minerals to satisfy society's needs, balanced against protection of the environment and the impact on local residents. Alongside this the first draft of the Local Area Agreement (LAA) framework and indicators has been published. There are no indicators proposed that directly relate to minerals.

2.12 The Local Transport Plan (LTP) sets out the County Council's transport strategy for Leicestershire. The latest LTP was published in March 2006 and covers the period 2006/07 to 2010/11. The aim for transport is "to achieve a transport system for Leicestershire which meets our requirements for access and economic development in a way which seeks continuous improvement in sustainability and people's quality of life". The longer-term strategy sets out five objectives, namely to provide the right transport conditions to help economic growth, improve access to facilities for all, reduce transport's impact on the environment, keep transport safe, and to make sure that highway assets are properly maintained and renewed for the long-term.

2.13 Several non-statutory strategies, for example the National Forest Strategy, the Leicester, Leicestershire and Rutland Local Biodiversity Action Plan and Landscape and Woodland Strategy, also have important links with the MDF.

2.14 The policies and proposals in the minerals development plan documents must take account of this national, regional and strategic guidance and need to ensure that adequate provision of minerals is made to meet society's needs. However, this must be done in a manner that protects the environment and ensures that any adverse impacts affecting local residents and other sensitive uses of land are managed at acceptable levels.

Spatial Characteristics of the Area

Introduction

2.15 Leicestershire is located at the heart of England. It sits within the Three Cities sub-area, which comprises Leicester, Nottingham and Derby, one of the five sub-areas defined in the Regional Spatial Strategy (RSS) for the East Midlands. The City of Leicester is located generally in the centre of the County, but does not form part of the Framework area. The county borders Nottinghamshire to the north, Lincolnshire to the northeast, Rutland to the east, Northamptonshire to the southeast, Warwickshire to the southwest

and Derbyshire to the northwest. The westernmost tip of the County touches Staffordshire. The West Midlands Region abuts the western boundary of Leicestershire.

Population

2.16 The City of Leicester had an estimated population at mid 2006 of 289,700. It is the tenth largest city in England. The RSS classifies the City (together with immediately adjoining built up areas in the surrounding districts of Oadby & Wigston, Blaby, Harborough and Charnwood) as a 'Principal Urban Area' and as such is one of the urban areas that is the focus of economic development and regeneration in the East Midlands. The main centres of population with over 30,000 inhabitants are Loughborough, Hinckley and Coalville located in the central and western parts of the County. There are 34 other settlements in the County with a population of over 5,000. The remainder of the County has a strong agricultural base with scattered settlements in the east and south. The estimated population of the County of Leicestershire at mid 2006 was 635,100.

2.17 By 2016, population levels are expected to rise by 5%, according to the ONS trend 2004 based population projections (published March 2008). The RSS proposes (Policy Three Cities SRS3) that 4,020 dwellings per annum (dpa) be provided within the Leicester and Leicestershire Housing Market Area over the period 2006-2016, of which 1,990 dpa should be within or adjoining the Leicester Principal Urban Area (PUA). The housing strategy for this area is one which focuses on the Leicester urban area, initially by capitalising on its substantial urban capacity. However, this will be insufficient to meet all the proposed provision to 2026. It is proposed that later in the plan period provision will need to be met by planned sustainable urban extensions. The RSS indicates that the best opportunities to meet the bulk of the additional provision for the PUA lie west of Leicester in Blaby and north of Leicester in Charnwood. Beyond the PUA, sustainable urban extensions (SUEs) are proposed to Loughborough, Hinckley and Coalville to support their roles as Sub-Regional Centres.

2.18 Particular growth is expected in Central Leicester through the Leicester regeneration programme, and the government's new growth initiative. In 2006, the Three Cities and Three Counties Partnership (the 6Cs), which includes Leicestershire County Council, successfully bid for the 6Cs area to become a New Growth Point (NGP). The whole of Leicestershire is included within the NGP area although growth will be concentrated in specific locations to be agreed through the Regional Plan and Local Development Framework processes.

Economy

2.19 The main industries in the County are service industries, manufacturing, construction, food processing, pharmaceuticals

together with storage and distribution. The main centres of employment correspond broadly to the main population centres.

2.20 The Business Monitor PA1007, covering Mineral Extraction in Great Britain, indicates that 1,381 jobs were involved with mineral extraction in Leicestershire in 2006. Of these, 776 were directly employed, 140 were contractors and 465 were drivers. The County's igneous rock quarries were the most significant employers with a total of 825 employees (479 direct, 84 contractors and 262 drivers). These figures will increase considerably if all the associated industrial suppliers, contractors and service sector jobs that are associated with the minerals industry are taken into account.

Transport

2.21 The County is served by excellent transport links. The M1 is the principal arterial route linking the County with the rest of the country. The other major roads are the M69 connecting to Coventry, the M6, the A42 and the A46. Other principal roads are the A5, A6, A47, A50, A444, A447, and the A511. The A and B roads in the County predominately witnessed around 3% to 7% growth in traffic in the period 2003-04. East Midlands Airport lies in the north of the county, providing flights to a wide range of destinations.

2.22 Other transportation modes include railways and waterways. Main line rail connections link Leicester to Birmingham, Nottingham, Derby and London. Beyond the County, long distance and international rail freight terminals are located in Birmingham and Daventry, both accessible by the motorway network. Several navigable waterways exist within the County such as the Ashby Canal, the River Soar and the Grand Union Canal branching to Market Harborough and Welford. There are no intermodal freight terminals in the County.

Natural Resources

2.23 The County has a landscape of considerable variety and complexity. This is created by the varied physical and human influences that have acted on the land over time and by the underlying variations in the land itself. There is no Green Belt but there are twelve Green Wedges around Leicester and five throughout other parts of the county. Around 80% of the landuse in the County is agricultural, with the emphasis on mixed cereal and livestock farming. The majority of soil quality is classified as Grade 3 with relatively small areas of particularly good or poorer quality land.

2.24 The County has 3.8% woodland cover and contains part of the National Forest. Charnwood Forest is also a valuable landscape asset identified regionally as a priority area for protection and enhancement. There are no Areas of Outstanding Natural Beauty (AONBs) or National Parks within the County. There are 18 landscape character areas. Sites designated for purposes of nature

conservation in the County comprise the River Mease designated as a Special Area of Conservation (SAC), 69 Sites of Special Scientific Interest (SSSI) (17 of which have been designated for their geological interest), 15 Regionally Important Geological Sites (RIGs), 14 local nature reserves and many Sites of Importance for Nature Conservation (SINCs). Work on the County Historic Landscape Characterisation is near completion. This will contribute to the understanding of the character of the landscapes of Leicestershire and the survival of historic landscapes.

Built Heritage

2.25 The Framework Area contains 186 Scheduled Ancient Monuments, some 3961 listed buildings, around 200 Conservation areas together with 15 historic parks and gardens and one battlefield. In parts of the County, the use of locally sourced building materials has made an important contribution to the local character and distinctiveness of the County's built heritage.

Geology and Minerals

2.26 Leicestershire is a mineral rich county and is one of the principal producers of minerals in the country, particularly igneous rock. In 2006, in the order of 19Mt of minerals were sold that were extracted from sites in Leicestershire. The quantities of the principal minerals are listed in the Table 1 below. For the purposes of the LMDF, the minerals within the County have been grouped into categories associated with their main uses. These are aggregate minerals (crushed rock and sand and gravel), other construction minerals (brickclay, fireclay, gypsum and building stone) and energy minerals (coal and oil/gas). The Table shows the importance of igneous rock extraction within the County, which accounts for around 75% of total sales.

Table 1. Quantities of Mineral Sales (2006)

Mineral	Sales
Aggregate Minerals	
Igneous Rock	14,532,807 *
Limestone	1,442,314 *
Sand & Gravel	1,267,249 *
Other Construction Minerals	
Clay (for bricks, pipes and tiles)	680,000 ^
Fireclay	46,000 ^
Gypsum	810,000 #
Energy Minerals	
Opencast Coal	34,239 ~
Oil	7,000 <
Total	18,819,609 tonnes

Sources: * = MPA/RAWP Survey; ^ = Business Monitor PA1007; # = MPA estimate; ~ = BGS/Coal Authority; < = DTI.

2.27 The igneous rock resources of Leicestershire have a relatively small areal extent around the flanks of Charnwood Forest and to the south-west of Leicester. Extraction is now concentrated at 4 main sites: Bardon; Cliffe Hill; Croft; and Mountsorrel.

2.28 Carboniferous limestones appear at the surface in several small isolated inliers in north-west Leicestershire near to the Leicestershire/Derbyshire border. At present, two of the limestone inliers are worked within Leicestershire, at Breedon Hill and Cloud Hill.

2.29 Sand and gravel deposits occur in the valleys of the Rivers Trent, Soar and Wreake and in a more complex series of isolated glacial deposits in areas to the south and west of Leicester. Two of the five currently active sites involve the working of alluvial and river terrace deposits, while the remainder work glacial deposits.

2.30 Brickclay resources are relatively extensive. Presently there are 6 brickworks with adjacent clay pits, all within north western Leicestershire. A sequence of quality pottery, pipe and refractory clays is associated with the upper seams of the Middle Coal Measures of North West Leicestershire. Although restricted to a relatively small basin between Swadlincote and Moira, these deposits have been recognised as an important national source. The principal source of fireclay is currently the Donington Island site where substantial stockpiles are located.

2.31 Gypsum occurs in north Leicestershire and is currently extracted from an underground mine at Barrow-upon-Soar.

2.32 Historically a wide range of indigenous stone has been used for building purposes in Leicestershire. The majority of the most important rock types found in the County have been used, but none of these sources are currently exploited solely for building stone.

2.33 Coal deposits occur in north-west Leicestershire where they both crop out at the surface and are concealed, and in north-east Leicestershire where they are entirely concealed. Shallow coal reserves suitable for extraction by means of opencasting are situated in a relatively small area. Opencast operations are currently being carried out at the Longmoor site, between Ravenstone and Normanton-le-Heath.

2.34 Some 10 Petroleum Exploration and Development Licences have been granted covering a large part of north Leicestershire. There are 2 production well sites south of Long Clawson.

3. Spatial Vision and Objectives

The Vision

3.1 The spatial vision will shape the overall direction of the Leicestershire Minerals Development Framework (LMDF). The spatial vision takes the form of a concise overarching statement which recognises the balance that must be struck in Leicestershire between contributing appropriately to national, regional and local requirements for minerals whilst at the same time ensuring that minerals extraction is socially and environmentally acceptable.

3.2 The aim of the LMDF will be to undertake mineral working within a sustainable framework balancing the exploitation of important mineral reserves and the protection and enhancement of environmental features. Given the constraints in the choice of location for mineral development to proceed, environmental protection is key in preserving some of our most important environmental assets.

3.3 The need for new mineral developments will be met in ways that protect human health, limit the adverse impact on society and the environment, and whenever appropriate the provision of social and environmental benefits will be secured.

3.4 The LMDF will seek to provide the minerals sufficient to meet society's needs in sustainable locations which address the need to protect the natural and built environment from unacceptable effects of mineral development, ensure a high standard of restoration is carried out and encourage the use of recycled and secondary materials.

3.5 Minerals make a significant contribution to the economy both nationally and at a local level within Leicestershire, where in the region of 19Mt of minerals are produced each year. The minerals industry supports several hundred jobs directly, and many more indirectly. Processing and manufacturing industries have also become associated with many mineral operations within Leicestershire, and the importance of siting works adjacent to the raw material resource in several instances has secured jobs and boosted the local economy.

3.6 Links with minerals development can also involve the provision of social benefits for local residents and the wider community, whereby creative and positive restoration has improved the environment and/or provided recreational facilities. Mineral development has been used to initiate regeneration of an area, creating opportunities for further use and development and clearing dereliction in the process. Opportunities can also be created to facilitate recycling initiatives and encourage the use of recycled and secondary materials.

SPATIAL VISION

To manage mineral extraction in Leicestershire in a way which meets the social and economic needs of the County and makes an appropriate contribution to the national and regional need for minerals in ways which seek to protect and enhance the character and quality of the environment and the quality of life for existing and future generations, in accordance with the principles of sustainability.

The Objectives

3.7 The Core Strategy needs to set out strategic objectives for minerals development which implement and deliver the LMDF's vision and can be translated into a spatial strategy and core policies. These objectives must encompass all minerals found in Leicestershire, all requirements for minerals development and be capable of measurement. The objectives of the Core Strategy are as follows.

1. To make sufficient provision to meet national, regional and local requirements for all minerals, in particular the sub-regional apportionment requirements for aggregates provision.
2. To attain the maximum possible usage of recycled and secondary materials in meeting recognised national and regional requirements.
3. To safeguard mineral resources from unnecessary sterilisation.
4. To encourage the most efficient use of high quality minerals and the minimisation of waste materials.
5. To protect people and local communities, and the natural and built environment (particularly the River Mease Special Area of Conservation) from minerals development.
6. To encourage opportunities for sustainable means of transporting minerals other than by road.
7. To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of mineral development where possible.
8. To ensure land is reclaimed at the earliest opportunity and that high quality restoration and aftercare takes place to an appropriate after-use that enhances and complements the natural and historic environment and that is in keeping with the local area, adding to local distinctiveness and biodiversity.

9. To complement and support wider strategies for the Minerals Development Framework area including green infrastructure projects and strategies such as the National Forest and Charnwood Forest Regional Park.

3.8 The above objectives of the Core Strategy will be met through the provision of detailed policies to guide, assess and control mineral development, thereby limiting environmental harm, whilst as far as practicable meeting the Government's economic and social aims.

4. Core Strategy

Introduction

4.1 The Leicestershire Minerals Development Framework (LMDF) covers the period up to 2021.

4.2 The Spatial Strategy for Mineral Resources focuses on the broad locations where the County Council will seek to steer future mineral extraction. The Strategy has been developed by applying the Spatial Vision and Minerals Development Objectives set out in the previous sections. It takes into account all relevant national guidance, current and predicted future demand for individual minerals and responses to earlier consultations. The Spatial Strategy is graphically represented by the Key Diagrams.

4.3 Minerals can only be worked where they are found. In this respect, location options for the extraction of minerals are limited, unlike planning for other types of development which are more footloose and where options for location are more flexible. In forming an overarching spatial strategy there are therefore immediate geographical limitations as to where sites for different minerals can be located.

4.4 The current pattern of minerals activity across the County has evolved over many years. Many of the mineral operations within the County are long term with some sites active over several decades. Notwithstanding the long timescale for the LMDF, the impact of any new mineral workings on the overall spatial pattern of mineral activity across the County is therefore likely to be marginal, such that the spatial pattern of minerals activity is unlikely to change to any significant extent over the period of the Development Framework.

Ensuring a Sustainable Supply of Minerals

4.5 The LMDF needs to ensure that land is made available to provide an appropriate contribution to local, regional and national needs for minerals whilst also ensuring the prudent use of minerals resources in line with sustainable development objectives. The Core Strategy seeks to provide an appropriate supply of minerals to meet national, regional and local needs, in particular the sub-regional apportionment requirements for aggregates provision that the RSS identifies as necessary for the framework area. In conjunction with the period of the LMDF, a quantification of need has been calculated for particular minerals and appropriate provision for future supply identified.

4.6 In order to ensure continuity of supply, a key function of the minerals planning process is to calculate what the need for a particular mineral is likely to be over a given period of time, and then to make provision accordingly. The maintenance of a stock of planning permissions for the extraction of minerals (commonly

known as a landbank) is a widely used means of securing and maintaining adequate supplies of non-energy minerals. Landbanks are generally measured in terms of the number of years' supply of a mineral at any point in time that can be made available within a MPA's area, based on an estimate of the annualised provision for the mineral. MPS1 advises that the length of the landbank should be used as an indicator of when new permissions are likely to be needed. Landbanks vary between minerals in order to provide some certainty for the minerals industry that reflects both the capital investment and lengthy lead in time involved with site commissioning. MPS1 states that provision should be made for the maintenance of landbanks for non-energy minerals.

4.7 In the case of energy minerals (coal, oil and gas), landbanks are not appropriate, as Government advises that it is not for the planning system to limit any particular source or level of energy supply. Instead, individual operators are to determine output levels in the light of market conditions. The role of the MPA is restricted therefore to determining the suitability of proposals.

4.8 Extensions to existing mineral workings commonly have less environmental impacts than a wholly new proposal. They can involve the retention of existing employment, although new sites in the same locality as existing sites can also involve the retention of an existing work force. Extensions can involve a more efficient use of mineral resources including full recovery of minerals thereby avoiding the unnecessary sterilisation of minerals. MPS1 recognises the possibility that there may be benefits, *"in terms of reduced environmental disturbance and more efficient use of mineral resources including full recovery of minerals, of extensions to existing mineral workings rather than new sites."*

4.9 In order to provide greater certainty of where future sustainable mineral working will take place, MPS1 states that sites, preferred areas and/or areas of search should be identified, having taken account of environmental considerations. The accompanying Practice Guide states that specific sites will generally be where viable mineral resources are known to exist, where landowners are supportive of mineral development taking place and where MPAs consider that any planning applications which are made are likely to be acceptable in planning terms. Preferred areas are areas of known resources where planning permission might reasonably be expected. Areas of search will be broader areas where knowledge of mineral resources may be less certain but within which planning permission could be granted to meet any shortfall in supply.

4.10 RSS Policy 36 states that LDFs should identify sufficient environmentally acceptable sources to maintain an appropriate supply of aggregates and other minerals of regional or national significance. The County Council intends to provide for future supply by identifying and allocating an appropriate pattern of sites and areas, having had regard to environmental and local amenity issues.

Specific sites and areas for future working of particular minerals will be identified in the Site Allocations DPD.

4.11 MPS1 Practice Guide states that planning applications at locations outside of areas identified for future working should still be considered on their merits, but that MPAs should be satisfied there are good reasons for permitting such applications, after having considered all the relevant circumstances. To provide a degree of flexibility and reinforce the commitment to ensuring the delivery of sustainable minerals development, the County Council does not rule out the ability to obtain planning permission for non-allocated sites, but has identified the circumstances where such proposals might be acceptable.

POLICY MCS1 The strategy for the **supply of minerals** is to:

- release land for the extraction of minerals where it is necessary to maintain an adequate and steady supply of minerals and it can be shown that demand could not be met from the existing permitted reserves having regard to agreed sub-regional apportionment figures for aggregate minerals or, in other cases, the demonstrated need and nature of the particular industry concerned;
- give priority to the extension of existing sites;
- allocate specific sites and areas to provide sufficient mineral reserves to meet anticipated need over the period of the minerals development framework;
- allow minerals development outside allocated areas where:
  - (i) it can be demonstrated that it is required to meet a proven need that cannot otherwise be met from a more sustainable source or
  - (ii) it consists of a small-scale extension to an existing site or
  - (iii) it involves significant net environmental benefits or
  - (iv) the sterilisation of resources would otherwise occur;
- allow proposals for minerals development only where they will not cause unacceptable harm to the environment or communities.

Future Provision for Specific Minerals

Aggregate Minerals

4.12 Aggregates (sand and gravel and crushed rock) are the most important minerals produced in the County in terms of volume. Annex1 of MPS1 states that, in preparing their LDDs, MPAs should make provision for the sub-regional apportionment of the current National and Regional Guidelines for land-won aggregate in the approved RSS. It goes on to say however that the sub-regional apportionments should not be regarded as inflexible and that the preparation of LDDs provides an important opportunity to test the practicality and environmental acceptability of policy proposals at the local level.

4.13 The Government's latest forecast for future aggregates provision was published in June 2003. This forecast requires the East Midlands to provide 523 million tonnes of crushed rock and 165 million tonnes of sand and gravel between 2001 and 2016. In February 2004, the East Midlands Regional Assembly approved sub-regional apportionments for each of the Mineral Planning Authorities across the region. Policy 36 of the RSS states that LDFs should seek to apply these aggregates apportionment figures. Leicestershire (with Rutland) is required to provide 262.5 million tonnes of crushed rock and 20 million tonnes of sand and gravel between 2001 and 2016.

4.14 Estimates of demand are increasingly uncertain the further into the future that projections are made. Therefore the demand estimates on which the June 2003 guidelines are based were taken at constant value per annum from 2011 onwards. In order to roll the apportionment forward to the end of the framework period (2021), the Government has advised that the only available option for harmonising estimates beyond the current (2016) apportionment figure is to extend it forward at constant value, i.e. by assuming the requirements after 2016 continue at the same annual average rate to 2021.

4.15 Annex 1 of MPS1 states that the landbank indicators are at least seven years for sand and gravel and at least 10 years for crushed rock. It states that MPAs should consider and report on the need to review policies in their LDDs as part of its annual monitoring report to the Secretary of State. Provided that this is done in time to allow for action before the remaining provision falls below the agreed apportioned level and that review and updating takes place regularly, it indicates that maintaining a landbank beyond the end of the plan period is not an issue. The calculations of future requirements consequently do not include any provision for a landbank beyond the end of the MDF plan period.

4.16 Annex 1 of MPS1 indicates that where there is a distinct and separate market for a specific type or quality of aggregate, separate landbank calculations and provisions for these may be appropriate. It is not considered that such an approach is necessary within

Leicestershire, and that the geographical area for landbank provision should be the whole of the County area.

4.17 The most important sources of **sand and gravel** in Leicestershire are the sub-alluvial and river terrace deposits, which occur in the valleys of the Rivers Trent, Soar and Wreake, and the glaciofluvial deposits, which occur in a more complex series of isolated glacial deposits in areas to the south and west of Leicester. Two of the five currently active sites involve the working of alluvial and river terrace deposits, while the remainder work glacial deposits.

4.18 It is calculated that there would be a shortfall of sand and gravel reserves amounting to 6Mt over the period to 2021 (see Box 1 below). This equates to 4.8 years supply in terms of the annual apportionment figure. The calculation is based on meeting the approved sub-regional aggregate apportionment of 20 million tonnes of sand and gravel between 2001 and 2016, together with an additional 5 years based on the average annual apportionment figure. The calculation takes account of the level of permitted reserves as at 1st January 2001 together with reserves subsequently permitted up to 31st December 2007.

Box 1 Calculation of Sand and Gravel Provision 2001 - 2021	
Regional Requirement 2001 – 2016	**165Mt** Source: ODPM June 2003
a) Leicestershire Requirement 2001 – 2016	**20Mt** Source: RSS8
b) Annual Requirement (over 16 year period)	**1.25Mt** (a) divided by 16
c) Provision for additional 5-year period (2017-2021)	**6.25Mt** (b) x 5
d) TOTAL REQUIREMENT (a+c)	**26.25Mt**
e) Permitted Reserves @ 1/1/2001 (revised)* **Additional Reserves Released****	**11.02Mt** **9.251Mt** **Total = 20.265Mt**
2001 - 2021 Reserve Position (e-d): 20.265 - 26.25 = - 5.985Mt	
SHORTFALL OF 6 MILLION TONNES	

* Reserve data gathered for AM2001 revised following subsequent information provided from the minerals industry relating to Huncote Quarry

** Additional reserves permitted up to 31/12/07 in respect of sites at Brooksby (3,140,000 tonnes), Fosse Way, Syston (190,000 tonnes), Quorn (340,000 tonnes), Husbands Bosworth (270,000 tonnes), Ashby Parva (756,000 tonnes), Cadeby (945,000 tonnes) and Shawell (3,600,000 tonnes).

4.19 As at 31/12/2007, there were 5 active sites in Leicestershire, at Cadeby, Husbands Bosworth, Lockington, Shawell, and Brooksby. There were 2 further permitted sites, one of which had not yet commenced extraction, Syston (Fosse Way), whilst the other, Slip Inn Quarry, was inactive.

4.20 Sand and gravel operations within Leicestershire tend to serve local markets, largely within the County, although some material travels to neighbouring counties and regions from sites located close to the County boundary. All material is transported by road. All of the existing operations are located in close proximity to the County's lorry route network; and the road traffic generated generally avoids residential areas and minor roads. They are well located to supply development within the proposed urban growth extensions, in particular those at Loughborough, Coalville, north-east Leicester

and Hinckley. The locations of existing sites are indicated on the Key Diagram (Figure 1).

4.21 The existing operational sites have production capacity capable of producing the required sub-regional apportionment production of 1.25Mt per annum. Existing sites would not however be able to meet the County's future requirements without the benefit of extensions to their currently permitted operations. The minerals industry has identified potential extensions to these operations and it is anticipated that more than sufficient sand and gravel reserves could be released through such extensions to meet requirements over the MDF period. It is therefore considered that all of Leicestershire's sand and gravel needs in the immediate future could be met without releasing any additional land for the establishment of new sand and gravel operations.

4.22 Provision will be made in the Site Allocations Document for the release of additional sand and gravel reserves. The Site Allocations DPD will include specific proposals and policies for the release of sites, including specific requirements related to each site and the provision of appropriate safeguards and reclamation and after-use details. The identification of additional sand and gravel reserves will aim to reflect an optimum use of extensions to existing operations, where acceptable, in accordance with the LMDF strategy and reflecting a sustainable use of mineral resources.

4.23 The principal sources of **crushed rock** within Leicestershire comprise igneous rock around the flanks of Charnwood Forest and to the south-west of Leicester, and carboniferous limestone in north-west Leicestershire near to the Leicestershire/Derbyshire border. Extraction of igneous rock is now concentrated at 4 main sites: Bardon; Cliffe Hill; Croft; and, Mountsorrel; while limestone is worked at Breedon Hill and Cloud Hill. Whitwick and Groby quarries are currently inactive although coating and concrete plants are maintained. These quarries are indicated on the Key Diagram (Figure1).

4.24 In England, rock resources suitable for road making and building purposes are generally absent south of a line between the Humber and Exe estuaries. Rock reserves within Leicestershire are the nearest to the major market in the South-East of England which means that they are of significant importance. This is reflected in the approved sub-regional aggregate apportionment which requires Leicestershire (with Rutland) to provide 262.5 million tonnes of crushed rock between 2001 and 2016.

4.25 It is calculated that there would be more than sufficient crushed rock reserves to meet requirements over the period to 2021 (see Box 2 below). The calculation is based on meeting the approved sub-regional aggregate apportionment between 2001 and 2016, together with an additional 5 years based on the average annual apportionment figure. The County's requirement has been adjusted to exclude the expected contribution from sites within Rutland, around 2% of the total requirement based on historic sales figures.

The calculation takes account of the level of permitted reserves as at 1st January 2001 (adjusted for subsequent reassessments of reserves at certain quarries) together with reserves subsequently permitted up to 31st December 2007. The permitted reserve figure does not include dormant sites as defined in the Planning and Compensation Act 1991 and the Environment Act 1995.

Box 2 Calculation of Crushed Rock Provision 2001 -2021	
Regional Requirement 2001 - 2016	**523Mt** Source: ODPM June 2003
a) Leicestershire Requirement (2001 – 2016)	**257.25Mt** Source: RSS8
b) Annual Requirement (over 16 year period)	**16.1Mt** (a) divided by 16
c) Additional provision 2016 -2021	**80.5Mt** (b) x 5
d) TOTAL REQUIREMENT (a+c)	**337.75Mt**
e) Permitted Reserves* @ 1/1/2001 **Additional Reserves Released****	**467.854Mt** **17.000Mt** **TOTAL= 484.854**
2001 - 2021 Reserve Position (e-d):	**484.854 – 337.75 = +147.104Mt**
SURPLUS OF 147 MILLION TONNES	

* excludes reserves at dormant sites**;** figure derived from AM2001 survey, adjusted for subsequent reassessments of reserves at Cliffe Hill, Cloud Hill and Croft Quarries.

** Additional reserves permitted at Breedon Quarry in 2006.

4.26 Given the level of permitted reserves in relation to the future requirements, and the ability of the existing sites to attain the required level of output, together with the objective of protecting the natural environment, it is not considered necessary to make specific provision in this LMDF for future crushed rock extraction.

4.27 There are a variety of circumstances under which proposals to extend existing sites may nevertheless come forward during the MDF period. This may be for operational reasons in terms of efficient use and recovery of resources; as a means of addressing

any unforeseen circumstances affecting the landbank provision or production capacity; to enable the industry to maintain or secure productivity growth and levels of employment or to justify investment in associated infrastructure, and also to reflect the different types of crushed rock aggregates produced/supplied. Such extensions to existing quarries may be appropriate in order to ensure continuity of supply, provided that the effects of the proposed development on the environment and residential amenity can be made acceptable.

4.28 Quarries producing rock aggregates generally will require a longer security of reserves to justify capital investment in, for example, crushing equipment. This factor coupled with the geological limitations mean that it is not considered appropriate at the current time to contemplate any new greenfield sites for rock extraction, given the potential impact that such large scale development would involve, particularly within attractive areas of the County where development is being strictly controlled.

POLICY MCS2 The strategy for **aggregate minerals** is to:

- make land available to meet the sub-regional apportionment of 26.25 million tonnes of sand and gravel and 337.75 million tonnes of crushed rock over the 21 year period 2001 – 2021;
- maintain landbanks for sand and gravel and crushed rock in line with national and regional policy, with the geographical area for considering landbank provision being the whole of the County area;
- make provision for the release of sand and gravel reserves in the Site Allocations Document;
- give priority to proposals for sand and gravel extraction to be worked as extensions to existing site operations;
- release reserves of crushed rock to be worked as extensions to existing extraction sites where they are required to ensure sustainable supply;
- allow new aggregate extraction sites only where it can be demonstrated that the landbank and production capacity cannot be maintained from existing sites and appropriate extensions to existing sites;
- allow proposals for aggregate extraction only where they will not cause unacceptable harm to the environment or communities.

Other Construction Materials

4.29 The Triassic Mercia Mudstone is the principal source of **brickclay** in Leicestershire. The resource occurs extensively within western Leicestershire. There are currently 6 operational brickclay sites within Leicestershire, all of which are associated with adjacent brickworks. The locations of existing sites are indicated on the Key Diagram (Figure 2). Modern brickmaking technology requires a high capital investment and is increasingly dependent, therefore, on raw materials with predictable and consistent firing characteristics in order to achieve high yields of saleable products.

4.30 The important role that bricks and related products play in determining the appearance and quality of our built environment is widely recognised. The variety of brick products contributes significantly to the rich regional and local architectural heritage of mainland Britain as well as the repair of traditional brick built structures. Consumers are likely to continue to demand a wide choice of high quality, affordable bricks. In order to satisfy this demand, remain competitive and meet increasingly stringent environmental controls, industry requires continued access to a range of clay resources.

4.31 MPS1 states that it is generally desirable that brick clay should be extracted as close as practicable to the brickworks that it is supplied to, and that therefore consideration should initially be given to the potential for extraction of brick clay close to the works and the potential for extensions to existing planning permissions to maintain supplies. Local supply is generally desirable in order to reduce costs and the environmental and social impacts of transportation of clay from the pit(s) to the works, as well as to maintain the investment in the factory and local employment.

4.32 It is an objective of MPS1 (Annex 2) "to provide and make available brick clays at a level that reflects the high initial investment in, and high levels of capital expenditure required to maintain and improve, new and existing brick-making plant and equipment". MPS1 also indicates that a stock of permitted reserves to support the levels of actual and proposed investment required for each new or existing manufacturing plant and the maintenance and improvement of existing plant and equipment should be provided that will normally be sufficient for 25 years of production.

4.33 The table below sets out information obtained from clay operators regarding the current reserve situation at brickworks within the County. This indicates that Desford, Heather, Shepshed and Measham Brickworks have fewer reserves than the landbank figure suggested in MPS1.

Site	Operator	Reserves @1.1.08 (Years)
Desford	Hanson	19
Ellistown	Ibstock Brick	80**
Heather*	Hanson	19
Ibstock	Ibstock Brick	30**
Measham	Hanson (formerly Redbank)	24
Shepshed	Charnwood Forest Brick	12

* temporarily closed in October 2006
** LCC estimate based on 2003 Survey

4.34 It is recognised that there may be a need to release additional reserves to meet potential shortfalls in landbank provision for particular brickworks within the County during the Framework period. In line with Government guidance, it is considered that additional brickclay resources should be released as close as practicable to the brickworks that it is to be supplied.

POLICY MCS3 The strategy for **brickclay** is to

- allow extensions to existing sites where they are required to:
  - (i) provide a stock of permitted reserves to support the levels of capital expenditure required to maintain and improve existing brick-making plant and equipment; or
  - (ii) meet the likely demand for clay at the site's associated brick making plant;
- allow new brickclay extraction sites only where it can be demonstrated that production cannot be maintained from existing sites and appropriate extensions to existing sites;
- allow proposals for brickclay extraction only where they will not cause unacceptable harm to the environment or communities.

4.35 A sequence of quality **fireclays** associated with the upper seams of the Middle Coal Measures of North West Leicestershire are found in a relatively small basin between Swadlincote and Moira. The extent of this area is indicated on Figure 2, based on the extent of the Pottery Clays Formation shown on the Minerals Resources map published by the BGS in the 'Mineral Resource Information in

Support of National, Regional and Local Planning: Leicestershire' report for the area (2002). Fireclays are used principally in the production of buff and pale-bodied engineering and building bricks, clay pipes and ceramics.

4.36 These deposits have been recognised as an important national source. Leicestershire has dominated fireclay supply in England for many years and in 2005 the county accounted for about 31% of total sales in England. In the 1970s to early 1980s, large quantities of fireclay were selectively extracted with coal but stockpiled separately according to clay quality. The principal source of these fireclays was the Donington Island site which is where the current stockpiles are located. Its location is indicated on the Key Diagram (Figure 2). The Donington stockpiles are owned by a consortium of companies, the most important suppliers from the site being Hepworth Building Products and Ibstock Brick, although Redbank Manufacturing Co Ltd also supplies clay. The Donington site contains around 1.7 million tonnes of clay, all of which is held in stockpiles. There are no further reserves to be extracted from the site. Planning permission for the clay stockpiling facility at the site is currently due to expire at the end of 2012. In recent years, the stockpile has been depleted at a rate of some 100,000 tonnes per annum.

4.37 In recent years, fireclay has been extracted in conjunction with opencast coal operations at Albion and Hicks Lodge. This has released larger volumes of fireclays of differing qualities than are immediately required, which have then been stockpiled on site or remotely as at Donington Island, where blending also takes place to supply various works in the area and beyond.

4.38 A comprehensive survey of clay operators was undertaken during late 2003 and early 2004 in order to identify up to date reserve and sales data. This covered all clay sites including fireclay operations at Albion and Hicks Lodge opencast sites where fireclays are worked in conjunction with coal, and the remote stocking and blending site at Donington Island. Information from the survey indicates that existing permitted fireclay reserves would be insufficient to maintain sales for the duration of the LMDF period at the same level as that experienced between 1999 and 2002.

4.39 Sales patterns are a crucial factor affecting the projected life of the fireclay reserves and reflect the importance of the north west Leicestershire fireclays. A substantial amount of fireclays are exported out of the County to regional and national markets, and do not only support local works. Sales during 1999 to 2002 may also have been higher than those normally expected due to the influence of clays released from opencast coaling at Hicks Lodge and Albion.

4.40 Whilst the MPA does not possess sufficient detailed reserve knowledge to identify potential areas of future fireclay extraction, it is considered unlikely that proposals for the extraction of fireclay alone will be forthcoming. They would be associated with coal extraction. Policy MCS4 nevertheless indicates that proposals for

fireclay extraction may be acceptable where the clays are required to meet a proven need or where particular qualities of clay are required that cannot be obtained from existing permitted reserves

4.41 It is an objective of MPS1 (Annex 2) to safeguard and where necessary, stockpile supplies of clays, especially specific "premium" brick clays and fireclay. It states that where scarce reserves cannot be used when extracted, consideration should be given to the potential for stockpiling the material on an environmentally acceptable site, either on or in the ground, until it is needed.

4.42 Stricter husbandry of existing reserves at the existing Donington Island site would be beneficial to local works. It is therefore considered that provision should be made for a long term strategic facility for the stocking and blending of fireclays within the existing Donington Island site. The Site Allocations DPD will include specific proposals for the site, including specific requirements related to the site and the provision of appropriate safeguards and reclamation and after-use details.

4.43 Historically much of the local fireclays within Leicestershire have been sourced through working of the clay seams in conjunction with opencast coal extraction. Annex 2 of MPS1 encourages coal producers to make the best possible use of fireclay reserves and to find markets for fireclay so that it remains available for use rather than being used in site restoration. Given the situation regarding fireclay reserves, where opencast coal mining is acceptable on its own merits, the County Council considers that provision should be made for the extraction and beneficial use of fireclay. This may potentially reduce the need for extraction elsewhere and prevent the unnecessary sterilisation of valuable mineral resources, whilst supplying local works with necessary raw materials. The satisfactory restoration of the overall scheme, including proposed time scales will however have to be acceptable where joint working is proposed.

POLICY MCS4 The strategy for **fireclay** is to:

- allow proposals for fireclay extraction where it can be demonstrated that the clays are required to meet a proven need; or particular qualities of clay are required that cannot be obtained from existing permitted reserves;
- establish a stocking and blending facility within the Donington Island Site, subject to the provision of appropriate landscaping, site infrastructure and amelioration measures including the routeing of HGVs;
- support the recovery of fireclays where proposals for coal extraction meet the tests in the Policy MCS7 provided that no unacceptable environmental impact results, and that acceptable restoration of the site can be achieved within appropriate time scales;
- allow proposals for the extraction and stockpiling of fireclay only where they will not cause unacceptable harm to the environment or communities.

4.44 **Gypsum** occurs in the Triassic Mercia Mudstone Group in north Leicestershire. The Tutbury Gypsum horizon is currently extracted by British Gypsum from an underground mine at Barrow-upon-Soar, where bagged building plasters are also produced. The existing planning permission effectively defines the viable deposit that can be extracted from the Barrow Mine. Outside the permission area, the bed thickness/grade declines or there are difficult geological conditions which would preclude mining. A fault demarks the southern limit of the deposit while extensive faulting near the Nottinghamshire border similarly marks the northern limit of the potential extraction area.

4.45 BGS have inferred that, based on recent mapping, an outcrop of the Tutbury Gypsum horizon lies to the south of the Barrow Mine, but recent exploratory work carried out by British Gypsum has indicated that the potential economic resource in this area is low. Potential does however exist for an extension of the Nottinghamshire Marblaegis Mine into Leicestershire, to the north of Wymeswold. Details of the approximate extent of this potential resource area, together with the location of the Barrow Mine are indicated on the key diagram (Figure 2).

4.46 Gypsum is mainly used in the manufacture of building products – plaster, plasterboard and cement. Demand is principally driven by activity in the construction sector. Natural gypsum is especially suitable for the manufacture of building plasters because it contains clays that improve the workability of the plaster, and is the

preferred material for cement manufacture. Synthetic gypsum derived as a by-product of certain industrial processes has a higher moisture content that makes it more difficult to handle. In 2004, synthetic gypsum (mainly desulphogypsum) accounted for 36% of the total UK consumption of gypsum. There is a question about the longer term availability of desulphogypsum however due to the lack of investment in coal powered electricity generation.

4.47 There are no specific national guidelines covering the provision of gypsum. Gypsum reserves at the Barrow Mine amount to around 20 million tonnes. The extracted mineral is used in the adjacent bagged plaster factory. Sufficient permitted gypsum reserves currently exist to allow the continuation of operations at the Barrow Works during the LMDF period. Given the long lead in time for the development of new extraction areas, it is nevertheless recognised that it may be necessary to consider the release of additional gypsum resources during the Framework period.

POLICY MCS5 The strategy for **gypsum** is to allow proposals for new extraction sites and extensions to existing extraction areas only where they are required to meet a proven need, provided that such proposals will not cause unacceptable harm to the environment or communities.

4.48 MPS1 (Annex 3) recognises the growing importance of natural **building and roofing stone**. The Annex promotes the active safeguarding of known and potential building stone reserves and also states that Building Stone quarries are often on a small scale when compared to other forms of mineral extraction. It states that MPAs should, as far as is practicable, identify in their LDDs, quarries of importance to the built heritage, whether disused or active, and describe the approach to be taken to these in terms of minerals and other planning applications.

4.49 Historically a wide range of indigenous stone has been used for building purposes in Leicestershire. The majority of the most important rock types found in the County have been used, including igneous rocks of the Charnwood area; metamorphic slates from Swithland; Carboniferous limestones and sandstones from north-west Leicestershire; and ironstones from east and north-east Leicestershire. None of these sources are currently exploited solely for building stone. Only a very small amount of the igneous rock and limestone worked at local quarries is sold as building stone.

4.50 The demand for natural stone products comprises two principal markets, namely new buildings and the repair of historic buildings. The market for stone for new building is small and specialised but relatively buoyant, whilst the conservation market is of increasing importance. English Heritage, RSS8 (Policy 27) and District Councils

within Leicestershire seek to conserve the character of historic towns and villages by promoting the use of locally sourced stone/materials for new buildings and alterations to existing buildings (for example, in conservation areas). The area and likely level of demand for some stones is likely to be only extremely local.

4.51 It is not possible to estimate future requirements for building stone during the LMDF period. Future demand and supply requirements are not prescribed by National and Regional planning policy as is the case for aggregate production. According to the British Geological Survey in their Mineral Planning Fact sheet 'Building and roofing stone' *(*Updated Mar 2007*)*, the industry is still capable, with a few notable exceptions, of meeting current demand for natural stone. It does not specifically identify any shortage of stone derived from Leicestershire.

4.52 It is therefore anticipated that future demands for building stone from within the County are likely to remain at a low level that will enable existing aggregate quarries to satisfy requirements. If the situation changes and further proven need is demonstrated, then consideration of dedicated building stone operations may be appropriate.

4.53 Appropriate locations within Leicestershire with suitable building stone resources for future extraction are likely to be scarce. Workable deposits may be difficult to find and where they do occur may be very restricted in extent. The MPA does not have sufficient detailed knowledge of the nature and extent of suitable building stone resources to identify potentially workable materials.

4.54 The nature of the building stone market means that any proposals are likely to be for the small scale extraction of local materials for specific projects. It is considered that the need for reserves to be released in the future should be addressed having regard to environmental protection policies contained in the MDF, provided that it can be demonstrated that the material would be used in order to preserve or enhance the character of historic buildings, the local distinctiveness of settlements and the historic environment of the Leicestershire.

POLICY MCS6 The strategy for **building and roofing stone** is to allow proposals for operations where it can be demonstrated that the material would be used in order to preserve or enhance the character of historic buildings, the local distinctiveness of settlements and the historic environment of Leicestershire, provided that such proposals will not cause unacceptable harm to the environment or communities.

Energy Minerals

4.55 The Energy White Paper, published on 23 May 2007, identifies two long-term energy challenges, namely tackling climate change by reducing carbon dioxide emissions both within the UK and abroad; and ensuring secure, clean and affordable energy as we become increasingly dependent on imported fuel. It sets out the Government's international and domestic energy strategy to respond to changing circumstances, address the long term energy challenges and deliver four energy policy goals:

- to put ourselves on a path to cutting CO2 emissions by some 60% by about 2050, with real progress by 2020;
- to maintain the reliability of energy supplies;
- to promote competitive markets in the UK and beyond;
- to ensure that every home is adequately and affordably heated.

4.56 The Government's policies recognise the continuing importance of fossil fuels in maintaining reliable and affordable energy supplies, but aim to manage reliance on them, their potential environmental effects and the risks associated with higher levels of import dependency.

4.57 The Government does not propose to set targets for the share of total energy or electricity supply to be met from different fuels: it believes this is a matter for the markets, reinforced by long term policy measures.

4.58 **Coal** measures of Carboniferous strata occur in north-west Leicestershire where they both crop out at the surface and are concealed beneath Triassic rocks, and in north-east Leicestershire where they are entirely concealed.

4.59 In north-west Leicestershire the coal deposits are divided by an up-lift of older strata – the Ashby Anticline upon which the town of Ashby de la Zouch is situated. The resources to the east are recognised as the Leicestershire Coalfield and those to the west as the South Derbyshire Coalfield. The extent of the exposed coalfield is illustrated on the Key Diagram (Figure 3). Significant parts of this resource area have however already been worked.

4.60 Both coalfields formerly supported deep mining but all the collieries have now closed. The exposed parts of the coalfields, generally those areas adjacent to the outcrop on either side of the anticline, have supported extensive opencast mining operations, particularly to the west where important fireclays have also been worked. However, production and the number of extraction sites have reduced in recent years. Currently the only opencast operation is at Longmoor, between Ravenstone and Normanton-le-Heath, which commenced in 2007. The location of this site is indicated on the Key Diagram (Figure 3).

4.61 Current indications are that operations involving the deep-mining of coal and associated colliery spoil disposal are unlikely to take place

within Leicestershire during the MDF period. The development of the North East Leicestershire, 'Vale of Belvoir', Coalfield has been limited to the Asfordby Mine. This closed in 1997 due to adverse geological conditions following a limited production period.

4.62 The Government has indicated in the Energy White Paper (May 2007) that, where it is environmentally acceptable to do so, there is a value in maintaining access to economically recoverable reserves of coal. The future role of coal in the UK energy supply is being examined at a national level at the present time through the work of the Coal Forum. This brings together the key players from the coal industry and the power sector to develop strategies to maximise economic production of UK coal. The Coal Forum has confirmed the importance of a continuing role for coal as part of a diverse and resilient energy mix and identified a number of potential benefits from use of UK produced coal.

4.63 National planning guidance on opencast coal mining is set out in 'Mineral Planning Guidance Note 3: Coal Mining and Colliery Soil Disposal' (MPG3). This recognises that there is a role for indigenous coal in contributing to the country's energy diversity and supply but also recognises that the extraction of resources can conflict with environmental interests. In applying the principles of sustainable development to coal extraction, whether opencast or deep-mine, and to colliery spoil disposal, the Government believes there should normally be a presumption against development unless the proposal would meet the following tests:

i. Is the proposal environmentally acceptable, or can it be made so by planning conditions or obligations?

ii. If not, does it provide local or community benefits which clearly outweigh the likely impacts to justify the grant of planning permission?

The Guidance states that MPAs should ensure that this general approach is incorporated into their development plan policies.

4.64 MPG3 states that policies should set out clear criteria against which individual proposals will be assessed. These criteria should include, amongst other matters, consideration of:

- the effect on efforts to attract or retain investment in the area - it states that, where there is material evidence that coal extraction and related development would have an adverse effect on efforts to attract or retain investment in an area, this is a material consideration which should be taken into account in deciding planning applications.
- any environmental improvements or other material planning benefits to the community likely to result from the proposals - it states that priority should be given to proposals which will bring about environmental improvements for example, by the restoration of previously derelict areas or by the stabilisation of

unstable ground, or where landscape enhancement or a contribution to biodiversity can be achieved.

- the employment and other economic effects of the proposals;
- the avoidance of unplanned piecemeal working of deposits – it states that provision should be made for proposals which would facilitate the comprehensive working of the coal deposits in a locality, subject to planning and environmental constraints and the acceptability of individual proposals

4.65 MPG3 indicates that provision should be made for proposals where extraction of coal from a site would facilitate the efficient and economic working of other mineral deposits on that site in an environmentally acceptable way. Within Leicestershire, the occurrence of potential fireclays as usually thin, widely spaced beds in close association with coal seams means that surface coal mining operations provide one of the few viable sources of the clay. This is reflected in Policy MCS4, which supports the recovery of fireclays where proposals for coal extraction are environmentally acceptable.

4.66 MPG3 advises that local plans should indicate those areas where coal extraction is likely to be acceptable in principle and suggests that this could be done by indicating broad areas of search; the extent of the shallow coalfield area and the constraints within that area; or a combination of the two. It also advises that areas where working is unlikely to be acceptable should be indicated. It states, however, that the extent to which it will be possible to identify particular areas where extraction may be acceptable will depend upon local circumstances and the level of knowledge about the resource.

4.67 The County Council does not have the technical or commercial information relating to the quality and extent of reserves, to the degree that specific areas of search for future coal working can be defined with sufficient certainty. It is therefore intended to follow the second of the approaches advocated in MPG3, namely to identify the extent of the shallow coalfield area and the constraints within that area. This will be achieved through the preparation of a Proposals Map, as referred to in paragraph 1.4.

4.68 The broad extent of the opencast coal area within Leicestershire, coincident with 'Shallow Coal' defined on the Coal Resources Map of Britain produced by BGS and the Coal Authority (1999), is shown on the Key Diagram (Figure 3). The intention is to identify shallow coal deposits in the Site Allocations Development Plan Document as part of the work involved in the preparation of Mineral Safeguarding Areas within the County, as referred to in paragraph 4.83, and subsequently show these areas on the Proposals Map. PPS12 states that the adopted Proposals Map should 'identify areas of protection, such as nationally protected landscape and local nature conservation areas, Green Belt land and Conservation Areas'. The County Council expects that such areas of protection will also be

shown on the Proposals Map once they have been identified through the preparation of District Council LDFs.

4.69 The County Council considers that proposals for coal should not raise significant environmental concerns or should offer potential benefits to local communities which would outweigh the adverse impacts that will result from mineral working. The Council's policy therefore seeks to balance the environmental impacts of coal extraction with its potential benefits in line with the Government's advice as contained in MPG3. This is considered to be a flexible approach, which will allow specific proposals to be considered on their individual merits.

POLICY MCS7 The strategy for **coal** is to adopt a presumption against coal extraction and for the disposal of colliery waste, including lateral and depth extensions to existing sites, unless the proposal is environmentally acceptable, or can be made so by planning conditions or obligations; or, if not, the proposal provides local or community benefits which clearly outweigh the likely environmental impacts.

Individual proposals will also be assessed against the following criteria:

(i) the effect on efforts to attract or retain investment in the area;

(ii) any environmental improvements or other material planning benefits to the community likely to result from the proposal;

(iii) the employment and other economic effects of the proposal;

(iv) the avoidance of unplanned piecemeal working of deposits;

(v) the national need for fireclay.

4.70 The alternating sandstones and shales of the Lower Coal Measures in the East Midlands provide ideal conditions for the accumulation of **oil and gas**. However, limited folding of these strata produced relatively small traps for the accumulations. Some 10 Petroleum Exploration and Development Licences have been granted covering a large part of north Leicestershire. Over recent times, 2 proposals for exploration wells have been approved from within these licensed areas. Production has continued at Long Clawson A and C wells.

The extent of the exploration licences and location of the existing oil wells are indicated on the Key Diagram (Figure 3).

4.71 Government advice seeks to realise the maximum economic exploitation of oil and gas reserves and sees the key role for the planning system to be concerned with the assessment of the environmental considerations of proposals. No targets are set for energy minerals. No attempt has been made to define resource areas for hydrocarbons as prospects can only be identified after extensive exploration activity. The County Council has, therefore, drawn up a criteria-based policy to ensure that activities related to oil and gas exploration, appraisal and production take place in an acceptable manner.

POLICY MCS8 The strategy for **oil and gas** is to allow proposals for exploration, appraisal and production provided that the proposal:

(i) is environmentally acceptable, or can be made so by planning conditions or obligations;

(ii) would be appropriately sited to ensure the least impact;

(iii) would facilitate the full appraisal and development of the resource.

4.72 Annex 4 of MPS1 includes guidance on **new coal technologies** and underground gas storage. It indicates that there are 3 main ways of recovering gas from coal to provide energy, namely extraction of coalbed methane, extraction of methane from coal mines and underground coal gasification.

4.73 The report 'UK Coal Resource for New Exploitation Technologies' (BGS/DTI, November 2004) examines the UK coal resources available for exploitation by the new technologies of Underground Coal Gasification (UCG), Coalbed Methane (CBM) production and Carbon Dioxide Sequestration. Carbon Dioxide Sequestration is a technology that is at a very early stage of development. Because of the major uncertainties surrounding this technology, no areas specifically suitable for it have been identified in the report.

4.74 As the Leicestershire and South Derbyshire Coalfields have no working mines, there is no Coal Mine Methane potential in these areas. The prospects for Abandoned Mine Methane and Coal Bed Methane in these Coalfields are also considered to be very poor. The outcropping coalfield areas are not considered to form a UCG resource due to the extensive nature of former underground

working and the need to stand off from these workings, both vertically and horizontally.

4.75 The north-east Leicestershire Coalfield is not considered to have potential for CBM production. There are large areas in Eastern England that meet the criteria for UCG, but there are large areas where the UCG potential is unverifiable, particularly to the south-east of Nottingham. UCG resources may therefore be present in this area and warrant further investigation. UCG development presents a number of actual and potential impacts that need to be addressed and mitigated. Many of these are common to other types of mineral and industrial operations.

4.76 Given that new coal technologies are still evolving, it would be difficult to predict their viability or the impacts associated with them. Should proposals for these types of development be made in Leicestershire, a criteria-based policy has been drawn up for the determination of applications for such developments.

POLICY MCS9 The strategy for **new energy production technologies** is to allow proposals for exploration, appraisal and production provided that they:

(i) are environmentally acceptable, or can be made so by planning conditions or obligations;

(ii) would be appropriately sited to ensure the least impact.

Resource Management

Recycling

4.77 Recycled and secondary aggregates, used as basic materials in construction projects, can potentially play a leading role in conserving primary sources and reducing waste volumes produced. A range of materials such as crushed concrete, road planings, and mineral wastes can be recycled and utilised as substitutes for primary aggregates. The Core Strategy sees the practice of recycling construction and demolition and minerals wastes as an activity to be promoted in appropriate cases, having regard to economic and environmental acceptability.

4.78 It is Government policy to encourage the greatest possible use of alternative (secondary and recycled) materials so as to reduce the amount of primary aggregate extracted. The National and Regional Guidelines for Aggregates Provision in England (June 2003) take into account the proportion of aggregates which will be derived from secondary and recycled sources and sets targets for the use of these materials. The East Midlands Region is expected to provide 95Mt of alternative materials for the period 2001 – 2016.

4.79 RSS Policy 36 states that LDFs should identify and where necessary safeguard sites suitable for facilities for the recycling, reprocessing and transfer of materials including construction and demolition wastes. Policies for the processing of construction and demolition waste, road planings and other wastes suitable for aggregate production will be contained in the Waste Development Framework. Existing mineral sites are potentially suitable locations for recycling facilities. The LMDF therefore has a role to play in facilitating the increased use of alternative materials, including suitably located recycling facilities at mineral sites, to enable the regional target of supplying alternative materials to be met.

Protection of Minerals from Sterilisation

4.80 Sterilisation of mineral deposits may result from more permanent forms of surface development but can also occur when secondary minerals are not recovered as part of a larger development scheme. MPS1 indicates that one of the national objectives for minerals planning is to safeguard mineral resources as far as possible. It states that planning authorities should define Mineral Safeguarding Areas (MSAs) in order that proven resources are not needlessly sterilised by non-mineral development; encourage the prior extraction of minerals, where practicable, if it is necessary for non-mineral development to take place in MSAs; include policies and proposals to safeguard mineral resources within MSAs.

4.81 RSS Policy 36 states that Local Development Frameworks should indicate areas within which sites needed for land-won minerals should be safeguarded from development that would sterilise future exploitation, including those required to maintain historic buildings and monuments or new construction that reflects local character.

4.82 The LMDF aims to safeguard mineral deposits that are or may potentially be of economic importance. In order that valuable resources for future use are protected from non-mineral development, Mineral Safeguarding Areas (MSAs) will be defined based on work carried out by the British Geological Survey (BGS) for the County Council in 2004. The BGS provided broad geological resource information for mineral resources within Leicestershire based on a combination of expert geological opinion and knowledge on the extent of mineral resources, and consultation with the minerals industry.

4.83 The County Council has used the work carried out by BGS to assess which mineral deposits are of economic importance and has concluded that deposits of sand and gravel, limestone, igneous rock, shallow coal, fireclay, brickclay and gypsum in Leicestershire are of current or future economic importance. The broad extent of these deposits is indicated on the Key Diagrams (figures 1-3). The boundaries of MSAs within the County will be delineated more precisely, and on an OS base, on the Proposals map accompanying the Site Allocations DPD and, when adopted, on the Proposals maps for districts within the County.

4.84 Brickclay resources in Leicestershire (principally the Triassic Mercia Mudstone) are extensive and it is not considered that it is justified to safeguard large areas of the outcrop. MSAs will consequently be drawn around existing sites taking account of the resource and existing infrastructure and using clear physical boundaries wherever possible. Jurassic ironstones in the county are not considered to have any future economic significance as a source of iron. Whilst they could be worked as a source of building stone or low quality aggregate, they are not considered to be of current or future economic importance. No MSAs will be defined for hydrocarbons as prospects can only be identified after extensive exploration activity. A major 5-year study of England's building and roofing stone resources, the Strategic Stone Study, is being carried out by English Heritage which will assist MPAs in identifying the location of these minerals and inform their safeguarding. The County Council will review the identification of MSAs within Leicestershire in the light of the findings of this study.

4.85 The prior extraction of minerals will be supported where it is necessary for non-mineral development to take place and where it can be done in an environmentally acceptable manner. This is most likely to apply to minerals such as sand and gravel, opencast coal and fireclay if operations can be completed relatively quickly and extraction and restoration are completed within a reasonable timescale.

4.86 MPS1 states that MPAs should safeguard existing, planned and potential rail heads, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, particularly coal and aggregates, including recycled, secondary and marine-dredged materials. The protection of associated infrastructure will be taken into account in the identification of MSAs within Leicestershire. The BGS report referred to in Para 4.82 above adopted a different approach to the identification of safeguarding areas for each mineral, reflecting not only their different geology but also associated infrastructure. In particular, account has been taken of the extensive infrastructure, including rail links, associated with the County's igneous rock quarries and the existing infrastructure associated with the County's brickclay operations.

Use of High Quality Materials

4.87 MPS1 indicates that one of the national objectives for minerals planning is to ensure, so far as practicable, the prudent, efficient and sustainable use of minerals. It encourages the use of high quality materials for purposes for which they are most suitable. It states that high quality stone suitable for building and/or roofing, particularly that which is scarce and may be required for future conservation work, should not be used for the production of aggregates where lower quality rock suitable for crushing would suffice. It encourages the brick, clay pipe and clay tile manufacturing industry to ensure that when clays are to be blended,

the resulting blend should not contain a proportion of premium clays in excess of that needed for the specified use.

4.88 High grade minerals should not be used for more general purposes when lower grade alternatives are readily available. In order to conserve high grade resources, the County Council will encourage the use of minerals for purposes for which they are best suited. In some cases the size and nature of the materials to be extracted could be controlled by planning conditions or a planning obligation. This will ensure the best and most efficient use of resources, in line with the aims of sustainable mineral planning.

POLICY MCS10 The strategy for **resource management** is to:

- reduce the demand for primary minerals by:

  (i) encouraging the use of mineral waste, power station ash and construction and demolition wastes before primary minerals;

  (ii) supporting recycling initiatives;

- safeguard deposits of sand and gravel, limestone, igneous rock, shallow coal, fireclay, brickclay, gypsum, building and roofing stone in Leicestershire that are of current or future economic importance and significant infrastructure such as rail linked facilities:

  (i) through the identification of Mineral Safeguarding Areas in the Site Allocations Development Plan Document;

  (ii) by supporting the extraction of proven mineral resources where practicable in advance of other planned development where this can be done in an environmentally acceptable way;

  (iii) through the establishment of a list of important sources of building and roofing stone;

- encourage the use of high quality materials for appropriate purposes.

Environmental Protection and Enhancement

4.89 Leicestershire has a rich natural and cultural heritage which needs to be safeguarded for the benefit of future generations. Areas and features of international, national, regional or County-wide

importance are an irreplaceable resource and need to be identified and protected.

4.90 The winning and working of minerals can have significant effects on the environment and local amenity, and given the limited location of economic mineral resources, the potential for conflict is increased. The County Council recognises however that proposals for mineral extraction can lead to longer term environmental improvements, particularly through the reclamation of derelict land or land that is in a poor state as a result of past mining activity. Restoration schemes can also provide potential benefits through the creation of new wooded landscapes together with new wildlife habitats and sites of geological interest.

4.91 In selected parts of the County the impact of past and current mineral extraction has had a major impact. Particular areas where mineral workings have had a significant effect on present day landscape character include

- sand and gravel working along the valleys of the Soar, Wreake and Trent
- igneous rock quarries around the edges of Charnwood Forest, and further south, at Enderby, Stoney Stanton, Sapcote and Croft
- limestone quarries at Breedon Hill and Cloud Hill
- coal and clay operations within the Coal Measures of north-western Leicestershire.

4.92 MPS1 seeks the protection and enhancement of the character of surrounding rural and urban areas by careful planning and design of any proposals for minerals development. Policy 26 of the RSS provides the key approach to the protection and enhancement of the natural and cultural assets, together with policies 27, 29, 30, 31, 32, 33 and 35 which relate to the historic environment, biodiversity, woodland, landscape character, water environment, strategic river corridors and flood risk respectively.

4.93 The Core Strategy has to balance the working of the mineral resources with the need to protect and enhance the environment and minimise any adverse impacts on amenity. The aim will be to minimise the impact of mineral related operations, consistent with the overall principle of sustainable development. The LMDF will seek to identify locations which will have the least impact on the County's environment, its landscape, and the quality of life of local communities.

4.94 The County Council will seek to ensure mineral developments are designed in such a way that the general character and diversity of the County's landscape, biodiversity and cultural heritage is protected and enhanced and the amenity of local communities is protected from the unacceptable adverse impacts of minerals extraction. Where appropriate, measures will be pursued to provide environmental and other improvements or gains in mitigation or

compensation for the adverse effects of minerals related development.

POLICY MCS11 The strategy for **environmental protection** is to protect and enhance the natural and built environment of Leicestershire by ensuring that

- there are no unacceptable adverse impacts from minerals development on:
  - (i) natural resources including water, air and soil;
  - (ii) the character and quality of the landscape;
  - (iii) biodiversity, including nationally and internationally important sites and the key habitats and species identified in relevant Biodiversity Action Plans;
  - (iv) sites of geological interest;
  - (v) historic and cultural features of acknowledged importance;
  - (vi) the distinctive character and setting of settlements within Leicestershire; and
  - (vii) residential amenity;
- the highest standards of operational practice for the management, working, restoration and aftercare of sites are adopted;
- development is designed to a high standard, incorporates sustainable construction principles and includes appropriate landscaping.

4.95 It is considered that certain areas of the County warrant special attention. This is of relevance for particular mineral developments. These are strategic river corridors (relevant to sand and gravel extraction), Charnwood Forest (igneous rock), National Forest (coal and clay) and Green Wedges (sand and gravel). These special policy areas are dealt with in turn below.

Strategic River Corridors

4.96 Land adjacent to these rivers form part of the floodplain and comprise grasslands which support some of the richest wildlife in Leicestershire. River corridors offer some of the best opportunities to restore and enhance lost habitats and wetland landscapes and can also provide a focus for regeneration and the delivery of Green Infrastructure. They are also important in terms of archaeology. They have therefore been identified as Strategic River Corridors

where measures are proposed to protect the floodplain, enhance biodiversity, strengthen landscape character, improve access and encourage, where appropriate, recreation and tourism.

4.97 The RSS recognises the importance of Strategic River Corridors as part of the Region's Green Infrastructure, including for wildlife, landscape and townscape, regeneration and economic diversification, education, recreation, the historic environment including archaeology, and managing flood risk. Policy 33 states that the natural and cultural environment of Strategic River Corridors should be protected and enhanced. Within Leicestershire, these comprise the Trent, Soar, Welland and Wreake, along with their tributaries, the Eye, Mease and Sence. Their general location is shown in the RSS on Diagram 3: Natural Assets.

POLICY MCS12 The strategy for minerals development within **Strategic River Corridors** is to

- ensure that measures are taken to protect and enhance:
  - (i) their capacity to function as natural floodplains;
  - (ii) their linear continuity in the interests of biodiversity;
  - (iii) the form, local character and distinctiveness of the natural, historic and built environment;
- encourage proposals for improving access, recreation and tourism where they do not have an unacceptable effect on the above interests.

Charnwood Forest

4.98 The landscape of Charnwood Forest is of special quality because of the combination of its ecology, geology and archaeology and visual appearance. It is highly valued in particular for its scenic beauty and has been identified as a priority area for protection and enhancement of natural and heritage landscape assets. The underlying rocks have resulted in a varied, hilly landform with exposed crags and rocky knolls and fast-flowing streams. It is the most well-wooded part of the County and has a high concentration of mixed deciduous and coniferous woodland, including many ancient woodland sites and a significant proportion of the County's wet woodland habitat. The area is attractive to visitors and has 3 country parks.

4.99 The Regional Spatial Strategy promotes initiatives to protect and enhance the particular character of Charnwood Forest, and includes a proposed Charnwood Forest Regional Park as one of the strategic priorities for the Three Cities Sub-Regional Area. The distinctive

landscape character of Charnwood Forest is identified in the Leicestershire Leicester and Rutland Landscape and Woodland Strategy. The aim will be to control development strictly within Charnwood Forest, with proposals needing to prove that they will either conserve or enhance its character and that in terms of siting, scale and design they complement the surrounding landscape.

4.100 The boundary of the Forest is indicated on the Key Diagram based on the area identified in the Landscape and Woodland Strategy. The boundary of Charnwood Forest will be defined as part of the preparation of Local Development Frameworks for Charnwood Borough, North West Leicestershire District and Hinckley and Bosworth Borough Councils.

POLICY MCS13 The strategy for minerals development within or adjacent to **Charnwood Forest** is to ensure that:

(i) proposals include measures to protect and enhance the character of the area, including its landscape, ecology, cultural heritage, built heritage and recreational value;

(ii) the siting, scale and design of the development together with the materials to be used reflect and complement the character of the surrounding landscape and minimise any harm.

National Forest

4.101 In 1987, the Countryside Commission announced proposals for a long-term project to create a new national forest in lowland England. In 1990, an area of 200 square miles was chosen spanning Leicestershire, Derbyshire and Staffordshire. Linking the ancient forests of Needwood and Charnwood, it is an area that at the outset possessed only 6% tree cover and included tracts of land that had been stripped bare by mining and clay working, leaving dereliction and economic decline.

4.102 The ultimate goal for the National Forest is to achieve the overall vision of the National Forest Strategy, which sets an overarching aim for a third of all land to be wooded and some 15 million trees to be planted. Overseeing the project is the National Forest Company, which acts as a catalyst and participates in major bids for national and European funds. Part of its brief is to forge innovative partnerships with local authorities, farmers, landowners, companies and local communities. It also publishes planting guidelines for new woodland.

4.103 RSS Policy 30 states that opportunities should be taken to increase woodland cover as part of new development focussing on a number

of priority areas including the National Forest. RSS Policy Three Cities SRS 5 states that the development of the National Forest should be promoted in ways that generate environmental, economic and social benefits of both local and national significance by:

- enhancing the distinctive landscape, natural, cultural and historic assets of the area;
- making provision for the planting of woodlands subject to environmental constraints;
- ensuring development is accompanied by proposals for creating appropriate woodland settings;
- developing the recreational potential both for local communities and for visitors; and
- creating a world class visitor experience which generates sustainable economic benefits for local communities.

4.104 Approximately two-thirds of Charnwood Forest lies within the designated area of the National Forest. The National Forest beyond the boundary of the Charnwood Forest is recognised as providing opportunities for a range of leisure and tourist facilities, including noisy sports, and as a significant example of sustainable development, as it addresses social, economic, recreational and environmental issues as well as bringing derelict land back into use. In implementing the leisure and tourism elements of the National Forest policy beyond the boundary of the Charnwood Forest, the multi purpose objectives of the National Forest can best be addressed through a range of high quality facilities to be provided with priority given to areas that are currently derelict or subject to mineral workings. These sites should predominantly be those that attract large numbers of visitors. In considering proposals for the Forest, it is also important that due regard is given to nature conservation and cultural heritage sensitivities and opportunities.

POLICY MCS14 The strategy for minerals development within the **National Forest** outside of the Charnwood Forest area is to reflect the National Forest Strategy by making provision for the planting of woodlands, habitat creation, the creation of new leisure and tourism facilities and/or for public access.

Green Wedges

4.105 A number of Green Wedges are designated around urban areas within the County. The RSS acknowledges that Green Wedges serve useful strategic planning functions in preventing the merging of settlements, guiding development form, and providing a 'green lung' into urban areas, and act as a recreational resource. Mineral

development would be acceptable within a Green Wedge provided that appropriate measures are taken to ensure that it does not adversely affect its strategic planning function.

4.106 The extent of the current Green Wedges is a matter for the local borough and district councils and their boundaries will be reviewed as part of each authority's local development framework production.

POLICY MCS15 The strategy for minerals development within **Green Wedges** is to ensure that proposals do not adversely affect their strategic planning function of preventing the merging of settlements, providing a 'green lung' into urban areas, and acting as a recreational resource.

Transport

4.107 Transport is one of the main environmental considerations in relation to mineral extraction. The bulk of movements to and from minerals developments are by road. Such traffic may have a considerable impact on local amenity, creating problems of public safety and inconvenience, noise and vibration, air pollution and visual intrusion.

4.108 Low priced minerals, such as sand and gravel, tend to be transported for short distances from the quarry by road, the average delivered distance being about 40 km. The close geographical relationship between certain minerals (such as brickclay and gypsum) and manufacturing plant also mitigates the transport issue in respect of raw materials. Such local supplies of minerals are beneficial in reducing the impact of transporting them over long distances by road, including the reduction in carbon emissions.

4.109 Problems associated with transportation of minerals are most severe where lorries use minor roads unsuited to their weight and size, where they pass through residential areas, and at the point of access/ingress from the public highways. It is an objective of the Leicestershire Local Transport Plan 2006-2011 to reduce transport's impact on the environment, through local measures to reduce pollution, traffic nuisance, and improve road safety.

4.110 The County Council has worked on a lorry control network since 1993, with the network being completed in March 2006. The objective has been to concentrate goods vehicles on the most suitable routes, thereby reducing the impact of lorries, removing noisy goods vehicles from many Leicestershire communities and reducing the structural damage to many roads caused by lorries. The routes that make up the lorry route network are shown on the Key Diagram. In order to reduce the environmental impact of heavy traffic, new minerals developments should not transport material

along minor roads which would cause unacceptable disturbance to local communities and the environment.

4.111 Other means of transport, such as rail or water, can be less damaging but are not always practicable, may involve considerable investment in infrastructure and do not offer the flexibility of road transport. MPS1 nevertheless seeks to promote and enable the bulk movement of minerals by rail, sea or inland waterways to reduce the environmental impact of their transportation.

4.112 Higher priced commodities can bear longer transport distances (e.g. crushed rock and energy minerals) and have the greatest potential to be moved by rail or water. The following quarries within Leicestershire all have rail inks: Bardon, Cliffe Hill, Croft and Mountsorrel. (These sites are indicated on the Key Diagram). Over 4 million tonnes of igneous rock were moved by rail from these quarries in 2005, some 30% of total igneous rock sales. There are economic and environmental advantages in transporting large amounts of heavy materials by rail and water provided that there is the network capacity and adequate loading and reception facilities.

POLICY MCS16 The strategy for the **transportation of minerals** is to locate new mineral working and mineral related developments:

(i) in close proximity to markets in order to minimise the need to transport minerals;

(ii) in close proximity to the County's lorry route network and where road traffic generated by the development can avoid residential areas and minor roads in order to minimise the impact of transporting minerals by road; or

(iii) where rail/water transport could be secured for movement of minerals in order to maximise the potential to use alternative means of transport.

Reclamation

4.113 Mineral operations are a temporary activity but can exist for a number of decades, for example at large hard rock quarries and some brick-clay pits. It is nevertheless important that the areas of land affected are reclaimed as soon as possible to their original, or a more beneficial, use and not allowed to become derelict. The LMDF will aim to reclaim sites at the earliest opportunity to a suitable after-use that is capable of maintaining or enhancing the character and quality of the natural and historic environment. Reclamation proposals should include an assessment of the stability of the land, in accordance with advice contained in PPG14 (Development on

unstable ground), to ensure that any future use will not present any future risks to the public or other land users.

4.114 RSS Policy 37 states that Local Development Frameworks should identify any likely adverse impact on habitats and propose mitigation, which may include creation of habitats elsewhere, and should set out the proposed uses to which former mineral extraction sites should be put. Where appropriate and having regard to local landscape character, alternatives to agriculture will be encouraged, including woodland establishment, creation of new wildlife habitats and sites of geological interest, especially where these contribute towards Biodiversity Action Plan (BAP) targets, and schemes with recreational value.

4.115 The County Landscape and Woodland Strategy provides guidelines for conserving and enhancing distinctive landscapes and expanding the woodland cover of Leicester, Leicestershire and Rutland in ways appropriate to particular landscape character areas. Landscape character areas are areas which have a unity of character and a distinctive sense of place when viewed from a county-wide perspective. The Strategy identifies eighteen distinctive character areas within the two counties and the City of Leicester and provides guidelines for conserving and enhancing these distinctive landscapes.

4.116 Leicester, Leicestershire and Rutland together form one of the least wooded areas of England. Forestry uses will be particularly appropriate within the area of the National Forest, but woodland may not always be the most suitable habitat for a given site. Amenity or forestry after-use may be appropriate even on the best and most versatile agricultural land if the methods in use, restoration and aftercare, enable it to retain its potential as an agricultural resource. Additional grant payment in connection with the planting of woodlands is available from the Forestry Commission where public access is allowed.

4.117 The Leicester, Leicestershire and Rutland BAP identifies priority habitats for the County and it is important that the planning process helps to maintain and enhance these wildlife resources. The reclamation and subsequent management of mineral sites (including the process of natural succession) can provide opportunities to support the objectives of the BAP through the creation of new wildlife habitats and promotion of other means of conserving and enhancing sites of ecological value.

4.118 There is a shortfall of water areas for recreational activities within the County, and the development of new areas will be encouraged where they do not cause unacceptable damage to the existing water supply. Water-based recreational activity could be provided for as part of the reclamation scheme for an appropriately sited mineral development. Some water areas resulting from the reclamation of

mineral development may have the potential to be linked to nearby navigable waterways in appropriate circumstances.

4.119 One of the legacies of underground mining activity is rising minewater. Mine water contains iron deposits which gives the water a distinctive orange colour. The minewater treatment schemes designed and operated by the Coal Authority remove the iron deposits through a series of settlement ponds and reed beds to effectively prevent contamination of the nation's drinking water supplies and watercourses. Minewater treatment schemes will be needed in perpetuity across the coalfields which will include the North West Leicestershire and South Derbyshire coalfield in the medium term.

4.120 The countryside is a resource that everyone can benefit from and former mineral sites present opportunities for improving access for all into the countryside. There are, however, circumstances where public access may not be compatible with other land uses, such as where a site is proposed to become a nature reserve or where it might cause an unacceptable level of disturbance to nearby sensitive properties. Opportunities should be maximised for informal recreation and green networks for walking and cycling, linking into existing green infrastructure, natural greenspaces, and/or connecting rural and urban areas.

POLICY MCS17 The strategy for the **reclamation and future use of mineral sites** is to ensure that:

- land is reclaimed at the earliest opportunity and that high quality restoration and aftercare takes place to an appropriate after-use that enhances and complements the natural and historic environment and that is in keeping with the local area, including its landscape character and with due regard to the setting of historic assets, adding to local distinctiveness and biodiversity having regard to the County's Biodiversity Action Plan, Landscape and Woodland Strategy, and the National Forest Strategy;

- industry uses best practice at the time which seeks to minimise future public safety hazards and ground stability problems which can arise from the legacy of mineral workings.

The following after-uses will be sought in appropriate cases:

(i) woodland planting, particularly in the National Forest;

(ii) creation of new wildlife habitats;

(iii) water-based recreational schemes;

(iv) public access and improvements to the public rights of way network including links to surrounding green infrastructure.

5. Development Control Policies

General Development Principles

Sustainable Minerals Development

5.1 The UK Government's Sustainable Development Strategy, "Securing the Future" (March 2005), sets five guiding principles for sustainable policy in the UK, namely living within environmental limits, ensuring a strong, healthy and just society, achieving a sustainable economy, promoting good governance, and using sound science responsibly. The strategy then sets out the following four priorities for immediate action:

- Sustainable consumption and production;
- Climate change and energy;
- Natural resource protection and environmental enhancement;
- Sustainable communities.

5.2 Planning Policy Statement 1 'Delivering Sustainable Development' (2005) identifies that sustainable development is the core principle underpinning planning. It states that at the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations. The Government's objectives for minerals planning and the requirement for them to contribute to the achievement of sustainable development, as required in Section 39 of the Planning and Compulsory Purchase Act 2004, are set out in paragraph 9 of Minerals Planning Statement (MPS1). These objectives are as follows:

- to ensure, so far as practicable, the prudent, efficient and sustainable use of minerals and recycling of suitable materials, thereby minimising the requirement for new primary extraction;
- to conserve mineral resources through appropriate domestic provision and timing of supply;
- to safeguard mineral resources as far as possible;
- to prevent or minimise production of mineral waste;
- to secure working practices which prevent or reduce as far as possible, impacts on the environment and human health arising from the extraction, processing, management or transportation of minerals;
- to protect internationally and nationally designated areas of landscape value and nature conservation importance from minerals development, other than in the exceptional circumstances detailed in paragraph 14 of this statement;
- to secure adequate and steady supplies of minerals needed by society and the economy within the limits set by the

environment, assessed through sustainability appraisal, without irreversible damage;

- to maximise the benefits and minimise the impacts of minerals operations over their full life cycle;
- to promote the sustainable transport of minerals by rail, sea or inland waterways;
- to protect and seek to enhance the overall quality of the environment once extraction has ceased, through high standards of restoration, and to safeguard the long-term potential of land for a wide range of after-uses;
- to secure closer integration of minerals planning policy with national policy on sustainable construction and waste management and other applicable environmental protection legislation; and
- to encourage the use of high quality materials for the purposes for which they are most suitable.

5.3 The Regional Spatial Strategy for the East Midlands embraces the sustainable development principle. RSS Policy 1 sets out Core Objectives, which are intended to deliver sustainable development in the East Midlands. These include:

- To protect and enhance the environment;
- To achieve a 'step change' increase in the level of the Region's biodiversity;
- To reduce the causes of climate change;
- To minimise adverse environmental impacts of new development and promote optimum social and economic benefits.

5.4 Planning has a key role to play in delivering sustainable minerals development. Given the importance of sustainability, proposals which are not considered to be consistent with the principles of sustainable development will not be permitted.

Policy MDC1: Sustainable Mineral Development

Planning permission will not be granted for minerals development unless it can be demonstrated that the Government's objectives for sustainable minerals development have been appropriately addressed whilst ensuring that there will be no significant loss in other sustainability objectives.

Sustainable Design

5.5 With a view to working towards sustainable development it is important to ensure that all new minerals development is designed to minimise its impact on the environment. MPS1 indicates that the character of surrounding rural and urban areas should be protected and enhanced by careful planning and design of any proposals for minerals development.

5.6 Central principles of sustainable development are the need to reduce emissions of greenhouse gases as well as other forms of pollution, reduce levels of energy and water consumption, as well as of course to minimise waste and to re-use or recycle materials. This can be achieved by a variety of means, for example by: renewable energy technology; orientation and layout of buildings to maximise solar and other natural benefits; energy management systems; grey water recycling systems; sustainable drainage systems; energy efficient appliances; avoidance of air conditioning; and use of non-toxic, recycled or recyclable building materials.

5.7 It is also important that sites for mineral extraction are carefully designed and operated, given the importance of protecting the best of the County's natural resources and heritage, and the need to protect local communities from the traffic, noise, dust and other problems which are often associated with such development. The following policy supports Leicestershire Community Strategy objectives of promoting environmental good practice.

Policy MDC2: Sustainable Design

Proposals for minerals development will be required to demonstrate that they have been designed to ensure impact on the environment is minimised by appropriate measures to:

(i) reduce greenhouse gas emissions and other forms of pollution;

(ii) minimise levels of energy and water consumption;

(iii) minimise production of waste during construction and operation;

(iv) maximise the re-use or recycling of materials; and

(v) protect and enhance the character and quality of an area.

Natural and Historic Environment

5.8 Traditionally a system of designation has been used as the basis for protection. Important features relating to landscape, the historic environment and nature conservation have become protected by statute and planning policy according to their designation. These range from sites which are of international or national importance, to those that are recognised at a regional or more local level.

Sites of International and National Importance

5.9 Internationally important (or European) sites include Special Protection Areas (SPA), which are of importance for the conservation of wild birds, Special Areas of Conservation (SAC), which are designated for their natural habitat and wild fauna and flora interest, and Ramsar sites, which are important as waterfowl habitat. The Conservation (Natural Habitats, &c.) Regulations 1994 require any development proposal, likely to have a significant effect on such a site, and which is not directly connected with or necessary to the management of the site, to be subject to an appropriate assessment of the implications of the proposal in view of the site's conservation objectives. The applicant is required to provide any information necessary to assist in carrying out the assessment. Unless there are considerations of overriding public interest, planning permission can only be granted if the conclusion is reached that the proposal will not adversely affect the integrity of the European site. At present there is only one European site within the County, the River Mease SAC.

5.10 As these international sites enjoy statutory protection, Planning Policy Statement 9 (PPS9) states that specific policies should not be included regarding them in development frameworks. Guidance on the consideration of minerals developments affecting nature conservation sites of international importance is contained in paragraph 6 of PPS 9. No further guidance regarding the consideration of minerals developments affecting these sites is therefore provided in this document.

5.11 A significant number of species of wild animals, including all wild birds and plants, are also protected under legislation, principally by the Wildlife and Countryside Act 1981. Some species have additional protection which extends to their places of shelter. PPS9 consequently states that specific policies in respect of these species should not be included in Local Development Documents.

5.12 Nationally designated sites should also be afforded high protection, and planning permission only granted if there is, or measures can be put into place to ensure that there is no significant adverse effect on the interest. There are 69 Sites of Special Scientific Interest (SSSIs) within the County. National policy on developments affecting nature conservation sites of national importance is provided in Planning Policy Statement 9 (Paragraph 9) and Minerals Planning Statement 1 (Paragraph 14). Therefore, no further

guidance regarding the consideration of minerals developments affecting these sites is provided in this document.

5.13 National planning policy with respect to minerals development and ancient woodland not covered by a national designation is contained in Planning Policy Statement 9 (Paragraph 10) and Minerals Policy Statement 1 (Paragraph 14). Therefore, no further guidance regarding the consideration of minerals developments affecting sites with this designation is provided in this document. Proposals that have the potential to impact upon areas of ancient woodland not covered by a national designation will be considered against the relevant sections of national policy detailed above (or any subsequent national planning policy). These policy statements set out that proposals which would result in the loss or deterioration of ancient woodland will not be permitted unless the need for, and benefits of, the development in that location outweigh the loss of the woodland habitat.

5.14 There are a vast array of historic buildings and sites within the County. These include 186 Scheduled Ancient Monuments (SAMs), some 3961 listed buildings, as well as 15 historic parks and gardens and one battlefield. The SAMs include prehistoric burial mounds, Iron Age hill forts, Roman remains, Deserted Medieval Villages, monastic and manorial remains, moated sites, windmills, bridges, and more recent structures such as collieries, blast furnaces and inclined planes such as that at Foxton Locks on the Grand Union Canal.

5.15 The Government's policies for the historic environment are provided in PPG15: Planning and the Historic Environment, PPG16: Archaeology and Planning and Minerals Planning Statement 1 (Paragraph 14). Reiterating advice contained in PPG15 and 16, MPS1 indicates that a presumption in favour of the preservation of listed buildings, nationally important archaeological remains (including scheduled monuments) *in situ* and their settings, should be adopted if mineral proposals would cause damage or have a significant impact on them, unless there are overriding reasons of national importance for the development to proceed.

5.16 In addition to affording protection to these sites and important features, measures will be sought, where appropriate, to enhance or reinforce their value in mitigation or compensation for the effects of seeking to achieve a sustainable approach to the provision of mineral developments.

Policy MDC3: Sites of National Historic Importance

Planning permission will not be granted for minerals development that would have significant adverse effects on sites of national historic importance or on their character, appearance or setting, including:

(i) Scheduled Ancient Monuments and other nationally important archaeological sites;

(ii) historic parks and gardens, battlefields and historic landscapes;

(iii) listed buildings;

unless there are overriding reasons of national importance for the development in that location that clearly outweigh the impacts that it is likely to have on the features of interest.

Sites of Regional and Local Importance

5.17 Regionally and locally important sites are designated in recognition of their significance at the local and/or regional level, and as such, do not normally carry the weight of statutory protection. The level of protection afforded nevertheless reflects their significance to the fabric of the local natural, historical and built environment, as well as the important role that they can provide as a local community facility. These sites include special landscape areas (such as Areas of Particularly Attractive Countryside), sites of importance for nature conservation (SINCs), priority habitats identified in the Biodiversity Action Plan (BAP), Regionally Important Geological (RIG) sites, Local Nature Reserves, Country Parks, conservation areas, protected woodlands, open space within built-up areas and land or buildings for recreational use. RSS Policy 29 sets out the regional priority habitats for biodiversity. MPS1 states that mineral proposals within or likely to affect regional and local sites of biodiversity, geodiversity and landscape should be considered carefully.

5.18 Around 200 conservation areas have been designated within the County. The significance of conservation areas can vary - some are of national importance and individual designated historic assets within conservation areas, such as listed buildings are national designations. Such features represent a priceless cultural asset to the County and policies seeking their protection are vital. PPG 15 (Planning and the Historic Environment) sets out the responsibilities that local planning authorities have to protect and preserve historical and cultural assets, whether individual listed buildings, conservation areas, parks and gardens, battlefields or the wider historic landscape. They need to be taken into account in development control. MPS1 states that mineral proposals within or

likely to affect regional and local sites of historical and cultural heritage should be considered carefully.

5.19 Whilst minerals development that would have damaging effects on these sites should not be allowed, there may be measures that can be put in place to prevent the harm occurring, and in some circumstances there may be other material factors that are sufficient to override preservation of the features. Where adverse effects cannot be avoided, provision for the creation of new and enhancement of the existing areas of interest may be required in compensation.

Policy MDC4: Sites of Regional and Local Importance

Planning permission will not be granted for minerals development which could have a significant adverse effect on the character, appearance, ecological, geological or amenity value of sites of regional and local importance, including:

(i) Local Wildlife Sites (LWS);

(ii) Local Nature Reserves;

(iii) priority habitats or species identified in relevant Biodiversity Action Plans;

(iv) land that is of regional or local importance as a wildlife corridor or for the conservation of biodiversity;

(v) special landscape areas and landscape features of importance;

(vi) Regionally Important Geological sites (RIGs);

(vii) protected woodland areas;

(viii) country parks, common land and village greens and other important areas of open space or green areas within built-up areas;

(ix) conservation areas and locally listed buildings (including their setting); and

(x) land or buildings in sport, recreational or tourism use;

unless it can be demonstrated that there is an overriding need for the development and any impacts can be mitigated or compensated for, such that there is a net gain or improvement to their condition.

Countryside

5.20 The nature of mineral extraction is that it will almost inevitably have to take place within the countryside, beyond the existing and planned limits of built-up settlements. However, it must be demonstrated that proposals are informed by and are sympathetic to the character and quality of the landscape, including local distinctiveness and take account of local landscape strategies and any other relevant designations. Assessment of any impacts will include consideration of the potential impacts or enhancement of the landscape both during and after working, the duration of any adverse impacts, and mitigation and/or compensatory measures to replace losses and the provision of any long-term asset enhancement through restoration proposals.

Policy MDC5: Countryside

Planning permission will not be granted for minerals development that will adversely affect the general appearance and character of the landscape and the countryside, unless it can be demonstrated that there is an overriding need for the development.

Landscaping and Woodland

5.21 Most parts of the County are deficient in woodland and with an average tree cover of 3% it is one of the least wooded areas in England. Existing woods, particularly ancient woodland, are in need of protection and enhancement. Woods form a vital element in the landscape and can be important for their amenity, recreational and commercial value, as well as ecology. In recognition of their value it is a duty of the local planning authority under Section 197 of the Town and Country Planning Act to ensure, whenever appropriate, in granting planning permission that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

5.22 The RSS wishes to see opportunities taken to increase woodland cover, focusing on the area, within Leicestershire, of the National Forest. The RSS further indicates that locally and nationally significant developments in the National Forest should be accompanied by proposals for creating woodland. The Landscape and Woodland Strategy encourages measures to improve the management of woodlands and to increase the total woodland cover of the County where appropriate whilst respecting and enhancing local landscape character and local biodiversity.

Policy MDC6: Landscaping and Woodland

In granting planning permission for minerals development, landscaping and new woodland planting will be required, where appropriate.

Archaeology

5.23 Planning Policy Guidance Note 16 sets out national guidance on the assessment and evaluation of archaeological remains. Proposals for mineral developments affecting sites of known or potential archaeological importance will be judged against national planning guidance contained in Planning Guidance Note 16 (or any subsequent national policy/guidance).

5.24 Where minerals development could affect sites with potential archaeological interest, it may be acceptable, if the proposal allows preservation in situ, or, where this is impractical, its investigation and recording. However, a proposal for such development in an area of archaeological interest would only be acceptable if proper evaluation of the archaeological implications through preliminary assessment by desk and/or field study, as appropriate, is first undertaken and adequate measures for safeguarding the interest are provided for. The County's Sites and Monuments Record provides a full list of archaeological sites and contains information on the known and reported archaeology. Developers should look to the Council's archaeological curator to identify those areas that have archaeological potential and in turn to recommend how that potential should be assessed.

Policy MDC 7: Archaeology

Proposals for minerals development which are likely to affect important archaeological remains will not be granted planning permission, unless:

(i) they have been the subject of a preliminary archaeological assessment to determine the nature and significance of any archaeological remains; and

(ii) adequate provision for preservation in situ, excavation or recording of any interest is made in accordance with the level of importance of the finds.

Protection of Natural Resources

Mineral Safeguarding

5.25 As mineral resources are finite, they should not needlessly be sterilised by non-mineral development. Sterilisation of mineral deposits may result from more permanent forms of surface development but can also occur when secondary minerals are not recovered as part of a larger development scheme.

5.26 Minerals Policy Statement 1 sets the safeguarding of minerals resources as one of the national objectives for minerals planning and obliges Mineral Planning Authorities to define Mineral Safeguarding Areas. The Core Strategy seeks to safeguard valuable mineral resources through the identification of Mineral Safeguarding Areas (MSAs) in the Site Allocations DPD.

5.27 Policy MDC8 is intended to control development within MSAs. Any incompatible development within a mineral safeguarding area, or in close proximity, will be resisted where it would lead to the sterilisation of part of the reserves. Developments that will be exempt include householder applications, infilling in existing built up areas, and development already included in statutory development plans. This includes the allocation of developments in Local Development Frameworks that would not sterilise a proven mineral resource.

Policy MDC8: Safeguarding Mineral Resources

Planning permission will not be granted for any form of development within a Mineral Safeguarding Area that is incompatible with safeguarding the mineral and significant infrastructure such as rail linked facilities unless:

- the applicant can demonstrate to the satisfaction of the Local Planning Authority that the mineral concerned is no longer of any value or potential value; or
- the mineral can be extracted satisfactorily prior to the incompatible development taking place; or
- the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or
- there is an overriding need for the incompatible development; or
- it constitutes 'exempt development', namely householder applications; development already allocated in a statutory plan; infilling in existing built up areas.

5.28 In some circumstances it may be appropriate to undertake mineral extraction in advance of surface development. MPS1 (paragraph 13) states that planning authorities should encourage the prior extraction of minerals, where practicable, if it is necessary for non-mineral development to take place in MSAs. The Core Strategy supports such an approach. Policy MDC9 covers the circumstances in which extraction in advance of surface development will be granted.

5.29 The MPA will take into account a number of factors when considering whether prior extraction is suitable, including the size, nature and need for the proposed development, the quantity and quality of the mineral, the environmental impacts and practicalities of the extraction. Account will also be taken of whether a partial working of the deposit would be appropriate, together with the potential use of the mineral within the proposed development.

5.30 The MPA will also be mindful of the restoration of the site, ensuring that an appropriate standard can be achieved to allow the development to proceed, and that the restoration time scales do not

prejudice the approved development from being progressed in accordance with any agreed programme.

Policy MDC9: Extraction in Advance of Surface Development

Planning permission for mineral extraction that is in advance of approved surface development will be granted where the reserves would otherwise be permanently sterilised provided that operations are only for a temporary period and that the proposal will not cause unacceptable harm to the environment or communities. Where planning permission is granted, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.

Agricultural Land

5.31 Agricultural land quality, and whether a valuable resource would be permanently lost in developing the site, will be important factors in determining whether the site is a sustainable option. PPS7 states that the presence of best and most versatile agricultural land should be taken into account alongside other sustainability considerations when determining planning applications, and that where significant development of agricultural land is unavoidable use of poorer quality land should be sought in preference to that of higher quality, except where this would be inconsistent with other sustainability considerations.

5.32 The assessment of proposals for minerals developments will take into account their impact on soil resources, agricultural land quality and farming, and other established rural land uses. This assessment should be informed by a soil and land quality survey and a soil handling and replacement strategy (see Policy MDC17).

Policy MDC10: Agricultural Land

Planning permission will not be granted for minerals development that would result in the significant loss of the best and most versatile agricultural land (Grades 1, 2 and 3a), unless it can be demonstrated that:

(i) there is an overriding need for the development;

(ii) there is no suitable alternative site of lower agricultural quality that provides the same benefits in terms of sustainability;

(iii) the land could be restored to its previous agricultural quality or better;

(iv) other beneficial after uses can be secured which outweigh the loss of agricultural land; or

(v) the development is consistent with other sustainability considerations.

The Water Environment

5.33 The Environment Agency has various duties in relation to monitoring and protecting the quality of groundwater, to conserve its use for water resources; maintaining, and where appropriate, enhancing conservation of the surface water environment; and preventing increased flood risk, including taking into account the effects of climate change. New minerals development can have significant effects on the quality of surface and groundwater. Development in the floodplain or on land at high risk from flooding is likely to be unacceptable if it involves the raising of existing ground levels, or impedes flood flows and measures for flood compensation storage cannot be implemented. In cases where the development could not be adequately controlled and would present an unacceptable risk to the water environment, or would exacerbate flood risk, planning permission should not be granted. The restoration of some mineral sites in areas of flood risk could however provide flood attenuation and storage areas that have the potential to reduce the areas prone to flooding.

Policy MDC11: The Water Environment

Planning permission will not be granted for minerals development which would:

(i) have a detrimental impact on the quality or flow of groundwater or surface water drainage; or

(ii) exacerbate flood risk in areas prone to flooding and elsewhere.

Community and Environmental Protection

5.34 There is a level of public concern about the nature of mineral operations and their effects. The safeguarding of people's quality of life and health is an important consideration in determining whether proposals are acceptable. In addition to residential environments, other land uses such as local businesses, schools, hospitals, recreational facilities (including public rights of way) and farmland need to be protected from unacceptable levels of adverse effects. There are measures that can be put in place to control the effects of mineral operations. However, there may be cases where the specific consequences of the development are likely to generate such a severe impact that planning permission should not be granted.

Policy MDC12: Health and Amenity

Planning permission will not be granted for minerals development which is likely to generate unacceptable adverse effects from noise, dust, vibration, odour, emissions, illumination, visual intrusion or traffic to adjoining land uses and users and those in close proximity to the minerals development.

Cumulative impact

5.35 Minerals Policy Statement 2 'Controlling and Mitigating the Environmental Effects of Minerals Extraction in England' states that Planning Authorities should consider the cumulative effect of previous minerals development and new proposals on a locality. It indicates that proposals for the simultaneous and/or successive working of a number of sites in a wider area of commercially-viable deposits may affect communities and localities over an extended period, depending on the nature, age and size of the site(s). Individual mineral workings can also generate multiple environmental impacts, such as noise and traffic, or traffic and dust,

together with possible impacts on the landscape, water environment and habitats. MPS2 indicates, however, that impacts that are acceptable individually should not be regarded as unacceptable in combination without a proper assessment.

5.36 The LMDF seeks to ensure that the impacts of a mineral proposal are considered in conjunction with the impacts of other past, present or reasonably foreseeable developments, and that cumulative impacts on the environment of an area, or on the amenity of a local community, are fully addressed.

Policy MDC13: Cumulative Impact

Planning permission will not be granted for minerals development which would result in an unacceptable cumulative impact on the environment of an area or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of minerals developments occurring either concurrently or successively.

Transport

Transportation of Minerals

5.37 The transportation implications of proposed mineral developments are considered in the Core Strategy (see Policy MCS16 above).

5.38 Transferring some or all of the traffic to transport modes that do not utilise the local road network could reduce the effects of road transportation and should be utilised wherever reasonably practicable.

5.39 It would not be desirable to allow proposals which could exacerbate any existing problems or create unacceptable new impacts. Where alternative methods are not possible, the transport implications of the proposed development will be taken into account including the suitability of the road network to accommodate the traffic that would be generated and the effect on highway safety.

5.40 Where road transportation is unavoidable, the effects can be reduced by various measures. The Mineral Planning Authority will seek to secure agreements with applicants to ensure the use of approved lorry routes which avoid residential areas and unsatisfactory roads, and will require operators to carry out highway strengthening and improvements before granting planning permission, where these are considered to be necessary as a result of the minerals development (see Policies MDC 18 and 19 in respect of planning conditions and planning obligations).

Policy MDC14: Transportation of Minerals

Planning permission will not be granted for minerals development involving the transport of minerals by road except where:

(i) there is no practicable alternative to road transport which would be environmentally preferable;

(ii) the proposed access arrangements would be safe and appropriate to the proposed development and the impact of the traffic generated would not be detrimental to road safety to an unacceptable degree;

(iii) the highway network is able to accommodate the traffic that would be generated and the impact of the traffic generated would not have an unacceptable impact on the environment or local residents.

Public Rights of Way

5.41 The County's public rights of way network is important in providing opportunities for access to the countryside for recreational purposes. Local authorities have a statutory duty to protect the rights of the public to use and enjoy the rights of way in their area. Minerals Policy Statement 1 states that proposals should maintain or improve the Public Right of Way network around restored minerals sites as far as practicable.

5.42 Minerals development should not adversely affect the integrity of the established rights of way network. There may, however, be circumstances where, in the interests of providing for minerals development, disruption of a public right of way is unavoidable. In such cases, appropriate measures should be implemented to divert the route in a satisfactory manner. Provision may also be sought for additional routes to increase access opportunities.

Policy MDC15: Public Rights of Way

Planning permission will not be granted for minerals development that would adversely affect a public right of way, unless satisfactory proposals which are both convenient and safe are made for its diversion or the creation of an alternative route both during operations and following restoration of the site. The opportunity will be taken wherever possible to secure appropriate, improved access into the countryside.

Air Safeguarding

5.43 Local planning authorities are required to consult local aerodromes before granting planning permission for development, which might endanger the safety of aircraft. Such development includes buildings and structures which exceed certain heights and development which is likely to attract birds within the relevant radius of aerodromes as identified on safeguarding maps provided either by the Civil Aviation Authority or MOD. A building, because of its nature or location, can interfere with the operation of navigational aids, radio aids and telecommunication systems, or the lighting elements of development have the potential to distract or confuse pilots.

5.44 Furthermore birdstrike is a major hazard. Whilst most aircraft accidents caused by birds occur on or near aerodromes, bird attractive sites some distance from an aerodrome boundary can increase the risk. Government advice identifies, in particular, mineral extraction (especially where water areas form part of the restoration proposals) as development which attracts a variety of bird species and can create a bird hazard, including bird flightlines across flightpaths. This is a particularly important issue for mineral sites in close proximity to East Midlands Airport.

5.45 DfT/ODPM Circular 1/2003 provides advice to local planning authorities in England and Wales regarding the safeguarding of aerodromes, technical sites and military explosives storage areas. Whilst the circular states that there is only limited scope for taking action on aerodromes to counter bird strike hazards, it may be possible to overcome bird strike issues through the design of the development. In the event however that, following consultation with the appropriate authorities, the nature of a minerals proposal is considered to give rise to new or increased risks to aircraft in flight, planning permission should not be granted.

Policy MDC16: Air Safeguarding

Planning permission will not be granted for minerals development which could give rise to new or increased hazards to aviation.

Policies for Controlling Mineral Workings

Development Control

5.46 Through the development control process the aspects of a proposal are carefully considered to determine whether planning permission should be granted. On the basis of the available supporting information it involves a balancing of the merits against the drawbacks, and a judgement as to the soundness of the

development. In addition a system of controls can be applied to development proposals to ensure that they do not have an unacceptably adverse impact on local communities and the environment, or to make proposals acceptable that might otherwise not be. Such controls can be achieved through the imposition of conditions or by planning obligations, where appropriate.

Information in Support of Planning Applications

5.47 Early identification of the issues involved with a proposal and the potential impacts of the development is a key element in working towards the goal of achieving sustainable minerals development. Box 3 below sets out the information that may be necessary in support of an application for minerals development. It is not necessarily an exhaustive list nor will all items apply to every development. Precisely what information is required is best determined by pre-application discussions, which are encouraged and assist applicants to formulate proposals that accord with policy and can be understood by all parties involved in the development control process. Applications which are not supported by adequate details can take longer to determine, because further information will need to be requested. It is important that all impacts are identified and examined before a decision is taken.

5.48 The MPA is entitled to request appropriate information from applicants which relates to matters which it believes are material considerations in the determination of planning applications. If the additional information is not supplied, the application may be refused on the grounds of insufficient information under Regulation 4 of the Town and Country Planning (Applications) Regulations 1988 (SI 1988 1812) and the Town and Country Planning (General Development Procedures) Order 1995 (SI 1995 419).

5.49 Local liaison committees provide a good opportunity for applicants to present their proposals at an early stage and to clarify potential considerations. There are over 30 such committees within the County for various mineral and waste management operations. They offer a forum for discussion between operators, the Minerals Planning Authority and representatives from the community to ensure that local people are kept informed, air issues of concern and discuss solutions to any problems. The setting up of liaison committees for new sites will be encouraged where appropriate. Their success, however, depends upon the full and active co-operation of all parties involved.

5.50 Certain types and scales of mineral development will require Environmental Impact Assessment (EIA) and the submission with the application of an Environmental Statement (ES) detailing the results of the EIA. The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and Circular 02/99 set out the circumstances when planning applications require EIA. The information contained in an ES will be taken into account in determining the proposal. If applicants consider that their

proposals are likely to require EIA they should seek guidance at an early stage on the need for and scope of the EIA. All submitted planning applications will be screened and applicants advised if an ES is required, if not already submitted.

Policy MDC17: Information in Support of Planning Applications

Planning applications for minerals development will not be considered favourably unless they are supported by sufficient relevant supporting drawings, plans and information, including details where appropriate of the matters listed in Box 3.

Box 3 Information Required By The MPA In Support Of Planning Applications

Where appropriate, details should be provided of the following matters:

1. local geology, including the extent, quantity and quality of the mineral reserve;
2. need for the mineral and the markets to be served;
3. estimated output and time scale of the operations including restoration works;
4. measures to maximise the potential for re-use and recycling of materials;
5. anticipated employment levels;
6. present use, condition and ground levels of the site and its surroundings;
7. site layout, means of access, and the design and siting of buildings;
8. fixed and mobile plant and machinery to be used;
9. method of working including depths, direction and phasing;
10. depth and nature of topsoil, subsoil and overburden horizons;
11. stripping, storage and respreading of soils and overburden;
12. transport arrangements including the estimated volume, nature and routeing of traffic;
13. highway safety measures;

14.	likely sources of emissions of dust or any other form of pollution from the site and measures for minimisation;
15.	a noise assessment and proposals for mitigation;
16.	hours of operation;
17.	protection of local amenity and adjacent land-uses;
18.	provision of a Buffer Zone between the site and neighbouring sensitive areas;
19.	a landscape assessment and landscaping proposals including screening, landscaping works and site boundary treatments;
20.	an assessment of the ecological and geological impact of the proposed development and proposals for mitigation or compensation;
21.	an assessment of the impact of the proposed development on sites of biodiversity, geodiversity, landscape, historical and cultural heritage;
22.	an archaeological evaluation of the site and proposals for excavation, safeguarding and recording of archaeological remains;
23.	an assessment of the hydrological and hydrogeological impact of the proposed development and proposals for mitigation including a flood risk assessment and proposals for compensation, and site drainage details;
24.	measures for protecting public rights of way;
25.	measures to prevent new or increased risk to aviation from the proposed development;
26.	reclamation proposals including finished levels, depths and source of soils and landscaping; and measures to ensure future ground stability;
27.	infilling proposals, including the type and source of materials proposed;
28.	aftercare proposals;
29.	after-use and long term management proposals;
30.	any other measures in mitigation or compensation for the effects of the development;
31.	information necessary to un dertake an Appropriate Assessment for any development having an impact on the River Mease SAC.

Planning Conditions

5.51 Planning conditions are concerned with controlling and regulating the development of land to minimise its effects, enhance its quality, protect features of importance and in the case of minerals development ensure that satisfactory environmental standards are achieved even after extractive operations have ceased. They can enable development to proceed where it would otherwise be necessary to refuse planning permission. The power to impose conditions is very wide. Government advice in Circular 11/95, however, sets the following tests that conditions should meet: they should be necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects.

5.52 Following consultation with other relevant authorities, such as the Environment Agency, necessary planning conditions will be imposed on planning permission for minerals development. The types of matters that can expect to be covered by conditions are listed in Box 4. It is not necessarily an exhaustive list nor are all the matters relevant to every development.

Policy MDC18: Planning Conditions

In granting planning permission for minerals development, conditions will be attached to control the effect of the development on the environment and the local community. Matters to be covered by conditions may include those listed in Box 4 as appropriate to the development to be granted.

Box 4 Matters For Control By The Imposition Of Conditions

Where appropriate, the following matters will be controlled by conditions:

a) commencement and duration of the permission;

b) access and road safety;

c) hours of working;

d) working programme;

e) topsoil, subsoil and overburden handling;

f) production and outputs;

g) depth and area of working;

h) permitted development rights;

i) location, design, size and life of buildings, fixed plant and machinery;

j)	emissions of dust, smoke and fumes;
k)	site illumination;
l)	noise generation;
m)	blasting impacts;
n)	visual intrusion;
o)	screening and boundary treatments;
p)	the establishment of a Buffer Zone;
q)	management of on site waste materials;
r)	importation of waste materials;
s)	water environment including drainage and surface and groundwater resources;
t)	traffic and vehicle cleansing;
u)	archaeological interests and the protection of other historic sites or features;
v)	ecological interests;
w)	geological and geomorphological interests;
x)	landscape attributes;
y)	restoration form and programme of operations;
z)	aftercare provision;
aa)	after-use proposals;
bb)	provision of interim and alternative reclamation details;
cc)	subsidence and support;
dd)	bird management/control.

Minerals Review

5.53 To ensure that mineral sites continue to work under modern conditions which reflect sustainability aspirations and offer appropriate environmental protection, the MPA will continue to undertake all necessary review and updating procedures. Reviews will be carried out in accordance with the legislative requirements of the Planning and Compensation Act 1991 and the Environment Act 1995. In appropriate cases the serving of prohibition or suspension orders will be investigated as part of the review process.

5.54 The review of minerals permissions provides an opportunity for the MPA to ensure that existing mineral operations do not have an unacceptable adverse impact on the environment, through the duty to review and impose new conditions on existing old planning permissions. Subject to certain legal provisions, the review determination process is conducted in a similar way to the

processing of a planning application, and may be subject to Environmental Impact Assessment in the same way as a planning application. However, review submissions cannot be refused, and compensation liabilities can arise if asset values or working rights are unreasonably affected. Applicants submitting review schemes should have regard to the requirements of policies contained in the Core Strategy and Development Control Policies, and ensure that all the environmental issues are satisfactorily addressed.

Planning Obligations

5.55 Where the use of planning conditions is not possible, it may be possible to make development proposals acceptable through the use of planning obligations. These are legal agreements usually entered into by a planning authority and any person with an interest in the development and the relevant land. Obligations can also be secured through unilateral undertakings by developers. Government advice in Circular 05/2005 is that there are three uses of planning obligations, the outcome of which should be that the proposed development is made to accord with published local, regional or national policies. These uses are to prescribe the nature of development; to compensate for loss or damage created by a development; or to mitigate a development's impact. The Circular advice also states that planning obligations should only be sought where they meet all of the following tests. These are that a planning obligation must be: relevant to planning; necessary to make the proposal acceptable in planning terms; directly related to the proposed development; fairly and reasonable related in scale and kind to the proposed development; and reasonable in all other aspects. The types of matters that can expect to be included in planning obligations are listed in Box 5. It is not necessarily an exhaustive list nor are all the matters relevant to every development.

Policy MDC19: Planning Obligations

Planning obligations will be sought where appropriate to achieve suitable control over and to mitigate and/or compensate for the effects of minerals development where such objectives cannot be achieved by planning conditions. Matters to be covered by such planning obligations may include those listed in Box 5 as appropriate to the proposed development.

Box 5 Matters To Be Considered For Inclusion In Planning Obligations
In circumstances appropriate to the proposed development the following matters may be covered by obligations:
a) revocation and consolidation of planning permission;
b) highways and access improvements;
c) traffic management measures including the regulation of lorry traffic;
d) provision and management of off-site or advance tree planting and screening;
e) extraction in advance of future development;
f) environmental enhancement and the delivery of Local Biodiversity Action Plan Targets;
g) protection of locally, regionally and nationally important sites;
h) provision of an alternative water supply should existing supplies be affected;
i) archaeological investigation, recording and keeping of artefacts and publication of results;
j) establishment of a liaison committee;
k) long-term site management pro vision to establish beneficial after-use;
l) improvement of the rights of way network;
m) financial guarantees to ensure restoration is undertaken;
n) measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of mineral development.

Monitoring and Enforcement

5.56 The MPA will carry out regular monitoring of all mineral sites to ensure that operations are being carried out in accordance with the requirements of all extant planning permissions and any planning obligations that are in force. Where aspects of the site operations also fall under the control of other agencies, monitoring and enforcement will be carried out jointly in appropriate cases.

5.57 Where breaches of planning control or unauthorised development occur, a resolution of the matter will normally be sought by discussion and negotiation in the first instance. The MPA will not hesitate however to initiate any action that is considered necessary, in order to provide a remedy to any relevant breach or to secure compliance with planning controls. For example, to prevent adverse effects being caused to the environment or amenity of local residents, or where an important feature or recognised interest is under threat of damage or destruction.

5.58 In undertaking its monitoring and enforcement duties the MPA will have regard to PPG18 Enforcing Planning Control, its adopted Monitoring and Enforcement Policy Statement (a copy of which can be viewed on the County Council's website at www.leics.gov.uk), and be guided by the advice contained in best practice documents.

Policies for the Reclamation of Mineral Sites

5.59 Government guidance on restoration, aftercare and after-use are contained in MPG7, alongside statutory definitions. These definitions are included in Box 6.

Box 6 Definitions relating to Mineral Working Reclamation

(i) Statutory definitions (Schedule 5 of the 1990 Act).

"Restoration condition"

A condition requiring that after operations for the winning and working of minerals have been completed, the site shall be restored by the use of any or all of the following: subsoil, topsoil and soil making materials.

"Aftercare condition" A condition requiring that such steps shall be taken as may be necessary to bring land to the required standard for whichever of the following uses is specified in the condition: a) use for agriculture; b) use for forestry; or c) use for amenity. The steps which may be specified in an aftercare condition or aftercare scheme, and hence which are included in the meaning of "aftercare", are "planting, cultivating, fertilising, watering, draining or otherwise treating the land".
(ii) Other definitions used in MPG7.
"Reclamation" is used to mean: Operations which are associated with the winning and working of minerals and which are designed to return the area to an acceptable environmental condition, whether for the resumption of the former land use or for a new use.
"After-use" is used to mean: The ultimate use after mineral working for agriculture, forestry, amenity (including nature conservation), industrial or other development.

5.60 When granting planning permission for mineral working, reclamation to an acceptable use will be required at the earliest opportunity. After reclamation has been completed, a programme of aftercare will be required. For long duration sites it may be appropriate to submit fully detailed reclamation and aftercare proposals when later stages of the development are reached, in the light of changing policies, techniques and operational experience. However, there is still a need to establish reclamation principles at the planning application stage. It is not acceptable for mineral working to result in dereliction. Where there is serious doubt about whether satisfactory reclamation can be achieved at a particular site, there must also be doubt whether permission for mineral working should be given.

Phasing

5.61 In order to facilitate the earliest possible reclamation and limit operational impacts, mineral workings should, where practicable, be subject to progressive extraction and reclamation. In appropriate cases the phased sequence of extraction and reclamation should be provided at the application stage. Where it is not possible to provide full details in advance, appropriate illustrative details should be provided initially, with detailed schemes being drawn up in advance of the commencement of working.

Soil Handling and Restoration

5.62 The effective reclamation of a mineral site will often depend upon the identification and proper management of soil resources, prior to and during extractive operations, as well as during the restoration and aftercare phases. To establish the quality and quantity of the soil resource the findings of a detailed survey will be required with the application details.

5.63 In order to achieve a suitable standard of restoration to agricultural or forestry uses, topsoil and subsoil in sufficient quantities are required. In cases where insufficient soils exist on site, the applicant will need to make provision to ensure that adequate soils or soil making materials are available to restore the site satisfactorily. Such provision could include the products from composting or recycling operations. The manner in which soil materials are handled is also a key element of successful restoration, and details of the management of soils, including storage methods, timing and means of soil movements, and machinery to be used will be required.

5.64 Separate stripping and storage of topsoils and subsoils will generally be required to ensure that reinstatement of the soil profile is completed correctly. Where possible the direct replacement of soils should be undertaken, to facilitate the restoration of previously worked areas of the site and prevent unnecessary damage to the soil structure. Soil storage mounds will be subject to controls relating to their positioning, dimensions, treatment and protection to ensure the soil quality is maintained.

Reclamation

5.65 Reclamation operations and works to secure the approved after-use may in some circumstances be subject to delay, so, to mitigate any environmental impacts and provide some certainty in such circumstances, measures to secure an interim reclamation scheme will generally be imposed. Also, where sites undertaking mineral extraction and/or reclamation works cease prematurely and the cessation is of a more permanent nature, a derelict landform may result. To safeguard against this the MPA will seek to impose controls to secure an alternative reclamation scheme. Where sites are inactive therefore for a period of at least 2 years, alternative reclamation proposals will normally be required to be submitted and implemented, following approval by the MPA.

5.66 It is government policy, as included in MPG7 Reclamation of Mineral Workings, that financial guarantees to ensure the reclamation of mineral workings should not normally be required, as the view is taken that this can be achieved by the imposition and enforcement where necessary, of planning conditions. An exception is in respect of coal, where government considers that a financial guarantee is a legitimate means for ensuring the reclamation of sites. Bonds will not normally be required however where the operator is underwritten by a mutual guarantee scheme.

Aftercare

5.67 For the initial years (usually a minimum five year period) following restoration of a site aftercare measures are required to ensure that the restoration is sustained and the site is returned to a beneficial use. These measures involve improving the structure, stability and nutrient value of soils, ensuring adequate drainage is available and securing the establishment and management of newly seeded and planted areas together with such other maintenance as may be necessary to bring the land back to its approved after-use.

Policy MDC20: Reclamation and Aftercare

Planning permission for minerals development will not be granted unless satisfactory provision has been made for the reclamation and after-use of the site and where necessary its long term management.

Reclamation plans should be submitted with the planning application and where appropriate include details of those matters that are set out in Box 7.

Box 7 Reclamation Matters For Inclusion In Planning Applications
In circumstances appropriate to the proposed development, submitted details should cover the following matters and be based on the findings of a site investigation:
a) the key landscape opportunities and constraints;
b) the site boundaries and areas allocated for soil and overburden storage;
c) an assessment of soil resources and their removal, handling and storage;
d) an assessment of the overburden to be removed and stored;
e) the type and depth of workings and information relating to the water table;
f) significant waste material locations and quantities of waste involved;
g) proposed infilling operations and sources of fill;
h) potential directions of working;
i) the need for additional screening taking account of degrees of visual exposure;

j) implementation of progressive reclamation;
k) a projected plan of contours and final levels of the site;
l) target restoration profiles for soil-making materials, subsoil and topsoil;
m) soil placement, relief of compaction and provision of surface features;
n) achievement of the landscape and landform objectives for the site;
o) the removal of all plant, buildings, structures, machinery, roads and hardstandings;
p) aftercare proposals for planting, cultivating, fertilising and other treatments;
q) site infrastructure including drainage proposals;
r) proposed after-uses and preferred character for the reclaimed landscape;
s) the means to maintain or enhance the long-term quality of the land and landscape;
t) proposals for nature conservation enhancement, including the potential for natural regeneration of these habitats, indicating how they fit with local strategies and LBAP targets;
u) provision of annual aftercare reports for monitoring progress of the establishment of the new use;
v) details which will ensure the future stability of the ground following restoration;
w) the contribution of the development to the County's Green Infrastructure.

After-use

5.68 Proposals for reclamation of mineral sites should be drawn up with the proposed after-use in mind. The choice of after-use may be influenced by a number of factors including the present characteristics of the site; the wishes of the landowner and requirements of any leases or covenants; planning policies and any appropriate strategies for the area (e.g. the County Landscape and Woodland Strategy, relevant Biodiversity Action Plans and the National Forest Strategy); the nature and scale of the mineral operations; available funding; and advice from other authorities.

5.69 It is important to ensure that the proposed after-use for a site once established is maintained in the longer term, particularly where it may not be self-financing such as with nature conservation. Where necessary planning obligations will be sought including appropriate

funding for the long term management of after-uses to ensure that an appropriate environmental standard is sustained.

5.70 Separate planning permission is likely to be required for any after-use except agriculture and forestry, uses which are included in the Town and Country Planning (General Permitted Development) Order 1995, and nature conservation and informal recreation which do not involve substantial public use. Any application for development on a current or disused mineral working site which would conflict with or prejudice compliance with a restoration and aftercare condition imposed in respect of the mineral working will be dealt with by the MPA. Where no such prejudice or conflict exists, the district planning authority is likely to be responsible for determining any planning application required to implement any non-mineral related development. Regard should be given to the relevant Local Development Framework in identifying whether a particular after-use is appropriate.

Policy MDC21: After-use

Proposals for the after-use of the site shall:

(i) take account of the pre-working character of the site and its landscape setting;

(ii) employ restoration techniques that can ensure the land is retained as a long-term agricultural resource, where it is proposed to restore the land to agricultural or forestry uses;

(iii) provide for the enhancement of the quality of the landscape, local environment or the setting of historic assets to the benefit to the local or wider community.

Policies for Other Mineral Developments

Aggregate Recycling Facilities

5.71 The Core Strategy supports the recycling of construction and demolition and minerals wastes. RSS Policy 36 states that LDFs should identify and where necessary safeguard sites suitable for facilities for the recycling, reprocessing and transfer of materials including construction and demolition wastes. Policies for the processing of construction and demolition waste, road planings and other wastes suitable for aggregate production will be contained in the Waste Development Framework. Existing mineral sites are potentially suitable locations for recycling facilities provided that they are close to the source of materials or have suitable transport links to urban areas.

Policy MDC22: Aggregate Recycling

Planning permission will be granted for aggregate recycling facilities and for development involving production of secondary and recycled aggregates at existing mineral sites provided that they are located close to the source of materials, have good infrastructure links and will not cause unacceptable harm to the environment or communities.

Associated Industrial Development

5.72 A limited range of development is permitted under the General Permitted Development Order (GPDO) 1995 without the prior approval of the MPA, although this may only be carried out on land that is used as a mine. It must be for purposes principally in connection with the winning and working of minerals from the mine, and includes the treatment, storage or removal of minerals and derived wastes. A wider range of development, including secondary industry is also permitted under the GPDO but subject to the prior approval of the MPA.

5.73 There may be benefits for certain industrial development directly associated with the processing of minerals to be located in close proximity to areas of mineral extraction, e.g. ready mixed concrete, concrete products and brick manufacture. Policy MDC23 deals with proposals for such industrial development that are beyond the scope of the GPDO. Such development will only be approved where it can be demonstrated that there are clear environmental benefits in providing a close link between the industrial activities and associated mineral operation. In particular, regard will be taken of environmental effects, transportation implications, visual amenity and proposed time scales. Where planning permission is granted, conditions will be imposed to ensure that minerals supplying the development are sourced principally from the adjacent extraction site and that, upon cessation of mineral extraction, the development will be removed and the site restored unless there are overriding reasons for its retention.

Policy MDC23: Associated Industrial Development

Proposals for ancillary industrial development within or in close proximity to mineral sites will be permitted provided that the proposal would not cause an unacceptable adverse impact; or it has been demonstrated that there are environmental benefits in providing a close link with the extraction site which outweigh the likely environmental impacts. Where permission is granted, the operation and retention of the development will be limited to the life of the permitted reserves.

Mineral Waste

5.74 Mineral extraction and processing can produce substantial amounts of waste. The Core Strategy encourages the re-use of these wastes. Re-use can help conserve mineral resources. In respect of sites for the disposal of mineral waste, the MPA, where applicable, will request details of the manner in which waste is to be deposited; soil stripping and storage; and the restoration and aftercare of the site.

5.75 In assessing remote sites for mineral waste disposal, regard for present and future uses of the land and adjoining areas will be taken into account, together with the practicalities of providing a beneficial use for the waste. In particular, the effects of the disposal on local environmental features, other adjacent sensitive land uses, and local communities will be assessed. The effects on any known mineral resources will also be considered in conjunction with the design and final treatment of the proposed disposal site. Any specific proposals for the disposal of mineral waste requiring planning permission will be treated as mineral development, and will be judged against all relevant policies in the Minerals Development Framework.

Policy MDC24: Disposal of Mineral Waste

Planning permission will only be granted for new sites for the disposal of mineral wastes where

(i) it is not feasible to retain the waste materials on the extraction site;

(ii) it can be demonstrated that the re-use of the material to be disposed of is not practicable;

(iii) proposals will not cause unacceptable harm to the environment or communities.

Policy MDC25: Reworking of mineral waste

Proposals for the reworking of mineral waste requiring planning permission will only be permitted where an environmental improvement results and where they will not cause unacceptable harm to the environment or communities.

Disposal of non-Mineral Waste

5.76 The importation of waste, especially bulk excavated earth, clay and soils, can be beneficial in the reclamation/restoration of mineral working sites, particularly sand and gravel sites. In assessing the need for non-mineral waste to be imported, the MPA will have regard to the restoration time-scales of the mineral site and any neighbouring sites that are reliant on imported fill materials, the need to achieve beneficial restoration and after-use of the site and the requirement to promote more sustainable forms of waste management such as recycling.

5.77 Mineral proposals which rely upon or include an element of fill importation will be addressed in accordance with the policies of the Waste Development Framework. Where longer-term landfilling is proposed it will also be necessary to demonstrate that the proposal accords with sustainable waste management aspirations included in the Waste Hierarchy, including the re-use of material that could otherwise contribute towards the assumed levels of secondary and recycled aggregates supply indicated in Government guidelines.

Borrow Pits

5.78 Borrow pits are temporary mineral workings sited adjacent to major construction projects, particularly new road schemes, and are used solely to supply aggregates for this purpose. Where possible, the

void created by the extraction can be used for the disposal of unsuitable and/or surplus materials arising from the project. In certain circumstances they can have advantages over established sites by reducing the impact of concentrated flows of heavy goods traffic on the public highway and meeting peaks of demand without disrupting supplies elsewhere. They may also assist in the sustainable use of minerals by conserving resources of higher quality aggregates through the use of locally sourced materials and thereby reducing the need to make additional provision.

5.79 Borrow pit proposals must demonstrate that a balance can be struck between the need for the mineral and the impact on the environment and any local communities, ensuring that adequate mitigation or compensation is provided for the effects of the proposed development. It will also be necessary to demonstrate that, in overall terms, the borrow pit would result in environmental benefits over alternative sources of supply.

Policy MDC26: Borrow Pits

Planning permission will only be granted for borrow pits to supply materials for major construction projects where:

(i) there is a need for a particular type of mineral which cannot reasonably be supplied from existing sites, including alternative materials, or where the transport of mineral to the construction project from existing sites would be seriously detrimental to the environment and local amenities because of the scale, location and timing of the operations;

(ii) the site is in close proximity to the proposed construction project it is to serve so that mineral can be transported to the point of use without leading to harmful conditions on a public highway;

(iii) the site can be restored to a satisfactory after-use without the need to import material other than that generated by the construction project itself and which can be brought to the site without leading to harmful conditions on a public highway;

(iv) the proposal will not cause unacceptable harm to the environment or communities.

Where planning permission is granted, conditions will be imposed to ensure that operations are time-limited and that all mineral extracted is used only for the specified project.

Mineral Exploration

5.80 The majority of mineral exploration activities are small-scale, temporary operations which give rise to minimal affects on adjacent land uses and the environment. Under the GPDO, the drilling of boreholes (except for oil and gas exploration), small-scale excavations and seismic surveys and related ancillary development are all permitted operations. Other exploration activities are not permitted by the GPDO and require a specific planning permission.

Policy MDC27: Mineral Exploration

Planning permission for mineral exploration will be granted provided that operations are only for a temporary period and that the proposal will not cause unacceptable harm to the environment or communities. Where planning permission is granted, conditions will be imposed to ensure that the site is restored to a satisfactory after-use.

Incidental Mineral Extraction

5.81 Occasionally mineral extraction can arise away from established sites, occurring as a secondary activity to other development proposals that involve excavations. These may include the creation of water bodies but could relate to major construction projects or the extraction of other minerals. Generally the recovery of such minerals accords with the sustainable objectives for mineral development through the efficient use of minerals and preventing unnecessary sterilisation, providing that their recovery can be achieved in an acceptable manner.

Policy MDC28: Incidental Mineral Extraction

Planning permission for mineral extraction that forms a subordinate and ancillary element of other development will be granted provided that operations are only for a temporary period and will not cause unacceptable harm to the environment or communities. Where planning permission is granted, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.

6. Monitoring and Implementation Framework

Implementation

6.1 Leicestershire County Council as the mineral planning authority will take the lead role in the implementation of the objectives and the policies of this development plan document in a variety of ways, including:

- determine planning applications in accordance with the Development Plan, government policy and guidance and other material considerations;
- attach conditions to planning permissions;
- seek legal agreements with developers where appropriate;
- enforce breaches of planning control as necessary;
- maintain a dialogue with the minerals industry and local communities through participation in local liaison committees and other means;
- liaise and co-operate with other departments within the Council and bodies such as the regional planning body, District and Borough Councils, Parish Councils, adjoining mineral planning authorities, the Environment Agency, Natural England, English Heritage, HSE, DEFRA, Highways Agency, and interest groups;
- work with the minerals industry and others to identify and develop suitable initiatives and sites;
- issue advice or supplementary planning documents if appropriate.

Monitoring

6.2 Developing a monitoring system is a key means of assessing the effectiveness of this development plan document and whether the spatial vision, and objectives are being delivered. It will aim to determine:

- whether policies and related targets or milestones have been met or progress is being made towards meeting them, or where they are not being met or on track to being achieved, the reasons why;
- what impact the policies are having in respect of national, regional and local policy targets and any other targets identified in the document;
- whether the policies, where adopted, need adjusting or replacing because they are not working as intended;
- if policies or proposals need changing, the actions needed to achieve this.

6.3 The conclusions are required to be set out in an annual monitoring report, and in order to be able to do this it is necessary to compile performance targets linked to output indicators, which provide a benchmark for measuring policy implementation. These are set out in the tables below. The timescale for measurement of the indicators (i.e. the target period) is the twelve months from 1st April to 31st March to coincide with that of the annual monitoring report, unless otherwise indicated. A review of the DPD would be carried out if and when it is no longer in general conformity with the RSS.

6.4 Care will be taken to co-ordinate monitoring activities with the regional planning body, other appropriate authorities and local initiatives to achieve an integrated approach to data collection, avoid duplication and reduce the burden of data provision.

MINERALS PROVISION	
Policy MCS1: Supply of Minerals **Policy MCS2**: Aggregate Minerals **Policy MCS3**: Brickclay **Policy MCS4**: Fireclay **Policy MCS5**: Gypsum **Policy MCS6**: Building and Roofing Stone **Policy MCS7**: Coal **Policy MCS8**: Oil and Gas **Policy MCS9**: New Energy Production Techniques **Policy MDC1**: Sustainable Mineral Development	
Objective 1: To make sufficient provision to meet national, regional and local requirements for all minerals, in particular the sub-regional apportionment requirements for aggregates provision.	
Indicator	**Target**
Number of planning applications for mineral extraction by mineral type.	Monitor only.
Production of primary land won aggregates.	Sales at agreed sub-regional apportionment levels.
Level of landbank (stock of planning permissions) for non-energy minerals.	Minimum landbank of 7 years for aggregate minerals. Appropriate landbank for other non-energy minerals.
Number of allocated sites granted planning permission.	Monitor only.
Number of planning permissions granted for minerals development outside allocated areas.	Monitor only.

RESOURCE MANAGEMENT	
Policy MCS10: Resource Management **Policy MDC8**: Safeguarding Mineral Resources **Policy MDC9**: Extraction in Advance of Surface Development **Policy MDC22**: Aggregate Recycling	
Objective 2: To attain the maximum possible usage of recycled and secondary materials in meeting recognised national and regional requirements. **Objective 3**: To safeguard mineral resources from unnecessary sterilisation. **Objective 4**: To encourage the most efficient use of high quality minerals and the minimisation of waste materials.	
Indicator	**Target**
Production of secondary/recycled aggregates.	Monitor only.
Number of new aggregate recycling facilities.	Monitor only.
Location of new aggregate recycling facilities.	All facilities at mineral sites to be located in accordance with the requirements of Policy MDC22.
Number of tem porary pe rmissions for recycling facilities.	Monitor only.
Number of applications where sterilisation of mineral reserves raised as an issue, and decision taken.	Monitor only.

ENVIRONMENTAL PROTECTION AND ENHANCEMENT	
Policy MCS11: Environmental Protection **Policy MCS12**: Strategic River Corridors **Policy MCS13**: Charnwood Forest **Policy MCS14**: National Forest **Policy MCS15**: Green Wedges **Policy MDC3**: Sites of National Historic Importance **Policy MDC4**: Sites of Regional and Local Importance **Policy MDC7**: Archaeology	
Objective 5: To protect people and local communities and the natural and built environment (particularly the River Mease Special Area of Conservation) from minerals development. **Objective 7**: To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of mineral development where possible. **Objective 9** : T o comple ment and support w ider stra tegies for the Minerals D evelopment Framew ork area includin g green infra structure projects a nd strateg ies su ch as the National Fo rest and Charnwood Forest Regional Park.	
Indicator	**Target**
Number of applica tions re fused due to adverse a menity or environmental effects.	Monitor only.
Number of sites where enforcement action taken due to adverse amenity or environmental effects.	Monitor only.
Number of applications refused due to impact on Green Wedges.	Monitor only.
Number of applications affecting Sites of Importance by type and the decision taken.	Monitor only.
Where p lanning permission is to be granted affe cting Site s of Importance pro vision of mea sures in mitigation or compensation.	No adverse effect on designated Sites of Importance – local, regional and national.
Provision of archaeological assessment and adequate safeguarding measures.	In all appropriate cases.

TRANSPORT	
Policy MCS16: Transportation of Minerals **Policy MDC14**: Transportation of Minerals **Policy MDC15**: Public Rights of Way **Policy MDC16**: Air Safeguarding	
Objective 5: To protect people and local communities and the natural and built environment (particularly the River Mease Special Area of Conservation) from minerals development. **Objective 6**: To encourage opportunities for sustainable means of transporting minerals other than by road. **Objective 7**: To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of mineral development where possible.	
Indicator	**Target**
Number of new sites granted with alternative means of transportation to road.	To improve from current levels over the MDF period.
Number of applications refused due to adverse impact on residential or unsuitable roads.	Monitor only.
Number of applications adversely affecting public rights of way without mitigation or compensation.	Zero.

RECLAMATION	
Policy MCS17: Reclamation and future use of mineral sites **Policy MDC20**: Restoration and Aftercare **Policy MDC21**: After-Use	
Objective 5: To protect people and local communities and the natural and built environment (particularly the River Mease Special Area of Conservation) from minerals development. **Objective 7**: To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of mineral development where possible. **Objective 8**: To ensure land is reclaimed at the earliest opportunity and that high quality restoration and aftercare takes place to an appropriate after-use that enhances and complements the natural and historic environment and that is in keeping with the local area, adding to local distinctiveness and biodiversity. **Objective 9** : T o comple ment and support w ider stra tegies for the Minerals D evelopment Framew ork area includin g green infra structure projects a nd strateg ies su ch as the National Fo rest and Charnwood Forest Regional Park.	
Indicator	**Target**
Number of sites wh ere enforcement action taken due to unsatisfactory restoration.	Monitor only.
Number of new sites with restoration proposals to priority after-uses.	50%.

AMENITY	
Policy MDC2: Sustainable Design **Policy MDC11**: The Water Environment **Policy MDC12**: Health and Amenity **Policy MDC13**: Cumulative Impact	
Objective 5: To protect people and local communities and the natural and built environment (particularly the River Mease Special Area of Conservation) from minerals development. **Objective 7**: To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of mineral development where possible.	
Indicator	**Target**
Number of applications refused due to adverse amenity or environmental effects.	Monitor only.
Number of sites where enforcement action taken due to adverse amenity or environmental effects.	Monitor only.
Number of planning permissions granted contrary to Environment Agency advice regarding protection of the water environment.	Zero.
Number of applications refused due to cumulative impact.	Monitor only.

COUNTRYSIDE	
Policy MDC5: Countryside **Policy MDC6**: Landscaping and Woodland **Policy MDC10**: Agricultural Land	
Objective 5: To protect people and local communities and the natural and built environment (particularly the River Mease Special Area of Conservation) from minerals development. **Objective 7**: To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of mineral development where possible. **Objective 9** : T o comple ment and support w ider stra tegies for the Minerals D evelopment Framew ork area includin g green infra structure projects a nd strateg ies su ch as the National Fo rest and Charnwood Forest Regional Park.	
Indicator	**Target**
Number of applications refused due to impact on Countryside.	Monitor only.
Number of applications refused due to impact on best and most versatile agricultural land.	Monitor only.
Areas of new landscaping and woodland planting.	New landscaping and/or woodland planting with all new permissions, where appropriate.

DEVELOPMENT CONTROL	
Policy MDC17: Information in Support of Planning Applications **Policy MDC18**: Planning Conditions **Policy MDC19**: Planning Obligations	
Objective 5: To protect people and local communities and the natural and built environment (particularly the River Mease Special Area of Conservation) from minerals development. **Objective 7**: To promote the delivery of measures for environmental, recreational, economic and community gain in mitigation or compensation for the effects of mineral development where possible. **Objective 8**: To ensure land is reclaimed at the earliest opportunity and that high quality restoration and aftercare takes place to an appropriate after-use that enhances and complements the natural and historic environment and that is in keeping with the local area, adding to local distinctiveness and biodiversity.	
Indicator	**Target**
Number of planning applications refused due to insufficient information.	Monitor only.
% of applications determined within BVPI targets.	100%.
Form of planning conditions.	To monitor effectiveness and review content as necessary.
Number of permissions subject to planning obligations and matters covered.	Monitor only.

ANCILLARY MINERAL DEVELOPMENTS	
Policy MDC23: Associated Industrial Development **Policy MDC24**: Disposal of Mineral Waste **Policy MDC25**: Reworking of Mineral Waste **Policy MDC26**: Borrow Pits **Policy MDC27**: Mineral Exploration **Policy MDC28**: Incidental Mineral Extraction	
Objective 5: To protect people and local communities and the natural and built environment (particularly the River Mease Special Area of Conservation) from minerals development.	
Indicator	**Target**
Number of planning permissions granted for developments dealt with by Policies MDC23-28; and the decision taken.	Monitor only.

6.5 To keep the MDF current, it will be subject to continual review and revised if necessary. The Annual Monitoring Report will be the key document used to identify any necessary changes. The type of revision adopted will be appropriate to the scale of change needed, and could range from a full revision through to a partial or minor revision. A complete review of the Core Strategy for example, would involve an entire re-appraisal of its content, including spatial visions, objectives and policies. The timing of full reviews of the Core Strategy will have regard to other policy cycles, including the RSS. Partial reviews will be identified in the Annual Monitoring Report when a policy or policies are failing, or a particular change in circumstance has arisen. Revisions of the Core Strategy could have implications for other mineral development documents, and these will be monitored accordingly.

7. Key Diagrams

Figure 1: Aggregates Spatial Map

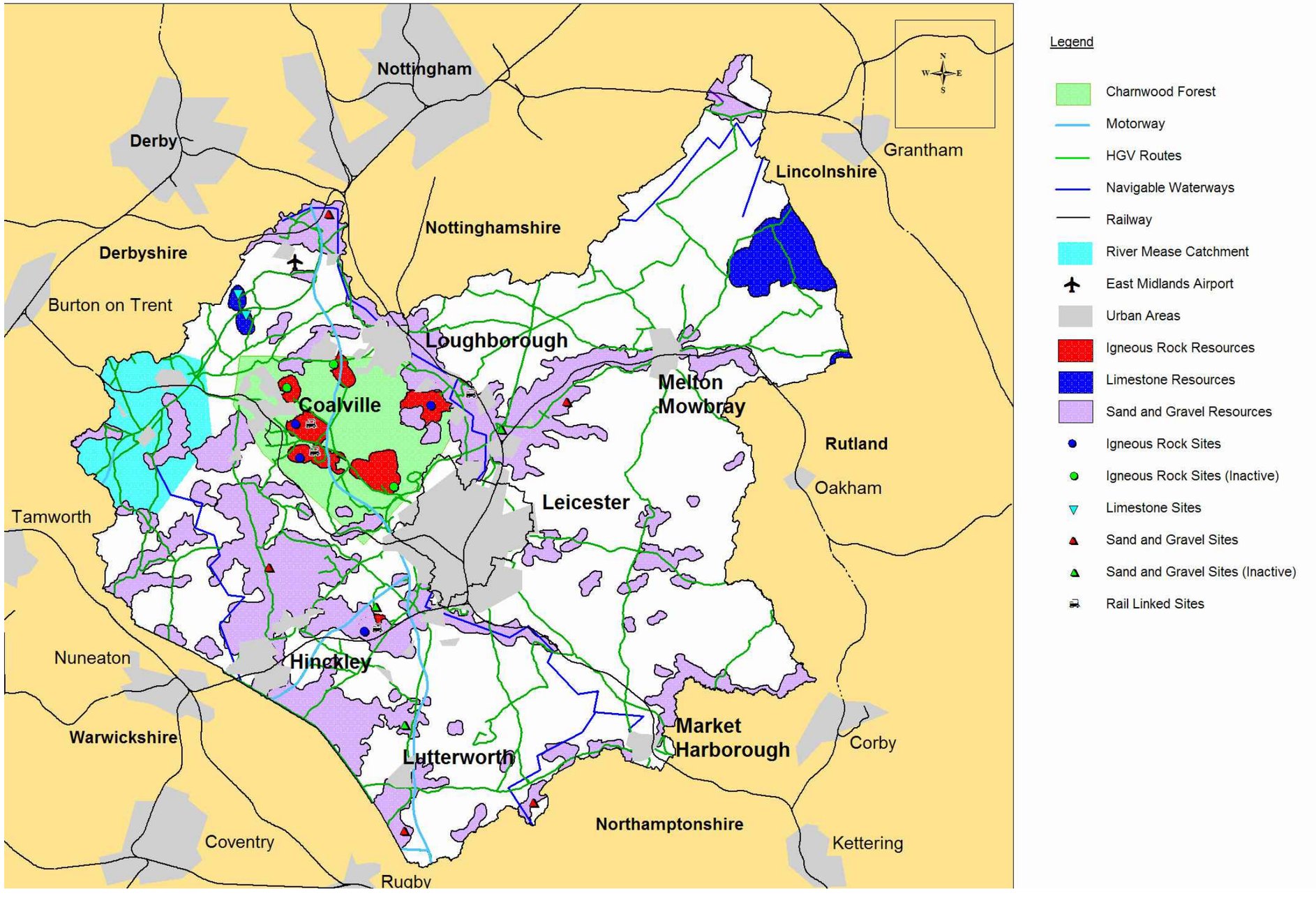


Figure 2: Other Construction Materials Spatial Map

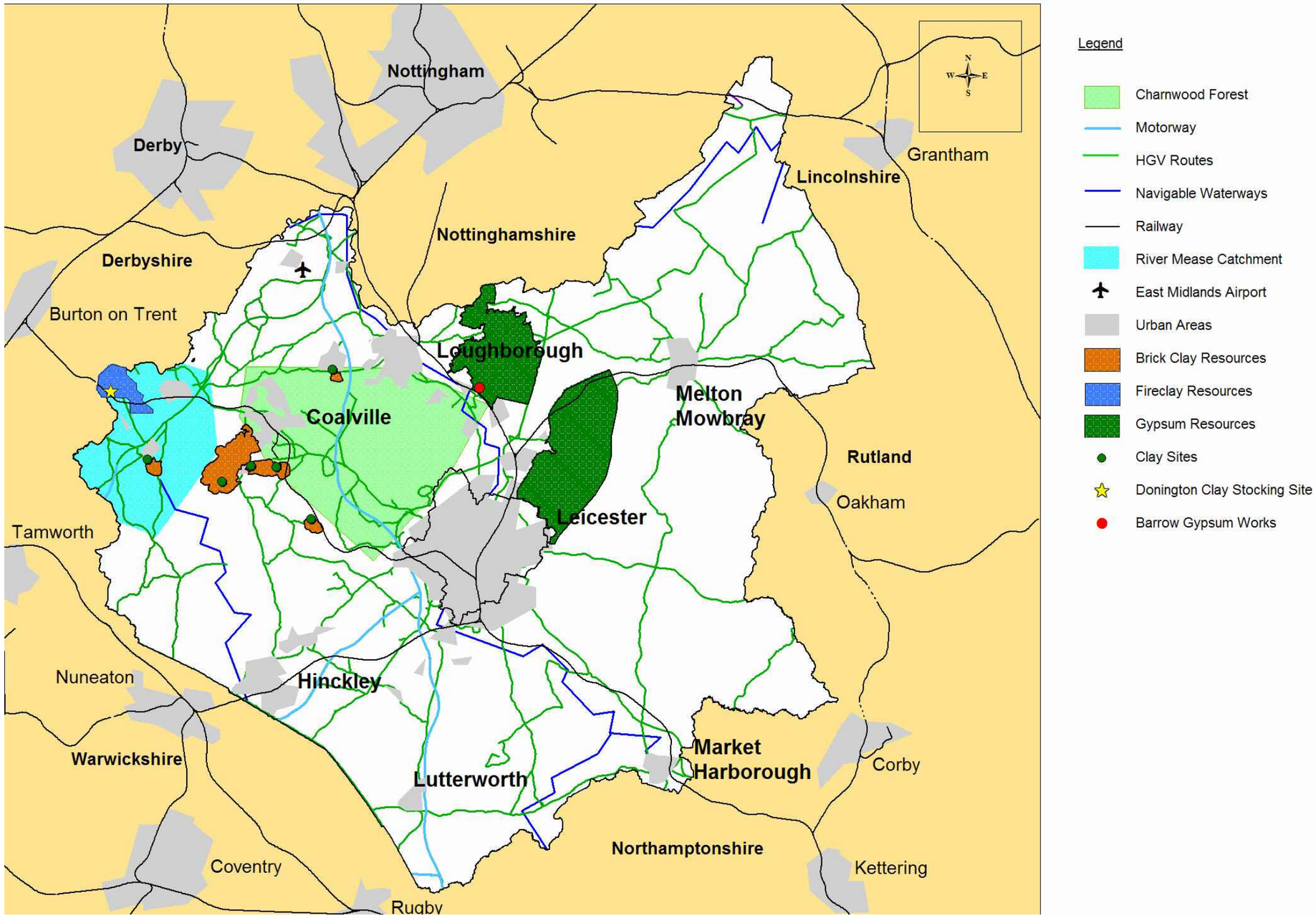
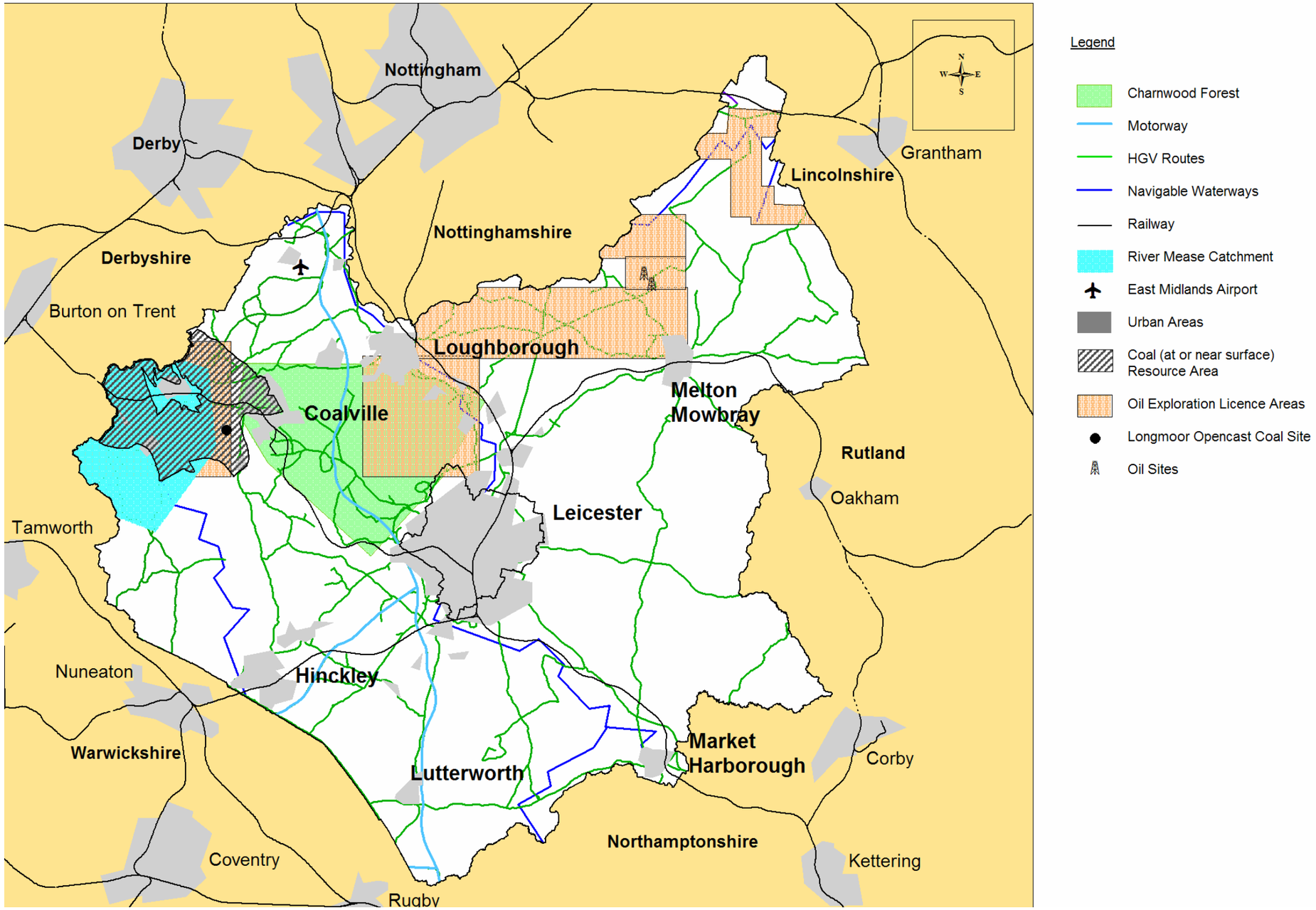


Figure 3: Energy Minerals Spatial Map



8. Appendices

Appendix 1: Glossary of Terms

The terminology used in this report (unless a definition is given within the report text) is summarised below:

Term	Definition
Abandoned Mine Methane	Clean coal technology and a potential long-term source of indigenous natural gas which can be extracted from underground mine workings which have not yet flooded.
Aftercare	The treatment of land for a period (usually five years) following restoration to bring the land to the required standard so that it is fit for its agreed after-use.
After-use	The use (normally for agriculture, forestry or amenity) that land is put to once restored following mineral working.
Aggregates	Materials such as sand and gravel and crushed rock used in the construction industry for purposes such as concrete and roadstone.
Ancient Woodland	An area of woodland which has had a continuous history of tree cover since at least 1600.
Ancillary Operations	Those activities associated with the winning and working of minerals, such as processing.
Apportionment	The County's share of Regional aggregate provision.
Aquifer	A water bearing geological formation.
Area of Search	A broad area within which some mineral extraction may be acceptable subject to detailed consideration.
Biodiversity Action Plan (BAP)	A strategy for conserving, restoring, enhancing and creating habitats of importance.
Borrow pit	A temporary mineral working to supply material for a specific construction project.
Crushing and screening	The processing of quarried stone (and inert waste materials) to produce a range of different sized saleable products.
Coal Bed Methane	Clean coal technology and a potential long-term source of indigenous natural gas which can be extracted from underground coal seams without impacting on the possibility of mining the coal in the future.

Term	Definition
Development Plan	Statutory documents produced under the Planning Acts that set out the planning policies and proposals for the operational development and use of land. Decisions on planning applications must conform to the development plan, unless material considerations indicate otherwise.
Development Plan Document (DPD)	A term introduced by the Planning and Compulsory Purchase Act 2004. These set out spatial planning policies and proposals for an area or topic. They replace the former Structure Plan and Local Plans and include the core strategy, detailed development control policies, site specific allocations of land, area action plans (where needed) and a proposals map, together with the Regional Spatial Strategy.
East Midlands Regional Assembly	A body comprising of representa tives from local authorities and oth er econ omic, environmental and social o rganisations. Respon sible fo r preparing the Regional Spatial Strategy.
Environment Agency	Regulatory Authority formed in 1996, combining the functions of the former National Rivers Authority, Waste Regulation Authorities and Her Majesty's Inspectorate of Pollution.
Environmental Impact Assessment	The process of assessing the e nvironmental impact of a development propo sal prio r to determ ining a plan ning application. It is a statuto ry requirem ent for ce rtain forms o f development, based on sca le, nature and location of the proposal.
Groundwater	Water within soil, sediments or rocks below the ground surface. Water contained within underground strata is referred to as an aquifer.
Hydrology	The pattern of water flows (including surface water) within an area.
Hydrogeology	The behaviour of groundwater through rocks and sediments.
Inert waste	Waste that does not undergo any significant physical, chemical or biological, transformations.
Landbank	A stock of mineral reserves with planning permission for their winning and working.
Local Planning Authority (LPA)	An organisation with statutory planning powers, the relevant Borough, District or Unitary Council.

Term	Definition
Mineral Consultation Area	An area identified in order to ensure consultation between the relevant LPA and the Mineral Planning Authority before certain non-mineral planning applications made within the area are determined.
Mineral Planning Authority (MPA)	An organisation with statutory planning powers relating to minerals development. In the case of the County of Leicestershire, these powers rest with the County Council.
LMLPR	Leicestershire Minerals Local Plan Review 1995. This is the current local plan adopted in May 1995. It contains detailed policies and guidance for making decisions on planning applications for minerals development in Leicestershire.
LMDF	Leicestershire Minerals Development Framework. This is a portfolio of documents which together will provide the spatial planning strategy for minerals development within Leicestershire. It will replace the LMLPR.
National Forest	This is a major new multi-purpose forest that is being established over 200 square miles of Leicestershire, Derbyshire and Staffordshire.
Opencast Working	A form of surface mining to win minerals.
Overburden	Material that overlays a mineral deposit which has to be excavated and either tipped or stockpiled to gain access to the underlying mineral.
PPG/MPG	Planning Policy Guidance Note/Mineral Policy Guidance Note. These set out Government planning guidance on specific topics.
PPS/MPS	Planning Policy Statement/Mineral Policy Statement. This is the new system of Government planning policy statements, which will replace PPGs over time.
Planning Conditions	Conditions attached to a planning permission for the purpose of regulating and controlling the development.
Primary Aggregates	Naturally occurring sand, gravel and crushed rock used for construction purposes.
Reclamation of mineral workings	The combined processes of Restoration and Aftercare following completion of mineral working.
Recycled Aggregates	Aggregates produced from recycled construction waste such as crushed concrete, planings from road surfacing etc.

Term	Definition
Regionally Important Geological Sites (RIGs)	Geological or geomorphological sites, excluding SSSIs, that are considered worthy of protection for their educational, research, historical or aesthetic importance.
Restoration	Operations designed to return an area to an acceptable environmental state, whether for the resumption of the former land use or for a new use following mineral working. Involves the reinstatement of land by contouring, the spreading of soils or soil making materials etc.
Scheduled Ancient Monuments	Nationally important monuments and archaeological areas that are protected under the Ancient Monuments and Archaeological Areas Act 1979.
Secondary Aggregates	By-product wastes e.g. power station ash and colliery spoil that can be used for low-grade aggregate purposes, either solely or when mixed with primary aggregates.
SINCs	Sites important for nature conservation at a local level.
Sites of Special Scientific Interest (SSSIs)	Sites that are notified and protected under the Wildlife and Countryside Act 1981 on account of their flora, fauna, geological or physiographical features.
Special Area of Conservation (SAC)	An SSSI considered being of international importance designated under the EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora.
Statement of Community Involvement (SCI)	A document that sets out the planning authority's intended consultation strategy for different elements of the planning process. This is a requirement brought in by the Planning and Compulsory Purchase Act 2004.
Sterilisation	When a change of use or the development of land prevents possible mineral exploitation in the foreseeable future.
Strategic Environmental Assessment (SEA)	An evaluation process for assessing the environmental impacts of plans and programmes. SEA is a statutory requirement introduced through an EU Directive.
Structure Plan	A statutory document setting out strategic planning policies usually at a County level, and providing a broad indication of where development should be located. These will be phased out as the new system of development frameworks is adopted.

Term	Definition
Supplementary Planning Document (SPD)	A document that expands on policies set out in a DPD or provides additional detail.
Sustainability Appraisal (SA)	An evaluation process for assessing the environmental, social, economic and other sustainability effects of plans and programmes. SA is a statutory requirement introduced by the 2004 Planning Act.
Underground Coal Gasification	A form of clean coal technology which can provide a source of indigenous natural gas which is produced when uneconomic underground sources of coal are ignited under pressure.

Appendix 2: Table showing the relationship between the policies in this document and the Minerals Local Plan.

Core Strategy Policies	Minerals Local Plan Policies
Policy MCS 1	Replacing Policy 17
Policy MCS 2	Replacing Policy 20
Policy MCS 3	Replacing Policy 21d
Policy MCS 4	Replacing Policies 19 & 22
Policy MCS 5	Replacing Policy 24
Policy MCS 6	New Policy
Policy MCS 7	New Policy
Policy MCS 8	Replacing Policy 25
Policy MCS 9	New Policy
Policy MCS 10	Replacing Policies 33 & 34
Policy MCS 11	Replacing Policy 3
Policy MCS 12	New Policy
Policy MCS 13	New Policy
Policy MCS 14	New Policy
Policy MCS 15	New Policy
Policy MCS 16	Replacing Policy4
Policy MCS 17	Replacing Policy 12 a-f
Policy MDC 1	New Policy
Policy MDC 2	New Policy
Policy MDC 3	Replacing Policy 3g
Policy MDC 4	Replacing Policy 3b,c,e,f,& k
Policy MDC 5	New Policy
Policy MDC 6	New Policy
Policy MDC 7	Replacing Policy 3g
Policy MDC 8	Replacing Policy 34
Policy MDC 9	Replacing Policy 34
Policy MDC 10	Replacing Policy 3a
Policy MDC 11	Replacing Policy 3d
Policy MDC 12	Replacing Policy 3i
Policy MDC 13	Replacing Policy 3j
Policy MDC 14	Replacing Policies 3h&i; & 4
Policy MDC 15	Replacing Policy 3l
Policy MDC 16	New Policy
Policy MDC 17	Replacing Policy 1

Policy MDC 18	Replacing Policies 5 & 11
Policy MDC 19	Replacing Policy 6
Policy MDC 20	Replacing Policy 1
Policy MDC 21	Replacing Policy 12 a-f
Policy MDC 22	New Policy
Policy MDC 23	Replacing Policy 32
Policy MDC 24	Replacing Policy 30
Policy MDC 25	New Policy
Policy MDC 26	Replacing Policy 27
Policy MDC 27	New Policy
Policy MDC 28	New Policy

If you require this information in another version e.g. large print, or an alternative language, please telephone 0116 305 7292 or email: planningcontrol@leics.gov.uk

જો આપ આ માહિતી આપની ભાષામાં સમજવામાં થોડી મદદ ઇચ્છતાં હો તો 0116 305 7292 નંબર પર ફોન કરશો અને અમે આપને મદદ કરવા વ્યવસ્થા કરીશું.

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਜਾਣਕਾਰੀ ਨੂੰ ਸਮਝਣ ਵਿਚ ਕੁਝ ਮਦਦ ਚਾਹੀਦੀ ਹੈ ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ 0116 305 7292 ਨੰਬਰ ਤੇ ਫ਼ੋਨ ਕਰੋ ਅਤੇ ਅਸੀਂ ਤੁਹਾਡੀ ਮਦਦ ਲਈ ਕਿਸੇ ਦਾ ਪ੍ਰਬੰਧ ਕਰ ਦਵਾਂਗੇ।

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