

1st August 2008

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Sent by e-mail & Post (planningcontrol@leics.gov.uk)

Dear Sir,

Notice of submission and Consultation on Leicestershire Minerals Development Framework Core Strategy & Development Control Policies document

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Leicestershire and Leicester Waste Development Framework Core Strategy and Development Control Policies document

I refer to your letter of the 18th June 2008.

From 24th August 2005, the East Midlands Regional Assembly, as Regional Planning Body (RPB), became a statutory consultee in the planning process. The Planning and Compulsory Purchase Act 2004 (the Act) and accompanying Regulations and Secondary legislation give the RPB a duty to respond to consultations on:

1. Planning applications that the RPB considers are of strategic importance (Schedule 6, paragraph 16 of the Act);
2. Development Plan Documents (DPD's) (Section 24 of the Act); and
3. Any other Local Development Documents on which the local planning authority requires an opinion from the RPB (Section 24 of the Act)

Conformity with the East Midlands Regional Spatial Strategy (RSS)

Under section 38 (3) of the Act, the RSS is part of the statutory development plan. Under the plan-led system, this means that the preparation of DPD's should be made in accordance with the relevant RSS – in this case RSS8. You will be aware that a review of RSS8 (referred to below as the Draft RSS) has now reached an advanced stage with the Secretary of States responses to the Examination Panel's recommendations and proposed changes having recently been published for public consultation.

Having considered the contents of the two draft Core Strategies and their associated documents, our view as Regional Planning Body for the East Midlands is that the submissions are in general conformity with RSS8.

However, we would like to make the following comments which may help with the overall strategy development and subsequent implementation.

RSS8 and the Regional Waste Strategy (RWS) that informs it have a number of challenging targets that the Region needs to meet, namely:

- Working towards zero growth in waste at the Regional Level by 2016
- Reducing the amount of waste sent to landfill in accordance with the EU Landfill Directive
- Exceeding Government targets for recycling and composting, with the objective to bring all parts of the Region up to current levels of best practice; and
- Taking a flexible approach to other forms of waste recovery, on the basis that technology in this area is developing very quickly and is difficult to predict over a 20 year period

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4.6 – Whilst no specific levels are specified within the Regional Waste Strategy (RWS) in terms of hazardous waste, the strategy does make reference to the fact that the hazardous waste arising is linked to commercial and industrial generation and therefore should be considered in light of C+I generation. The strategy also states that a strategic approach should be taken at the sub-regional level to ensure the provision of appropriate facilities for the sustainable management of the Region's hazardous waste arising and to identify potential increases in hazardous waste arisings as a result of major new developments.

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4.19 & Box 1 - The identified shortfall of 5.7 million tonnes of sand and gravel when the figures are rolled forward to 2021 illustrates the need for the authority to identify additional landbanks moving forward. At this stage the important factor is that Leicestershire can meet its regional apportionment requirements as out in RSS8 between 2001-2016. With regards to the annual requirement figure, you have assumed that the 20mt total be divided over a 16 year period giving a yearly total of 1.25mt – however 2001-2016 is actually 15 years which on the same basis would make this figure 1.33mt.

4.26 & Box 2 – As above, the figures assume a 16 year period rather than a 15 year period (2001-2016). Dividing Leicestershire's requirement by 15 rather than 16 would mean an annual requirement of 17.5mt rather than the 16.4mt indicated.

Draft RSS

As the development of core strategies and associated plans move forward you should be mindful of the contents of the draft RSS and factor this into your work accordingly. As referred to above, the proposed changes to the draft RSS were issued recently (July 2008) and are now subject to public consultation until 17th October 2008. After considering responses the government will publish the final version. The Regional Assembly around this time (Autumn 2008) will then begin a partial review process to the plan.

As you are aware Communities and Local Government (CLG) are in the process of revising the National targets for aggregates provision (2005-2020). CLG anticipate that following the consultation process which ended in June, revised figures could be made available in the autumn. Any change will obviously have associated knock on effects with regards to the Regional mineral apportionment which would have to be looked at again in the partial review of the RSS.

If you have any issues that you would like to raise in relation to Regional minerals and waste planning, or conformity, then please don't hesitate to contact me.

Yours sincerely

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