

Leic C Pol/080801/SCI

1<sup>st</sup> August 2008

Community Services Department  
Leicestershire County Council – Planning Group  
County Hall  
Glenfield  
Leicester  
LE3 8TE

Dear Sir,

**Ibstock Brick – Leicester MDF Core Strategy and DC policies – Minerals**

We refer to the current consultation in connection with the above and the separate consultation document in relation to Waste Core Strategy and Development Control Documents.

We thank you for the opportunity to participate at this stage of the Minerals and Waste Development Framework. Our comments in relation to the relevant documents are set out in separate letters, this relating to the **Minerals** Spatial Strategy. We believe that significant cross over exists between this and the waste response. The two letters should therefore be reviewed together.

This response has been prepared in letter format. We did review the online form and the electronic method on the website. We are however of the opinion that these other two methods are not particularly user friendly and would have consumed considerably more time in submitting responses.

In general terms we consider that the Minerals Core Strategy provides a good overview of the industry and the geology of the mineral resource in Leicestershire. The DC policies provide a insight into the final means of future development control in the County and is a welcome milestone emerging out of the long development of the documents.

Our comments are set out to follow the order of the consultation document, cross referencing as appropriate.

**Spatial vision and Objectives**

Page 14 - The Vision provides a good over view of the future Minerals development in the County. In relation to the objectives, we offer the following comments;

Objective 1 – The reference to 'aggregates' at the end of the objective suggests the whole objective is aggregates based. We suggest the insertion of the words '....requirements, **for all minerals** in particular....'

Page 23, Para 4.30 – In our comments on the 'Minerals Spatial Strategy – Further consultation (October 2007)' we suggested improvements the plans to assist in spatial

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awareness. The plans seem largely unaltered and therefore we reiterate our previous comments i.e. the addition of road names etc would assist in the understanding of the plan. In addition, the place names on the map cover a considerable area of ground, for example Coalville extending out to cover the M1. We suggest the map clarity could again be improved by an arrow annotation to a dot marker representing the place name more accurately.

Page 23, Para 4.33 – We welcome the reference to the Brick Clay Annex 2 of MPS1 and the specific requirement to 25 years landbank per brickworks.

Page 24, Policy CS3 (Brick clay) – Whilst the above makes specific reference to Annex 2 and 25 years, this is notably omitted from the policy. For completeness, we believe reference to this should be included in the policy.

Page 36, Policy CS10 (Safeguarding) - We support the safeguarding of reserves around existing works and identified as economic importance. We understand that site specific safeguarding areas will be considered in the allocations documents.

Page 38, Policy CS11 (Environmental Protection) – We believe that much of the content of this policy is duplicated by the Development Control Policies later in the document. The document should strive to minimise duplication of policies.

Page 42, Policy CS15 (Green Wedges) – In the preamble to the policy, the text refers to the similarities of the Green Wedges to Green Belt. We consider that this similarity should also be replicated in the wording of policy CS15.

Page 42, paragraph 4.107 – We welcome the clear and concise preamble to policy CS16 and in particular the acknowledgement that the close relationship between clay reserves and brick works inherently mitigates the transport issue of raw materials. Paragraph 4.110 is also appropriate in highlighting that alternative means of transport are not always appropriate. We believe however that the above positive statements are not carried into policy CS16 sufficiently and would appreciate amendments to this effect.

Page 43, Policy CS16 (Transport) – The wording of parts (i) and (ii) of the policy almost suggest there is a choice to locating minerals in close proximity to the transport links. As highlighted elsewhere in the document, this is not always possible, therefore the policy should be extended to reflect that where this is not possible, development control will be used to mitigate impacts. Part (iii) of the policy needs amending to reflect the content of the preamble clauses. The wording '**As practicable and commercially viable rail / water....**' would seem an appropriate addition.

#### Development Control

Page 53, Policy DC5 (Country side) – We consider that the policy as currently worded would be too restrictive. It is conceivable that minerals development would adversely affect the countryside. Whilst this is mitigated in the last part of the sentence, we feel that the addition of '**....need for development or that the impact on the appearance and character can be mitigated to an acceptable level**'.

Page 54, Policy DC6 (Landscape and Woodland) – This policy seems to unnecessarily duplicate the content of CS14. We suggest that combining the two could avoid unnecessary duplication.

Page 57, Policy DC10 (Agricultural Land) – A similar policy is included in the Waste DC policies (DC6). As referred in the comments on the Waste document, we feel that opportunity exists for a more combined approach between the respective policies which are exactly the same except for the omission of 'in the case of landfill' at the beginning of (ii) on DC10. It would seem appropriate to add this comment to ensure the respective policies are the same.

On a wider point and as stressed further in the waste response, the current policy referencing has the potential to cause confusion. Policies DC10 and DC6 are the same except that they are in different plans. The plans (or certain policies within them) should be combined (preferable) or at the very least the references made distinctly separate i.e. change the waste DC6 to **WDC6 (Waste DC)**.

Page 59, Policy DC13 (Cumulative Impact) – The policy refers to cumulative impact on an 'area'. The 'area' is not however defined and therefore this could lead to confusion. The policy should make some attempt to quantify the 'area'. In relation to the wider context of the policy, whilst it is acknowledged that cumulative impact is a material consideration, we must ensure this policy does not conflict with the requirement to maximise reserves. The very nature of mineral reserves is that they are area specific. Once operations start it is preferential to maximise the reserve and as highlighted elsewhere this should be through extensions to existing quarries (Policy CS1). We must not be faced with a restriction on such extensions on the basis of successive cumulative impact. The wording of the policy needs detailed considerations and IS NOT considered sound at this time.

Page 62, Policy DC16 (Air Safeguarding) – The drafting of the policy does not reflect the excellent preamble provided. The very loose phrase 'new or increased hazards' should be extended to make specific reference to this being a concern in closer proximity to aerodromes etc.

Page 63, Policy DC17 (Info for planning applications) – Items 24 and 25 should be included in item 23. Item 26 should be included in 19.

Page 67, Policy 19 (Planning Obligations) – We consider that items (l, k and l) can all be adequately controlled in planning conditions and should not need to form part of obligations.

Page 70, clause 5.65 – Reference is made to the controls to secure alternative restoration. The last sentence refers to the requirement for alternative proposals if reclamation is inactive for 6 months or more. On the basis of the defined term of Reclamation, we consider this content of this clause unacceptable. The nature of mineral working is often phased restoration progressing in accordance with the phased development. It may be for example that due to the time period of year, soils cannot be stripped for restoration during the 6 months period. It would be entirely inappropriate to consider alternative scheme in such instances.

Page 70, Policy DC20 (Restoration and Aftercare) – The second paragraph suggests that reclamation plans should be included in the application and box 7 lists the requirements. This policy should be amended to reflect the potentially long periods of time between application and restoration. The requirements should therefore be for indicative schemes at application with detailed scheme closer to the restoration of the site. The restoration scheme would then be more reflective of conditions presiding at that time.

Many of the items in box 7 duplicate the application requirements in DC18 box 4. The duplication should be omitted (specifically e, f, h, l, k, m, s).

Item 'n' in box 7 is a duplicate of item 'i' and should be removed.

The summary of policies on page 79-84 serves to highlight the duplication of certain policies referred throughout this document and which should be removed to assist in the transparency of the policies.

We hope the above is useful in assisting this stage of the Minerals Development Framework in Leicestershire and look forward to your comments.

Yours Faithfully,

A handwritten signature in blue ink, appearing to read 'S. Ingram', with a long horizontal flourish extending to the right.

**Simon C Ingram BSc (Hons) MRICS AIEMA**  
**Properties Manager – South**