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10th October 2006

Planning Control
Environment and Heritage Services
Leicestershire County Council
County Hall
Glenfield
Leicester
LE3 8ZI

Our ref: 403-0275-00002

Dear Sir

**RE: LEICESTERSHIRE MINERALS & WASTE DEVELOPMENT FRAMEWORKS-
HUNCOTE QUARRY**

Please find enclosed comments in respect of the above.

Kind regards,

Yours faithfully
SLR Consulting Limited



Stewart Lenton
Technical Director

Cc Mr T McGreal, Acresford Sand and Gravel

SUSTAINABLE DEVELOPMENT SERVICE		
05 OCT 2006		
HEAD W	REFER 1 [Signature]	REFER 2 MHP/L

Minerals Development Framework Preferred Options Feedback Form

Leicestershire County Council has prepared the Preferred Options version of its Minerals Development Framework (MDF). The framework consists of: the core strategy and development control document; the site allocations document and the sustainability appraisal of both documents and their associated appendices. The Council is now inviting people to comment on the documents and this form allows you to make comments on any or all of the documents which form the framework. Comments on the sustainability appraisal reports can be made in the bottom box overleaf. You may also submit your comments via our website (www.leics.gov.uk), email your comments to planningcontrol@leics.gov.uk or write to the address on the pre-paid envelope supplied.

YOUR CONTACT DETAILS

Please enter your contact details in the box below:

Please indicate whether you are filling in this form on your own behalf or as an agent.

Own Behalf

Agent

If you are an agent please indicate who you represent.

ACRESFORD SAND & GRAVEL

Name: S.Lenton Address: SLR Consulting Ltd SLR House, Meadowbank Way, Eastwood, Nottingham. Postcode: NG16 3SR	Tel no: 01773 766020 Email: Slenton@slrconsulting.co.uk Fax: 01773 766021 Organisation: SLR Consulting Ltd
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Should you require more space than that provided then please either photocopy this form, go to our website and fill in a form online or attach a sheet to this form.

Please indicate to which document your comments pertain using the numbering system for the documents below.

1. MDF Core Strategy and Development Control
2. MDF Site Allocations

Document to which your comments relate Policy/Site Map/Paragraph (delete as appropriate) Number

Comments

See Attached Sheet.

Document to which your comments relate Paragraph (delete as appropriate) Number

Comments

This Policy is Supported

Document to which your comments relate Paragraphs (delete as appropriate) Number

Comments

See Attached Sheet.

Comments on the Sustainability Appraisal (SA) Reports

Is any significant information missing or misrepresented?

Are judgements made in developing the SA Framework correct?

Do you agree with the results of the assessment of effects and any mitigation and monitoring measures proposed ? If not do you have any suggestions?

Please write any comments in the box below.

Leicestershire County Council, Minerals Development Framework.

Comments response, September 2006.

Land at Thurlaston/Huncote

This submission comments on both the Core Strategy Document and the Site Allocations document. This submission is made on behalf Acresford Sand and Gravel Limited the owner of the site referred to in both documents as the "Thurlaston/Huncote Site". These comments are made in support of an objection to the non inclusion of this site.

The basis of this objection is generally on the grounds that the approach to site selection is inconsistent and that a number of statements within both documents have not been applied in a consistent manner.

The above site represents an opportunity to work sand and gravel resources over a 4 year period in a sustainable manner, using the existing infrastructure, plant site and access, which have operated successfully for many years. This also has benefits in relation to existing markets and transportation arrangements. Failure to include this site will result in the decommissioning of the processing plant and closure of the site and the sterilisation of the resource. It would not be economically viable or environmentally acceptable to work this resource separately from the existing Huncote Quarry.

The detailed comments on the documents are set out below. These are intended to supplement the preferred options feedback form.

Core Strategy Document

Section 4. The Preferred Minerals Development Objectives:

4.1 sets out the preferred objectives of the Core Strategy;

Item 3. states that *"To safeguard mineral resources by encouraging the most efficient use of high quality minerals, the minimisation of waste materials and avoiding their sterilisation"*.

It is maintained that the non allocation of the Thurlaston/Huncote land is directly at odds with this statement. This land represents a minor extension (4 years) to the existing Huncote Quarry, which has been operational for over 50 years and represents the final option for mineral extraction at this location. Failure to extract this material in the manner proposed would result in the decommissioning of the plant and machinery at Huncote Quarry and the loss of the ability to work this mineral without the need to construct a new access and processing plant site. This would not be viable in commercial terms for the quantity of mineral available and represents a far worse environmental option for the area of Thurlaston. The allocation of this site would enable the mineral to be extracted in a sustainable manner utilising the existing plant site and vehicular access at Huncote.

Item 4. states that *"To protect local communities, and the natural environment from unacceptable effects of mineral development"*

The non allocation of the Thurlaston/Huncote site is generally attributed to the inability to work the site without unacceptable environmental and nuisance impacts. It is maintained that the proposed allocation at Thurlaston/Huncote can be worked without unacceptable impact and therefore its non inclusion within the allocated sites on this basis is at odds with this statement. As detailed below a planning application has already been made for the Thurlaston/Huncote site and this confirmed no technical issues which are not capable of being resolved through planning conditions.

5.4 states that *"Extensions to mineral workings may be less environmentally intrusive than a wholly new proposal. They can involve the retention of existing employment and avoid the unnecessary sterilisation of minerals. Preference will therefore be given to extensions to existing operations, although it is recognised that there may be cases where such extensions will not be appropriate for Environmental Reasons"*.

It is maintained that the non allocation of the Thurlaston/Huncote site is at odds with this statement, notwithstanding the final sentence. This area should be allocated in accordance with this principal in that the area can be worked without unacceptable environmental impacts and the working of this area would be in full accordance with this statement. The failure to allocate this site would give rise to unnecessary sterilisation of 0.85 million tonnes of sand and gravel.

5.8 States that *"The LDMF will seek to identify locations which will have the least impact on the County's environment, its landscape, and the quality of life of local communities. The County Council will seek to ensure mineral developments are designed in such a way that the environment is protected and enhanced and the amenity of local communities is protected from the unacceptable adverse impacts of minerals extraction. Where appropriate, measures will be pursued to provide environmental and other improvements or gains in mitigation or compensation for the adverse effects of minerals related development"*.

Within the sustainability appraisal, the Huncote/Thurlaston site was scored as having the least number of environmental impacts. In addition to this the site has already been through a detailed environmental impact assessment and the outcome of this was that no technical objections which could not be satisfactorily resolved through planning conditions were sustained.

Furthermore it is maintained that the detailed information within section 4.11 to 4.28 of the Site Allocations document (considered in more detail below) is misleading in its presentation, creating a perception of a greater impact than that actually arising from the proposal.

The detailed consultation responses to the planning application confirm that there are no technical issues which are not capable of being resolved through planning conditions.

12.3 states that *"...Preferred Policy 9 allows for extensions to existing aggregate extraction sites and the identification of additional sand and gravel reserves in the Site Allocations document reflects an optimum use of extensions to existing operations"*. It is strongly maintained that this is not in fact the case and that the non allocation of the Thurlaston/Huncote site is at odds with the policy/statements made

within both documents and that the non allocation will sterilise resources which could be worked fully in accordance with the policy objectives stated.

Site Allocations Document

The following comments specifically relate to The Site Allocations document, and are centred on the non allocation of the above site. It is maintained that the approach taken to site allocation is inconsistent and that the Thurlaston/Huncote site should be included when the site is considered against the chosen criteria and statements.

Of particular concern is that the Thurlaston/Huncote site has been excluded based on a criteria based assessment when similar criteria has been overlooked in relation to allocated sites and that information on the potential impact of the proposed working of this site has been presented in such a way as to assert statements inconsistently and overplay potential impacts.

This site has been the subject of a detailed planning application and environmental impact assessment, and whilst this application was refused, this was on the basis of historic policy (The current MLP) and not on technical environmental grounds. There were no technical objections to the application which were not capable of being resolved through planning conditions.

The allocation of this site represents a sustainable use of mineral resources which would prevent sterilisation and allow the final use of the existing site infrastructure to recover mineral resources. This would be entirely consistent with the policy statements made within the core strategy document and the criteria for allocation of sites.

More detailed comments are:

2.10 refers to Sustainability Appraisal and states that the Thurlaston/Huncote site has the least number of significant negative effects identified (6) others including allocated sites have more (Lockington 9, Flash farm 9, others 7/8). It is wholly inconsistent that one of the main criteria for site selection is the minimisation of significant environmental impacts and yet the site which is considered to give rise to the lowest is not allocated, against sites which scored considerably more impacts.

2.12 Describes the negative effects of Thurlaston/Huncote as significant for:

- Soil Quality/Quantity
- Public Nuisance
- Loss of B&MV land
- Landscape and Countryside
- Water Quality
- Developed Land

It is maintained that this assessment is inconsistent with that arising from the detailed environmental impact assessment and the consultation responses to the planning application.

There were no objections to the planning application from DEFRA in respect of the soils and best and most versatile land, Environment Agency in respect of water quality, and Environmental Health Department in respect of noise impacts and therefore proximity of housing and possible noise nuisance.

There were no objections on landscape and visual impact grounds. This statement is therefore misleading. There is also no criteria or recognised basis of assessment of public nuisance. The working of the Thurlaston/Huncote site would provide for just four years working without the need to erect processing plant at this location or to have a vehicle access and the associated traffic impacts. The only remaining impact would be that of being able to 'see' the workings which is a situation which applies to almost all of the allocated sites.

2.14 – 2.20 of the document considers the significant effects at other sites (some of which are allocated) but suggest that these can be mitigated. An extremely inconsistent approach appears here.

In addition no account taken of the sustainable use of mineral resources through working the land at Thurlaston/Huncote, this would provide opportunity to recover the last 0.85mt before the site is decommissioned and restored. This is supported by current Government policy including MPG1 paragraph 35 (vi) and MPG6 paragraph 52"

Specific comments are:

4.15 The use of some of the distances is misleading; the proposed extraction operations are at greater distances than those stated.

4.16 The statements in this paragraph are ambiguous and misleading; Thurlaston Village is 500 meters from the proposed development, not the 300 metres stated in 4.14, the extraction area being even further. This is greater than that at other allocated sites. 'Pleasant landscape' is not defined in landscape terms, no statutory or other designations cover the site the, setting and outlook from Thurlaston is dominated by the M69 motorway.

4.17 Adverse environmental impacts described as:

'Disturbance on local landscape' there was no technical objection to planning application on these grounds?

Potential disturbance to occupiers of adjacent land? What are these? How is this quantified?

Impacts on rights of way, no objection on these grounds, issues relating to rights of way could be resolved by condition. Other allocated sites impact in the same way on rights of way. The approach is again inconsistent:

4.18 Views from Thurlaston have been formally assessed by detailed Environmental Impact Assessment in accordance with guidance and best practice; this concluded that there was no unacceptable impact. It is also maintained that this would be no worse than at other sites which have been allocated. It is maintained that this criteria is being subjectively applied without reference to establish assessment criteria and best practice.

- 4.22 States that footpaths and rights of way would be affected, again there were no technical objections to the planning application on these grounds and therefore again this criteria should not be used to exclude the site. Any impact to rights of way (which could be mitigated against) is no different to the situation at many of the allocated sites.
- 4.28 This cites the refusal of planning permission, it is maintained that this is not relevant to the consideration of this site for inclusion within the MDF. The primary reason for refusal was that the County Council maintained that the site did not fit the criteria of small scale extension within the existing policy framework. This is not relevant to the current consideration of the site for inclusion within the plan.

Conclusion

It is maintained that the Thurlaston/Huncote site should be included within the allocated sites. This is supported by Central Government policy on non sterilisation of minerals, and the Council's own policy statements regarding non sterilisation of minerals. The allocation of this site would represent an opportunity to recover the final 0.85mt of sand and gravel from the existing Huncote Quarry, utilising the existing site infrastructure before this is decommissioned. This site is not capable of being worked independently and therefore failure to include the site would mean that the deposit is effectively lost.

This must also be considered against the fact that a detailed planning application and supporting Environmental Statement concluded that the site could be worked without unacceptable impacts, a view which was generally supported by responses to detailed consultation, such that there were no technical issues raised which could not be satisfactorily dealt with through planning conditions.

Minerals Development Framework Preferred Options Feedback Form

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ACRESFORD SAND & GRAVEL

Name: S.Lenton Address: SLR Consulting Ltd SLR House, Meadowbank Way, Eastwood, Nottingham. Postcode: NG16 3SR	Tel no: 01773 766020 Email: Slenton@slrconsulting.co.uk Fax: 01773 766021 Organisation: SLR Consulting Ltd
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1. MDF Core Strategy and Development Control
2. ~~MDF~~ Site Allocations
W

Document to which your comments relate Policy (delete as appropriate) Number

Comments

This Policy is supported and it is proposed that the existing quarry is identified as a suitable site.

Document to which your comments relate Policy/Site Map/Paragraph (delete as appropriate) Number

Comments

Object to the non inclusion of Huncote Quarry as a suitable site for construction and demolition waste recycling.

Document to which your comments relate Policy/Site Map/Paragraph (delete as appropriate) Number

Comments

Comments on the Sustainability Appraisal (SA) Reports

Is any significant information missing or misrepresented?

Are judgements made in developing the SA Framework correct?

Do you agree with the results of the assessment of effects and any mitigation and monitoring measures proposed ? If not do you have any suggestions?

Please write any comments in the box below.

Leicestershire County Council, Minerals and Waste Development Framework.

Comments response, September 2006.

Huncote Quarry

This submission comments on both the Minerals Core Strategy Document and the Waste Site Allocations document. This submission is made on behalf Acresford Sand and Gravel Limited the owner of Huncote Quarry. These comments are made in support of an objection to the non inclusion of this site as an allocated site suitable for the handling of construction and demolition waste and for aggregate recycling.

It is maintained that the existing Huncote Quarry is suitable for use for construction and demolition waste handling/aggregate recycling. That this site should have been allocated as a suitable site within the Waste Development framework site allocations document.

In addition, Policy 3 within the Minerals Development Framework is supported. Furthermore, Huncote quarry is an existing mineral operation which satisfies this policy as being a suitable site for Aggregates Recycling.