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Your Ref: JW/NH

Date: 30<sup>th</sup> November 2007

Mr J R Wright  
Team Leader – Minerals and Waste Planning  
Environment and Heritage Services  
Community Services Department  
Leicestershire County Council  
County Hall  
Glenfield  
Leicestershire  
LE3 8TE

Dear Mr Wright,

**LEICESTERSHIRE MINERALS DEVELOPMENT FRAMEWORK –  
MINERALS SPATIAL STRATEGY (FURTHER CONSULTATION)**

**REPRESENTATIONS ON BEHALF OF LAFARGE AGGREGATES LTD**

Thank you for consulting with us on the above document.

We set out below our comments on behalf of Lafarge Aggregates Ltd for whom, as you know we have promoted a number of sand and gravel extraction sites to sustain supply across the MDF period. Lafarge clearly also have significant interests in Leicestershire in terms of their igneous crushed rock production at Mountsorrel, which are of much more than just local importance.

**General Comments**

In the covering letter (17<sup>th</sup> October 2007) the text indicates that the Minerals Spatial Strategy is a further document and that following this current round of consultation, work will move onto the Core Strategy and Development Control Policies documents.

The latest document is entitled the “Minerals Spatial Strategy – Further Consultation”. This suggests that it has been consulted on before? The covering letter though appears to suggest that this is an additional document to be read alongside the existing Core Strategy? Our broad comment is that the Minerals Development Framework is becoming somewhat confusing, with two strategy documents under consideration? This may though be a misunderstanding on our part.

When reading the current Spatial Strategy document there is no general explanation of how the various framework documents fit together. It appears, in places, that reliance is still being placed on the existing Core Strategy document – for example, see paragraph 4.11, page 13 - yet in paragraph 1.3 it states that the Government Office were critical of the Core Strategy document.

We wish to confirm that our previously submitted comments on the previously prepared documents still stand.

We consider it would be more helpful to all parties – local authorities, local communities, minerals industry, consultation bodies – if there was just a single Core Strategy document that included a “Spatial Strategy” with references to various options/alternatives?

On a much broader point, we noted from the EIP on the East Midlands Regional Plan (discussion on 20<sup>th</sup> June 2007) that the Chairman commented and raised debate (amongst other things) on some LDF procedures and broad mineral planning issues that might be relevant to a strategy document, as follows:

- The potential timescale/plan period for the MDF and its relationship to the timescale/period of the Regional Plan
- That forward planning for minerals production is often a long-term business and that it is important to plan long-term, otherwise industry suffers, which, in turn has much wider consequences for society more generally.
- That the minerals proposals/policies that will be contained within the Leicestershire MDF (and presumably the Waste DF) will then have to be incorporated into the District Wide LDF’s and more specifically their Proposals Maps, which will deal with all other land uses.

A general comment on the style and layout of the Mineral Spatial Strategy document is that the order and structure of the document could be improved. It appears in places that basic, factual material, like the nature, distribution and properties of certain types of sand gravel – i.e. important characteristics - appears later in the document (page 15). These characteristics are only referred to once the document is dealing with consideration of new sites, having already considered extensions within the strategy for provision of sand and gravel. We recommend that this type of material and the related issues would be better placed earlier in the document, when dealing with characteristics. The document could more logically then move on to dealing with the issues and the balance that has to be struck in the light of the supply/policy requirements.

## **Chapter 1 – Introduction**

We consider that this section would benefit from some explanation of how the various minerals development framework documents fit together and how they should be read. In addition, particularly if this is the first document in the Framework (?), it would be helpful to indicate the period/timescale over which the Spatial Strategy will be applied. In this regard, we appreciate that different timescales were discussed by the East Midlands MPA's at the Regional Plan EIP.

There is reference in the introductory text to the documents that were previously consulted upon. Are they still to be considered in conjunction with the Spatial Strategy document and what specifically is the purpose of this latest document, particularly in terms of its relationship to the Core Strategy?

We think this section would benefit from some reference to how the MDF relates to other documents like the Regional Plan and National Planning Policy.

## **Chapter 2 – Spatial Characteristics**

We do not take issue with the text that is set out in paragraphs 2.1-2.8.

Given that this is a Spatial Strategy for minerals in Leicestershire we consider that it would be helpful in this section to set out the main characteristics concerning: the geology and types of minerals in the county; their uses and importance; their distribution and availability; the demand and supply patterns.

In aggregate terms this could highlight some of the points that emerge much later in the document. For instance, for sand and gravel, there are better quality and more prevalent reserves in the sub-alluvial and river terrace deposits. In terms of crushed rock, reference could be made about the specific properties, the demand for such materials and the proximity to the markets.

This section should present a clear picture of the minerals industry in Leicestershire and the issues that are faced in balancing future supply from the various mineral sectors in the County with the necessary environmental protection?

## **Chapter 3 – Spatial Strategy**

### General Comments

This section does not read like a Strategy. A substantial part of this chapter is made up of summarising the geological resources and outlining issues concerning transport. Again, this is a matter of order and structure of the document as Chapter 4 goes on to

deal with the balance of minerals supply and potential constraints and considers the options.

### Strategy to Meet Minerals Development Objectives

#### *Supply*

Whilst we do not specifically take issue with what is set out in these paragraphs, they do not set out to deal with the particular supply related issues faced in Leicestershire. We recommend that this would be helped by an earlier explanation of the main mineral characteristics in the preceding chapter.

Paragraph 3.6 is not much more than a confirmation of the MPA's general responsibilities.

In terms of paragraph 3.7, and whilst Lafarge Aggregates Ltd broadly supports the extensions approach, it does appear to be quite a leap (in one paragraph) from general supply provision to stating that extensions are the preferred approach. In fact, Chapter 4 starts to deal with the issues that are faced and considers the principle of extensions against new sites. It would be helpful to have this consideration of alternatives before indicating in the Spatial Strategy section that to allow extensions to existing operations is the preferred approach. In any case, the final sentence of paragraph 3.7 suggests that some extensions "will not be appropriate", which undermines the preferred approach. This is confusing to the reader as there appears to be no clear evidence base.

#### *Environmental Protection*

We consider that paragraphs 3.8-3.9 are inadequate for a strategy section. These paragraphs do not set out a strategy for environmental protection. If they are a summary of environmental issues then they should appear in the characteristics section, and should be more robust and clear in terms of the both the negative and positive effects on the environment.

#### *Transport*

Our general comment on this section is that it appears more weighty than the other sections of this chapter and we believe this would be better placed in a section earlier in the document dealing with the current issues.

## **Chapter 4 – Strategy for Future Provision of Specific Minerals**

### Aggregate Minerals

#### *Use of Secondary and Recycled Materials*

Paragraphs 4.8 to 4.10 should reflect that there are examples and opportunities for recycling operations to carry on, or be established at mineral working sites beyond the life of the mineral extraction operation. Paragraph 4.10 should not preclude sites falling within the Option B category.

### *Sand and Gravel Extraction*

Paragraph 4.11 – this is unclear. Firstly, it refers to a period of supply to 2016. It then refers to a shortfall to 2021. In doing so it refers to the previous Core Strategy document. Should we therefore be reading the two documents together?

Paragraphs 4.12 – 4.14 seem to support extensions to existing units. Paragraphs 4.15-4.19 then confirm the existing sites, their reserves potential, the need for extensions to them, and confirms that extensions have been promoted. (Earlier, paragraph 3.7 had indicated that extensions are the preferred approach). Paragraph 4.20 then appears to suggest that there is a potential problem with this approach. The paragraph though is difficult to follow, particularly where it refers to “probable exhaustion” before then indicating that extensions could deliver sufficient supply. This paragraph provides no explanation/evidence as to why there are issues with environmental acceptability or how in any case this is overcome such that extensions can deliver sufficient supply. We are concerned that the document in this regard is not sufficiently robust.

It would help in paragraphs 4.19 and 4.20 if the MDF period is made clear, or if this could be done earlier in the document.

Paragraph 4.21 stresses the importance of these deposits. This would be helpful earlier in the document perhaps. If these deposits are so important should the strategy be seeking to ensure that a certain proportion of supply in Leicestershire comes from such sources?

Paragraph 4.22 – we consider this to be too sweeping. Sites in the river valleys have overcome bird strike issues, have properly dealt with flood risk, and have made contributions to biodiversity. The final sentence is inappropriate and again far too sweeping. We consider that the evidence to support such an approach has not been presented.

Paragraph 4.23 – the opening part of the first sentence is strangely worded. There may though be situations where such sources are important, although the properties are generally not as valued as the river terrace deposits.

Paragraphs 4.26 – 4.27 – we are concerned that there is insufficient evidence presented in the document to support the views that are reached and that this part of the document and its conclusion is not sufficiently robust. Whilst we are sure that the

assessments and comparisons have been carried out it is difficult from the content of paragraph 4.26 to see why the new quarries have been dismissed and the extensions preferred.

Paragraph 4.28 refers to the Site Allocations DPD. As mentioned, some earlier explanation of the relationship of the various documents might be helpful.

### *Crushed Rock*

Paragraph 4.29 – again the timescales with no explanation are a little confusing, particularly we think to non- planning practitioners, and again there appears to be a reliance on the previous document. Should they be read together?

Whilst this paragraph refers to a “surplus”, this should be put in context, particularly as the time horizons for forward planning and investment in crushed rock operations are long-term.

Paragraphs 4.30-4.32 – these could possibly be more clearly explained.

Paragraph 4.33 – this includes an outline of the characteristics, which perhaps should appear earlier, rather than after consideration of the options?

Paragraph 4.34 – we rather feel that the wording “some of Britain’s most attractive and spectacular upland scenery” is somewhat of an over statement in the case of Leicestershire and Charnwood Forest. We appreciate the importance of Charnwood Forest and some of the text that follows is more than adequate.

Paragraph 4.38 – we support the emphasis of the importance of crushed rock supply from Leicestershire, and we also support the acknowledgement that extensions to existing production units could be necessary to sustain this supply.

Paragraph 4.39 – the characteristics element would be more helpful earlier in the document. We are not sure whether the characteristics outlined and the geological factors are a sufficient explanation to dismiss contemplating “new Greenfield” sites. Some reference to the permitted reserves, their distribution and how they relate to the apportionment figure might be helpful here?

## **Chapter 5 – Mineral Safeguarding Areas**

Paragraphs 5.1 and 5.2 – It would be beneficial to have some reference to the sustainability appraisal earlier in the document. In terms of the first sentence of 5.2 – where is this material place within this document?

Paragraph 5.5 – This refers to preferred policies. Are these within the document or to be found elsewhere? In terms of the reference to the Proposals Map, we would refer

you back to the comment of the Regional Plan EIP Chairman in terms of the incorporation of MDF policies/proposals into the district wide LDF's and their Proposals Map. In terms of MSA we think that this would be helpful.

Paragraph 5.7 – 5.11 make clear the importance that government attaches to MSA's. In this regard we consider that it would be of some benefit if they are shown not only on the Proposals Map to the MDF but are also carried through into the District wide documents and maps. The policy at 5.16 would benefit from being carried through into the District LDF's.

Paragraphs 5.13 and 5.15 both refer to consideration and judgement over economic importance. Who will make such judgements? In terms of the Proposals Map we consider that the version that appears at page 44 of the electronic document is inadequate. A better background, scale and improved clarity would help.

## **Chapter 6 – Spatial Maps**

The points made above also apply to the other maps as they appear in pages 41-44.

## **Overall/Conclusions**

We fully appreciate the amount of work that has gone into the preparation of the various MDF documents, including this spatial strategy. We also fully appreciate the overall difficulties in working with the new system and its application when producing development plan documents.

Lafarge Aggregates generally support the approach that has been taken to aggregate minerals in the earlier documents and any concerns/suggestions have been set out in our previous submissions. Our concern is that this latest document does not sit well with those previous documents. Rather it brings confusion and doubt about the approaches taken. In this regard we wish to raise the point that the MDF for Leicestershire is going to have to meet the tests of soundness that are now being applied to all frameworks. It is in the interests of all parties, not just Lafarge and the industry, that the MDF for Leicestershire meets these tests and that the necessary planning policy documents are adopted/ approved as soon as possible. The difficulty seems to be that GOEM have raised in-principle concerns about the previous documents. However, in seeking to resolve this we are not sure whether this latest document being added to the existing framework documents achieves what is needed. In overall terms and having regard to potential tests of soundness we make the following points about the Minerals Spatial Strategy.

Firstly, in terms of process and procedure, it needs to be made clearer where this document sits with the other documents produced as well as the relationship of all

these documents to the Regional Plan, National Policy. The framework period should be made clear from the outset.

Secondly, to ensure coherence we consider that the order and structure of the document would benefit from being adjusted.

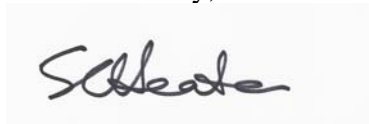
Thirdly, the document should be much clearer as to the issues that are specific to minerals supply and planning in Leicestershire. In considering the options it should indicate and better explain why preferred options have been chosen and refer to the evidence/assessment that is being relied upon.

Our feeling is that without some attention to the above points there could be some difficulty with meeting the tests of soundness that are now being applied.

On behalf of Lafarge Aggregates Ltd we would be happy to discuss with you and your colleagues our views set out above as we do think it is important that the main interested parties, including the minerals industry and the local authority, liaise to try and ensure that the Leicestershire MDF is robust and sound.

I trust the above comments are of help to you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S Heaton', is centered within a light gray rectangular box.

Simon Heaton  
Heaton Planning Ltd

CC: T Deal, LAL

My Ref: 018 WDF Strat LAL sjw

Your Ref: JW/NH

Date: 29<sup>th</sup> November 2007

Mr J R Wright  
Team Leader – Minerals and Waste Planning  
Environment and Heritage Services  
Community Services Department  
Leicestershire County Council  
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Glenfield  
Leicestershire  
LE3 8TE

Dear Mr Wright,

**LEICESTERSHIRE WASTE DEVELOPMENT FRAMEWORK – WASTE  
SPATIAL STRATEGY (FURTHER CONSULTATION)**

**REPRESENTATIONS ON BEHALF OF LAFARGE AGGREGATES LTD**

Thank you for consulting with us on the above document.

I set out below our comments on behalf of Lafarge Aggregates Ltd for whom, as you know, we have promoted a number of waste management facilities.

**General Comments**

In the covering letter (17<sup>th</sup> October 2007) the text indicates that the Waste Spatial Strategy is a further document and that following this current round of consultation, work will move onto the Core Strategy and Development Control Policies documents.

Our broad comment is that the Waste Development Framework, as per our comments regarding the Minerals Development Framework, is becoming somewhat confusing, with two strategy documents under consideration? This may though be a misunderstanding on our part.

When reading the current Spatial Strategy document there is no general explanation of how the various framework documents fit together. We wonder if it would be more helpful to all parties – local authorities, local communities, minerals industry, consultation bodies – if there was just a single Core Strategy document that included a “Spatial Strategy” with references to various options/alternatives?

## **Chapter 1 – Introduction**

It is not clear from Section 1 how this Spatial Strategy fits into the Waste Development Framework. It is noted that Chapter 3 seeks to replace Chapter 5 of the Core Strategy, July 2006, but it is not clear how the remainder of the document fits in with the Framework.

Paragraph 1.9, page 2, makes reference to the fact that the Waste Site Allocations Document has now been separated from the Core Strategy. We welcome this approach. However, it is not clear what is now happening with the existing sites put forward?

## **Chapter 3 – The Spatial Strategy for Waste**

At the start of Chapter 3 is a statement which explains that Chapter 3 of this Spatial Strategy document replaces Chapter 5 of the Leicestershire and Leicester Waste Development Framework Core Strategy and Development Control Policies Preferred Options Document. Clarification is requested on why there is not a similar statement for the Minerals Spatial Strategy.

Chapter 3 states it is a Spatial Strategy for Waste, however, it does not provide any clear indication on the number of facilities required or where they should be located. Chapter 3 makes some broad indications on the number of facilities likely to be required over the framework period but is not of sufficient detail to allow the Industry or Public to make any informed decisions. It is not evident within Chapter 3 what the Spatial Strategy is for Waste within Leicestershire. Chapter 3 seems mainly to discuss the quantities of waste requiring treatment over the Framework period with some approximate indications on waste management facilities required. It is not until you get to Chapter 4 that some of the spatial element is discussed.

Paragraph 3.7, page 9, identifies the requirement of a further 1 or 2 non inert landfills. Clarification is sought over this requirement. We wish at this point to confirm Lafarge's proposal for restoration of part of their Brooksby Quarry site using the disposal of non-hazardous wastes as part of collective waste management operations.

Paragraph 3.8, page 9, identifies that there is an expected need for additional new landfill sites to be provided in the Framework period. Again, clarification is sought over the amount. Lafarge have promoted their sand and gravel quarry at Lockington to be restored using the disposal of inert wastes.

## **Chapter 4 – Distribution and Location of Waste Management Facilities**

As mentioned above Chapter 4 seems to address some of the spatial issues relating to the distribution of waste management facilities. Whilst the intentions of Chapter 3 are

clear, it is to replace Chapter 5 of the Core Strategy, it is not clear on the purpose of Chapter 4 and how this sits in the Waste Development Framework.

Paragraph 4.4, page 12, identifies Option 3 from the Issues and Options Consultation response as the most popular option. It is not clear if this is the preferred approach of Leicestershire, and if so how it is being implemented.

Paragraph 4.7, page 12, states the Core Strategy needs to express spatially and show diagrammatically broad areas where new waste facilities are expected to be located. This has been done on Figure 1 but at a scale that does not provide any clarity.

Paragraph 4.12, page 14, makes reference to the Spatial Strategy expressed above. It is not clear within the text what the Spatial Strategy is.

Paragraph 4.16, page 15, no mention is made to the suitability of existing mineral sites for recycling operations.

Paragraph 4.19, page 15, the role that waste disposal plays in the restoration of former mineral workings is supported.

Paragraph 4.20, page 16, to transport waste within Leicestershire by any means other than road is very unlikely, this objective is unrealistic.

Paragraph 4.24, page 17, states the preferred location for strategic sites for waste management have been identified. It is not clear in the Spatial Strategy where these are. Figure 1 shows very broad locations but the scale of the plan is not helpful.

I trust the above comments are of help to you, if you wish to discuss any of the above please do not hesitate to contact us.

Yours sincerely,



Spencer Warren  
Heaton Planning Ltd

CC: T Deal, LAL