

# **LEICESTERSHIRE MINERALS AND WASTE LOCAL PLAN**

*(PRE-SUBMISSION DRAFT)*

## **CONSULTATION STATEMENT**

**2016**

# **CONTENTS**

**1. Introduction**

**2. Consultation Document**

**3. Consultation Approach**

**4. Consultees**

**5. Responses Received and Actions Taken**

**APPENDIX 1: Detailed List of Consultees**

**APPENDIX 2: Consultation Letter for Draft Minerals and Waste Local Plan 2015**

**APPENDIX 3: Comments received on Draft Minerals and Waste Local Plan 2015 and Council's Responses**

## **1. Introduction**

- 1.1 This consultation statement supports the 'Pre-Submission' draft of the Leicestershire Minerals and Waste Local Plan, which has been prepared and published pursuant to regulation 19 of the Town & Country Planning (Local Planning) (England) Regulations 2012.
- 1.2 This statement provides a summary of the previous stage of consultation that took place between 3<sup>rd</sup> July 2015 and 28<sup>th</sup> August 2015 on the Consultation Draft Plan, including comments received, the County Council's responses, and how this has informed the preparation of the Pre-Submission document.
- 1.3 The consultation on the Consultation Draft Plan was a non-statutory stage intended to build on earlier consultation and engagement with stakeholders, nevertheless it was carried out in accordance with the requirements of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.4 An earlier stage of consultation and engagement for the Minerals and Waste Local Plan involved consultation on an Issues document between November 2013 and January 2014, details of which are contained in the Consultation Statement 2015 available on the County Council's website at [www.leics.gov.uk/minerals\\_and\\_waste\\_local\\_plan](http://www.leics.gov.uk/minerals_and_waste_local_plan).

## **2. Consultation Document**

- 2.1 The Consultation Draft document included the proposed spatial vision, strategic objectives, and core policies which set out the key principles to guide the future winning and working of minerals and the form of waste management development in the County of Leicestershire over the period to the end of 2031. The document was designed to provide the minerals and waste 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 waste facilities, and how they would be controlled.
- 2.2 The Consultation Draft document built on the previous stage of consultation and engagement. It was not statutorily required under planning regulations however, it was considered important to consult the community and key stakeholders on a draft document, including a full suite of draft policies, prior to moving towards the formal submission of the document.

## **3. Consultation Approach**

- 3.1 Although it was a non-statutory stage, consultation was carried out in accordance with the requirements of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and followed the principles set out in the Statement of Community Involvement (March 2015).

- 3.2 The consultation specifically included the following:
- written communication (by e-mail or letter) to consultees informing them of the consultation and how to access the associated documentation (see Appendix 2);
  - electronic copies of the consultation document, along with all supporting documents (including response forms), made available to view and download from the County Council website;
  - publicising the consultation by means of an advertisement placed in local newspapers.

#### **4. Consultees**

- 4.1 The County Council notified the relevant 'specific' and 'general' consultation bodies as required under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. It also notified all consultees who had made comments on the previous stage of the Plan. Appendix 1 contains a list of all the bodies that were consulted.
- 4.2 Further detailed consultation and correspondence was also undertaken with a number of organisations in accordance with the Duty to Cooperate. Associated details are included in the Duty to Cooperate Statement 2016 that has been prepared to accompany the Pre-Submission draft Plan.

#### **5. Responses Received and Actions Taken**

- 5.1 A total of 35 written responses to the Consultation Draft Plan were received (excluding internal responses). These comprised 14 from councils (including 4 from Leicestershire District Councils and 5 from Leicestershire parish/town councils), 7 from the minerals/waste industry, 5 from statutory consultees, 7 from interest groups, 1 from a utilities company and 1 on behalf of a landowner. Of these, 5 respondents had no comments to make and 2 respondents had no objections to the consultation draft MWLP. A list of those who responded is set out in Table 1 below.
- 5.2 The total number of comments (including internal responses) was 361. The following aspects of the plan received the most comments: restoration (43); allocations for sand and gravel extraction (38); biodiversity/geodiversity (20); strategic objectives (19); local environmental protection (14); and strategic waste sites (12).
- 5.3 A total of 74 supportive comments were received. The areas with the most supportive comments were: strategic objectives - 6; Policies DM12 (restoration) - 5; M11 (mineral safeguarding) and DM10 (rights of way) - 4 each; and Policies M2 (sand and gravel allocations), M4 (crushed rock), M8 (building stone), W5 (locating waste), and DM1 (sustainable development) - 3 each.
- 5.4 The following aspects had the most responses objecting to them or seeking some change: DM12 (restoration) - 13; strategic objectives - 10; spatial characteristics and DM7 (biodiversity) - 7 each; M2 (sand and

gravel sites) – 7; M10 (oil and gas), DM3 (strategic green infrastructure) and DM5 (landscaping and countryside) – 5 each.

5.5 Full details of all comments received and the County Council's responses to those comments (including where changes to the document were, or were not, considered appropriate) are provided in document order in Appendix 3.

5.6 All comments received were considered by the County Council during preparation of the Pre-Submission draft of the Minerals and Waste Local Plan, and changes made to the document where considered appropriate.

**Table 1: Respondents to the Consultation Draft Plan**

<b>Parish/Town Councils/ Meetings</b>	<b>Other Councils</b>	<b>Industry</b>	<b>Public Bodies</b>	<b>Other</b>
Braunstone TC	Erewash BC	Biffa	Coal Authority	Charnwood Green Party
Bottesford PC	Harborough DC	Breedon Aggregates	Environment Agency	Freeby Estate
Carlton PC	Hinckley & Bosworth BC	Coalpro	Historic England	Hinckley & Bosworth Green Party
Shawell PM	Northants CC	Mick George	National Grid	Leics. Bridleways Assoc. & British Horse Society
Shepshed TC	N.W.L.D.C.	MQP	Natural England	Leics. Local Access Forum
	Notts. CC	New Earth Solutions	Office of Road & Rail	National Farmers Union
	Oadby & Wigston DC	Tarmac		National Forest Company
	Rugby BC			Ramblers Association
	South Derbyshire DC			

**Table 2: Consultees on proposed future areas for sand and gravel extraction September 2015 and date of any response**

<b>Consultee</b>	<b>Date of Response</b>
Archaeology	12/10/15
Cadeby Parish Council	
Cotesbach Parish Council	
East Midlands Airport	
Ecology	
Environment Agency	29/10/15
Freeby Parish Council	
Harborough District Council	
Heritage	
Highway Authority	01/10/15
Highways England	23/10/15
Hinckley & Bosworth Borough Council	26/10/15
Historic England	21/10/15
Husbands Bosworth Parish Council	
Kegworth Parish Council	
Kimcote & Walton Parish Council	
Knaptoft Parish Meeting	
Local Lead Flood Authority	
Lockington-Hemington Parish Council	
Melton Borough Council	
Natural England	27/10/15
North Kilworth Parish Council	
North West Leicestershire District Council	30/10/15
Peckleton Parish Council	
Severn Trent Water	
Shawell Parish Meeting	26/10/15

# **Appendix 1 – Detailed List of Consultees**

## ***Local Government***

### ***Leicestershire Local Planning Authorities***

Blaby District Council  
Charnwood Borough Council  
Harborough District Council  
Hinckley & Bosworth Borough Council  
Melton Borough Council  
North West Leicestershire District Council  
Oadby and Wigston Borough Council

### ***Leicestershire Parishes***

#### **Blaby District**

Aston Flamville Parish Meeting  
Blaby Parish Council  
Braunstone Town Council  
Cosby Parish Council  
Countesthorpe Parish Council  
Croft Parish Council  
Elmesthorpe Parish Council  
Enderby Parish Council  
Glen Parva Parish Council  
Glenfield Parish Council  
Huncote Parish Council  
Kilby Parish Council  
Kirby Muxloe Parish Council  
Leicester Forest East Parish Council  
Leicester Forest West Parish Meeting  
Lubbesthorpe Parish Meeting  
Narborough and Littlethorpe Parish Council  
Potters Marston Parish Meeting  
Sapcote Parish Council  
Sharnford Parish Council  
Stoney Stanton Parish Council  
Thurlaston Parish Council  
Whetstone Parish Council  
Wigston Parva Parish Meeting

#### **Charnwood Borough**

Anstey Parish Council  
Barkby and Barkby Thorpe Parish Meeting  
Barrow upon Soar Parish Council  
Beeby Parish Council  
Birstall Parish Council  
Burton on the Wolds, Cotes and Prestwold Parish Council  
Cossington Parish Council  
East Goscote Parish Council  
Hathern Parish Council  
Hoton Parish Council  
Mountsorrel Parish Council  
Newtown Linford Parish Council  
Queniborough Parish Council  
Quorn Parish Council  
Ratcliffe on the Wreake Parish Council  
Rearsby Parish Council  
Rothley Parish Council  
Seagrave Parish Council  
Shepshed Town Council  
Sileby Parish Council  
South Croxton Parish Council  
Swithland Parish Meeting  
Syston Town Council  
Thrussington Parish Council  
Thurcaston and Cropston Parish Council  
Thurmaston Parish Council  
Ulverscroft Parish Meeting  
Walton on the Wolds Parish Council  
Wanlip Parish Meeting  
Woodhouse Parish Council  
Wymeswold Parish Council

#### **Harborough District**

Allextton Parish Meeting  
Arnesby Parish Council  
Ashby Magna Parish Council  
Ashby Parva Parish Meeting  
Knaptoft Parish Meeting  
Laughton Parish Meeting  
Leire Parish Council  
Little Stretton Parish Meeting

Billesdon Parish Council  
Bitteswell Parish Council  
Blaston Parish Meeting  
Bringham, Drayton & Nevill Holt Parish Meeting  
Broughton Astley Parish Council  
Bruntingthorpe Parish Council  
Burton Overy Parish Council  
Carlton Curlieu Parish Meeting  
Cathorpe Parish Meeting  
Claybrooke Magna Parish Council  
Claybrooke Parva Parish Council  
Cotesbach Parish Council  
Cranoe Parish Meeting  
Dunton Bassett Parish Council  
East Langton Parish Council  
East Norton Parish Meeting  
Fleckney Parish Council  
Foxton Parish Council  
Frisby Parish Meeting  
Frolesworth Parish Meeting  
Gaulby Parish Meeting  
Gilmorton Parish Council  
Glooston Parish Meeting  
Goadby Parish Meeting  
Great Bowden Parish Council  
Great Easton Parish Council  
Great Glen Parish Council  
Hallaton Parish Council  
Horninghold Parish Meeting  
Houghton on the Hill Parish Council  
Hungarton Parish Council  
Husbands Bosworth Parish Council  
Illston on the Hill Parish Council  
Keyham Parish Meeting  
Kibworth Beauchamp Parish Council  
Kibworth Harcourt Parish Council  
Kimcote and Walton Parish Council  
Kings Norton Parish Meeting

Loddington and Launde Parish Meeting  
Lovesby and Cold Newton Parish Meeting  
Lubenham Parish Council  
Lutterworth Parish Council  
Marefield Parish Meeting  
Medbourne Parish Council  
Misterton with Walcote Parish Council  
Mowsley Parish Meeting  
North Kilworth Parish Council  
Noseley Parish Meeting  
Owston and Newbold Parish Meeting  
Peatling Magna Parish Meeting  
Peatling Parva Parish Meeting  
Rolleston Parish Meeting  
Saddington Parish Meeting  
Scraptoft Parish Council  
Shawell Parish Council  
Shearsby Parish Council  
Skeffington Parish Meeting  
Slawston Parish Meeting  
Smeeton Westerby Parish Council  
South Kilworth Parish Council  
Stockerston Parish Meeting  
Stoughton Parish Council  
Swinford Parish Council  
Theddingworth Parish Council  
Thorpe Langton Parish Meeting  
Thurnby and Bushby Parish Council  
Tilton on the Hill and Halstead Parish Council  
Tugby and Keythorpe Parish Council  
Tur Langton Parish Council  
Ullesthorpe Parish Council  
Welham Parish Meeting  
West Langton Parish Meeting  
Westrill and Starmore Parish Meeting  
Willoughby Waterleys Parish Council  
Wistow and Newton Parish Meeting

## **Hinckley & Bosworth Borough**

Bagworth & Thornton Parish Council  
Barlestone Parish Council  
Barwell Parish Council  
Burbage Parish Council  
Cadeby Parish Council  
Carlton Parish Council  
Desford Parish Council  
Earl Shilton Town Council  
Groby Parish Council  
Higham on the Hill Parish Council  
Market Bosworth Parish Council  
Markfield Parish Council

Nailstone Parish Council  
Newbold Verdon Parish Council  
Osbaston Parish Council  
Peckleton Parish Council  
Ratby Parish Council  
Shackerstone Parish Council  
Sheepy Parish Council  
Stanton under Bardon Parish Council  
Stoke Golding Parish Council  
Sutton Cheney Parish Council  
Twycross Parish Council  
Witherley Parish Council



## **Melton Borough**

Ab Kettleby Parish Council  
Asfordby Parish Council  
Barkeston, Plungar and Redmile Parish Council  
Belvoir Parish Council  
Bottesford Parish Council  
Broughton and Old Dalby Parish Council  
Buckminster Parish Council  
Burton and Dalby Parish Council  
Clawson, Hose and Harby Parish Council  
Croxton Kerrial and Branston Parish Council  
Eaton Parish Council  
Freeby Parish Council  
Frisby on the Wreake Parish Council

Gaddesby Parish Council  
Garthorpe Parish Council  
Grimston, Saxelbye and Shoby Parish Council  
Hoby, Rotherby, Ragdale and Brooksby Parish Council  
Kirby Bellars Parish Council  
Knossington and Cold Overton Parish Council  
Scalford Parish Council  
Somerby Parish Council  
Sproxton Parish Council  
Stathern Parish Council  
Twyford and Thorpe Satchville Parish Council  
Waltham on the Wolds and Thorpe Arnold Parish Council  
Wymondham Parish Council

## **North West Leicestershire District**

Appleby Magna Parish Council  
Ashby de la Zouch Town Council  
Ashby Woulds Town Council  
Belton Parish Council  
Breedon on the Hill Parish Council  
Castle Donington Parish Council  
Charley Parish Council  
Chilcote Parish Meeting  
Coleorton Parish Council  
Ellistown and Battleflat Parish Council  
Heather Parish Council  
Hugglescote and Donington le Heath Parish Council  
Ibstock Parish Council  
Isley cum Langley Parish Meeting  
Kegworth Parish Council

Lockington-Hemington Parish Council  
Long Whatton and Diseworth Parish Council  
Measham Parish Council  
Normanton le Heath Parish Meeting  
Oakthorpe, Donisthorpe and Acresford Parish Council  
Osgathorpe Parish Council  
Packington Parish Council  
Ravenstone and Snibston Parish Council  
Snarestone Parish Council  
Staunton Harold Parish Meeting  
Stretton en le Field Parish Meeting  
Swannington Parish Council  
Sweepstone Parish Council  
Whitwick Parish Council  
Worthington Parish Council

## ***Adjoining Planning Authorities***

Corby District Council  
Daventry District Council  
Derbyshire County Council  
East Northamptonshire District Council  
East Staffordshire Borough Council  
Erewash Borough Council  
Kettering Borough Council  
Leicester City Council  
Lichfield District Council  
Lincolnshire County Council  
Newark and Sherwood District Council

Northamptonshire County Council  
North Warwickshire Borough Council  
Nottinghamshire County Council  
Nuneaton and Bedworth Borough Council  
Rugby Borough Council  
Rushcliffe Borough Council  
Rutland County Council  
South Derbyshire District Council  
South Kesteven District Council  
Staffordshire County Council  
Warwickshire County Council

## ***Adjoining Parishes***

### **Derbyshire**

Aston on Trent Parish Council  
Breaston Parish Council  
Castle Gresley Parish Council  
Draycott and Church Wilne Parish Council  
Elvaston Parish Council  
Hartshorne Parish Council  
Linton Parish Council  
Lullington Parish Meeting  
Melbourne Parish Council  
Netherseal Parish Council

Overseal Parish Council  
Rosliston Parish Council  
Sawley Parish Council  
Shardlow and Great Wilne Parish Council

Smisby Parish Council  
Stanton by Bridge Parish Meeting  
Ticknall Parish Council  
Weston on Trent Parish Council  
Woodville Parish Council

### **Lincolnshire**

Allington Parish Council  
Colsterworth, Gunby and Stainby Parish Council  
Denton Parish Council  
Long Bennington Parish Council  
Sedgebrook Parish Council  
Skellingthorpe Parish Council

Skillington Parish Council  
South Witham Parish Council

Stoke Rochford and Easton Parish Council  
Woolsthorpe by Belvoir Parish Council  
Wyville cum Hungerton Parish Council

### **Northamptonshire**

Ashley Parish Council  
Brampton Ash Parish Council  
Braybrooke Parish Council  
Clay Coton Parish Meeting  
Clipston Parish Council  
Cottingham Parish Council  
Dingley Parish Council  
East Carlton Parish Council  
East Farndon Parish Council  
Great Oxendon Parish Council  
Gretton Parish Council

Lilbourne Parish Council  
Marston Trussell Parish Meeting  
Middleton Parish Council  
Rockingham Parish Meeting  
Sibbertoft Parish Council  
Stanford on Avon Parish Meeting  
Sulby Parish Meeting  
Sutton Bassett Parish Meeting  
Welford Parish Council  
Weston by Welland Parish Council  
Wilbarston Parish Council

### **Nottinghamshire**

Alverton and Kilvington Parish Meeting  
Colston Bassett Parish Council  
Costock Parish Council  
East Leake Parish Council  
Elton on the Hill Parish Meeting  
Flawborough Parish Meeting  
Gotham Parish Council  
Granby cum Sutton Parish Council  
Hickling Parish Council  
Kingston on Soar Parish Council  
Kinoulton Parish Council  
Langar cum Barnestone Parish Council  
Normanton on Soar Parish Council

Orston Parish Council  
Ratcliffe on Soar Parish Meeting  
Rempstone Parish Council  
Stanford on Soar Parish Council  
West Leake Parish Council  
Upper Broughton Parish Council  
Staunton Parish Meeting  
Sutton Bonington Parish Council  
Thrumpton Parish Meeting  
Whatton in the Vale Parish Council  
Widmerpool Parish Council  
Willoughby on the Wolds Parish Council  
Wysall and Thorpe in the Glebe Parish Council

## **Rutland**

Ashwell Parish Council  
Barrow Parish Meeting  
Barleythorpe Parish Meeting  
Belton in Rutland Parish Council  
Braunston in Rutland Parish Council  
Brooke Parish Meeting  
Caldecott Parish Council  
Greetham Parish Council  
Langham Parish Council  
Lyddington Parish Council

Market Overton Parish Council  
Oakham Town Council  
Ridlington Parish Council  
Stoke Dry Parish Meeting  
Stretton Parish Council  
  
Teigh Parish Meeting  
Thisleton Parish Meeting  
Uppingham Town Council  
Wardley Parish Meeting  
Whissendine Parish Council

## **Staffordshire**

Clifton Campville with Thorpe Constantine Parish Council

## **Warwickshire**

Atherstone Town Council  
Austrey Parish Council  
Bentley and Merevale Parish Council  
Burton Hastings Parish Council

Caldecote Parish Council  
Churchover Parish Council  
Clifton upon Dunsmore Parish Council  
Copston Magna Parish Council  
Grendon and Dordon Parish Council  
Harborough Magna Parish Council  
Hartshill Parish Council

Mancetter Parish Council  
Monks Kirby Parish Council  
Newton and Biggin Parish Council

Newton Regis, Seckington and No Man's Heath Parish Council  
Pailton Parish Council  
Polesworth Parish Council  
Stretton Baskerville Parish Council

Willey Parish Council  
Withybrook Parish Council  
Wolvey Parish Council  
Wibtoft Parish Council

## ***Other Waste Planning Authorities***

Birmingham City Council  
Bristol City Council  
Buckinghamshire County Council  
Cheshire West and Chester Council  
Coventry City Council  
Derby City Council  
Dudley Metropolitan Borough Council  
Essex County Council  
Kent County Council  
Knowsley Metropolitan Borough Council  
Lancashire County Council  
Leeds City Council  
Liverpool City Council  
London Borough of Bexley  
North Lincolnshire Council

Nottingham City Council  
Peterborough City Council  
Reading Borough Council  
Redcar and Cleveland Borough Council  
Rotherham Metropolitan Borough Council  
Sandwell Metropolitan Borough Council  
Sheffield City Council  
Stoke-on-Trent City Council  
Surrey County Council  
Tameside Metropolitan Borough Council  
Walsall Metropolitan Borough Council  
Warrington Borough Council  
Wolverhampton City Council  
Worcestershire County Council

## **Government Bodies, Organisations, and Departments**

### ***Statutory Consultees***

Civil Aviation Authority	Leicester and Leicestershire Economic Partnership
Coal Authority	Leicestershire Police and Crime Commissioner
English Heritage	Local Lead Flood Authority
Environment Agency	Local Nature Partnership
Health Protection Agency	Natural England
Highway Authority	Network Rail
Highways England	NHS (Leicestershire and Lincolnshire Area Team)
Homes & Communities Agency	Office of Rail Regulation

### ***Leicestershire County Council Consultees***

Archaeology, Ecology and Geology	Public Rights of Way
Chief Executive (Community Planning)	Waste Management
Green Infrastructure	

### ***Other Government Consultees***

British Geological Survey	Leicestershire Fire and Rescue Service
Department for Business, Innovation and Skills	Leicestershire Police
Department for Environment, Food and Rural Affairs	Leicestershire Together
Department of Energy and Climate Change	Loughborough University
Forestry Commission	Ministry of Defence
Health and Safety Executive	Sport England
Leicestershire & Rutland Association of Parish and Local Councils	

### ***Non Governmental Bodies***

#### ***Utilities***

Anglian Water	Severn Trent Water
British Telecommunications	Western Power Distribution
National Grid Company	

#### ***Industry***

1st Choice Skip Hire	Heaton Planning
A C Shropshire	Hillcrest Limited
A E Burgess	Hinckley Scrap Metals Ltd
Acorn Recycling	Holwell Works
Acresford S&G	Hughes Craven
Aggregate Industries	Hull & Sons
Air Products	Ibstock
ALP Ambrose	iGas
Andrew Caton	Intercare
Andrew Granger	J & A Young (Leicester) Ltd

Anthony Northcote Planning  
Architects Co-Partnership  
Arkwright Hill Farm  
Augean  
BAA  
Bakers Waste  
Barton Wilmore  
Beech Tree Farm, Sproxton  
Bellway Homes  
Berry Bros  
Biffa  
Biogen Greenfinch  
Bloor Homes  
Breedon Aggregates  
British Ceramic Confederation  
British Gypsum  
Browne Jacobson  
Bullimores  
C. Walton Ltd  
Cannon Hygiene  
Casepak  
Cemex  
Charis Consultancy  
Charles Brown & Son  
Charnwood Forest Brick  
CoalPro  
Colliers CRE  
Cosby Spinneys Farm  
David Jarvis  
David L Walker Limited  
De-Pack  
Dickerson Group  
Direct Car Spares  
DLP Planning Consultants  
DTZ Pieda Consulting  
E.W.Middleton & Sons  
East Midlands Aggregates Working  
Party  
East Midlands Metals  
Egdon Resources UK Ltd  
Enderby Metals  
Ensor Holdings  
Eurokey  
F P McCanns  
Fairhurst  
FCC Environmental  
Fisher German  
Flying Spares  
FOCSA  
Geoplan  
Gill Pawson  
Hanson  
Hanson Brick

J & F Powner  
J M Clarke (Welland Waste)  
J P & P Bailey (Wiggs Farm)  
J10 Planning  
JH Walter  
King West  
Kings Hill Cremations  
Labwaste  
Lafarge-Tarmac  
LSPS  
Marriott Hardcastle  
Mather Jamie  
Melton Waste Recyclers  
Merriman  
Mick George Limited  
Midland Quarry Products  
Midland Skip Hire  
Mineral Products Association  
Mineral Surveying Services  
Mr Lovatt, Sutton Lodge Farm  
New Earth Solutions  
Osiris  
Planters  
R S Properties  
Robert Doughty  
Roger Tym  
RPS Planning  
Savills  
Scott Wilson  
Silverdell  
SITA  
SLR  
Smith Stuart Reynolds  
Soars Lodge Farm (W.T.Clarke)  
Stephen Bowley Consultancy  
Strutt and Parker  
Tapton Estates  
  
Taylors Skip Hire  
Tom Toon & Daughters  
UK Coal  
Vellams Metals  
Veolia  
Wanlip S & G  
Wastecycle  
Wavin  
Wigston Car Breakers  
William Davis  
Williams Recycling  
Wimpey  
WYG Group

## ***Other Consultees***

Bowline Climbing Club	Loughborough Friends of the Earth
British Mountaineering Council	Michael Lambert
Campaign to Protect Rural England	Michael Lee
Canal and Rivers Trust	Mike Shearstone
County Land & Business Association	Mr S Leary
Coventry Airport	National Farmers Union
Design Council	National Federation of Builders
East Midlands Airport	National Forest Company
Fields in Trust	National Forest Charitable Trust
Friends of the Earth	Nature after Minerals
Freeby Estate	Nuneaton Friends of the Earth
Leicestershire Asian Business Association	Open Spaces Society
Leicestershire Bridleways	Philip Sullivan
Leicestershire Business Voice	Ramblers Association
Leicestershire Footpath Association	Royal Society for the Protection of Birds
Leicestershire Quarries Vision Project	Woodland Trust
Leicestershire Wildlife Trust	

## Appendix 2 – Consultation Letter

Date: 3<sup>rd</sup> July 2015  
My Ref: MWLP/20150703  
Your Ref:  
Contact: John Wright  
Phone: 0116 305 7041  
Fax: 0116 305 7353  
Email: [planningcontrol@leics.gov.uk](mailto:planningcontrol@leics.gov.uk)

Dear Sir/Madam,

### **CONSULTATION ON LEICESTERSHIRE MINERALS AND WASTE LOCAL PLAN**

The County Council has published a consultation draft Minerals and Waste Local Plan for Leicestershire. The draft Plan has been prepared following consultation on an Issues document between November 2013 and January 2014. The responses received on the Issues document have been used to inform the preparation of the latest document.

It is important to get involved at this stage. The consultation provides you with an opportunity to comment on draft policies and proposals related to the winning and working of minerals and waste management development in the County for the period to 2031. After consideration of any representations received on the draft Plan, work will start on the preparation of the pre-submission draft plan. There will then be a further opportunity to make representations on the Plan before it is formally submitted to the Government for an independent public examination.

The draft Plan and a response form can be viewed on the Council's website at [www.leics.gov.uk/minerals\\_and\\_waste\\_local\\_plan](http://www.leics.gov.uk/minerals_and_waste_local_plan) together with supporting evidence including the Sustainability Appraisal of the emerging policies and proposals.

I would be grateful to receive any comments you wish to make by **17:00 on 28<sup>th</sup> August 2015.**

Yours faithfully,



John Wright (Team Leader, Planning)

### Appendix 3 – Comments received on Draft Minerals and Waste Local Plan 2015 and Council’s Responses

Para/Policy No.	Respondent	Comments	LCC Response
GEN	Braunstone TC	Terms used in the document need to be clarified where there was a potential for misunderstanding/misinterpretation of the meaning; examples include: • Leicestershire – clarity should be given on whether this refers to the County Council administered area or did it include either Leicester City or Rutland (See strategic objective 2 on page 10); • Soar Valley – clarity should be given on whether this refers solely to the Soar Valley north of Leicester and South of Loughborough or whether it includes the Soar Valley to the south of Leicester city. REASON: Terms could be interpreted by different organisations and different people over the lifespan of the strategy, clarity avoids potential future loopholes and challenges.	Paragraph 1.6, Spatial Vision, Objectives 1, 2 & 5, and Policies W1, W2, and DM1 amended to make it clear that the plan relates to the County of Leicestershire. Unless otherwise stated, the Soar Valley relates to the whole of the Soar from south of Leicester to its confluence with the River Trent north of Loughborough.
GEN	Coalpro	Coalpro believes that the draft document is well written and adheres to the principles of the NPPF.	Noted
GEN	Erewash BC	No comments	Noted
GEN	HBBC	The Consultation Draft Local Plan clearly outlines that where required Environmental Impact Assessments will assess pollution matters and if not required then policies clearly require pollution matters to be assessed and this is supported.	Noted
GEN	H&B Green Party	We would support the proposals put forward by the Charnwood Green Party.	Noted. See responses to comments from Charnwood Green Party.
GEN	Notts CC	The County Council does not raise any objection on strategic planning policy grounds.	Noted
GEN	Oadby &	No comment	Noted



	Wigston DC		
GEN	Office of Road & Rail	No comment	Noted
GEN	Rugby BC	No comments	Noted
GEN	Shepshed TC	No comment	Noted
GEN	SDDC	No objections to the policies or allocations included in the Plan.	Noted
1.5	Biffa	We are pleased to note this paragraph recognises that, although the plan area will not include the City of Leicester as the currently adopted plan does, there will be a need for the County Council to co-operate with the City Council on issues that may affect matters across both areas. Leicester City is a highly populated area and produces significant quantities of waste. Biffa operate the municipal waste contract on behalf of the City Council, however there are also significant quantities of industrial and commercial waste requiring management, not all of which will be dealt with inside the City's boundary.	Noted
1.10	Northants CC	It might be useful to include reference to HRA Scoping Report /Assessment at start of document e.g. after discussion on SA/SEA.	Paragraph added as suggested regarding the HRA.
2.4	Leics.Local Access Forum	We would have thought that Glenfield had in excess of 10,000 or will have when new builds are occupied and some reference to Lubbesthorpe would be helpful in the long term given the number of residencies planned for that site.	Glenfield had a population of 9.643 in 2011. Lubbesthorpe, the SUE west of Leicester in Blaby, is referred to in Paragraph 2.7.
2.13	County Ecologist	Section is out of date. The current term used by Natural England is <b>National Character Areas</b> , and Leicestershire is covered by 12.	Paragraph amended as suggested.
2.14	Leics.Local Access Forum	We feel would better read – "The County has 4.3% woodland cover. Whilst there are no Areas of Outstanding Natural Beauty (AONBs) or National Parks within the County, the Charnwood Forest Regional Park encompasses a distinctive area of upland landscape, which is valued for its international geological importance, rich biodiversity, landscape beauty, historical importance and recreational role and which makes up the eastern end of the developing National Forest. Within the Park area Charnwood Lodge is a highly valued National Nature Reserve. The County also includes a range of	Paragraph changed as suggested.

		country parks.”	
2.15	County Ecologist	Figures are out-of-date. We have 1 SAC, 77 SSSIs, 16 LNRs and 2719 locally designated sites (potential, candidate and Local Wildlife Sites) in Leicestershire, as of August 2015.	Paragraph updated as suggested.
2.15	HNE Team	As well as the 17 geological SSSI there is a National Nature Reserve (NNR) because of the geological interest and there are 48 Locally Important Geological Sites.	Paragraph updated as suggested.
2.15	Natural England	We note the reference to designated sites within Leicestershire, including the 75 Sites of Special Scientific Interest (SSSIs), and the emphasis placed on the special status of the River Mease as a Special Area of Conservation.	Noted
2.16	County Archaeologist	Built Heritage <i>and Historic Landscape Scheduled Monuments</i> (delete 'Ancient') “Iron Age and Roman” <i>not</i> Roman and Iron Age “...such as the nationally significant palaeolithic remains in the gravel-filled channel of the former Bytham River, to Neolithic monuments such as the causeway camp at Husbands Bosworth and the county-wide scatter of later prehistoric and Roman settlements.” The County also possesses a rich historic landscape reflecting local character and traditions of agriculture and other land use.	Paragraph changed as suggested.
2.16	Historic England	The emphasis on Leicestershire’s rich built heritage is welcomed within paragraph 2.16.	Noted
2.18	Biffa	There is no mention of the Newhurst ERF facility. The site should be mentioned in this paragraph as part of the sustainable solution to waste management in the County.	Sentence added to refer to the ERF.
2.23	EA	We would advise the spatial vision incorporates the following additional wording: “...environment <i>with an emphasis on recreation and biodiversity provision.</i> ” This would tie nicely into the statements made in paragraph 2.22 which places a specific emphasis on recreation and biodiversity provision.	Disagree. It is not considered appropriate to given emphasis to particular aspects of the environment.
2.23	Freeby Estate	Support Spatial Vision.	Noted
2.23	Natural England	We acknowledge the commitment to protect and enhance the environment in the Council’s vision for the Minerals and Waste Local Plan.	Noted

2.23	New Earth Solutions	The Spatial Vision is supported.	Noted
2.23	Tarmac	We have concerns that the Minerals and Waste Planning Authority will be unable to meet the spatial vision.	Concerns about plan addressed separately below.
2.24	Braunstone TC	<u>Strategic Objective 1:</u> The words "national and local requirements" should be replaced with "local needs and central government requirements". REASON: the County should only be meeting local needs and statutory requirements, it should not put itself in the position where it has to meet national needs, particularly if other areas were not meeting these needs, if there was no statutory requirement.	Disagree. Some of the minerals extracted within the County are of national importance.
2.24	Biffa	<u>Strategic Objective 2:</u> This objective seeks to make sufficient provision for waste facilities in Leicestershire "with capacity equal to the waste generated within Leicestershire". It is appropriate to limit provision in disposal operations including landfill and incineration without energy recovery. However, we consider no such limit in capacity should be included for facilities such as recycling, composting and energy recovery that contribute to the achievement of sustainable waste management. These facilities should be encouraged without capacity constraints provided it can be demonstrated that they can be developed without unacceptable environmental effects.	Agree and hence Policy W1.
2.24	Biffa	<u>Strategic Objective 5:</u> The final strand of this objective should be modified from "recovery of waste" to "recovery of value from waste", for example through the generation of energy as electricity and/or heat.	Objective amended as suggested.
2.24	Charnwood Green Party	Co-operate with the efforts to protect strategic areas with Living Landscape schemes and the Local Wildlife Site network is not currently acknowledged in the Strategic Objectives. There is a foundation for this within the plan already as it acknowledges the value of the Charnwood Forest and Soar Valley in Paragraphs 2.13 & 5.32; this should be enhanced to better conserve biodiversity.	Objective 8 refers to the protection of the natural environment. The Plan has been amended to refer to the Living Landscape schemes and Local Wildlife sites, but it is not considered necessary to make specific reference to them in the

			objectives.
2.24	Charnwood Green Party	Properly reflect Strategic Objective 7 by introducing a new policy that will prevent the opening of hydraulic fracturing sites. This will avoid excessive carbon release and environmental damage.	Disagree. See comments on policy M10 below.
2.24	Coal Authority	<b>Support</b> –The Coal Authority supports Strategic Objective 6 relating to the safeguarding of mineral resources and Strategic Objective 9 relating to restoration.	Noted
2.24	Historic England	The use of our suggested wording within strategic objective 8 is welcomed.	Noted
2.24	County Ecologist	Mineral restoration is the most important opportunity for habitat creation in the county, and a potentially can have a significant impact on implementing our local BAP aims. I think the importance of this should be emphasised; it is underplayed in this paragraph and the phrase 'helps to' is weak. For <u>Strategic Objective 9</u> , I suggest: "... <del>helps to</del> provides a significant net gain in biodiversity and contributes to local BAP priorities, increases the ecosystem services provided,..."	Disagree. The contribution to habitat creation from the restoration of minerals and waste developments will not be significant in every instance.
2.24	EA	We would advise <u>objective 9</u> is reworded as follows to strengthen its emphasis on biodiversity gain and tie the objective more clearly into the Spatial Vision. "To ensure that land with a temporary use is subsequently restored, managed and maintained to an-after use of high quality at the earliest opportunity which respects the local area's character, <i>provides a significant net gain</i> in biodiversity, <i>increases the ecosystem services provided by a site</i> and allows greater public access whilst affording <i>greater</i> opportunities for recreational, economic and community gain in mitigation or compensation for the effects of development where possible." The words 'helps to' in the original text suggest to the reader that it's a nice thing to do rather than a requirement. Any minerals and waste policy should seek to ensure future development delivers a significant net gain to pre-existing biodiversity and the ecosystem services provided by the natural environment at that location.	Objective has been amended by removing 'helps to' but as above it is not accepted that the contribution from the restoration of minerals and waste developments will be significant in every case.
2.24	NFC	The NFC welcomes the reference to The National Forest within Strategic Objective 10. The Strategic Objectives form the foundation for the detailed	Noted

		<p>policies in the document and therefore this reference to the Forest gives strong support to the continuing need to create the Forest through minerals and waste planning, which is strongly welcomed.</p>	
2.24	Natural England	<p>We welcome the following Strategic Objectives: 7, 8, 9 &amp; 10.</p>	Noted
2.24	New Earth Solutions	<p><u>Strategic Objective 2:</u> New Earth is concerned that in planning for waste capacity equal to waste generation, the County Council has failed to understand the complexity of today's residual waste management industry. Unlike the bygone era of landfill, today's industry can involve multiple tiers of waste processing and refinement to extract greater value from waste material. By way of example: MBT facilities, such as New Earth's Cotesbach facility, manufacture a variety of useful materials including recyclates for reprocessing and Refused Derived Fuel for use in energy generation – over the life of the Plan it is conceivable that a 'polishing / product refinement' plant and / or an energy facility could be brought forward in Leicestershire to add value from these outputs. Thus allowance must be made for such multiple tiers in arriving at a capacity figure. Given that the Council later rely on the Charnwood incinerator to meet all of the identified residual waste capacity (which may not actually be built and become operational), there is a danger that the proposed approach will stifle competition and innovation to the detriment of novel technologies that are capable of pushing waste up the waste hierarchy.</p>	<p>Concern unwarranted. Strategy allows for recycling and recovery facilities as mentioned provided they are in accordance with the spatial strategy.</p>
2.24	New Earth Solutions	<p><u>Strategic Objective 3:</u> New Earth welcome the inclusion of '... the needs of communities and industry are met'.</p>	Noted
2.24	New Earth Solutions	<p><u>Strategic Objectives 4 and 10:</u> Whilst both are laudable, New Earth would question whether 4 and 10 need form Strategic Objectives. With respect to 4 this is enshrined in the duty to co-operate and thereafter is a matter for Development Management procedures. With respect to 10, this would appear a little vague – e.g. '<i>green infrastructure projects and strategies such as ...</i>'. Whilst considered as part of the evidence base, I would question whether this adds anything.</p>	<p>It is not considered that any change is necessary.</p>
2.24	New Earth Solutions	<p>A new Strategic Objective should be introduced: "To support development that would improve the operational efficiency and performance of</p>	<p>Disagree. The point is covered by objectives 3 and 7.</p>

		established minerals and waste facilities where this would give rise to economic, social and environmental benefits.”	
2.24	Tarmac	<u>Strategic Objective 1 and 2:</u> Whilst we support the strategic objectives to make sufficient provision of minerals and waste facilities in Leicestershire we have concerns that this objective is not met.	Concerns about plan addressed separately below.
2.24	Tarmac	<u>Strategic Objective 3:</u> We support the objective of providing minerals and waste management facilities within sustainable locations. However, we consider that the strategy for locating waste management facilities is too focussed upon the management of LACW streams. Clarification/definition should be provided in Strategic Objective 3 regarding ‘untreated waste’.	Support noted. The glossary has been amended to include a definition of ‘untreated waste’.
2.24	Tarmac	<u>Strategic Objective 4:</u> In addition to cross administrative boundaries within Leicestershire Districts, consideration also needs to be given to cross boundary issues with other neighbouring Minerals and Waste Authorities. This cooperation should take account of the dependence that other Authorities have on the provision of mineral reserve from the County in addition to the facilities within Leicestershire to manage waste streams. In addition to Leicestershire’s own reliance for waste management facilities outside the County. It is not considered that these relationships have been adequately demonstrated/addressed through the Consultation Draft.	The objective refers to ‘all relevant organisations’. This will include neighbouring minerals and waste authorities. The Duty to Cooperate Statement sets out what the County Council has done more fully.
2.24	Tarmac	<u>Strategic Objective 9</u> is in our view overly onerous on developers and operators and will potentially stifle new sites/development coming forward. Whilst it is accepted that the Council may wish to achieve these objectives, the strategy and subsequent policies should seek them where appropriate. The requirements should be proportionate to the operations and all restoration requirements/objectives weighed in the overall planning balance. Strategic Objective 9 should be amended as follows: <i>“To seek where practicable that land with a temporary use is subsequently restored, managed and maintained to an after use of high quality at the earliest opportunity. Restoration which respects the local area’s character, helps to provide a net gain in biodiversity and allows greater public access whilst affording opportunities for recreational, economic and community gain in mitigation or compensation for the effects of development will be encouraged.”</i>	Disagree. The objective accords with Para. 143 of NPPF and Para.37 of PPG (Reference ID: 27-037-20140306.)

3 & 4	County Ecologist	Minerals and Waste Policies: cross-reference to the development control policies would be useful – at the moment, it is possible to read these policies in isolation, and they tend to give an impression that the only factors that need to be satisfied are the technical ones associated with supply and demand and geology. This could be misleading especially for smaller operators and applicants.	This is not necessary. Paragraph 1.11 states that individual policies should not be interpreted in isolation.
3	Notts CC	The County Council supports the overall level of minerals provision to meet the needs identified in the Consultation Draft.	Noted
3.18	Tarmac	Clarification should be made on the period of time that the situation would be monitored for and the trigger point for a review of Policy M1.	The situation will be monitored annually through the Council's Annual Monitoring Report and the Local Aggregate Assessment (see para.3.29).
M1	Braunstone TC	Supply of Sand and Gravel Aggregate: objective (i) the word "some" should be replaced with "up to". REASON: To ensure there would be no argument or challenge to the maximum amount that should be provided.	Disagree. Figure is an approximation (hence the use of the word some) rather than an absolute maximum.
M1	Tarmac	The use of the rolling 10 year average for calculating annual provision is not representative of the upward trend in production over the last two years. There is every indication from the Industry nationally that the demand for mineral and therefore production levels are increasing indicating a period of sustained economic growth. This is also evidenced through the significant new housing and major infrastructure provision that is being planned for over the Plan period. The LAA is based upon 2013 data which is heavily skewed by the recession. a 3 year average should be used to confirm the rolling average. It is likely that figures for 2014 once collated will demonstrate a further increase in average sales. We would therefore advocate a precautionary approach to additional provision to take account of economic recovery and growth.	The figures have been updated to allow for 2014 figures. The latest 3 year average is 1.15Mt which is only slightly higher than the latest 10-year average (1.12Mt). The LAA considered the future demand prospects.
3.23	Freeby Estate	Disagree that existing sites represent a good distribution throughout the county.	Disagree with comment.

3.24	Braunstone TC	Add sentence at the end "Therefore, the priority for these sites should be limited to one extension. After which, further extensions would be judged in the same way as new sites". REASON: to find a balance between using existing sites and infrastructure and not adversely impacting on the local environment, while enabling it to be viable to operate new sites.	Disagree. Extensions are generally preferable and some sites are likely to need more than one extension over the plan period in order to maintain production.
3.25	Tarmac	We have produced a schedule of active sand and gravel sites which indicates remaining reserves and life of operations. It also indicates when extensions would be required to sustain production levels over the Plan period. The breakdown clearly demonstrates that by 2021 the County will not be able to meet their annual apportionment for the remainder of the Plan period.	Noted. It is acknowledged that existing sites will not have sufficient reserves to meet requirements over the plan period.
3.27	County Archaeologist	Rephrase 4 <sup>th</sup> bullet: <i>an assessment of the results of a pre-determination archaeological investigation of the site and protection from significant adverse impacts</i>	Change has been made as suggested.
3.27	County Ecologist	The ecological assessment required needs to cover additional factors. Suggested re-wording: <ul style="list-style-type: none"> <li>• an ecological assessment of the <i>designated sites, habitats, fauna and flora present upon or adjacent to the site and/or potentially impacted by the site's development, and an evaluation of the impact of development upon species and habitats those present on or adjacent to the site, and on the wider ecological network;</i></li> <li>• <i>An account of the mitigation and compensation measures required to address environmental impacts, and of the biodiversity enhancement opportunities arising from the development, including its restoration and aftercare.</i></li> </ul>	Paragraph has been re-worded as suggested.
3.27	Tarmac	Whilst we are supportive of the inclusion of extensions to a number of Tarmac's existing sand and gravel operations, we are concerned with the Council seeking their own objectives for restoration. Whilst these may be desirable, it is for Tarmac to consider these requirements balanced against what is achievable with the wishes of the landowners.	Disagree. It is considered appropriate for the plan to indicate what restoration would be acceptable at particular sites.
3.28	County	Suggest the following additional statement: "Any proposals for extraction	Paragraph has been



	Ecologist	from unallocated sites will be considered against the criteria in Policy M3 <i>and the development management policies in chapter 5</i> ".	amended as suggested.
3.28	Notts CC	It is noted that the additional sand and gravel sites put forward by the industry to date will be unable to meet expected demand, however the ability to obtain planning permission during the plan period through Policy M2(ii) should enable a steady and adequate supply to be maintained.	Noted
M2	Carlton PC	Policy M2 is supported, and Carlton PC recognises that this will mean the extension of Cadeby Quarry.	Noted
M2	Freeby Estate	Concerned that draft plan seeks to provide for all of its sand and gravel allocations through the extension of existing sites which are located in the west of the county. This will cause excessive use of road transport across the county in order to maintain a supply to the eastern half, where there are currently no operational sand and gravel quarries. A new site should be identified in the eastern half of the county to meet the demand from that area, notably including the Melton Mowbray major growth area, without the need for excessive HGV movements across the county.	Disagree. Existing site at Brooksby is well located to serve demand within Melton Mowbray area.
M2	Harborough DC	Whilst supporting the principle of extensions to existing sites for meeting the potential shortfall in sand/gravel production, further detail is needed regarding the impacts of such development on local communities and how these are to mitigated. Whilst Appendix I gives some indication of site specific planning requirements, further re-assurance is needed that the implications of the proposed extensions on the volume of HGV movements locally have been taken into account and that HGV routing and restrictions have been considered prior to proposed allocation. Local communities (Shawell, Cotesbach and Husbands Bosworth) also need to be assured that important environmental issues such as noise, dust, vibration and visual intrusion have been considered at the pre-submission stage. Bridleways and footpaths are particularly important to communities and early assessment of how these RoWs would be affected, either directly or indirectly, would be welcome.	Broad assessment of sites has taken place based on available information. Further assessment is not possible until detailed proposals have been submitted in the form of a planning application.
M2	Natural England	Natural England agrees that the Site Allocations in Appendix 1 would not be likely to result in a significant effect on any European site. As indicated in the Habitats Regulations Assessment (HRA), all of the site specific proposals	Noted

		lie outside the catchment area of the River Mease and would not affect the integrity of the River Mease SAC.	
M2	NWLDC	Clarification is sought as to why the site at Lockington has not been included in the Policy as the minerals industry put forward proposals for extensions to all 5 existing sites, which would include the site at Lockington.	Lockington extension excluded as a result of comments from Natural England regarding the potential impact on Lockington Marshes SSSI (See SA paras 4.29-31).
M2	Tarmac	We support the Council's identified strategy for minerals provision to be made through the working of existing and extensions to existing sand and gravel sites. We support the proposed allocations for extensions to Brooksby Quarry, Husbands Bosworth Quarry, Cadeby Quarry and Shawell Quarry.	Noted
M2	Tarmac	We object to the exclusion of the northern extension to Lockington as a suitable allocation.	See reason for exclusion above.
M2 (SA1) (Brooksby)	County Archaeologist	Potential for and impact upon significant archaeological and palaeoenvironmental remains, both surface deposits and embedded in the Brooksby and Bytham gravels.	Need for assessment has been added to Box SA1.
M2 (SA1) (Brooksby)	County Ecologist	Existing constraints include Water vole, along the brook, and badgers in the Brooksby Spinney. Land is arable, of minimal existing value. I agree with the principle of linking existing woodlands through restoration; also in the creation of wetlands along the brook. The Brook needs to be left with a corridor of natural open space along it, to protect water vole and to improve habitat connectivity along the brook; I recommend at least a 10 buffer zone between agricultural use and the watercourse, and also around all created/retained wetlands, which should be within the brook corridor.	Need for protection of corridor alongside the brook has been added to Box SA1.
M2 (SA1) (Brooksby)	Historic England	There is the potential for impacts upon ridge and furrow.	There is no surviving ridge and furrow within the boundary of SA1.
M2 (SA2) (Cadeby)	County Archaeologist	Potential for and impact upon significant archaeological remains, including earthworks of the former medieval Brascote village	Earthworks of former village are included with land subject to

			planning permission granted in August 2015.
M2 (SA2) (Cadeby)	County Ecologist	Land to east already approved. Land to the west is largely arable land of minimal biodiversity value, but there are great crested newts in ponds immediately north, and they may be present in ponds on site. Once the quarry starts, it will create habitats attractive to GCNS and they may move onto the operational area. This will be a constraint to operation of the quarry, likely to need EPS licence. Badger sett known to be present within the area. Restoration likely to be focussed around GCN mitigation – provision of ponds and terrestrial foraging habitat – but as at the main Cadeby quarry, there is scope to create dry grassland of considerable species-richness and invertebrate value, on gravelly substrate - there is already some in existence on the main quarry.	Comments noted. No change proposed. Mitigation measures and restoration proposals will be dependent on outcome of detailed ecological assessment.
M2 (SA2) (Cadeby)	HBBC	As this site has subsequently received planning permission, no objections are raised through this consultation subject to the impact on residents during the extraction period being closely monitored.	Permitted operations will be monitored.
M2 (SA2) (Cadeby)	Historic England	There is the potential for impact upon both Newbold Verdon Hall (Grade I) and associated structures / buildings and the moat to the south, which is a scheduled monument. There may also be the potential for the further loss of Ridge and Furrow.	Area nearest to Hall and moat was granted planning permission in August 2015.
M2 (SA2) (Cadeby)	National Grid	The Sand and Gravel Allocation SA2 (Cadeby) is crossed by National Grid's 400/275k overhead transmission line – ZL route.	Noted.
M2 (SA3) (Husbands Bosworth)	County Archaeologist	Potential for and impact upon significant archaeological remains.	Box SA3 already mentions need for appropriate management of non-designated heritage assets.
M2 (SA3) (Husbands Bosworth)	County Ecologist	Possibility of species-rich grassland along the Welland. Spinney and hedges of potential species-richness and value. Known GCNs in pond on site, and large colonies to north and south; once the quarry starts, it will create habitats attractive to GCNS and they may move onto the operational area. This will be a constraint to operation of the quarry, likely to need EPS licence. Badger sett known to be present	Mitigation measures and restoration proposals will be dependent on outcome of detailed ecological assessment.

		<p>within the area. Restoration likely to be include GCN mitigation – provision of ponds and terrestrial foraging habitat – but also with creation of floodplain wetland habitats along the Welland, a regionally important watercourse and once currently subject to river restoration plan through the Welland Action Group. A significant buffer zone of c20m of natural open space should be retained along the river, and a 10m buffer around created /retained wetlands along the river corridor; wetland should be linked to the river with appropriate habitats. Scope also for additional woodland planting to link existing spinneys. Depending on survey findings, may need to provide compensatory neutral grassland at double the area of that lost to account for inevitable losses when habitat creation is attempted.</p>	<p>Reference to need for buffer zone next to river has been added to Box SA3.</p>
<p>M2 (SA3) (Husbands Bosworth)</p>	<p>Historic England</p>	<p>There is the potential for further archaeological survival at this site. We also consider that there may be designed views from Bosworth Hall (Grade II*); the proposed allocation may result in harm to significance through setting impacts. Further loss of ridge and furrow at this site would be detrimental to significance of designated heritage assets and the historic landscape of Leicestershire.</p>	<p>Small quantity of ridge and furrow lies in western third of site. Bosworth Hall is located 200m from the extension area's north-western boundary. The Hall stands in a small enclosed treed and woodland park. The Hall is visually screened from the extension by Lodge Spinney woodland. SA3 amended however to include 'assessment of the effect on the setting of Bosworth Hall'.</p>
<p>M2 (SA3) (Husbands Bosworth)</p>	<p>Tarmac</p>	<p>It is not considered viable or reasonable to require all hedgerows to be managed in the traditional midlands style. It may be possible to provide a wildlife/habitat corridor linking the Gravel Pit Spinney and the River Welland. However, it is not proposed to include a woodland link.</p>	<p>This area has been highlighted by Natural England as having hedgerows lacking this form of management. Text has been amended to</p>

			'should incorporate an element of traditional hedgerow management...' The woodland link is considered appropriate in order to provide a net gain to biodiversity.
M2 (SA4) (Shawell)	County Archaeologist	Potential for and impact upon significant archaeological remain, including evidence associated with the Tripontium (Caves Inn) Roman settlement	Need for assessment has been added to Box SA4.
M2 (SA4) (Shawell)	County Ecologist	Extension to north already approved. No known constraint on eastern and south-eastern extension, but possibility of badger in boundary features and close off-site. GCNs are close by, and may move on to eastern extension quarry during operational stage.	Comments noted. No change proposed. Mitigation measures will depend on outcome of detailed ecological assessment.
M2 (SA4) (Shawell)	Historic England	There is the potential for further archaeological remains at this site.	Noted
M2 (SA4) (Shawell)	National Grid	The Sand and Gravel Allocation SA4 (Shawell) is identified as being crossed by National Grid's high pressure gas transmission pipeline FM02 Duddington to Churchover.	Tarmac recognises that the high pressure gas main running parallel to A426 will require protection on the western side of the site.
M2 (SA4) (Shawell)	Shawell PM	Please ensure that traffic on the Gibbet Cross roundabout and Gibbet Lane is not increased.	Noted. Extensions are intended to maintain but not necessarily increase production levels.
M2 (SA4) (Shawell)	Tarmac	It is not considered viable or reasonable to require all hedgerows to be managed in the traditional midlands style. Where measures will be taken to protect the SSSI, it is not proposed to enhance it. It may be possible to provide a wildlife/habitat corridor linking existing woodland areas between Gibbet Lane and the A5. However, it is not proposed to include a woodland link.	This area has been highlighted by Natural England as having hedgerows lacking this form of management. Text has been amended to

			'should incorporate an element of traditional hedgerow management...' The woodland link is considered appropriate in order to provide a net gain to biodiversity.
M2 NEW SITE	Freeby Estate	Land in the Eye Valley near Freeby.	Land not considered suitable for extraction. Land excluded mainly as a result of comments from Natural England and Highways.
M2 NEW SITE	Mick George	Pincet Lane, North Kilworth. 2.5Mt @ 200,000tpa over 13 years. 1.5M cu.m. of inert material to be imported for restoration purposes.	Land not considered suitable for extraction. Land excluded mainly as a result of comments from Highways.
M2 NEW SITE	Tarmac	Shawell Quarry – Cotesbach extension. Land to west of Rugby Road.	Included as an additional allocation.
M2 NEW SITE	Tarmac	Shawell Quarry – Eastern extension: 1.6Mt	Included as an additional allocation.
M2 NEW SITE	Tarmac	Cadeby Quarry – Newbold Road extension: 1.5Mt	Included as an additional allocation.
M2 NEW SITE	Tarmac	Lockington Quarry – Northern extension: 7Mt	Land excluded mainly as a result of comments from Natural England regarding the potential impact on Lockington Marshes SSSI.
M3	Charnwood Green Party	Amend point iii) in Policy M3 so that sand & gravel extraction outside allocated areas have to result in significant benefits to both local	Policy amended to refer to 'significant environmental

		communities and the environment, rather than one or the other. This is to avoid situations in which environmental issues are overlooked.	benefits' and delete specific reference to local communities.
M3	Freeby Estate	No clear policy appears to be set out to overcome the acknowledged shortfall in provision. It would be more sensible to identify new sites that could fill this gap during the second half of the plan period or at least identify areas of search that could come forward during the plan period.	Additional sites have been included. Policy M3 provides for additional sites to be permitted outside allocated areas.
M3	Tarmac	<p>We support the thrust of the policy within the preceding sub text (paragraph 3.29) as it offers flexibility in the event of windfall sites or additional extension areas coming forward.</p> <p>However, the policy itself is confusing. The policy as worded provides equal weight/support to extensions to existing operations and new greenfield sites. We consider that these should be separated to ensure a priority/preference for extensions to existing workings to meet an identified shortfall in the landbank prior to new greenfield sites coming forward. There are clear environmental and operational benefits of working extensions to existing operations largely by reason of the presence of existing infrastructure.</p> <p>There is no justification for the inclusion of the third bullet point as each planning application should be determined on its individual merits. To seek significant benefits to local communities and/or the environment in order for allocated sites to be permitted is inappropriate and not in accordance with NPPF.</p> <p>The Policy should be reworded as follows: <i>"Planning permission will be granted for sand and gravel extraction for aggregate purposes outside allocated areas provided that the proposal is an extension to an existing sand and gravel site and is required:</i></p> <p><i>(i) To maintain production from an existing site; or</i></p> <p><i>(ii) Is needed to meet an identified shortfall in the landbank.</i></p> <p><i>Greenfield/windfall sites for sand and gravel extraction will only be permitted where:</i></p> <p><i>(i) there are no viable extensions to existing sand and gravel operations;</i></p> <p><i>(ii) It has been demonstrated that permitted reserves or extensions to</i></p>	Policy has been amended to differentiate between extensions and new sites as suggested. Unallocated sites may be acceptable where they offer significant environmental benefits – the policy therefore retains this criterion, albeit amended to provide some clarification.

		<i>existing sites cannot meet the required level of provision.</i>	
3.32	Tarmac	We consider that the MWLP should make clear reference to the national importance of the crushed rock resource within the County as well as the production and distribution facilities and suggest the addition of the word 'national' to para 3.32 as follows:..."are of significant <i>national</i> importance".	Paragraph has been amended as suggested.
3.35	Tarmac	Para 3.35 makes reference to High Specification Aggregate – a definition for what this is would be helpful.	Paragraph has been amended to clarify reference to High Specification Aggregate.
3.40	Carlton PC	Are the scale and location of the HS2 Project such that additional provision needs to be made for railway ballast, even taking into account the projected surplus in Table 3?	Scale and timing of provision of aggregates for HS2 are not currently known.
3.40 (Table 3)	Northants CC	Table 3 includes Rutland – this table could be recalculated to exclude Rutland using figures in the Rutland LAA.	Table has been amended to exclude Rutland figures.
3.45	Tarmac	Para 3.45 makes reference to the planning status of Mountsorrel Quarry and will need to be updated before the next stage of consultation for the MWLP.	Reference to planning status at Mountsorrel Quarry has been updated.
3.48	Tarmac	We support the Council's approach at paragraph 3.48 to crushed rock supply and prioritising extraction as extensions to existing rail linked operations.	Noted
3.49	Braunstone TC	Remove the words "at the current time". REASON: the rationale provided (longer security of reserves and geological limitations) would not be different of the lifetime of the strategy and therefore, the words "at the current time" only serve to undermine the policy.	Disagree. There may be circumstances during the plan period, as set out in Policy M4, when a new site may need to be considered.
M4	Braunstone TC	Objective (i) the word "some" should be replaced with "up to". REASON: to ensure there would be no argument or challenge to the maximum amount that should be provided.	Disagree. Figure is an approximation (hence the use of the word some) rather than an absolute maximum.
M4	MQP	Midland Quarry Products Ltd, a wholly owned Hanson company, operates	Noted



		Cliffe Hill quarry. The site provides an important source of aggregate to the local and wider markets. The company is currently examining opportunities to extend the quarry to secure additional mineral reserves. An area to the east of the current mineral extraction area is currently being investigated and could potentially offer an extension to the existing workings thus securing the long term future of the quarry and retention of the workforce. It would also mean that mineral could be worked and processed using existing infrastructure i.e. processing plant, rail facility etc. thus avoiding its undue sterilisation. Accordingly the company supports and welcomes Policy M4 as it provides clear policy on extensions to existing rail linked sites.	
M4	NFC	The priority given in the Policy for extensions of existing rail-connected quarries in preference to the opening of new quarries is supported.	Noted
M4	NWLDC	This approach is considered to be reasonable.	Noted
M5	NFC	The NFC supports the section of Policy M5 which allows extensions to existing sites before consideration is given to allowing new brickclay extraction elsewhere. However, the NFC considers that the Policy should specifically state that preference is given to the extension of existing sites with associated brickworks. This would support those sites where the transport of clay is minimised in preference to other sites, such as Oddstone Hill, where material would need to be transported by road to off-site works.	Policy has been amended to give priority to proposals for extraction to be worked as extensions to existing sites with associated brickworks.
M5	Carlton PC	Suggest adding to (ii) that new brickclay extraction sites will be permitted near to existing works in cases where the continued operation of the works would rely on road transport and result in an unacceptable increase in lorry traffic.	See above.
M5	NWLDC	This is consistent with national policies.	Noted
3.58	Carlton PC	The PC supports the continued use of the Donington Island clay stocking site, but would welcome the restoration of adjacent land and improved maintenance of the drainage system near to local public rights of way.	Noted. Box SA5 refers to the need for timely restoration of areas no longer utilised for stocking and blending clay.
M6	County Ecologist	Located within an area of high biodiversity value. With species-rich grassland and wetlands established on former industrial land. Known colony of GCN directly adjacent. Surveys will be needed of site and	List of requirements specified in Box SA5 amended to refer to need for surveys and

		surroundings to determine the value of existing habitats and whether GCNs are on site. Scope for restoration to species-rich grassland/wetland, through natural regeneration, to complement habitats on surrounding land; tree planting should be limited.	indicate the type of restoration.
M6	NFC	<p>The NFC would welcome the early restoration of this site and the removal of this now, non-conforming use. The NFC's preference remains the rationalisation of the existing use allowing early restoration of part of the site accompanied by an assessment of the long-term storage needs and the potential for these to be accommodated elsewhere. While the need to rationalise the site is reflected in Paragraph 3.58, this is currently not reflected in the Policy. The Policy should require a detailed consideration of alternative locations for the permanent storage of this mineral (beyond any time extension) to be a condition of any planning permission to extend the current permitted life of the site. The NFC considers that the additional impact of the continued use of the site beyond the current planning permission on the Heart of the Forest and the creation of the Forest Park is not fully reflected in Policy M6 and the associated preamble. Compensation for the continued presence of the site beyond 2017 should be reflected in the Policy. The NFC therefore considers that the Policy should require a high-quality landscaping scheme.</p> <p>The NFC considers that part (ii) of the Policy should be amended to state: "Establishing a <i>temporary</i> stocking and blending facility within a rationalised Donington Island Site, subject to <i>the area retained for this use being the minimum required to maintain supplies</i>; the provision of a <i>phased, high-quality</i> landscaping scheme; site infrastructure and amelioration measures including the routing of HGVs; <i>a timetable for the further rationalisation of the site</i>; and <i>a detailed assessment of alternative locations for a permanent stocking yard being established elsewhere.</i>"</p>	<p>Policy M6 refers to the establishment of a facility <u>within</u> the site. Box SA5 refers to need for rationalisation of site. Cross reference to Box SA5 has been added to the supporting text. Policy has been amended to refer to a 'temporary' facility. Particular requirements have been removed from the policy and added to Box SA5 together with the additional matters suggested. It is not however considered appropriate to require detailed consideration of locations for a permanent facility to be required as part of any permission for a temporary extension of the life of the existing facility.</p>
M6	Natural England	An application to extend the life of the facility to the end of 2017 was granted planning permission in 2010. Natural England was satisfied that the continuation of the Donington Island Clay Stocking Site would not have a likely significant effect upon the River Mease SAC.	Noted

M6	NWLDC	It is suggested that further clarification of the routing of HGV's is required as the Council would wish to avoid them travelling through settlements in North West Leicestershire.	Routing to be determined as part of any permission to extend the life of the site. Weight restrictions in area mean that HGVs will avoid settlements wherever possible.
M6	SDDC	Supports the approach to maintaining a sufficient supply of fireclay to serve local manufacturing works during the plan period.	Noted.
M6 (SA5) Donington Island	County Archaeologist	Potential for and impact upon significant archaeological remains.	All land has been previously disturbed by mineral workings.
M6 (SA5) Donington Island	Lead Local Flood Authority	Site identified as priority settlement within the Local Flood Risk Management Strategy for Leicestershire, as such consideration of flood risk should be acknowledged within any development at this location.	List of requirements specified in Box SA5 has been amended to refer to flood risk.
3.62	Charnwood Green Party	Amend Paragraph 3.62 to say that release of additional gypsum resource within Leicestershire within the next 20 years should only be considered where the ecological value of the area surrounding the additional resource site can be demonstrably enhanced. This is to ensure surrounding wildlife receives greater consideration and support.	Workings are underground so that there is no impact on areas of ecological value.
M7 (SA6) (Marblaegis)	County Ecologist	No impacts, as all underground.	Noted
M7 (SA6) (Marblaegis)	Historic England	The proposed site is an area of high archaeological potential. Adequate evidence based assurances should be provided in respect of subsidence and other effects. However, there may be the potential for subsidence and settlement issues, which may also be an issue in terms of impact and future mitigation.	Box SA6 refers to the need for an assessment of the measures to be put in place to protect above ground buildings.
M7 (SA6) (Marblaegis)	Lead Local Flood Authority	Site identified as priority settlement within the Local Flood Risk Management Strategy for Leicestershire, as such consideration of flood risk should be acknowledged within any development at this location.	Consideration of flood risk has been added to the requirements specified in Box SA5.
3.67	County Archaeologist	<i>English Heritage</i> is now with Historic England, replace with 'Historic England (formerly English Heritage)'.	The reference has been changed as suggested.

M8	Carlton PC	Policy M8 is welcomed, and the PC would support creation of a source to supply Carlton Stone, which was an important local building stone, is a feature of local historic buildings and local conservation areas, and is now difficult to source.	Noted
M8	Charnwood Green Party	Amend Policy M8 so that it states proposed extraction sites for building stone should only be accepted if the overall impact on biodiversity is positive. This is to better acknowledge that wildlife is increasingly pressured and requires more consideration today than ever before.	This is not necessary. Paragraph 1.11 states that individual policies should not be interpreted in isolation.
M8	Historic England	Recognition within paragraphs 3.64 to 3.69 and policy M8 of the importance of locally sourced building and roofing stone is strongly welcomed in relation to the historic environment, in particular the reference to the Strategic Stone Study within paragraph 3.67. An additional sentence could state: "The availability of distinctive local building and roofing stone is of great importance in the restoration and repair to historic buildings within the county." This would help to emphasise this issue.	The suggested sentence has been added to paragraph 3.65.
M8	HNE Team	Fully endorse Policy M8 on the supply of traditional building and roofing stones.	Noted
3.71	Carlton PC	The PC recognises the effort which has been made to minimise the impact of the Minorca site. The PC also admires the restoration of the Sence Valley site, which has created a major public facility and shows what can be achieved.	Noted
M9	Charnwood Green Party	Properly reflect Strategic Objective 7 by amending Policy M9 to phase out coal as soon as is practically possible. These should be replaced with policies promoting a prosperous sustainable economy based on renewable resources. This will reduce our contribution to irreversible climate change and offer future generations a more considerate technological plan.	The NPPF emphasises that minerals are essential to support sustainable economic growth and the economic advantage they deliver. Government confirms the continuing need for fossil fuels for many years and the benefits of a secure energy supply. The need to extract fossil

			fuels is therefore strongly encouraged, commensurate with protection of the environment.
M9	Coal Authority	<b>Support</b> – The Coal Authority supports the overall policy approach towards coal extraction in the draft plan. In particular The Coal Authority welcomes the recognition that extraction can be potentially supported where it is the best method for the remediation of mining legacy issues. Also the policy acknowledges the role of prior extraction in avoiding the sterilisation of mineral resources by non-mineral surface development. This policy accords with paragraphs 147 and 149 of the NPPF.	Noted
M9	NWLDC	It is noted that there is little information on the location of coal resources.	Noted
M9	SDDC	The approach to coal is likely to be consistent with NPPF policy and is likely to be an appropriate approach to managing future applications for coal extraction in the County. The policies included in the plan would provide environmental safeguards to protect South Derbyshire’s residents from unacceptable effects should any future coal extraction close to South Derbyshire’s boundary take place.	Noted
M10	Charnwood Green Party	Properly reflect Strategic Objective 7 by amending Policy M10 to phase out oil & gas as soon as is practically possible. These should be replaced with policies promoting a prosperous sustainable economy based on renewable resources. This will reduce our contribution to irreversible climate change and offer future generations a more considerate technological plan.	See M9 above. The Government’s current direction of travel is one of a strong line of encouragement for exploration and to maximise the recovery of the country’s oil and gas reserves.
M10	Coal Authority	<b>Change Requested</b> – The Policy title be amended to ‘Policy M10: Conventional and Unconventional Hydrocarbons (Oil and Gas)’. Consequential amendments to the text would also be required to achieve consistency. <b>Reason</b> – To provide clarity to all plan users and to achieve greater consistency with the terminology utilised in the Planning Practice Guide.	The title of the Policy has been changed as suggested and consequential amendments made to the supporting text.
M10	Coal	<b>Objection</b> – Policy M10 does not set out different criteria in relation to the	Policy has been

	Authority	<p>three distinct phases of exploration, appraisal and production as required by paragraph 147 of the NPPF. It is noted that many policy approaches combine the first two criteria but set out different criteria in relation to production.</p> <p>A key element is that hydrocarbon operations could cease at any of the three stages, The Coal Authority is very keen to ensure that it is clear that appropriate restoration and aftercare should apply after each stage if the hydrocarbon operation ceases. It is imperative that the environment and communities is protected through securing restoration.</p> <p><b>Change Requested</b> – Policy M10 should be reconsidered and constructed more in line with the criteria approach utilised in the Somerset example. It may also be helpful to explain what matters fall under other regulatory regimes and not the planning process.</p> <p><b>Reason</b> – To accord with National Planning Policy in the NPPF and advice in the Planning Practice Guide</p>	<p>amended to set out criteria for the 3 stages of exploration, appraisal and production. Policy DM12 will apply to the restoration of hydrocarbon operations, but the policy has been amended to require operations to be for a temporary length of time.</p>
M10	Coal Authority	<p><b>Objection</b> – Policy M10 does not set out the PEDL licence areas on the Policies Map (or another plan).</p> <p><b>Change Requested</b> – The plan should illustrate the spatial extent of the PEDL licence areas on the Policies Map (or another plan).</p> <p><b>Reason</b> – To accord with advice in paragraph 106 of section 27 of the Planning Practice Guide</p>	<p>The document has been amended to include a plan showing PEDL licence areas within the County.</p>
M10	NWLDC	<p>It is considered that clarification is required in respect of part (i) of the policy which refers to impact as it is not clear what the impact would relate to i.e. nearby environment, amenity, landscape etc.</p> <p>It is also considered that the policy requires additional wording relating to the need to return the exploration site (if not financially or technically viable) back to its original state, for example by cross-reference to Policy M16 which refers to conditions being attached to permissions to ensure the site is restored to a satisfactory after-use.</p>	<p>Policy has been amended to refer to the 'least sensitive location' which could relate to all of these factors.</p> <p>DM12 will apply to the restoration of hydrocarbon operations.</p>
3.85	Tarmac	<p>We have no objection to the MPA producing separate Minerals and Waste Safeguarding Documents for each of the District Authority areas. However, these documents currently provide only broad/strategic level information on known mineral reserve and could provide clearer guidance on the location of</p>	<p>Paragraph 3.93 says that the County Council will define MCAs covering the resources within the</p>

		such mineral resource, particularly active and future workings and ancillary infrastructure. In accordance with paragraph 3.92 of the MWLP these documents should define Mineral Consultation Areas to become a useful tool for District Authorities in assessing applications for non-mineral development. Without the defined MCA's it is considered that Policy M11 could not effectively be implemented.	MSA, mineral sites and associated infrastructure.
3.91	Tarmac	We disagree with paragraph 3.91 that only shallow coal reserves should be considered as a viable resource for prior extraction to allow for development. In accordance with the NPPF, all known mineral resource should be safeguarded in this manner and its prior extraction sought before sterilisation from other forms of development.	The County Council remains of the opinion that the main opportunities for prior extraction within the County are limited to surface mined coal.
3.94	Tarmac	We would seek further clarification on paragraph 3.94 regarding, 'a realistic judgement about the likelihood of mineral being worked in an environmentally acceptable manner... the County Council will not seek to prevent development where it is unlikely that extraction of the mineral could occur in the future'. How will these judgements be made and by whom? There should be some reference to consultation with mineral operators prior to a judgement regarding the workability of a known resource being questioned.	A judgement will be made by the County Council based on information contained in the submitted mineral assessment. Mineral operators with a known interest in the site may be consulted.
Table 4	Tarmac	We support the approach to make certain forms of development exempt from safeguarding. However, this needs to be done with caution. We would suggest that criteria (b) be amended to recognise that in addition to intensifying activity, there should also be consideration of a change in sensitivity of the existing building/land use. For example, the change of use to residential uses has a greater potential for adverse impact/conflict between uses which would not necessarily result in an intensification of use.	No change considered necessary. 'Intensification' of use would include change to residential use.
M11	Coal Authority	<b>Support</b> – The Coal Authority supports the overall policy approach towards mineral safeguarding, including prior extraction. The inclusion of surface coal resources based on the data provided by The Coal Authority accords with paragraphs 143 and 144 of the NPPF. The policy approach has due regard to advice in the Planning Practice Guide and the practice guide produced by the BGS and The Coal Authority 'A Guide to Mineral	Noted

		<p>Safeguarding’.</p> <p>It is noted that the County Council has now agreed that the MSA for surface coal will not exclude urban areas. This approach is in line with the BGS/The Coal Authority practice advice and reflects the approach consistently being adopted for urban areas.</p> <p>The prior extraction of surface coal can and has been successfully undertaken within urban areas on very small sites. It is a method for remediating mining legacy features which can be highly cost effective and aid the delivery of sites.</p> <p>The policy correctly only seeks to exclude allocated sites in Local Plans where the plan took account of the prevention of unnecessary mineral sterilisation and determined that prior extraction should not be considered when development applications came forward.</p> <p>As a two-tier area the County Council will also define Mineral Consultation Areas ‘MCAs’ which will accord with the MSAs. The Coal Authority agrees that there is no requirement to define any additional area around the surface coal resource within the MSA or MCA.</p> <p>The Coal Authority also agrees that there is no requirement in the NPPF to safeguard deep coal resources or hydrocarbon resources as these are not subject to sterilisation in the same manner given the flexibility that exists to locate surface access.</p>	
M11	HBBC	<p>Will the County Council provide the Borough with up to date maps for mineral safeguarding areas?</p> <p>Will the County Council identify how and when they will want to be consulted?</p> <p>If this became a reason for refusal would the Borough Council be expected to use these policies and are we able to?</p> <p>The Mineral Safeguarding Area covers a large area of the Borough, would this impact the delivery of development in Hinckley and Bosworth in the</p>	<p>Yes once plan has been adopted. Yes – see para.3.93 and Table 4.</p> <p>The MWLP will form part of the Development Plan and therefore should be used in the determination of applications. The impact on future development will depend on the areas</p>



		future?	identified for growth and their mineral potential.
M11	MQP	Minerals can only be worked where they are found and so it is important that such resources are safeguarded for potential future development. Midland Quarry Products supports Policy M11.	Noted
M11	Northants CC	Several policies state that there should be an 'overriding need' for the development. This could in practice be difficult to ascertain if 'overriding need' is not clarified in the document.	This is a planning judgement to be made based on individual cases.
M11	NWLDC	This approach is supported.	Noted
M11	Tarmac	We are supportive of the MPA's recognition of the importance of safeguarding mineral resource.	Noted
M12	MQP	The company generally supports Policy M12.	Noted
M12	Tarmac	The safeguarding documents should incorporate existing and proposed mineral operations including the presence of existing supporting minerals infrastructure. We would suggest through specific OS based site plans as per the identified waste developments. In accordance with the NPPF, para 143, the safeguarding documents should identify known mineral resource in addition to defining specific mineral consultation areas to identify the presence of, 'existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine dredged materials and existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material'. We have concerns that a number of Tarmac's existing and proposed minerals activities are not covered by these documents.	Para.3.97 indicates that the sites and facilities to be safeguarded are identified in the published safeguarding documents.
3.100	Breedon Aggregates	Policy M13: Associated Industrial Development refers to certain industrial development being located adjacent to areas of mineral extraction. The associated text in paragraph 3.100 refers to ready mixed concrete, concrete products and brick manufacture. This should be expanded to include asphalt plants within the description.	Text amended as suggested.

M13	Tarmac	It is our view that the preceding text and policy should make clear the differences between permitted development and ancillary/associated development. The MPA should ensure that Permitted Development Rights are only removed from mineral operations where there is clear justification to do so in accordance with paragraph 200 of the NPPF.	No change is considered necessary. The text makes it clear that Policy M13 deals with proposals for ancillary industrial development that are beyond the scope of the GPDO. There is no need to repeat the NPPF.
M14	Tarmac	We are supportive of the MPA's approach to include a policy on Borrow Pits. However, we consider that the Policy should make allowance for mineral/material to supply the local market or for the site to be retained beyond the life of the infrastructure project it is intended to serve. In some circumstances there could be good sustainable reasons (including those which contribute to the climate change agenda such as a reduction in carbon emissions) why it would be appropriate to allow mineral to be supplied to local markets following the Borrow Pits purpose of supplying material to the infrastructure project. For example: where the site has good established HGV access point onto the strategic highway; with on-site mineral processing facilities; and is located in close proximity to areas planned for significant housing growth.	Proposals to supply the local market or continue beyond the life of the infrastructure project will be considered against Policy M3.
M15	Tarmac	It is considered that the final sentence of Policy M15 be reworded to read, ' <i>planning permission for the reworking of mineral waste will be granted</i> '. Proposals under this policy are for the sustainable management of a waste stream and should be supported regardless of environmental improvements.	It is not considered that any change is warranted. Wording is as per adopted Minerals Core Strategy & DC Policies (Policy MDC25).
M17	Coal Authority	<b>Support</b> – The Coal Authority supports this policy which seeks to facilitate the prior extraction of mineral resources where appropriate as required by paragraph 144 of the NPPF.	Noted
M17	Coalpro	Coalpro is also pleased to note the inclusion of policy M17 referring to the incidental extraction of minerals as part of a larger scheme or as preparatory works for construction. We believe that the developer should	Noted

		provide economic evidence that the prior extraction of the minerals has been properly considered as part of the application, if this is a condition then the Authority will be able to demonstrate that it has measures in place that positively avoid unnecessary sterilisation of mineral resources.	
M17	Tarmac	Unlike Policy M14 relating to Borrow Pits and Policy M3 for unallocated sites, Policy M17 is much more relaxed in its approach to mineral supply outside of allocated sites. It is our view that this policy requires more stringent tests to be more in line with policy tests for new or extensions to existing quarry sites or extending Borrow Pit operations. We believe that the Council's emerging policy approach to this matter undermines and contradicts the objectives of other policies in respect of controlling the release of finite mineral resources and controlling supply to open markets (i.e. there is no requirement to justify where or what the end use of the mineral will be for).	Disagree for the reasons set out in paragraph 3.106.
4.1	EA	Reference should be made to our response to the Waste Needs Assessment 2014 consultation.	Noted. The EA's comments have been taken into account.
4.1	New Earth Solutions	New Earth is concerned that in planning for waste capacity equal to waste generation, the County Council has failed to understand the complexity of today's residual waste management industry. Unlike the bygone era of landfill, today's industry can involve multiple tiers of waste processing and refinement to extract greater value from the material. By way of example: MBT facilities, such as New Earth's Cotesbach facility, manufacture a variety of useful materials including Refused Derived Fuel for use in energy generation – over the life of the Plan it is conceivable that an energy facility might be brought forward in Leicestershire. Thus there could be a complementary overlap between the two facilities in that they would handle a proportion of the same material. I would also note that in planning solely for capacity equal to waste generated there is a risk that competition and innovation will be stifled to the detriment of pushing material up the waste hierarchy.	See comments on objectives.
4.1	Notts CC	Assumptions about the potential for future waste growth within the accompanying Waste Needs Assessment are supported. This is in line with Nottinghamshire's own Waste Core Strategy approach and the most recent published arisings data for Municipal Solid Waste/Local Authority Collected	Noted

		Waste.	
4.2	Braunstone TC	Given there was sufficient capacity for a recycling and composting target of 58% for LACW by 2017, proposals should be included to increase capacity to meet a higher target by 2030/1; the target for C&I wastes of 54% by 2030/1 given it was 15 years away was low and proposals should be included to increase capacity to meet a higher target by 2030/1. REASON: Government and European Union rules were most likely to continue to seek to reduce land fill and significantly increase recycling targets.	It is not considered that any change is warranted. 58% is already well beyond that set by the EU.
4.2	Charnwood Green Party	Commission a feasibility study in response to Paragraph 4.2 assessing whether a higher percentage of Leicestershire's waste can be recycled or composted. If it is feasible, then utilising the suggestions will reduce our consumption of resources and reduce the need for landfill.	This is not considered to be necessary. Policy W1 states the figures for recycling, and composting are a minimum target.
4.4	New Earth Solutions	A footnote should be attached to the reference to thermal treatment in paragraph 4.4 to explain that 'mass burn' energy recovery facilities will only constitute recovery where they can meet the R1 energy efficiency quotient, otherwise they will be classed as a disposal activity. It is unclear whether the consented Charnwood incinerator is capable of meeting the R1 efficiency quotient and as such whether it should be regarded as a recovery or disposal operation. It should be reaffirmed throughout this section that the County Council's recycling and recovery targets should not be viewed as a ceiling. Whilst this is conveyed with respect to recycling operations in paragraph 4.3; a similar paragraph should be inserted in respect of recovery facilities after table 6 to state: "The figures in table 6 should not be seen as setting absolute requirement. Flexibility will be required to enable additional recovery capacity / facilities to be brought forward where this would result in waste arisings within Leicestershire being diverted away from disposal. Furthermore the presence of extant permissions for additional facilities should not be used to stifle competition and / or innovation.	It is considered that this sort of detail is best located elsewhere in the document, i.e. paragraph 4.42. The facility at Newhurst Quarry is classed as a recovery facility. Policy W1 states the figures for recycling, composting and recovery are a minimum target.
4.5	Biffa	Although not mentioned by name we assume that the larger facility is our Newhurst ERF. The capacity of the plant is 350,000 tpa and this should be	The capacity of the Newhurst ERF is reflected in the need

		reflected in the need assessments included in Table 6.	assessment.
W1	New Earth Solutions	Policy W1 would benefit from a supporting paragraph to make it clear that '... to manage the equivalent of the predicted arisings ...' should be interpreted as making additional allowance for multiple tiers of processing and refinement where this would lead to material being diverted away from landfill and pushed up the waste hierarchy.	It is not considered that any change is necessary.
W1	NWLDC	Whilst the approach is supported it is considered that it would be useful for the policy to be more specific in terms of number of facilities likely to be required.	The potential number of facilities is set out in Tables 5-10.
W1	Notts CC	The County Council supports Leicestershire's continued commitment to provide sufficient capacity equal to the waste generated within the Plan area.	Noted
W1	Tarmac	The dates identified within Policy W1 require amendment to reflect the key dates of 2020/2021, 2025/2026 and 2030/2031, as opposed to 2019/2020. The MWLP Consultation Draft identifies shortfall in capacity for C&I recycling, C&I and LACW recovery, C&I and LACW disposal/landfilling, C&D landfilling, Hazardous Waste management facilities and agricultural waste facilities. The MWLP identifies that new facilities are required to handle these waste streams. However the MWLP fails to allocate/identify where these sites will be. We have concerns that the current strategy is only planning for waste capacity equal to waste generation. By adopting this approach, there is no flexibility for innovative and collocated waste management facilities which stifles the waste objectives of moving waste up the waste hierarchy. In addition, the waste strategy should affirm that targets for recycling and recovery (represented by tables 5, 6, 7, 8, 9 and 10) are not ceiling figures but minimum targets for waste management. The Waste Needs Assessment outlines that there is sufficient permitted capacity to deal with a number of these waste streams (albeit not all). However, they should all be included within the main MWLP in accordance with Sections 3 and 4 of the National Planning Policy for Waste (2014) and the Guidance contained within the Waste Planning Practice Guidance – Section 4 – Preparing Local Plans. This would provide clarity and certainty over where and how waste will be managed.	Agree that Policy W1 should refer to the period 2020/21 rather than 2019/20.  Policy W1 states that the figures are a minimum target.

		<p>Notwithstanding this, we have concerns regarding the reliance upon permitted facilities which have not yet become operational and whether this is a sustainable method for ensuring that Leicestershire is aiming for self-sufficiency in waste management. There are no precautionary principles adopted in terms of finding additional/sufficient sites nor methods of monitoring and responding fast enough to these facilities not becoming operational/on stream early enough in the Plan period. Particularly where there is an identified shortfall early in the Plan period.</p>	<p>This is addressed in paragraph 4.5, which states that the County Council will keep provision under review.</p>
4.13	New Earth Solutions	<p>New Earth strongly objects to the emerging locational strategy. New Earth challenge the definition of 'sustainable locations' applied by the County Council and the over-reliance placed upon the 2007 Entec study. There is a real danger that over the last eight years this desktop study has been superseded by events on the ground, not least in terms of the location of growth and delivery of new waste transfer facilities, such as the County Council's Loughborough WTS. Given the dispersed nature of the population in Leicestershire and the excellent transport links enjoyed by the County, any analysis is likely to be sensitive to such variables. The credibility of the evidence base underpinning the strategy is highly questionable.</p> <p>Despite the fact that the emerging Plan now excludes Leicester, the County Council is doggedly pursuing the same strategy as before and New Earth fear that the Plan could be found unsound if the Council fail in its duty to consider reasonable alternative options.</p> <p>New Earth considers that one alternative option would be to pursue a more dispersed network of strategic facilities. This could include a facility(s) within the main urban areas in the north-west of the County, but not to the exclusion of other parts of the County. There is an opportunity to make more efficient use of existing operational facilities, such as New Earth's established facility at Cotesbach in the southern part of the County and secure better geographical coverage. The facility enjoys excellent transport links to municipal waste transfer stations in Leicestershire and to the towns of Lutterworth and Market Harborough. The MBT technology employed by New Earth at Cotesbach performs in sustainability terms, with a lower carbon footprint than disposal to landfill and other forms of recovery. Yet</p>	<p>Disagree. The Council considers that the strategy is sound.</p>

		<p>the policies as drafted would appear to restrict any further increase in throughput capacity of the facility and negate the wider sustainability benefits.</p> <p>Without such a dispersed network, the Charnwood incinerator is likely to stifle competition and innovation owing to the need to secure significant amounts of residual waste to 'feed the beast' and maintain minimum thresholds. Furthermore, there is no certainty that the Charnwood incinerator will be built and become operational.</p>	
4.13	Notts CC	The County Council supports the spatial approach contained within the Plan.	Noted
4.13	Tarmac	<p>We maintain our previous concerns raised at the Issues and Options Stage regarding the Waste Planning Authority's approach to the distribution and location for waste management facilities. There is too much focus on waste management facilities within urban areas to manage/meet the requirements for LACW. The strategy should reflect the dispersed nature of the population and the excellent transport links within the County to allow flexibility and better geographical coverage. This dispersed strategy would make better use of the available transport links, existing waste facilities and minimise the distance waste will need to travel. There are sustainability benefits in extending/increasing throughput or developing new waste management streams in tandem with existing facilities which the current policy approach would stifle.</p>	Disagree. The Council considers that the strategy is sound.
4.13	Tarmac	<p>Paragraph 4.13 identifies that, 'the MWLP will guide the development of new waste management facilities to the most sustainable locations within the County. By sustainable locations, the Council means locating the majority of new recycling and recovery waste facilities in the major urban areas of the County'. Whilst, we can see some merit in facilities handling LACW being located close to urban areas, we dispute that these objectives can be met for other waste streams. Para 3.23 (future sand and gravel operations), identifies that 'the existing sites are well located in proximity to Principal Urban Areas within Leicestershire and proposed urban growth areas, in particular those at Loughborough, Coalville, north east Leicester and Hinckley and represent a good distribution throughout the County. All of the existing operations are located in close proximity to the County's designated</p>	Disagree. The Council considers that the strategy is sound. It is not considered that the location of sand & gravel sites and their relative proximity to urban areas should influence the spatial strategy for waste.

		<p>lorry route network and the road traffic generated avoids residential areas and minor roads'. In simple terms, these have been demonstrated as sustainable locations. It is our view that it is contradictory to maintain they are sustainable for mineral supply to serve growth areas but not be sustainable to manage waste from the same growth areas.</p> <p>The Council should look to change their strategy to delivering a broad range of deliverable and sustainable waste management facilities distributed across the Plan area. As identified above, the capacity figures are considered to be skewed by the use of EA data identifying the maximum capacity of facilities between 2006 and 2012. This indicates that all facilities are operating at maximum capacity. In addition, it is not considered that sufficient regard has been had to the waste management undertaken in Leicestershire of waste arising's from outside the Plan area. Noticeably recovery operations rely heavily on Shawell, Wanlip, New Albion and Lount. Lount and New Albion have planning permissions that are due to expire early in the Plan period. If these permissions are not renewed there may be insufficient capacity within the Plan area. Wanlip handles a significant proportion of waste from Leicester City and Lincolnshire (Table 28 of the Waste Needs Assessment). It is not clear whether there are long term contracts in place for managing waste streams. However, the capacity of these facilities could be limited by existing waste arising's. Finally, not enough consideration is given to the location/proximity principle of the key waste management facilities, such as Shawell and the proximity of such facilities to key growth areas – noticeably Northamptonshire and Warwickshire.</p> <p>We have fundamental concerns that such restrictive locational strategies for managing waste will be to the detriment of sustainable waste management and meeting the overall strategic objectives. In addition, it will be difficult to adhere to the policies on waste management for certain arising's/new development for managing such arising's without being able to meet the strict locational criteria for waste facilities. i.e. the first criteria is that they are located within growth areas as opposed to identified sustainable locations or sites without amenity or environmental constraint.</p>	
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4.17	Tarmac	Paragraph 4.17 identifies that, 'the quantity of waste from households and the total waste collected by Authorities in Leicestershire is relatively small compared to other waste streams'. The management and strategy for locating waste facilities close to urban areas is only beneficial for LACW streams and fails to recognise that other waste facilities are as strategically important. As we have advocated previously, the waste sites located within urban areas tend to be waste sorting sites prior to additional movements to other 'out of town' locations for processing. This is largely due to conflict in land uses within urban areas. In addition, the existing process is not sustainable as it requires multiple handling of waste.	These urban areas are also the main source of C&I and C&D waste streams.
4.20	Northants CC	A strategic facility is likely to depend on the type of waste being processed and the technology utilised (i.e. a hazardous waste management facility may have a lower capacity but service a larger catchment area due to the technology/ processes and waste involved – the threshold would not capture such a facility).	The paragraph has been amended to refer to smaller, specialist facilities.
4.22	Notts CC	Query definition of 'strategic facilities'. This could be expanded to recognise the role that smaller facilities of a very specialist nature might play i.e. that the function of the facility, not just its scale, may be an important factor. It is recognised that this is already alluded to within the preceding text but would it perhaps be beneficial to amend the criteria at Paragraph 4.22 A-D to make the role of facilities dealing with very specialist/low volume waste more explicit?	The paragraph has been amended to refer to specialist facilities.
4.22	Tarmac	The subtext to Policy W3 identifies at para 4.22 what the defining criteria is for a facility to be defined as strategic. The focus is on LACW and C&I waste streams. However, these could equally apply to managing all waste streams. The sub text should be amended to remove criteria A at paragraph 4.22.	It is not accepted that criteria A should be deleted.
W3	HBBC	The Draft Plan appears to be identifying Hinckley/Burbage as an area where waste management facilities could be located as it's a centre of population. Although this appears to be a sensible approach it is unclear where these sites could be located in practice. When considering new sites for such uses the Borough Council request to be engaged at an early stage in the process to identify whether there are any suitable sites within the locality.	Policy W5 indicates the intended locations for waste facilities.

W3	New Earth Solutions	New Earth strongly objects to emerging Policy W3 and the key diagram. New Earth believes that its established operational facility at Cotesbach possesses the characteristics set out in paragraph 4.22, however the facility and adjoining areas within the control of Lafarge (who are now called Tarmac) are not identified within the Broad Locations for Strategic Waste Management Facilities. For the reasons outlined in response to paragraphs 4.13-4.15 above; and on the basis that there is a willing landowner, New Earth's Cotesbach facility and potentially adjoining land should be identified with the Broad Locations for Strategic Waste Management Facilities.	It is not considered that the facility at Cotesbach is in an acceptable location for further expansion.
W3	NWLDC	The approach is, in general, supported but there is concern that no specific locations are identified and therefore a general lack of certainty where facilities could be located, for example in Coalville it is unlikely that there could be an extension to Linden Way Waste Management Facility. It is suggested that the County Council work with Local Authorities to identify sites as part of the Duty to Cooperate.	Policy W5 indicates the intended locations for waste facilities.
W3	Tarmac	Policy W3 is too focussed upon a locational strategy as opposed to a sustainable strategy for waste management. It is our view that this policy is too rigid on location as opposed to securing sustainable and deliverable waste management facilities that could be co-located with complimentary waste facilities. New and innovative developments for waste management which are sustainable and seek to move waste up the waste hierarchy and divert from landfill should be encouraged regardless of location. The Policy should be worded as follows: <i>Planning permission will be granted for new waste facilities, including extensions to existing waste facilities which would in combination with the existing use(s) create a strategic facility that is in proximity to the main urban areas of Loughborough/Shepshed, Hinckley/ Burbage, Coalville, Melton, Lutterworth and Market Harborough where the majority of growth is planned for.</i>	It is not considered appropriate to allow new waste facilities anywhere in the County.  The proposed wording is not considered to be appropriate.
W4	Charnwood Green Party	Amend Policy W4 to include a fifth point (e)) which adds criteria saying if new waste sites are constructed, or existing ones extended, surrounding wildlife sites & wildlife groups should receive support. This will help to secure a future for biodiversity whether the support comes in the form of financial support for ecological research or donating land to wildlife groups.	This is not necessary. Paragraph 1.11 states that individual policies should not be interpreted in isolation.

W4	Harborough DC	It is noted that 'in or close' to Market Harborough is identified as a location for a non-strategic waste facility as a result of the scale of expected future growth. Preparation of a new Local Plan for Harborough District is underway, with an Options Consultation taking place in September-October. The new Local Plan will include strategic residential and employment allocations therefore it would be helpful to have early dialogue regarding the potential location of a waste facility as set out in the draft policy.	Policy W5 indicates the intended locations for waste facilities.
W4	New Earth Solutions	New Earth objects to emerging Policy W4 and the key diagram. New Earth believes that its established operational facility at Cotesbach possesses the characteristics set out in paragraph 4.22, however the facility and adjoining areas within the control of Lafarge (who are now called Tarmac) are not identified within the Broad Locations for Strategic Waste Management Facilities. For the reasons outlined in response to paragraphs 4.13-4.15 above; and on the basis that there is a willing landowner, New Earth's Cotesbach facility and potentially adjoining land should be identified with the Broad Locations for Strategic Waste Management Facilities. Notwithstanding the above, it is considered that Mechanical Biological Treatment (MBT) should be included within part (a) as much of the operational focus and floor space is focussed upon the composting of the organic fraction of the waste. It is therefore evident that MBT involves similar processes and that the locational requirements set out at para 4.33 can equally apply. Thus, in seeking to avoid potential amenity conflicts, MBT facilities are best located outside of densely built up areas.	It is not considered that the facility at Cotesbach is in an acceptable location for further expansion.  MBT facilities do not offer the benefits of having a countryside location that the other processes do.
W4	Northants CC	Several policies state that there should be an 'overriding need' for the development. This could in practice be difficult to ascertain if 'overriding need' is not clarified in the document.	This is a planning judgement to be made based on individual cases.
W4	NWLDC	The approach is supported in general however as no specific sites are identified there is a lack of certainty of where these facilities could be located. It is requested that the County Council work with Local Authorities to identify sites as part of the Duty to Cooperate.	Policy W5 indicates the intended locations for waste facilities.
W4	Tarmac	The policy is currently worded so that all other waste management facilities that do not handle LACW and C&I waste are classed as non-strategic. We are concerned that this strategy is too rigid on locational factors to	It is not considered that any change to the policy is

		<p>sustainably be able to manage growth. For example, The Waste Needs Assessment identifies that there are significant proportions of C&amp;D waste managed at offsite locations. This includes the recycling and recovery of C&amp;D waste streams. Primarily, this will be undertaken at mineral sites. In accordance with the objectives of the waste strategy and moving waste up the waste hierarchy, we would suggest that the majority of waste sites handling these waste streams fall outside of the areas identified as suitable for non-strategic waste facilities (i.e in the broad locations for strategic waste facilities identified by the Key Diagram). The Minerals Local Plan identifies that the minerals sites identified for further mineral extraction are sustainable sites based upon their proximity to growth areas (and by association potential waste arisings) and benefit from sustainable transport links. This policy should support all waste facilities. In light of the above we consider that the generalised statement regarding minerals sites being 'less favoured' as locations for waste facilities should be removed. In addition the policy should be amended to reflect the Policy wording of Policy W4 and support waste facilities in proximity to growth areas to provide a county wide spread of facilities.</p>	necessary.
4.25	Northants CC	<p>It is noted there are no waste allocations or designated areas (such as employment areas shown) on an OS base map in the Draft Plan. This could be seen to be in breach of the Waste Framework Directive which seeks for Waste Plans to show where facilities should go; the key diagram being too broad for this role.</p>	Disagree.
4.28	Tarmac	<p>The text at paragraphs 4.26, 4.28 and 4.29 are contradictory. Para 4.26 states that new facilities in sustainable urban extensions would be acceptable – therefore a greenfield site. Para 4.28 states that mineral sites are greenfield by definition but development is only appropriate for the duration of minerals operations despite it being acknowledged that they are in sustainable locations. At para 4.29 it is stated that greenfield land is not preferred but maybe acceptable. Therefore para 4.28 should be amended to recognise that waste development on minerals sites may be acceptable after minerals operations have ceased. We do not support the statements that minerals sites as greenfield sites</p>	It is not considered that any change is necessary.

		should be less favoured as locations for waste facilities. In order to meet the objectively assessed needs there is a requirement and role to play for minerals sites in managing waste. As identified above, their proximity to waste arising's has been supported through the minerals allocations. They are strategically placed across the whole County.	
4.29	Charnwood Green Party	Amend Paragraph 4.29 to acknowledge that brownfield land is not necessarily inferior in terms of its ecological value - often the reverse is true. The impact of developments should be assessed on a case by case basis rather than innate giving preference to protecting 'greenfield' areas. This will encourage an empirical approach to reducing our impact on biodiversity.	This is a broad strategy which indicates that greenfield sites are the least preferred. The development of brownfield sites will still have to have regard to other policies in the plan, including DM7 (Sites of Biodiversity/ Geodiversity Interest)
W5	Carlton PC	Policy W5 is supported.	Noted
W5	Charnwood Green Party	Amend Policy W5 to include a fifth point (v)): 'Land of low ecological value' to ensure that the impact on wildlife of development is lessened.	This is not necessary. Paragraph 1.11 states that individual policies should not be interpreted in isolation.
W5	EA	We welcome the inclusion of 'Policy W5: Locating Waste Facilities' on previously developed, contaminated or derelict land. We do encourage the development of contaminated land sites through the planning regime, but request that a good awareness of these issues be demonstrated by the applicant prior to planning permission being sought for any particular site. Any development should follow the procedures set out in the NPPF and in CLR11 – Model Procedures for the Management of Contamination. This would include assessing the suitability of sites for redevelopment based on their environmental setting as well as previous site history and potential for contamination to be present and the best ways to mitigate any risks to controlled waters shown.	Noted

W5	Northants CC	Several policies state that there should be an 'overriding need' for the development. This could in practice be difficult to ascertain if 'overriding need' is not clarified in the document.	This is a planning judgement to be made based on individual cases.
W5	NWLDC	The approach proposed is considered reasonable.	Noted
W5	Tarmac	We have concern that development will not be able to come forward through Policy W5 if it fails to meet the locational criteria of Policies W3 and W4. This will ultimately result in the MWPA being unable to meet their waste management objectives.	See comments on Policies W3 and W4 above.
4.30	EA	The document refers to three main types of waste operations that are judged likely to give rise to odour. There are waste treatment facilities other than AD, Compost and bio treatment that can give rise to odours due to the nature of waste they may accept e.g.; material recovery facilities or household/ commercial/industrial waste treatment facilities both with or without buildings. The same reasoning applies to those activities which may give rise to dust or noise and which includes a broad range of waste treatment process and facility.	The paragraph related to odours (paragraph 4.33) has been removed.
W6	Charnwood Green Party	Amend Policy W6 to reflect the suggested change to Policy W5 simply to ensure continuity.	See response to W5 above.
W6	New Earth Solutions	New Earth supports emerging Policy W6 and the locational requirements associated with biological treatment.	Noted
4.36	Braunstone TC	Add a paragraph concerning the importance of exploring and making provision for the installation of bio-digestive systems to deal with food waste, taking out the oxygen. REASON: Recycling market likely to become less predictable, to avoid landfill, alternative technology should be developed for changing heat from waste into electricity generation.	It is not considered that an additional paragraph related to food waste is necessary.
4.39	Bottesford PC	In regard to Bottesford's tip, it was felt that the opening hours could be clearer & should be maintained. Other counties have introduced charges which seem to have proved a retrograde step as fly-tipping is on the increase. Given Bottesford's geographically location (& isolation to Leicestershire), could consideration be given to a 3 way tip agreement between Lincolnshire, Nottinghamshire & Leicestershire?	These are matters for the Waste Management Plan, not the Minerals and Waste Local Plan.
4.42	Biffa	Although paragraphs 4.42-45 make a passing reference to established methods of thermal treatment (such as that proposed for Newhurst), no	It is not considered that an additional

		explanation of this method of energy recovery is provided. For completeness, and to provide a full explanation of the various heat recovery techniques, a further paragraph on established energy from waste should be included. This section of the document is correctly titled "Energy/Value Recovery from Waste".	paragraph on established energy from waste is necessary.
4.44	New Earth Solutions	Whilst the commentary of different processes is helpful, the explanation of MBT as drafted, might be misconstrued as suggesting that the organic element is treated offsite – instead it should be made clear that the organic fraction is separated and are treated by means anaerobic digestion or composting.	It is not considered that any change is necessary.
W7	Biffa	This policy should be entitled "Facilities for Energy/Value Recovery from Waste" rather than "Recovery Facilities". The first sentence should include the same wording.	Policy has been amended as suggested.
W7	EA	Recovery facilities should not undermine the waste hierarchy. To strengthen the policy we would like to see the following amendments to the following sub-sections: <i>i) Pre-sorting is carried out ensuring that only residual waste (i.e. that which cannot be reused, recycled or composted) is recovered;</i> <i>iii) Energy recovery is maximised, preferably utilising combined heat and power (CHP);</i>	Policy has been amended as suggested.
W7	New Earth Solutions	In the interest of accuracy, it would be helpful if the policy was titled 'Energy Recovery Facilities'. With respect to criteria (iii), it should be noted that there can be tensions between the objective of maximising energy recovery and the waste hierarchy (notwithstanding criteria (i) which could in reality involve only a very crude sort). There can also be tensions between the objective of maximising energy recovery and carbon emissions.	See above.
4.48	New Earth Solutions	In the interest of accuracy, it should be explained that mass burn incinerators that are unable to comply with the R1 quotient are also classed as a disposal operation.	It is not considered that any change is necessary.
W8	Northants CC	Several policies state that there should be an 'overriding need' for the development. This could in practice be difficult to ascertain if 'overriding need' is not clarified in the document.	This is a planning judgement to be made based on individual cases.
W8	Natural	We support Policy W8: Waste Disposal which will only allow planning	Noted

	England	permission to be granted for new or extended waste disposal facilities where environmental benefits will be secured by the development.	
W8	Tarmac	<p>This policy would be a key consideration for extending existing infill operations.</p> <p>We object to the second bullet point that environmental benefits will be secured by the development. This requirement is inappropriate, unwarranted and onerous on the operator.</p> <p>Point (iv) requires deletion as by default an extension to the infill operations could delay the final restoration of existing landfill or land raise sites. It is difficult to demonstrate that waste may not be diverted away from existing sites, it is difficult commercially to manage and would be difficult for the authority to monitor.</p>	Disagree. The NPPF requires new development to seek a net gain in biodiversity and this would be an environmental benefit. It is important that new developments are not approved which could delay the restoration of other sites.
W9	Biffa	We fully support this policy and agree that waste management facilities are an important element of a community's infrastructure. Both operational and proposed waste management sites should be safeguarded against encroachment by other more sensitive land uses such as housing.	Noted
W9	New Earth Solutions	<p>New Earth objects to emerging policy W9.</p> <p>Whilst the existing text is supported, it is considered that the policy should also express support for new development that would improve the operational efficiency of existing facilities, and / or lead to environmental and amenity improvements.</p>	Policy W7 has been amended to refer to new or emerging technologies. Policy W9 relates to safeguarding waste management facilities.
W9	Tarmac	Waste management safeguarding is dealt with more comprehensively within the District Safeguarding Documents which we support. However, we consider this should go further. The individual site plans should indicate what waste streams are managed by the site to become a more useful tool in assessing what the potential for impact would be if new development is proposed in proximity. This should also include whether it is an active operation or permitted operation for waste management. This would then be able to be kept under review and updated as necessary if safeguarded sites continually fail to come forward for development. They should not preclude other forms of sustainable development coming forward if there is	<p>It is not considered necessary to include reference to the waste streams managed at safeguarded sites.</p> <p>The latest position regarding waste management capacity will be provided in the Annual Monitoring</p>



		<p>no clear/reasonable prospect of a site being developed.</p> <p>There are a number of existing waste management operations that Tarmac have made representations regarding which are not included within the Waste Safeguarding documents. Noticeably as follows:</p> <p><i>Brooksby Quarry</i> has permission for the disposal of inert fill.</p> <p><i>Lockington Quarry</i> has permission for restoration using inert materials. The permitted area for waste infilling is larger than shown. An extension to the mineral operations is proposed which will facilitate long term inert disposal which should be safeguarded in addition to the current/permitted operations.</p> <p><i>Mountsorrel Quarry</i> is listed as a waste site for safeguarding. However, there is no site plan associated with the operations.</p>	<p>Report.</p> <p>The waste safeguarding documents have been amended in respect of Brooksby, Lockington and Mountsorrel Quarries.</p>
5	EA	<p>For consistency reasons throughout the text of this document as a whole, we question the use of the wording in the Development Management Policies DM1 to DM11 inclusive. We do not accord with the wording "Proposals for minerals and waste development will be granted ....." as this does not appear to be clear in linking an actual planning application with a grant of planning permission. Mineral Policies M3, M8, M10, M13, M14, M15, M16 M17 and Development Management Policy DM12 all refer to Planning Permission, which of course can be tied to a Planning Application. We would suggest that clarity be given if the word "Proposals" was replaced with 'Applications' or something similar.</p>	<p>Wording of DM policies Has been amended to say "planning permission" instead of "proposal".</p>
5	EA	<p>The document does not appear to provide guidance on how proposals which affect watercourses will be treated. Consideration should be given to the potential for watercourse diversions and for a clear setback distance for any proposed excavation in the vicinity of a watercourse. It is considered that such guidance is important in understanding the viability of sites which may contain such features.</p>	<p>It is not considered that this is necessary as this is covered by other consent regimes.</p>
5.3	Braunstone TC	<p>Include a paragraph explaining that the County Planning Authority shall inform and consult District Planning Authorities, Parishes and statutory organisations, e.g. Environment Agency. REASON: to enable a full range of material considerations and environmental impacts to be presented and considered and addressed where necessary with appropriate conditions.</p>	<p>Before granting planning permission, the planning authority must consult certain authorities and bodies as specified in the</p>

			Development Management Procedure Order 2015. It is not considered necessary to state this in the Plan.
5.5	Tarmac	We consider that paragraph 5.5 should be amended to remove the requirement for financial guarantees to secure restoration. There is no clear justification for the policy and it is considered contrary to paragraph 144 of the NPPF. Tarmac are members of the Mineral Products Association Restoration Guarantee Fund (MPARGF). The MPARGF acknowledges that it could be difficult for restoration conditions to be enforced if an operator becomes financially insolvent. It is precisely for that reason that the MPARGF was designed; to give communities, landowners and planning authorities the confidence that even in those circumstances quarrying will not leave a legacy that they will be left to clean up. That is the MPARGF pledge. Because it is so effective in giving that security, the MPARGF is endorsed by Government through the National Planning Policy Framework.	Financial guarantees are not a requirement, but may be sought in exceptional circumstances (see paragraph 5.80).
5.13	County Archaeologist	Development should be well designed and create a high quality built environment <i>avoiding unsustainable impact upon finite and vulnerable natural and historic resources.</i>	Additional wording has been included as suggested.
5.13	County Ecologist	Could add reference to biodiversity enhancement, e.g. <i>“Opportunities to enhance biodiversity and contribute towards the objectives of the local BAP should be taken”.</i>	Additional wording has been included as suggested.
DM1	MQP	Midland Quarry Products supports Policy DM1 as it accords with the overarching presumption in favour of sustainable development contained in the National Planning Policy Framework.	Noted
DM1	NWLDC	Support approach	Noted
DM1	Tarmac	We are supportive of the inclusion of Policy DM1 and the positive approach to sustainable development as advocated by the NPPF. We would emphasise the importance of meeting demand for mineral and waste facilities in securing economic growth. We would not want to see this overriding objective being restrained/stymied by overly restrictive policies with an	Noted

		emphasis on the location of these facilities as opposed to the benefits of wide spread waste facilities and collocating waste facilities.	
5.18	EA	Amend the last sentence by replacing the word " <u>minimise</u> " with " <u>protect against</u> ", recognising that minimising the impact may not necessarily protect against unacceptable impacts.	Wording has been amended as suggested.
5.19	EA	Replace the last sentence with " <u>It is important to ensure that measures are taken to protect against unacceptable impacts</u> ", recognising that minimising the impact may not necessarily protect against unacceptable impacts.	Paragraph has been amended as suggested.
5.19	NFU	The possible impacts for farms include dust and other damage to crops and grass and damage to land drainage systems and water tables.	Noted. Para.5.19 refers to dust and run off.
5.24	Tarmac	Although there is recognition that mineral operations could have a long term benefit to flood alleviation, reference should be made to mineral workings being appropriate/compatible forms of development within identified flood zones.	Text (para.5.26) has been amended to include the suggested reference.
5.25	EA	The wording in this paragraph is recommended to be more specific on the role which the Flood Risk Assessment (FRA) plays as part of the overall evidence upon which planning decisions are made. It should also be made clear that the submission of FRA will not in itself result in the acceptance of an application, and the FRA must demonstrate that flood risk will not be made worse by the proposal.	Paragraph has been amended to include additional wording regarding the FRA.
5.25	Lead Local Flood Authority	Should include the Lead Local Flood Authority as well as the Environment Agency in light of the legislative changes in April 2015 regarding statutory consultee for flood risk.	Reference to the LLFA has been added as requested.
5.26	EA	Mineral working and waste facilities are classified as "less vulnerable" developments, and as such table 3 of the PPG does not require that an Exception Test is carried out for such vulnerable uses. This paragraph, therefore, needs to be amended to accurately reflect the requirements of the NPPF.	Paragraph has been amended as suggested.
5.27	EA	Wording states that the increase in flood risk should be 'minimised', but this is contrary to the principles established in the NPPF and supporting documentation which require development to 'not increase flood risk elsewhere, and, where possible, reduce flood risk overall'. We, therefore,	Text has been amended as suggested.

		request that the wording is amended to read that "Proposals should include appropriate measures to fully mitigate against any increase in flood risk."	
5.30	NFU	Well done for including farms in the list of businesses that could be affected by minerals and waste development.	Noted
DM2	Charnwood Green Party	Amend Policy DM2 to include adjoining wildlife species as well as land use, users and those in close proximity to ensure they are considered as well.	It is not considered that any change is necessary. Protection of wildlife species is covered by DM7.
DM2	Coal Authority	<b>Support</b> – The Coal Authority welcomes the recognition in paragraph 5.29 that wider objectives such as the removal of land instability and prevention of mineral sterilisation need to be considered in any judgement about separation distances between extraction and communities. This will allow the objectives of the NPPF and the plan in relation to prior extraction to be met.	Noted
DM2	EA	We would like to see this Policy reference the protection of controlled waters including surface water and groundwater. Aquifers are important for supplying base flow to local rivers, streams and wetlands. Controlled waters must therefore be afforded a high degree of protection when considering minerals and waste developments. The Environment Agency has set out its policy and principles for the protection of groundwaters in a national document available at <a href="https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3">https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3</a> . It highlights numerous topics including waste, quarrying and infrastructure developments. It is essential that those principles are adhered to where relevant when it comes to detailed proposals being produced.	It is not considered that any change is necessary to DM2, but paragraph 5.19 has been amended to say controlled waters rather than protected.
DM2	NWLDC	Support approach	Noted
DM2	Tarmac	Environmental assessment work which accompanies Planning Applications will consider the potential for adverse impact upon amenity. Methods of working, scheme design and operational mitigation are often satisfactory in mitigating any potential for adverse effect and separation distances are not necessary. We would therefore recommend the policy be amended to read: "Proposals for minerals and waste development will be granted where it is	Policy DM2 has been amended to refer to the 'potential' effects.

		demonstrated that the <i>potential</i> effects from bird strikes, dust, emissions, flooding, illumination, noise odour, run-off, traffic, vibration or visual intrusion to adjoining land uses would be acceptable.”	
5.32	Charnwood Green Party	Amend Paragraph 5.32 to include the Living Landscape schemes of Leicestershire & Rutland Wildlife Trust and the Local Wildlife Site network, with subsequent explanatory paragraphs. This will acknowledge a greater suite of wildlife strategies and designated sites.	The text has been amended to make reference to Living Landscape schemes (in paras.5.34 and 5.39) and Local Wildlife Sites (in para.5.53).
5.32	EA	All of the waterbodies listed in paragraph 5.32 are Water Framework Directive (WFD) waterbodies and as such any minerals or waste development must have full regard for WFD and demonstrate that there will be no deterioration in the WFD <i>status</i> or <i>potential</i> of any given waterbody, whether this is within or outside of the listed strategic river corridors. We would request this local plan is revised to include the requirements of the WFD as either a standalone policy or included within an existing policy such as Policy DM7. Any WFD Policy could read as follows: <i>Proposals for minerals and waste development will be granted where it is clearly demonstrated they will not cause the deterioration to any given WFD waterbody and will, where possible, contribute towards achieving good ecological status or potential.</i>	Policy DM3 has been amended in respect of Strategic River Corridors to protect the river wildlife corridor. Waterbodies are also protected by Policies DM2 and DM7.
5.37	NFC	The NFC requests a number of minor factual amendments to Paragraph 5.37:- <ul style="list-style-type: none"> <li>• Remove the reference to 15 million trees.</li> <li>• Amend the second sentence to delete ‘<i>acts as a catalyst and participates in major bids for national and European funds and</i>’ and replace with ‘<i>leads the creation of the Forest and is a Non-departmental Public Body sponsored by the Department of the Environment, Food and Rural Affairs.</i>’</li> <li>• Update final sentence to read: ‘<i>As of 2015, 20% of the land within the National Forest boundary was covered by woodland, this has increased from 6% in 1990.</i>’</li> </ul>	Paragraph has been amended as suggested.

5.39	County Archaeologist	...They are also important in terms of <i>the historic landscape character and intrinsic archaeological interest, the latter including the potential for well-preserved buried remains and associated organic (palaeoenvironmental) deposits...</i>	Paragraph has been amended as suggested.
DM3	Charnwood Green Party	Amend Policy DM3 to include recognition of Living Landscape schemes and the Local Wildlife Site network.	It is not considered necessary to amend Policy DM3, but Policy DM7 has been amended to refer to Local Wildlife Sites.
DM3	County Ecologist	Should be strengthened to include clearer reference to the wildlife corridors along rivers. Suggest amend (b) in respect of Strategic River Corridors to read as follows: <i>"the habitat connectivity, habitat quality, function and viability of the river wildlife corridor; and"</i>	Policy has been amended as suggested.
DM3	HNE Team	Given the direction in the NPPF for planning authorities to protect and enhance local landscapes we'd encourage Policy DM3 to be strengthened to encourage extractive techniques that are less destructive to the existing landscape.	The control of impacts on the landscape is addressed by DM5.
DM3	NFC	<p>The NFC welcomes this Policy which requires minerals and waste development to be in accordance with the National Forest Strategy. The NFC requests that the Policy be amended to specifically refer to our <i>Guide for Developers and Planners</i> which includes the Planting Guidelines. The <i>Guide for Developers and Planners</i> and our <i>Design Charter</i> also sets out how we expect development to reflect the character of The National Forest through the use of visible timber in construction, the use of green roofs and through sustainable design. The NFC requests that this expectation is also referred to in the Policy.</p> <p>The NFC therefore requests that the paragraph within Policy DM3 be amended to state: <i>"Proposals for minerals and waste development within The National Forest will be granted...in accordance with the Planting Guidelines as set out in the National Forest Company's Guide for Developers and Planners, and are designed to reflect the character of The National Forest as set out in the National Forest Company's Design Charter."</i></p> <p>The NFC also requests that footnotes are provided to provide links to the</p>	Policy has been amended as suggested. Para. 5.37 has been amended to provide additional information regarding the Planting Guidelines and Design Charter.

		Planting Guidelines and Design Charter.	
DM3	Natural England	We welcome the ongoing commitment to the 6Cs Green Infrastructure Strategy including Strategic River Corridors. We support Policy DM3: Strategic Green Infrastructure to ensure that development proposals will create and enhance green infrastructure provision rather than compromising “the integrity of strategic green infrastructure corridors in connecting locations of natural and cultural heritage, green spaces, biodiversity or other environmental interest in urban and countryside areas”. The point could also be made that the provision of new areas of green infrastructure through the reclamation of minerals sites can help to strengthen resilience to the effects of climate change by providing stronger ecological links; preventing habitat fragmentation and loss of species and habitat types. This approach would comply with the guidance set out at paragraph 99 of the NPPF.	Noted. Paragraph 5.86 refers to the potential effect of the restoration of mineral sites on climate change.
DM3	NWLDC	Support approach	Noted
DM3	Tarmac	DM3 states that planning permission will be granted where proposals reflect the National Forest Strategy by making provision for the planting of woodland, habitat creation, the creation of new leisure and tourism facilities and/or for public access. Whilst the Plan should plan positively to seek such benefits from minerals and waste developments, they cannot be categorical to require them. These benefits should be achieved where possible but should not be overly onerous to stifle new development coming forward. Operators have to balance the requirements of the Plan/MWLPA in addition to the landowner requirements and responsibilities for ongoing aftercare.	The Policy accords with existing adopted policies (Policies MCS14 and WCS11).
5.40	Charnwood Green Party	Amend Paragraphs 5.40 & 5.41 to change the function of Green Wedges from solely amenity value to both wildlife habitat & amenity value. This should mean that biodiversity is acknowledged as being equally important alongside amenity on these sites.	Disagree. The primary role of Green Wedges is to guide the development form of urban areas whilst helping to maintain settlement identity within the rural areas.
DM4	Charnwood Green Party	Amend Policy DM4 to reflect the suggested changes to Paragraphs 5.40 & 5.41 to ensure continuity.	See above.

DM4	HBBC	The Borough Council welcomes a policy relating specifically to green wedges. The criteria listed broadly reflect the functions of the green wedge as outlined in the Leicester and Leicestershire Joint Green Wedge Methodology (2011). The primary role of the Green Wedge is to guide the development form of urban areas whilst helping to maintain settlement identity within the rural areas. To reflect this it is recommended that text is inserted into criteria i): maintain the strategic planning function of preventing the coalescence of settlements <i>and guide development form'</i>	Policy has been amended as suggested.
DM4	Natural England	We welcome Policy DM4: Green Wedges to permit minerals and waste development only where it would protect, enhance and improve public access to the green wedge especially for recreation.	Noted
DM4	NWLDC	Support approach	Noted
DM4	Tarmac	The policy should acknowledge the temporary nature of minerals and associated waste operations. In order to operate sites, it may be necessary to affect current levels of leisure value. However, this is short term and some acknowledgement of long term potential gain should be provided.	Para.5.41 recognises that mineral development would be acceptable in Green Wedges, but that waste developments are less appropriate.
5.42	Charnwood Green Party	Amend Paragraph 5.42 to include Local Wildlife Sites as one of the 'locally important open spaces' to recognise their contribution to biodiversity and habitat connectivity.	Paragraph has been changed as suggested.
DM5	Breedon Aggregates	There should not be a blanket provision that all sites are suitable for woodland planting. Some sites that contain best and most versatile soil will have an emphasis on restoring back to agricultural land where possible. Each site should be looked at on its own merits and the most appropriate restoration scheme designed to the local circumstances. Therefore the policy should be amended as follows: "Proposals for minerals and waste development will be granted where it is demonstrated that the proposal would be sympathetic to the character and quality of the landscape and the countryside, and it contains sufficient provision for new woodland planting where appropriate".	Policy has been changed to specify new planting 'where appropriate'.
DM5	Charnwood	Amend Policy DM5 to provision tree planting only on ecologically	See above.



	Green Party	appropriate areas. This is to avoid ecological damage to sites that require guarding against succession to woodland like heathland and rich wildflower meadows.	
DM5	HBBC	The Borough Council's Local Plan Proposals Map (2001) and the emerging new Policies Map designate areas outside of settlement boundaries as either countryside or green wedge and therefore the two are separate designations. Policy DM4 does not contain criteria relating to landscaping therefore concern is raised that as policy DM5 stands at the moment there is no policy relating to landscape which can be applied to sites within the Green Wedge. For instance, Lynden Lea, Hinckley (site reference HK12) is located within the Hinckley/ Barwell/Earl Shilton/Burbage Green Wedge and abuts the boundary of Burbage Common if this site were to expand there is no policy contained in the Minerals and Waste Local Plan to ensure that suitable landscaping is put in place. Any expansion of this site would have a direct impact on the visual landscape of both Burbage Common and the Green Wedge. To address these concerns the title of this policy should be amended to: <i>Landscaping within the countryside and green wedge</i>	Policy (and section) has been retitled 'landscape impact' and amended to remove reference to the 'countryside'.
DM5	NFC	The NFC strongly supports the emphasis within this policy on the provision of new woodland planting. In particular, the NFC supports the reference to the need to incorporate planting in advance of the commencement of development. Given the time taken for woodland to establish and provide screening, early planting is considered necessary.	Noted
DM5	Northants CC	May need to rethink wording. It would be difficult in most circumstances to show how mineral extraction is sympathetic to character.	Policy has been reworded.
DM5	NWLDC	Support approach	Noted
DM5	Tarmac	Applications for minerals and waste developments may not include provision for new woodland planting and the policy should not be categorical in its requirements for it as part of restoration. This may not be deemed an appropriate land use post mineral/waste operation and it should not be prescribed for all countryside locations. The first paragraph should be amended to read, ' <i>proposals for minerals and waste development will be granted where it is demonstrated that the proposal would be sympathetic to the quality of the landscape and the countryside</i> '. The second paragraph of	See response to Breedon Aggregates above. The second paragraph only seeks planting in advance of development <u>where appropriate</u> .

		Policy DM5 should be reworded to seek screening prior to development if necessary.	
DM6	Natural England	We are pleased to note that the presence of best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) will 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.	Noted
DM6	Northants CC	Several policies state that there should be an 'overriding need' for the development. This could in practice be difficult to ascertain if 'overriding need' is not clarified in the document.	This is a planning judgement to be made based on individual cases.
DM6	NWLDC	Support approach	Noted
5.49	Charnwood Green Party	Amend Paragraph 5.49 to give examples of wider ecological networks such as Living Landscape schemes supported by Local Wildlife Sites. Again, this is to acknowledge their contribution to habitat connectivity, the lack of which threatens all wildlife.	A new paragraph has been added related to Local Wildlife Sites.
5.49	Natural England	We very much welcome the section on sites of biodiversity and geodiversity interest including the references to the different levels of protection afforded to sites of national, international and local importance. We note the specific reference to the River Mease Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) for its status as a site of international (European) as well as national importance.	Noted
5.50	Natural England	We welcome the recognition within the consultation draft that developments within the River Mease catchment will be subject to special scrutiny under the Habitats Regulations including a Habitats Regulations Assessment to identify any potential impacts on the River Mease. If any likely significant effects are identified by the Habitats Regulations Assessment, an Appropriate Assessment would need to be carried out to rule out or mitigate any potential impacts on the protected site.	Noted
5.52	County Ecologist	Reference could also be made to the Impact Risk Zones that Natural England have identified around each SSSI.	A new paragraph has been included related to Impact Risk Zones.

5.52	HNE Team	It should be mentioned that the fossils are of international importance.	Text has been amended as suggested.
5.52	Natural England	The procedure is slightly different for the 75 Sites of Special Scientific Interest (SSSIs) referenced within this section in that these sites are protected by the Wildlife & Countryside Act. The manner in which the impact of developments on these sites is assessed may be different but they are still legally protected by national legislation and the local authority would be failing in its duty not to afford them proper protection.	Noted
5.53	County Ecologist	There is no reference to the importance of smaller and County-wide/local features of value, such as brooks, railways lines (active/disused), canals, and clusters of important habitats. I recommend an additional paragraph along these lines: "At a local or county-wide level, linear features such as watercourses, canals, disused and active railways, roadside hedges, roadside verges are important components of the wider ecological network of Leicestershire, often linking together associated habitats and providing corridors and stepping stones between important ecological sites. Severance of or damage to any of these local corridors can affect the ability of species to disperse through the landscape, affecting their resilience to environmental change and preventing colonisation of new habitats. Clusters or 'hotspots' of associated habitats are also important as stepping stone habitats in the landscape, aiding dispersal of species. It is likely that the robustness of these local ecological networks will be an important factor in climate change adaptation, and it is important to ensure that all components of the network are protected, conserved and enhanced."	An additional paragraph has been included as suggested.
5.54	County Ecologist	This paragraph is weak, with the word 'may' being used several times, implying that in some cases we won't seek mitigation, compensation etc for damage to LWS. I recommend this rewording: "...are avoided. <i>If an alternative location cannot be found, despite all reasonable efforts to find one, measures must be put in place to prevent the harm occurring. In some circumstances... existing areas of interest will be required in compensation. Compensatory habitat creation should reflect national or local BAP priorities; should be informed by recent surveys of the site and understanding of the site's local environmental conditions and position</i>	The first part of the 2 <sup>nd</sup> sentence has been amended as suggested.  Additional text has been included regarding compensatory habitat creation.

		<i>within the ecological network; and should provide double the area of newly created or restored habitats in compensation for the area of habitat lost. If significant..."</i>	
5.54	EA	Despite the clear benefits of Local Wildlife Sites, this paragraph reads as though there will be situations when compensation will not be required and that removal of LWS's will be acceptable to the authority. In order to ensure the protection of these important sites, the last but one sentence of para 5.54 should be reworded to state: 'Where adverse effects cannot be avoided, provision for the creation of new and the enhancement of the existing areas of interest <i>will be required with appropriate compensation which is well connected to the wider ecological network</i> '. This amendment would also fully support the statement made in Policy DM7 relating to Locally Important Sites of Biodiversity Conservation Value.	It is not considered appropriate to require compensation in all circumstances. There may be other material considerations that override such provision.
5.55	County Ecologist	The correct title for the local BAP is " <i>Leicester, Leicestershire and Rutland Biodiversity Action Plan</i> ".	Reference has been amended (also in para.5.82).
5.56	HNE Team	The section on Geodiversity is welcomed and the recognition of geodiversity enhancement through the restoration of sites. This could be achieved by ongoing consultation with local geology groups and the Leicestershire and Rutland Wildlife Trust to maximise the scientific and educational potential of the Locally Important Geological Sites.	Noted
DM7	Carlton PC	Policy is strongly supported.	Noted
DM7	County Ecologist	It would be helpful to refer explicitly the Local Wildlife Site criteria, to take account of any undiscovered sites of LWS quality affected by the proposal. We also need to be sure that known candidate LWS, as well as fully designated LWS, are covered. Any site that meets LWS criteria is, by definition, of local value and a priority habitat in the local BAP. I suggest this amendment: "...locally designated sites of biodiversity conservation value <i>and sites meeting Local Wildlife Site criteria</i> , and priority habitats and species identified in the <i>Local Biodiversity Action Plan</i> is retained and protected... the development will be required to deliver a <i>significant</i> net-gain in biodiversity through the creation of <i>local BAP</i> priority habitat."	Policy has been amended as suggested with the exception of reference to 'significant' net gain as this will not always be possible or appropriate.
DM7	NFC	While the principle of this Policy is supported, the first line of the Policy	The policy has been amended to accord

		states that 'Proposals for minerals and waste development should seek to achieve a net gain in biodiversity'. The NFC considers that this is not as strongly worded as the National Planning Policy Statement which refers to 'providing a net gain for biodiversity' at Paragraph 109. The NFC therefore requests that the first sentence of Policy DM7 is amended to 'Proposals for minerals and waste development should <i>provide</i> a net gain in biodiversity'.	with the NPPF, which refers in para. 109 to providing net gains in biodiversity <u>where possible</u> .
DM7	Natural England	We broadly support Policy DM7: Sites of Biodiversity/Geodiversity Interest with its commitment to protect sites of international, national and local importance in that order and to mitigate or compensate for any adverse effects of mineral or waste development proposals on the special interest features for which these conservation sites have been designated.	Noted
DM7	NWLDC	Reference is made to the River Mease SAC but it is considered that it would be helpful to acknowledge the River Mease SAC Developer Contributions Scheme.	It is not considered appropriate to amend DM7 but para.5.51 has been amended to include reference to the scheme.
DM7	Tarmac	We object to the requirements of Paragraph 5.52 and Policy DM7 and consider it inappropriate to seek a net gain to biodiversity. This approach is contrary to the NPPF where impacts should be minimised and net gains in biodiversity provided where possible (paragraph 109). The policy should be focussed towards and plan positively for, 'the creation, protection, enhancement and management of networks of biodiversity'. In addition, there should be recognition and support for policies/proposals which preserve and seek to enhance or create opportunities for biodiversity in accordance with the objectives of paragraph 118 of the NPPF. The Policy should be reworded as follows: " <i>Proposals for minerals and waste development should seek to preserve levels of biodiversity and proposals which seek to enhance and create additional opportunities for biodiversity will be supported</i> ".	The 1 <sup>st</sup> paragraph has been amended to accord with the NPPF (para. 109)
DM7	Tarmac	<i>Nationally Important Sites of Biodiversity Conservation Value</i> : It is unclear what constitutes an 'inappropriate minerals and waste development'. The policy should clarify the requirements for minerals and waste development within or adjacent (as opposed to outside) of a SSSI and NNR. The last	It is not considered that any change is warranted. Sites should deliver a net gain in biodiversity.

		sentence should be removed, <i>'and the development will be required to deliver a net gain in biodiversity through the creation of priority habitat(s)'</i> . The mitigation hierarchy outlined in the NPPF is satisfactory for seeking protection/enhancement of biodiversity assets.	
DM7	Tarmac	<i>Locally Important Sites of Biodiversity Conservation Value</i> : Whilst important, the status of locally important wildlife sites is given the same level of protection of more significant assets. The intention should be to preserve and protect where possible. However, it should be acknowledged that there are potential for compensation and enhancement post restoration. A requirement for net gain in biodiversity is not in accordance with the NPPF.	It is considered that the Policy accords with the NPPF; and that it is not necessary to make any changes.
DM7	Tarmac	<i>Locally Important Sites of Geological Conservation Value</i> : There should be some acknowledgement that it is often mineral development that forms sites of geological conservation value. Where practicable, net gains could be achieved post restoration (as advocated at para 5.87 regarding restoration and afteruse).	Paragraph 5.56 recognises that mineral development can provide opportunities for geodiversity enhancement through the restoration of sites.
5.59	County Archaeologist	Change 'Archaeological features which are demonstrably of equivalent status...' to 'Non-designated Heritage Assets which are demonstrably of equivalent status... Assets of this type...'	Wording has been changed as suggested.
5.61	County Archaeologist	'English Heritage' replace with <i>Historic England</i>	Wording has been changed as suggested.
5.61	Historic England	There is reference to 'English Heritage' rather than the new title 'Historic England' within paragraph 5.61; this should be amended to avoid confusion.	See above
5.62	County Archaeologist	The County Historic Environment Record should be consulted as part of this <i>process, together with the analysis and recommendations of the Leicestershire Aggregate Resource Assessment. The latter provides a consolidated archaeological appraisal of Leicestershire's aggregate (sand and gravel and crushed rock) producing landscapes, and offers generic recommendations on the character and scope of archaeological evaluation. In addition to this assessment more detailed evaluation is likely to be</i>	Additional wording has been included as suggested.

		required dependent on site specific details.	
DM8	Carlton PC	Policy is strongly supported.	Noted
DM8	Historic England	The amendments to the wording and title of the policy are welcomed. I would again stress the need for reference to restoration in the final paragraph as follows: "Where appropriate, proposals should provide for the enhancement of specific features of the historic environment, including individual heritage assets or historic landscapes, <u>as part of their restoration.</u> " In order to meet the requirements of the NPPF, specific reference is required in both policy DM8 and within the policy dealing with restoration, DM12.	Policy has been amended to include suggested change.
DM8	Natural England	We support Policy DM8: Historic Environment in its commitment to protect the historic environment.	Noted
DM8	NWLDC	Support approach	Noted
DM8	Tarmac	It is our view that it is inappropriate to put a 'blanket' presumption against minerals and waste development that is detrimental to the significance of a heritage asset. It is our view that the policy should be reworded to support minerals and waste developments that conserve the historic environment. Where there is impact, the policy should set out what would be required depending upon the significance of the asset. It is presumed that the latter paragraph of the policy ('proposals for minerals and waste developments affecting heritage assets or their settings will be expected to...), is referring to proposals with the potential to impact upon designated heritage assets.	It is considered that the policy is in accordance with the NPPF which indicates that great weight should be given to the conservation of heritage assets.
5.63	Notts CC	The County Council has no specific strategic transport planning observations to make.	Noted
5.69	Bridleways Association	The consultation document makes little or no mention of sustainable travel to work. This should have more emphasis. The health benefits and 'carbon footprint' reduction of 'vulnerable road user' provision for both employees and the wider public also need more emphasis in the final document.	An additional paragraph has been included related to Travel Plans.
5.69	Notts CC	It would be expected that where there are predicted significant cross border transport implications that Nottinghamshire County Council would be consulted as local highway authority. It is therefore requested that Leicestershire County Council acknowledge this requirement in the discharge of the planning function associated with the Minerals and Waste	It is acknowledged that there will be a need to consult highway authorities in neighbouring areas where a development

		Local Plan.	gives rise to cross-border transport issues.
DM9	NWLDC	Support approach	Noted
DM9	Ramblers Association	<p>With regard to increased road traffic due to mineral extraction, particularly on routes which are shared with walkers, we feel the granting of permission should be conditional on the provision of improved pavements within the highway verges wherever possible and necessary.</p> <p>We also have concerns with the volume of traffic using 'civic amenity waste sites' and feel that a review of kerbside collection of such waste could reduce the need for individual journeys.</p> <p>We are also concerned that road traffic for waste disposal could be increased by the focus on disposing of Leicestershire's waste within the boundaries of the county. We feel that there may be situations in which a shorter road journey to a disposal site just beyond the boundaries of the county may be possible, particularly to the extensive gravel extraction sites in the Trent Valley.</p>	<p>The policy states in criterion (ii) that the proposal needs to demonstrate the impact on road safety would be acceptable. This is a matter for the Waste Collection Authority.</p> <p>The Plan seeks to make provision for the amount of waste generated within the County but does not seek to restrict the movement of waste beyond the county boundary.</p>
DM10	Bridleways Association	<p>Important that future applications include provisions for public access from the start of work that will get all vulnerable road users (VRUs) off the increasingly dangerous roads; will not put PRow users on to roads in lieu of routes across the working site; will provide for all classes of VRU; relate to all the land under the applicant's control in that area; will also provide for any necessary upgrading of linking footpaths (on other land). The staging of work should, stage by stage, increase public access to the site whenever feasible. Such access routes should be registered on to the Definitive Map.</p>	<p>Policy DM9 states that the proposal needs to demonstrate the impact on road safety would be acceptable. Policy DM10 requires the provision of convenient and safe alternative routes if a right of way is unavoidable. Policies DM10 &amp; 12 both seek improved access arrangements.</p>
DM10	Carlton PC	Policy is strongly supported.	Noted
DM10	Leics. Local Access	<p>Should make specific reference to;</p> <ul style="list-style-type: none"> <li>links to the wider PRow network</li> </ul>	See response to Bridleways



	Forum	<ul style="list-style-type: none"> <li>providing multi-user routes whenever possible rather than just footpaths, regardless of the current status of PRow on the site.</li> </ul> <p>In addition we think consideration should be given to including something in the policy encouraging sustainable travel to work.</p> <p>Bearing in mind the general lack of fitness in the population and the need to provide activity areas to encourage exercise we feel the public access elements need more emphasis promoting multi-use residual use and ongoing access around sites during operations. The safety argument is often overstated as an excuse and if people are excluded the alternative for the potential users is being confined to the road network which is often much less safe. Early access should be easily achievable for the "behind-the-hedge" elements which could be accommodated within the design and construction of the screening / bunding that is often required before extraction starts.</p>	Association in respect of DM10 and para.5.69 above.
DM10	Natural England	Natural England supports the commitment to protect Public Rights of Way for their recreational benefits and contribution towards a coherent and integrated green infrastructure network. This should be borne in mind for alternative routes should they prove necessary for mineral or waste developments.	Noted
DM10	NWLDC	Support approach	Noted
DM10	Ramblers Association	We welcome and fully support policy DM10, particularly the need to maintain the integrity of the network where temporary diversions are necessary. We welcome the intent to make extension of existing sites conditional of 'rolling restoration', which will reduce the possibility of increasingly lengthy diversions.	Noted
DM10	Tarmac	The policy should be supportive towards proposals/schemes that protect public rights of way or offer opportunities for improved access. However, they should not be overly onerous on operators to secure access and for landowners to have to commit to the ongoing responsibility and maintenance of access. The final sentence of this policy, ' <i>the opportunity will be taken, wherever possible, to secure appropriate, improved access to the countryside</i> ' should be removed.	It is not accepted that the final sentence is overly onerous on operators/landowners. The Policy is in accordance with NPPF which states (para.75) that local authorities should seek to opportunities

			to provide better facilities for users, for example by adding links to existing rights of way networks.
5.75	EA	Adverse cumulative impacts could also include odour.	The paragraph has been amended to refer to odour.
DM11	Natural England	We welcome the recognition in Policy DM11 that account should be taken of the cumulative impact of minerals and waste developments on the local community and natural environment.	Noted
DM11	NWLDC	Support approach	Noted
5.76	Bridleways Association	On longer-term projects, there needs to be an initial restoration plan, reviews of the restoration plan, a "pre-terminal" review of the restoration plan. We recommend the earliest and widest possible informal consultation with interested organisations and groups.	Disagree. It is not considered appropriate to be continually reviewing restoration.
5.76	EA	We support much of the content in the section on restoration, aftercare and after-use.	Noted
5.76	EA	It is considered that although the benefits of good restoration on flood risk are touched upon in paragraph 5.24, specific and detailed comment should be included with the restoration and aftercare paragraphs 5.76 – 5.87.	Para.5.98 mentions that restoration can provide flood attenuation and storage areas that have the potential to reduce areas prone to flooding.
5.80	Bridleways Association	Para 5.80 says: <i>Financial guarantees to ensure restoration for temporary sites should only be sought in exceptional circumstances.</i> We feel that this policy should be reversed given the recent experience with UK Coal at both Longmoor and Minorca. We believe that both short and long life projects that require restoration plans should have these plans backed up by an appropriate fund that will enable the Minerals Authority to undertake the necessary work itself.	The suggested change would be contrary to the NPPF which states (para.144) that bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances.
5.80	Leics.Local	"Financial guarantees to ensure restoration for temporary sites should only	See above

	Access Forum	be sought in exceptional circumstances." We feel in the light of recent history this is not adequate to protect the rights of way and general restoration. Commitments made by entities which may no longer exist by the time that the promises fall due to be fulfilled are a complete waste of time. Given the sort of monies being generated from some substantial schemes it should be possible to require some form of bond to cover these future commitments.	
5.82	Leics.Local Access Forum	Should make specific reference to; <ul style="list-style-type: none"> <li>• links to the wider PRoW network</li> <li>• providing multi-user routes whenever possible rather than just footpaths, regardless of the current status of PRoW on the site.</li> </ul> We do not think even the agreed plans can be set in tablets of stone as circumstances change. We feel there is a need for regular reviews of the restoration plans of long-term extraction sites with outside consultation to reflect changing situations. Cost neutral variations should be able to be accommodated.	The policy does not restrict such provision taking place, but it is not considered necessary to make specific reference to them. Restoration plans can be reviewed as part of the process of reviewing old mineral permissions (ROMPs).
5.83	County Ecologist	It seems strange to limit restoration to one habitat, and I don't think it is a good idea to refer to a list dated 2015! The BAP will be updated, its names may change even if the principles don't, and there may be changes in the list of priority habitats over the life of the Minerals and Waste plan. Suggested re-wording to delete "one of the" in the penultimate sentence.	The policy does not limit restoration to one habitat.
5.83	EA	Whilst ecosystem services are considered to some extent in paragraph 5.83, relating to restoration, there is no recognition of existing ecosystem services and how these may be impacted and safeguarded by the LPA prior to development. Due to the scale and nature of mineral and waste developments and the impacts they can have on the natural environment, positive or negative, it is advised an ecosystem approach is taken to this local plan. This will ensure the ecosystem services provided by a given area, which are of benefit to local communities and the natural environment, are fully considered throughout the planning process and will ultimately be protected and / or enhanced as a result of the minerals and / or waste activity.	It is not considered that the ecosystem approach will be appropriate for all minerals and waste developments.

5.83	Tarmac	We consider that paragraph 5.83 be amended in line with the NPPF. Whilst proposals which achieve net gain in biodiversity could be supported, the Plan should not impose this requirement on all developments.	Disagree. It is considered that the Plan should seek net gains in biodiversity.
5.84	Historic England	The reference to historic land uses in paragraphs 5.84 and 5.85 is welcomed.	Noted
5.85	Tarmac	Para 5.85 makes reference to Midlands Style hedge laying, it should be stated that this will not always be practicable or viable with modern farming methods.	It is considered that Midlands Style hedge laying can sit perfectly well with modern farming.
5.88	County Ecologist	Only some of the priority habitats in the local BAP are described in paragraphs 5.88-92. The opportunities to create habitats such as heath-grassland, wetland outside the floodplain, neutral grassland and other BAP habitats are not described. A possible interpretation of this is that calcareous grassland and floodplain habitats are the only ones sought, and that these are the priority habitats referred to. Also, plantation woodland isn't a local BAP priority. Neutral grassland and wetland is a suitable habitat to aim for on most restoration schemes. Heath-grassland will only be successful when the substrate is acidic; calcareous only when it is a basic pH. It is not necessarily the case that soils/substrates on restoration site associated with limestone quarries are calcareous; or that all soils associated with hard rock quarries are acidic. It is difficult to create acidic or basic pH, and not worth the attempt; it will not create a sustainable habitat. It would be helpful to list the priority habitats.	Para.5.83 refers to BAP priority habitats and the need to create priority habitats. Para.5.83 has been amended to refer to the 19 habitats identified in the local BAP; and a new paragraph has been added regarding heath grassland (as this is specifically mentioned in DM12).
5.91	EA	Although floodplain habitat is covered in paragraph 5.91, this is not sufficient to cover the benefits that can be achieved through thoughtful restoration of sites within the floodplain.	Para.5.98 indicates that restoration of some mineral sites could provide flood attenuation and storage areas.
5.91	EA	We would advise some comment is made on the importance of watercourses as wildlife corridors and that restoration and after-use must seek to improve riparian and aquatic habitat to help deliver both WFD and Biodiversity 2020 targets. Land immediately adjacent to watercourses is	An additional paragraph has been added regarding the linear features such as watercourses (see

		particularly valuable for invertebrates, riparian mammals, reptiles, amphibians and plants and we would expect an appropriate buffer (>10m <u>as a minimum</u> ) to be permanently provided between a watercourse and any other after-use which is not biodiversity related, such agriculture or landfill.	wording proposed by Ecology in respect of para.5.53 above.)
5.91	Tarmac	At paragraph 5.91, it is suggested the wording may be referring to wetland as opposed to wet woodland.	The local BAP promotes the creation of <u>wet woodlands</u> in floodplains.
5.93	Charnwood Green Party	We would like in a more general sense for any wildlife enhancement concepts to include consideration for restorative efforts and not just protective. For example, in Devon and in Scotland beavers have been reintroduced. Elsewhere in the UK, wild boar have re-appeared. Other pending proposals include sturgeon, pine marten & lynx. As our scientific knowledge of ecosystems has progressed it has become apparent that the loss of these species has left ecosystems out of balance and at a poor level of biodiversity. Restorations typically result in benefits to a wide range of rare wildlife. Our ecosystems simply do not make any sense without the presence of these lost species. They have in addition provided huge boosts in ecotourism.	Wildlife enhancements are encompassed in term net gain to biodiversity but it is not considered appropriate to make reference to the re-introduction of any specific species.
5.93	H&B Green Party	Given the isolation of some of these sites they may make an ideal chance to plant Scots Pines and re-introduce the red squirrel.	Scots Pine is not native to Leicestershire and would be out of character.
5.93	County Ecologist	Yellow Wagtail and Willow Tit are, however, priority UKBAP species.	The text has been amended.
5.94	NFU	Restoration to agricultural use would be appropriate for Grades 1, 2 & 3 farm land and needs to be looked at in the mix of possible restoration for each site. Please don't rule it out for no good reason.	Noted
5.94	Tarmac	We have some concerns in regards to the restoration requirements for agricultural land. The Plan should not enforce prescriptive criteria which would be contrary to farm viability and modern agricultural practices. For example, requiring the reinstatement of smaller field sizes and utilising historic hedge laying techniques. It should also be noted that it possible to achieve low level agricultural restoration without the requirement for infill,	It is not considered that the Plan is overly prescriptive regarding the restoration requirements for agricultural land.

		as evidenced by the extensive restoration at Brooksby Quarry, Husbands Bosworth Quarry, Cadeby Quarry and Shawell Quarry.	
5.96	Historic England	The reference to the Leicestershire, Leicester and Rutland Historic Landscape Characterisation Project within paragraph 5.96 is welcomed.	Noted
5.98	H&B Green Party	We would propose that all quarries, which will eventually fill with water, will become public reserves of three types: a) human leisure activities: boating, shore activities (sunbathing - cafes etc), swimming. b) nature reserves accessible to the public with special footpaths and hides. c) nature reserves accessible only to scientists.	Use of restored land will depend on the landowners' willingness to allow public access.
5.99	County Ecologist	It is worth stating that the disused hard rock quarries, even when filled by water, are important biodiversity resources. A significant area of cliff-face, benches, ledges and rock exposures remains even after the quarry is fully flooded. At least one quarry has Great Crested Newts. Cliff-faces of hard-rock quarries in Leicestershire support safe breeding areas for Peregrine and Raven, and the rock habitats and thin soil on the benches support naturally regenerated woodland, species-rich grassland and pioneer plant communities with associated invertebrates. The inaccessibility of these habitats helps with their protection.	Reference to biodiversity interest of disused hard rock quarries has been added to the text.
5.104	Ramblers Association	We welcome and support paragraph 5.82 and 5.104 with regard to increased recreational use, but with a small caveat that the concentration of 'honeypot' recreational sites could attract additional usage of the car to access these, to the detriment of the environment and usage of other parts of the PROW network. We believe that the reduced demand for landfill sites will increase the opportunity for recreational use of such sites, and partially mitigate the loss of countryside to other forms of development.	Noted.
DM12	Breedon Aggregates	This policy states "Planning permission will be granted for temporary minerals and waste development where satisfactory provision has been made to ensure high quality, progressive restoration of the site and a minimum 5 year programme of aftercare" Paragraph 5.99 above relating to the restoration of hard rock quarries acknowledges that progressive restoration is not usually possible, therefore the policy as written cannot be complied with by the majority of hard rock sites.	Policy has been amended to refer to progressive restoration 'where practicable'.
DM12	Coal	<b>Support</b> – The Coal Authority supports the overall policy approach towards	Noted

	Authority	restoration which is a fundamental element in making mineral development acceptable.	
DM12	County Archaeologist	Sites should be restored with consideration to its setting so that opportunities are taken to create, protect and enhance... <i>heritage assets</i> , and the restored landscape reflects the local character.	Policy has been amended as suggested.
DM12	County Ecologist	<p>This is too restrictive, and doesn't take account of individual site conditions, and what is appropriate in terms of the ecology network. We need to keep options open for the kind of habitat that is created.</p> <p>The option of natural regeneration also needs to be stated. If habitats of local BAP value/LWS quality are already present on site before restoration, these need to be conserved and included within the restoration plan. This requires updated ecological surveys prior to each phase of restoration, and a less prescriptive restoration plan right at the start; it makes sense to set out broad principles for habitat creation and establish the areas that will be allocated up-front, but leave the detail to be decided at the end of each phase prior to phased restoration.</p> <p>I am not happy to restrict restoration to one habitat; this could lead to a tokenistic approach, such as just planting a few hedges. Habitat creation needs to be significant in terms of scale and proportion to the restored site, and must be managed on a long-term basis. We need to have mechanisms in place to ensure this, such as can be secured through planning agreements and conditions.</p> <p>Suggested re-wording: "Site restoration, included phased restoration, shall attain a <i>significant</i> net gain in biodiversity by the creation <i>or natural regeneration</i> of priority habitats set out in the Leicester, Leicestershire and Rutland Biodiversity Action Plan. The type and amount of of habitat(s) created will be informed <i>by recent surveys of the site; the presence of existing habitats of value that have naturally regenerated; understanding of the site's local environmental conditions, soil type and hydrology; and position within the wider ecological network. Mechanisms for ensuring long-term sustainable management of the created/regenerated habitats must be in place.</i>"</p> <p>Delete 3<sup>rd</sup> paragraph related to priority habitats.</p>	<p>It is considered that the Plan should give some guidance as to what habitats would be acceptable in the broad areas of the County.</p> <p>The Policy does not restrict the creation of a habitat mosaic. The policy relates to <u>all</u> types and scale of infill operations, not just large quarries. One habitat creation such new hedges may be entirely appropriate for some smaller operations. The policy has consequently been amended to differentiate between sites of less than 10 hectares (where a minimum of one priority habitat should be created) and more than 10 hectares (where a mosaic of priority habitats should be provided).</p>

DM12	EA	<p>The <u>second paragraph</u> seems too prescriptive and may encourage applicants to simply provide one 'token' area of priority habitat, which we would want to avoid. Minerals sites, especially sand and gravel quarries can provide significant areas of riparian and floodplain habitats, as such, we will be looking for opportunities to ensure the greatest amount of habitat is created at any given site to help achieve Biodiversity 2020 and WFD targets. Whilst we recognise the main aim of this policy is to encourage habitat creation through restoration we would advise it is reworded as follows to remove any uncertainty or any risk that biodiversity-led restoration will not be realised: -</p> <p>"Site restoration shall attain a <i>significant</i> net gain in biodiversity by the creation of priority habitats, as set out in the Leicester, Leicestershire and Rutland Biodiversity Action Plan, <i>which is proportionate to the size and scale of the proposed development.</i>"</p>	See above.
DM12	EA	<p>The <u>third paragraph</u> seems too prescriptive in the types of priority habitat which will be sought. We would advise that a statement is included which would encourage the creation of additional priority habitats, such as eutrophic standing waters (ponds), which are also listed in the LL&amp;RBAP. Where works take place near to watercourses, river restoration options, to help deliver WFD objectives could also be considered and be included in this paragraph.</p>	See above.
DM12	EA	<p>We would advise the <u>fifth paragraph</u> is reworded as follows to incorporate and recognise rivers as valuable wildlife corridors: "Sites should be restored with consideration to its setting so that opportunities are taken to create, protect and enhance biodiversity, green <i>and blue</i> infrastructure networks and the restored landscape reflects the local character <i>of the area.</i>"</p>	The Policy has been amended as suggested.
DM12	EA	<p>Whilst we acknowledge agricultural restoration is required on the best and most versatile agricultural land, we would suggest that biodiversity gain and diffuse pollution prevention is possible on these sites. We would therefore advise the <u>seventh paragraph</u> in this policy is reworded to state: "Where restoration is to an agricultural use the final landscape and field pattern <i>must provide a significant net gain to biodiversity, be designed to reduce</i></p>	Paragraph 5.83 acknowledges that sites restored to agriculture can still provide for biodiversity gains and habitat features that support the BAP. It is



		<i>diffuse pollution inputs to any adjacent water bodies and reflect the historic landscape character of the site and its surroundings.” In terms of a <u>significant net gain</u> in biodiversity on agricultural land, we would consider permanent farmland ponds, swales, wet woodland and buffer strips adjacent to watercourses, to be appropriate. This list is by no means exhaustive and we would welcome other forms of habitat creation should they be proposed.</i>	not considered necessary to change the policy.
DM12	EA	We would also wish to see the benefits of good restoration on overall levels of flood risk within the county identified as a key requirement within policy DM12.	Paragraph 5.98 acknowledges that restoration can help reduce the risk of flooding. It is not considered necessary to change the policy.
DM12	Historic England	The amendments to the wording within policy DM12 are welcomed in respect of restoration to agricultural use.	Noted
DM12	NFC	The NFC welcomes the proposed spatial approach to specifying which priority habitat should be incorporated in restoration proposals and the identification of native deciduous woodland being the preferred habitat to be created within The National Forest.	Noted
DM12	NFC	The Policy refers to a minimum 5 year period of aftercare. The NFC considers that the period of aftercare should be tailored to the priority habitat being created and that a universal 5 year period is not appropriate for all habitats. While the successful establishment of grassland may be achieved within a five year management period, woodland requires maintenance over a longer period to ensure the many benefits are realised. The NFC considers that for restoration schemes which focus on woodland, a 10 year aftercare provision should be expected as a minimum, allowing time for the trees to establish and for protective tree guards to be removed within the aftercare period.	No change is considered necessary. Para.5.81 states that the County Council will seek to negotiate longer periods where this is necessary. The NPPG states that the mineral planning authority cannot require any steps to be taken after the end of a five year aftercare period without the agreement of the minerals operator.

DM12	Natural England	We support the principle behind of Policy DM12: Restoration, Aftercare and After-use for planning permission to be granted for temporary minerals and waste development only where satisfactory provision has been made to ensure high quality, progressive restoration of the site and a minimum five year programme of aftercare.	Noted
DM12	NWLDC	Support approach	Noted
DM12	Tarmac	We consider that this policy is too prescriptive and does not allow sufficient flexibility for operators to balance the requirements/aspirations of the Council with the viability of the scheme and ongoing commitments of the landowners post restoration. The policy should be supportive towards net gain in biodiversity. However, should not require it as part of a development proposal. In accordance with the NPPF (paragraph 109), there should be no net loss in biodiversity.	It is not considered that the Policy is too prescriptive.
DM12	Tarmac	The policy should be supportive towards priority habitats identified. However, there needs to be some flexibility in that these after uses may not be appropriate in all circumstances.	It is considered that the Plan should give some guidance as to what habitats would be acceptable in the broad areas of the County.
DM12	Tarmac	The policy should remove reference to 'traditional hedge laying technique' and the requirement for historic field patterns as it is overly onerous, not consistent with modern farming practices and creating an unnecessary constraint to land being brought forward for mineral development where landowners would be unwilling to adopt such practices.	The Policy accords with the NCA Profile 94 for the Leicestershire Vales which encourages the use of traditional 'Midlands-style' hedge laying to manage hedgerows.
DM12	Tarmac	The policy should support innovative restoration of the hard rock quarries but it should not be required by the County Council. This is overly onerous on operators and landowners and does not take account of the ongoing management over the long term.	The policy does not require innovative restoration but is something that the County Council will seek.
6	Natural England	We support the commitment to monitor the effective implementation of the plan, the Sustainability Appraisal objectives in particular.	Noted

6	Tarmac	<i>Monitoring and Implementation:</i> Whilst the use of the Annual Monitoring Report is a useful tool in assessing the effectiveness of policies, we have concerns over the ability of the Plan to respond quickly enough in the event that sites proposed for new development are not brought forward swiftly enough. Timeframes for review should be imposed.	The AMR will determine whether there is a need to undertake a partial or full review of the Local Plan.
Table 13	EA	Indicator - <u>"Tonnes per annum (tpa) of new waste management capacity granted, categorised by type, waste stream managed and current status"</u> . For the purpose of clarity, reference to the actual targets related to this indicator should be included in the Targets column. We would also like the target in the plan to reflect a commitment to exceeding minimum statutory targets.	The targets are set out in Chapter 4 of the plan, but will be updated in AMRs.
Table 13	EA	Indicator - <u>"Quantity of waste arising and its management by broad waste stream"</u> . Why doesn't the plan set a minimum percentage increase per annum?	The plan does not set a minimum percentage increase per annum as the quantity of waste arising is out of the control of the Plan.
Key Diagram	County Ecologist	I didn't find this very helpful – too sketchy, and the sites are not generally labelled. It doesn't show the location of strategic green infrastructure, as listed in section 5.32, and I don't think it adds anything to the Plan. I would appreciate a better plan showing locations of existing sites and site extensions referred to in the text.	The NPPF states (para.157) that Local Plans should indicate broad locations for strategic development on a key diagram. The Inset Maps show the locations of the allocated sites in more detail. The Mineral and Waste Safeguarding documents show the location of existing sites.
Key Diagram	Tarmac	The Key Diagram should assist in reading the policies within the MWLP. Whilst the existing minerals sites are broadly identified, the Key Diagram fails to identify where any waste management facilities are located. The Key Diagram for the Core Strategy identified the location of the different waste	The Key Diagram shows the broad locations where new development would be acceptable.

		<p>management sites and this should be brought forward. Particularly those sites targeted for the management of waste. As is clearly identified within each of the safeguarding documents, when illustrated upon a district wide plan, it is clear how widely distributed facilities for waste management are and they are not primarily focussed upon the identified 'broad locations' for waste management facilities identified within the MWLP. Those that are, tend to be facilities for the initial sorting of waste before they are transported for processing. Para 154 of the NPPF states Local Plan should set out the opportunities for development and clear policies on what will or will not be permitted and where. Planning practice guidance(ref id 12-002-20140306) states this can be done by setting out broad locations and specific allocations of land for different purposes; through designations showing areas where particular opportunities or considerations apply (such as protected habitats); and through criteria-based policies to be taken into account when considering development. A policies map must illustrate geographically the application of policies in a development plan.</p>	
Waste Needs Assessment	Northants CC	<ul style="list-style-type: none"> <li>▪ Para 3.6 and 4.8 – should take account of the arisings set out in waste management assessments / adopted plans for Leicester and Rutland.</li> <li>▪ Overall the document places discussion on the Regional Plan at the fore regarding waste arisings, targets, figures etc. Given the time that has passed and that the Regional Plan was abolished it would seem prudent to move forward and base the discussion around more recent evidence.</li> <li>▪ Para 3.16- This seems to indicate that the shortfall in recovery and residual disposal capacity can be taken up by the permitted recovery capacity and so no additional residual (landfill) will be required. This is unlikely to be correct as there will remain to be waste requiring landfill that may not be suitable for recovery.</li> <li>▪ Para 4.16- How has the Waste Framework Directive target of recovering at least 70% of C&amp;D wastes by 2020 been incorporated?</li> <li>▪ Para 5.3- No mention is made of EA hazardous waste interrogator which could inform local arisings.</li> <li>▪ Para 5.9- Care should be taken in interpreting the intent of the UK Strategy for the Management of Solid Low Level Radioactive Waste from</li> </ul>	Changes have been made to the Waste Needs Assessment in the light of the comments.

		<p>the Nuclear Industry. Specifically the statements made in the waste assessment doc below:</p> <ul style="list-style-type: none"> <li>- "the emphasis for managing this waste is for it be managed as close to its source as possible" – suggest amend to "the strategy emphasises management of waste in accordance with the proximity principle / in one of the nearest appropriate installations" (ref: page 13 para 2 of the strategy)</li> <li>- "There is no indication from this document that Leicestershire is a suitable location for managing this waste"- this could be seen as misleading as the document is quite high-level and does not deal with such matters. Equally the document does not indicate that Leicestershire is not a suitable location.</li> </ul> <ul style="list-style-type: none"> <li>▪ It is not clear how requirements set out in Article 28 have been met especially the consideration given to fluctuation of capacity over plan period.</li> <li>▪ It is not clear if residual waste arising from waste management processing has been accounted for (as per NPPW para 3).</li> </ul>	
Waste Needs Assessment	Tarmac	<p><i>Local Authority Collected Waste</i></p> <p>The WPA has planned for LACW arisings using a model of 1% per annum housing growth and a 0% increase in waste arisings. We consider that this is unlikely. The identified 'Scenario 3' which identifies a 1% increase in household numbers and 0.7% increase in waste arisings from each household is considered a more likely scenario given it reflects a period of economic growth. This therefore has implications for the estimated/predicted LACW arisings and subsequent recycling figures. In addition to the combined LACW and C&amp;I recovery and disposal arisings (modelled together due to alleged similarity of waste streams). The recycling requirements for this waste stream should be separated/ identified as recycling and composting as opposed to being looked at as a single waste stream. The facilities available to handle waste streams for recycling and composting are not considered likely to be the same facilities and therefore it is difficult to ascertain whether sufficient provision has been made for managing both waste streams.</p>	<p>It is not accepted that 'Scenario 3' is the more likely scenario.</p> <p>There is sufficient capacity for both waste streams. The County Council is not seeking to prescribe how the recycling target is met.</p>

Waste Needs Assessment	Tarmac	<p><i>Commercial and Industrial Waste – Recycling</i></p> <p>The recycling for C&amp;I waste figures should be separated to identify the percentage of waste which is recognised as similar to LACW streams and therefore has the larger proportion target for recycling (58%) and the residual/remaining waste where the recycling target is 50%. Table 14 of the Waste Needs Assessment takes account of only the 50% and not the 58%. It is therefore considered the capacity shortfall is likely to be larger than identified.</p> <p>As per the LACW, there may be sufficient capacity for recycling if permitted operations come forward. However, if they don't, is there sufficient capacity early in the Plan period? As a minor point it is noted that the permitted recycling operations are identified in the respective safeguarding documents. However, Wanlip is referred to in its capacity as an AD operation and not in regards to its recycling capacity.</p>	<p>The figures account for all C&amp;I recycling as explained in paragraphs 3.9 and 3.10.</p> <p>All of the facilities at Wanlip have been taken into account.</p>
Waste Needs Assessment	Tarmac	<p><i>Commercial and Industrial Waste - Recovery</i></p> <p>Paragraph 3.10 of the Waste Needs Assessment refers to 397,159 tonnes of operational capacity for C&amp;I waste. This is in contradiction to paragraph 3.8 which identifies 393,544. Operational capacity has also been based upon maximum tonnes of waste handled by the facilities and therefore assumes all are operating at maximum capacity/production.</p> <p>Recovery rates at Table 17 of the Waste Needs Assessment identify that there are two AD plants capable of operating at 50,000tpa each (Shawell and Wanlip). The Wanlip plant is identified as handling circa 29,500 tonnes of Leicester City's LACW. In addition to waste received from Lincolnshire (paragraph 7.5 – table 28). What are the implications of ongoing waste management agreements for use of this facility and the large reliance on managing waste going forward? The Waste Needs Assessment makes reference to capacity at a permitted operation which is not yet operational (Newhurst). This has had permission for a while and has failed to come forward. What are the ongoing implications of this site not being delivered? How is this being planned for?</p> <p>In addition, the figures should take account or certainly plan for a 20% 'upward shock' in arising's for both recycling and recovery capacity</p>	<p>The site at Shawell is not an AD and is not reported as such.</p> <p>This is addressed in paragraph 4.5 of the Plan.</p> <p>The WNA refers to this throughout and</p>

		(‘Forecasting 2020 waste arisings and treatment capacity’) as identified by paragraph 3.16. The Waste Needs Assessment and subsequently the Waste Local Plan does not plan for this increase.	states the effect if this occurs.
Waste Needs Assessment	Tarmac	<i>Commercial and Industrial Waste - Disposal</i> The implications of the above would therefore have a knock on effect to disposal rates. Again, these should be planned for and it should be clear where there is capacity for these waste streams.	It is not accepted that the previous comments are correct.
Waste Needs Assessment	Tarmac	<i>Construction and Demolition Waste</i> Historically the figures available for C&D arisings have been difficult to quantify. It is questionable whether during periods of economic growth that levels of C&D waste will generate no growth in arisings and therefore a constant figure can be used continually across the Plan period. We would suggest that the increased import levels experienced in 2012 and 2013 (as evidenced in para 4.7 of the Waste Needs Assessment), that there are significant levels of arisings over and above that being planned for. It is suggested that these are probably more realistic going forward post-recession. As per the figures for C&I arisings, a potential 20% ‘upward shock’ should be planned for.	No changes in respect of C&D waste are proposed.
Sustainability Appraisal	Lead Local Flood Authority	Table on page 10 row 3 & Table on page 51 row 4 – Flood Zones: there is no reference to the Local Flood Risk Management Strategy	The Table has been amended.
Sustainability Appraisal	Natural England	We are satisfied that the Sustainability Appraisal incorporating Strategic Environmental Assessment appears to meet the requirements of the SEA Directive (2001/42/EC) and associated guidance. We welcome the sustainability objectives listed in paragraph 2.6. We acknowledge the scoring of the allocated sites against the sustainability objectives. We agree with the recommendation to exclude the areas at Freeby and Lockington from the local plan since they represent potential flood risks and are likely to have negative impacts on biodiversity as both are located in or near a SSSI. We also had concerns about the Lockington site for its potential hydrological and ecological impact on the Lockington Marshes SSSI.	Noted

		We note the assessment of minerals policies against the sustainability objectives in Appendix 2.	
Sustainability Appraisal	Tarmac	The Sustainability Appraisal (para. 4.31) fails to consider the implications on Policy M1 through the removal of the Lockington allocation in terms of sustaining an adequate mineral supply across the Plan period.	This shortfall in supply is addressed in paragraph 3.29 of the Plan.
Habitats Regulations Assessment	Natural England	We welcome the acknowledgement in paragraph 1.5 that, although the only designated site of European interest in Leicestershire is the River Mease Special Area of Conservation (SAC), development within Leicestershire could have a potential impact on designated sites of European interest outside the administrative boundaries of Leicestershire County Council, namely Ensor's Pool SAC in Warwickshire and Rutland Water Special Protection Area (SPA) and Ramsar site in Rutland. We agree with the conclusion that the Leicestershire County Council Minerals and Waste Local Plan is not likely to have any significant effect on the River Mease SAC or any other designated site of European interest.	Noted