

2015

Leicestershire County
Council



Habitats Regulations Assessment

of the Leicestershire Minerals and Waste Local Plan

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1. INTRODUCTION

Summary

- 1.1 This report sets out details of the initial Screening stage for a Habitats Regulations Assessment of the Leicestershire Minerals and Waste Local Plan.
- 1.2 The report outlines the scope of the Habitats Regulations Assessment (Chapter 1). Chapter 2 provides a description of the River Mease Special Area of Conservation site. Chapter 3 provides details of the Minerals and Waste Local Plan. Chapter 4 sets out the Screening Assessment methodology. Chapter 5 sets out the findings of the Screening process. Chapter 6 sets out the report conclusions and the Assessment Statement.

Scope of the Habitats Regulations Assessment (HRA)

- 1.3 Legal protection for habitats and species of European importance is provided by Directive 92/43/EEC - the Conservation of Natural Habitats and Wild Flora and Fauna, otherwise known as the 'Habitats Directive' - and the Conservation (Natural Habitats & c) Regulations 1994. The Habitats Directive established a network of sites of nature conservation importance known as Natura 2000.
- 1.4 There are four key stages to the HRA process. The first of these is screening, which determines whether or not a full Appropriate Assessment is required, with subsequent stages covering the assessment itself, alternative solutions and compensation in the light of imperative reasons of overriding public interest. This approach follows a hierarchy of avoidance, mitigation and compensation that is promoted by the Habitats Directive.
- 1.5 The aim of HRA is to appraise the potential effects of a proposed plan on European sites. The only designated site of European interest in Leicestershire is the River Mease SAC (Special Area of Conservation). Other European sites near to Leicestershire but outside of its administrative border are Ensor's Pool SAC in Warwickshire and Rutland Water SPA (Special Protection Area) and Ramsar site in Rutland. The location of these sites together with the characteristics of the sites, the reasons for designation and the distance from Leicestershire have been examined to determine whether the Local Plan could have a significant effect on these sites.
- 1.6 Ensor's Pool is a flooded marl pit which holds a very large population of white clawed crayfish. This water body is isolated from river systems and is located approximately 5km from the boundary of Leicestershire. It is not therefore considered that the Local Plan is likely to result in a significant impact on this European Site.

- 1.7 Rutland Water is fed by the Rivers Nene and Welland. The River Welland rises in Market Harborough in Leicestershire. Based on the location of Rutland Water, the reason for its designation and that the Local Plan does not allocate any sites on the eastern side of the county, it is considered highly unlikely that the Local Plan will have any impact on the Rutland Water SPA and Ramsar site.
- 1.8 It has been concluded that only the River Mease needs to be considered in the screening exercise to determine if an Appropriate Assessment is necessary. The HRA therefore relates solely to the interaction of the Local Plan with the integrity of this site.
- 1.9 In preparing the screening assessment, regard has been taken of the work undertaken on the Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) of the Local Plan.

2. RIVER MEASE SPECIAL AREA OF CONSERVATION

Site Integrity

- 2.1 The River Mease was designated as a Special Area of Conservation (SAC) in May 2004. The River Mease SAC site is also designated as a Site of Special Scientific Interest (SSSI). However, the Screening Assessment relates specifically to the European designation and does not relate to the broader interests or requirements of the national level designation.
- 2.2 The significance of a plan's effects on a European site depends on whether the site's integrity is affected. The integrity of the site relates to the reasons for the site's designation, and as such the identification of key features in respect of the qualifying interest, the site's conservation objectives and its condition are important to the Screening process.

Qualifying Interest

- 2.3 The River Mease is approximately 33 km in length, flowing westwards through a largely rural and agricultural landscape to its confluence with the River Trent at Croxall. As a relatively un-modified lowland river, the Mease contains a diverse range of physical features including vegetated channel margins, bankside tree cover, riffles, pools and slacks. River gradients also vary along its length, with consequent effects on flow, vegetation and riverbed characteristics, providing ideal habitats for fish feeding and spawning grounds.
- 2.4 This area was recommended as a SAC because it contains habitat types and/or species which are rare or threatened within a European context. The interests for which the site was selected as a SSSI may differ therefore from the interests selected in a European context. Key European interests are as follows:

Annex I habitats present as a qualifying feature but not a primary reason for selection.

- Water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation. This habitat type is characterised by the abundance of water-crowfoots, where floating mats of these white-flowered species are characteristic of river channels in early to mid-summer. They may modify water flow, promote fine sediment deposition, and provide shelter and food for fish and invertebrate animals.

Annex II species that are a primary reason for selection of this site.

- Spined Loach (*Cobitis taenia*) - The River Mease is a good example of a riverine population of spined loach. It is a small tributary of the River Trent and has retained a reasonable degree of channel diversity compared to other similar rivers containing

spined loach populations. It has extensive beds of submerged plants along much of its length which, together with its relatively sandy sediments (as opposed to cohesive mud) provides good habitat opportunities for the species.

- Bullhead (*Cottus gobio*) - The Mease is an example of bullhead populations in the rivers of central England. Bed sediments are generally not as coarse as other sites selected for the species, reflecting the nature of many rivers in this geographical area, but are suitable in patches due to the river's retained sinuosity. The patchy cover from submerged macrophytes is also important for the species.

Annex II species present as a qualifying feature but not a primary reason for selection.

- White-clawed (or Atlantic stream) crayfish (*Austropotamobius pallipes*) - The white-clawed crayfish lives in a diverse variety of clean aquatic habitats but especially favours hard-water streams and rivers. A major threat to the native white-clawed crayfish is posed by the introduction of non-native species of crayfish, which have been farmed in Britain since the late 1970s, and the emergence of crayfish plague which followed.
- The otter (*Lutra lutra*) is a semi-aquatic mammal, which occurs in a wide range of ecological conditions, including inland freshwater and coastal areas. Inland populations utilise a range of running and standing freshwaters. These must have an abundant supply of food (normally associated with high water quality), together with suitable habitat, such as vegetated river banks, islands, reedbeds and woodland, which are used for foraging, breeding and resting. Populations declined sharply during the 1960s and 1970s due to pollution, exacerbated by hunting and habitat loss.

Conservation Objectives

2.5 The conservation objectives seek to maintain (maintenance implies restoration, if the feature is not currently in a favourable condition) in a favourable condition, the river as a habitat for:

- Floating formations of water crowfoot;
- Populations of bullhead;
- Populations of spined loach;
- Populations of white-clawed crayfish,

and the river corridor and adjoining areas as habitat for:

- Populations of otter.

Site Conditions

- 2.6 The UK SAC data form produced by the Joint Nature Conservation Committee (JNCC), Version 2.1, 17/05/06 covers vulnerability of the site at point 4.3, and states that:
- “The River Mease is an unusually semi-natural system in a largely rural landscape, dominated by intensive agriculture. Water quality and quantity are vital to the European interests, whilst competition for water resources is high. Diffuse pollution and excessive sedimentation are catchment-wide issues which have the potential to affect the site”.*
- 2.7 Examination of the SSSI Favourable Condition Tables on Natural England’s website indicates that the River Mease site Assessment Description was “Unfavourable - no change”, as assessed on 14/01/2010. The reasoning for the “adverse condition” of the SSSI units (1027107/08) was linked to invasive freshwater species, physical modifications of the river, over abstraction, density of the designated fish species, and water pollution from agriculture/run off and discharge.
- 2.8 The integrity of the site depends on the maintenance of conditions that will sustain its qualifying interest. The quantity/quality of water reaching the site is seen as essential in order to maintain the integrity of the site for the qualifying interest and conservation objectives listed above.
- 2.9 The JNCC site details and ecological data for the River Mease SAC are included in Appendix 1, together with the Condition of SSSI table and condition summary from Natural England.

3. MINERALS AND WASTE LOCAL PLAN

Background and General Information

- 3.1 All local planning authorities are required to produce Local Plans. The Leicestershire Minerals and Waste Local Plan will eventually replace the Leicestershire Minerals Core Strategy and Development Control Policies Development Plan Document (DPD), the Leicestershire and Leicester Waste Core Strategy and Development Control Policies DPD (both of which were adopted in October 2009), together with remaining saved policies in the Leicestershire Minerals Local Plan (1995) and the Leicestershire, Leicester and Rutland Waste Local Plan (2005).
- 3.2 An Issues document was produced in November 2013 as the first stage in reviewing the adopted Minerals and Waste Core Strategies. The document set out a range of key issues that the County Council considered are likely to influence the future strategy for minerals and waste planning in Leicestershire.
- 3.3 Following an assessment of the responses received on the Issues document, proposals have been developed and a Consultation Draft document produced. This document deals with the period up to 2031 and its objectives, and policies and proposals have been subjected to sustainability appraisal (SA). Following consideration of any representations received on this document, the County Council will then start on the preparation of the pre-submission draft plan.

Scope of the Local Plan

- 3.4 The Consultation Draft Minerals and Waste Local Plan includes a 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 over the period to the end of 2031. The Development Management Policies set out the criteria against which planning applications for minerals and waste development will be considered. A monitoring framework is included to examine the efficacy and effects of the policies.
- 3.5 The Local Plan addresses the need to provide protection to the environment and the amenity of local residents, whilst ensuring a steady supply of minerals and the provision of waste management facilities in accordance with Government policy and society's needs. It aims to maximise the use of alternative materials in order to reduce the reliance on primary-won minerals, and to significantly increase levels of reuse and recovery of waste and move away from landfill as a means of disposal, having regard to sustainability objectives. It also provides controls relating to the beneficial reinstatement of land following mineral working and landfill operations.

- 3.6 In providing for minerals, the Consultation Draft Plan includes proposals for a rationalisation of clay stocking and blending activities and a permanent stocking facility at Donington Island. Its section on development management includes a policy related to sites of biodiversity/geodiversity interest.

SA/SEA Analysis of Policies and Proposals

- 3.7 The draft policies and proposals of the Consultation Draft Document have been fully assessed through the SA/SEA process against an agreed set of SA objectives. The SA Report for the Local Plan is available as a separate document. The SA indicates that the Local Plan policies provide safeguards in accordance with national advice for the protection of sites of international and national importance and for protection of the water environment in general.

Other Plans and Projects

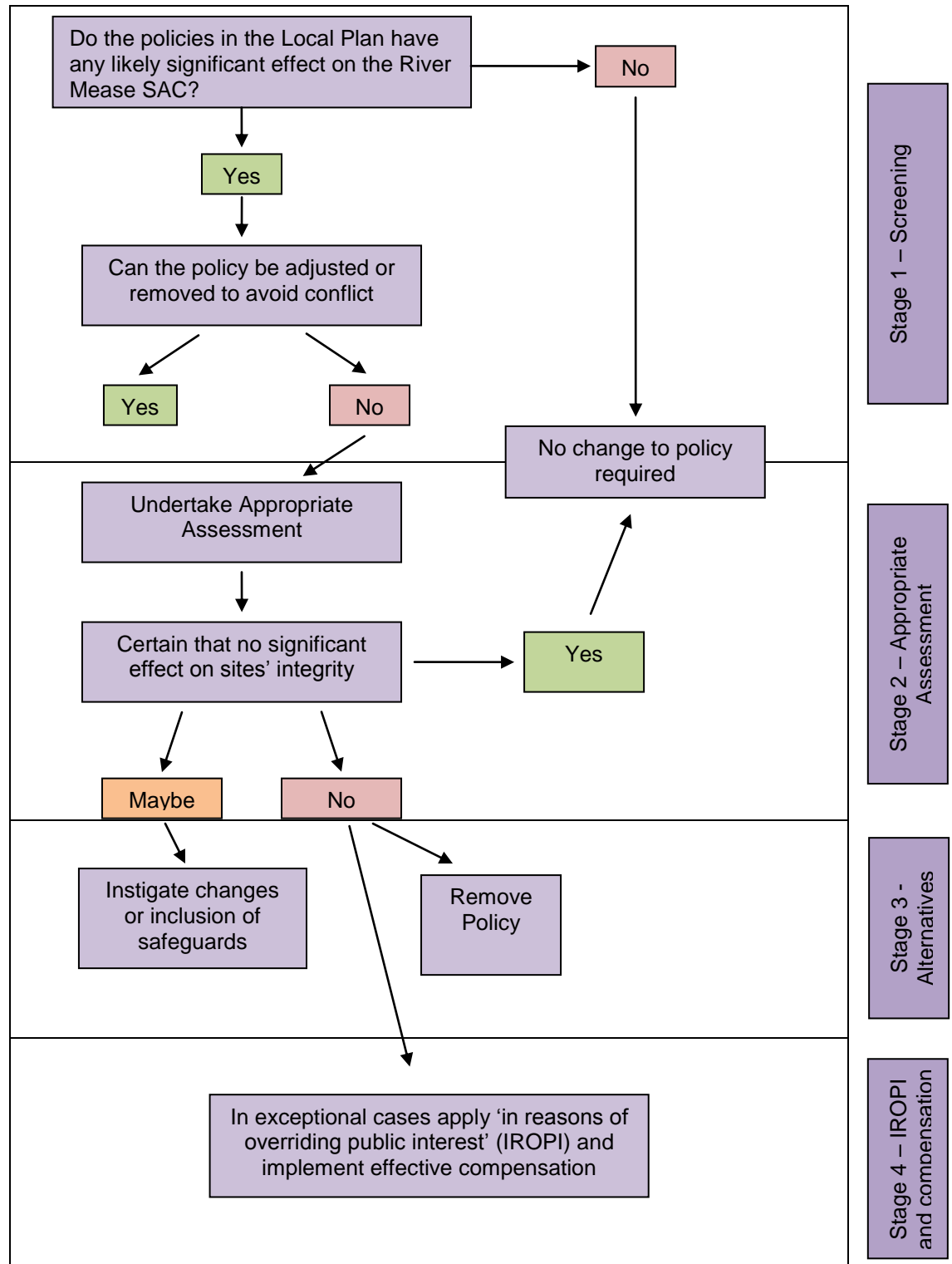
- 3.8 It is a requirement of the Habitats Directive that an analysis be undertaken of whether there is scope for an interaction with other relevant projects and plans that may result in a likely significant effect 'in combination'.
- 3.9 The situation regarding information on other appropriate plans and projects is difficult to factor into the evidence base, given that the River Mease flows through several areas covered by other planning authorities at both district and county levels. However, all these authorities will be similarly producing their Local Plans within agreed time-scales, and undertaking consultation with adjoining authorities and Natural England.
- 3.10 As part of the consultation process, any potential cumulative effects on the integrity of the interest will be able to be monitored by the relevant bodies. The performance monitoring of the Minerals and Waste Local Plan and other individual Local Plans can then make any necessary adjustments in consultation with Natural England. Notwithstanding this, it is considered that the likelihood of policies and proposals in the Local Plans affecting the integrity of the interest will be remote. In overall terms, new local plan documents should aim to provide an improved protection policy framework for safeguarding the SAC.
- 3.11 Conservation management principles set out in the Natural England's statement concerning the management of the River Mease seek to address the local impacts/concerns likely to impact upon the SAC interest. Implementation of the management principles within the environs immediately surrounding the River Mease would assist in achieving maintenance/improvements to the interest's condition.
- 3.12 It is concluded that there would be no 'in combination' effect with the Leicestershire Minerals and Waste Local Plan Consultation Draft due partly to the general absence of mechanisms for any interaction but

particularly to the presence of Policy DM7 which protects internationally important wildlife sites and compliance with which would ensure that minerals and waste development did not contribute to any combined effect.

4. SCREENING METHODOLOGY

Overview of the HRA Process

- 4.1 The methodology has regard to the HRA process as a whole, which is detailed in the figure below, but is primarily concerned with the Screening Stage.



Screening Stage

- 4.2 The Screening Stage was aimed at identifying whether any policy or allocated site in the Consultation Draft Minerals and Waste Local Plan is likely to have potential to significantly affect the integrity of the River Mease SAC. In undertaking screening, the analysis has had regard to the following groupings of policies and sites:
- Those where there is no potential to affect site integrity; or where a positive effect is possible;
 - Those where there is a possible effect but where modification or removal would address the effect;
 - Those where an effect on the SAC is probable and where Appropriate Assessment is required.
- 4.3 The screening analysis has involved the assembly of information in relation to the River Mease SAC (as set out in section 2 of this report), the draft policies and allocated sites in the Consultation Draft Minerals and Waste Local Plan, and reference to other plans and projects where appropriate. The information has been used to identify any relationships between potential policy impacts of the Local Plan and the effect on the River Mease SAC. The impacts were based on the above groupings and refined to indicate definite impacts, potential impacts requiring more information, and no impact or potential improvement. A scoring system has been used to indicate these levels of relative impacts based on a traffic light system, i.e. red, amber and green, where red means that the policy/allocation has been identified as having a significant effect, amber means that the policy/allocation may have potential effects, and green means that there is no likely significant effect. The screening matrix is shown in Appendix 2.
- 4.4 Whilst the screening matrix identifies potential impacts related to an individual policy/site, it is recognised that the Screening Assessment should consider the Local Plan in its entirety. It is therefore appropriate to set policies within the context of those elements of the documents intended to protect the SAC and wider environment. Consequently where an individual policy/site may have the potential to adversely affect the SAC but another policy in the document guards against the same effect, it is reasonable to conclude that such effects will not occur.

Post-screening Modifications

- 4.5 Where areas of uncertainty or likely significant effects have been identified, these are carried forward to the final stage of the screening process. Any issues are then considered to assess whether they can be addressed straightforwardly by simple modifications to the draft policies.

- 4.6 Simple modifications may include: clarification of, or amendments to, plan policies to remove areas of uncertainty or inconsistency; or, the inclusion of qualifying text relating to the implementation of policies. Where further changes are necessary modification of policies can include alternative solutions/content or where no alternative exists, policies/sites can be omitted.

5. SCREENING FINDINGS AND MODIFICATIONS

Local Plan Policies

- 5.1 A main priority for the Minerals and Waste Local Plan is to manage mineral extraction and the provision of waste facilities in a way that meets the requirements of statutory guidelines relating to supply, but also provides protection for the environment and local amenity. It provides protection for the environment and local amenity, including specific protection for the River Mease SAC and other statutorily designated sites.
- 5.2 The Consultation Draft Plan includes the following main areas of policy protection for the River Mease SAC:
- Policy DM1 which reaffirms the Government's objectives for sustainable development.
 - Policy DM2 which restricts development that would have a detrimental impact on water quality and flow.
 - Policy DM3 which aims to protect and enhance Strategic River Corridors together with their tributaries. The policy will contribute to the protection of the SAC which is a tributary of the River Trent (a Strategic River Corridor).
 - Policy DM7 which provides a protection policy for biodiversity including internationally important sites.
 - Policy DM11 which provides safeguards against cumulative impacts of minerals and waste development on amenity and the environment.

Screening Assessment Findings

- 5.3 Almost all of the policies were considered to have neutral or positive effects on the River Mease SAC. All of the site specific proposals with one exception lie outside the catchment area of the River Mease and it is consequently considered that the development of these sites would not affect the integrity of the River Mease SAC.
- 5.4 Policy M6 (Fireclay) is the only one that has been identified as having potential to impact on the SAC (denoted as amber in the policy matrices set out in Appendix 2). Donington Island is an existing fireclay stocking and blending facility. It has the benefit of a temporary planning permission which expires at the end of 2017. In Policy M6, it is proposed that a long term facility stocking and blending facility be established within the Donington Island Site.
- 5.5 A stocking and blending facility at Donington Island may result in an impact on the SAC as water discharged from the site flows to the Hooborough Brook, a tributary of the River Mease. An application to extend the life of the existing claystocking facility until the end of 2017

was granted planning permission in 2010. Information submitted in respect of this application indicated that:

- Surface water from the Donington Island site drains via a culvert system which connects the settling pond adjacent to the northern perimeter boundary to Hooborough Brook. Drainage ditches collect surface water from the Donington stocking yard and divert it to the settlement pond system adjacent to south of the site. Once surface water has been subjected to treatment in the settlement ponds it migrates via a culvert system eventually to Hooborough Brook.
- Sewage or Foul drainage associated with the Donington Island development is limited to two toilets and a wash basin, provided in the office block situated near the car park and site entrance just off Spring Cottage Road. Three personnel use the toilet facilities on a daily basis, and the toilets and wash basin drain into a septic tank located in the ground at the back of the office block where it is stored. The septic tank is emptied when full, which based on current usage, is approximately once every two years. The sewage removed from the septic tank is disposed at Wanlip treatment facility operated by Seven Trent, which is located approximately 30 miles from the Donington Island clay stocking facility. The contents of the septic tank are not disposed of within the River Mease catchment.

5.6 In the light of this information, Natural England was satisfied that the continuation of the Donington Island Clay Stocking Site would not have a likely significant effect upon the Mease SAC.

5.7 As the competent authority, under the Habitat Regulations, the Environment Agency has undertaken a Review of Consents for the River Mease SAC which includes consents associated with the tributaries of the River Mease. Under Stage 3 of the Review of Consents, the consents relevant to the Donington Island Site were not found to be having an adverse effect on the integrity of the River Mease SAC. The Stage 3 Assessment has also been signed off by Natural England.

5.8 Based on the assumptions that:

- a long-term facility at Donington Island is unlikely to be larger than the existing operation hence the total volume of surface water discharged from the site is unlikely to change;
- environmental controls have improved and will need permission under any new development; and
- water management methods at the site are unlikely to change, it is concluded that there will not be a significant change in flow rates and water chemistry associated with the discharge from the Donington Island site.

5.9 Policy M6 and the potential establishment of a long-term clay stocking site at Donington Island are not therefore considered to be likely to result in adverse effects on the quantity or quality of the water reaching the River Mease SAC or result in a significant effect on the integrity of the River Mease or its qualifying interest and conservation objectives.

6. CONCLUSIONS

Findings of the Assessment

- 6.1 In compiling this report, regard has been had to relevant guidance and the SA/SEA report prepared for the Consultation Draft Minerals and Waste Local Plan. The assessment has examined the legislative requirements, relevant European sites and their integrity, and has analysed the impact of proposals sites contained within the Local Plan that fall within the vicinity of the River Mease SAC. Impacts of other plans and projects have also been discussed.
- 6.2 The report falls within Stage 1 of the Habitats Regulations Assessment process, i.e. a screening process to determine whether any of the policies and proposals contained within the Consultation Draft Minerals and Waste Local Plan is likely to have a significant effect on the River Mease European site. The screening process has looked at the main factors affecting the integrity of the SAC interest, and their relationship to the potential operations that may take place.
- 6.3 The screening process has shown that the majority of effects associated with the Local Plan policies would be either neutral or positive. Assessment undertaken at this stage cannot propose physical mitigation measures as these would more appropriately fall into project level controls when more precise locations and likely impacts are known. Only one proposal (Donington Island) lies within the catchment area of the River Mease and thus has the potential to impact on the SAC. It is not however considered that the continuation of claystocking operations at the Donington Island Site beyond 2017 is likely to result in a significant effect on the integrity of the River Mease SAC or the qualifying interest and conservation objectives.
- 6.4 Overall, it has been possible to screen out the policies within the Minerals and Waste Local Plan Draft document, largely due to the wording of Policy DM7 regarding the protection of internationally important biodiversity sites. It is therefore concluded that no likely significant effects on European Sites either alone or in combination with other projects and plans will result from the implementation of the Plan. However, future works in the catchment area of the River Mease SAC may require appropriate assessment to ensure that the qualifying interest and conservation objectives of the site are not affected.

Assessment Statement

- 6.5 This assessment of the Consultation Draft Minerals and Waste Local Plan has not identified any likely significant effects to Natura 2000 sites, specifically the River Mease SAC, and hence the Appropriate Assessment stage of the process is not required.

APPENDICES

Appendix 1

Joint Nature Conservation Committee Site Details and Ecological Data Form

River Mease

Site details

| | |
|-------------------|---|
| Country | England |
| Unitary Authority | Derbyshire; Leicestershire; Staffordshire |
| Grid Ref* | SK260114 |
| Latitude | 52 41 59 N |
| Longitude | 01 36 56 W |
| SAC EU code | UK0030258 |
| Status | Designated Special Area of Conservation (SAC) |
| Area (ha) | 21.86 |

* This is the approximate central point of the SAC. In the case of large, linear or composite sites, this may not represent the location where a feature occurs within the SAC.

General site character

Inland water bodies (standing water, running water) (100%)

Annex I habitats that are a primary reason for selection of this site

Not applicable

Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

3260 Water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation

Annex II species that are a primary reason for selection of this site

1149 Spined loach *Cobitis taenia*

The River Mease is a good example of a riverine population of **spined loach *Cobitis taenia***. It is a small tributary of the River Trent and has retained a reasonable degree of channel diversity compared to other similar rivers containing spined loach populations. It has extensive beds of submerged plants along much of its length which, together with its relatively sandy sediments (as opposed to cohesive mud) provides good habitat opportunities for the species.

1163 Bullhead *Cottus gobio*

The Mease is an example of **bullhead *Cottus gobio*** populations in the rivers of central England. Bed sediments are generally not as coarse as other sites selected for the species, reflecting the nature of many rivers in this geographical area, but are suitable in patches due to the river's retained sinuosity. The patchy cover from submerged macrophytes is also important for the species.

Annex II species present as a qualifying feature, but not a primary reason for site selection

1092 White-clawed (or Atlantic stream) crayfish *Austropotamobius pallipes*

UK SAC data form

NATURA 2000

STANDARD DATA FORM

FOR SPECIAL PROTECTION AREAS (SPA)
FOR SITES ELIGIBLE FOR IDENTIFICATION AS SITES OF COMMUNITY IMPORTANCE (SCI)
AND
FOR SPECIAL AREAS OF CONSERVATION (SAC)

1. Site identification:

1.1 Type 1.2 Site code

1.3 Compilation date 1.4 Update

1.5 Relationship with other Natura 2000 sites

| | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|

1.6 Respondent(s)

1.7 Site name

1.8 Site indication and designation classification dates

| | |
|---------------------------------------|--------|
| date site proposed as eligible as SCI | 200105 |
| date confirmed as SCI | 200412 |
| date site classified as SPA | |
| date site designated as SAC | 200504 |

2. Site location:

2.1 Site centre location

| longitude | latitude |
|------------|------------|
| 01 36 56 W | 52 41 59 N |

2.2 Site area (ha) 2.3 Site length (km)

2.5 Administrative region

| NUTS code | Region name | % cover |
|-----------|----------------|---------|
| UK311 | Derbyshire | 36.32% |
| UK722 | Staffordshire | 47.35% |
| UK321 | Leicestershire | 16.33% |

2.6 Biogeographic region

☐ Alpine
 ☒ Atlantic
 ☐ Boreal
 ☐ Continental
 ☐ Macaronesia
 ☐ Mediterranean

UK SAC data form

3. Ecological information:

3.1 Annex I habitats

Habitat types present on the site and the site assessment for them:

| Annex I habitat | % cover | Representativity | Relative surface | Conservation status | Global assessment |
|---|---------|------------------|------------------|---------------------|-------------------|
| Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation | 30.01 | C | C | B | C |

3.2 Annex II species

| Species name | Population | | | | Site assessment | | | |
|---------------------------------|------------|-----------|--------|-------|-----------------|--------------|-----------|--------|
| | Resident | Migratory | | | Population | Conservation | Isolation | Global |
| | | Breed | Winter | Stage | | | | |
| <i>Austroptamobius pallipes</i> | Common | - | - | - | C | B | C | C |
| <i>Cobitis taenia</i> | Common | - | - | - | C | B | B | B |
| <i>Cottus gobio</i> | Common | - | - | - | C | B | C | B |
| <i>Lutra lutra</i> | Common | - | - | - | C | C | C | C |

4. Site description

4.1 General site character

| Habitat classes | % cover |
|--|-------------|
| Marine areas. Sea inlets | |
| Tidal rivers. Estuaries. Mud flats. Sand flats. Lagoons (including saltwork basins) | |
| Salt marshes. Salt pastures. Salt steppes | |
| Coastal sand dunes. Sand beaches. Machair | |
| Shingle. Sea cliffs. Islets | |
| Inland water bodies (standing water, running water) | 100.0 |
| Bogs. Marshes. Water fringed vegetation. Fens | |
| Heath. Scrub. Maquis and garrigue. Phygrana | |
| Dry grassland. Steppes | |
| Humid grassland. Mesophile grassland | |
| Alpine and sub-alpine grassland | |
| Improved grassland | |
| Other arable land | |
| Broad-leaved deciduous woodland | |
| Coniferous woodland | |
| Evergreen woodland | |
| Mixed woodland | |
| Non-forest areas cultivated with woody plants (including orchards, groves, vineyards, dehesas) | |
| Inland rocks. Scree. Sands. Permanent snow and ice | |
| Other land (including towns, villages, roads, waste places, mines, industrial sites) | |
| Total habitat cover | 100% |

UK SAC data form

4.1 Other site characteristics

Soil & geology:

Alluvium, Clay, Sandstone, Sedimentary

Geomorphology & landscape:

Floodplain, Lowland

4.2 Quality and importance

Water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation

- for which the area is considered to support a significant presence.

Austropotamobius pallipes

- for which the area is considered to support a significant presence.

Cobitis taenia

- for which this is one of only four known outstanding localities in the United Kingdom.

Cottus gobio

- for which this is considered to be one of the best areas in the United Kingdom.

Lutra lutra

- for which the area is considered to support a significant presence.

4.3 Vulnerability

The River Mease is an unusually semi-natural system in a largely rural landscape, dominated by intensive agriculture. Water quality and quantity are vital to the European interests, whilst competition for water resources is high. Diffuse pollution and excessive sedimentation are catchment-wide issues which have the potential to affect the site.

5. Site protection status and relation with CORINE biotopes:

5.1 Designation types at national and regional level

| Code | % cover |
|------------------|---------|
| UK04 (SSSI/ASSI) | 100.0 |

Natural England Condition Summary Table

SSSI name: River Mease

| % Area meeting PSA target | % Area favourable | % Area unfavourable recovering | % Area unfavourable no change | % Area unfavourable declining | % Area destroyed / part destroyed |
|---------------------------|-------------------|--------------------------------|-------------------------------|-------------------------------|-----------------------------------|
| 0.00% | 0.00% | 0.00% | 100.00% | 0.00% | 0.00% |

Compiled: 01 Oct 2010

Natural England Favourable Condition Table

| RIVER MEASE - LEICESTERSHIRE, STAFFORDSHIRE (LICHFIELD, NORTH WEST LEICESTERSHIRE) | | | | | | | | |
|--|---------------------|----------|---------|-----------|------------------------|--------------------------|--|---|
| Main Habitat | Responsible Officer | Unit No. | Unit Id | Area (ha) | Latest Assessment Date | Assessment Description | Comment | Adverse Condition Reasons |
| RIVERS AND STREAMS | SADIE HOBSON | 001 | 1027105 | 5.9295 | 14/01/2010 | Unfavourable - No change | The River Mease fails on the following targets: biological GQA phosphours - due to point source and diffused pollution. Physical modifications - over dredging, weir, other impoundments non native species, lack of river bank vegetation lack of macrophyte species density and composition. over abstraction - lack of fresh water entering the river density of the designated fish species | FRESHWATER - DRAINAGE,FRESHWATER - INVASIVE FRESHWATER SPECIES,FRESHWATER - SILTATION,FRESHWATER POLLUTION - WATER POLLUTION - AGRICULTURE/RUN OFF,FRESHWATER POLLUTION - WATER POLLUTION - DISCHARGE |
| RIVERS AND STREAMS | SADIE HOBSON | 002 | 1027106 | 9.485 | 14/01/2010 | Unfavourable - No change | The River Mease fails on the following targets: biological GQA phosphours - due to point source and diffused pollution. Physical modifications - over dredging, weir, other impoundments non native species, lack of river bank vegetation lack of macrophyte species density and composition. | AGRICULTURE - AGRICULTURE - OTHER,FRESHWATER - DRAINAGE,FRESHWATER - INVASIVE FRESHWATER SPECIES,FRESHWATER - SILTATION,FRESHWATER POLLUTION - WATER POLLUTION - AGRICULTURE/RUN OFF |

| | | | | | | | | |
|--------------------|--------------|-----|---------|--------|------------|--------------------------|--|--|
| | | | | | | | over abstraction - lack of fresh water entering the river density of the designated fish species | |
| RIVERS AND STREAMS | SADIE HOBSON | 003 | 1027107 | 5.2684 | 14/01/2010 | Unfavourable - No change | The River Mease fails on the following targets: biological GQA phosphours - due to point source and diffused pollution. Physical modifications - over dredging, weir, other impoundments non native species, lack of river bank vegetation lack of macrophyte species density and composition. over abstraction - lack of fresh water entering the river density of the designated fish species | FRESHWATER - DRAINAGE,FRESHWATER - INVASIVE FRESHWATER SPECIES,FRESHWATER POLLUTION - WATER POLLUTION - AGRICULTURE/RUN OFF |
| RIVERS AND STREAMS | SADIE HOBSON | 004 | 1027108 | 2.191 | 14/01/2010 | Unfavourable - No change | The River Mease fails on the following targets: biological GQA phosphours - due to point source and diffused pollution. Physical modifications - over dredging, weir, other impoundments non native species, lack of river bank vegetation lack of macrophyte species density and composition. over abstraction - lack of fresh water entering the river density of the designated fish species | FRESHWATER - DRAINAGE,FRESHWATER - INVASIVE FRESHWATER SPECIES,FRESHWATER - SILTATION,FRESHWATER POLLUTION - WATER POLLUTION - AGRICULTURE/RUN OFF |

Appendix 2

Minerals and Waste Local Plan Analysis Matrix

| Policy | Text | Comments | Potential Impacts |
|--|--|--|-------------------|
| Policy M1: Supply of Sand and Gravel Aggregate | The County Council will ensure a steady and adequate supply of sand and gravel for aggregate purposes by: (i) making provision over the plan period (2014 to 2031) for the extraction of some 20 million tonnes of sand and gravel; (ii) maintaining a landbank of at least 7 years based on the past 10 years average sales; and (iii) giving priority to proposals for extraction to be worked as extensions to existing site operations. | This policy identifies the amount of provision required for sand and gravel extraction. It gives priority to extensions to existing sites, but none of these are within the catchment area of the River Mease SAC. Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect. | GREEN |
| Policy M2: Supply of Sand and Gravel Aggregate from Sites | The County Council will make provision over the plan period (2014 to 2031) for the supply of sand and gravel for aggregate purposes from the following locations: (i) the extraction of remaining reserves at the following permitted sites: Brooksby Cadeby Husbands Bosworth Lockington Shawell (ii) the following extensions to existing sites sites as | It is not considered that the development of any of these sites would affect the integrity of the River Mease SAC as none of the proposed sites lie within its catchment area. | GREEN |

| Policy | Text | Comments | Potential Impacts |
|--|---|---|-------------------|
| | <p>shown on the Policies Map Insets:</p> <p>Brooksby – Spinney Farm and south of the existing plant site</p> <p>Cadeby – Manor Farm extension and West/North of Site Access Road</p> <p>Husbands Bosworth - Butt Lane extension</p> <p>Lockington – north of Ratcliffe Lane</p> <p>Shawell – Fields Farm extension and land south of Gibbet Lane to the west of the plant site</p> <p>(iii) the following ‘areas of search’ as shown on the Policies Map Insets to be worked as extensions to existing sites once the existing permitted reserves and allocated extensions above have been worked:</p> <p>Brooksby: land to the east of the current quarry</p> <p>Cadeby: East of Sutton Cheney, East of Newbold Lane</p> <p>Husbands Bosworth: further North East of Butt Lane extension</p> <p>Shawell: land to the east of the current quarry</p> <p>Planning permission to extend a site will normally be conditioned so that the extension area can only be worked following cessation of mineral working within the existing site unless it has been demonstrated that there are operational reasons why this is not practicable.</p> | | |
| Policy M3: Sand and Gravel Extraction (Unallocated Sites) | <p>Planning permission will be granted for sand and gravel extraction for aggregate purposes outside allocated areas provided that:</p> <p>(i) the site is needed to meet an identified shortfall in the landbank; or</p> <p>(ii) the proposal results in significant benefits to local communities and/or the environment over allocated sites.</p> | <p>This policy provides for sand and gravel outside the allocated areas in certain circumstances. As such, there is potential for pathways of impact to lead to effects on the River Mease SAC. However, Policy DM7 clearly states that development ‘must show that a proposal can be delivered without adverse effect on</p> | GREEN |

| Policy | Text | Comments | Potential Impacts |
|--------------------------------|--|--|-------------------|
| | | the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect. | |
| Policy M4: Crushed Rock | The County Council will ensure a steady and adequate supply of crushed rock for aggregate purposes by: (i) making provision over the plan period (2014 to 2031) for the extraction of some 243 million tonnes of crushed rock; (ii) maintaining a landbank of at least 10 years based on the past 10 years average sales; (iii) giving priority to proposals for extraction to be worked as extensions to existing rail-linked site operations where they are required to ensure sustainable supply; and (iv) allowing proposals for new extraction sites where it has been demonstrated that the landbank and production capacity cannot be maintained from existing permitted sites. | This policy identifies the amount of provision required for crushed rock extraction. Potential areas for rock extraction in the county lie well outside the catchment area for the River Mease SAC. It is not therefore considered that the development of any future rock extraction would affect the integrity of the River Mease SAC. | GREEN |
| Policy M5: Brickclay | The County Council will ensure a steady and adequate supply of brickclay by: (i) allowing extensions to existing sites where they are required to maintain a landbank of at least 25 years of permitted reserves to support the level of investment required to maintain and improve existing brick-making plant and equipment; and (ii) allowing new brickclay extraction sites where it can be demonstrated that production cannot be maintained from existing sites and appropriate extensions to existing sites. | This policy provides for the future supply of brickclay. One of the existing brickworks is at Measham within the catchment area of the River Mease SAC. Potential future resources also lie within the catchment area. However, Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be | GREEN |

| Policy | Text | Comments | Potential Impacts |
|----------------------------------|--|---|-------------------|
| | | permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect. | |
| Policy M6: Fireclay | <p>The County Council will ensure a steady and adequate supply of fireclay by:</p> <ul style="list-style-type: none"> (i) allowing proposals for extraction where it can be demonstrated that the clays are required to meet a proven need; or particular qualities of clay are required that cannot be obtained from existing permitted reserves; (ii) establishing a stocking and blending facility within the Donington Island Site, subject to the provision of appropriate landscaping, site infrastructure and amelioration measures including the routeing of HGVs; and (iii) supporting the recovery of fireclays associated with the extraction of surface coal. | <p>The proposed stocking and blending facility at the existing Donington Island Site lies within the catchment of the River Mease SAC. This is an existing facility which has not been considered to affect the SAC.</p> <p>Potential fireclay resources also lie within the catchment area. However, Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect.</p> | AMBER |
| Policy M7: Gypsum | <p>The County Council will ensure a steady and adequate supply of gypsum by allowing proposals for new extraction sites and extensions to existing extraction areas where they are required to meet a proven need.</p> <p>The County Council will make provision over the plan period (2014 to 2031) for the supply of gypsum from the following locations:</p> <ul style="list-style-type: none"> (i) the extraction of remaining reserves at the existing Barrow Mine; and (ii) an extension to the existing Marblaegis Mine. | Policy for the future extraction of gypsum. Neither of the proposed sites lies within the catchment area of the River Mease SAC. | GREEN |
| Policy M8: Building Stone | Planning permission for the extraction of natural building stone will be granted where it can be demonstrated that the material would primarily be used in the conservation | Policy for future extraction of building stone. Potential areas for building stone extraction within the County all | GREEN |

| Policy | Text | Comments | Potential Impacts |
|--------------------------------|--|---|-------------------|
| | and repair of historic buildings or structures built of the same or similar materials, or in new construction projects where use of the material is specified in order to maintain or enhance the character of the local area. | lie outside the River Mease SAC catchment area. | |
| Policy M9: Coal | <p>In assessing proposals for the extraction of coal, particular regard will be had to:</p> <ul style="list-style-type: none"> (i) the employment and other economic benefits of the proposal; (ii) any environmental improvements or other material planning benefits to the community likely to result from the proposal; (iii) the contribution of the proposal towards the comprehensive reclamation of areas of derelict or contaminated land, or the remediation of coal mining legacy issues; (iv) the avoidance of the sterilisation of mineral resources in advance of development; (v) the avoidance of the piecemeal working of surface deposits; and (vi) the need for fireclay. | <p>Proposals for the extraction of coal will be considered against the provisions of the National Planning Policy Framework. The NPPF specifically excludes developments that may lead to an adverse effect on European sites from the presumption in favour of sustainable development. The Policy outlines particular factors that will be taken into account in assessing proposals.</p> <p>Potentially workable coal resources exist within the catchment area of the River Mease SAC. However, Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect.</p> | GREEN |
| Policy M10: Oil and Gas | <p>Planning permission will be granted for exploration, appraisal or production of oil and gas and unconventional hydrocarbons provided that the proposal:</p> <ul style="list-style-type: none"> (i) would be appropriately sited to ensure the least impact; and | <p>Policy covers exploration and production of hydrocarbon resources. There are currently no exploration licence areas within the catchment of the River Mease SAC. In any event, Policy DM7 clearly states that</p> | GREEN |

| Policy | Text | Comments | Potential Impacts |
|--|--|--|-------------------|
| | (ii) would facilitate the full appraisal and development of the resource. | development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect. | |
| Policy M11: Safeguarding of Mineral Resources | <p>Sand and gravel, limestone, igneous rock, surface coal, fireclay, brickclay and gypsum resources within the Minerals Safeguarding Areas shown on Figure 1 will be protected from permanent sterilisation by other development.</p> <p>Planning permission will be granted for development that is incompatible with safeguarding mineral within a Mineral Safeguarding Area if:</p> <ul style="list-style-type: none"> (i) the applicant can demonstrate that the mineral concerned is no longer of any value or potential value; or (ii) the mineral can be extracted satisfactorily prior to the incompatible development taking place; or (iii) the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed or (iv) there is an overriding need for the incompatible development; or (v) the development comprises one of the types of development listed in Table 4. <p>Planning applications for non-mineral development within a Mineral Safeguarding Area should be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource</p> | <p>This policy concerns itself with safeguarding minerals resources rather than promoting their extraction. The safeguarding of mineral resources is intended to prevent the sterilisation of those resources by conflicting development and carries with it no presumption that the minerals ever will be worked. As such, it is considered that there is no pathway for this policy to lead to likely significant effects on European sites.</p> | GREEN |

| Policy | Text | Comments | Potential Impacts |
|--|--|---|-------------------|
| | <p>beneath or adjacent to it.</p> <p>Planning permission for mineral extraction that is in advance of approved surface development will be granted where the reserves would otherwise be permanently sterilised provided that operations are only for a temporary period. Where planning permission is granted, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.</p> | | |
| Policy M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure | <p>Significant infrastructure that supports the supply of minerals in the County will be safeguarded against development that would adversely affect operations at an existing mineral site and the use of associated mineral infrastructure by creating incompatible land uses nearby.</p> | <p>This policy concerns itself with safeguarding existing sites and associated infrastructure in order to prevent their operation being constrained by conflicting development. As such, it is considered that there is no pathway for this policy to lead to likely significant effects on European sites.</p> | GREEN |
| Policy M13: Associated Industrial Development | <p>Planning permission for ancillary industrial development within or in close proximity to mineral sites will be granted provided that it is demonstrated that there is a close association with the mineral site and there are environmental benefits in providing a close link with the extraction site. Where permission is granted, the operation and retention of the development will be limited to the life of the permitted reserves.</p> | <p>The policy does allow for new development in areas where pathways of impact could occur that might have effects on the River Mease SAC. However, Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect.</p> | GREEN |

| Policy | Text | Comments | Potential Impacts |
|----------------------------------|---|--|-------------------|
| Policy M14: Borrow Pits | <p>Planning permission will be granted for borrow pits to supply materials for major construction projects where:</p> <ul style="list-style-type: none"> (i) there is a need for a particular type of mineral which cannot reasonably be supplied from existing sites, including alternative materials, or where the transport of mineral to the construction project from existing sites would be seriously detrimental to the environment and local amenities because of the scale, location and timing of the operations; (ii) the site is in close proximity to the proposed construction project it is to serve so that mineral can be transported to the point of use without leading to harmful conditions on a public highway; and (iii) the site can be restored to a satisfactory after-use without the need to import material other than that generated by the construction project itself and which can be brought to the site without leading to harmful conditions on a public highway. <p>Where planning permission is granted, conditions will be imposed to ensure that operations are time-limited and that all mineral extracted is used only for the specified project.</p> | <p>Policy allows for borrow pits to take place where there are environmental benefits over conventional supply for major projects.</p> <p>Major new construction sites are unlikely to be sited in close proximity to European protected sites because the principle of avoidance ought to be adopted, and developments will be controlled under the terms of assessment under the Habitats Regulations even if they are.</p> <p>In any event, Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect.</p> | GREEN |
| Policy M15: Mineral Waste | <p>Planning permission will be granted for new sites for the disposal of mineral wastes where</p> <ul style="list-style-type: none"> (i) it is not feasible to retain the waste materials on the extraction site; and (ii) it is demonstrated that the re-use of the material to be disposed of is not practicable. <p>Planning permission for the reworking of mineral waste will be granted where an environmental improvement results.</p> | <p>Policy provides controls for the disposal of mineral waste. Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely</p> | GREEN |

| Policy | Text | Comments | Potential Impacts |
|--|---|--|-------------------|
| | | to lead to a significant effect. | |
| Policy M16: Mineral Exploration | Planning permission for mineral exploration will be granted provided that operations are only for a temporary period. Where planning permission is granted, conditions will be imposed to ensure that the site is restored to a satisfactory after-use. | Policy enables mineral exploration activities to take place for temporary periods. Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect. | GREEN |
| Policy M17: Incidental Mineral Extraction | Planning permission for mineral extraction that forms a subordinate and ancillary element of other development will be granted provided that operations are only for a temporary period. Where planning permission is granted, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented. | Policy for enabling mineral extraction in advance of other development. The principal development will be controlled under the terms of assessment under the Habitats Regulations. In any event, Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect. | GREEN |
| Policy W1: Waste Management Capacity | The County Council will make provision for a sufficient range of waste facilities within Leicestershire to manage the predicted arisings up to and including 2031 and to meet the recycling, composting and recovery targets as a minimum as presented in Tables 5, 6, 7, 8, 9 and 10 at 2019/20, 2025/26 and 2030/31 subject to any new arisings forecasts published in the Council's Annual | This policy makes provision for waste facilities within Leicestershire. Whilst there is potential for waste facilities to affect the River Mease SAC, Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on | GREEN |

| Policy | Text | Comments | Potential Impacts |
|--|---|---|-------------------|
| | Monitoring Reports. | the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect. | |
| Policy W2: Low Level Radioactive Waste | Planning permission will be granted for low level radioactive waste management facilities where it is demonstrated that Leicestershire is a sustainable location for managing such waste. | This policy allows for low level radioactive waste management facilities in sustainable locations. The potential effect on European sites will be one consideration in determining whether the location is sustainable. In any event, Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect. | GREEN |
| Policy W3: Strategic Waste Facilities | Planning permission will be granted for new strategic waste facilities, including extensions to existing waste facilities which would in combination with the existing use(s) create a strategic facility, provided that they are within the Broad Locations for Strategic Waste Facilities indicated on the Key Diagram, that is, in or close to the urban areas of Loughborough/Shepshed, Hinckley/Burbage and Coalville and close to the urban area of Leicester, taking into account the principles set out in Policy W5. | Policy aimed at directing strategic waste sites to broad locations. All the identified locations lie outside the catchment area of the River Mease SAC. | GREEN |
| Policy W4: Non Strategic Waste Facilities | Planning permission will be granted for new non strategic waste facilities, including extensions to existing waste facilities, within the following areas taking into | Policy aimed at directing waste sites to broad locations. Whilst the specified locations all lie outside the | GREEN |

| Policy | Text | Comments | Potential Impacts |
|---|--|---|-------------------|
| | <p>account the principles set out in Policy W5:</p> <ul style="list-style-type: none"> (i) the Broad Locations for Strategic Waste Facilities, that is, in or close to the urban areas of Loughborough/Shepshed, Hinckley/Burbage and Coalville and close to the urban area of Leicester; (ii) in or close to the main urban areas of Melton Mowbray and Market Harborough; and (iii) within sustainable urban extensions. <p>Proposals for new waste facilities, including extensions to existing waste facilities, outside the above areas will only be granted where they are:</p> <ul style="list-style-type: none"> (a) facilities for the biological treatment of waste including anaerobic digestion and open-air windrow composting; (b) the treatment of waste water and sewage; (c) landfilling of waste; or (d) facilities that require a more dispersed location to provide a clear link between the proposed location and the waste managed which would result in transport, operational and environmental benefits subject to the principles set out in Policy W5. Such a proposal must demonstrate there is an overriding need for the development and that this cannot be met within the urban areas set out above in (i) to (iii). | <p>catchment area of the River Mease SAC, the policy does allow waste facilities outside of these areas which could lead to likely significant effects on Mease SAC. However, Policy DM7 clearly states that development 'must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site' before it will be permitted. On that basis the policy can be screened out as being unlikely to lead to a significant effect. HRA should be carried out on individual site applications as appropriate.</p> | |
| Policy W5: Locating Waste Facilities | <p>Planning permission will be granted for waste facilities in accordance with the objectives of Policies W3 and W4 upon the following land:</p> <ul style="list-style-type: none"> (i) on land with an existing waste management use, where transport, operational and environmental benefits can be demonstrated either as a consequence of proximity to the existing waste management uses or the co-location of waste | <p>Policy identifies the type of land where waste sites could be located. Policy DM 7 would also apply, therefore no likely significant effects should occur to the River Mease SAC.</p> | GREEN |

| Policy | Text | Comments | Potential Impacts |
|---|--|--|-------------------|
| | <p>management facilities;</p> <p>(ii) on existing or planned industrial/employment land;</p> <p>(iii) on previously developed, contaminated and/or derelict land; and</p> <p>(iv) on existing mineral working sites.</p> <p>Land not included in (i)-(iii) above will be considered where there is a clear link between the proposed location and the waste managed which would result in transport, operational and environmental benefits, and there is an overriding need for the development which cannot be met within the urban areas set out in (i)-(iii) of Policy W4.</p> | | |
| Policy W6: Biological Treatment of Waste Including Anaerobic Digestion and Open Air Windrow Composting | <p>Planning permission will be granted for waste facilities for anaerobic digestion, open air composting, and other forms of biological treatment outside of those areas set out in (i)-(iii) of Policy W4 where the proposal is an appropriate distance from any sensitive receptors and is located on either:</p> <p>(i) land meeting the requirements of (i)-(iv) of Policy W5, or</p> <p>(ii) land associated with an existing agricultural, livestock, or food processing use where it is demonstrated that there are close links with that use.</p> | Policy dealing with waste facilities for various forms of biological treatment. Although there are pathways of impact that require consideration when biological treatment of waste facilities are assessed, Policy DM 7 would apply, therefore no likely significant effects should occur on the River Mease SAC. | GREEN |
| Policy W7: Recovery Facilities | <p>Planning permission will be granted for waste management facilities that would provide for the recovery of waste, provided that:</p> <p>i) pre-sorting is carried out;</p> <p>ii) value recovery from by-products of the process is maximised;</p> <p>iii) energy recovery is maximised; and</p> <p>iv) any residue of the process can be satisfactorily managed and disposed.</p> | Policy dealing with facilities for the recovery of waste. Facilities would need to be located in accordance with Policies W3-5. In any event, Policy DM 7 would apply therefore no likely significant effects should occur on the River Mease SAC. | GREEN |

| Policy | Text | Comments | Potential Impacts |
|--|--|---|-------------------|
| Policy W8: Waste Disposal | Planning permission will be granted for new or extended waste disposal facilities where: i) it is demonstrated that the waste cannot be managed in a more sustainable way; ii) environmental benefits will be secured by the development; iii) there is an overriding need for the development; and iv) the development does not delay the final restoration of existing landfill or landraise sites. | Policy dealing with waste disposal facilities. Although there are pathways of impact that require consideration when waste disposal facilities are assessed, Policy DM 7 would apply therefore no likely significant effects should occur on the River Mease SAC. | GREEN |
| Policy W9: Safeguarding Waste Management Facilities | Planning permission will be granted for the redevelopment of existing and permitted waste management facilities to a non-waste use where it is demonstrated that the loss of the facility does not prejudice the County's implementation of the waste hierarchy either through the provision of a new waste facility in the vicinity of that to be lost or that there is no longer a need for the waste facility at that location. Planning permission will be granted for development which adjoins, is adjacent to or would locate a potentially sensitive receptor in closer proximity to an existing or permitted waste management facility where it is demonstrated that there would be no adverse effect upon amenity and the development would not prejudice the current and future operation of the facility. | As with minerals, safeguarding policies are intended to prevent the operation of waste sites being affected by inappropriate redevelopment. As such, it is considered that no impact pathway exists connecting this policy to the River Mease SAC. | GREEN |
| Policy DM1: Sustainable Development | When considering proposals for minerals and waste development Leicestershire County Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Proposals should contribute to the three dimensions (economic, environmental and social) of sustainable development, | Overarching policy based on Government's sustainability objectives which include protection of internationally designated areas. The National Planning Policy Framework specifically excludes developments that may lead to an adverse effect on | GREEN |

| Policy | Text | Comments | Potential Impacts |
|---|---|--|-------------------|
| | <p>as well as providing clear evidence of how a proposal would make a positive contribution to reducing its effects on climate change. The County Council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in Leicestershire.</p> <p>Planning applications that accord with the policies in this Minerals and Waste Local Plan will be approved unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the County Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ul style="list-style-type: none"> (i) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or (ii) Specific policies in that National Planning Policy Framework indicate that development should be restricted. | <p>European sites from the presumption in favour of sustainable development. Therefore, there is no mechanism for this policy to result in likely significant effects on European sites.</p> | |
| Policy DM2: Local Environment and Community Protection | <p>Proposals for minerals and waste development will be granted where it is demonstrated that the effects from birdstrikes, dust, emissions, flooding, illumination, noise, odour, run-off, traffic, vibration, or visual intrusion to adjoining land uses and users and those in close proximity to the proposal would be acceptable. Where appropriate, separation distances between a development and other land uses will be applied.</p> | <p>Policy aimed at protecting the local environment and communities from the adverse effects of minerals and waste development. Controls aimed at preserving quality and flow of surface and ground waters are specifically relevant to the River Mease SAC interest and would ensure that no unacceptable effects</p> | GREEN |

| Policy | Text | Comments | Potential Impacts |
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| | | occur. | |
| Policy DM3: Strategic Green Infrastructure | <p>Proposals for minerals and waste development will be granted where proposals do not compromise 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.</p> <p>The design and layout of new development should take account of and provide opportunities to create and enhance green infrastructure provision, and improve accessibility to these assets.</p> <p>Proposals for minerals and waste development within or adjacent to Charnwood Forest will be granted where:</p> <ul style="list-style-type: none"> (i) proposals include measures to protect and enhance the character of the area, including its landscape, biodiversity, geodiversity, cultural heritage, built heritage and recreational value; and (ii) the siting, scale and design of the development together with the materials to be used reflect and complement the character of the surrounding landscape and minimise any harm. <p>Proposals for minerals and waste development within the National Forest outside of the Charnwood Forest area will be granted where proposals reflect the National Forest Strategy by making provision for the planting of woodlands, habitat creation, the creation of new leisure and tourism facilities and/or for public access.</p> <p>Proposals for minerals and waste development within Strategic River Corridors will be granted where proposals include measures to protect and enhance:</p> <ul style="list-style-type: none"> (a) their capacity to function as natural floodplains; (b) their linear continuity in the interests of biodiversity; | <p>Policy aimed at protecting and enhancing strategic green infrastructure corridors.</p> <p>Proposals within the National Forest which make provision for habitat creation could create opportunities for the enhancement of the River Mease SAC.</p> <p>Strategic River Corridors within Leicestershire includes the River Mease, which is a tributary of the River Trent. The Policy requires measures to be taken to protect and enhance the natural environment of the river corridors, which will contribute to the protection of the River Mease SAC</p> | GREEN |

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| | <p>and</p> <p>(c) the form, local character and distinctiveness of the natural, historic and built environment.</p> <p>Proposals which provide improved access, recreation and tourism facilities within the Strategic River Corridors will be encouraged where they do not have an unacceptable effect on the above interests.</p> | | |
| Policy DM4: Green Wedges | <p>Proposals for minerals and waste development within Green Wedges will be granted where it is demonstrated that the proposal would:</p> <ul style="list-style-type: none"> (i) maintain the strategic planning function of preventing the coalescence of settlements; (ii) retain the current level of leisure/amenity value for surrounding communities; (iii) protect and enhance the open and undeveloped character of the Green Wedge; (iv) improve public access to the Green Wedge, especially for recreation; and (v) in the case of waste development, have a particular need to be located in the Green Wedge. | <p>Protection policy for green wedges.</p> <p>No impact on River Mease SAC.</p> | GREEN |
| Policy DM5: Landscaping and the Countryside | <p>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.</p> <p>In granting planning permission for minerals and waste development, screening (including planting in advance of the commencement of the development) will be required, where appropriate.</p> | <p>Protection policy for the landscape and the countryside.</p> <p>No impact on River Mease SAC.</p> | GREEN |
| Policy DM6: Soils | <p>Proposals for minerals and waste development that would result in the significant loss of the best and most versatile agricultural land (Grades 1,</p> | <p>Protection policy for best and most versatile agricultural land.</p> <p>No impact on River Mease SAC.</p> | GREEN |

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| | <p>2 and 3a) will be granted where it is demonstrated that:</p> <ul style="list-style-type: none"> (i) there is an overriding need for the facility; (ii) there is no suitable alternative site of lower agricultural quality that provides the same benefits in terms of sustainability; and (iii) in the case of temporary uses, the land could be restored to its previous agricultural quality or better or another beneficial after-use can be secured which outweighs any loss. | | |
| <p>Policy DM7: Sites of Biodiversity/Geodiversity Interest</p> | <p>Internationally Important Sites of Biodiversity Conservation Value Proposals for minerals and waste development that are likely to have significant effects on any Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site should be supported by sufficient information for the purposes of an appropriate assessment of the implications of the proposal, alone or in-combination with other plans and projects. The conclusions of the assessment, in accordance with Council Directive 92/42 EEC and the Conservation of Habitats and Species Regulations 2010, must show that a proposal can be delivered without any adverse effects on the integrity of any SAC, SPA or Ramsar site.</p> <p>Nationally Important Sites of Biodiversity Conservation Value Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs) and irreplaceable habitats, including ancient woodland, will be safeguarded from inappropriate minerals and waste development. Proposals for minerals and waste development on land within or outside a SSSI will only be granted where: the status and quality of the SSSI or National Nature</p> | <p>Protection policy for sites of biodiversity/geodiversity interest. This is the Key Policy acting to prevent harm to European sites. It devolves the need to consider HRA to the level of specific proposals.</p> | <p>GREEN</p> |

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| | <p>Reserve is retained and protected; the loss or deterioration of irreplaceable habitats is unlikely to occur; or the benefits of developments likely to impact on SSSIs, NNRs or irreplaceable habitats clearly outweigh such impacts and loss. In such circumstances, developments should follow the mitigation hierarchy outlined in the National Planning Policy Framework, and the development will be required to deliver a net-gain in biodiversity through the creation of priority habitat(s).</p> <p>Locally Important Sites of Biodiversity Conservation Value</p> <p>Proposals for minerals and waste development will be granted where the status and quality of locally designated sites of biodiversity conservation value and priority habitats and species identified in the Leicestershire Biodiversity Action Plan is retained and protected, and where the development cannot reasonably be located to an alternative site with less harmful impacts. If the benefits of the development outweigh the likely impact, the harm should be adequately mitigated or, as a last resort, compensated for, and the development will be required to deliver a net-gain in biodiversity through the creation of priority habitat.</p> <p>Locally Important Sites of Geological Conservation Value</p> <p>Proposals for minerals and waste development will be granted where the development is unlikely to have any adverse effects on locally designated sites of geological conservation value, cannot reasonably be located to an alternative site to avoid damage to the geological</p> | | |

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| | feature, or where the merits of development outweigh the likely impact and the proposal results in geodiversity enhancements. | | |
| Policy DM8: Sites of Historic Interest | <p>Proposals for minerals and waste development will be granted where it is demonstrated that the proposal would retain and protect heritage assets. Where a proposal would affect a non-designated heritage asset, the benefits of the proposal will be balanced against the scale of harm to or loss of the heritage asset (including archaeological features) and its significance. Great weight will be given to the conservation and enhancement of designated heritage assets such as scheduled monuments, listed buildings, conservation areas, historic battlefields, registered parks and gardens and archaeological features which are demonstrably of equivalent significance to a scheduled monument, and the setting of those assets.</p> <p>Proposals for minerals and waste development affecting heritage assets or their setting, particularly those with an archaeological interest, will be required to undertake appropriate desk based and/or field evaluations in order to:</p> <ul style="list-style-type: none"> (i) identify and determine the nature, extent and level of the significance of the heritage asset, the contribution of its setting to that significance, and the potential impacts on the asset or its setting; and (ii) identify the requirement for a programme of post-permission works including any mitigation measures and long-term monitoring. <p>Where, following assessment of an application, the loss (wholly or in part) of a heritage asset is considered acceptable in principle, the applicant will be required to</p> | <p>Protection policy for sites of historic interest.</p> <p>No impact on River Mease SAC.</p> | GREEN |

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| | record and advance understanding of that asset, proportionate to the nature and level of the asset's significance, and to publish their findings. | | |
| Policy DM9: Transportation by Road | <p>Proposals for minerals and waste development involving the transportation of material by road will be granted where it is demonstrated that:</p> <ul style="list-style-type: none"> (i) road transport is the only practicable and environmentally preferable alternative; (ii) the proposed access arrangements would be safe and appropriate to the proposed development and the impact on road safety of the traffic generated would be acceptable; (iii) the highway network is able to accommodate the traffic that would be generated and would have an acceptable impact on the environment of local residents; (iv) the proposal is in close proximity to the County's lorry network and would not result in unnecessary impact on residential areas and minor roads; and (v) in the case of new waste management facilities, the proposal is in close proximity to the waste arisings that would be managed to minimise the transportation of waste. | <p>Policy providing control of the transportation of minerals. No impact on River Mease SAC.</p> | GREEN |
| Policy DM10: Public Rights of Way | <p>Proposals for minerals and waste development will be granted where it is demonstrated that the proposal would protect public rights of way. Where disruption of a right of way is unavoidable, convenient and safe diversion or the creation of an alternative route both during operations and following restoration of the site will be required. The opportunity will be taken, wherever possible, to secure appropriate, improved access into the countryside.</p> | <p>Policy aimed at protecting and enhancing the rights of way network. No impact on River Mease SAC.</p> | GREEN |

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| Policy DM11: Cumulative Impact | Proposals for minerals and waste development will be granted where it is demonstrated that cumulative impacts on the environment of an area or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring either concurrently or successively, are acceptable. | Policy providing safeguards against the cumulative impacts of minerals and waste development on the environment. This may have potential benefits for the River Mease SAC. | GREEN |
| Policy DM12: Restoration, Aftercare and After-use | <p>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 five year programme of aftercare.</p> <p>Site restoration shall attain a net gain in biodiversity by the creation of at least one of the priority habitats set out in the Leicester, Leicestershire and Rutland Biodiversity Action Plan.</p> <p>The priority habitats specified below will be sought as after-uses in the following broad areas of Leicestershire:</p> <ul style="list-style-type: none"> • Charnwood Forest (within and adjoining) – Heath grassland and/or native deciduous woodland; • National Forest – Native deciduous woodland; • Soar, Wreake and Welland Valleys – Floodplain wetland; • North East Leicestershire – Calcareous grassland; and • River Floodplains – Wet woodland. <p>All opportunities should be taken to provide new Barn Owl and Bat boxes, and Sand Martin colonies.</p> <p>Sites in the Leicestershire Vales National Character Area shall be expected to manage retained mature hedgerows in the traditional 'Midlands-style'</p> | <p>Policy controls aimed at ensuring all relevant matters are satisfactorily restored.</p> <p>Restoration proposals which include the creation of priority habitats could create opportunities for the enhancement of the River Mease SAC.</p> | GREEN |

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| | <p>hedgelaying technique.</p> <p>Where restoration is to an agricultural use the final landscape and field pattern shall reflect the historic landscape character of the site and its surroundings.</p> <p>Restored sites will be expected to take all possible opportunities to maximise public access and improve the public rights of way network.</p> <p>Innovative restoration of the hard rock quarries in Charnwood Forest which would provide for biodiversity, public access, educational activities and recreational pursuits will be sought by the County Council.</p> | | |