
RESOURCE MANAGEMENT



RESOURCE MANAGEMENT POLICIES

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4. RESOURCE MANAGEMENT

INTRODUCTION

- 4.1 This Consultation Draft Structure Plan aims to manage and enhance the quality of the air, water and land environment and other resources upon which people depend for basic needs or raw materials to improve their quality of life. These resources include:
- a) air - an essential requirement for life itself, a raw material, a source of renewable energy and a natural waste processor;
 - b) water - fulfilling similar functions to air;
 - c) soil - particularly in the form of the best and most versatile agricultural land;
 - d) fossil fuels - in particular, coal;
 - e) minerals - raw materials for houses, offices and other buildings, roads, and industry;
 - f) waste - a resource issue in its own right.
- 4.2 It is recognised that these resources are used or polluted in some way, in the course of their exploitation. The Policies of this chapter indicate how the Plan will allow resources to be managed in such a way that they are used as efficiently as possible, and any pollution is minimised. The following general principles will apply:
- a) pollution and other adverse effects arising from the use of resources should be minimised;
 - b) overall consumption should be reduced; and
 - c) waste energy and materials should be recovered.
- 4.3 This Consultation Draft Structure Plan aims to minimise the impact of development and mineral extraction (including open cast coal mining) on agricultural land. However, threats to soils in the Plan Area including wind and water erosion, caused partly as a result of ploughing land, and the loss of organic matter, a result of over intensive farming, lie outside the remit of this Consultation Draft Structure Plan.
- 4.4 The principle of sustainable development has introduced the concepts of critical, constant and tradable capital. Air, water and soil, particularly best quality agricultural land, can be regarded as constant capital. As long as pollutants and soil depletion are kept within defined limits, natural processes can purify and regenerate. Policies in this chapter and elsewhere in this Plan aim to achieve this.
- 4.5 Minerals and fossil fuels are examples of tradable capital. They are used in return for improved living standards, for example, better and warmer homes. Sustainable development does not mean minerals and fossil fuels should not be used, but that they should be used in a way that does not foreclose options for future generations, either by using up reserves, or by causing pollution which exceeds the ability of the environment to neutralise it. Clearly, there is a need to regulate the rate of extraction of minerals and reduce the rate of consumption of fossil fuels if we are to tackle the danger of global warming. Again, Policies in this chapter and those dealing with location of development and transport aim to achieve this.
- 4.6 The principle objective of the Three Councils as Minerals Planning Authorities and as Waste Planning Authorities is to balance these two responsibilities, which are to ensure

a supply of minerals for the requirements of the community and to provide adequate waste management facilities with the need to minimise the adverse environmental effects of such operations.

- 4.7 The Leicestershire Minerals Local Plan was adopted in May 1995. The Plan covers the extraction of all minerals throughout the Plan Area and was prepared to accord with and to amplify at a more detailed and local level the minerals policies set out in the adopted Structure Plan.
- 4.8 The Planning and Compensation Act imposes a requirement on the waste planning authority to prepare a Waste Local Plan, which sets out land use policies and proposals for waste management development. The Leicestershire, Leicester and Rutland Waste Local Plan Deposit Draft was placed on deposit in June 1998. The Waste Local Plan also deals with the land use implications of the waste strategy as set out in the Waste Disposal (Management) Plan. The Waste Disposal (Management) Plan for Leicestershire was approved in November 1995 under the provisions of Section 50 of the Environment Protection Act 1990.
- 4.9 This Consultation Draft Structure Plan's policies provide a framework for the Waste Local Plan to ensure that sufficient facilities and arrangements are available to meet the estimated need over the Plan period, as indicated in the Waste Disposal (Management) Plan.
- 4.10 The remaining Policies in this chapter set out in detail how the sustainable management of resources will be implemented through:
- a) reducing the adverse impacts of resource use;
 - b) reducing the consumption of fossil fuels;
 - c) encouraging the use of renewable energy resources;
 - d) protecting the quality and quantity of water resources;
 - e) protecting the best and most versatile agricultural land;
 - f) safeguarding mineral reserves;
 - g) managing the rate of exploitation of minerals and fossil fuels; and
 - h) encouraging the recycling and re-use of waste.

POLLUTION

- 4.11 The control of pollution is fundamental to improving people's quality of life. The importance of controlling and minimising pollution is highlighted in the White Paper "This Common Inheritance". Principle 15 of the Rio Declaration on Environment and Development, signed by Britain at the 1992 Earth Summit, states "In order to protect the environment, the precautionary approach shall be widely applied by states according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost effective measures to prevent environmental degradation."
- 4.12 Since the adoption of the current Structure Plan the Government issued in 1994, PPG23 'Planning Pollution and Control'. It advises that structure plans should include policies

on the location of potentially polluting developments and the location of developments in the vicinity of existing polluting development.

- 4.13 PPG24 'Planning and Noise' has also been published since the adoption of the current Structure Plan. It states that plans should contain policies designed to ensure, as far as practical, that noise sensitive developments are located away from existing sources of significant noise and that potentially noisy developments are located in areas where noise will not be such an important consideration or where its impact can be minimised. It also states that housing, hospitals and schools should generally be regarded as noise sensitive development.
- 4.14 In 1997 the Government published the National Air Quality Strategy which defines health-based air quality standards and objectives to be achieved by the year 2005, to act as reference points by which policies are to be directed. The Strategy identifies local government, including the planning system, as a key player in achieving these objectives.
- 4.15 Pollution can have an adverse effect on people's quality of life, causing poor health, loss of amenity and environmental degradation on a local and global scale. The main types of pollution and their principal sources are listed below.

Type of Pollution	Principal Sources
AIR	Industry, road, rail and air transport, chemicals and fuels, waste, and domestic
NOISE	Road, rail and air transport, industry and commerce, and entertainment
WATER	Agriculture, industry, and domestic
LAND	Agriculture, industry and waste disposal
LIGHT	Artificial lighting

- 4.16 Pollution control is administered by a number of organisations including the Environment Agency and Local Authorities through procedures such as licensing, authorisation and enforcement. However, the planning system has an equally vital role to play in complementing the statutory responsibilities of these bodies. In particular, the impact of development can be regulated through the location of development and control of operations.
- 4.17 Road transport is identified as a significant, and in most urban areas, the main source of emissions of all air-borne pollutants covered in the Strategy. A key aim of this Consultation Draft Structure Plan is to reduce the number and length of journeys made by car. This is achieved through locating new development on sites that reduce the need to travel by car and the encouragement of alternative modes of transport including public transport, walking and cycling.

- 4.18 Other pollutants are caused by a wide range of activities from agriculture and industry to artificial lighting. Air, water and land pollution are caused by the discharge of polluting materials into the environment. These discharges can be reduced or eradicated through prevention at source and/or the control of discharges.
- 4.19 A positive and effective way of reducing emissions is through waste minimisation. This involves waste (including polluting emissions) being designed out at the development stage through the use of appropriate design and technology solutions. Waste minimisation is a means of combining social and economic benefits whilst reducing discharges of pollutants to the environment. The Leicestershire Waste Minimisation Initiative (1995) proved that reductions in waste, including the reductions in polluting materials, can lead to considerable financial savings for local companies. Waste can also be minimised through 'industrial clustering' or the 'proximity principle', whereby waste recycling and re-use industries are located close to the point at which the waste is generated. Resource Management Policy 14 deals with the re-use and recycling of waste.
- 4.20 Light and noise pollution can also be designed out at the early stages of a development. Outdoor lights are often poorly designed or badly oriented causing scattered light to spill into the night sky. Light pollution is not only an inefficient use of energy, but also has an adverse effect on the amenity of residential areas and reduces the visibility of the night sky. Local Plans should contain policies that prevent the installation of unnecessary outdoor lighting, determine when such lights can be used and provide some guidance as to good design.
- 4.21 Unacceptable levels of noise impact upon the quality of life of local communities and individuals. The effects of noise can be mitigated through engineering solutions (such as reducing the noise at the point of generation or the insulation of buildings), site layout and/or limiting the operating time. Once again, policies concerning these matters should be included in Local Plans.
- 4.22 Minimising the levels of all types of pollution has implications for the location of new development. Developments that achieve zero emissions or have substantially reduced their emissions will have a negligible environmental impact on the immediate locality. This enables the mixing of various types of development which otherwise have to be segregated, such as residential and employment uses. Strategy Policy 10 deals with mixed use developments.
- 4.23 When considering a proposed development that may give rise to pollution, it is important not only to consider the amount of pollution that the development is likely to produce, but also the existing levels of background pollution. The incremental effect of new developments could raise pollution levels above an acceptable limit. Potentially polluting development should only be permitted if its individual or cumulative impact on the surrounding environment is considered to be acceptable. Similarly, proposals for environmentally sensitive land uses should take into account the effects of existing or proposed sources of pollution. Local Planning Authorities should identify and consider the impact of pollution 'hot spots' when allocating sites for such land uses.
- 4.24 In the interests of the wider aims of sustainable development, there may be exceptional circumstances where the location of environmentally sensitive development, in the vicinity of existing sources of pollution, is acceptable. An example of this would be residential units in city and town centres where noise pollution levels may be above

what is normally considered acceptable. These impacts should be weighed against the longer term benefits that will accrue from reducing the need to travel by car and the subsequent reduction in air and noise pollution levels. If it is considered that such development should be permitted, measures must be taken to mitigate the initial impacts of the pollution.

- 4.25 Hazardous installations are treated as a special circumstance and are covered by Employment Policy 11.
- 4.26 To implement this Policy:
- a) Local Planning Authorities should ensure that polluting emissions from all new development are minimised;
 - b) Local Planning Authorities should be encouraged to identify and consider the impact of pollution 'hot spots' when allocating sites for environmentally sensitive development;
 - c) the Leicestershire and Leicester Air Quality Strategies will be published and implemented; and
 - d) there should be close liaison with pollution control authorities in preparing planning policies and/or supplementary planning guidance and in considering planning applications for potentially polluting development.

Resource Management Policy 1: Pollution

All new development will minimise or avoid air, noise, water, land and light pollution through good design, waste minimisation and the control of operations.

Regard will be given to the individual or cumulative impact of potentially polluting development in considering whether it would have an unacceptable effect on the surrounding environment.

Decisions concerning new sites for environmentally sensitive development will take account of the detrimental effects of existing or proposed sources of pollution.

ENERGY EFFICIENCY

- 4.27 The importance of limiting greenhouse gas emissions to reduce the possibility of climatic change was recognised at the 1992 United Nations Conference on Environment and Development in Rio de Janeiro (the 'Earth Summit'). A number of countries, including the United Kingdom, signed the United Nations Framework Convention on Climatic Change, which requires the countries to limit their greenhouse gas emissions. The UK Government agreed to reduce its carbon dioxide emissions by 20% from 1990 levels by 2010.

- 4.28 The UK Government has been attempting to limit the country's carbon dioxide emissions by reducing energy consumption. Measures include a tax on domestic fuel, the modification of building regulations to improve energy efficiency in new buildings, the establishment of the Energy Saving Trust, and the provision of advice and information on energy efficiency.
- 4.29 The previous Government expected market forces to achieve this reduction through the price mechanism which takes account of different costs and benefits. However, the total stock of buildings, services and transport infrastructure changes slowly. Current energy prices are unlikely to motivate developers to give a high priority to energy efficiency in making decisions about the location and form of development. Small businesses and less affluent households in particular benefit from low energy prices. There is a risk that future generations could be locked into energy use patterns that are unsustainable and more expensive than they need to be.
- 4.30 The Government has recognised the need to intervene when the market cannot be relied on to implement the best solutions. The planning system provides a framework within which to improve energy efficiency over the long term and on a large scale. Policies are needed which provide developers with clear guidance on how their developments can contribute to the reduction in carbon dioxide emissions
- 4.31 In order to establish priorities, a study has been carried out by De Montfort University on behalf of Leicestershire County Council to look at the identification and utilisation of energy resources to minimise the effect on the environment in Leicestershire particularly in terms of carbon dioxide emissions. ('Identification and Utilisation of Energy Resources to Minimise the Effect on the Environment in Leicestershire, UK', De Montfort University, December, 1995). The study modelled the energy consumption of various sectors (business, domestic, transport etc.) forecast to 2020 in three scenarios: business as usual, technical fix and green. It concluded that only the green scenario could deliver any significant reduction in carbon dioxide emissions.
- 4.32 Key assumptions in the study for the green scenario relevant to land-use planning include:
- a) Domestic Sector
 - i) reductions in heat loss due to significant energy conservation measures;
 - ii) greater use of combined heat and power (CHP), district heating, biofuels, wind power, hydro electric power (HEP), passive and active solar techniques and photovoltaics (PV).
 - b) Service Sector
 - i) reduction in artificial lighting due to natural daylighting;
 - ii) increased use of CHP and district heating;
 - iii) increased use of biofuels and other renewable sources;
 - iv) increase in home-working.
 - c) Industry Sector
 - i) increased use of CHP;
 - ii) increased use of photovoltaics, wind and biofuels.

- d) Transport Sector
 - i) increased use of public and non-motorised transport;
 - ii) no growth in car ownership;
 - iii) reduced journey length
 - iv) modal shift from car to rail, bus, cycling and walking;
 - v) smaller increase in air travel than “business as usual”;
 - vi) greater load factors of cars (ie. shared car journeys);
 - vii) increase in proportion of freight moved by rail/water;
 - viii) use of garages/car parks for photovoltaics.

- 4.33 This Policy takes into account, as much as it is able, the need to encourage those aspects of development that can contribute to the reduction in the use of non-renewable energy, and therefore the reduction in carbon dioxide emissions.
- 4.34 It also establishes important principles which should be applied to all new development. It applies to development varying in scale from individual buildings, through mixtures of land-uses in a particular development, to larger scale patterns of development. The principles should be applied both to ensure that new development in itself reduces the consumption of non-renewable energy resources, and to ensure that it results in a better balance of land uses when added on to existing development.
- 4.35 The following aspects should be given priority in considering planning applications for new development, making allocations in Local Plans and considering strategic locations for major development:
- a) the use of PV cells on buildings;
 - b) the incorporation of passive solar design (PSD); and
 - c) use of CHP or district heating.
- 4.36 The reduction in journey lengths, a modal shift from private cars to public transport, cycling and walking and the location of development to ensure a mix and balance of land-uses in a locality are dealt with throughout this Plan.
- 4.37 The use of PVs, PSD or CHP need not have an adverse effect on the character or appearance of the built environment. Indeed, imaginative use of PVs or PSD could make a positive contribution.
- 4.38 This Policy should be implemented at different stages in the planning process, from development control decisions on individual buildings, to the strategic allocations of development. Local Planning Authorities could require new buildings to meet National Home Energy Ratings and other appropriate standards.

Resource Management Policy 2: Energy Efficiency

All proposals for development of individual buildings, mixtures of land uses and land use patterns will be expected, through design, layout, use of materials, and relationship of different land uses, to take full account of their ability to:

- a) minimise the consumption of energy resources, particularly non-renewable energy;**
- b) promote the more efficient use of energy resources;**
- c) promote walking, cycling and the economic operation of public transport; and**
- d) reduce the need to travel by car.**

RENEWABLE ENERGY

- 4.39 PPG12 'Development Plans and Regional Planning Guidance' requires structure plans to include land use policies on energy generation and PPG22 'Renewable Energy' requires plans to include policies on providing renewable energy in their areas, including the general location of any individual project likely to have a significant effect on their area.
- 4.40 The National Air Quality Strategy calls on local authorities to develop an integrated approach to the improvement of air quality. Part of this will involve planning and transport functions ensuring that air quality considerations are built into the strategic planning process.
- 4.41 RPG8 deals with renewable energy facilities, stating that their development should be encouraged wherever they have the prospects of being economically viable and environmentally acceptable.
- 4.42 PPG22 defines renewable energy as those energy flows that occur naturally and repeatedly in the environment - energy from the sun, the wind and the oceans and the fall of water. The heat from within the earth itself, geothermal energy, is usually regarded as renewable, although locally it cannot always sustain continuous extraction. Plant material is an important source of renewable energy. Combustible or digestible industrial, agricultural and domestic waste materials are also regarded as renewable sources of energy.
- 4.43 Notwithstanding the definition in PPG22, the Three Councils consider the use of waste for energy generation may conflict with policies to minimise waste. Waste is therefore not included in the definition of renewable energy resources for the purposes of this Plan.
- 4.44 Considerable work on technical feasibility and the formulation of strategic policies and a strategy for the exploitation of renewable energy resources has been carried out by the Energy Technology Support Unit of the Department of Trade and Industry (ETSU) ('East Midlands Renewable Energy Study - Leicestershire County Report', ETSU, 1995).

The main conclusion is that solar energy (comprising, in order of importance, passive solar design, photovoltaics and active solar) holds the greatest potential for renewable energy development in the Plan Area (95% of generation/substitution by renewables by 2025). It should be noted that neither passive solar design nor active solar actually generate electricity, but have the potential to reduce the demand for power generated from other sources. This Policy provides the strategic framework which, in particular, encourages passive solar design.

- 4.45 The Report goes on to conclude that energy crops, including short rotation coppicing, could provide 3%, and wind 1% of generation (or substitution) by renewables by 2025. Along with the remaining renewable sources they therefore make a relatively insignificant contribution towards achieving the aim of reducing the environmental impact of energy use. Moreover, because they usually involve some form of generation plant, for example, a power station or wind generator, or transport of fuels and residual waste, they have a potentially greater environmental impact on landscape and other interests, and are therefore not encouraged in this Policy. Similarly, incineration of waste may conflict with policies to minimise waste, so proposals for power plants producing energy from waste will have to be considered against the appropriate policies in the Waste Local Plan.
- 4.46 Local Planning Authorities will be encouraged to include policies which set out criteria for the development of renewable energy, focusing in particular on passive solar design.

Resource Management Policy 3: Renewable Energy

Development will take account of the potential to use renewable energy, in particular, passive solar design.

THE WATER ENVIRONMENT

- 4.47 The protection and enhancement of the quantity and quality of the water environment is a crucial issue when considering quality of life, as it is needed to supply drinking water, is important for wildlife habitats and recreational activities, and contributes towards the character of the landscape. The water environment includes river corridors and groundwater resources. New development, agriculture, industry and leisure activities all place pressure on the quality and quantity of water resources.
- 4.48 A further consideration is development in floodplains, or essential washlands, not only because of the direct risk from flooding, but also because it can impede the flow of water, increase risks of flooding elsewhere, and affect wildlife habitats and sites of archaeological interest. Within the Plan Area, essential washlands worthy of particular protection exist around the Rivers Soar and Welland. The Soar Valley, which runs through the urban centre of Leicester, has been subject to development pressures such as the provision of flood defences which have impacted upon natural and semi-natural habitats. However, the Environment Agency still consider it to be above average in terms of riverside vegetation and the recreational interests which it supports.
- 4.49 The Environment Agency has suggested that land for new development should only be allocated where existing water supplies are adequate or can be augmented. In addition,

PPG12 states that particular attention should be paid to the protection of groundwater resources which are susceptible to a wide range of threats arising from land use policies.

- 4.50 The National Rivers Authority's document, 'Guidance Notes for Local Planning Authorities on the Methods of Protecting the Water Environment through Development Plans' states that the aim should be to protect surface, groundwater and coastal water from pollution arising from development. It states that developments:
- a) which are likely to place the quality of watercourses or groundwater at risk should not be permitted; and
 - b) should be resisted if possible where existing water supplies are inadequate, or where they cannot be augmented in time to coincide with the development without adversely affecting the water environment.
- 4.51 There are limited groundwater resources within the Plan Area. However several major aquifers do exist on the periphery of the Plan Area around Shepshed, Kegworth and Saltby. Most of the water extracted from the Plan Area comes from reservoirs, including Rutland Water, Cropston, Swithland, Blackbrook and Eyebrook.
- 4.52 In terms of flood defence, the Environment Agency's aim at the strategic level is to ensure that development is not at an unacceptable risk from flooding and does not put other areas at risk, or greater risk, from flooding which could endanger life and damage natural and built assets. Therefore Local Planning Authorities should resist allocation of land where such development would be at direct unacceptable risk from flooding or is likely to increase the risk of flooding elsewhere to an unacceptable level.
- 4.53 The Environment Agency is in the process of drafting Local Environment Agency Plans (LEAPs). These are Action Plans which aim to protect and improve the environment around river catchments. The Plan Area is covered by the Soar and Welland Catchment Area LEAPs, which have both been published as consultation drafts.
- 4.54 Local Planning Authorities should take account of this Policy in considering locations for development which could affect the water environment. Detailed matters in Local Plans could include reference to recycling of 'grey' water and the use of water permeable surfaces in urban areas.

Resource Management Policy 4: The Water Environment

Development will only be acceptable:

- a) if measures to achieve an efficient use of water have been taken into account;**
- b) where it will not adversely affect either the source of the water supply or the role of the natural watercourse system for providing essential drainage of land, valuable wildlife environments and amenity areas;**
- c) in areas not at direct risk from flooding or in areas which would not increase the risk of flooding elsewhere; and**
- d) in locations where adequate water resources exist, or where resources can be provided.**

AGRICULTURAL LAND

- 4.55 Agricultural land currently accounts for about 78% of the total Plan Area and about 7,000 people were directly employed in agriculture in 1991, about 2 % of the work force. Many more are employed in ancillary industries and services.
- 4.56 The best and most versatile agricultural land is that which is classified as Grade 1, 2 or 3a by the Ministry of Agriculture, Fisheries and Food. 10% of the agricultural land in the Plan Area is classified as either Grade 1 or 2. There are also significant amounts of Grade 3a land. Current Government guidance on development involving agricultural land is contained in PPG7 'The Countryside - Environmental Quality and Economic and Social Development'. This requires that, within the principles of sustainable development, the best and most versatile agricultural land should be protected as a resource for future generations. It points out that once agricultural land is developed, even for "soft" uses, such as golf courses, its return to best quality agricultural use is seldom practicable.
- 4.57 Agriculture has undergone enormous change throughout the 1990s and it is likely that the Common Agricultural Policy (CAP) will continue to put pressure on farmers to maintain their competitiveness and diversify, to new crops, or even away from agricultural production during the Plan period. The implications of such change are considered in the Employment, Housing and Leisure chapters. This Consultation Draft Structure Plan will aim to support the farming community as the managers of rural land, principally through Strategy Policy 9 and Employment Policy 9.
- 4.58 This Policy protects the best quality agricultural land. In some areas in Rutland the extent of this best and most versatile land is such that it may be necessary to use it for development if there are no alternative sites available.

Resource Management Policy 5: Agricultural Land

The best and most versatile agricultural land, ie. Grades 1, 2 and 3a, will be protected from development.

SAFEGUARDING MINERAL RESERVES

- 4.59 Minerals are a finite resource and it is therefore in the long term national economic interest to protect mineral resources, where known, from being sterilised by other forms of development. The major threat to the protection of workable mineral resources comes from pressure for development around existing settlements. Where development is likely to be permitted in areas which would sterilise significant mineral reserves, the Three Councils accept that the extraction of minerals in advance of the development should be considered as an exceptional circumstance provided that it is feasible and environmentally acceptable and the resultant land form is compatible with the intended after-use.
- 4.60 Provision is made under the Local Government, Planning and Land Act 1980 for the County Planning Authority to notify District Planning Authorities of areas in which development is likely to affect, or be affected by, the winning and working of minerals other than coal (normally referred to as Mineral Consultation Areas). Leicestershire County Council formally notified District Councils of the areas affected and supplied them with copies of plans relating to these areas in November 1983. It is intended to refine and update Mineral Consultation Areas and request shire District Councils to consult Leicestershire County Council in respect of applications for development within such areas which could have the effect of sterilising proven mineral resources.
- 4.61 It is recognised that knowledge of mineral resources within the Plan Area is incomplete and it is intended to encourage initiatives which contribute to improved knowledge.

Resource Management Policy 6: Safeguarding Mineral Reserves

Land will not be allocated and planning permission will not be granted for surface development which could sterilise important, economically workable deposits of minerals. Exceptionally, where development of land is considered essential, and proven reserves would be permanently sterilised, planning permission will be granted for the prior extraction of the mineral.

LAND RELEASE - MINERALS

- 4.62 It is important to balance the Three Councils' responsibility to make provision for the supply of materials for the legitimate needs of the community with its responsibility to the public to keep the adverse effects of mineral extraction to acceptable levels.
- 4.63 Minerals Planning Guidance Note 6 (MPG 6) 'Guidelines for Aggregate Provision in England', and the findings and recommendations of the East Midlands Aggregates Working Party set the national and regional policy framework for aggregates provision (including secondary/recycled material). MPG6 requires that land banks be maintained for aggregate minerals. A land bank is a stock of planning permissions for the winning and working of minerals and is necessary for the minerals industry to respond to fluctuations in demand and to forward plan for bringing sites into production.
- 4.64 With regard to limestone (for non-aggregate purposes) and clay operations, account will be taken of the production on a national and Plan Area basis. This will be balanced against current permitted reserves. The need for maintained production of minerals which have particular uses will be considered and this may result in the need for permissions for additional extensions to existing workings, despite an apparently overall satisfactory demand/supply picture.

Resource Management Policy 7: Land Release - Minerals

When allocating land and considering planning applications for the extraction of minerals consideration will be given to the need to release sufficient land to:

- a) maintain an adequate supply of minerals to contribute to local, regional and national needs, while minimising the effect on the environment and agriculture;**
- b) maintain, wherever possible, an appropriate land bank of permitted reserves of construction aggregates taking into account guidelines for aggregate provision in England and Wales and the findings of the East Midlands Regional Aggregates Working Party; and**
- c) maintain a sufficient stock of permitted reserves for limestone (used for non-aggregate purposes) and clays, having regard to the needs and nature of the particular industry concerned.**

LAND RELEASE - WASTE MANAGEMENT

- 4.65 The Three Councils' waste management strategy for the period 1996-2006 is contained within the Leicestershire Waste Disposal (Management) Plan. The strategy in this Plan is to reduce the need for waste disposal through integrated waste management. This strategy generally accords with the Government's stated waste management hierarchy.

The waste hierarchy sets out Government policy for achieving sustainable waste management through reduction, re-use, recovery and disposal. The management of waste can include the treating, storing, processing or final disposal of waste.

- 4.66 The Three Councils' overall strategy has regard to the principle of integrated waste management which involves waste minimisation at source and re-use, recycling, composting, and energy recovery from household waste by the process of anaerobic digestion. In combination these elements of the strategy will limit the quantity of waste taken to final disposal. Landfill, with energy recovery where appropriate, will remain as the final disposal element as the one that allows the growth of the higher priority objectives of the strategy.
- 4.67 PPG23 sets the policy framework for waste management. In releasing land for waste management development, regard will be taken of the 'proximity principle' under which waste should be managed, where appropriate, as close to the point of its generation as possible. The principle of regional self-sufficiency, whereby each region is expected to provide sufficient facilities to treat or dispose of the waste it produces, will also be taken into account. The Three Councils will release sufficient land to provide a contribution towards regional self-sufficiency. In releasing sufficient land for waste management facilities, account will be taken of the Government's targets contained in the National Waste Strategy for waste recovery, waste reduction and reducing the amount of controlled waste going to landfill.

Resource Management Policy 8: Land Release - Waste Management

When allocating land and considering planning applications for the management of waste, consideration will be given to the need to release land to maintain an adequate network of waste management facilities. In releasing such land regard will be given to the principle of Integrated Waste Management, sufficient to meet local needs and contribute towards regional self sufficiency in treating or disposing of all types of waste produced in the region, while minimising the effect on the environment.

ENVIRONMENTAL IMPACT OF MINERAL EXTRACTION AND WASTE MANAGEMENT

- 4.68 It is intended to encourage all applicants for mineral extraction or waste management development to discuss proposals with relevant Council officers prior to the submission of applications and to encourage the provision of appropriate information with any planning application to reduce delay and enable a clearer understanding to be gained of what is proposed and its likely impact.
- 4.69 The examination of factors will allow a balanced judgement to be arrived at, with on the one hand the operational and economic needs of the proposed development, and on the other hand the likely impact on the overall environment. Environmental considerations will include matters such as the effect on: nearby uses by way of noise,

dust, fumes and general disturbance; agricultural land; visual impact; woodland and topographical features; sites of scientific interest or archaeological interest ; water resources, supply and drainage; and the nature and volume of associated traffic. Such considerations will also take account of the cumulative effect on the environment, both over a longer time period and the combined effect of several schemes.

- 4.70 It is equally important that, having established mineral extraction or waste management operations, these continue to operate in a satisfactory and acceptable manner throughout their lives. It is intended to monitor minerals and waste management operations to ensure compliance with planning conditions or the terms of any legal agreement and to take appropriate steps in the event of non-compliance.
- 4.71 In this respect the Three Councils will also seek to set up local liaison committees in respect of particular operations, involving District Councils, Parish Councils, the operators and other bodies as appropriate. The Three Councils will also review existing mineral sites and planning conditions in accordance with the requirements of the Planning and Compensation Act (1991) and the Environment Act (1995) having regard to the policies contained in this Plan and the Minerals Local Plan.
- 4.72 The Three Councils will seek to secure planning obligations to control matters relevant to proposed development which cannot be covered by planning conditions in order to achieve adequate control over mineral and waste management operations and ensure satisfactory restoration.

Resource Management Policy 9: Environmental Impact of Mineral Extraction and Waste Management

When allocating land and considering planning applications for the extraction of minerals or for waste management development or related development, account will be taken of its likely impact on the environment and the operational and economic needs for the development. Where development would cause demonstrable harm to interests of acknowledged importance, planning permission will only be granted where the need for the development outweighs such demonstrable harm.

IGNEOUS ROCK EXTRACTION

- 4.73 Based on the output figures, during the period 1991 to 1995 the Plan Area contributed approximately 32% of the national production of igneous rock. This situation reflects the Plan Area's importance as the nearest rock resource to south-eastern England. Rock resources suitable for road making and building purposes are generally absent south of a line between the Humber and Exe estuaries. The Plan Area's igneous rock is hard and strong and is therefore suitable for high quality uses for which lower standard aggregates cannot be substituted.
- 4.74 On 1st January 1996, permitted reserves of igneous rock in the Plan Area totalled 524 million tonnes. This was sufficient for approximately 32 years production based on levels of output over the period 1989 to 1993.

- 4.75 In 1993, 61% of the Plan Area's igneous rock was consumed outside the Plan Area. The main export destination was the South East, primarily north and west of London for use as coated roadstone. Material was dispatched by rail from four quarries in the Plan Area, representing 22% of the total output. 65% of the exports to the South East were by rail, principally to depots in London and Hertfordshire. It is intended to encourage the use of rail wherever possible to serve distant markets.
- 4.76 Most of the Plan Area's igneous rock quarries lie within areas of high scenic value, as do most of the remaining unpermitted reserves. Given the overall level of permitted reserves, the Three Councils do not expect that any new greenfield sites for igneous rock production will be necessary. In most cases, the long term quarries have sufficient plant capacity to continue to increase output, and extensions to such quarries might be appropriate to ensure continuity of supply, provided that the effects of the proposed operations in the vicinity of the site would be environmentally acceptable, having taken account of the potential alleviation of any impacts by appropriate measures.

Resource Management Policy 10: Igneous Rock Extraction

Planning permission for igneous rock extraction will be granted where the proposal is to extend an existing operational quarry to ensure continuity of supply, provided that the environmental impact of the proposed development can reasonably be kept to an acceptable level.

New quarries will only be considered if, in exceptional circumstances, the continuity of supply could not be met from existing quarries, or extensions to them, and provided that the environmental impact of the proposed development can reasonably be kept to an acceptable level.

COAL MINING AND COLLIERY SPOIL DISPOSAL

- 4.77 Privatisation of the industry has seen RJB Mining (UK) Ltd become the largest of the private operators in the Plan Area, having purchased British Coal's English interests. The Coal Authority has been established as the regulatory body for the industry.
- 4.78 This Policy reflects these changes. In particular, the previous restriction on "major" sites (sites containing more than one million tonnes of workable coal) has been reviewed and replaced with reference to cumulative impact. This is because British Coal previously planned for such large scale sites with the remainder of the industry (the private sector) being limited, through British Coal's licensing regime, to sites with a maximum tonnage of approximately a quarter of a million tonnes. Now there are no such restrictions and all operators are in a position to seek licenses from the Coal Authority for sites of any tonnage. This has been reflected in the planning applications received by Leicestershire County Council. This Policy is appropriate to the current circumstances in that it takes account of both the potential impact of major sites and the potential for a number of smaller sites to give rise to cumulative impact.
- 4.79 Mineral Planning Guidance Note 3 (MPG 3) 'Coal Mining and Colliery Spoil Disposal' indicates that development plans should make sufficient provision for coal extraction

and colliery spoil disposal and that a plan led approach will provide more certainty for the industry and local communities. It expects structure plans to include strategic policies for these forms of development. and acknowledges that the majority of proposals for coal extraction will involve opencast methods of working.

- 4.80 In the Plan Area, shallow opencastable coal reserves are situated in a relatively small area within North West Leicestershire. Due to the small area of opencast interest in North West Leicestershire, and the concentration of mineral working and related activities within it, the Three Councils are mindful of the potential for cumulative impact to arise where the adverse environmental impacts of an opencast coal site are experienced in conjunction with those of an existing site or sites. However, it is recognised that proposals for opencast coal extraction can also lead to longer term environmental improvements, particularly through the reclamation of derelict land or land that is in a poor state as a result of past mining activity.
- 4.81 MPG3 recognises the importance of the coal industry in providing local authorities with information on reserves, forward plans and potential work programmes. The Three Councils consider that it would be beneficial to receive such information from the industry in order to have a wider regard to potential cumulative impact and the potential for comprehensive working of reserves and a possible programme of sites.

Resource Management Policy 11: Coal Mining and Colliery Spoil Disposal

Planning permission will be granted for the extraction of coal or for the disposal of colliery spoil provided that:

- a) the adverse environmental impact and other effects of the proposed development can be kept to an acceptable level; or**
- b) in other cases, the adverse effects of the proposal are outweighed by the benefits.**

In the case of proposals for opencast coal extraction particular regard will be given to the potential for cumulative impact and any potential environmental improvements which the development would bring about.

TRANSPORTATION OF MINERALS AND WASTE

- 4.82 The bulk of the movements to and from mineral and waste management operations are currently made by road. Such traffic may have considerable impact on local amenity, creating problems of pollution, noise and vibration, air pollution and visual intrusion. Environmental advantages can often accrue from transferring some or all of the traffic to transport modes such as rail and waterways which do not utilise the local road network. The effects of road transportation can be reduced by the use of traffic measures, including the imposition of weight restrictions as part of the developing Leicestershire Lorry Plan, or voluntary routing agreements with operators entered into under Section 106 of the Town and Country Planning Act 1990.

Resource Management Policy 12: Transportation of Minerals and Waste

When allocating land and considering planning applications for the extraction of minerals and waste management operations, account will be taken of the transportation implications of the proposed development. Encouragement will be given to the transportation of minerals and waste by means other than road. Where road borne transportation is involved, associated heavy lorry movements will be restricted from using unsuitable roads.

RESTORATION AFTERCARE AND AFTERUSE

- 4.83 The successful after-treatment of mineral working sites and waste disposal sites is an important part of the process which involve the planning and carrying out of the operation itself. It is important that, wherever practicable, decisions on the ultimate form of after-use should be taken prior to development commencing. In the case of long-term operations this is not always feasible at the outset. In general terms, a definitive proposal for after-use should be established at the earliest possible date to avoid the possibility of derelict or neglected land.
- 4.84 The Three Councils are determined to ensure that land is returned after mineral extraction or waste disposal operations to a beneficial use in the shortest possible time in the interests of the community. Wherever practicable, phased development and restoration will ensure that the period over which land is out of beneficial use is kept to a minimum. The Town and Country Planning Act 1990 gives mineral planning authorities the power to impose an aftercare condition requiring land to be specially treated, for a period not exceeding 5 years after restoration is completed, to make it suitable for agriculture, forestry or amenity use. The Three Councils are anxious to ensure that satisfactory restoration is not undone by lack of aftercare or bad husbandry and will therefore require an appropriate period of land management.
- 4.85 Current Government policy still regards the best and most versatile agricultural land as a national resource for the longer term and the Three Councils will aim to protect such land or ensure that, if worked for minerals or waste disposal, such land is returned to agricultural use (see Resource Management Policy 5). In recent years, improvements in agricultural productivity have led to less land being required to meet the nation's food production needs. There is thus likely to be increased emphasis on the restoration of sites to activities other than agriculture, particularly in respect of lower grade land. Alternative uses could include forestry and water areas for sports and recreation or nature conservation. Improvements to woodland cover are addressed in Strategy Policy 5, the need for additional water recreation sites in Leisure Policy 4, and the creation of new ecological sites in Environment Policy 3.

Resource Management Policy 13: Restoration Aftercare and Afteruse

When granting planning permission for mineral working or the use of land for the disposal of waste materials or related development, restoration to an acceptable use will be required at the earliest opportunity. After restoration has been completed a programme of aftercare for an appropriate period will be required. The best and most versatile agricultural land will be restored to an agricultural use. On other land, priority will be given to restoration to water recreation, forestry or nature conservation uses.

RECYCLING AND RE-USE OF WASTE

- 4.86 Recycling and re-use of waste materials is an important part of the Three Councils' waste management strategy, as set out in the Waste Disposal (Management) Plan.
- 4.87 It is intended to encourage waste recycling and re-use facilities which have an overall positive environmental benefit. In considering proposals for this type of facility account will be taken of the 'proximity principle' whereby facilities will be encouraged in locations as close to the point at which the waste is generated. This would create a more sustainable approach by minimising the transportation implications of the operation.
- 4.88 It is in the national interest that aggregates and products manufactured from aggregates, are recycled where it is technically, economically and environmentally acceptable. In other words, where it is resource-efficient. Government policy is to encourage the use of secondary and recycled materials in construction. It is intended to encourage the use of substitutes for naturally occurring minerals, in particular to seek to use waste materials for its own reclamation schemes, road construction and other works, wherever possible.
- 4.89 Furthermore, the Three Councils are seeking to reduce the volumes of waste received at disposal sites by maintaining and extending its active role in its own recycling schemes, by initiatives to promote recycling and in offering advice and/or promoting positive assistance to others. Currently there are a total of 19 recycling and household waste sites in the Plan Area where there is segregation of waste for recycling. Also, sorting of dry household waste is undertaken at two materials recovery facilities at Whetstone and Leicester.

Resource Management Policy 14: Recycling and Re-use of Waste

Proposals for waste management development which includes the recycling and re-use of all types of waste product, will be encouraged and supported, provided any adverse environmental impacts of the development can be kept to an acceptable level.